

**DECEMBER 11, 2019, TOWN BOARD**

A regular meeting of the Town Board of the Town of Root, County of Montgomery and State of New York was held at the Town Hall, 1048 Carlisle Road, Sprakers, New York on the 11<sup>th</sup> day of December 2019.

PRESENT: Gary Kamp Supervisor  
LuEmma Quackenbush Councilwoman  
John Thayer Councilman  
John VanKersen Councilman  
Laurel Eriksen Town Clerk  
Robert Subik Attorney  
Donald Oeser Superintendent of Highways

ABSENT: Dominic Cuomo Councilman

OTHERS PRESENT: Marcia Shults, Deputy Town Clerk, Stella Gittle, Assessor; Clifton Dorrough, Code Enforcement Officer; Tom Eriksen, Justice; Richard Bingham & James Herrick, Planning Board Members; Debbie Buck, reporter Courier-Standard-Enterprise; several residents

Supervisor Kamp opened the meeting at 7:00 PM with the pledge to the flag.

**APPROVAL OF THE MINUTES**

Councilman Thayer motioned seconded by Councilman VanKersen to approve the minutes from the November 13, 2019 meeting as presented.

Ayes 4 – Kamp, Quackenbush, Thayer, VanKersen Nays 0

**REPORTS**

Reports were available from the Code Enforcement Officer, the Dog Control Officer, the Justice and the Supervisor.

There was no report from the Town Clerk.

The Attorney reported that he has been in phone contact with the Division of Human Rights and is requesting an executive session to discuss the matter.

The Assessor stated that the Office of Real Property has made changes to the data entry for the enhanced star exemptions making entry of facts difficult. She also stated that the Town’s tentative assessed value will not be 100% with NYS.

The Highway Superintendent reported that the County recommends that asbestos testing of the old highway garage be done by Spectrum Environmental from Schenectady.

The Planning Board reported that they will begin looking at items that they were unable to complete due to the lack of Board Members.

**AGENDA**

Supervisor Kamp presented the agenda for the meeting. Councilwoman Quackenbush motioned seconded by Councilman Thayer to adopt the agenda.

Ayes 4 – Kamp, Quackenbush, Thayer, VanKersen Nays 0

OLD BUSINESS

There were no bid received for the old lighting that was removed from the Town Hall and the Highway garage. How to dispose of them will be researched.

There were 2 bids received for the trenching bucket from the fire destroyed caterpillar excavator.

- 1. John Rebokis, Jr, 306 Klemme Rd, Sprakers - \$1.00
- 2. Sanford Horton, 303 Goldman Rd, Sprakers - \$100.00

Councilman Thayer motioned seconded by Councilman VanKersen to award the bid for the surplus trenching bucket to Sanford Horton for \$100.00.

Ayes 4 – Kamp, Quackenbush, Thayer, VanKersen                      Nays 0

NEW BUSINESS

A notice was received from NYS Dept of Environmental Conservation regarding an error in Local Law No 1 of 2018, Flood Insurance Rate map enacted January 1, 2018. Attorney Subik will contact the State and get clarification on the errors. This will be addressed in the new year.

The end of year meeting was discussed and Monday, December 30, 2019 at 6:00 PM was agreed upon by all.

The Assessor presented the resume of an assistant, Wilson H. Nethaway that she currently works with that she would like to bring in to the office to assist her. The Board told her it was her decision.

EXECUTIVE SESSION

Councilman Thayer motioned seconded by Councilman VanKersen to go into executive session for pending litigation at 7:28 PM and to include the Town Clerk.

Councilman VanKersen motioned seconded by Councilwoman Quackenbush to come out of executive session at 7:43 PM.

It was decided in executive session to accept the Stipulation of Settlement with the New York State Division of Human Rights.

RESOLUTION No 13 of 2019

BOARD MEMBER Quackenbush presented the following Resolution, and moved its adoption

RESOLVED with regard to the case of NYS Division of Human Rights verses the Town of Root and Laurel Sherrie Eriksen in order to settle as expeditiously as possible and without further exposure of the Town to the vagaries of continued litigation that the Town Supervisor and Town Clerk are hereby authorized to execute on behalf of the Town the STIPULATION OF SETTLEMENT by a copy of which is annexed hereto as Schedule “A”, and it is further

RESOLVED that the Supervisor be and he is hereby authorized to execute a check in the amount of \$20,000.00 payable to the Division of Human Rights in Settlement of this matter and to deliver the same.

SECONDED BY BOARD MEMBER VanKersen                      Adopted by the following vote:

Ayes 4 – Kamp, Quackenbush, Thayer, VanKersen                      Nays 0

## ABSTRACTS

Abstract #12 of the general fund for vouchers numbered 298-323 were audited and ordered paid. Paid abstract total was \$21,179.97.

Abstract #12 of the highway fund for vouchers numbered 168-179 were audited and ordered paid. Paid abstract total was \$34,384.86

Councilman Thayer motioned seconded by Councilwoman Quackenbush to accept the audit of abstract #12 of the general fund in the amount of \$21,179.97 and abstract #12 of the highway fund in the amount of \$34,384.86. The vote was unanimous.

## ADJOURN

Councilman VanKersen motioned seconded by Councilman Thayer to adjourn at 7:50 PM.

Respectfully Submitted,  
Laurel Sherrie Eriksen, Town Clerk