

The Deerpark Planning Board met for their bi-weekly meeting on Wednesday, March 12, 2008 at 7:00 p.m. at Deerpark Town Hall, Route 209, Huguenot, N.Y.

The following were present:

PLANNING BOARD MEMBERS

Willard (Skip) Wilson ?Chairman David Dean Gary Spears Theresa Santiago Noel Malsberg,
Dan Loeb Derek Wilson

OTHERS

Mr. Glen A. Plotsky, Town Attorney Mr. Al Fusco, Town Engineer
Mr. Bob Emerson, Town Building Inspector
Mrs. Viola Sinsabaugh, Town Board Liaison
Mr. David Tobey, Applicant Mr. Ralph Conklin, Applicant
Mrs. Mary Ann Conklin, Applicant Mr. Yitzchok Bernath, Applicant Mr. Anthony
Gioffre, Esq., Mr. Joshua Grauer, Esq.,
Mr. Chen Feng, Architect Ms. Minzy Pan,
Dragon Springs Buddhist, Inc.

THE PLEDGE OF ALLEGIANCE

Skip Wilson welcomed Mr. Al Fusco, the new Town Engineer.

RALPH CONKLIN - PRE-APPLICATION CONFERENCE

Represented by himself and Mary Ann Conklin 239-0575

Applicant- Ralph Conklin wishes to subdivide property of 13.9 acres located at 65 Foss Lane, Huguenot, NY. It is an HMU Zone.

Mrs. Conklin showed a tax map of the property, and explained the lot is owned by her father-in-law and currently has a mobile home located at the top of the property. She said that her father-in-law also owns the middle lot providing potential access to Foss Lane. She said that there is one well and one septic system at the top of the property.

Mr. Conklin said that his father owns the property and wishes to divide it into two separate lots for his brother and himself.

The Board asked about road frontage, and Bob Emerson presented a survey map that showed 86? of road frontage for the properties discussed.

The Board determined that the applicants have the 75? necessary for a private drive, and they may apply for a lot consolidation and then subdivide the property.

The Board explained the planning process to the applicants, and the secretary gave an application to the applicants.

DAVID TOBEY - PRE-APPLICATION CONFERENCE

Represented by himself 856-0660 Section 2 ? Block 1 ? Lot 40.2

Owner/Applicant- David Tobey wishes a 2-lot subdivision on property located at 63 Hartwood Club Road, Sparrowbush, N.Y.
It is an RR Zone.

Mr. Tobey presented a survey map to the Board, and indicated his property. He said that he has 25 acres and wants to subdivide to form two new lots in the front portion, which is on Hartwood Club Road.

He said that each of the new lots will contain 1 acre, and have 200' of road frontage each.

The Board determined that the applicant can subdivide, creating two lots and keeping the parent lot, which would make his application a three-lot subdivision.

The Board explained the application process to Mr. Tobey.

DRAGON SPRINGS BUDDHIST, INC. = Section ? Block ? Lot 31 ? 1 - 21.22

Represented by Cuddy & Feder; Mr. Joshua Grauer, Esq. & Mr. Anthony Gioffre, Esq.

Owner/Applicant- Dragon Buddhist, Inc. is seeking a revision to Site Plan #5, (previously approved), on property located at 140 Galley Hill Rd., Cuddebackville, N.Y.

It is an RR Zone.

Application submitted October 12, 2007

Mr. Gioffre said that the last time the applicants were before this Board, there was a discussion of the wastewater treatment plant. He said that there were several concerns and issues that were raised by the Board. He said that the applicant and Board discussed other options to eliminate discharging off-site, modify the proposed designs of the wastewater treatment plant, and keep the effluent on site. He said that at the last meeting the wastewater treatment plant was proposed to be down by the parking lot, further away from the buildings. He said that this new proposed plan is to re-locate the wastewater treatment plant up adjacent to the existing buildings, and utilize the existing subsurface absorption area, to basically clean the water, clean the effluent, and send the water to the subsurface absorption area. He said that this is consistent with the Boards' concern about having no discharge into the Neversink River.

Mr. Gioffre said that his clients consider this a minor modification with respect to the wastewater treatment plant. He asked that the Board amend their approval for the last application, (Site Plan #5) to incorporate this wastewater treatment plant.

Mr. Gioffre said that another minor modification to the last application, is that the Board approved the re-location of parking lot #2, which would be twenty parking spaces on the bottom level, and the top level would be a plaza contemplated to be for walking, and no change to the design or size of that structure; just a change to the function of how those spaces are used.

Mr. Gioffre said that currently the meditation hall is used as a kitchen and cafeteria, and the proposal is to move that kitchen and cafeteria to the location previously proposed as the lower parking level, and there will be no change to the size of the building. He said that the existing space of the cafeteria, that is, the kitchen that currently exists right now, is going to be used for housekeeping and storage.

Mr. Gioffre said that a structure that the Board previously approved that is adjacent to the multi-purpose building. The applicant now proposes that a covered walkway will be built, extending from that building over to the approved RM building and is similar to other covered walkways already on the premises.

David Dean asked, how does vehicular traffic get to there then?

Mr. Gioffre answered by referring to the map and indicating the road, and saying that this is not the main parking area. He said that the main parking area is down below. He said that this proposal is parking for handicapped, and they will drive up to the upper level, which is a 10% grade and requires no change to the structure, just the functionality of how that structure is being used.

David Dean asked, you're just changing the grading on the road?

Mr. Gioffre answered, no change of grade of the road, it remains the same.

David Dean asked, the grade was originally designed to go underneath, but now they're driving up on top, so how can it remain the same?

Mr. Gioffre answered that the proposal previously was that people would've been walking up to the plaza level would basically be using that 10% grade, and now cars would just be using that 10% grade.

Mr. Feng said that the proposal before was that fire trucks and emergency vehicles, and maintenance vehicles would be able to go up that, so there's no change, just look at the last submission.

David Dean asked if the kitchen exists now.

Mr. Gioffre answered yes. He said that it will be moved down below, where the parking was located in the last submission before the Board. He said that there will be no change in the structure.

Mr. Plotsky said that he only got submissions through March 7, 2008, and there may have been a submission as recently as March 11, 2008. He said that according to this March 7th submission, it's not just the wastewater treatment plant that the applicants are proposing to change from the last meeting, but there are 5 or 6 different changes now.

Mr. Gioffre said that the wastewater treatment plant is proposed to be changed, based upon the discussions of the modifications. He said that with respect to the kitchen, cafeteria and the parking lot, the site plan elements are really not changing, but it is the functionality of what was approved. He said that the only other change is the covered walkway which would connect the proposed parking lot and kitchen/cafeteria, carrying over to the RM building.

Mr. Plotsky asked, how big and how wide is that covered walkway?

Mr. Gioffre answered about 150' long, and 6' wide.

Mr. Plotsky said, it's roughly 900 square feet of additional impervious surface that wasn't impervious the last time the applicants were here. He added that it's relatively insignificant.

Mr. Feng answered that it's not impervious, it's just wooden planks.

Derek Wilson clarified by saying that it's wood on the bottom, and the water can come back around the bottom, it's not a concrete base.

Mr. Feng said that the upper parking plaza is a concrete base, there is no change. He said that the

covered walkway is built of timber.

David Dean asked, you have a platform that initially was going to be a concrete plaza, and now is the covered walkway going to be a part of that?

Mr. Feng answered, no, not a part of it, it's just connected.

David Dean clarified by saying that it's a new structure, ancillary to the plaza.

Mr. Gioffre showed the Board members on the map all of the structures that have already been approved and the proposed new structures.

Mr. Feng said that there is a proposed staircase that is small and outside and only goes up one flight.

Derek Wilson said, referring to a letter from the applicants' representatives to the Board, saying that now they're going to discharge, using a procedure that is going to take a year, the applicants want to use the 8,000 gallon in ground discharge system, combined with the higher quality package plant treatment. He said that part of the original problem was that they went from the 8,000 to the 11,500 gallons because of a design requirement by the State Building Code that they needed the 11,500. He said that they went to a higher threshold than what they had, because of a State Building Code requirement on the size of one of the buildings that they were putting up, and that increased the size of the required system. He asked, is it okay to go back down to 8,000 gallons a day?

Mr. Feng answered that Ron Gainer had said that procedure wise, you should apply for a higher one. He said that then after the last meeting, and hearing back from the NYSDOH and NYSDEC, they said that this is a change and they required more changes. He said that they really don't have time to make the changes, so they want to use the system that they already have. He said that the only difference is using the system to discharge the gray-water, only through the septic tank, and now because of the proposed plant, the water will be coming out much purer.

Derek Wilson clarified by saying that the applicants are saying that the 8,000 gallon field that they have for a lower quality of effluent, the NYSDEC will allow them to discharge a greater amount of higher quality of effluent in the same field.

Minzy Pan then spoke, the audio tape however, did not record her comments because she is soft spoken and was not close enough to the microphone.

Derek Wilson said that the Board preferred an on site discharge, and now the applicants have met that requirement, and they are upgrading the treatment of the effluent with the package plant at this time, and their threshold is 8,000 in the absorption fields that they already have, and they will not be running into any problems with the State Building Codes with this proposal with these limits.

Derek Wilson said that the applicants had to originally change from 8,000 to 11,500 gallons because of the State Building Code requirements.

Mr. Feng said that the increase to 11,000 would not be enough, so this is like a procedural compromise. He said that 11,000 is not a figure that would solve the problem for all the new building area, so it's like a compromise.

Mr. Gioffre asked, if we were to propose a system that would be able to accommodate what the legal capacity of the multi-purpose building is, it would be grossly more than even the 11,000.

Mr. Plotsky clarified by saying, that it would be the capacity based upon the Building Code, not the legal capacity based upon Planning Board approvals.

Mr. Feng said that the current SPDES permit is for 9,500 gallons, so the addition is only for 1,500 and that wouldn't be enough to cover an area like that. He said that procedure wise they needed the step, that is, you did it, but you don't have to build it. He said that if they do need an increase, they will definitely come back to the Board and apply.

David Dean said that the SPDES permit is now for 9,500 gallons, and was granted by the NYSDEC, based on what?

Mr. Feng said that it's based on 100 residents/100 visitors. He said that at one time they told us that we had to increase it, but that was all worked out.

David Dean said that the NYSDEC SPDES permit is based on raw gray water that exits from the septic tank, on the gallons. He said that even though the applicants are using a sewage treatment plant to achieve a higher quality effluent, that plant/treatment has absolutely no bearing on the amount of gallons that they need for the SPDES permit.

Mr. Fusco referred to his technical memo dated, March 11, 2008, and said that it's based on the January 30, 2008 site plans that were submitted and the long form EAF. He said that there are a few inconsistencies in the long form EAF that need to be modified because of this latest submittal. He said that Mr. Plotsky has also found a few inconsistencies concerning the uses and information in the EAF. He said that the EAF does need to be dressed up.

Mr. Fusco referred to the second page of his report, saying that the Orange County Health Department had reviewed the two tiered water supply. He said that in looking at the draft SPDES permit from the NYSDEC, he did not however, have any engineering report to go with the plan, so he wasn't able to do a total evaluation. He said however, that that draft permit was for 11,000 gallons per day. He said that there was a note in one of the statements that the NYSDEC had issued an unlisted action under SEQRA determination for this project, and he said that he hasn't seen that document from the NYSDEC. He said that since the Deerpark Planning Board is the Lead Agency, since SEQRA rests here anyway, he said that it doesn't really matter what was stated by NYSDEC.

Mr. Fusco said, that in looking over the plans, the bulk in the rear yard is wrong which is a minor point. He said that it says that the landscaping will be supplied at a later date, and the Board has the right to waive the landscaping conditionally for future review. He said that the detail of a block retaining wall needs some geo grid to support the backfill, and he said that the wall wasn't all that high, but anything over 4' high does need it.

Mr. Fusco said, concerning the wastewater treatment plant, that the SPEDES Permit had been drafted, the draft was issued by the NYSDEC, and that he reviewed that document. He said that he had discussed with the Chairman and found out that the Board had previously asked for on-site alternatives, such as land applications, and/or using the lake and various other possibilities to keep the sewage on site. He said that one thing that he is asking for in this report, is to see the engineering reports that had been submitted to the NYSDEC and the previous town engineers' comments. He said that he needs to look at the stream assimilation analysis, so that if the applicants did go to the tributary and to the Neversink River, he would know what was going on, because it is a trout stream and things of that nature. He said that he had then been contacted by the engineer and other members of Dragon Springs, and met with them two days ago, and also having sat down with them again earlier today. Mr. Fusco also said that he has another very cursory review dated March 12,

2008.

The Board took a few minutes to review this latest report.

Derek Wilson said that the Board does not need to have reports submitted to them hastily at the meeting, but that the applicants need to submit reports in a more timely matter, so that the Board members will have time to review the material.

Mr. Chen answered that they try to submit material at least 10 days before the Planning Board meeting, but after the NYSDOH and NYSDEC meeting, they had no other choice but to modify the report.

Mr. Fusco said that this March 12, 2008 submittal is something that he had written up after meeting with the applicants today. He said that the applicants had submitted a new EAF which indicates the change in the wastewater treatment plant location, and they are no longer going to discharge into the tributary, but will take the waste from the wastewater treatment plant that they did move closer to the buildings, and put that into the previously approved underground subsurface system, where they have some mound systems, some of which are built and some of which are under construction, as per his review of the statements.

Mr. Fusco then referred to the new EAF where there are some changes, which need to be straightened out. He said that in one area the applicants still indicated the 11,000 gallons and in another area they indicate 8,000 gallons. He said that he did see in a May 2005 SPDES permit for up to 9,500 gallons. He said that there are different classifications of NYSDEC SPDES permits, such as, from 1,000 to 10,000 and then from 10,000 to whatever. He said that the applicants do have a permit for 9,500 gallons, and as they stated, this is based on a per gallon capacity, whether it goes through just the septic system or the wastewater treatment plant.

Mr. Fusco said that he had not seen what the conditions were for the NYSDEC permit, such as, if the applicant does make any major changes, they (NYSDEC) have to review it or it has to be reviewed by a professional engineer. He said that he still needs to know what these special conditions were.

Mr. Fusco said that the applicants are attempting to keep the sewage on site, which is what the Board wanted. He said that the applicants also did indicate that there were some other expansion areas, where they can put some additional underground expansion fields, whether they be in the ground or mound systems, there is plenty of land available for that in the future. He said that if the applicants are going from 11,000 gallons, which was calculated by the Building Inspector for the use, down to 9,500 gallons, it does allow the applicants to continue, based on their existing SPDES permit, and they could later apply for 11,000 gallons or more, to meet whatever their future demands they may have, and show an expansion of the system, based on that additional usage. He said that it does appear that the overall idea of the plan is something that could work out, but he said that he needs the engineering report and the NYSDEC report and the details of the existing mound system, so that he can better evaluate it.

Mr. Fusco said, referring to his technical memo of March 11, 2008, concerning the kitchen area, the page D-10 of the plan, that details of the building need to be presented to the building department for their review for things like exits and things of that nature, as well as submit the report to the Orange County Department of Health for their review because their permit is also needed by the applicants.

Skip Wilson said, reading from the written resolution, dated 2006,... ?the bridge and culvert improvement on private road shall be completed by June 1, 2008.? He asked if that will be completed.

Mr. Feng answered no.

The Board asked that the applicant's legal counsel write up something to extend that resolution.

David Dean said that the design was approved for a septic system, not a sewage treatment plant. He said that he would feel more comfortable if he knew that the NYSDEC would go along with the fact that the applicants are going to use a treatment plant rather than a septic tank.

Minzy Pan answered, but the audio tape did not pick up her comments.

David Dean said that he believes that the applicants should get a letter from the NYSDEC stating that they are happy with the package plant, rather than the septic tank. The other board members agreed.

Mr. Gioffre said that he would like to address Mr. Fuscus' comments. He said that said comments concern the site plan issues which are a consideration, but he said that he believes that they are the building departments' permit process and construction drawings.

Derek Wilson said that when the Board gave conditional approval at the February meeting, they did so, because the applicants had indicated that they were in a rush, and now, he said they are again, submitting materials for the Boards' review several days before the meeting, and even the very day of the meeting. He stressed again, that materials need to be submitted at least 10 days before the meeting.

Mr. Feng said that they just had the meeting with the agencies, and they didn't want the meeting to be wasted. He said that he will work closely with Mr. Fusco, and then they will get that letter from NYSDEC, if the Board could grant them conditional, based on getting that NYSDEC letter.

Derek Wilson said that the Board had given conditional approval on the site plan, minus the wastewater treatment plant, and the applicants were going to come back before the Board pursuing the wastewater treatment plant, which they are now doing, plus these changes. He asked, you are pursuing now a new submittal for an amendment for the site plan?

Mr. Gioffre answered that they had inquired, given that they did have a public hearing on the wastewater treatment plant, went through SEQRA on it, went through the environmental reviews, and discussed the wastewater treatment plant at the public hearing, and basically the modifications that are before the Board this evening, are really everything that they've discussed and submitted, obviously with a design change. He asked whether or not the Board would consider amending the approval to incorporate the wastewater treatment plant.

Mr. Plotsky added, and the other modifications mentioned in Mr. Fuscus' technical memo.

Mr. Gioffre answered that he personally doesn't believe that the modification of the re-location of the functionality requires a site plan approval.

Mr. Plotsky said that at least one covered walkway is not included. He said that everyone agrees that the changes are fairly minor.

Mr. Grauer said that they are merely asking that the Planning Board would entertain what they've presented this evening, as an amendment of the prior resolution, subject to all of the conditions that the Board deems appropriate.

Derek Wilson said, that he does not feel comfortable taking any actions tonight, and would hope that before the next meeting, that the Town Engineer would have enough time to review the changes, and also the Town Attorney could advise the Board whether he feels there's any reason not to look at it as just an amendment to the existing site plan, if the issues are not major.

Mr. Plotsky clarified what Derek Wilson just said, by saying that the Town Engineer needs to get up to speed and that he himself needs to take a look at it also, and just make sure that the applicants don't have to file an additional application. He said that if he thinks that they do, he will let them know in time, to be able to get it in, and they'll be on the next agenda anyway. He also said that they also need to submit the letter about the bridge, which will not be done by June 1, 2008.

Noel Malsberg commended the applicants for keeping the effluent on their property, with this latest proposal.

Mr. Plotsky, in response to a question from the Board, said that in regard to the Building Inspectors' on site inspections, that at this point, they are a whole lot closer to agreement, than the last time that they met.

Mr. Plotsky told Mr. Gioffre that on the EAF there was a question about what approvals the applicants will need, and they indicated site plan approval, but did not write down that it was a special use permit, and that needs to be added. He said that they might as well ask for an extension now, so they don't have to come back for that again.

Gary Spears asked if there are third party inspections worked out with the Town Supervisor and Building Inspectors' office?

Skip Wilson answered that he thinks so. He also added that the Dragons Springs escrow accounts are all up to speed.

YITZCHOK BERNATH

Represented by himself 914-906-4394 Section 57 ? Block 1 ? Lot 62

Owner/Jonathan Flech - Applicant/ Yitzchok Bernath wishes to open a welding business on property located at 24 Lime Kiln Rd., Town of Deerpark.

It is an HMU Zone.

Application received February 13, 2008

The Board reviewed the new site plans that the applicant had submitted.

Mr. Fusco referred to his technical memo on this project, dated March 10, 2008. He said that the existing building does not meet the side yard bulk yard lot width. He said, however, the building and the lot already exists, and in the Town Zoning Code, Article 6, they may be considered a non-conforming pre-existing use.

Mr. Fusco said that in relationship to SEQRA, this is an unlisted action, and asked the Board if they wanted to do a coordinated or uncoordinated review. He said that if the Board just wanted to review this application (in house), then they could just declare themselves lead agency.

Mr. Fusco said that the subject property is in proximity to Route 6, and under the General Municipal Law, the County and the DOT needs to be notified.

The secretary was asked when the referrals went out. She answered February 29, 2008.

Mr. Fusco said that the Board can waive the topographical requirements.

Mr. Fusco said that this latest site plan shows some landscaping on the north and east and west sides, which are not in direct conformance to the Code, but he said that it does seem reasonable what they propose.

Mr. Fusco said that the fence needs to be 18 inches from the property line, and needs to be shown on the plan. He said that the applicant also has to show where the new fence starts and the old fence is left.

Mr. Fusco said that the number of employees and the hours of operation and the parking calculations are indicated on the plan. He advised Mr. Bernath to show one handicapped parking space on the map. He said that the Code calls for a loading zone, and asked the Board if they wanted it indicated on the plan.

Mr. Fusco said that the dumpster enclosure is fine, but it is blocking one of the parking spaces. He suggested that one or the other be moved.

Mr. Fusco said that the applicants' engineer should show a perc test for the sewage disposal expansion area, just to make sure that it is sufficient, and also to certify the existing system, utilizing a dye test.

Mr. Fusco said that these items should be stated on the site plan as well as notes indicating that there would be no storage of material or equipment, and no changes to exterior lighting.

MOTION

David Dean made a motion to waive the topo on the Bernath application. Gary Spears second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye; W. Wilson, aye.

Motion carried.

Mr. Plotsky said that the public hearing will not be 30 days from the date of the referral to Orange County or NYSDOT, but perhaps the report will be received prior to the hearing.

MOTION

Gary Spears made a motion that the Deerpark Planning Board be lead agency on the Bernath application, and that they do an uncoordinated review. David Dean second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye; W. Wilson, aye.

Motion carried.

Mr. Bernath said that originally the fencing was on the property line, and his engineer had moved it and put (on the plan) shrubs to make it look nice, so that should already be 18 inches.

Mr. Bernath asked, why does he need a handicapped space, since it will only be himself and two other workers coming onto the premises, as no outside people will be coming into the building?

Mr. Plotsky answered that this is required in the Code and by the Americans with Disabilities Act.

Mr. Fusco answered that Mr. Bernath could have a handicapped employee, or a delivery person could be handicapped also.

Mr. Bernath said that his engineer did show that the septic system indicated on the site plan is approximate and is functioning correctly at this time, and has that in writing.

Mr. Fusco answered that the engineer only has to add that it's certified.

Derek Wilson asked the Building Inspector, if he has any record of the septic system in his files?

Bob Emerson answered that there is nothing in the file, and his recommendation is for the applicant to have the septic tank pumped out.

David Dean instructed Mr. Bernath about the simple operation of a dye test, and have his engineer conduct the test and certify it.

Bob Emerson said that the stream on the property is a designated trout stream.

Mr. Bernath said he would get the changes back to the Board.

Mr. Bernath thanked the Board.

GENERIC DISCUSSION OF WELLS THAT ARE IMPACTED BY SUBDIVISIONS, AND THE MONITORING OF WELLS OF ADJACENT LANDOWNERS.

Derek Wilson said that he feels that the Board doesn't have to initiate specific rules or regulations. He cited instances where new people came into a neighborhood and putting in their wells ended up taking water away from his neighbors' wells, which happens when many lots are subdivided into a neighborhood.

Derek Wilson said that under SEQRA, the Board can require an applicant to reasonably mitigate his impacts on the existing neighbors' lots. He said that the Board can say to the applicants' engineer, if this is going to be a problem for the existing wells, then the applicant has to pay for water reservoirs, or any other option to mitigate it?

David Dean said that he has a problem with that, because he doesn't believe that the Board should limit the number of lots that the applicant wants, or require him to put in a 5,000 gallon water storage tank for the neighbors.

Derek Wilson said that if the applicants' pump down test does draw down the neighbors' wells, then the applicant should have to pay the cost of resetting the pumps on the existing wells on the neighbors' property, or the applicant has to pay the cost of re-boring the existing wells deeper, or drilling new wells for the neighbors.

David Dean disagreed.

Noel Malsberg said that a proposed large development, that has a behemoth 270,000 space of commercial will obviously draw a lot more, and change the whole neighborhood equation.

Bob Emerson suggested that any project above a certain number of lots, the Board should require a central water system.

The Board agreed that this issue should be dealt with on a case by case basis.

BRIEF DISCUSSION OF MINUTES

Gary Spears asked if the town engineer reviews the minutes before the Board gets them.

Skip Wilson answered yes, on the technical issues.

Mr. Plotsky said that now, with the new Town Engineer, the secretary will send the draft to both Mr. Fusco and himself to review.

Gary Spears said that under Dragon Springs' minutes tonight, Minzy Pan had said, at least two times, that when the applicant goes to increase the number of people on the site, they will have to apply for a new traffic study and new sewage design for the Board's approval, to increase the number of people in their facility.

EXECUTIVE SESSION

Skip Wilson made a motion for the Board to go into executive session for the purpose of possible litigation, and invite the Town Board Liaison, Town Attorney and Town Engineer to attend. Theresa Santiago second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye; W. Wilson, aye. Motion carried.

The Board went into executive session at 8:40 p.m.

David Dean made a motion for the Board to come out of executive session at 9:20 p.m.

Theresa Santiago second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye; W. Wilson, aye. Motion carried.

ADJOURNMENT

David Dean made a motion to adjourn. Gary Spears second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye; W. Wilson, aye. Motion carried.

Meeting adjourned at 9:21 p.m.

Respectfully submitted,

Barbara Brollier