

**Village of Cayuga Heights
Meeting of the Board of Trustees
Cayuga Heights Fire Station**

Present: Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley, and Szekely, Supt. Cross, Ass't Supt. Frisbie, Chief Boyce, Fire Chief Tamborelle, Clerk Manning, Attorney Marcus

Absent: Trustee Collyer

Others: Sarah Hatcher, Linda Bors, Marylee Johns, Charlene Temple, Chris Anagnost, Darlene Klein, David Klein, Mary Tabacchi, Guy Tabacchi, Michael Kazarinoff, Ralph Janis, Karen Kaufmann, Charles Wells, Scott Teel, Katherine Ludwig, Katie Stein, Sherene Baugher, Anita Watkins, Jenny Stein, James LaVeck, Eric Huang, Lauren Comley, Peter Botorff

Mayor Gilmore opened the Public Hearing at 7:05 PM on the proposed local law concerning the establishment of an independent Planning Board. Atty. Marcus introduced the proposed Local Law No. 1 of the Year 2009, pointing out the change from the copy introduced at the January meeting on page 2, entitled item C – Limitation on the Appointment of Members. He also described the intent of the law, which is to allow members of the Planning Board to be independent of the Board of Trustees. Trustee Szekely commented on the Limitation on the Appointment of Members paragraph. She felt that if the Village had a larger population, it might be feasible to have that limitation, but due to the small population, it does not seem feasible. Trustee Szekely moved that Item “C” be struck from the proposal. Trustee Riesman agreed. It is hard enough to get good people to sit on the Board of Trustees, not to mention finding good people to sit on another Board. At this time, Trustee Riesman disclosed again that her husband, Fred Cowett, sits on the Zoning Board of Appeals while she is on the Board of Trustees. It was originally said that Trustee Collyer raised an objection to a member of the same family sitting on different Boards within the Village; however, Trustee Bors said that he, also, raised objections to members of the same household sitting on different Boards in the Village.

Ralph Janis asked if the Board of Trustees has to rule on the rulings of the Planning Committee. Atty. Marcus explained about the Planning Board vs. Planning Committee. He explained the decisions that would be in the hands of the Planning Board of the Village, i.e. subdivision application and site plan applications. No other decisions would be made by the Planning Board. The Planning Board could suggest zoning law changes, but would not have the authority to implement those changes. If the Village went ahead with a new Comprehensive Plan, the Planning Board would typically act on the first draft of a Comprehensive Plan which would be approved by the Board of Trustees.

Treasurer Silber stated that when the Planning Board rules on a subdivision, the Board does not look at that decision. If the decision is challenged, the challenge would go to the Supreme Court as an Article 78 against the Village and the Planning Board. If a building was higher than the height limitation, the Zoning Board would be called to rule on height before the Planning Board got the case. The Zoning Board also does not go to the Board of Trustees. The Trustees do not get to rule on Planning Board decisions. Anita Watkins asked if there were any additional costs to an Independent Planning Board. The answer is

there would be minimal training costs. Ms. Watkins asked what would happen to projects outstanding. Atty. Marcus said that the Planning Board would continue to exist, just with different individuals. They would carry on as the Board did while they were acting as the Planning Board.

Scott Teel asked about portions of West Hill being referred to Cayuga Heights. It was explained that that was a real estate marketing tool as a part of West Hill is used for school district placement.

There being no further comments from the Public, there was discussion on whether to close the Public Hearing and vote on the Local Law. It was determined to wait until all 7 members of the Board were present.

**Motion by Trustee Staley
Seconded by Trustee Bors**

Move to pass Resolution 6429 to continue the Public Hearing on the Independent Planning Board to the March Board meeting at 7:00 PM.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES.

The Mayor then asked for approval of the Minutes of both January 20 and the January 26, 2009 Board meetings. Corrections were noted.

**Motion by Trustee Donner
Seconded by Trustee Szekely**

Move to pass Resolution 6430 approving the minutes of January 20 with corrections as noted.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

**Motion by Trustee Szekely
Seconded by Trustee Bors**

Move to pass Resolution 6431 approving the minutes of January 26 with corrections as noted.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

At this time, Fire Supt. Tamborelle presented his report, as he had to leave the meeting early to attend Fire training. He addressed the question that was asked at the January meeting about cuts to fire training. Tamborelle stated that in the NYS Training Budget, classes that were approved before the budget was cut will continue. There also was some discussion at Tamborelle's budget prep session about training monies.

There being no other discussion, Supt. Tamborelle was thanked for his report and excused.

Privilege of the Floor – The Mayor opened the Privilege of the Floor. He reviewed the rules, stating a 2 minute time limit for each speaker and no exchange between individuals during the Privilege of the Floor. Mayor Gilmore then read the following statement:

“May I request that speakers maintain a degree of civility and decorum in their presentations, that they keep in mind that the Board is accepting comments in the hope of learning more about the topic at hand and the public’s attitudes toward it, and that they avoid personal attacks and comments. We, the Board of Trustees, would like to extend our appreciation to Kate Supron for Chairing the Deer Remediation Advisory Committee and her hard work.”

He then asked that individuals wishing to speak about anything other than deer be able to speak first.

-Michael Kazarinoff (VCH) – His family has lived here for 35 years. He referred to the Dog Control Law. Dogs are causing damage to properties of residents not owning dogs. He asked if companion animals are so destructive, why does the Village let the deer run free.

-Lauren Comley – Favors culling the deer herd. She was frightened when a deer ran out in front of her. They are a safety hazard. We would not be destroying all the deer, just culling a portion of them.

-Charlene Temple (CH) – Completely opposes bait and shoot program. She lives across from the Park estate and has no desire to kill animals. She values their presence.

-Katherine Ludwick (OV) – lives in Trumansburg but is visiting Cayuga Heights with her son. Only a small fraction of bullets might hit a bystander, but it takes only one. Culling means killing. Use correct terms. Deer are killed with cars but that is not an excuse to kill more deer. Drivers should slow down and be more careful on the road. Don’t cause violence where there is none.

-Sherene Baugher – Misleading information put out by the DRAC. There have been statements made by the Mayor and the DRAC about a noticeable decrease in birds in the Village. There is no increase in lyme disease either, as the State has new methods of recording these types of statistics. Even Suffolk County, who has the largest increase of lyme disease, is not proposing bait and shoot program. There are no statistics available to back up these statements.

-Karen Kaufmann (CH) – Is running for Trustee in this election. Has been looking at other community models such as Rochester Hills, Michigan, who began a 4 month culling program and bailed out after 2 months. They had done their homework, including a feasibility study. Protests were numerous.

-Katie Stein (CH) - Grew up in Ithaca. Lived in Norway for the past 15 years. Ithaca is creative and enlightened. She is astounded that local government favors bait and shoot. How to you explain this to the children? What message is being sent other than conflict is solved by violence. Is seeking a non-violent solution to the issue.

-Nancy Jacoby (OV) – loves the Village of Cayuga Heights. Works here and is opposed to bait and shoot. These would be small acts of violence. Wants a non-violent, non-lethal solution to manage the deer.

-Peter Botorff (CH) – What are the non-lethal solutions people are looking at? Sterilization was done before and is prohibitive by cost. Use scare tactics to keep the deer away? The only effective way is to kill the deer.

-Ralph Janis (CH) – Has never been in favor of shooting animals, deal with real not forceful things. Has had 3 accidents and doesn’t understand the mindset that death is what we do to animals. It’s not an issue between killing or saving animals.

-Anita Watkins (CH) – We live in a culture where animals are killed all the time....their meat is for eating.

-Mary Tabacchi (CH) – Is also running for office of Trustee. The Village does need to do something, just get all the data in before moving forward. Understand the issues and think things through rather than rush. Be cautious.

-Jenny Stein (OV) – Cares about the Community as Ithaca borders the Village of Cayuga Heights. Last count was done 3 years ago. How does the Village know how many deer are here now? Is there a compensated rebound effect? Are the Mayor and DRAC inflating deer accident numbers? How does the Village guarantee the safety of the citizens? Why doesn't the Village amend the fencing ordinance?

Mayor Gilmore stated that there is a public forum tentatively scheduled for after the March election. After speaking to Kate Supron and the DRAC, the Mayor won't rush the vote before the March 18 election.

-Wesley Sine (CH) – Thinks bait and shoot is a great idea. It's a natural way to cool the ecology. Worked in Maryland where the deer population was also too high as it is in the Village.

-Eric Huang (OV) – Read a statement by Jane Staller, who could not be present. She is concerned about deadly weapons being used in the neighborhoods of Cayuga Heights and is concerned about the efficacy of the culling process, which would involve many years of "secret shootings."

-Scott Teel (OV) – Thanked the Board for listening. Nature causes problems, dogs are domesticated animals, deer are wild. Would like to hear more about sterilization program and why it didn't work. We shouldn't kill things just because they become a problem to us. Isn't there a more humane way to accomplish this?

Mayor Gilmore closed the Public Hearing at 8:15 by saying that a DRAC meeting is scheduled for Thursday, February 19, and a public information package will soon be sent out to each resident.

New Business

Report of the Ass't. Supt. of Public Works – Report was distributed and is on file. There was a lot of overtime due to snow conditions in January. No water main breaks occurred. There was one reportable injury. There is enough salt in storage to finish out the season. Trustee Szekely stated that she received a complaint about a pothole and the DPW will be repairing it.

Report of the Mayor – The Mayor reported on the following:

-Village Elections - The March 18 election is contested with six candidates running for 3 trustee positions. Rich Uhlig, Bob Andolina and Bea Szekely are running on the Community Party, and Karen Kaufmann, Nancy Green and Mary Tabacchi are running on the Open Government Party.

-Bolton Point – The Mayor would like to encourage everyone to drink water from the Bolton Point supply system, and reminded everyone not to flush medication into the water system. The Mayor, along with former Mayor Ron Anderson and Village of Lansing Mayor Hartill, encourage Bolton Point to allow the City of Ithaca to become partners instead of a customer of Bolton Point. On behalf of the Village, the Mayor is trying to get an agreement together for the City. This would eliminate a duplication of systems in the Community if the City were to stay on their own. Trustee Staley commented that the City is not very cooperative and there would not necessarily be a reduction in costs if they became a partner. There also would be quite a bit of work to get water to the entire City because of their outdated infrastructure. Trustee Szekely asked if Trustee Staley, Supt. of Public Works Cross and Treasurer Silber can spend some time on this issue at the March meeting. This decision will impact the Village, and the Trustees need to know more about it. Trustee Riesman agreed, and asked if a decision was made at the last Bolton Point meeting on the part of the Village. The City was offered a partnership 5 years ago and they declined. Bolton Point and Cornell University have gone ahead with their own separate agreement. The City was offered to be a customer over the past 2 years. In fact, there is a Memorandum of Understanding that offers them a customer role on Mayor Peterson’s desk. No decision has been made. When the City comes back with a decision, it’s going to take a lot of effort by the Commissioners to work things out. Noel Desch, Mayor Hartill and Mayor Gilmore are going against the flow by looking into bringing the City on as a partner, as they wanted a larger vote than any of the other municipalities because of their size. Bolton Point already said no to that. The Mayor’s position is to re-offer the partnership agreement if the City will agree to come in under a one-to-one partnership. Trustee Bors asked why the City didn’t join Bolton Point in the very beginning. Supt. Cross answered that the City had their own water system at that time. The Mayor would like to invite the Chairman of Bolton Point to a meeting. Treasurer Silber said that there have been discussions with other municipalities regarding the City as a customer, not a partner.

- Discussion about the Village now being taxed at 100%...last year it was taxed at 85%. Treasurer Silber said that the budget is focused on revenue vs. rate. The County does their taxes the same way.

- Tree lights will be discussed at a later time.

- Budget process is continuing.

- Ice melt during the winter months – Letter received from resident Patty Davis who would like the sidewalks cleared of ice during the winter. Supt. Cross said that ice melt is destructive to sidewalks, is expensive, and the Village has no equipment to make this happen. It has been tried in the past and the policy has been to try to avoid it. Mayor Gilmore will answer Ms. Davis’ letter. Trustee Bors would like the information clarified before the Mayor writes to Ms. Davis. He stated that calcium chloride is almost as destructive as salt, which Supt. Cross will research.

Trustee Privilege of the Floor

Trustee Riesman spoke about the Chemung Canal Trust Company (CCTC) building. There is no sign on the building when you are approaching from Pleasant Grove Road. Trustee Riesman spoke to Joe Perry of CCTC about this and he agreed that one is needed. The Village needs to look at its zoning ordinances, which are very old. They need to be edited and modernized. In the short term, Trustee Riesman will suggest to Joe Perry that he files an appeal with the ZBA. It makes no sense with a new building in the Village that

the public doesn't know what the building is for. Trustee Staley added that Community Corners Shopping Plaza needs signage, also, as the shops there are not readily visible. Trustee Riesman met with Ned Hickey, Village of Lansing Planning Board Chairman, who gave her names of individuals who could help with zoning changes. Trustee Szekely asked why there couldn't be a sign in front of the Shopping Plaza. Supt. Cross explained the zoning laws. He said that the signage laws are very restrictive. Community Corners should have a directory. Trustee Szekely then asked about the "For Lease" sign on the new Olver building. Supt. Cross said that he issued a temporary permit until the building is completed. Trustee Bors asked if CCTC could use 2 signs ½ the size of their current sign. Trustee Riesman said that it would be quite small. Supt. Cross said that Joe Perry was asked in the planning stage if they were going to need any variances for the project. The bank group said no, which was about site issues, not about signage. Trustee Bors said he remembers that and he considered signage as a variance. He doesn't feel that it's the Village's job to go out of its way to insure that the public knows where commercial buildings are. It was suggested that this topic should be discussed at an upcoming Planning Board meeting.

Trustee Szekely spoke on the Cayuga Heights Association. She and Michele Kiefer met earlier regarding the revival of the Community Association as an independent organization of Village residents. The start-up is moving slowly. People are needed to carry out leadership roles. Michele is working on an article for The Courier. The Mayor has collected donations from couples he has married for the Association, and there is roughly \$3K left over from the first Association. As an aside, Andrew Janis, who grew up in the Village, is exploring ways to memorialize his good friend, James Joseph Kaplan, who recently died at age 29. He is looking at Ithaca High School where Jay was a star soccer player. More to come on this subject.

Regarding the Village Historian position, Trustee Szekely spoke to Carol Sisler and she has no interest in continuing to serve as Village Historian. Trustee Szekely spoke to Carol Kammen to see if she was interested, and since she is the County historian, she declined. NYS mandates an historian position for any Village with more than 400 residents; there are 1359 Village Historians in New York State. The Village Historian of Cayuga Heights, in Ms. Kammen's words, should be our "cultural officer," someone interested in the sort of preservation work Historic Ithaca does, as well as the archival records of our Village's history, and public education programming related to it. Ms. Kammen suggests an open competition, a Village resident, modest stipend, place to work with a computer, and an email account at the minimum. Mayor Gilmore would like Trustee Szekely to do an executive summary and job description in the budget.

Report of the Clerk – Clerk Manning discussed Mayor Gilmore's request to have an architect involved in the Marcham Hall renovation plan. Her concern is that it came up now, at budget time, instead of months ago when the committee starting meeting again. Bringing in an architect now will not only delay the plan, but raise the dollar amount of the proposed plan due to architectural costs and the possible inflation of the project due to architectural involvement. Mayor Gilmore stated his reasons for getting an architect involved, i.e. major renovation project, cost of the project, architectural integrity of the existing building, time that Brent Cross would have to put into the project, etc. Trustee Riesman reminded the Board that Marcham Hall is not an historic building. The prevailing thought about renovations to old buildings is to add an elegant, simple building and not try

to duplicate the looks of the original building. Adding an architect would add costs of approximately 17% to the total budget.

Trustee Staley stated that the plan that the Renovation Committee has its concept designed by the people who use the building. They are the ones who understand it best. He would like to see the project move forward. A question was asked why the project was shot down last time. Treasurer Silber stated that the project was never shot down, no vote was ever taken. The Trustees never voted on the project.

Supt. Cross said rather than hire an architect, he would be agreeable with a "peer" review during the planning stage. Trustee Bors was concerned about the Village getting into any problems with the renovation not having an architect involved. Supt. Cross said that he would do the same job with the renovation project that he does with any work done in the Village. That is his job. Treasurer Silber asked if the Village was taking on any liability by having Supt. Cross do the renovation job. Attorney Marcus said no more than in any case of Supt. Cross approving plans for others.

Trustee Riesman asked what was the next step in the process. Supt. Cross said that within the next month, a budget line will be included for a capital project. The Trustees will get the tentative budget (the Treasurer's budget) at the March meeting, and the Board will vote to move forward with the budget or not after the Public Hearing at the Organizational Meeting in April.

Report of the Treasurer – Treasurer Silber reminded the department heads that their department requests for the budget are due to him by February 20. The Trustees will see all the numbers...the department request, and the Treasurer's request, and the Trustees decide on the final budget at the Organizational Meeting.

The Treasurer will call a working session on the budget for discussion on the figures provided to him.

Treasurer Silber discussed with the Board the idea of offering Aflac insurance to non-bargaining unit employees. This insurance is now being offered to the PBA at no direct cost to the Village.

**Motion by Trustee Szekely
Seconded by Trustee Donner**

Move to pass Resolution 6432 approving that the non-bargaining employees shall be offered the Aflac Disability, Accident, and Cancer insurance coverage being provided to PBA members. Cost of said insurance to be paid by enrolling employees via payroll deduction.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES
Treasurer Silber also requested that the Board approve money from the deer fund for payment to ICSD for the deer community forum.

**Motion by Trustee Riesman
Seconded by Trustee Donner**

Move to pass Resolution 6433 approving an amount not to exceed \$250 from the deer money to pay to Ithaca City School District for the Deer Community Forum scheduled for March 12, 2009.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

Transfers – Treasurer Silber presented the transfers for Board approval.

**Motion by Trustee Riesman
Seconded by Trustee Bors**

Move to pass Resolution 6434 approving the transfers dated 02/17/09 as listed below:

From:		To:		Amount
A01990.410	General Fund Contingency	A01410.410	Clerk Contr Exp	2,000
A01990.410	General Fund Contingency	A01420.410	Attorney Contr Exp	10,000
A01990.410	General Fund Contingency	A01620.440	Village Hall Utilities	1,000
A01990.410	General Fund Contingency	A01950.400	Taxes/Assessment	75
A05142.100	Snow Personal Service	A05010.100	Street Admin Personal Svc	5,000
A08160.410	Refuse Contr Exp	A05110.410	Street Contr Exp	3,200
A05142.100	Snow Personal Service	A05142.150	Snow Personal Service – OT	9,200
A01990.410	General Fund Contingency	A05142.410	Snow Contr Exp	10,000
A01640.410	Cent Gar Cont Exp	A05142.490	Snow Eqpt Maint	1,100
A08160.410	Refuse Cont Exp	A08160.490	Refuse Eqpt Maint	200
G08130.410	WWTP Plant Contr Exp	G08130.490	WWTP Eqpt Maint	12,000

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

Abstract – Treasurer Silber presented the Abstract of Vouchers for Board approval.

**Motion by Trustee Bors
Seconded by Trustee Donner**

Move to pass Resolution 6435 to approve the Abstracts of Audited Vouchers Dated 02/17/09 and any amendments below thereof in the amount of \$252,428.58 including the Addendum, and instruct that the Treasurer make payments thereon.

Report of the Supt. of Public Works - Supt. Cross commented on the WWTP Phosphorous Filter Project, which is nearing the halfway point. Things are going well and the filter “package” is scheduled to be delivered this week. Stearns & Wheler has recommended approval of a change order for the purpose of modifications to the specifications for the flocculation motor and the filter feed pumps. The total amount of the change is \$5,038.15. This brings the total of all change orders to \$19,670.95, which equals 1.2% of the contract value. The budget includes a provision for up to 15%. Supt. Cross asked the Board’s approval for this change.

**Motion by Trustee Donner
Seconded by Trustee Szekely**

Move to pass Resolution 6436 approving the WWTP Phosphorous Filtration Project Change Order No. 3-G as follows:

**Provide flocculation tank mixer furnished under Section 11385 equipped with inverter duty motor suitable for use with VFD specified under Section 16580 and in accordance with Section 15170 of the Contract Documents at a Cost of Change of \$725.65; and
Provide filter feed pumps, FFP-1, FFP-2, and FFP-3, constructed with discharge pipe suitable for mounting in the filter pump station at centerline elevation of 421.50 in**

lieu of at centerline elevation of 418.97 shown on Sheet M-7 of the Contract Drawings at a Cost of Change of \$4312.50.

Total Cost of Change Order is \$5038.15.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

At a Board meeting a few months ago, there was discussion about adding/improving the street lighting at 2 locations as requested by neighbors. At that meeting it was decided to have the mayor work with the police and dpw to resolve this issue as necessary. In the meantime, NYSEG has been involved and is prepared to make the necessary lighting improvements. NYSEG requires that we authorize them to make the installations in the form of a resolution at an open meeting. The trustees noted that they want to be sure the neighbors are in agreement about any change in lighting in their neighborhood.

**Motion by Trustee Donner
Seconded by Trustee Szekely**

Move to pass Resolution 6437 authorizing NYSEG to install a new street light on Sunset Drive after all neighbors are in agreement.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

**Motion by Trustee Riesman
Seconded by Trustee Szekely**

Move to pass Resolution 6438 authorizing NYSEG to install a new street light on Oak Hill Road after all neighbors are in agreement.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

Report of the Police Chief – Chief Boyce presented his report which was distributed to the Board. He commented that the overtime rate was quite low compared to the previous month, and would like to commend his officers for this.

Chief Boyce has conducted his interviews for the open part time position and has decided on an individual to fill the spot. He asked to Board to approve the hiring of Anthony Bellamy, a full time Investigator with Cornell University Police Dept. as the new Cayuga Heights part time police officer.

**Motion by Trustee Donner
Seconded by Trustee Riesman**

Move to pass Resolution 6439 authorizing the hiring of Anthony Bellamy filling the vacancy left open by the resignation of Ryan Mayo as a part time Police Officer effective 2/18/09 at the current rate in the PBA Contract.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

At this time Mayor Gilmore thanked Chief Boyce for all his hard work with the Deer Remediation Advisory Committee.

Report of the Attorney – Attorney Marcus spoke on the concept of an attorney at ZBA meetings. Generally in most municipalities, an attorney is present at ZBA proceedings, but realizes that this has not been the case in the Village of Cayuga Heights. In making a decision as to whether the Board would like to have an attorney present at these meetings, Atty. Marcus wanted the Board to know that zoning decisions are considered to be the most fertile cases for lawsuits. Kristin Gutenberger, a member of Attorney Marcus’ law firm, would be available for ZBA meeting attendance, should the Board decide to have an attorney present. Atty. Gutenberger’s resume had previously been shared with the Trustees. Mayor Gilmore said that he had talked to Jack Young, Chair of the ZBA, about this and Jack said that he would appreciate having an attorney at the meetings. The Mayor further said that Mr. Young and Supt. Cross would decide together when an attorney is needed prior to the meetings. Supt. Cross said that he hadn’t had that conversation with Mr. Young, and even that idea sounded good, it usually doesn’t work out that way. You don’t know every time whether an attorney is needed before meetings. Treasurer Silber stated that if you do the math, the ZBA meets approximately 4 times/year and having an attorney present is worth the money spent for that infrequent a number of meetings. Also, the fee charged for a ZBA action hasn’t been adjusted in the past 10 years. Trustee Donner said that if there is going to be an attorney present, then the fee should be raised. It was suggested that this whole issue will be wrapped into the budget discussion.

The Mayor brought up the subject of scheduling a legal strategy meeting regarding the deer issue. What are the legal responsibilities, what are the questions that the Village may get from the public? Attorney Marcus stated that the Village is not talking about a strategy, but a procedure. The Mayor asked about how the Village would be protected in the case of a lawsuit. At this time it was strongly suggested that the Board move into Executive Session before continuing with this discussion.

**Motion by Trustee Riesman
Seconded by Trustee Szekely**

Motion to enter Executive Session at 10:21 PM for the purpose of discussing proposed litigation.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

**Motion by Trustee Riesman
Seconded by Trustee Donner**

Motion to move out of Executive Session at 10:55 PM.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES

**Motion by Trustee Szekely
Seconded by Trustee Riesman**

Motion to adjourn the meeting at 10:55 PM.

Mayor Gilmore, Trustees Bors, Donner, Riesman, Staley and Szekely voted YES
