2016 ORGANIZATIONAL MEETING

The Organizational meeting of the South Bristol Town Board was called to order January 4, 2016 at 7:04pm at the Town Hall, 6500 W Gannett Hill Rd., Naples NY 14512.

PRESENT

Dan Marshall, Supervisor Donna Goodwin, Councilwoman Scott Wohlschlegel, Councilman Stephen Cowley, Councilman Jim Strickland, Councilman

RECORDING SECRETARY

Judy Voss, Town Clerk

OTHERS

Anne Jacobs, Alan & Kristie Braun, Janet Cowley, Maryann Bachman

Supr. Marshall opened the meeting with Roll Call and the Pledge of Allegiance.

On a motion made by Councilman Wohlschelgel and seconded by Councilwoman Goodwin, Resolution #1-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #1-2016 INVESTMENT POLICY

I.SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II.OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order

- to conform with all applicable Federal, State and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to obtain a reasonable rate of return (yield).

III.DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Town Supervisor, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investment, transactions dates, and other relevant information and regulate the activities of subordinate employees.

IV.PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of South Bristol to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

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All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V.DIVERSIFICATION

It is the policy of the Town of South Bristol to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI.INTERNAL CONTROLS

It is the policy of the Town of South Bristol for all moneys collected by any officer or employee of the government to transfer those funds to the Town Supervisor within $\underline{30}$ days of deposit, or within the time period specified in law, whichever is shorter.

The Town Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII.DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies up to the following maximum amounts are:

Depository Name
Cdga. National Bank
Community Bank
Five Star Bank
Officer
Supervisor
Supervisor
Supervisor

VIII.COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of the Town of South Bristol, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

By a pledge of "eligible securities" with an aggregate "market value" or provided by General Municipal Law §10, equal to the aggregate amount of deposits from the categories designated in appendix A to the policy.

IX.SAFEKEEPING & COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by (the depository <u>and/or</u> a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities shall be delivered in a form suitable for transfer or with an assignment in blank to the <u>Trust Department</u> or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances be commingled with or become part of the backing for any other deposit or liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X.PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the Town of South Bristol authorizes the Supervisor to invest moneys not required for immediate expenditures for terms not to exceed its projected cash flow needs in the following types in investments:

- Special time deposit accounts;
- Certificate of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment
 of principal and interest are guaranteed by the United States of America; Obligations of
 the State of New York;
- Obligations issued pursuant to LFL §24,00 or 25.00 (with approval of the State comptroller) by any municipality, school district or district corporation other than the Town of South Bristol;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments.

All investment obligations shall be payable or redeemable at the option of the Town of South Bristol within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of South Bristol within two years of the date of purchase.

On a motion made by Supr. Marshall and seconded by Councilman Cowley, Resolution #2-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #2-2016 LEGAL NEWSPAPER & INFORMATIONALS

RESOLVED, the South Bristol Town Board designates the Daily Messenger, Canandaigua, NY as the legal newspaper.

RESOLVED, the South Bristol Town Board designates www.southbristolny.org as the source for information on local government activities.

On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel, Resolution #3-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #3-2016 REGULAR TOWN BOARD MEETING DATES

RESOLVED, the South Bristol Town Board designates the second (2nd) Monday of each month, except for October when it will be Tuesday, Oct.11th, to conduct the regular Town Board meeting. The meeting time will be at 7:00 pm, at the Town Hall, Bristol Springs, NY.

On a motion made by Councilwoman Goodwin and seconded by Supr. Marshall, Resolution No. 4-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #4-2016 YEAR END TOWN BOARD MEETING DATE

RESOLVED, the South Bristol Town Board designates December 28, 2016 to conduct a year-end meeting. The meeting time will be 9:00 am, at the Town Hall, Bristol Springs, NY.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, Resolution No. 5-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #5-2016 MILEAGE RATE

RESOLVED, the South Bristol Town Board rate of fifty-four cents (.54) per mile for official town business is in keeping with the IRS 2016 Standard Mileage Rate. The Town Board may change the mileage rate at any time during the calendar year 2016 to reflect any adjustments made in the IRS Standard Mileage Rate.

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin, Resolution No. 6-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #6-2016 WAGES – BOARD OF ASSESSMENT REVIEW

RESOLVED, pursuant to the adopted budget for 2016, an hourly rate of twelve dollars per hour (\$12.00) is established for each member of the Assessment Board of Review.

RESOLVED, the above referenced wage scale is applicable to Grievance Day, necessary training and all on sight inspections in the completion of their assigned duties.

On a motion made by Supr. Marshall and seconded by Councilman Cowley, Resolution No. 7-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #7-2016 AGENDA – ABSTRACT OF VOUCHERS

RESOLVED, that the Supervisor shall within five business (5) days preceding any regular scheduled Town Board meeting, have available the agenda for all Town Board members; and be it further

RESOLVED, that the Town Clerk shall have available within five business (5) days preceding any regular scheduled Town Board meeting all vouchers and corresponding vendor invoices for review by all Town Board members.

On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel, Resolution No. 8-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #8-2016 PAYMENTS WITHOUT PRIOR AUDIT

WHEREAS, the NYS Town Law §118 provides that the Supervisor may pay certain claims and contracts which exceed one (1) year in duration, including fixed salaries, principle of interest on indebtedness, utility, postage, freight expenses, etc. before they are audited; be it

RESOLVED, the Supervisor is authorized to execute such pre-audit indebtedness as may be necessary including any and all insurance premiums and bills where interest or late charges would be incurred by the Town in the event said bills were not paid prior to the next scheduled regular town board meeting. The Town Board shall through its auditing authority have final approval of all such pre-audit claims.

RESOLVED, that all such pre-paid vouchers are to be clearly identified as such in the monthly abstract of vouchers prepared by the Town Clerk.

On a motion made by Councilwoman Goodwin and seconded by Supr. Marshall, Resolution No. 9-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #9-2016 SUPT. OF HIGHWAY PURCHASE AUTHORIZATION

RESOLVED, the South Bristol Town Board authorizes the Highway Superintendent to make purchases not to exceed three thousand dollars, (\$3,000.00) per purchase for which provision has been made in the annual Highway budget subject to verification of availability of appropriations.

RESOLVED, the Town Board shall through its auditing authority have final approval of all pre-audit claims.

RESOLVED, that all such pre-paid vouchers are to be clearly identified as such in the monthly abstract of vouchers prepared by the Town Clerk.

On a motion made by Councilman Cowley and Councilman Strickland, Resolution No. 10-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #10-2016 APPT. ATTORNEY FOR THE TOWN

RESOLVED, the South Bristol Town Board appoints Jeffrey Graff to represent the Town as Attorney for the Town for the year 2016.

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin, Resolution No. 11-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #11-2016 APPT. DEPUTIES

RESOLVED, the South Bristol Town Board approves the following appointments for 2016:

Deputy Supervisor – Donna Goodwin

Deputy Town Clerks – Mary Jane Thompson

Deputy Highway Supt. – Richard Emmons

Deputy Tax Collector -

On a motion made by Supr. Marshall and seconded by Councilman Cowley, Resolution No. 12-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #12-2016 WAGES – HOURLY EMPLOYEES

RESOLVED, the following employees' hourly wages shall be:

<u>YEAR 2016</u>
\$22.32
\$22.32
\$18.94
\$22.32
\$23.32
YEAR 2016
\$15.00 Per Hour

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On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel, Resolution No. 13-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #13-2016 APPT. HISTORIAN

RESOLVED, the South Bristol Town Board appoints John Holtz as Town Historian for 2016 with an annual wage of \$350.00.

On a motion made by Councilwoman Goodwin and seconded by Supr. Marshall, Resolution No. 14-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #14-2016 FIXED ASSET INVENTORY

RESOLVED; the Town Board authorizes all fixed assets of \$1,000 or more to be permanently recorded and on file in the office of Bookkeeper to the Supervisor.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, Resolution No. 15-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #15-2016 APPOINTMENTS – PAID EMPLOYEES

RESOLVED, the South Bristol Town Board makes the following appointments for 2016:

ASSESSOR - Valary Muscarella, \$31,830 per year

CODE ENFORCEMENT OFFICER – Phillip Sommer, \$23.52 per hour

BOOKKEEPER –Jane Korbin, \$18.50 per hour

RECYCLING CENTER – Michael Vest and Michael Ball, \$13.30 per hour

TRANSFER STATION OPERATOR – Bob Germano, \$14.38 per hour

OFFICE SPECIALIST I – Colleen Converse, \$15.30 per hour

HEALTH OFFICER – Dr. Jeffrey Long at a salary of \$300.00 per calendar year

JUSTICE CLERK – Courtney Bolton, \$15.00 per hour

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin, Resolution No. 16-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #16-2016 APPT. BOARD CHAIRMAN

RESOLVED, the Town Board appoints the following Board Chairman positions for 2016:

Planning Board – Jim Ely \$450/YEAR Zoning Board of Appeals – Thomas Burgie \$350/YEAR

On a motion made by Supr. Marshall and seconded by Councilman Cowley, Resolution No. 17-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #17-2016 SCHEDULE OF PAID HOLIDAYS

RESOLVED, the Town Board confirms the following days, as outlined in the Employee Handbook, as paid holidays:

New Years Day (January 1.)

Memorial Day (last Monday in May)

Independence Day (July 3.)

Labor Day (first Monday in September.)

Veteran's Day (November 11.)

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Thanksgiving Day (fourth Thursday in November.)

Christmas Day (December 25.)

Three floating holidays may be scheduled upon approval of the Department Head.

On a motion made by Councilwoman Goodwin and seconded by Councilman Cowley, Resolution No. 18-2016 was AMENDED to reflect the Tax Collector Petty Cash amount of \$150 and the Town Clerk Petty Cash amount of \$50.00 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

On a motion made by Councilman Strickland and seconded by Councilman Wohlschlegel, Resolution No. 18-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #18-2016 ESTABLISHMENT OF PETTY CASH ACCOUNTS

RESOLVED, that Petty Cash Accounts are established for the following offices:

Town Clerk \$ 50
Tax Collector \$150
CEO \$ 50
Highway Superintendent \$ 100

RESOLVED, fiscal responsibility for Petty Cash Accounts is the responsibility of the Department Head.

On a motion made by Councilwoman Goodwin and seconded by Supr. Marshall, Resolution No. 19-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #19-2016 FINANCIAL AUDIT

WHEREAS, Town Law 123 requires the town undertake a financial audit by either the town board or a public accountant; be it

RESOLVED, the town board authorizes the completion of a 2015 financial audit by a public accountant.

On a motion made by Councilman Cowley and seconded by Councilman Strickland to amend Resolution No. 2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

On a motion made by Councilman Cowley and seconded by Councilman Strickland, Resolution No. 20-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #20-2016 BOARD OF ASSESSMENT REVIEW REAPPOINTMENT

RESOLVED, The Town Board reappoints Henry Savage for a five -year term, ending 09/30/2020.

On a motion made by Councilman Wohlschlegel and seconded by Councilwoman Goodwin, Resolution No. 21-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #21-2016 APPOINTMENT OF CITIZEN REPRESENTATIVE TO THE HONEOYE LAKE WATERSHED TASK FORCE

RESOLVED, that the Board appoints Anne Jacobs to serve as the Citizen Representative to the HLWTF and receive mileage reimbursement and a stipend of \$25.00 per meeting attended.

On a motion made by Supr. Marshall and seconded by Councilman Cowley, Resolution No. 22-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION #22-2016 RESCINDING RESOLUTION 85-2014 APPROVAL OF THE TOWN OF SOUTH BRISTOL FIREWORKS DISPLAY PERMIT APPLICATION FORM

WHEREAS, the Town Board considers the current Fireworks Application form unwieldy and unreasonable, therefore be it

RESOLVED, that the Board rescind Resolution 85-2014, Approval of the S. Bristol Fireworks Display Permit.

Mary Ann Bachman asked about the decision to rescind the fireworks permit and if the town attorney and insurance had been involved?

Supr. Marshall said he has been in discussion with Jeff Graff and the Town Insurance agent and both have approved the fireworks permit. The permit the Town will be using is the State's generic firework's permit. Supr. Marshall noted that Bristol Harbor will notified when a permit is issued as well as anyone else wishing to be notified. There permit will have to be issued 10 days prior to the event for notification purposes.

Anne Jacobs said they were told about the fireworks that without the proper insurance which was the insurance paid by Bristol Mountain that the Town residents would be liable; is that true or not true?

Supr. Marshall said not according to the Town Attorney and he said to make sure we contact the Town Insurance Agent which is Joel Steele and he approved it as well.

COMMITTEE ASSIGNMENTS

Highway – Steve Cowley, Jim Strickland Finance – Donna Goodwin, Dan Marshall Buildings & Grounds – Scott Wohlschlegel, Jim Strickland Planning & Zoning – Steve Cowley, Dan Marshall Community Relations,- Donna Goodwin, Scott Wohlschlegel

Supr. Marshall said the next resolution is to schedule a Public Hearing for a local law to override the 2% tax cap. This is done not because we intend to exceed the 2% but to protect the Town in case we by accident go exceed the 2% tax cap. We can then be fined with a penalty charge by the State. The State would go back 5 years and exceeded the tax cap they can fine the Town on every year. Supr. Marshall said there is no intention to exceed the 2%.

Councilman Wohlschlegel agreed and said the Association of Towns recommends passing the law.

Supr. Marshall noted that with the law passed the residents might not be entitled to some type of rebate the State provides. That rebate is typically would pale in comparison to what

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would happen to the taxes. The resolution authorizes the Board to advertise for a public hearing at the next town board meeting for consideration of the local law. This is for the

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin Resolution No. 23-2016 was ACCEPTED. Voting AYE: 5. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

RESOLUTION NO. 23-2016 AUTHORIZING A PUBLIC HEARING TO CONSIDER A LOCAL LAW TO OVERRIDE THE 2.5% TAX CAP FOR 2017

RESOLUTION INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING

WHEREAS, the Town Board of the Town of South Bristol, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, the Town Board of the Town of South Bristol has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of South Bristol to proceed in accordance with the Code of the Town of South Bristol and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, **BE IT RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on February 8, 2016, at 7:00 p.m. at the South Bristol Town Hall, 6500 Gannett Hill Road - West, South Bristol, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of South Bristol sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of South Bristol for its consideration; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Judy Voss, Town Clerk of the Town of South Bristol do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of South Bristol on January 4, 2016, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Daniel Q. Marshall	X	
Scott Wohlschlegel	<u>X</u>	
Donna Goodwin	_X	
Stephen Cowley	_X	
James Strickland	_X	
Dated: January 4, 2016		
•	Judy Voss, Town Clerk	

SEAL

Alan Braun asked how this is going to be communicated with the public? Supr. Marshall said the hearing will be published in the newspaper and will be explained again at the meeting. It is a preventative measure.

Supr. Marshall noted that we have arranged for Kathy Spencer to meet with the Town Board to discuss the Everwilde development and process. This is not a public hearing although the public is entitled to be there.

SCHEDULE SPECIAL MEETING WITH KATHY SPENCER, LABELLA

On a motion made by Councilman Cowley and seconded by Councilwoman Goodwin, the Special Meeting for Monday, January 25, 2016 at 7:00pm with Kathy Spencer from LaBella Engineering was ACCEPTED. Voting NAY: 0. Voting AYE: Marshall, Goodwin, Wohlschlegel, Cowley and Strickland.

Supr. Marshall said the other issue is the Bristol Sewer rate increase and has also spoken with LaBella about this issue and proposes to get all parties involved at a meeting.

Adjourn: 7:44pm

Judy Voss Town Clerk