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Message 1056 of 1118 | [Previous](#) | [Next](#) [[Up Thread](#)] [Message Index](#)

Msg # [Go](#)

From: Brian Alberghini <brianalberghini@crse.org>

Date: Sat Feb 5, 2005 11:03 am

Subject: Recap Town Board Work Session 2/3/05

Here is a recap of what was advertised as a Work Session, but was changed to a Special Meeting and Work Session.

1) The Special Meeting was to pass a Resolution amending Local Law 1 of 2002 removing Route 22 South, Route 6, and Route 312 from the current Moratorium. The Resolution was read by Mr. Bonanno, quite quickly I might add so kudos to Mr. Bonanno, and passed by a vote of 4 to 0 with Councilman Honeck in absence. I was able to note that Route 6 east of the Village was the area uner discussion here, but the Route 22 portion was read so quickly that I am still not sure what portion of 22 he was talking about, maybe they teach that in lawyer school.

2) The Work Session then commenced with a lovely explanation by Town Clerk Mazzei of why FOIL requests will be denied for electronic files. She spoke with Bob Freeman of the Committee for Open Government in Albany and asked about PDF documents which the Town office does not the software to create, Mr. Freeman explained to her that she could deny the request since the Town is not compelled to purchase software to make the pdf files. Quite right as I read the FAQ section of the Committee for Open Government website. Only one little problem here, if a request does not mention the pdf document then the Town Clerk should provide the word processing document which is then subsequently used to create a pdf document. I am assuming that the Town Clerk is not banging out those minutes on an IBM selectric. According to the Freedom of Information Laws any document created on a computer is considered a record and all government records are to be made available including official government emails. As long as the government is not required to create a new record or perform software programming then they are compelled to

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provide any record if it exists in an electronic form. So when foiling for an electronic record do not stipulate the type of file you are requesting as this will give the government agency a possible out to deny your request.

3) Next on the agenda was the establishment of a performance bond for Meadows at Deans Corners. The amount was specified and will be voted on at the February 17, 2005 Regular Meeting.

4) Jim Lawlor, Southeast Highway Superintendent, next presented to the Town Board a request for more highway funds due to the recent inclement weather. The Highway department has had to use extra materials in clearing the roads due to the extremely cold weather. The Town Board assured Mr. Lawlor that additional funds will be available to the Highway Department.

5) Councilman Bonanno then brought up a discussion concerning the Town Website and the links that are provided on that site. Essentially what was decided was that until further clarification all non-governmental links will be removed. Mr. Bonanno is concerned that if the Town provides links to special interest groups or not-for-profit groups then anyone can request to have a link placed on the town site due to first amendment rights. Obviously this could open up a can of worms for the town so the links page will be changed on the Town web site.

6) Last, but not least the Ellis Tarleton property at 140 Joe's Hill Rd. was discussed with the applicant. The applicant has now redesigned the project moving the accessory apartment out of the buffer and I believe that it will be attached to the main house. Septics will still be located in their original spot even though they are now in the buffer, the wetland designations have changed since the original subdivision was approved and the applicant is allowed to use that location. This application will now have to back to the planning Board for final approval.

Wow! all that in under 45 minutes, the meeting not my typing! Yes efficiency was the rule that night, no useless discussion on anything, no cell phone interruptions, just government business. Just the way it should be.

Any questions please feel free to email,
Brian Alberghini
<http://www.crse.org>

Message 1056 of 1118 | [Previous](#) | [Next](#) [[Up Thread](#)] [Message Index](#)

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