

**TOWN OF SARANAC  
SPECIAL MEETING MINUTES  
May 3, 2021 6 PM TOWN HALL**

Present:

Tim Napper, Supervisor  
Gerald Delaney, Councilman  
Michele Petrashune, Councilwoman  
Tracy Eggleston, Councilman  
Jim Facteau, Councilman  
Mary Bell, Town Clerk

Attending: Leo Bell; James E. Facteau, code enforcement officer; two students

Meeting called to order at 6:00 PM

Pledge of Allegiance

Jerry Delaney made a motion to go into executive session for purposes of discussing information related to the current prosecution of a criminal offense of a particular person, the public disclosure of which could imperil effective law enforcement if disclosed, and further, to discuss the potential removal of a particular person. Second by Jim Facteau; all in favor.

After approximately 20 minutes, the board reconvened. At this time, two students were present as they had not been before. Michele Petrashune made a statement concerning how difficult the town clerk issue was. It was noted that none of the board wanted to make the decision that they felt was their duty to make.

**Resolution 63-2021**

**Town Clerk Administrative Leave**

**Motion by: Gerald Delaney**

**Second by: Jim Facteau**

<b>GERALD DELANEY</b>	<b>YES</b>
<b>MICHELE PETRASHUNE</b>	<b>YES</b>
<b>TRACY EGGLESTON</b>	<b>YES</b>
<b>JIM FACTEAU</b>	<b>YES</b>
<b>TIMOTHY NAPPER</b>	<b>YES</b>

WHEREAS, Mary Bell is the elected Town Clerk for the Town of Saranac; and

WHEREAS, on April 29, 2021, NYS Comptroller DiNapoli and Clinton County DA Wylie issued a press release announcing that Mary Bell, in the performance of her official duties as Town Clerk, was indicted for five counts of falsifying business records in the first degree (all class E felonies), one count of corrupting the government in the fourth degree (class E felony) and official misconduct (class A misdemeanor); and

WHEREAS, these charges include an allegation of retaining several hundred dollars of town resident money; and

Whereas, while every person is innocent until proven guilty, due to the nature of these charges contained in the indictment, as well as the allegation that the criminal conduct occurred in the performance of her official duties, the Town owes a duty to protect the taxpayers and town residents while these serious criminal charges remain pending; and

WHEREAS, if Mrs. Bell is convicted of these charges, her position would be immediately vacated pursuant to Public Officer's Law Section 30(1)(e); and

WHEREAS, the Town has a single Deputy Clerk, Leo Bell, who is married to Mrs. Bell.

NOW THEREFORE IT IS HEREBY RESOLVED, that effective immediately, Town Clerk Mary Bell is placed on administrative leave until the aforementioned charges are resolved. During this time on administrative leave, Mrs. Bell will continue to receive her Clerk's salary, however, pursuant to Town Law Section 64, effective immediately and until the aforementioned charges are resolved, Mrs. Bell is prohibited from entering Town of Saranac Town Hall and the Town shall take effective measures to prevent her further access; and

IT IS FURTHER RESOLVED, that because the current Deputy Clerk is married to Mrs. Bell, the Town Board hereby removes Leo Bell from his position as Deputy Town Clerk effective immediately; and

IT IS FURTHER RESOLVED, that pursuant to Town Law Section 30(10) the Town Board notes that there is no duly appointed and qualified first deputy town clerk present and able to act and therefore the Town Board will appoint a person to be named as Deputy Town Clerk to serve until Mary Bell's criminal matter is resolved in her favor and she resumes her duties or a new Town Clerk is duly elected and assumes the roles of Town Clerk. The Deputy Town Clerk shall be compensated with a salary to be determined and will be appointed by formal resolution.

The supervisor then indicated that the plan had been to move the meeting to the town green. Councilman Delaney then indicated he felt a motion to adjourn the meeting was more appropriate. The motion was seconded by Tracy Eggleston; all in favor.

The meeting adjourned at approximately 6:40 PM.

*These minutes are based on the best recollections of the supervisor. The town clerk had taken minutes up until the resolution placing her on administrative leave was passed. Her notes are not immediately accessible.*

Respectfully submitted,

Supervisor Timothy R. Napper