

**TOWN BOARD SPECIAL MEETING
AGENDA
Monday, July 13, 2026 11:30 am**

IK – call the roll

Present: Councilpersons Debra Blalock, Clint Bond, Jr., Kevin Pike, Glenn Weinrich
Supervisor Jeffway

Absent: None

Supervisor Jeffway called the meeting to order at 11:30 am with the Pledge of Allegiance.

RESOLUTION DETERMINING APPEAL OF VAN DeWATER AND VAN DeWATER, LLP DATED JULY 1, 2026 REGARDING FREEDOM OF INFORMATION LAW REQUEST DATED MAY 21, 2026.

The following resolution was offered for adoption by Supervisor Jeffway, which resolution was seconded by

WHEREAS, Van DeWater and Van DeWater, LLP (the “Requester”) submitted a Freedom of Information Law (“FOIL”) request to the Town Records Access Officer by letter dated May 21, 2026 which sought the disclosure of certain records as described therein (the “FOIL Request”);

WHEREAS, on May 27, 2026 the Town Records Access Officer acknowledged the FOIL Request within five (5) business days and provided a date of June 18, 2026 for when the FOIL Request would be granted in whole or in part as required by Section 161-6 (C) (3) of the Town Code;

WHEREAS, on June 18, 2026 the Town Records Access Officer responded to the FOIL Request by disclosing records which were responsive to the request (the “June 18, 2026 Disclosure”);

WHEREAS, the June 18, 2026 Disclosure included legally permissible redactions made pursuant to FOIL and Chapter 161 of the Town Code;

WHEREAS, the legal permissible ground for each redaction made in the June 18, 2026 Disclosure was delineated on the record disclosed;

WHEREAS, the grounds for the redactions made in the June 18, 2026 Disclosure included the attorney-client privilege, attorney-work product and consumer personal information (CPI);

WHEREAS, in response to the June 18, 2026 Disclosure the Requester submitted an appeal to the Town Board dated July 1, 2026 pursuant to FOIL and Section 161-8 of the Town Code (the “FOIL Appeal”);

WHEREAS, the Town Board, as the body designated in the Town Code to hear and decide FOIL appeals, in accordance with Section 161-8 (F) of the Town Code has ten (10) business days to review and determine the FOIL Appeal; and

WHEREAS, the Town Board has conducted a diligent search and has gathered all records which are responsive to the FOIL Request and FOIL Appeal;

WHEREAS, the Town Board has also reviewed the Requester's prior FOIL request dated April 17, 2026 and the Town Board's May 11, 2026 Resolution which authorized the disclosure of certain responsive records with legal permissible redactions;

WHEREAS, the Town Board has conducted a diligent search to obtain all responsive records, reviewed all responsive records and reviewed the June 18, 2026 Disclosure;

WHEREAS, the Town Board has reviewed the provisions FOIL and Chapter 161 of the Town Code; and

WHEREAS, the Town Board desires to render a determination in regard to the FOIL Appeal.

NOW, THEREFORE, BE IT RESOLVED, that the FOIL Appeal is denied as the June 18, 2026 Disclosure included all responsive records and contained the required Certification from the Records Access Officer;

BE IT FURTHER RESOLVED, that portions of the records, which are specifically identified on the records provided pursuant to the June 18, 2026 Disclosure, were properly redacted pursuant to Town Code Section 161-2 (A) (1) and N.Y. Public Officers Law §87(2)(a) as they constitute attorney-work product or are shielded from disclosure pursuant to the attorney-client privilege under the N.Y. Civil Practice Laws and Rules §§ 3101 and 4503;

BE IT FURTHER RESOLVED, that after review, the Town Board finds that these redactions were necessary and appropriate as the redacted material contained legal advice and strategy as well as attorney work product relevant to pending or threatened litigation and/or enforcement proceedings regarding the Town Code, specifically, Chapter 200 (Zoning);

BE IT FURTHER RESOLVED, that portions of the records, which are specifically identified on the records provided pursuant to the June 18, 2026 Disclosure, were properly redacted pursuant to Town Code Section 161-2 (A) (2) and N.Y. Public Officers Law §87(2)(b) as the disclosure of insurance claim numbers, social security numbers, retirement number, check numbers, phone numbers and dates of birth, would constitute an unwarranted invasion of personal privacy and this information represents Confidential Personal Information (CPI);

BE IT FURTHER RESOLVED, that the specific grounds for each redaction contained in the June 18, 2026 Disclosure is sufficient to identify the legally permissible ground for each redaction;

BE IT FURTHER RESOLVED, that neither FOIL nor Chapter 161 of the Town Code require the Town to create a separate record or a "privilege log";

BE IT FURTHER RESOLVED, that the June 18, 2026 Disclosure provides records in a reasonably usable electronic format, and the Town is not required to, nor is it readily capable of, creating a searchable document which includes legal permissible redactions, in response to the FOIL Request;

BE IT FURTHER RESOLVED, that the records provided by the Records Access Officer constitute all responsive records that can be identified after a diligent search;

BE IT FURTHER RESOLVED, that the Certification provided by the Records Access Officer is sufficient as it confirms that all records of the Town were diligently searched and that the records provided in response to the FOIL Request are true and correct copies;

BE IT FURTHER RESOLVED, that neither FOIL nor Chapter 161 of the Town Code require the Records Access Officer to create supplemental search certifications as requested by the Requester;

BE IT FURTHER RESOLVED, that after a diligent search no other records that are responsive to the FOIL Request or FOIL Appeal have been identified by the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board directs that a copy of this resolution, which constitutes the determination of the Town Board in regard to the FOIL Appeal, be transmitted to the Requester and the New York State Committee on Open Government, Department of State, One Commerce Plaza, 99 Washington Avenue, Suite 650, Albany, NY 12231.

The vote having been taken upon such resolution the result was as follows:

Supervisor Bill Jeffway	VOTING	_____
Councilmember Debra Blalock	VOTING	_____
Councilmember Clint Bond	VOTING	_____
Councilmember Kevin Pike	VOTING	_____
Councilmember Glenn Weinrich	VOTING	_____

There being a majority of the Town Board voting to approve the resolution, the resolution was declared by the Town Supervisor to have been adopted.

IN WITNESS WHEREOF, I affix the seal of the Town of Milan as the Clerk thereof, this 13th day of July, 2026.

TOWN OF MILAN, NEW YORK

Town Clerk: _____
Ingrid E. Kulick

Workshop on Town Hall Roof RFP Bids

The town board will hold a Workshop (discussion, no vote will be taken) on the topic of the roof replacement bids current before the Town of Milan.