

**THE TOWN OF MAMAKATING TOWN BOARD MEETING HELD ON THURSDAY, FEBRUARY 4, 2020 AT 6:00 P.M. IN THE TOWN HALL, WURTSBORO, NEW YORK.**

**Present:** Janet M. Lybolt- Supervisor  
Eileen Rogers – Deputy Supervisor - Councilwoman  
John Lacey – Councilman  
James Carney – Councilman  
John Crudo - Councilman  
Thomas Morrow – Councilman  
Gary Forthoffer - Councilman  
J. Benjamin Gailey- Attorney for the Town  
Jean M. Dougherty- Town Clerk

**Also present:** Robert Hufcut – Highway Superintendent  
JoAnn Salamone – Deputy Highway Superintendent  
Kerron Barnes – Interagency Coordinator

**Worksession Items for Discussion**

1. Eric Fuentes, Regional & Community Affairs Manager, Orange & Rockland
2. Introductory Local Law - Board of Ethics Dissolution
3. Mamakating LDC Re-Appointments
4. Town Vehicle Use

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

- The February 4, 2020 meeting was called to order with the pledge to the flag.

**MOMENT OF SILENCE**

A moment of silence was observed in memory of Timothy Moore, a past employee of the Highway Department, who recently passed away.

**PUBLIC HEARING – DISSOLUTION OF BOARD OF ETHICS**

Public Comment

- Matt Taylor, former Councilman, spoke about introducing the Local Law to the public in 2014. He spoke of many conflicts over the years that initiated this board of ethics to be established and was disturbed that the first order of business of this new board was to dissolve it. (Letter on file from M. Taylor.).
- Lee Scribner read the definition of Ethics.

Public Comment (cont.)

- Kathy Schnitzer stated she worked for an insurance company and had to report every year to the company. She read the rules of conduct and definition of ethics and quoted Thomas Jefferson and stressed the importance of ethics.
- Cathy Dawkins talked about things like cost, benefits and risks involving conflicts of interest. She identified 2 strategies and advised the use of both parties. (Letter on file).
- Samara Ferris asked for extra time to speak as Chairman of the Board of Ethics. She read section 808 of the County Law which states only Sullivan County employees would be covered regarding ethics issues. She said she went to the county and was told no one on the town board ever went there and she asked for communication from the board. (Letter on file).
- Holly Roche spoke about hearing that new action to be taken by board regarding an alleged mandate by Governor Cuomo for shared services. She also stated that sending the ethics issues back to the county was not able to be done.
- Cathy Heil, speaking on behalf of herself, asked Why? And feels it to be disingenuous as the 1<sup>st</sup> action of the board whose faces aren't even familiar.
- Cathyann Wishinski would like the board to take some time to think about this and was upset that it was the first action the new board was taking. She continued that the Sullivan County Ethics Board was only responsible for Sullivan County employees and the board should vote no on this local law.
- Teek Persaud, resident, spoke of the community support in 2012 and asked the board to review the petition that was going to be given to them tonight with community signatures to stop the dissolution of the Ethics Board.
- John Kahrs, former member of Ethics Board, stated that every Municipality needs an ethics board. If it's removed, no one has recourse.
- Patrick Keller asked the same as many. Why?
- Richard Dunn said he didn't get the gist of "guilty before trial is even over". He stated that the Highway Department had ethics training by M. Taylor and that an impartial board is needed.
- Ercolino criticized past boards and asked J. Lybolt if what she was saying was that you can't trust the public?
- Susan Erny thinks the idea of putting it at the County level would be more impartial. Suggested that we reestablish the board with a representative appointed from each ward.
- Richard Van Houten stated that it should be brought to a vote.
- Cecelia Walsh said that she had gotten involved in the RCC and the voter fraud issues. She stated that the Concerned Citizens group of Winterton of which she has 40 signatures do not want to see it dissolved.

Public Comment (cont.)

- Kent Findley asked that they do not dissolve the ethics board and thought a stenographer was needed for the hearing.
- Edward Brebbia wanted to make a point that things were very different years ago and whatever happens to subsequent boards “You are going to wear it”.
- Brenda Giraldi speaking as past Deputy Supervisor/Councilwoman informed the board and the public that the boards were in desperate need of members. Ads were placed in 3 newspapers with no response resulting in calls made to residents to serve. She added that County law doesn’t allow them to deal with towns. She feels there’s a fear factor involved here. She then explained the process to the new board and asked them to reconsider and back up a little bit and think of the repercussions.

A motion was made by J. Lacey, seconded by J. Crudo to close the public hearing. All in favor.

**TOWN OF MAMAKATING  
RESOLUTION OF ADOPTION  
LOCAL LAW NO. 1 OF 2020  
DISSOLUTION OF BOARD OF ETHICS**

WHEREAS, an introductory Local Law entitled “Dissolution of Board of Ethics” was introduced before the Town Board of the Town of Mamakating on January 14, 2020, and upon notice duly published and posted, a hearing was held on February 4, 2020, before the Town Board, and

WHEREAS, public discussion was heard at such hearing concerning the merits of said introductory local law,

NOW, THEREFORE,

BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Dissolution of Board of Ethics” is a Type II action under SEQR and is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law entitled “Dissolution of Board of Ethics” of the Town of Mamakating be and hereby is adopted as Local Law # 1 of 2020 of the Town of Mamakating on February 4, 2020.

On the motion of J. Lacey, seconded by J. Crudo, the foregoing resolution was adopted on a roll call of 6 Ayes, 1 Nay. (T. Morrow)

The Supervisor declared the resolution adopted.

**HIGHWAY SUPERINTENDENT’S REPORT**

- 1) The Highway Crew has been diligently working to improve road conditions by ditching and performing roadway and driveway repairs. In addition, we have also been working to improve the appearance of our roadsides by removing trees and other debris due to storm damage. The Road Mower has completed mowing in the Boris area, the Winterton side of Bloomingburg, as well as South Road. He is currently on task in the Westbrook area. Mowing is also an essential part of road maintenance to ensure driver safety.
- 2) A representative from Auctions International came by yesterday and took pictures of the surplus equipment to start the auction process. The pictures should be posted to their website by the end of the week.
- 3) We are in the beginning stages of repairs to Shawanga Lodge Road. It will be a very extensive project. As a result, we have contacted outside contractors for estimates to compare costs, as well as time. This is a necessary but time consuming repair and I don't want to take away from any other responsibilities we have for the Spring / Summer season. In the meantime, we have closed one lane of Shawanga Lodge Road while we are awaiting feedback.
- 4) Nelson Tree Service has been working throughout the town for the past 2 weeks providing tree trimming. They are temporarily stationed outside of the Highway Department. Their crews are doing a great job. We will assist them in any way that we can.
- 5) We hired a new F/T mechanic in the Highway Department, as of February 1<sup>st</sup>. This addition to the Highway Department will serve to increase the current level of the repairs of our vehicles and equipment, for better productivity, which will ultimately serve to better the needs of the community.
- 6) As of February 1<sup>st</sup>, we have assumed the responsibility of snow removal on all county roads in the Town of Mamakating. We have accepted this task without an increase to our workforce, such as additional equipment operators. This means the current Highway crew will be working twice as hard during inclement weather to make sure the roads are safe for everyone.
- 7) For the past 3 weekends, we have experienced some unfavorable weather in the form of snow squalls, freezing rain and a minor but substantial storm. The Highway Crew has been present each and every weekend, including this past Super Bowl Sunday. I want to thank all of them for sacrificing their free time with their families for their commitment to the safety of the residents of Mamakating. In spite of still being no closer to a cost of living raise, these men still continue to show up for this town whenever needed. I will continue to ask you to give them the gratitude and humanity they deserve by giving them their long overdue raise.

## **SUPERVISOR'S REPORT**

**Supervisor's Report - 2/4/2020 Town Board Meeting**

There was a house fire at 127 Pine Street last week (1/30 – 1/31). The Red Cross was on scene to provide shelter for the people displaced and the Wurtsboro Fire and Ladies Auxiliary had a drive Saturday. I spoke with Mia Hubbard, our local Red Cross Representative to see what else was needed for the families. She said enough clothing was received, but the children still need undergarments and diapers so donations of Walmart gift cards would be appreciated. All gift cards can be given to the Wurtsboro Ladies Auxiliary. If you want to donate to the Red Cross for future community needs, visit [redcross.org](http://redcross.org).

Currently working on getting an air recirculating system, or air scrubber, for the highway garage. Kerron is looking for grant opportunities for this purchase and installation. One source could be the SC Plans & Progress Grant which is now available.

I met with Stephen Stuart from the Office of Sustainable Energy in Sullivan County regarding our community becoming a climate smart community. This will provide us with even more grant opportunities for solar panels and a charging station. Heather Brown who is the dept. Director will be at our Feb. 18 mtg.

The Town of Delaware just recently received a \$1.86 million dollar Climate Smart Community grant from NYS DEC to replace their highway garage – the grant money is out there.

I will be working with Mort Starobin for a Designation of a Certified Local Government Program & National designation for the hamlets of Summitville and Phillipsport. More to come on this.

And, starting February 12<sup>th</sup>, our NY State Senator Jen Metzger will have a member of her staff at the Mamakating Library to allow constituents in the community to visit with her staff to voice questions or concerns about state government or ask for assistance in using government services. This will occur the 2<sup>nd</sup> Wednesday of each month from 2-6pm in the Community Room of the Library.

**ABSTRACTS**

- A motion was made by G. Forthoffer, seconded by T. Morrow to approve the following abstract as presented: Abstract #28 (Voucher #20192232-20192259) in the amount of \$94,735.16. All in favor.
- A motion was made by J. Crudo, seconded by J. Lacey to approve the following abstract as presented: Abstract #3 (Voucher #20200051-20200209) in the amount of \$4,640,083.32. All in favor.
- A motion was made by E. Rogers, seconded by J. Lacey to approve the Manual Check Register in the amount of \$539,778.27. Amount includes \$538,745.06 from Town Highway Vehicle & Equipment Capital Reserve Fund and transfer from the General Fund to DA Fund as per Town Board Resolution of 12/17/19 and \$1,033.21 to LM Air Conditioning for check lost in mail. All in favor.

**MINUTES**

A motion was made by E. Rogers, seconded by J. Crudo to accept the minutes of January 14, 2020. All in favor.

## RESOLUTIONS

- A motion was made by J. Lacey, seconded by J. Crudo, authorizing the release of the logging bond of Elian Ebert in the amount of \$2,000.00 as per the recommendation of the highway superintendent. All in favor.
- A motion was made by E. Rogers, seconded by J. Lacey, authorizing the release of the logging bond of Klein & Sons Logging, Inc. in the amount of \$2,500.00 as per the recommendation of the highway superintendent. All in favor.
- A motion to adopt Local Law#1-20 (Dissolution of the Board of Ethics) was made by J. Lacey, seconded by J. Crudo. 6 ayes, 1 nay (T. Morrow).
- A motion was made by T. Morrow, seconded by E. Rogers to re-appoint the following LDC members:
  - Fred Harding (Term expiration 02/14/23)
  - David Lybolt (Term expiration 02/14/23) – It will be noted that Supervisor Janet Lybolt recused herself from voting on David Lybolt.Otherwise, all in favor on both reappointments.

### ➤ USE OF TOWN VEHICLES

BE IT RESOLVED that no officer, employee or person may take a Town vehicle home during or after the workday, except the Highway Superintendent and Highway Foremen, but a Highway Superintendent or Foreman may do so only if the Superintendent or Foreman resides in the Town of Mamakating.

On a motion by Councilperson G. Forthoffer, seconded by Councilperson J. Crudo the foregoing resolution was adopted on a vote of 7 Ayes, 0 Nays.

## COMMITTEE REPORTS

John Lacey – Liaison to Parks and Recreation & Tax Office

- Applications being accepted for camp employees
- Yankee tickets still available
- Easter Party on April 4<sup>th</sup>
- 6.5 million in tax dollars received thus far by the Tax Receiver

Janet Lybolt – Liaison to Historic Preservation

- Winterfest being held at Environmental Center on February 8<sup>th</sup>

**EXECUTIVE SESSION**

- A motion was made by J. Lacey, seconded by T. Morrow to go into Executive Session at 8:20 p.m. to discuss 2 particular employees. All in favor.
- A motion was made at 9:01 p.m. by T. Morrow, seconded by J. Crudo to come out of Executive Session. All in favor.

**ADJOURNMENT**

- A motion to adjourn the meeting was made by T. Morrow, seconded by J. Crudo. All in favor.

Respectfully Submitted;

Jean M. Dougherty, Town Clerk