

**THE TOWN OF MAMAKATING TOWN BOARD MEETING HELD ON MONDAY, MARCH 1, 2021 AT 6:00 P.M. VIA ZOOM.**

**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

**Worksession Items for Discussion**

1. Presentation of Business Directory Signs by Donna Beickert, Secretary, Wurtsboro Board of Trade
2. Bond Resolution and Contract with Rutledge Excavation, Inc. for Base Section of Canal Trail - TAP Grant
3. Court Audits
4. Letter of Interest to Sullivan County regarding D&H Canal Interpretive Center at Bova Road
5. Solicit Bids for Replacement of Bloomingburg Dutch Reformed Church Roof for March 31<sup>st</sup>.
6. Public Health Emergency Plan 2021
7. Humane Society of Walden Contract
8. Approval of Bid Specifications for Replacement of Red Hill Road Culvert for March 31<sup>st</sup>.

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

- The March 1, 2021 meeting was called to order with the pledge to the flag.

**HIGHWAY SUPERINTENDENT'S REPORT**

- Thank you to all the Highway guys for the outstanding job you all have been doing this winter. The amount of people either emailing, calling the office and my cell with high praise makes me very proud of all of you and also myself for changing the way we have been reacting how to handle each storm.
- Repairs continue every day in the shop, from changing plow blades to welding a broken part, greasing all the equipment to washing all the equipment. Please know that you may not see the guy's everyday but they work hard to keep things ready for the next storm.
- Repairs for the road-potholes will be addressed soon. Mailboxes-we try to get them taken care of as soon as possible, but only if weather permits it.

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- Planning for our upcoming spring ditching and our summer blacktopping is underway. As I learned from last year not to promise anything so I don't have people upset when we can't get everything done. 2020 was a tough year and I would have expected everyone to understand. But this is a new year and I am focused on 2021 season to be a great one.
- Sand and plowing-There were 16 days in the month of February when the guys were out on the roads plowing, many of them were 3 AM starting times and on the 17<sup>th</sup> they were all back to work by 8pm and worked around the clock to keep ahead of the ice storm.
- Please feel free anyone to call me to address your issues any time after 5:30 AM so we can resolve them as soon as possible.

### **SUPERVISOR'S REPORT**

The Board is still working out the details of the Intermunicipal Agreement with the Village of Bloomingburg for the sidewalk.

Please continue to support the Food Hub which is handled by our Mamakating Local Development Corp, details on the Town's website.

The Highway Superintendent and I have been thanking our Highway employees and I want to take this opportunity to thank our Maintenance crew for their hard work with all these storms; and, a thank you to all our employees working under difficult conditions during the Covid-19 pandemic.

### **ABSTRACTS**

- A motion was made by T. Morrow, seconded by J. Crudo to approve the following abstract as presented: Abstract #4 (Voucher #20210311-20210397) in the amount of \$\$221,351.47. All in favor.
- A motion accepting the Expenditures, Encumbrances & Appropriations Report along with the Revenues & Expenditures Report was made by G. Forthoffer and seconded by J. Lacey. All in favor.

### **MINUTES**

A motion was made by E. Rogers, seconded by J. Crudo to accept the minutes of 02.16.21. All in favor.

### **RESOLUTIONS**

- Approve Placement and Maintenance of Business Directory Signs by Wurtsboro Board of Trade near Exits 112 & 114. Motion made by E. Rogers, seconded by T. Morrow. All in favor.
- Approval of Bond Resolution and Contract with Rutledge Excavation, Inc. for Base Section of Canal Trail - TAP Grant. Motion made by E. Rogers, seconded by G. Forthoffer. All in favor.

- A motion was made by J. Lybolt, seconded by E. Rogers to approve sending a Letter of Interest to Sullivan County re: D&H Canal Interpretive Center at Bova Road. All in favor.
- Approval to Solicit Bids for Replacement of Bloomingburg Dutch Reformed Church Roof and set Bid Opening for March 31, 2021 at 3:00 pm was made by T. Morrow and seconded by G. Forthoffer. All in favor.
- Adopt Public Health Emergency Plan 2021. A motion was made by J. Lacey, seconded by E. Rogers. All in favor.
- A motion to approve the Humane Society of Walden Contract was made by G. Forthoffer, seconded by J. Crudo. All in favor.
- Approval of Bid Specifications for Replacement of Red Hill Road Culvert and set bid opening date for March 31 at 2:00 pm was made by a motion of T. Morrow and seconded by J. Lacey. All in favor.

RESOLUTION OF THE TOWN OF MAMAKATING  
JUSTICE COURT AUDIT

WHEREAS, THE Town Board of the Town of Mamakating performed the required audit of the Justice Court Records and Docket, and

THEREFORE, BE IT RESOLVED, that said audit was conducted on February 11<sup>th</sup>, 2021 & February 26<sup>th</sup>, 2021 for the fiscal year 2020 and a copy is on file in the Town Clerk's office for review, and,

THEREFORE, BE IT RESOLVED, that a copy of said audit was sent to New York State Unified Court System as required under Section 2019-a of the Uniform Justice Court Act.

Motion made by Councilman Gary Forthoffer, seconded by Councilman Thomas Morrow and resolution adopted March 1<sup>st</sup>, 2021.

5- Ayes, 2- Abstentions (J. Lacey & J. Crudo)

**BOND RESOLUTION OF THE TOWN OF MAMAKATING**

ADOPTED MARCH 1, 2021, AUTHORIZING CONSTRUCTION OF PORTION OF D&H CANAL TRAIL, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000.00, APPROPRIATING SAID AMOUNT THEREFOR, PROVIDING FOR A DOWN PAYMENT OF \$100,000.00 FROM CURRENT FUNDS AND AUTHORIZING THE ISSUANCE OF \$400,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF SAID BONDS ISSUED THEREFORE OR TO BE BUDGETED AS AN OFFSET TO THE TAXES, FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS

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WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project;

NOW THEREFORE,

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF MAMAKATING IN THE COUNTY OF SULLIVAN, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town is hereby authorized to construct a portion of an unpaved multi-use path between Town Hall and the existing D&H Canal Towpath. The estimated maximum cost of said class of objects or purposes, including preliminary costs, legal documents and costs incidental hereto and the financing thereof, is \$500,000.00 and the said amount is hereby appropriated therefor. The plan of financing is the payment of \$100,000.00 from current funds and the issuance of \$400,000.00 serial bonds to finance said appropriation and the levy of a tax on all the taxable real property within the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable and amounts received from the State of New York shall be expended towards the cost thereof or redemption of the bonds issued therefore or shall be budgeted as an offset to the taxes to pay the principal of and interest on said bonds.

Section 2. Serial bonds in the principal amount of \$400,000.00 are hereby authorized to be issued pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

a) The period of probable usefulness applicable to the purpose for which said serial bonds herein authorized are to be issued, within the limitations of Section 11.00a.19(c) of the Law, is fifteen (15) years.

b) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

c) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. The bonds authorized by this resolution and any bond anticipation notes in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Sec. 52.00 of the Law and said bonds and any notes issued in anticipation of such bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest of said bonds and any notes issued in anticipation of said bonds, and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in each year and (b) the payment of interest to be due and payable in each year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Sec. 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and of Sec.30.00 relative to the authorization of the issuance of bond anticipation notes and of Sec. 50.00 and Sec. 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to providing for substantially level or declining annual debt service, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) Such obligations are authorized for an object or purpose of which the Town is not authorized to expend money, or
- (b) The provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Section 8. The object or purpose described in Section 1 hereof has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act and the Town Board has adopted a negative declaration.

Motion made by E. Rogers, seconded by G. Forthoffer. All voting in favor.

#### **COMMITTEE REPORTS**

- E. Rogers reminded everyone to check the Town's website for the many events going on at the Environmental Center.
- J. Lybolt announced the Mamakating Knights of Columbus is hosting a drive through Fish Fry on Friday, March 12<sup>th</sup> at St. Joseph's church in Wurtsboro. Tickets are \$12.
- Parks and Receptions are having a springtime fun craft centerpiece event. Contact Donna at 888-3000 option 0 for more information.
- J. Lacey wanted to welcome the new owners of the Wurtsboro Airport.

#### **EXECUTIVE SESSION**

- A motion was made by J. Lybolt, seconded by T. Morrow to go into Executive Session for legal advice. All in favor.
- A motion to come out of Executive Session was made by J. Lybolt and seconded by J. Crudo. All in favor.

#### **ADJOURNMENT**

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

Respectfully Submitted;

Jean M. Dougherty, Town Clerk