

**THE TOWN OF MAMAKATING TOWN BOARD MEETING HELD ON TUESDAY, JUNE 5, 2018 AT 6:00 P.M.
IN THE TOWN HALL, WURTSBORO, NEW YORK.**

Present: William E. Herrmann- Supervisor
Brenda Giraldi- Councilwoman/Deputy Supervisor
Matt Taylor – Councilman
Christine Saward – Councilwoman
Patrick Keller – Councilman
Graham Vest - Councilman
Nicholas Salomone, Jr. - Councilman
J. Benjamin Gailey- Attorney for the Town
Jean M. Dougherty- Town Clerk

Also present: Catherine Owens-Herrmann – Confidential Secretary to the Supervisor/Legislator
JoAnn Salamone – Deputy Highway Superintendent

Absent: Riley Platt III – Highway Superintendent
Kerron Barnes – Interagency Coordinator

Worksession Items for Discussion

1. MS4 Report
2. Bid Specs Wurtsboro Hills Trash Removal
3. Set Public Hearing Dates – Comp Plan
4. Animal Control BAS Program
5. State of County Address – Luis Alvarez
6. Landfill Solar Project
7. Assessor Grievance Board Appointee
8. Horvath Subdivision, donate land/parkland fees
9. Set date of Special Election – Bloomingburg Restoration Church
10. Budget Modifications

CALL TO ORDER/PLEDGE OF ALLEGIANCE

- The June 5, 2018 meeting was called to order with the pledge to the flag.

HIGHWAY SUPERINTENDENT’S REPORT – JoAnn Salamone, Deputy Highway Superintendent

- Wind/Rain storm started on Tuesday, 5/15, at 4PM...started clearing trees from roads immediately, employees worked on Friday and by Friday, at 3PM all town roads were open to cars.
- We are still clearing trees from side of roads after O&R repaired lines.
- JoAnn thanked employees for a great job.
- Wildwood Circle – repaired sink hole on 5/3.
- South Road – by winery, installed No Parking this side of road signs, 6/5.

COUNTY LEGISLATIVE REPORT – Catherine Owens-Herrmann

As a member of the Public Safety committee, I am looking into possible changes to Dean's Law to cover smoke alarms at barns—they would have to be silent, to avoid panicking the animals, and I am looking into the technology.

I attended the inauguration of Jay Quaintance at the College, and also a Sustainability Conference, on which I will report at the next Town Board meeting.

SUPERVISOR'S REPORT

- Had a meeting with the New York State Police and Hatzolah Ambulance representatives.
- Possible tower to go up by Eagles Nest due to a dead spot on Route 17. Referred to the Planning Board.
- New indictments in Bloomingburg. Trials scheduled.

ABSTRACTS

- A motion was made by C. Saward, seconded by G. Vest to approve the following abstract as presented: Abstract #11 (Voucher #20180748-20180820) in the amount of \$41,130.03. All in favor.
- A motion was made by N. Salomone, seconded by C. Saward to approve the following abstract as presented: Abstract #12 (Voucher #20180821-20180919) in the amount of \$172,094.57. All in favor.
- A motion approving the Manual Check register in the amount of \$2,100.00 (2 checks) was made by G. Vest, seconded by N. Salomone. All in favor.

MINUTES

A motion was made by C. Saward, seconded by G. Vest to accept the Minutes of May 1, 2018. 6 ayes, 1 abstention (B. Giraldi).

RESOLUTIONS

- A motion was made by M. Taylor, seconded by C. Saward to accept the **MS4 Report** as presented. All in favor.
- A motion to approve the **Bid Specs Wurtsboro Hills Trash Removal** and set the bid opening for July 18, 2018 at 2:00 p.m. was made by G. Vest, seconded by N. Salomone. All in favor.
- A motion approving the purchase of the **Dog Control program** was made by C. Saward, seconded by N. Salomone in the amount of \$3,000.00 for the first year/initial set up. All in favor.

- A motion re-appointing Peter Goodman to the **Board of Assessment Review** was made by B. Giraldi, seconded by N. Salomone. All in favor.
- A motion to set date of Special Election for the sale of the **Bloomingburg Reformed Church** for July 10, 2018 from noon until 8:00 p.m. in the Town Hall was made by C. Saward, seconded by G. Vest. All in favor.
- A motion was made by M. Taylor, seconded by G. Vest approving the **Budget Modifications** as presented. All in favor.
- A motion was made by C. Saward, seconded by B. Giraldi to approve a two year term from 9/1/18-8/31/19 for the **Poet Lauriat's** at a fee of \$1,500.00 for the term. All in favor.
- A motion approving the scheduled **replacement of computers** was made by P. Keller, seconded by C. Saward. All in favor.

TOWN OF MAMAKATING

RESOLUTION

Settling of Tax Certiorari Claim

At a meeting of the Town Board of the Town of Mamakating, County of Orange, State of New York, held at Town Hall in said Town on the 5th day of June, 2018;

WHEREAS, **Deer Run Real Estate Co., LLC**, has commenced a tax certiorari proceeding against the Town of Mamakating in the Supreme Court of the State of New York, County of Orange for the 2017-18 and 2018-19 tax assessment years bearing Orange County Index #s 1291/2017;

WHEREAS, it appears from the recommendation of the Town Assessor and Allison G. Cappella, Esq., of Jacobowitz and Gubits, LLP counsel for the Town of Mamakating in the aforesaid proceedings, upon a thorough investigation of the claims that further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matter as more fully set forth below is reasonable and in the best interests of the Town; and

WHEREAS, Deer Run Real Estate Co., LLC is willing to settle these proceedings without interest, costs or disbursement, in the following manner;

(1) That the proceedings for the 2017-18 tax year be compromised and settled by the assessment being reduced from \$487,200 to a total amount of \$297,800 for tax map no. 12.-1-2.

(2) That the proceedings for the 2018-19 tax year be compromised and settled by the assessment being reduced from \$487,200 to a total amount of \$297,800 for tax map no. 12.-1-2.

(3) That the Petitioner's real property taxes on said parcels above described for the 2017-18 and 2018-19 School taxes and for the 2017 and 2018 County and Town taxes be adjusted accordingly and the Petitioner be reimbursed for any overpayment or be credited with the corresponding decrease in taxes, as the case may be;

NOW, BE IT THEREFORE RESOLVED, that the proposed settlement as set forth and described above is hereby accepted pursuant to § 68 of the Town Law, and it is further;

RESOLVED, that Amy Platt, Assessor of the Town of Mamakating and Allison G. Cappella, Esq. on behalf of Jacobowitz and Gubits, LLP be and they hereby are designated as the officers of the Town who shall apply for such approval pursuant to the aforesaid section and law and be it further;

On a motion by Councilperson B. Giraldi, seconded by Councilperson M. Taylor, the foregoing resolution was adopted to a vote of 7 Ayes, 0 Nays.

**TOWN OF MAMAKATING TOWN BOARD
RESOLUTION ACCEPTING DEDICATION OF
ROLANDS WAY FOR HIGHWAY PURPOSES**

WHEREAS, the Town Board adopted a resolution on December 28, 2017, accepting lands known as Rolands Way as a Town highway, and the County Office of Real Property has requested the Board to set forth additional information in the resolution, the Town Board resolves to supplement and amend its December 28, 2017, resolution as follows:

BE IT RESOLVED that, upon review of the proposed Order of the Town Highway Superintendent accepting dedication of certain lands for highway purposes, said lands being depicted as the proposed road on a subdivision map titled "Phase 2 Subdivision - Wood Haven Estates," prepared by Daniel P. Yanosh, L.S., and filed in the Sullivan County Clerk's office as Map #11-29A-F, consent is hereby given to the Town Highway Superintendent to make an Order laying out the lands for highway purposes in accordance with the provisions of Highway Law §§171 and 189 and other statutes applicable thereto; and it is further

RESOLVED that said highway shall be known as Rolands Way.

On a motion by Councilperson B. Giraldi, seconded by Councilperson G. Vest, the foregoing resolution was adopted on a vote of 7 Ayes, 0 Nays.

COMMITTEE REPORTS

Christine Saward:

- On May 2, I attended a Sullivan Renaissance workshop on Green Infrastructure, presented by Simon Gruber. There were many interesting ideas of how to incorporate pervious surfaces, like parking lots and "garden" roofs, as well as storm water swales and rain gardens. There were several ideas that I felt we could use in the future, possibly around the Town Hall complex.
- Dog Control has purchased a new control stick and is researching the best chip reader. Thank you for approving the BAS system. It will be most useful in finding dog owners any time of day or night.
- Donna Egan, Sullivan County Waste Management, questioned why we gave up using containers at the Town Hall for our clean-up. She stated that the two month period of voucher was too long. Too many people are coming up to the transfer station that are unfamiliar with the facility and it causes problems. They are not equipped to handle that volume of people. Bill said he and I would meet with Jean to discuss.
- The Poet Laureate library committee decided to make the position a two year term with a stipend of \$1,500.00, instead of a one year term with \$1,000.00 stipend. They are again asking the Town Board to fund the stipend. All were in agreement after some discussion as to how we funded it last year.
- Announcement: July 16 is the Phillipsport Community Center Music Night. Aileen Gunther will be there at 6pm to dedicate the new pavilion built with a grant she obtained for the PCC.

EXECUTIVE SESSION

- A motion was made by B. Giraldi, seconded by P. Keller to go into Executive Session at 8:45 p.m. to discuss highway contract negotiations, get attorney advice regarding Horvath, a security issue in the court, a disability comp case and camp personnel. All in favor.
- A motion was made at 9:55 p.m. by C. Saward, seconded by B. Giraldi to come out of Executive Session. All in favor.
- A motion was then made by C. Saward, seconded by B. Giraldi to approve an increase of up to \$2.00 per hour for camp staff. All in favor.

ADJOURNMENT

- A motion to adjourn the meeting at 10:15 p.m. was made by B. Giraldi, seconded by C. Saward. All in favor.

Respectfully Submitted;

Jean M. Dougherty, Town Clerk