

THE TOWN OF MAMAKATING TOWN BOARD MEETING HELD ON TUESDAY, NOVEMBER 13, 2018 AT 6:00 P.M. IN THE TOWN HALL, WURTSBORO, NEW YORK.

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

Absent: Matt Taylor – Councilman

Also present: Catherine Owens-Herrmann – Confidential Secretary to the Supervisor/Legislator
Riley Platt III – Highway Superintendent
JoAnn Salamone – Deputy Highway Superintendent
Kerron Barnes – Interagency Coordinator

Worksession Items for Discussion

1. Resolution to withdraw from NYSHIP
2. Budget Modifications
3. Award the salt bid to Ulster Farms & Materials - \$88.49 ton. (This was the only bid)
4. Tax Certiorari – Anthos Homes
5. Sullivan County Snow and Ice Contract
6. Steven Tilley Consulting
7. Tax Levy – SBL: #43.-7-9 & SBL:#12.-1-20
8. Budget Workshop

CALL TO ORDER/PLEDGE OF ALLEGIANCE

- The November 13, 2018 meeting was called to order with the pledge to the flag.

HIGHWAY SUPERINTENDENT’S REPORT

- Plows and sanders on trucks
- A lot of water in roadways causing cracks etc. and will continue until water subsides
- With surplus money coming back, would like to replace foreman truck at approximately \$30,000.00
- Waste Oil Furnace bid? Approximate cost between \$6-8 thousand.

COUNTY LEGISLATIVE REPORT – Catherine Owens-Herrmann

County Legislative Report 11-13-18

The county budget is \$235,196,663. It stayed under the cap. Two public hearings: December 11 at 5:30 pm and December 13 at 9:30 am, after which we will vote. Because of a 4.5% increase in the county in total taxable assessed value, the average tax payer will see a 1.6% decrease in property tax or \$19 per \$100,000 of assessed value. There is also a decrease in Solid Waste Access Fee for the commercial rate from \$300/ton down to \$200 and for residential from \$120 to \$80 per year. Mortgage, sales and room tax have all come in higher.

Bridges: The county is bidding Mamakating 243 (David Rhodes) and 269 (Pine Kill Rd.) together to get a better price. The Tempaloni Rd. Bridge beams are installed, paving will follow.

The airport got a federal grant with no county expense.

Two reminders from the county clerk: driver's licenses are three types—standard, enhanced and real ID; and pistol permit re-certifications are due every five years, no notice will be sent.

Senator Bonacic has authorized a grant for the Visitor's Center.

The Corridor study examined 6 sites between exits 101 and 102 with an eye to best use of the sites, and speeding up the process, to attract developers.

A dog shelter will soon open in the Town of Liberty, named the Catskill Animal Shelter and paid for by Alan Gerry. The phone number is 845 866 3366.

The Sullivan County Veteran's Service Agency will be authorized to supplement up to \$500 per burial for indigent veterans.

SUPERVISOR'S REPORT

- Letter received from "Climb to the Gunks" regarding recent event where \$5,000 was raised for Multiple Sclerosis.
- Dolan "issues" moving forward. Discussion by board members regarding the process and progress of same.

ABSTRACTS

- A motion was made by C. Saward, seconded by P. Keller to approve the following abstract as presented: Abstract #21 (Voucher # 20181781-20181955 & void #20181904) in the amount of \$602,561.83. All in favor.
- A motion approving the Manual Check Register in the amount of \$1,100.00 (1 check) was made by B. Giraldi, seconded by G. Vest. All in favor.

MINUTES

A motion was made by G. Vest, seconded by P. Keller to accept the Minutes of October 16, 2018. All in favor.

RESOLUTIONS

TOWN OF MAMAKATING RESOLUTION

Settling of Tax Certiorari Claim

At a meeting of the Town Board of the Town of Mamakating, County of Sullivan State of New York, held at Town Hall in said Town on the 13th day of November, 2018;

WHEREAS, Anthos Homes NY LLC, has commenced a tax certiorari proceeding against the Town of Mamakating in the Supreme Court of the State of New York, County of Sullivan for the 2017-18 and 2018-19 tax assessment years bearing Sullivan County Index #s, 1359/17 and 1419/18;

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, Anthos Homes NY 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 \$188,900 to a total amount of \$160,230 for tax map no. 27.-1-79.7.

(2) That the proceedings for the 2018-19 tax year be compromised and settled by the assessment being reduced from \$188,900 to a total amount of \$160,230 for tax map no. 27.-1-79.7.

(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 2018 and 2019 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 C. Saward, seconded by Councilperson B. Giraldi, the foregoing resolution was adopted to a vote of 6 Ayes, 0 Nays.

Resolutions (cont.)

A motion was made by C. Seward, seconded by G. Vest to **levy the unpaid charges** of the following properties to each of their tax bills. All in favor.

Property Owner – Timothy Pendleton

Project Name – Unsafe structure 36 Sunrise Trail, Wurtsboro, New York 12790; that the Town Board ordered removed.

SBL# 43.-7-9

Amount owed the Town - \$9,893.88

Property Owner – Amy Thomas

Project Name – Pine Lake Development

SBL – 12.-1-20; 14 Shannon Lane, Pine Bush, NY 12566

PO Box 156, Burlingham, New York 12722

Amount owed the Town - \$2,179.26

AYES: 6

NOES: 0

- A Resolution to withdraw from **NYSHIP** was made by B. Giraldi, seconded by C. Seward. All in favor.
- A motion to adopt the **2019 Budget** as presented was made by G> Vest, seconded by P. Keller. 5 ayes, 1 nay (N. Salomone).
- A motion approving the **Budget Modifications** as presented was made by B. Giraldi, seconded by C. Seward. All in favor.
- A motion to award the **salt bid** to Ulster Farms & Materials at \$88.49 per ton. (This was the only bid) was made by G. Vest, seconded by C. Seward. All in favor.
- A motion was made by B. Giraldi, seconded by P. Keller to authorize the Supervisor to sign the Sullivan County **Snow and Ice Contract**. All in favor.
- A motion to hire the firm of Steven Tilley Consulting to do a study of the **Bloomingburg Dutch Reformed Church** at a price of \$18,500.00 was made by P. Keller and seconded by G. Vest. All in favor.
- A motion authorizing the purchase of a new **Highway foreman's truck** in the amount of \$31,340.00 as presented was made by B. Giraldi, seconded by P. Keller. All in favor.

EXECUTIVE SESSION

- A motion was made by N. Salomone, seconded by P. Keller to go into Executive Session at 7:15 p.m. to discuss a contract issue, a personnel issue, obtain legal advice on the Dolan situation and discuss another legal issue. All in favor.
- A motion was made at 8:22 p.m. by G. Vest, seconded by C. Seward to come out of Executive Session. All in favor.

ADJOURNMENT

- A motion to adjourn the meeting was made by P. Keller, seconded by B. Giraldi. All in favor.

Respectfully Submitted;

Jean M. Dougherty, Town Clerk