

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, July 7, 2016** at the town hall.

Supervisor Hogue called the meeting to order at 7:00 p.m.

Roll Call: Present – Daniel S. Hogue, Jr., Supervisor
John W. Galligan, Councilman
Susan Parks-Landis, Councilwoman
Steve Budofsky, Councilman

Absent – Katherine L. Barnhart, Councilwoman

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – Joseph Ruggeri, Highway Superintendent
E. Danielle Jose Decker, Attorney for the Town

REPORTS

Supervisor Hogue submitted a monthly report of financial activity for June 2016.

Town Clerk, Joanne Nagoda submitted a report of cler4k fees and activity for June 2016.

Justices Carroll and Gunther submitted a report of justice court fees and activity for June 2016.

PUBLIC COMMENT – None.

MINUTES – Town Clerk, Joanne Nagoda submitted minutes of the regular June 2016 meeting and the special meeting on June 16, 2016.

MOTION by Councilman Galligan, seconded by Councilwoman Landis to accept the minutes of June 2, 2016. Vote: 4 ayes – 0 nays. Motion carried.

MOTION by Councilwoman Landis, seconded by Councilman Budofsky to accept the minutes of the June 16, 2016 meeting. Vote: 3 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - #140 – 167 in the sum of \$11,739.44 as set forth in abstract # 7 were audited for payment. MOTION by Councilman Galligan, seconded by Councilman Budofsky to pay general fund vouchers. Vote: 4 ayes – 0 nays. Motion carried.

HIGHWAY FUND VOUCHERS - # 71 – 80 in the sum of \$3,030.09 as set forth in abstract # 7 were reviewed. MOTION by Councilwoman Landis, seconded by Councilman Galligan to accept the highway fund vouchers. Vote: 4 ayes – 0 nays. Motion carried.

ESCROW FUND VOUCHERS – None.

COMMUNICATIONS –

Clerk Nagoda read a letter from Lisa Wissman wishing to use the pool for a Sweet 16 party on August 7, 2016. She will provide a certificate of insurance and pay the necessary deposit and the lifeguards. MOTION by Councilman Galligan, seconded by Councilwoman Landis to grant the request. Vote: 4 ayes – 0 nays. Motion carried.

UNFINISHED BUSINESS

BANKING RESOLUTION –

**A RESOLUTION AUTHORIZING THE SUPERVISOR AND HIS DESIGNEE ACCESS TO TOWN BANK ACCOUNTS,
AND TO PERFORM ELECTRONIC TRANSFERS**

WHEREAS, New York State Town Law §29(1) provides that the Town Supervisor shall have care and custody of all monies belonging to or due the Town from any source, except as otherwise provided by law; and

WHEREAS, the Town Supervisor is authorized to disburse monies from Town accounts by check (Town Law §29(3)), and electronic or wire transfers (General Municipal Law §5-a); and

WHEREAS, the New York State Comptroller has confirmed that it is the Town Supervisor's responsibility to access any and all Town accounts; and

WHEREAS, the Town's accountants and insurance company have underscored the importance of the Supervisor's responsibility with respect to Town accounts by recommending that the Supervisor and/or his designee be granted access to all Town accounts including disbursement of monies by check or electronic or wire transfer; and

WHEREAS, the Town's banking institutions (Jeff Bank, Chase Bank, Key Bank, Bank of America, National Bank of Delaware County (NDBC)/Wayne Bank (pending), M & T Bank and Catskill Hudson Bank, TD Bank) require a board resolution to authorize the Supervisor and/or his designee to have access to Town bank accounts.

NOW, THEREFORE BE IT

RESOLVED, BY THE TOWN BOARD OF THE TOWN OF FORESTBURGH

1. That the Town Supervisor shall have access to all Town bank accounts located at the following institutions: Jeff Bank, Chase Bank, Key Bank, Bank of America, National Bank of Delaware County (NDBC)/Wayne Bank (pending), M & T Bank, TD Bank and Catskill Hudson Bank; and
2. That the Town Supervisor and/or his designee is authorized to generally perform banking transactions and specifically disburse monies from Town accounts by check and electronic or wire transfer.

MOTION BY: Councilman Budofsky

SECOND BY: Councilwoman Landis

VOTE: 3 ayes – 1 abstention

BY ORDER OF THE TOWN BOARD OF THE TOWN OF FORESTBURGH, NY.

ROLLER BID – We put the purchase of a new roller out to bid. Three bids were received, one from Hoffman Equipment, Westchester Equipment and T.J. Chin. Highway Superintendent Ruggeri stated the bid from T.J. Chin came in at \$18,000 – it’s a 2003 Bomag with 45.5 hours on it. I went and inspected it, it’s immaculate. Westchester Equipment bid a brand new Bomag for \$29,990 and Hoffman Equipment actually submitted 3 bids for machines that fell within the lines of the specs, they are all brand new there is a DV-23 for \$32,800, a DV-26 for \$34,335 and a DV-36 for \$42,300. Discussion was held on the expense of a used machine versus a new one, usage, ability to move it from location to location

RESOLUTION AWARDING PURCHASE CONTRACT TO LOWEST RESPONSIBLE BIDDER

WHEREAS, the Highway Superintendent of the Town of Forestburgh has solicited sealed competitive bids for a two-and-a-half ton, double drum vibratory roller (“Roller”), said bids being returnable to the Town Clerk’s Office by 11:00 a.m. on June 24, 2016, to be publicly opened and read that same date, and

WHEREAS, Westchester Equipment (“Vendor”) duly submitted such a bid at said time and place in the amount of Twenty Nine Thousand Nine Hundred Ninety and 00/100 (\$29,990.00) Dollars, said bid being the lowest responsible bid, and

WHEREAS, the Highway Superintendent has reviewed the specifications of the Roller bid and compared the same to the bidding specifications, and finds the same in full compliance therewith, and

WHEREAS, the Highway Superintendent has duly recommended the purchase of said Roller so bid,

NOW, THEREFORE, BE IT RESOLVED that the Highway Superintendent of the Town is hereby authorized to purchase, in accordance with the provisions of Article 5-A of the General Municipal Law, said Roller for a maximum price of Twenty Nine Thousand Nine Hundred Ninety and 00/100

(\$29,990.00) Dollars; and be it further

RESOLVED that the Highway Superintendent is authorized to complete the purchase in accordance with the terms of the resolution, and to pay the above amount specified from budgetary appropriation for the purchase of equipment by a check drawn on the Town of Forestburgh for Twenty Nine Thousand Nine Hundred Ninety and 00/100 (\$29,990.00) Dollars on delivery of the Roller.

MOTION BY: Councilman Galligan

SECOND BY: Supervisor Hogue

VOTE: 4 ayes – 0 nays.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF FORESTBURGH, NY.

198 DILL ROAD – Back in 2011 the Town Board issued an order for demolition at 198 Dill Road, this was discovered when they did the title search for us to move forward with the sale of 198 Dill Road.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FORESTBURGH MODIFYING AN ORDER OF
DEMOLITION OF A STRUCTURE

WHEREAS, on June 2, 2011, the Town Board of the Town of Forestburgh ordered demolition and removal of the structure located on the premises of 198 Dill Road, Forestburgh, Sullivan County, State of New York, SBL #12.-1-33, pursuant to Section 74-4 of the Town Code of the Town of Forestburgh; and

WHEREAS, the mortgagee of the premises subsequently foreclosed on the property and transferred ownership to the Town of Forestburgh; and

WHEREAS, the Town of Forestburgh approved the sale of the property to Bobcat Road, LLC “as is” with the expectation that the property will be brought into compliance with the applicable New York State and Town building codes either through repair or demolition; and

WHEREAS, the sale of the property cannot be completed while the Order of Demolition remains outstanding as Order affects title; and

WHEREAS, the Town, having balanced the issues involved, has determined that it is appropriate to revoke its order of demolition and permit the sale of the property to a new owner “as is” with the expectation that the property will be brought into compliance with the applicable New York State and Town building codes.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED

That the Order of demolition of the structure located on the premises of 198 Dill Road, Forestburgh, Sullivan County, State of New York, SBL #12.-1-33, pursuant to Section 74-4 of the Town Code of the Town of Forestburgh is hereby revoked to permit the sale of the property to a new owner “as is” with the expectation that the property will be brought into compliance with the applicable New York State and Town building codes.

MOTION BY: Councilman Galligan

SECOND BY: Councilman Budofsky

VOTE: 4 ayes – 0 nays.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF FORESTBURGH, NY.

EMPLOYEE HANDBOOK – It is still being rewritten.

DOOR LOCKS – We will reach out for Dill Locksmith.

WEBSITE/NEWSLETTER – The new website is up and running. There are a few small glitches we are correcting.

PLANNING BOARD/ZBA SECRETARY – We are still looking for a clerk/secretary for the planning board and zoning board of appeals. If anyone is interested please send a letter of interest.

PLANNING BOARD ALTERNATES – We are still working on this and trying to decide between five or seven members.

BUILDING INSPECTOR – We were contacted by Mark VanEtten who was interested in the position. He was really looking for a full time position. We did interview Shawn Galligan and Glenn Gabbard. Councilman Galligan abstains from any discussion on this matter. Councilman Budofsky stated our biggest issue having someone who is certified and Mr. Gabbard is certified.

MOTION by Supervisor Hogue, seconded by Councilman Budofsky to appoint Glenn Gabbard as building inspector/code enforcement officer for the remainder of 2016. Vote: 3 ayes – 1 abstention. Motion

carried.

NEW BUSINESS

BIKE EVENT REQUEST – Clerk Nagoda stated it was held yesterday, it went off without a hitch, and they are sending us a \$300.00 donation for recreation.

COMMITTEE REPORTS –

Planning Board – No meeting, no report.

Recreation – Director Chuck Vassallo reported that camp is open, there is a full roster and many new faces. I have reviewed the roster with the town clerk to verify residency. We have staffing issues with the lifeguards because we are two lifeguards short. We no longer have a water safety instructor (WSI) to teach swimming lessons. Mr. Vassallo is teaching swimming when he is able. Many years ago the town board passed a resolution requiring two lifeguards be on duty, due to our desolate location, Supervisor Hogue suggested relaxing our rule and having one lifeguard and one camp counselor which would allow us to keep the pool open. Just for us to be able to keep the pool open in the afternoons. The board agreed this is the best plan under the circumstances.

MOTION by Councilman Budofsky, seconded by Councilwoman Landis that when needed a counselor may fill in with a lifeguard as long as we are in compliance with state law and at the discretion of the summer director. Vote: 4 ayes – 0 nays. Motion carried.

Supervisor Hogue stated that before camp opened, Mr. Vassallo had requested a nominal increase for the employees. We have reviewed the budget and can grant this. MOTION by Councilwoman Landis, seconded by Councilman Galligan to grant a \$0.25 an hour raise to the head counselor and the counselor's in training. Vote: 4 ayes – 0 nays. Motion carried.

Mr. Vassallo continued that Andrew Nagoda is here, as we explore the possibility of having aquatic director – which is the hat that I wear when I am dealing with the health department for the pool. In the past we have had a separate aquatics director. He is here to explore the possibility of doing that in the future. It's just a topic for thought for the future. Supervisor Hogue replied we will look at this closer to budget time and see how this may impact us and we will leave it for future discussion.

Historian – Requested that a letter be sent to Assemblywoman Gunther's office for funding for the old town hall. The letter has been sent.

Seniors – I know there have been questions about our spending, we are a very small group, we don't spend money on hiring buses, and many of the senior's can't be out for that long. I want to thank our new, younger members who have been great about helping people get places. So when we go places, and they made the rules – they voted on it – they get to pick what they want. Our next outing is a trip on the River Rose to tour the Hudson River.

Forestburgh Day – next meeting is July 11 at 5:30 here at the town hall. Sullivan Renaissance held a very successful gardening class here and hopefully next week I will be picking up the new eagle for the garden.

Comprehensive Plan – A comprehensive plan committee was formed with several residents, they met on June 30. It is the feeling of the committee that the comprehensive plan written in 2006 reflects the goals of the residents today. The public is encouraged to attend the next meeting on Thursday, August 11 at 7:00 p.m. in the town hall.

Fire Department – We drill on Wednesday nights – stop by, we are there.

PUBLIC COMMENT –

Hedy Scopino - I want to say something, and I want it to be on a friendly basis, but I want to thank Clerk Nagoda and Councilman Galligan for trying to do something that they didn't have to do. You and the bookkeeper had a month to cut the checks for the vouchers, you both took off the same day the same week. They tried to rectify that, your offices are locked for some reason, he's the deputy supervisor and he can't get in, she's an elected official and she can't get in – what is behind those closed doors? Councilman Galligan cut me a check out of his personal account – I had two surgeries that week – you were all out of town. I want to know why those checks couldn't be cut and signed by you. That is ridiculous – you had a month, I brought it up at the May meeting. You said you had no problem with it and then you both disappear. I was told we weren't getting them on time. Supervisor Hogue replied that he did some homework on this – I check back twelve years, which is as far as the records go. NYSHIP requires that we issue the checks every six months, which is June and December. In 2004 the checks were issued on June 8, 2005 – June 6, 2006 – June 5, 2007 – June 11, 2008 – June 11, 2009 – June 18, 2010 – June 4, 2011 – June 13, 2012 – June 12, 2013 – June 7, 2014 – June 6, 2015 – June 12 and this year they were issued on June 6. Well within what was issued in the last twelve years. So I don't understand what your problem is. Mrs. Scopino replied the problem is you all sat here, you all knew I brought it up – Supervisor Hogue stated that the vouchers were not presented until the June meeting. I told you the bills would be paid in June.

Supervisor Hogue stated that our insurance company would like to make a presentation to us on a health insurance plan that is comparable to what we have now. The town has the potential to save up to \$37,000 a year and we would not be required to make this payment that we have made for the last twelve years and avoid this situation. NYSHIP being a state run agency is the only that requires that we reimburse the Medicare. They asked if they could present closer to budget time and I told them yes.

ADJOURNMENT – MOTION by Councilwoman Landis to adjourn at 8:20 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk