

******DRAFT******

PUBLIC HEARING UPON

LOCAL LAW # 1 OF 2011 ENTITLED

**“CREATING THE ELECTED POSITION OF TAX COLLECTOR FOR THE OF FORESTBURGH,
SULLIVAN COUNTY, NEW YORK”**

February 3, 2011

Supervisor Galligan called the public hearing to order at 7:00 p.m. in the Town Hall.

Roll Call: Present – James P. Galligan, Supervisor
Eugene D. Raponi, Councilman
John W. Galligan, Councilman
William B. Sipos, Councilman
Michael Creegan, Councilman

Absent – None.

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – William D. Bavoso, Attorney for the Town
Dan Hogue, Highway Superintendent

Town Clerk, Joanne Nagoda submitted the affidavit of publication for the public hearing.

Supervisor Galligan explained that the proposed local law would basically re-create the elected position of tax collector. Last November the position was eliminated and the duties combined with those of the Town Clerk. It was decided that we would have a vote to re-create the position and the adoption of a local law is necessary to do that.

Councilman Galligan asked exactly what is the local law, because we had two options. Attorney Bavoso explained that last year the position was abolished under Section 36 of the Town Law. The law states that once the law has been abolished the obligation to collect taxes becomes that of the Town Clerk. That is what is going on now. The board then requested that the local law be written to recreate the position of tax collector. In order to do so, a local law establishing the position of tax collector is subject to a mandatory referendum. This local law provides that the position of tax collector for the Town of Forestburgh and is subject to mandatory referendum, and the board has decided that May 3, 2011 will be the date to hold the special election to determine if this local law is approved by the electors of the town. If approved, the position of tax collector is re-established and individuals can run in November for the position. If the referendum is voted down and defeated, then it remains the obligation of the Town Clerk to collect the taxes.

Mary Ann Toomey – It has been an elected position since 1837 and I think it should remain an elected position. You had three people who applied last time, they weren't even interviewed, and there may be people in town interested in running for that position.

Dan Hogue, Jr. – Does the election have to be on one of the new electronic machines? Supervisor Galligan stated he believed it would be paper ballot. He hasn't received all of the information yet. He stated that he has spoken with the Election Commissioners and it is a special election, and it is the responsibility of the Town.

Mary King – Will absentee ballots be allowed? Supervisor Galligan continued that we will have paper ballots, we have to hire the election inspectors and we have to make a decision about absentees, if we want to allow them or not and how to notify everyone in town.

Dan Hogue, Jr. – How will you notify everyone in town? Supervisor Galligan replied that there is public notice in the newspapers, the newsletter. Dan suggested sending a postcard to all eligible voters like the County does prior to an election. Supervisor Galligan stated the Commissioner Gable told him it's expensive, especially to do absentees – you have get them the application, mail the ballot, have the envelopes to return the ballot, the postage, but they will work with us.

Katherine Barnhart – Do you have any idea what the entire cost will be? Supervisor Galligan replied no, will it cost thousands of dollars, probably not, but I would say \$1,000 would be a fairly high estimate.

No further comments were received.

MOTION by Councilman Galligan, seconded by Councilman Sipos to close the public hearing at 7:10 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk