

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

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, December 1, 2011** at the Town Hall.

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

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 – David Bavoso, Attorney for the Town
Dan Hogue, Highway Superintendent
Susan Hawvermale, Planning Board Chair

REPORTS –

Supervisor Galligan submitted the financial report for the month of November, 2011.

Justice Carroll submitted justice court reports of fines and activity for October and November 2011.

Town Clerk, Joanne Nagoda submitted a report of clerk fees and activity for the month of November 2011.

PUBLIC COMMENT –

Mary Ann Toomey – Barton & Loguidice why is this bill on the list again? Supervisor Galligan replied we are not paying this bill and it has to stay there until we remove it. Ms. Toomey then asked about the item for the Sullivan County Treasurer charge backs 2006 and 2011. Supervisor Galligan stated that was when Mirant/Alliance Energy had the tax certiorari settlement which reduced their assessed value. They never paid their taxes until about a month ago when they sold to Eagle Creek. The county doesn't give them their reduction until they pay the taxes, so the county gave them their reduction we have to pay the county.

Rich Feller – When you get to Lost Lake on the agenda, are you going to take any questions or should we ask them now? Supervisor Galligan replied we aren't going to do anything with Lost Lake, since the public hearing, the ball is mostly in their court. We have to close the public hearing, but we are waiting for their responses to everything that was raised at the public hearing. Mr. Feller asked if the board had received any updates from any of the other agencies like the DEC or anything like that. Supervisor Galligan replied we have heard nothing, the only thing I do know is that they are on the agenda for the next (December) meeting of the Delaware River Basin Commission.

Councilman Sipos stated that tonight is one of the last meetings of this town board. We, the members of the town board have for Supervisor Galligan a certificate of appreciation and also a plaque "In appreciation of six years of service to the Town of Forestburgh as Supervisor from 2005 to 2011". Supervisor Galligan thanked the board. At this time, the meeting recessed for ten minutes for coffee and cake.

MINUTES – Town Clerk, Joanne Nagoda submitted minutes from the October 19, 2011 special meeting and the joint meeting of the Planning Board/Town Board on October 25 for zoning review. **MOTION** by Councilman Galligan, seconded by Councilman Creegan to accept the minutes of October 19, 2011. Vote: 5 ayes – 0 nays.

Motion carried. MOTION by Councilman Sipos, seconded by Councilman Raponi to accept the minutes of the October 25, 2011 joint meeting. Vote: 5 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - # 255 – 279 in the sum of \$94,005.03 as set forth in abstract # 12 were audited for payment. MOTION by Councilman Galligan, seconded by Councilman Sipos to pay all general fund invoices with the exception of the invoice from Barton & Loguidice in the amount of \$12,636.78. Vote: 5 ayes – 0 nays. Motion carried. Supervisor Galligan asked Attorney Bavoso if he had any success in contacting Mr. Voss with regard to this invoice. Attorney Bavoso stated that a letter was sent to Mr. Voss at Barton & Loguidice and he contacted Mr. Voss to inform him the letter was coming. Mr. Voss was unsure what, if any the response would be. As of this date, no response has been received. MOTION by Councilman Galligan, seconded by Councilman Sipos to not pay the invoice of Barton & Loguidice and remove it from the system. Vote: 5 ayes – 0 nays. Motion carried.

HIGHWAY FUND VOUCHERS - # 190 – 208 in the sum of \$72,282.37 as set forth in abstract #12 were reviewed. MOTION by Councilman Sipos, seconded by Councilman Galligan to accept the highway vouchers. Vote: 5 ayes – 0 nays. Motion carried.

ESCROW FUND VOUCHERS - # 28 – 32 in the sum of \$14,338.23 as set forth in abstract # 12 were audited for payment. MOTION by Councilman Raponi, seconded by Councilman Creegan to pay escrow fund vouchers. Vote: 5 ayes – 0 nays. Motion carried.

COMMUNICATIONS – None.

UNFINISHED BUSINESS

PLANNING BOARD VACANCIES – Supervisor Galligan stated that he forgot to put in the newsletter that the town board would be accepting letters of interest for new members to the planning board. We will also review the letters of previous applicants. Planning Chair, Susan Hawvermale stated that there will be no December meeting, as we will not have quorum.

LOST LAKE PROJECT – Supervisor Galligan stated that we discussed this earlier, we are awaiting responses from Lost Lake to the questions that were raised at the public hearing. The big issue is the water and I know the town board is committed to having a resolution to that concern. We did leave the public hearing open until today, so we have to close that. MOTION by Councilman Sipos, seconded by Councilman Galligan to close the public hearing of the Lost Lake site plan approval for written comment. Vote: 5 ayes – 0 nays. Motion carried.

ZONING REVIEW – No action taken.

NEW BUSINESS

YEAR END MEETING – Supervisor Galligan stated that we need a date for our year end meeting to close the books and authorize the payment of the year end bills. MOTION by Councilman Sipos, seconded by Councilman Creegan to hold the year end meeting on December 28, 2011 at 7:00 p.m. in the town hall. Vote: 5 ayes – 0 nays. Motion carried.

PARTNERS IN SAFETY – Supervisor Galligan stated that Partners In Safety is the company that does our mandated DOT drug and alcohol testing for the highway department. MOTION by Councilman Galligan, seconded by Councilman Creegan to renew our annual contract with Partners In Safety and pay the annual consortium fee of \$273.00 associated with it. Vote: 5 ayes – 0 nays. Motion carried.

UNION CONTRACT EXTENSION – Supervisor Galligan explained that the union that represents the highway employees has agreed to a one year contract extension with no salary increases, one of the employees came to work recently and the contract states that they must pay 15% of their health insurance. The other employees agreed to no increase if the town would pick up the 15% for one year. MOTION by Councilman Raponi, seconded by Councilman Sipos to authorize Supervisor Galligan to sign the contract extension agreement between the highway union Local 17 and the Town of Forestburgh. Vote: 5 ayes – 0 nays. Motion carried.

COMMITTEE REPORTS

Planning Board – Next meeting – January 24, 2012

Historian – Report filed.

Building Inspector – Report filed.

Seniors – Holiday Party at Mr. Willy's next Thursday.

Green Committee – Through NYSERDA we entered into the program to replace the light fixtures for more efficient ones in conjunction with Orange & Rockland, they are starting the install on Monday.

Forestburgh Day – August 11, 2012

PUBLIC COMMENT –

Mary Ann Toomey – Years ago I went to County Museum in Hurleyville and they had a full mock up of a tannery. I contacted Bill Burns the president of the society to see if we can borrow this mock up for Forestburgh Day/ 175th Anniversary. If they lend it to us, we'll have to pick it up and return it to them in good condition. If we can borrow it, I will do complete history of the thirty six or thirty nine tanneries that were here.

EXECUTIVE SESSION – MOTION by Councilman Sipos, seconded by Councilman Galligan to enter into executive session for the purpose of possible litigation and invite Attorney Bavoso and Highway Superintendent Hogue into said session. Vote: 5 yes – 0 nays. Motion carried.

MOTION by Councilman Galligan, seconded by Councilman Raponi to reconvene into regular session at 7:53 p.m. Vote: 5 ayes – 0 nays. Motion carried.

MOTION by Councilman Galligan, seconded by Councilman Creegan to authorize the attorney for the Town to send a follow up letter to Lee Hummel regarding the overpayment of wages by the Town. Furthermore, if no response is received from Mr. Hummel by the end of the year, the attorney for the Town is authorized to initiate an action to recover the overpayment amount. Vote: 5 ayes – 0 nays. Motion carried.

ADJOURNMENT – MOTION by Councilman Sipos to adjourn at 7:59 p.m.

Respectfully submitted,

Joanne K. Nagoda, RMC
Town Clerk