

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

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, August 4, 2011** in the Town Hall.

Supervisor Galligan called the meeting to order at 7:34 p.m.

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

Absent – None

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – William D. Bavoso, Attorney for the Town
Dan Hogue, Jr. – Highway Superintendent
John Munsey, C.T. Male Associates

REPORTS –

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

Justice Carroll submitted a justice court activity report for July 2011.

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

PRESENTATION – Supervisor Galligan introduced Carol Roig of the Sullivan County Office of Sustainability who is here to provide us with information on home energy audits and energy conservation for homeowners. Ms. Roig explained that this is a program through NYSERDA (New York State Energy Research Development Authority) and it makes home energy audits available to homeowners in the State of New York free of charge. Ms. Roig explained the application process and the actual audit process as well as informing everyone that they have an office in the government center that can help with applications and further information. She further explained that after the audit, you can apply for a low interest loan through NYSERDA to make the changes outlined in the audit and loan is repaid by the money saved on your energy consumption. Information and applications were left with the Town Clerk for distribution.

PUBLIC COMMENT – None.

MINUTES – Town Clerk, Joanne Nagoda submitted minutes of the July 7, 2011 regular Town Board meeting. **MOTION** by Councilman Galligan, seconded by Councilman Cregan to accept the July meeting minutes. Vote: 5 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - # 140 – 172 in the sum of \$19,387.39 as set forth in abstract # 8 were audited for payment. **MOTION** by Councilman Galligan, seconded by Councilman Raponi to pay all invoices with the exception of Attorney Petrone, pending further information and review. Vote: 5 ayes – 0 nays. Motion carried.

HIGHWAY FUND VOUCHERS - # 127 – 143 in the sum of \$37,018.32 as set forth in abstract # 8 were reviewed. **MOTION** by Councilman Sipos, seconded by Councilman Galligan to accept highway fund vouchers. Vote: 5 ayes – 0 nays. Motion carried.

ESCROW FUND VOUCHERS - # 22 in the sum of \$861.25 as set forth in abstract # 8 were reviewed. MOTION by Councilman Sipos, seconded by Councilman Galligan to pay escrow fund vouchers. Vote: 5 ayes – 0 nays. Motion carried.

COMMUNICATIONS – None.

UNFINISHED BUSINESS

ZONING REVIEW – Supervisor Galligan stated that the Board is not ready to move on this yet.

OLD TOWN HALL REPAIRS – Historian, Mary Ann Toomey stated that she spoke with Senator Bonacic and Assemblywoman Gunther who both informed her that there is nothing available in New York State. She has contacted other historical preservation organizations and there is nothing available there either. One did inform her that IF we did receive money, the building would have to be open 120 days a year. Right now she is dealing with a Mr. Kerr from Senator Schumer’s office and there is money available under a federal museum fund, however, she has not been able to find out if the old Town Hall can qualify as a museum. In addition, I have ordered a bronze plaque for \$175.00, it’s 7 x 10 and needs to be mounted on the old Town Hall. It reads Forestburgh Old Town Hall, Circa 1929 and designated as a National Historical Site by the Department of the Interior. We won’t have it by Forestburgh Day, but that was the best I could do.

BUILDING DEPARTMENT FEES – CELL TOWERS – There is no movement on this item either.

CONDEMNATION – 198 DILL ROAD – Supervisor Galligan stated that the last time the property owners were here, they were told to come back and report on their plans for this property. Mary Dollard, sister of property owner Janet Price stated that after the meeting here on the 27th of July, they contacted ServPro and scheduled an evaluation at 198 Dill Road on August 2, I contacted Attorney David Bavoso and informed him of this and requested permission to be on the property for this purpose on that date. Attorney Bavoso requested that Mr. Lorino, Code Enforcement Officer be contacted as well, which was done and permission to be on site was granted. She then called engineers, Glen Smith as previously stated no longer does this type of work, I contacted Roger Ferris from Middletown, he refused, but referred me to Tom DePuy and John (inaudible). I am still waiting for Tom DePuy to return the call. After the environmental concerns voiced by Mr. Beamer, I contacted JCO, Inc. of Wurtsboro about enviro compliance, they cannot help. I contacted Luzon, they do oil and cannot help, but suggested that I contact a business called “Perfect House” located in the Ferndale/Liberty area. They are scheduled to come on August 8th. ServPro had to cancel their appointment due to an accident, she is to contact the project manager tomorrow to reschedule. We have made contact with people to help us address the situation. What I wanted to say was that on June 9th, Janet was served with a notice regarding that section 74-4, on June 15th she phoned Mr. Galligan and Attorney Bavoso contesting the demolition of the house and neither call was ever acknowledged. It appeared to us that she would be responsible to demolish the building within thirty days. We attended the Town Board meeting on July 7, in compliance with that paragraph 3, Mr. Galligan and Attorney Bavoso met with Janet and I privately. At that time, the phone calls were acknowledged and they knew she wanted to make the necessary repairs to the structure, and that she would be receiving a letter soon explaining what she could do in addressing those repairs. She received no letter, but a notice about a public hearing scheduled for July 27th, there was no list of steps for her to take to remedy the situation, just an invitation to the public hearing. At the public hearing, I asked at least three times maybe even four, what steps could be taken to correct the problem. I received no specific answers, instead Mr. Galligan stated this must be done quickly and it can’t drag out a long time. We have been waiting eight weeks for answers to “what can be done”, the extreme temperatures and length of time have caused the situation to worsen. So I do not feel that one week to find the proper person or company to make the necessary repairs and we respectfully request an extension of time. Supervisor Galligan stated that we know you have made appointments to get estimates and discussion was held on how much more time did they feel they needed to get some quotes and answers? Discussion was held to find a date and what should be done on that date.

MOTION by Councilman Sipos, seconded by Councilman Galligan to hold a special meeting on Wednesday, August 17, 2011 at 6:00 p.m. in the Town Hall to give the property owners time to present their reports and their plans for the property. Attorney Bavoso requested that copies of any reports received be sent to the Board on Friday, August 12 for the Board to review prior to the meeting on the 17th. Vote: 5a yes – 0 nays. Motion carried.

NEW BUSINESS

PDD LEGISLATION – LOST LAKE – Discussion was held on the changing of the verbiage referred to by Richard Feller during the public hearing and Attorney Bavoso informed the board that the words in question are part of the findings statement which has already been adopted, however this is something that the Board will be able to work on during the site plan approval process. Mr. Feller requested that the language be addressed tonight and not “taken into consideration” to protect the homeowners on Cold Spring Road because it appears to me that this is something you are committed to resolving on our behalf, I think you should get some firm language from counsel. Supervisor Galligan replied that Attorney Bavoso assures us that we can do that. Attorney Bavoso further stated that during the site plan review process you will have the opportunity to look at that again and to decide exactly what may need to be done. Dominic Cordisco, Attorney for Lost Lake stated that it’s important to clarify that the language that’s there does not shift the burden, in any way, shape or form on to the landowners. The process that’s outlined in the findings statement is that it is Lost Lake’s responsibility to contact the neighboring landowners and get them to participate in the monitoring program, which is done on Lost Lake’s dime. And the purpose of the monitoring program is to take baseline data, to see what the conditions of those wells are, in terms of their production BEFORE the Lost Lake project goes into full scale development. Then you can see what the before is and you can see any impact, if there is any, so you can see what needs to be mitigated. That’s all on the responsibility of the developer, there is no need to mitigate it, the data will be there given to the boards for them to see it. BUT that specific language that we are talking about “resulting from the development”, I believe is important language because the concept here is that we are mitigating for any impacts that Lost Lake has, we’re not correcting problems that might be there today with anyone’s well. And I’m not saying there are any problems, but at the end of the day it’s not Lost Lake’s responsibility to correct somebody’s well if the problem wasn’t caused by Lost Lake. Mr. Feller stated that what you are stipulating that you monitor my well, which hasn’t had any problems and is satisfactory, you’re stipulating that if at any point and time my well is monitored and there is a problem you accept the burden of the problem. Supervisor Galligan stated that we can visit this issue as we progress and get better resolution on this. Attorney Bavoso suggested that when you are going to have meetings on the site plan approval for the Lost Lake project, when you are taking on that obligation to do the site plan review, whether you do it as part of your regular meeting or a special meeting, that it be as well publicized as possible so that any property owner will know that is being considered that night and be here. Attorney Cordisco added that these will be subdivision applications so we will have to have public hearings on them.

RESOLUTION OF THE TOWN BOARD
GRANTING PDD APPROVAL FOR THE LOST LAKE RESORT
TOWN OF FORESTBURGH
COUNTY OF SULLIVAN
STATE OF NEW YORK

WHEREAS, the Town Board of the Town of Forestburgh, County of Sullivan, State of New York, met on the 4th day of August, 2011 at 7:00 p.m. to review the request of Lost Lake Resort, Inc., formerly doing business as Double Diamond, Inc. for the LOST LAKE RESOR project property (the “Lost Lake Resort”), to be designated as a Planned Development District (PDD); and

WHEREAS, the Applicant seeks Planned Development District (PDD) approval from the Town Board, pursuant to Chapter 85 (Zoning Law) of the Town of Forestburgh Town Code; and

WHEREAS, the Town created the PDD law for Planned Develop Districts “to provide a recognized and innovative zoning and planning technique for potential new development of relatively large areas located in the RR-1 and RC zoning districts within the Town of Forestburgh that are specifically chosen by property owners or developers for well designed projects that incorporate a mixture of compatible uses, open space, economies of scale, environmental and community sensitivity, and creative architectural or planning concepts that are in accordance with the Town’s economic and land use policies and goals.” ; and

WHEREAS, the Lost Lake Resort site it located entirely in the Town of Forestburgh, in the RR-1 zoning district; St. Joseph’s Road (County Road 108) transverses the project site in a west-east orientation and Cold Spring Road (CR 102) passes the northeast corner of the site, CR 102 and Forestburgh Road (NYS Route 42) connect the project site

to the Village of Monticello and NYS Route 17 to the north; and a 52 acre lad, locally known as Lost Lake, is situated in the northeastern portion of the property; and

WHEREAS, the Lost Lake Resort site if made up of the following tax map parcels: 3-1-1.1, 3-1-2.1,3-1-3,4-1-7,4-1-10.2,7-1-1,8-1-1.2,8-1-2,20A-1-1, and 20B-1-1; and

WHEREAS, the Applicant has proposed a planned resort community that will provide and upscale recreational destination consisting of a gated community of single family residence lots, hotel/conference facilities, a cottage and condominium component, and extensive recreational amenities. On-site recreational amenities for residents and guests will include an 18 hole championship golf course and driving range, clubhouse and restaurant, swimming and boating facilities at Lost Lake, tennis courts, a health and wellness spa, and a system of wilderness trails for passive recreation; and

WHEREAS, the Lost Lake Resort will include development of interior road systems, utilities and storm water infrastructure, a community water supply, and wastewater treatment facilities; and

WHEREAS, on September 9, 2008 the Town Board granted sketch plan approval for the Lost Lake Resort pursuant to section 85-19 of the Town Code; and

WHEREAS, following the designation of the Town Board as lead agency by the Commission of the New York State Department of Environmental Conservation (“NYSDEC”) on February 9, 2009, the Town Board has served as lead agency for the environmental review of the proposed Lost Lake Resort project pursuant to the State Environmental Quality Review Act (“SEQRA”), and has previously require the preparation of an environmental impact statement; and

WHEREAS, on June 11, 2009, following a public comment period and public input, the Town Board adopted a final scope for a Draft Environmental Impact Statement (“DEIS”); and

WHEREAS, on May 19, 2010 the Town Board determined that the DEIS was complete for the purposes of commencing public review; and

WHEREAS, on June 16, 2010 the Town Board held a combined public hearing on the DEIS and the PDD application; and

WHEREAS, on February 3, 2011, the Town Board unanimously passed a resolution accepting the proposed project density in light of its discussion with the Applicant about project phasing as a mitigation measure and the ability of the Town and other permitting agencies to monitor how the project fulfills its specific mitigation commitments while under development and affording agency control over future phases of development; and

WHEREAS, on April 7, 2011 the Town Board accepted the Final Environmental Impact Statement (“FEIS”) for the Lost Lake Resort; and

WHEREAS, subsequent to the distribution of the FEIS, the New York State Department of Transportation (“NYSDOT”) notified the Applicant and the Town Board that neither NYSDOT’s comments on the DEIS nor any responses thereto were included in the FEIS; and

WHEREAS, on April 20, 2011 the Town Board accepted an addendum to the FEIS which contained NYSDOT’s comments on the DEIS and its responses thereto (the FEIS Addendum”); and

WHEREAS, on June 2, 2011 the Town Board adopted a SEQRA Findings Statement, and thus concluded its environmental review of the Lost Lake Resort proposal; and

WHEREAS, the Town Board, as lead agency, has reviewed over a period of months, in detail, the plans for the Lost Lake Resort and, as a result of garnering that information, has amended the Town’s PDD Zoning Law such that the Town Board now shall be the board which shall review and approve the subdivision and site plan applications for all

PDD projects proposed in the Town, including the Lost Lake Resort application. The current PDD Zoning Law was adopted on July 7, 2011 by local law and have been filed with the New York State Secretary of State.

WHEREAS, on August 4, 2011 the Town Board reconvened the public hearing on the PDD application and heard additional public comment; and

WHEREAS, on August 7, 2011 the Town Board closed the public hearing on the PDD application; and

WHEREAS, the application, the DEIS, the FEIS and related materials were submitted to the Sullivan County Division of Planning and Environmental Management (“SCDP”) for its review pursuant to the requirement of the General Municipal Law Section 239-1, m & n, and SCDP has responded in writing with its comments; and

WHEREAS, the Town Board has carefully considered all of the comments raised by the public, the Board’s consultants, SCDP, other involved agencies, and interested organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the Applicant has submitted a review Site Master Plan that was included as part of the FEIS, prepared by Brinkash & Associates, Inc. and Tim Miller Associates, Inc. dated February 17, 2011.

NOW THEREFORE, THE TOWN BOARD HEREBY MAKE THE FOLLOWING FINDINGS:

1. The land comprising the Lost Lake Resort site are suitable for a resort development such as the one proposed. The project site is zoned Residential Recreation District (RR-1) and is currently vacant and undeveloped. To be consistent with the rural character of the Town, the Lost Lake Resort Master plan preserves over fifty (50) percent of the site as open space in keeping with the Town’s definition of open space in its PDD regulation. The proposed Open Space plan consists of approximately 221 acres of managed open space (including vegetated areas of the golf course, storm water basins, pervious recreational trails, Bush Kill Park west pervious areas, front entrance landscaped areas, and the beach area), approximately 807 acres of unmanaged, undisturbed woods and other open space (includes 343 acres of wetlands and regulated wetland adjacent area except crossings, 71 acres in steep slopes, additional area in fifty (5) foot perimeter buffer, one hundred (100) foot St. Josephs Road buffer, and streams), and approximately fifty four (54) acres of open water. In total the Open Space Plan incorporates more than fifty (50%) percent of the site, or 1082 acres, of land to be permanently designated as open space.
2. The Lost Lake Resort is compatible with the surrounding land uses in the vicinity of the project area. Land uses in the vicinity of the project are a mix of seasonal and year round single family uses and undeveloped land. To the west of the project site is a private community known as Merriewold consisting of both seasonal and year round residence situated around Merriewold Lake. To the east, north and south of the project area land use is predominately woodlands with scattered rural residences. The Saint Joseph Lake community exists approximately one-half mile northwest of the property. To the southeast is the Neversink River Unique Area, a New York State owned and managed natural preserve comprised of 4,881 acres.
3. Possible detrimental impacts to the natural resources of the region and the environment of the local community have been considered and addressed during the SEQRA review of the Lost Lake Resort. The mitigation measures contained in the SEQRA Findings Statement shall be and hereby are conditions of the PDD approval.
4. The adequacy of drainage, water supply and sewerage disposal facilities, traffic access and municipal services has been duly considered and evaluated during the SEQRA review of the Lost Lake Resort. The Applicant has demonstrated compliance with the requirements of: storm water management requirements in terms of both quality and quantity of water to serve the project without adversely impacting neighboring wells; sewage treatment capable of handling the full build out of the project; traffic safety improvements commensurate with the anticipated increased traffic attributable to the project; and providing support to limit the impact of the project on municipal services.
5. As evaluated in the DEIS, net property tax revenues of \$1,101,886.00 are projected to the Town of Forestburgh annually at full build out, while the Board acknowledges that such tax benefit will be gradual over the life of the development.

6. In regards to the overall scope of the Lost Lake Resort, combined with the mitigation measures included in the SEQRA Findings Statement, the Lost Lake Resort will further the general welfare of Town residents with sufficient protection for the health and safety of Town residents.
7. The Lost Lake Resort conforms to relevant policies contained in the Town of Forestburgh and Sullivan County comprehensive plans. The proposed action will result in a variety of residential housing styles as well as recreational amenities in a setting that will be compatible with the rural character of the Town. The proposed architecture will be compatible in the style, scale and detail with the surrounding development and natural landscape. The proposed action will result in a development that will increase both the residential and recreational opportunities in the Town of Forestburgh.

NOW, THEREFORE, THE TOWN BOARD HEREBY RESOLVES THAT APPROVAL of the Planned Development District (PDD) application for the Lost Lake Resort is hereby GRANTED, subject to the following conditions:

1. That the Lost Lake Resort be developed substantially consistent with the Applicant’s reviews Site Master Plan, revised Open Space Plan, and revised Phasing Plan, all contained in the project FEIS, and shall consist of a resort and residential community of 2,557 single family residential lots, 30 single family cottages, and 40 multi-family townhouse style condominium dwellings, for a total of 2,627 residential units, resort amenities and associated infrastructure including a private road system, an onsite water supply system, and an onsite wastewater treatment plant. Amenities shall include an 18 hole championship golf course, driving range, a lodge and restaurant, swimming and boating facilities at Lost Lake, tennis courts, a health and wellness spa and a variety of passive recreational uses including open space, parklands and walking trails.
2. That the Applicant shall comply with the mitigation measures set forth in the SEQRA Findings Statement, a copy of which is annexed hereto and made part of this approval;
3. That the Applicant shall secure all necessary permits, approvals and authorizations required from every other agency having regulatory jurisdiction over the project, and
4. That the Applicant shall pay all outstanding fees due the Town in connection with the review of this application. The Town Board further determines that, based on the recreational amenities provided in the Master Plan, a fee of \$200.00 per lot shall be required in lieu of providing any additional recreation or parkland as part of this PDD approval. Such fee shall be paid on a lot by lot basis at the time of receiving site plan approvals for such lot.

THE TOWN BOARD FURTHER RESOLVES THAT the Town’s Zoning Map is hereby AMENDED to designate the Lost Lake Resort site as a PDD, consisting of the following tax map parcels 3-1-1.1, 3-1-2.1,3-1-3,4-1-7,4-1-10.2,7-1-1,8-1-1.2,8-1-2,20A-1-1, and 20B-1-1; and

AND THE TOWN BOARD FURTHER RESOLVES THAT based upon the significant amount of recreational amenities provided in the Lost Lake Resort Master Plan, including the Applicant’s offer to dedicate Bushkill Park East to the Town, the Town Board hereby determines that no additional recreation areas or parklands shall be required as a condition of the PDD approval or any subsequent subdivision plat or site plan approval for the Lost Lake Resort. The Town Board further determines that a fee shall be required in lieu of providing recreation or parkland as part of this PDD approval or in any subsequent subdivision plat or site plan approval.

AND THE TOWN BOARD FURTHER RESOLVES THAT this PDD approval shall be considered a determination of conformity to the character of the land and the Official Map and Comprehensive Plan of the Town, pursuant to Section 75-19 A and B.

AND THE TOWN BOARD FURTHER RESOLVES THAT the Town Board shall review, consider and approve any and all subdivision and site plan applications for the Lost Lake Resort, including review of the subdivision and site plan applications for the Lost Lake Resort, that are substantially consistent with and in conformance with the PDD regulation and this PDD approval. To the extent that this PDD approval, including any term, condition, mitigation measure, plan or plan or detail thereon, is inconsistent with any other provision of the Town Code, then this PDD approval shall control. The Town Board recognizes that market conditions and other factors may necessitate modification to the subdivision or site plan submitted for any particular phase relative to the overall master plan for the project. The Master Plan is not intended as – nor is it - a final subdivision plat or site plan.

Modifications to any subdivision plat or site plan for the Lost Lake Resort that (1) exceed the overall limits of this PDD approval, (2) exceed the approved overall density, or (3) substantially contradict a mitigation measure set forth in the SEQRA Findings Statement may require a further review or consideration from the Town Board. The Town Board reserves unto itself the sole jurisdiction over the permitted density and use of the Lost Lake Resort site.

AND THE TOWN BOARD FURTHER RESOLVES THAT due to the PDD Zoning Law change adopted on July 7, 2011, subsequent to the adoption of the SEQRA Findings Statement, the Town Board now has exclusive review and approval jurisdiction over the subdivision and site plan applications for the Lost Lake Resort and furthermore all references in the SEQRA Findings Statement regarding review or approval by the Planning Board shall be deemed to refer to the Town Board exclusively.

MOVED by Councilman Galligan, seconded by Councilman Sipos.

Vote:

Councilman Raponi voting aye;
Councilman Galligan voting aye;
Councilman Creegan voting aye;
Councilman Sipos voting aye;
Supervisor Galligan voting aye.

MOTION CARRIED.

RIGHT TO FARM LAW – Councilman Raponi requested this item be placed on the agenda for tonight’s meeting. Councilman Raponi stated that he would like the attorney’s to look into repealing the Right to Farm law that is currently on our books. Until the County and the State give us the equal right and first choice in this matter I don’t agree with what is going on. Why should we accept their terms, if we do away with the Right to Farm law, then this situation will be addressed differently. They shoved the Right to Farm law down our throats. Councilman Galligan stated what happened is history and we can’t keep rehashing it. Councilman Creegan stated he was not in favor of it and he certainly is not against farming. Councilman Raponi stated that we are not sending a message against farming, we are sending a message to the County and the State that we want to be in the process not out of the process (of granting agricultural districts)

MOTION by Councilman Raponi to have Attorney Bavoso prepare a local law that would repeal the Right to Farm law. No second on this motion was received. Motion defeated.

COMMITTEE REPORTS

Planning Board – Minutes received.

Historian – Report filed.

Building Inspector – Report filed.

Seniors – We going to Frankie & Johnnies for lunch on Thursday.

Green Committee – No report

Forestburgh Day – Meeting at 6:00 p.m. on Monday the 20th – we need volunteers to help with the kids games.

Supervisor Galligan stated he had a few things that he wanted to bring to the attention of the Board, the first is the 2% Tax Cap, which is another unfunded mandate from the State. At least that is my interpretation of it. We have had about a 90% increase in our workers comp this year because of a couple of things and I’m not sure how that increase fits in our tax cap. It’s going to make things much more difficult. Last year we raised just under a million dollars for the Town of Forestburgh, this year add 2% to that, that means we’re at about \$19,500 additional, if we have a tax increase. So when we start working on the budget, these are the figures we have to deal with. We know things like health insurance are going to go up, we still have a fairly good surplus, I’m not concerned yet and I did have a conversation with Senator Bonacic, This tax cap does not increase the State’s budget by a penny, but it heavily effects Towns, school districts, fire districts. The last thing before we adjourn, you have all been given a copy of our annual report, please look at it. Also, included in your folders are figures for informational purposes, as we have to start negotiations with the union for the highway department contract. The current contract ends this year.

Supervisor Galligan will contact the union to get some dates to meet for negotiations.

Councilman Raponi stated that apparently he is the only member of this Board who is concerned with home rule. Because all I was trying to do was make an emphasis on home rule. Apparently, nobody cares about home rule. I just want to make that clear.

Councilman Creegan asked if we could start looking at the budget when we meet on the 17th. Supervisor Galligan stated he would do his best to get some rough numbers for that night.

PUBLIC COMMENT

Mary Ann Toomey – With the new state budget and the cut backs, are we going to be getting a check from the state for taxes or whatever on the gorge? Supervisor Galligan stated that he has no indication that we are not. That is called “Aid to Municipalities” and I have not seen that in any of the discussion that they have had, but I have little faith and anything can happen.

Richard Feller – I thought that was codified, I didn’t think they could re-neg on that. Supervisor Galligan replied the Jake Gunther, Jr. got that through and the formula on how they appropriate funds for the Aid to Municipalities. If you look at the amounts when they publish who gets what, the Town of Thompson gets, like, \$39,000, the Town of Forestburgh gets like \$100,000. But you are right, that is part of the law and they would have to change that formula. Mr. Feller continued that he was aware of the 2% tax cap, and the only ones who were threatened with that in previous years were school districts. Apparently this year, everyone got thrown into the pot. School districts are obviously under that same rule and school districts are the only agency who has to put their budget up for a vote. They are allowed to go over the 2% if they get a super majority, which is like 65 or 75% of the vote. When the law changed, and towns and counties and everybody else is under it, are you limited to 2% or do you now have to put your budget out to a public vote. Supervisor Galligan replied that we do not have to put it out for a public vote, we have the ability go beyond the 2% if we have a super majority of the Board. That means we would need four out of five votes. Mr. Feller continued then you are not affected by a public vote at all. I was just curious how that change affected towns and counties. Supervisor Galligan continued that there are still a lot of questions about what’s included and what is not, for example, this workers comp thing, the way Sullivan County has worked it for years and years, and years, it basically doesn’t show up in our budget. If you look at our budget, you wouldn’t see workers comp, it’s part of what they call the “charge backs” – the county adds it to our tax bill. So if you were to get a copy of our budget, it says “amount to be raised by taxes” which is nine hundred and some thousand dollars that we raised last year. It doesn’t include the workers comp. I have already asked our attorney and I am going to check with the comptroller’s office, to figure out how the workers comp figures into this, because it will affect every town in the state. That is a question that has to be answered.

ADJOURNMENT – MOTION by Councilman Sipos to adjourn at 8:25 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk