

*****DRAFT*****

The Town of Forestburgh Town Board held its regular monthly meeting on **Thursday, November 4, 2010** at the Town Hall.

Supervisor Galligan called the meeting to order at 5:30 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 – Dan Hogue, Highway Superintendent
Susan Hawvermale, Planning Board Chair
William D. Bavoso, Attorney for the Town

Supervisor Galligan introduced Tim Baumann of ASB-Greenworld, Inc. who is interested in purchasing 26 acres at the top of St. Josephs Hill. Currently the property is zoned residential; however the zoning review committee has discussed and is looking into expanding that area into a commercial zone. Mr. Baumann stated that he represents ASB Greenworld, and what we do is compost materials, wood products, yard waste, leaves, those types of things to make soils. We also bring down peat moss from our Canadian plants and we mix with that. Our target customers would be Lowes, Home Depot, Wal-Mart, those type of retailers. We plan on putting up a steel building, approximately 150 by 200 feet, which will house all of our bagging equipment; we'll have a loader and two forklifts that will be running around. All of the product that we produce is bagged and palletized with a shrink wrap cover. In the fall we like to pre-pack for spring. We start bagging and put it in the yard. We will also be paving about five acres of the property, because everything we store, we like to store on asphalt. All of our composting, we make nice, pretty clean rows, we do temperature and oxygen readings. We have zero smell and put off hardly any dust. All of our equipment, our mixing line will all be in the building. We have composting windrows that will be outside, but all of our other operations are done inside. We would bring six to ten jobs to the area. Spring is our busiest time, we would probably be loading about twenty trucks a day, and hopefully if the economy picks up, our target customers would be New York City, the metro area, heavily populated areas. We run clean, pretty sites, no garbage, the grass is always mowed. Our owners like flowers and like it to look pretty. I think we could help the community by taking storm refuse. We could take the trucks and divert them from the landfill and take it here. We take leaves, grass clippings, storm debris like limbs, brush, we grind it and put that in our piles for compost. We think we would be a big asset to the County and to Forestburgh. Councilman Sipos stated that as he went through your information, what type of facility out of what is in your book, would be close to what you are proposing here. Mr. Baumann replied it will be a steel building, this photo of our new plant in Germany, which is solar powered, we are a very green company, it would be closer to that. Councilman Galligan stated that you will be very close to Lake Joseph, a large development with many houses, and they would be concerned about the noise. Mr. Baumann replied that they are aware of that, and we are not real noisy. The noisiest thing would be a back up alarm and we can unplug that. Councilman Galligan continued that in Thompson, they built a race track, which we had no control over, but it is very noisy and they can hear all of it, so it is a big concern, you also say there is no odor. Mr. Baumann stated they do not compost any food or anything like that, only yard waste. The County and the States are moving more and more, every day for people to compost food products because they don't want it in the landfills. Councilman Cregan asked if they operate around the clock. Mr. Baumann replied no, if business got really good, we may run a night shift, until midnight, for a month, right in the heat of the season which is spring. Other than that, we do our business five or six days a week. Councilman Galligan asked why do you need twenty five acres? Mr. Baumann responded that is our magic number, we need to bring truck in to load, we have to have an area to hold six or seven thousand pallets, or maybe ten thousand, depending upon the business for storage. When spring comes, we can't

make enough, so we have to pre-package and be ready so when the time comes and that window opens up, we can just ship. Supervisor Galligan asked Mr. Baumann to explain about the windrows, because that is where you actually compost the materials. Mr. Baumann stated they are called static piles. Most of the windrows are fifteen to sixteen feet tall and twenty four or twenty five feet wide at the base. The owner has a house at every facility, and he would certainly have the farmhouse redone, he has a house on every property he owns worldwide. We are very green, this building was built this year and is solar. They will probably look into it, be it solar or wind energy, whatever works best and what incentives there are. Councilman Creegan asked what attracted them to Forestburgh. Mr. Baumann responded that they went to Jersey, Pennsylvania and we like to stay rural, then I looked at a map and found Monticello, we contacted a real estate agent and they showed us this piece and the German that I was traveling with said "this is it". Superintendent Dan Hogue stated that he was sure the location on State Route 42, also added to the appeal of this property. Mr. Baumann responded without a doubt, they can easily get on Route 17 and Interstate 84 from this location. Superintendent Hogue further questioned if any accessory entrance was being planned from the Town road that borders the property. Mr. Baumann replied the entrance would only be from Route 42. Dan further inquired if this is considered agricultural, industrial or commercial. Mr. Baumann responded he would say agricultural/industrial. Councilman Creegan asked if Mr. Baumann has researched any of the numbers of how this would impact the town. Mr. Baumann responded no, this is just preliminary and basically, will you have us or not. Roger O'Dell said that "you stated these piles are roughly 16 x 24, how long do they sit"? Mr. Baumann stated that what they do is monitor temperatures, optimum composting temperatures are between 140-150 degrees. Mr. O'Dell continued that they steam like crazy. I am familiar with ones down in Sterling Forest/Tuxedo and it steams like crazy and it smells. Mr. Baumann responded that would depend what they are composting. Mr. O'Dell asked where there closet operation to here would be. Mr. Baumann stated it would be either one of the two in Canada, one in Toronto and we have one in the maritime's in New Brunswick. Our closest in the states would be Virginia. Councilman Creegan asked if any of the websites would have a demo or a video of the production process online. Mr. Baumann replied that he believed it's just photos. Clerk Joanne Nagoda asked if yard waste from Town residents would be accepted. Mr. Baumann replied they would accept it, they would probably request that it be removed from any plastic trash bags. Liz O'Dell asked if this would be zoned agricultural or commercial. Supervisor Galligan stated that the Town would determine the zoning and that it would not be an agricultural district, which is different than the zoning. Councilman Creegan asked how many trucks you anticipate daily in and out of the property. Mr. Baumann replied probably about twenty, it's a very short window, only about three months out of the year. There would be some freight arriving, either supplies or yard waste from other towns and villages. Really there wouldn't be any more traffic than what is on Route 42 now. Supervisor Galligan stated that the Town Board can't say, yes, this great, go ahead and start. You will have to appear before the Planning Board, and I know you are looking to buy the property. Councilman Galligan stated they should make an appearance before the Planning Board, just for an introduction. Supervisor Galligan stated this has great possibilities, but there are a lot of hurdles. Attorney Bavoso stated he thought an application to the Planning Board was a good idea and perhaps they should visit the zoning review committee and go from there, but the Planning Board will give you good guidance from there. Chairwoman Hawvermale asked how many persons this would employ. Mr. Baumann replied that their other facilities this size employ about ten people, off season would be about five or six people. We would get through the spring time, which is the busiest, then slow down a little and in the fall we start storing and packing for the next coming spring. Roger O'Dell stated that he still had many questions and how would they combat any odor. Mr. Baumann replied that we don't normally have odor issues, but if we did, vanilla extract works well when sprayed on the piles. Your piles will stink if they are not managed properly. If you let a static pile go anerolic, which is the bad way, then you start getting mold and all of the bad things that cause odor. If you manage your piles properly, fifteen or sixteen weeks, they are done. Superintendent Hogue stated that if let it turn bad you lose your pile, you have lost your product and you are out of business. Fresh compost when it starts to rot, is when it stinks. If you manage it properly, like he says, all you have is a dirt smell. Councilman Galligan asked if this was going to all be self-financed. Mr. Baumann replied that he believed that the owner would finance it all himself. I am not an owner, I am a worker, the owner is someplace, right now, between here and Kennedy Airport. We are staying at the Inn at Lake Joseph's tonight. Supervisor Galligan acknowledged Allan Scott, who is here from the Sullivan County Partnership for Economic Development, who stated that we, being the Partnership, are always looking for better jobs, and this company offers its employees a complete benefits package. Supervisor Galligan inquired what the starting salary would be for someone there. Mr. Baumann stated that its usually a bit more than minimum wage, forklift drivers and stuff like that, probably ten or better and there would be a manager on site as well. They have a match IRA type of retirement, there is insurance, you would pay a small portion of it. Councilman Sipos asked how long Mr. Baumann has been employed by the company, he replied six years. I worked for the Scotts Fertilizer people for thirty. We will use eighteen wheelers, some will be vans, some will be flatbeds, usually incoming material is either in a dump trailer

or a self unloading trailer. We run a nice clean facility. Allan Scott also added that he knows this is important to all of the board, I know from your zoning, you would be concerned and want it to look good from the outside and that it be landscaped properly, that was one of the initial conversations that we had with Tim, and that is what they do. I didn't have to have the conversation; all of their properties look magnificent. Supervisor Galligan stated he was sure that would be one of the issues that the Planning Board would address. Supervisor Galligan added that it is at the entrance to our Town and we don't want it to look bad. Councilman Galligan stated there should be some sort of information meeting to let the public know what is being proposed and it should be well publicized. Supervisor Galligan asked Chair Hawvermale if she would have a problem with Mr. Baumann making a presentation to the Planning Board and making it well publicized, especially for those residents in Lake Joseph. It was decided that Mr. Baumann would make a presentation at the Planning Board meeting on November 23, 2010. Councilman Creegan asked Mr. Baumann to come up with some figures for what this project would bring to the Town financially. Allan Scott added that as everybody knows the Partnership is trying to bring in businesses with decent paying salaries. This is one where we have checked out the background and it's an excellent, worldwide company, financially sound, and the principals are all financially sound, and they will be able to accommodate the wishes of the Planning Board and the Town. Councilman Creegan stated that he was not speaking for the Board, but himself, it was his opinion that the Board is open to the plan, we just need more information for the town. Mr. Baumann stated that they did not want angry neighbors. Councilman Galligan informed Mr. Baumann that they will be getting a lot more questions about the odor and you are going to need pretty factual information. The board thanked Mr. Baumann for his time and presentation.

At this time Supervisor Galligan recessed the meeting to review and audit the general and highway fund vouchers and to hold the public hearings as scheduled.

Supervisor Galligan reconvened the Town Board meeting at 7:50 p.m.

REPORTS –

Supervisor Galligan submitted the monthly financial report for October, 2010.

Justices Carroll and Olesnycky submitted monthly reports of justice court fines and activities for October, 2010.

Town Clerk, Joanne Nagoda submitted a report for clerk fees for the month of October, 2010.

PUBLIC COMMENT –

Jim Steinberg – I am going to ask my question again and the budget is number 8 on the agenda, about the health insurance. Supervisor Galligan stated that the board had a lot of discussion on it, it was not unanimous, but the board voted to continue paying for the health insurance for that person. Mr. Steinberg stated for a part time employee? Councilman Galligan asked how many hours a week did she work. Supervisor Galligan replied that she worked full time for fifteen years and before that was part time. Mr. Steinberg stated this person doesn't live in the county or the town. I don't think it's right for a part time employee to receive medical benefits, especially when they don't live in the town or the county. Like Ed said, how do you sleep at night.

Ed Kaufmann – How much longer are the benefits going to be extended? Supervisor Galligan replied that has not been decided.

Jim Steinberg – How many people in the town know this? You have a lot of senior citizens who don't get free medical and have to pay out of pocket every month. Councilman Sipos stated that in the previous minutes it states that there was a lot of discussion on it, and we are waiting to find out about Mrs. Hylas' disability so that she did not have a lapse of coverage. At that time we were looking to extend it for two more months, until we have more information.

Ed Kaufmann – So the insurance is still being paid and at this time, it is open ended? Supervisor Galligan replied yes. Mr. Kaufmann asked Supervisor Galligan how many kids actually participate in the summer program. Supervisor Galligan responded there are between 35 - 40 kids, Chuck Vassallo, the program director has the exact numbers. Mr. Kaufmann continued that basically the program costs ten thousand plus.

Liz O'Dell – Have we received any funds from the boy scouts and if not, for how many years now? Supervisor Galligan replied that two years ago we received money from Monmouth Council, but we get nothing from the one in Oakland Valley.

MINUTES – Town Clerk, Joanne Nagoda submitted minutes for the October 7, 2010 regular town board meeting, and budget workshops held on October 7, 13 and 20th, 2010 for review. MOTION by Councilman Sipos, seconded by Councilman Galligan to accept the minutes. Vote: 5 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - # 282 – 313 in the sum of \$11,005.84 as set forth in abstract # 11 were audited for payment. MOTION by Councilman Galligan, seconded by Councilman Sipos to pay general fund vouchers. Vote: 5 ayes- 0 nays. Motion carried.

HIGHWAY FUND VOUCHERS - # 167 – 192 in the sum of \$22,900.03as set forth in abstract # 11 were reviewed. MOTION by Councilman Raponi, seconded by Councilman Sipos to accept the highway fund vouchers. Vote: 5 ayes – 0 nays. Motion carried.

ESCROW FUND VOUCHERS - #28 in the sum of \$540.00 as set forth in abstract # 11 were audited for payment. MOTION by Councilman Sipos, seconded by Councilman Creegan to pay the escrow voucher. Vote: 5 ayes – 0 nays. Motion carried.

COMMUNICATIONS –

Town Clerk, Joanne Nagoda read a letter from Buzz and Mary Ann Benjamin urging the residents of Forestburgh to support our new eatery “The Dragonfly at Black Brook”. It is a true pearl and much needed within the Town and if the residents do not support this venture, we will lose it and that would be a sad thing for the town to lose.

Supervisor Galligan stated the Board has received communications from our Tax Collector, Peggy Abdo. Unfortunately, for a variety of reasons, she is resigning her position effective December 1, 2010. Ms. Abdo was directed to file a letter of resignation with the Town Clerk otherwise, it is not actually “official”.

UNFINISHED BUSINESS

DOUBLE DIMAOND/LOST LAKE – Supervisor Galligan stated that we had expected to have their FEIS by now, but we still have not received it. We expect its arrival any time now.

FORESTBURGH CEMETERY – Supervisor Galligan asked Attorney Bavoso if there has been any further communication with the Benzien family who owns the surrounding property. Attorney Bavoso replied that early on we have a lot of conversation with the family, both telephone and correspondence. They then asked us to prepare the documents and send them to them in a certain prescribed period of time, when both the brother and sister would be at the same location in Maine, that was back in late August or September. I received nothing back. I have written to them twice and called them and have had no response. At this point, I don't know what's happened or what has changed. Councilman Galligan stated that he donated a full survey of the cemetery to the town, and in his opinion, we own the cemetery. If they don't feel like signing the deed, they don't have to, do you think it makes a difference? Attorney Bavoso replied that nobody else has a claim to it, and if we can get a deed of record, at least then it would be on the tax map as being owned by the Town. Attorney Bavoso stated that if we hear nothing by the December 2, meeting, we discuss just filing a quit claim deed. Matter tabled.

FARM PRESERVATION GRANT – Supervisor Galligan spoke with Commissioner Aragon today, there is still no word from the state. Matter tabled.

OLD TOWN HALL REPAIRS – Our attorney sent contracts to the low bidder for the project, who happens to be here tonight. The contract was concerned with many things crossed out. The Board has some serious questions if we want to do this project or not. Discussion was held to open the floor to discuss the contract publicly or save the item for the scheduled executive session. Audience members questioned the legality of doing this in executive session, Attorney Bavoso stated it was a legal reason. Matter tabled.

EMERGENCY SERVICES BIDS – Councilman Galligan stated that he went through all of the proposals and in his opinion, three of them must be thrown out. Discussion was held to involve the fire department and fire commissioners. Proposals will be forwarded to the fire department and commissioners for their review with a recommendation requested by December 2, 1010. Matter tabled.

LOCAL LAW # 1 OF 2010 – DOG LAW – Supervisor Galligan stated that that he would entertain a motion to adopt it with the minimal recommendations that have been received. Attorney Bavoso requested that the public hearing be held open for another month in order to provide him time to amend the law and submit it to the board for review prior to the December meeting. Matter tabled.

LOCAL LAW # 2 OF 2010 – FLOOD PLAIN – In order to give everyone a chance to review the flood maps that are on file here at the Town Hall, we are leaving this public hearing open as well until December 2, 2010. Matter tabled.

2011 BUDGET – Councilman Raponi stated that he agrees most of the time, but his personal opinion, we should give the 4% increase. The three individuals, who were slated to receive it, deserve it. Supervisor Galligan stated that his sentiments echo those of Councilman Raponi, and I think that a 4% tax increase is more acceptable than a zero one, only to have a higher one a few years later. Councilman Galligan stated everyone does a wonderful job, but I just wanted to hold the line. Just because the money is there doesn't mean we have to spend it either. Councilman Raponi stated this is the first time in over twenty years that the highway superintendent didn't receive an appropriate raise. Councilman Creegan stated he would be in favor of one more workshop to check if there is anything else we could have taken from the budget. Supervisor Galligan stated we can't, time wise have another workshop, but we can certainly look at items like the camp and have some discussion over it later that would be appropriate. Councilman Sipos stated that it is right in the minutes, that the health insurance going up \$2,400 for a family plan, that \$2,400 to me whether it's in the form of cash or a benefits package, at this time is a raise. I have been good with raises in the past, but not this year with things being the way they are. MOTION by Councilman Galligan, seconded by Councilman Sipos to adopt the preliminary budget as the 2011 budget for the Town of Forestburgh.

Vote:

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

Motion carried.

RETIREMENT RESOLUTION – Supervisor Galligan stated that due to the calendars that have been submitted and the calculations that are being done based upon our standard work day. It appears that there may have to be changes, and some of them could be rather large to the actual days worked, when the retirement report is filed monthly. In order to receive accurate and true calculations, more calendars will have to be reported to get an actual average of days worked. The resolution will need to be revised and amended to satisfy the retirement system.

BILLECI BARN – Supervisor Galligan explained that Mr. Billeci did sign an agreement with the Town. Attorney Bavoso stated that he agreed to provide the Town with a certificate of insurance listing the Town as additionally insured. The Board will contact Mr. Billeci. Matter tabled.

UNFINISHED BUSINESS

CUDEBACKVILLE FIRE DISTRICT CONTRACT – We have a contract with the Cuddebackville Fire District for fire protection in Oakland Valley. This year they are requesting an increase in the contract amount from \$4,700 to \$5,000. If we agree to the five thousand dollars, they will hold the contract for five years. It is a three hundred dollar increase. MOTION by Councilman Sipos, seconded by Councilman Galligan to accept and approve the contract with the Town of Forestburgh and Cuddebackville Fire District. Vote 5 ayes – 0 nays. Motion carried.

PURCHASE ORDERS – Councilman Galligan stated that he wishes to implement a purchase order system for next year. We need to look into this and we have a couple of months to put it together. Supervisor Galligan stated that Joanne did an informal poll of other towns in Orange and Sullivan Counties of who uses purchase orders or vouchers and also contacted the Office of the State Comptroller. The recommendation of the comptroller was to not implement a purchase order system, that it would not be cost effective for the Town. Superintendent Hogue stated he did not understand why Councilman Galligan feels we need one. The people that are doing the purchases are following the procurement policy, which a purchasing agent would have to as well. A purchasing agent would be a full time position, with no provision in the budget for that, and if it's going to be added to someone else, it's not one of those \$1,500 jobs. According to State Law, a purchasing agent is responsible for any and all purchases made in any department other than the department of the board of commissioners. Speaking to other towns that use them, the Village of Monticello uses them. I would have to go to the agent to request 4 bolts, go buy them, break one while installing it, go back to the purchasing agent, get another P.O. for more bolts. The purpose is to keep track of budget lines, but we have never really gone over budget on purchase lines, a problem that some of the larger towns saw with purchase orders is when you get the P.O. back, the corporation has to sign the P.O. and then it gets mailed back for certification and then to the Town Board for approval and payment. It's redundant, repetitive, expensive and truthfully, in a small town like Forestburgh, its wasteful. I don't see the reason or need for it. Councilman Sipos reads that in New Windsor, Supervisor approval is required for all purchases over \$200.00 – something so small as 4 bolts, can't we set a limit on it or something? Superintendent Hogue stated that according to the law, as far as highway is concerned, nobody has the authority to approve or disapprove purchase by the Highway Superintendent for necessary items to do the job. That is solely the responsibility of the Highway Superintendent, and nobody has any authority over that. The only authority the Town Board has over the Superintendent, if they see he starts to go over budget, they can tell him not to purchase anything., otherwise, he is personally liable for any purchases exceeding the budget. Councilman Galligan stated it worked fine thirty years ago, and it's not my money we are spending, I am approving all of these bills and I think we need a better system of ordering stuff and paying the bills. Let everyone who works here that needs something go to the purchasing agent and get the best price, I want to try it. Attorney Bavoso stated that perhaps you should pass a resolution to have a group of the board investigate creating a director of purchasing. You would have to establish the position and what the obligations would be and if you want to set limits on the amount of money that you will have to go before that director of purchasing. Councilman Galligan stated he mentioned it and has been accused of having someone in mind for the position, which is not true at all. I just want to try to save the Town some money. Superintendent Hogue stated that 99% of his purchases are off of state or county bid. There is maybe three to five thousand dollars a year that does not come off of bid. Discussion was held to have Councilman Galligan and Councilman Sipos work on a plan and come back to the board with answers next month.

MOTION by Councilman Galligan, seconded by Councilman Creegan to have Councilman Galligan and Councilman Sipos investigate implementing a purchasing agent/purchase order plan and report back to the board in December.

Vote:

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

Motion carried.

PLANNING BOARD APPLICATION – Planning Board Chair Hawvermale asked the Supervisor if they could discuss the new Planning Board application. Supervisor Galligan stated that the board decided to take no action on that until the zoning review committee was done. Chair Hawvermale stated that she knew that, and she is on the zoning review committee and had spoken to other members and there is nothing being done by that committee that will effect this application. At this point, it is a very valuable tool for the Planning Board with the projects that are coming before the planning board and it's also a tool for the resident applicant who needs more information when they appear before the board, I would like to ask you to reconsider this. Councilman Sipos stated that one of the things that were brought up was the turnaround time for an individual to resubmit to the Planning Board. Discussion was held with regard to turnaround time for the person leaving the planning board to resubmit papers and time for the board to get submissions mailed to them with adequate time for review. Discussion continued further with input from Planning Board secretary Nancy Kaufmann, who offered the recommendations of our consultants with regard

to the fourteen days and the adverse working conditions that the Planning Board secretary has, which further hinders her ability to get materials out in a timely manner. Mrs. Kaufmann further stated that every member of the Town Board with the exception of Councilman Sipos, has been a member of the Planning Board, and how vast the changes are since they were on the Planning Board, they did not have the training obligations, there were not the volume of projects that there are now, the previous secretary was here four days a week and could work on things as they came in. The Board agreed with Mrs. Kaufmann that being on the Planning Board now is much different and agreed to come up with a solution to the space/office problem. MOTION by Supervisor Galligan, seconded by Councilman Galligan to accept the new revised Planning Board application for use. Vote 5 ayes- 0 nays. Motion carried.

COMMITTEE REPORTS –

Planning Board – We have their report.
Historian – Report filed.
Building Inspector – Report filed.
Seniors – Having lunch on the 16th at the Dragonfly.
Green Committee – No report.
Forestburgh Day – No report.

PUBLIC COMMENT -

Gay DiVirgilio – You mentioned a six day work week? Supervisor Galligan stated it is a six hour work DAY, not week for retirement reporting purposes.

Liz O’Dell – When you voted on the contract for the old Town Hall, there weren’t as many people here that night with as many objections that I hear tonight on that approval. You have having an executive session tonight and I think that things have been “X-ed” out of that contract, it should be rejected.

Jim Steinberg – I object to you going into executive session to discuss that contract about the old Town Hall. If you have something hide, and I don’t know what it is, I think it should be out here on the floor. Those are our tax dollars and I think it should be discussed on the floor. I object to you going into executive session to discuss spending our tax dollars.

Dan Hogue, Jr. – There are still a lot of election signs that are still up. I put them up when I run and I am diligent about taking them back down. Those that are up are not town residents and don’t have the same feelings we do, but there should be a mechanism is charge people to take that down. I guarantee you that those signs will stay there until they are plowed under by snow.

Jim Steinberg – At the last zoning committee meeting, this was brought up and it is being proposed that you can only put them up thirty days prior to election and they have to be removed within five days after election, if they are not, the code enforcement officer will issue a fine to whoever’s name is on that sign. Election law says if someone puts one up, the only person who can remove it is the person who placed it or the person whose name is on the sign. Attorney Bavoso confirmed Mr. Steinberg’s statement.

Dick Gibney – How long can they keep the signs up after election? Mr. Steinberg stated that New York State Election Law says fifteen days.

Dan Hogue, Sr. - Why don’t you do what the County does (the balance of Mr. Hogue’s comment is inaudible.) Attorney Bavoso responded that it was deemed illegal.

Connie Kursawe – If Mary Ann put in an application to get the old Town Hall on the historic registry, if it gets the recognition, there could be grant funding available.

Ed Kaufmann – I have been approached by a number of people, being that I am on the Planning Board, with the status of the “Dragonfly” – what’s going on? I tell people they are not before the Planning Board, so I am asking you, what is the status of the Dragonfly? Supervisor Galligan replied there was a motion to go to Supreme Court because they have not followed the rules and regulations, this motion was defeated either three or four to one. Mr.

Kaufmann stated that basically he is operating and the Town is turning its head. Supervisor Galligan stated the Town Board has decided to take no action. Jim Steinberg added this was discussed during a zoning review committee meeting, Councilman Sipos agreed and added that Chuck Voss, our consultant stated there is nothing in our law that states there is any time lapse and that was the big argument. Councilman Raponi added that the building inspector asked them to do "A", "B" and "C" and he did 110% of what was asked of him. Mr. Kaufmann stated this was the first time he had even heard that the building inspector was involved.

EXECUTIVE SESSION – MOTION by Councilman Sipos, seconded by Councilman Galligan to enter into Executive Session for the purposes of litigation regarding the tax certiorari with Orange and Rockland the second matter is the Town contracting with an entity to do work for the Town and that contract specifically and are inviting in Assessor David Griffin and the individual proposed to perform the work for the town and to seek the advice of counsel with regard to their responsibilities with regard to the appointment of a tax collector and invite Attorney Bavoso. Vote: 5 ayes – 0 nays. Motion carried.

MOTION by Councilman Raponi, seconded by Councilman Sipos to reconvene into regular session at 9:35 p.m. Vote: 5 ayes – 0 nays. Motion carried.

MOTION by Councilman Raponi, seconded by Councilman Galligan to authorize the signing of a settlement agreement with Orange and Rockland Utilities regarding a reduction or O & R's assessment on its existing poles and other fixtures in accordance with the proposal submitted to the Board by the Town Assessor and the Town Attorney's. Vote: 5 ayes – 0 nays. Motion carried.

ADJOURNMENT – MOTION by Councilman Creegan to adjourn at 9:38 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk