

Approved
September 14, 2015

**August 10, 2015
Town of Taghkanic
Town Board Meeting**

6:30 pm: Town Board members audited and signed vouchers.

7:00 pm: The Town Board of the Town of Taghkanic held Highway Project meeting and Regular monthly meeting on the above date at the Taghkanic Town Hall. Supervisor Erik Tyree opened the meeting with the Pledge of Allegiance, moment of Silence and Safety Review.

Present:	Erik Tyree	Supervisor
	Richard Skoda	Board Member
	Ryan Skoda	Board Member
	Linda Swartz	Board Member
	Joyce Thompson	Board Member
	Cheryl Rogers	Clerk

Absent:

Highway Project Update: (Phase I):

Supervisor Erik Tyree: Board Member Joyce Thompson, Ray Jurkowski is on vacation, but Ray has been contacting contractors for bids to pour the concrete, we have nothing to report. Board Member Ryan Skoda, I will reach out to the contractor we have used do the walls for the farm.

Supervisor Erik Tyree received the following from Arthur Baker:

Cheryl Rogers <crogers2367@gmail.com>

Zoning Compliance for the New Taghkanic of Taghkanic Salt Shed
1 message Thu, Jul 23, 2015 at 3:30 PM

Arthur Baker <bakerarthur22@gmail.com>
Reply-To: arthur.baker <bakerarthur22@gmail.com>
To: eriktyree@taghkanic.com, Richard Skoda <rskoda@taghkanic.com>, Joyce Thompson <joyce.thompson22@gmail.com>, Ryan Skoda <rskoda@taghkanic.com>, Cheryl Rogers <crogers2367@gmail.com>, Dennis Callahan <dcallahan@gmail.com>, Ray Jurkowski <rayjurkowski@taghkanic.com>, George Holsing <g.holsing@taghkanic.com>, Tom Kelly <tomkelly@taghkanic.com>, Susan Raymond <susanr@discovery.com>, Tom Kelly <tomkelly@taghkanic.com>, Schultz Ryan <ryan@schultz.com>, Schultz M.D. Schultz <schultzmd@gmail.com>, Larry Kaplan <lkaplan@taghkanic.com>, rachel@taghkanic.com, constance <constance@taghkanic.com>, Lary Kaplan <lkaplan@taghkanic.com>, rachel@taghkanic.com, constance <constance@taghkanic.com>, Lary Kaplan <lkaplan@taghkanic.com>, samps@taghkanic.com

I made a conscious decision not to respond to the May 11th Town Board Meeting discussion as to whether the Salt Shed Building complies with the Town Zoning Ordinance (ZO) until I was able to read the July 13th approved Minutes of that Meeting.

While the May 11th meeting minutes accurately represent Joyce Thompson's and the other Board Members' (and individual) statements related to the above issue, they omitted to report that in response to my question to the Board as to which ZO article (s) specifically confirms that the Salt Shed building conforms with the Code requirements, no member said so at the time, which reinforces the fact that I was truly unfortunate that neither the Town Zoning Enforcement Officer (ZEO) or Lawyer, or Town Engineer were present at this meeting. The absence could have resulted in clarifying or reading the issue, I truly wish they not at the meeting.]

The whole issue of Zoning Compliance for the New Town of Taghkanic Salt Shed has been fully aired in the following correspondence: my memo to the Board dated April 22nd 2015, Town Board memo to me dated April 30th, and my response memo to the Board dated May 10th. The issue was also discussed in the Board's April 30th memo quoted below.

Accessory Use: See "SECTION V. SUPPLEMENTARY REGULATIONS, Accessory Buildings and Uses (ZO-15.16). In a residential district, accessory uses not enclosed in a building, including swimming pools and tennis courts, may not be located in front yards of such lot and shall be located not less than 25 feet from lot line.

In my May 10th memo I stated my reason why I believed this issue did not apply to the Salt Shed building, namely because the above clearly states "not enclosed in a building" and the Salt Shed is a building. In that memo I also expressed my hope that we could resolve this matter at the May 11th meeting or any other time the Board wishes to deal with this issue.

Therefore it is extremely regrettable that this issue is still unresolved. It could be resolved if the Town Board would state which clause (s) of the ZO confirms that the Salt Shed meets the Code Requirements, or that the Salt Shed should not be interpreted as a building in the above quoted issue.

It is my opinion that the Town Board has an ethical responsibility to resolve this matter as soon as possible. This is not an agree to disagree subject, this is a critical legal issue. I am willing to meet with the Board at any time to resolve this subject, just tell me where and when.

Yours Sincerely, Arthur Baker

- ✚ Board Member Joyce Thompson, we have sent you to speak to Dennis Callahan the ZEO, we have tried very hard to answer your question numerous times which are documented in minutes from previous meetings.
- ✚ Board Member Linda Swartz, the highway lot is a pre-existing non-conforming and the salt shed is an accessory building. Accessory use and accessory building are different.

Supervisor Erik Tyree then asked for a motion to approve the following minutes:

July 13, 2015: Regular Meeting minutes were accepted as written with suggested changes motioned by Board Member Richard Skoda, seconded by Board Member Linda Swartz.

Approved: 4 Ayes (Erik, Linda, Joyce, Richard)
0 Nays
0 Absent
1 Abstained (Ryan)

The Correspondence consisted of:

1. N Y S Agriculture and Market, Municipal Shelter Inspection Report
2. Columbia Land Conservancy, Living Land Project
3. Kary Jablonka MSW Commissioner Col. Co. Dept. of Social Services, Ancram Group Home
4. Arthur Baker, Zoning Compliance for the new Taghkanic Salt Shed
5. N Y S Dept. of Public Services, Telecommunications In NYS
6. NYMIR 2014 Annual Report
7. Letter for a concerned Resident
8. NYS Dept. of Taxation and Finance, Equalization Rate
9. Kathleen A. Marchione, Senator 43th District, invitation to the Veterans Hall of Fame Awards Ceremony

Correspondence with discussion: None

Then followed reports from the Boards:

Animal Control: Wes Powell, no report submitted.

ZBA: James Romaine, Chair, no report.

Planning Board: Katherine Bainer, Chair report submitted.

Assessor: Craig Surprise report submitted.

ZEO/CEO/Building Inspector: Dennis Callahan report submitted.

Historian: Nancy Griffith, no report submitted.

Traffic Safety Board: Linda Swartz: no meeting no report submitted.

Environmental Management Council: Anna Kadish, no report submitted.

Zoning Commission: Joyce Thompson, report submitted.

Office for the Aging: Joyce Thompson, report submitted.

Clerk/Collector: Cheryl Rogers, reports were submitted to the Board

Supervisor: Erik Tyree, report submitted and the written report was available on the back table for the public. **Supervisor financial report is attached.**

Highway: George Hotaling, report submitted.

Board reports were accepted as submitted and read on a motion by Board Member Linda Swartz seconded by Board Member Ryan Skoda.

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
0 Nays
0 Absent

Financial Advisory Committee Report: Board Member Joyce Thompson reported the following:

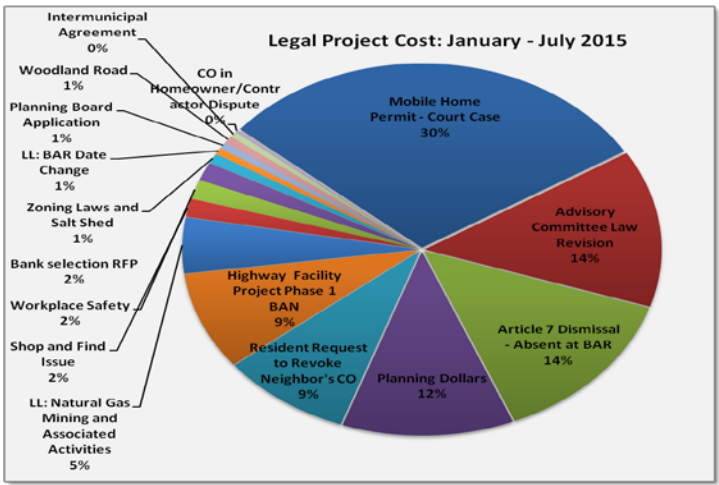
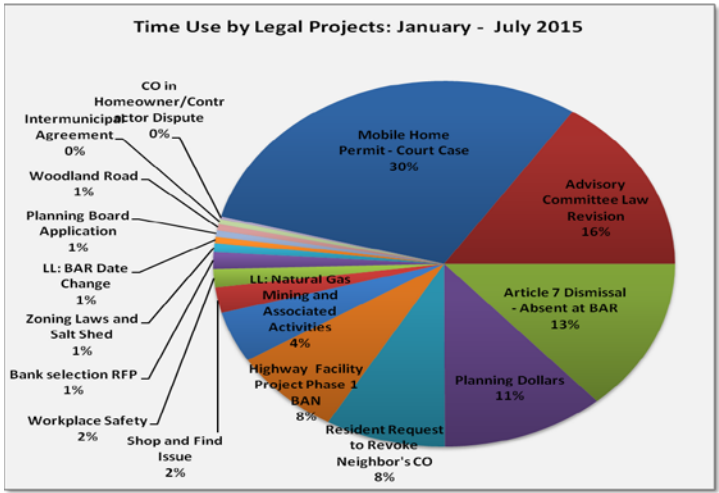
Financial Advisory Committee Report to August 2015 Town Board Meeting

The Financial Advisory Committee did not meet in August. Committee Co-Chair Joyce Thompson cancelled the meeting because several members could not attend. The group is working on a new meeting date that would occur later in the month to assure the availability of the Supervisor's Report with enough time to review it before the meeting.

Town Board Member Thompson updated the Service Tracking file and found that the Attorney's billed time is almost at the limit set by the cost covered under the Fixed Fee.

This led to a review of the work done to date.

The Town Board budgeted \$17,000 for Legal Fees in 2015. The fee is a flat base of \$15,000 in equal monthly payments of \$1,250 plus expenses. As of July 31 2015 the town has incurred \$14,970 in time-based fees. Expenses to date are \$368. When reasonable, the Attorney for the Town, William Decaire, assigns work to Associates, Law Clerks and Paralegal staff to keep the expenditures down. The two charts below show the amount of time and cost for each project. To address the remainder of this year, a board review is needed: 1) to assess priorities & process for incurring legal expenses, and 2) to look at other factors that can reduce legal project cost.



Mobile Home Permit - Court Case	\$4,510.00
Advisory Committee Law Revision	\$2,064.50
Article 7 Dismissal - Absent at BAR	\$2,053.50
Planning Dollars	\$1,752.00
Resident Request to Revoke Neighbor's CO	\$1,330.50
Highway Facility Project Phase 1 BAN	\$1,285.75
LL: Natural Gas Mining and Associated Activities	\$731.00
Shop and Find Issue	\$240.00
Workplace Safety	\$256.25

Bank selection RFP	\$240.50
Zoning Laws and Salt Shed	\$129.50
LL: BAR Date Change	\$83.50
Planning Board Application	\$92.50
Woodland Road	\$92.50
Intermunicipal Agreement	\$74.00
CO in Homeowner/Contractor Dispute	\$37.00
	\$14,973.00

Review of July Supervisor’s Report

Based on the July Supervisor’s Report, the “Revenue & Expenditures – Budget vs. Actual January through July 2015” Report shows the following:

July Revenues: General Fund stands at 72.8% of budget. Local Fines and Forfeitures continue to be higher than budgeted at 76.5% and the second installment of Sales Tax came in at 7% higher than budgeted. The Highway Fund also received Sales Tax and is now at 94.3%, up 3% from June.

July Expenditures: Both funds continue to spend well below the 58% expected for end of July. They stand at 50.4% for General and 31.1% for Highway. Much of the work done in July has been on the Highway Facility Project. Major road repair bills will come in later.

Highway Facility Project (HFP):

Funds for HFP To Date:	\$190,015.68	Bond Anticipatory Note
	15,608.50	General Fund Capital Reserve
	7,400.00	Grant Money activated by Town Clerk
	<u>5.53</u>	Interest on the Account
	\$213,029.71	Total Funds Appropriated to HFP to Date

Amount Spent To Date: **\$113,872.11** (\$66,982.12 in 2014 and \$46,889.99 in 2015)
 These amounts include spill mitigation costs as budgeted.

Amount in HFP Capital Account:

\$190,015.68	Account opened in May
<u>11,501.37</u>	Vouchers paid out in June & July
\$178,514.31	July 31, 2015 Balance
<u>79,356.71</u>	Due to General (2014/2015 payments)
\$ 99,157.60	Amount remaining in HFP

Board Member Joyce Thompson asked the board to review the information she has presented to come up with a solution to lower the attorney costs. She also suggested that the board meet with Attorney Decaire to review the billing.

Board Member Richard Skoda moved to accept the financial report as submitted, seconded by Board Member Linda Swartz.

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
0 Nays
0 Absent

Board Member Richard Skoda moved to Transfer \$79,356.71 by check from the Capital fund to the general account, seconded by Board Member Linda Swartz.

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
0 Nays
0 Absent

Advisory Board reports:

Conservation Advisory Committee: Anna Kadish, no report submitted.

Old Business:

- A. **Report on Research to identify the source and use of \$50,000 “Planning Money”:** Board Member Joyce Thompson: I met with Alice Platt on August 1st, Alice will be writing a report, and Board Member Joyce Thompson contacted Kinderhook Bank and will contact Key Bank for account information, more to come for next months meeting.
- B. **Highway Appointed/elected Superintendent referendum:** tabled
- C. **Credit Card Policy:** Board Member Joyce Thompson suggested putting this policy on hold until the reviews of the Attorney fees have been decided.
- D. **RFPs:** Board Member Joyce Thompson I have reviewed our RFP for Accountant, it needs to be revised to separate the duties of Accountant and Bookkeeper. We also need to make a decision on whether we are doing an RFP for Payroll.
 - ✚ Board Member Richard Skoda: who does the payroll now?
 - ✚ Board Member Joyce Thompson: we are using Hudson Valley Resources a division of Pattison Kosky. Do we do a separate RFP for payroll?
 - ✚ Supervisor Erik Tyree: I will contact other Supervisor’s to see how their town handles payroll.
- E. **Shop-n-Find:** Supervisor Erik Tyree, residents have repeatedly requested the delivery of this circular to be stopped; I am suggesting we have the Town Attorney draft a littering law. I will investigate at the County Level their littering law to see if it protects our town as well, and will also ask other Supervisors if they have a littering law.
- F. **Review of Resolutions and Local Laws**
 - ✚ **Advisory Board Local Law set date for Public hearing:** Board Member Linda Swartz motioned to set the public hearing for September 14th at 7 pm, seconded by Board Member Richard Skoda.

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
0 Nays
0 Absent

- G. **Resolution Investment Policy:** tabled
- G. **Road Survey:** Board Member Linda Swartz presented the following to the Board:

So far, I have received 25 responses to the Road Survey. The largest areas of concern are large vehicles and speeding. The survey period is extended until August 15. I will prepare a summary for the next meeting.

I have been contact with Dean Knox at County Engineering about the removal of the temporary bridge on New Forge. The County will leave the older existing “lower Forge” bridge abutments in place and will also leave the newer “temporary bridge” abutments that were installed in 2011 in place. Since these abutments will remain, it is possible to install a simple pedestrian bridge. In 2016, the County hopes to replace several bridges and culverts, one of which is a 65’ span multi-steel girder bridge. Dean thinks that there are a few existing girders that could be repurposed as the primary members of a pedestrian/bike bridge at New Forge 2. If Taghkanic would like to have the

old steel beams, they would incorporate language into the contract requiring the contractors to remove the best 2 or 3 beams intact and transport them to our town garage. They might also have some "open steel grid" decking from a bridge removal project that we could use for the riding surface.

Taghkanic would need to retain the services of a bridge engineer to review the existing abutments and the specific beams and the site in general to determine the feasibility of the proposal. We could ask if DEC or OPRHP's civil engineers would do this for us as a contributing, cooperative, inter-municipal initiative. I am willing to make first contact and find out what they need – I expect they will want a letter from our Town Supervisor or Highway Superintendent – which I am willing to prepare.

- ✦ Kathy Bainer: there may be possible grant money for a pedestrian bridge and walking trail from Greenway or the Rail trail. Would the Town need insurance for this?
- ✦ Board Member Linda Swartz will gather further information.

New Business:

A. **September Calendar:** Board Member Joyce Thompson motioned to approve the September calendar with the addition of the September 19th Saturday meeting and the September 24th TB/Project meeting, seconded by Board Member Linda Swartz.

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
0 Nays
0 Absent

B. **Update on request to Senator Kathy Marchione for the Salt Shed:** Supervisor Erik Tyree will contact Ray Jurkowski to get a break down of the cost of the project.

The bills were audited and approved for payment as follows:

✦ **August 10, 2015 Abstract:** on a motion by Board Member Linda Swartz, seconded by Board Member Joyce Thompson.

2015 General Fund Vouchers	# 239 - 256	\$ 7,498.75
2015 Highway Fund Vouchers	# 121 - 130	\$ 8,349.90
2015 Hwy Project Fund vouchers	# 37 - 45	\$ 1,883.47

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
0 Nays
0 Absent

The following people commented during the fifteen minute public comment:

- ✦ Debbie Colgrove: what is being done to resolve the problem on Taghkanic and Near Roads? There are 20-30 trucks every day.
- ✦ Supervisor Erik Tyree: will contact Jimmy Guzzi from Livingston about weight limit on Deer Haven and Scudderhook and will contact John Reilly from Gallatin about speed and weight limit on Taghkanic.
- ✦ Walter Thompson: since 2004 this is my 23rd meeting and most interesting, stimulating conversation.
- ✦ Ray Colgrove: I have a push mower that has been donated to the Town; where can it be stored? Also the Trees-for-Tribs are in need of maintenance.
- ✦ Debbie Colgrove: Tony LaSalvia was in charge of Trees-for-Tribs, I will contact him.
- ✦ Arthur Griffith: informed the Board that G-Tel will no longer be providing dial-up as of September 1.
- ✦ Board member Joyce Thompson: will contact G-Tel for additional information.

- ✦ Board Member Linda Swartz motioned to sign and send letter to Governor Cuomo in support of the Solar Energy, seconded by Board Member Ryan Skoda.

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
 0 Nays
 0 Absent

- ✦ Superintendent George Hotaling: presented (2) two quotes for a 2016 Pickup truck to the Board. The Board decided to discuss this at the August 27th meeting.

With no further business, on a motion by Board Member Linda Swartz, seconded by Board Member Richard Skoda, the meeting was adjourned at 8:25 pm, carried unanimously by all members present. The next Regular meeting will be **September 14, 2015** at the Taghkanic Town Hall.

8:30 pm: Board Member Linda Swartz motioned to re-open the meeting, seconded by Board Member Ryan Skoda.

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
 0 Nays
 0 Absent

Clerk Rogers reminded the board that to purchase a new vehicle the town by law needed to notice for bids. The Board decided to have the clerk notice for bids for One (1) New 2016 4 X 4 9,900 GVW, one (1) ton pickup work truck with single rear wheels and snow plow. All bids are to be received by 4 pm August 26th.

8:37 pm: Board Member Linda Swartz motioned to adjourn the meeting, seconded by Board Member Ryan Skoda.

Approved: 5 Ayes (Erik, Linda, Joyce, Richard, Ryan)
 0 Nays
 0 Absent

Audience:	Walter Thompson	Arthur Griffith	George Hotaling	Erin Edwards
	Dennis Callahan	Kathy Bainer	Ray Colgrove	Deborah Colgrove
	Arthur Baker	Terry Rauch	Susan Gardner	David Nasaw

Action List:

1. *Supervisor Erik Tyree will contact Jimmy Guzzi Supervisor Town of Livingston and John Reilly, Supervisor Town of Gallatin.*
2. *Supervisor Erik Tyree have Town Attorney Decaire draft a littering law and will also investigate the County littering law.*
3. *Supervisor Erik Tyree will contact Ray Jurkowski for cost breakdown on project.*
4. *Supervisor Erik Tyree will contact other Supervisors on how they handle Payroll.*
5. *Clerk Rogers will post notice for truck bids **Done***
6. *Clerk Rogers will post notice for the public hearing for LL 4. **Done***

Town of Taghkanic
Supervisor's report
July 31, 2015

Receipts:

Justice Court Deposits	\$ 17,116.00
Retiree health insurance	119.00
Sales tax 2nd qtr	54,298.65
Clerk fees	63.00
Zoning	200.00
Building permits	691.20
Interest - MM	35.56
Interest - Escrow	0.04
Interest - Checking	0.25
Interest -Trust and Agency	0.05
Total receipts	<u>\$ 72,523.75</u>

Disbursements:

Abstracts -General fund	(15,409.46)
Abstracts - Highway fund	(8,360.81)
Abstracts- Capital project	(4,552.02)
Payroll - July 15, 2015	(9,544.54)
Payroll - July 30, 2015	<u>(16,821.71)</u>
Total disbursements	(54,688.54)

Net receipts-disbursements 17,835.21

Cash balances at June 30, 2015 1,595,663.15

Cash balances at July 31, 2015 \$ 1,613,498.36

	Bank Statement Balance	Deposits in transit & o/s Checks	Book Balance
Multifund checking	\$ 23,082.42	\$ (1,751.16)	\$ 21,331.26
Multifund money market	1,412,377.11		1,412,377.11
Trust and Agency(payroll)	10,505.68	(10,001.75)	503.93
Capital account	178,514.31		178,514.31
Escrow savings	571.75	-	571.75
Petty Cash	200.00	-	200.00
Total Cash	<u>\$ 1,625,251.27</u>	<u>\$ (11,752.91)</u>	<u>\$ 1,613,498.36</u>

Total income from Quickbooks	\$ 65,897.37
Court fees deducted from income	6,506.00
Trust interest	1.38
Retiree Health insurance netted with A9060	119.00
*Total receipts	<u>\$ 72,523.75</u>

**Total net income per Quickbooks	17,833.83
Interest earned on escrow	1.38
Net receipts- disbursements	<u>\$ 17,835.21</u>