

February 3, 2005

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The Town Board Meeting was held on February 3, 2005 at 7:00pm at the Town Hall.

**PRESENT:**

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Supervisor Duke     | Councilman Gray     | Councilman Hornbeck |
| Councilman Ryan     | Councilman Santosky | Town Clerk Sommer   |
| Attorney Christiana |                     |                     |

**OTHERS PRESENT:**

Dorothy Martin, UC Real Property Director  
Jim LaPlant, Customer Relation Manager for the NYS Office of Real Property Services

Supervisor Duke led the Pledge of Allegiance to the Flag and read the rules of procedure.

**PRESENTATION RE: 2006 REASSESSMENT:**

James LaPlante said that a recently updated program was done at the same time the town Assessor's Office staff was trying to keep up with a sharp increase in property values. The (software) changed drastically from what was called version three to a version four, and there were some issues with conversion from the old program to the new program so all the data didn't get lost or messed up, which took a tremendous amount of work countywide. A lot of resources that would have gone toward getting the reassessment done had to be devoted to getting that conversion done. Otherwise, assessment rolls don't get done and tax bills don't get sent. A schedule or plan will be in March and a revaluation date will be in July, 2006. The Town will receive up to \$5.00 a parcel from the State. The STAR exemption preserves the valuation of that process

**PRESENTATION RE: PROPOSED HOTEL TAX:**

David O'Halloran, Jay Davis and Howard Mont gave a presentation regarding the proposed Hotel Tax. They requested that the Board send a letter to the County Legislators supporting the repeal of a 2% sales tax. A letter will be drafted for all Board members to send to the appropriate people.

**FEMA UPDATE:**

Superintendent of Highways, Wayne Kelder gave the Board a FEMA update. To date, a total of \$195,161.88 has been appropriated.

**PUBLIC COMMENT:**

Richard Allen from the Patroon Grange in Accord requested a meeting place for a couple of months since the Grange Hall is in need of repair.

Jean Alywood said that at the last Town Board Meeting, a Board member shown bad manners.

Richard Geldard and his wife, Astrid Fitzgerald spoke regarding the possible Casinos coming to this area. They encouraged the Town Board to adopt a resolution against gambling in our area.

**APPROVAL OF MINUTES:**

**A Motion** was made by Councilman Ryan to approved the following minutes as submitted:

January 10, 2005 Organizational Meeting  
January 10, 2005 Town Board Meeting  
January 14, 2005, Interview Building Inspector I  
January 26, Audit Workshop Meeting.

Seconded by: Councilman Gray Unanimously approved

**SUPERVISOR'S REPORT:** Filed with the Town Clerk.

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**CORRESPONDENCE RECEIVED:**

Letter from Zali Win, President Rochester Residence Association dated 1/31/05 re: casinos in Town of Rochester.

**SUPERVISOR'S UPDATE:**

Supervisor Duke reviewed the highlights of the Audit/Workshop Meeting held on January 26, 2005.

**LEGAL MATTERS:** No report.

**LIAISON REPORTS:**

The ZBA & Historic Preservation meetings were cancelled due to snow. The Councilpersons gave a synopsis of the meetings they attended.

Councilman Hornbeck reported that discussion was held on the possible purchasing of an excavator for the Highway Department. Mr. Kelder requested that the Board advertise for bids for this piece of equipment. The estimated cost could be as high as \$150,000.00. Leasing is \$4,000 to \$5,000 per month. Discussion was also held on purchasing a used one and also using some of the FEMA monies. This will be discussed further at the February Audit Meeting.

**COMMITTEE REPORTS/BOARD MEMBER REPORTS:**

Grant Research & Writing Committee - no report

Ethics Board - no report

Planning/Zoning Committee - Supervisor Duke & Councilman Gray

The purpose of establishing this committee is to address land use issues, including an inventory of our Town's resources and needs, and a list of land use priorities. The committee first met on Tuesday evening. The focus was for the members to get to know each other, discuss the issues facing the Town, discuss what's in place to help the process and what sub-groups we need to establish. Much of this was identified and discussed at the Imagine Rochester workshop last Spring. Therefore, the information and results that came out of Imagine Rochester became the spring board for all the discussion. The sub-groups that were initially established are: Inventory of the Natural Resources, Demographic Studies, Rural Character/Open Space and Economic Development. Each group will meet and report back to the entire committee at the next meeting.

The ECC reported that the Energy Smart Audit for the Town is \$250.00 for each building and is refundable.

**Resolutions:**

**Planning & Zoning Committee additional members:**

Councilman Hornbeck asked to step off this committee for reasons relating to his personal endeavors with future large scale development and felt it was a conflict of interest. Councilman Gray accepted the position.

Resolution #51 - 2005

**A Resolution** was made by Councilman Ryan that the Town Board appoint Councilman Francis Gray, Donna Ragonese, Youth Commission and Al Baker RVCS to the Planning/Zoning Committee.

Seconded by: Councilman Santosky

Unanimously approved

**UNSAFE BUILDING DISCUSSED:**

The Municipal Code Officer obtained quotes for the removal of an unsafe building due to the owners neglecting to take action to remove the structure for over 8 months. The quotes received were over the \$5000 budgeted amount. Action was tabled on these quotes until they are reviewed by the Town's Attorney.

|                                  |          |
|----------------------------------|----------|
| David Lawrence Construction      | \$ 8,400 |
| T.A.M. Enterprises               | 8,240    |
| C & R Trucking                   | 11,000   |
| Charles Bell Excavating & Paving | 9,750    |

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**Resolution #52 - 2005**

A Resolution was made by Councilman Gray that \$6,781.35 from FEMA for work completed on two roads in Accord be submitted into DA-3501, State Aid line.

Seconded by: Councilman Hornbeck Unanimously carried

**Resolution #53 - 2005**

A Resolution was made by Councilman Ryan that \$24,759.44 from FEMA for work on Bridge Road, Elizabeth Road and Queens Highway be submitted into DA-3501, State Aid line.

Seconded by: Councilman Santosky Unanimously approved

**Resolution #54 - 2005**

A Resolution was made by Councilman Hornbeck that \$32,620.45 from FEMA for work on Berme Road, Old Kings Highway and Boice Mill Road be submitted into DA-3501 State Aid line.

Seconded by: Councilman Gray Unanimously approved

**Resolution #55 - 2005**

A Resolution was made by Councilman Ryan that \$114,378.91 from FEMA for work on Queens Highway, Whitfield Road, Fraad Road, DeWitt Road, Mt. Laurel Road and Dug Road be submitted into DA-3501, State Aid line.

Seconded by: Councilman Gray Unanimously approved

**Resolution #56 - 2005**

A Resolution was made by Councilman Ryan that \$16,621.73 from FEMA for work on Clove Valley Road and Clay Hill Road be submitted into DA-3501, State Aid line.

Seconded by: Councilman Gray Unanimously approved

Total to date: \$195,161.88

**New Business:**

**Rondout Valley Corridor Coalition (209 Corridor Coalition)**

A cooperative partnership of six municipalities has been formed with a goal of creating an attractive destination for both visitors and the people who call Rondout Valley home.

Al Wagoner, project manager for the Shawangunk Mountains Scenic Byway has been named coordinator of the Rondout Valley Corridor Coalition.

One purpose of the coalition is to facilitate cooperation between the communities on a range of issues, problems and opportunities.

Another project under consideration is to bring local historians and representatives of the various historic resources together to explore ways collaboration may be beneficial to the area.  
The press release filed with the Town Clerk.

**Regional Open Space Grant**

The idea is to develop a Northern Shawangunk Mountains Regional Open Space Plan for the northern Shawangunk Mountains, and those areas of the Rondout Valley and the Wallkill Valley located in the Shawangunk Mountains Scenic Byway Region.

The Background for the grant application is filed with the Town Clerk.

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**OLD BUSINESS:**

**ZBA Vacancy**

Interviews for the ZBA vacancy will be held on Wednesday, February 16, 2005 at 7:00pm at the Town Hall. Steven Fornal has withdrawn his letter of intent.

**Imagine Rochester Update:**

The first Town newsletter with survey enclosed are being mailed this week. They are also available at the Town Clerk's Office.

WEB Site continues to be under development - the address is www.townofrochester.net - it is still under construction, however, our coordinator, Marge Bonner continues to coordinate with town offices, etc. and about 80% have had final input submitted to the website. Photos which are representative of the Town are greatly needed.

**PUBLIC COMMENT:**

Britton Baker said that it is the Supervisors of the Towns along this stretch of Rt. 209 that are pursuing the endeavor of the corridor coalition.

Kathy Kuthy spoke to the house sales versus the assessed values.

Alan Levine also spoke to the vacant land value versus land with a house on it, and that the total value of the Town is increasing.

Chris Kelder spoke to the increase of taxes.

Councilman Santosky spoke to the life of an excavator.

Frank Kortright spoke to the fact that cost of equipment is going up.

**EXECUTIVE SESSION:**

**A Motion** was made by Councilman Hornbeck to enter into executive session at 9:00pm regarding personnel matters concerning the Planning/Zoning Board secretary temporary position and pending litigation with Streamside.

Seconded by: Councilman Santosky Unanimously approved

**A Motion** was made by Councilman Hornbeck to reconvene the meeting at 9:30pm with the Supervisor reporting no action was taken, nor monies expended.

Seconded by: Councilman Gray Unanimously approved

**ADJOURNMENT:**

**A Motion** was made by Councilman Hornbeck to adjourn the meeting at 9:01pm.

Seconded by: Councilman Gray Unanimously approved

Respectfully submitted,

Veronica I. Sommer  
Town Clerk/RMC

February 7, 2005

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The Town Board held a Emergency Special Meeting on February 7, 2005 at 8:00am at the Town Hall re: purpose of conducting an interview for the Temporary position for the Planning/Zoning Board Secretary.

**PRESENT:**

Councilman Gray                      Councilman Hornbeck                      Councilman Ryan  
Councilman Santosky                      Town Clerk Sommer

**ABSENT:**

Supervisor Duke

Councilman Santosky led the Pledge of Allegiance to the Flag.

**EXECUTIVE SESSION:**

**A Motion** was made by Councilman Gray to enter into executive session at 8:01am for the purpose of conducting an interview for the temporary position for the Planning/Zoning Board secretary.

Seconded by: Councilman Ryan                      Motion carried 4-0  
Duke - absent

**RECONVENED:**

**A Motion** was made by Councilman Hornbeck to reconvene the meeting at 8:19am with Deputy Supervisor Santosky reporting that no action was taken, nor monies expended.

Seconded by: Councilman Gray                      Motion carried 4-0  
Duke - absent

**TEMPORARY HIRE PB/ZBA SECRETARY:**

Resolution # 57 - 2005

**A Motion** was made by Councilman Ryan that the Board hire Paula Taylor for the Temporary position of Planning/Zoning Board Secretary for the salary of \$10.95 per hour for 15 office hours a week and all ZBA and Planning Board meetings commencing Tuesday, February 8, 2005.

Seconded by: Councilman Gray                      Motion carried 4-0  
Duke - absent

Resolution #58 - 2007

**A Motion** was made by Councilman Hornbeck that Rebecca Paddock-Stanges' comp time will not interfere with her disability.

Seconded by: Councilman Gray                      Motion carried 4-0  
Duke - absent

**ADJOURNMENT:**

**A Motion** was made by Councilman Hornbeck to adjourn the meeting at 8:25am.

Seconded by: Councilman Gray                      Motion carried 4-0  
Duke - absent

Respectfully submitted,

Veronica I. Sommer  
Town Clerk/RMC

February 16, 2005

3213

A Special Meeting of the Town Board was held on February 16, 2005 at 7:00pm at the Town Hall.

**PRESENT:**

Supervisor Duke                      Councilman Gray                      Councilman Hornbeck  
Councilman Ryan                      Councilman Santosky

**EXECUTIVE SESSION:**

A Motion was made by Councilman Gray to enter into executive session at 7:07pm for the purpose of conducting interviews for the Zoning Board of Appeals position.

Seconded by: Councilman Ryan                      Unanimously approved

A Motion was made by Councilman Gray to reconvene the meeting at 7:50pm, with the Supervisor reporting no action was taken, nor monies expended.

Seconded by: Councilman Ryan                      Unanimously approved

**ADJOURNMENT:**

A Motion was made by Councilman Hornbeck to adjourn the meeting at 7:50pm.

Seconded by: Councilman Santosky                      Unanimously approved

Respectfully submitted,

Veronica I. Sommer  
Town Clerk/RMC

February 23, 2005

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The Audit/Workshop Meeting was held on February 23, 2005 at 4:30pm at the Town Hall.

**PRESENT:**

Supervisor Duke                      Councilman Gray                      Councilman Hornbeck  
Councilman Santosky                  Town Clerk Sommer

**ABSENT:**

Councilman Ryan

Supervisor Duke opened the meeting at 4:30pm and led the Pledge of Allegiance to the Flag.

**APPROVAL OF BILLS:**

**A Motion** was made by Councilman Gray to approve the following bills as audited this date:

|                          |              |
|--------------------------|--------------|
| Highway Fund Abstract II | \$ 71,730.62 |
| General Fund Abstract II | 131,636.70   |
| Street Lighting          | 276.10       |

Seconded by: Councilman Santosky                      Motion carried 4-0  
Ryan - absent

**ADVERTISE FOR BIDS/EXCAVATOR:**

Resolution #59 - 2005

**A Motion** was made by Councilman Gray authorizing the Town Clerk to advertise for bids for a new Wheeled Excavator for the Town Highway Department. Bids to be received on or before March 28, 2005 at 10:00am at the Town Clerk's Office at which time they will be opened and read aloud. Bids awarded at the discretion of the Town Board.

Seconded by: Councilman Hornbeck                      Motion carried 4-0  
Ryan - absent

**LAND USE LAW CENTER:**

Supervisor Duke shared a letter from the Land Use Law Center requesting a resolution of support for their Land Use Leadership Alliance Training Program that she attended in the Fall.

Resolution #60 -2005

**A Resolution** was made by Councilman Gray, seconded by Councilman Santosky that  
WHEREAS, comprehensive planning, land use regulation and the review and approval of land development proposals are among the most important functions of local governments in the State of New York;

WHEREAS, members of local administrative boards such as the planning board, zoning board of appeals, and conservation advisory boards consider and dispose of many important applications for permits, variances and interpretations of local land use regulations;

WHEREAS, local legislative bodies are authorized to use their delegated authority under state law to adopt a wide variety of land use regulations, controls and incentives to provide for the balanced and harmonious development of the community;

WHEREAS, land owners, developers, and leaders of local civic organizations are regularly involved in testifying regarding matters pending before these legislative and administrative bodies;

WHEREAS, knowledge of the authority of local governments regarding land use control and responsible decision-making regarding these matters is important to the quality of life and future success of the communities; and

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WHEREAS, the Land Use Law Center of Pace University School of Law has established an exemplary program of training and supporting local officials, private sector representatives and civic leaders in land use decision-making;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE BODY OF THE TOWN OF ROCHESTER,

THAT it supports the continuation and expansion of the local law land use leaders training programs of the Land Use Law Center.

THAT it offers official sponsorship of the training sessions conducted under that Center's programs, and

THAT it encourages other cities, towns and villages in the Hudson Valley Region to offer their support and sponsorship of these land use training programs and to nominate local leaders for participation in these programs.

Councilman Gray            aye  
Councilman Hornbeck       aye  
Councilman Santosky       aye  
Supervisor Duke            aye

Councilman Ryan            absent                      Motion carried 4-0

**TRANSFER STATION TICKET SYSTEM:**

After discussion, it was agreed that if four tickets were on one strip and 20 tickets on other sheet it was ok to move forward with this on a trial basis.

Supervisor Duke shared a letter from Cingular Wireless requesting a Cellular Tower be constructed at the Transfer Station. Councilman Gray will contact Cingular for more information and report back at the next meeting.

Supervisor Duke reported that several surveys have been received to date, and stated that she has started tabulating the results. Councilman Gray offered to develop a spread sheet analysis of the final results.

AGENDA items for the February 3, 2005 Town Board Meeting were reviewed.

**EXECUTIVE SESSION:**

**A Motion** was made by Councilman Gray to enter into executive session at 6:20pm regarding a personnel issue with the Planning Board/ZBA secretary temporary position.

Seconded by: Councilman Santosky                      Motion carried 4-0  
Ryan - absent

**A Motion** was made by Councilman Hornbeck to reconvene the meeting at 6:45pm, with the Supervisor reporting no action was taken, nor monies expended.

Seconded by: Councilman Gray                              Motion carried 4-0  
Ryan - absent

**ADJOURNMENT:**

**A Motion** was made by Councilman Hornbeck to adjourn the meeting at 6:45pm.

Seconded by: Councilman Santosky                      Motion carried 4-0  
Ryan - absent

Respectfully submitted,



Veronica I. Sommer  
Town Clerk/RMC