

March 3, 2005

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The Town Board Meeting was held on March 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

**PLEDGE:**

Councilman Hornbeck led the Pledge of Allegiance to the Flag.

Supervisor Duke read the rules of procedure.

**PUBLIC COMMENT:**

Alex Miller requested that the Town Board establish a telecommunication committee to review the Town's current existing cable TV franchise area and to establish a procedure for getting additional areas hooked up.

David Curtis followed up regarding the cable concern and asked that the procedures to obtain cable be publicized so that all residents can secure cable.

Shane Ricks asked how the survey was out and was the Board going to vote on opposing the casinos tonight.

Tavi Cilenti said he did not receive a survey.

Kathy Kuthy shared with all that the Fire Company received a \$171,000.00 grant from the Department of Homeland Security Assistance to Fire Fighters Grant.

Britton Baker spoke to the lack of follow-up and enforcement regarding the Robert Lapp Logging property. It was a concern in 2002 and he wanted to know what the status is now and why the system is not working.

Tavi Cilenti mentioned that it appears that Mr. Lapp is cleaning his yard up.

**APPROVAL OF MINUTES:**

A Motion was made by Councilman Gray to approve the following minutes as submitted:

February 3, 2005 Town Board Meeting  
February 7, 2005 Interview Temporary Secretary to ZBA & Planning Bds.  
February 16, 2005 Interview ZBA vacancy  
February 23, 2005 Audit/Workshop Meeting

Seconded by: Councilman Hornbeck                      Unanimously approved

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

**CORRESPONDENCE RECEIVED:**

Timothy Reynolds request that the Town be a financial sponsor for his tuition for the People to People Ambassador Program.  
Robert Hoke's letter regarding damage to his property.  
Steven Fornal's letter regarding Planning Board procedures.  
Richard Gerentine's letter acknowledging receipt of the Town Board's letters regarding the Ulster County Lodging Tax.  
Geoffrey Green's letter regarding his concerns with Chazen.  
Ruth Osterhoudt's thank you to the Town Board regarding the Town's donation to the Rochester Senior Citizens Group.  
Nancy Vlahose letter responding to Geoffrey Green's letter.

**SUPERVISOR'S UPDATE:**

Supervisor Duke reviewed the highlights of the Audit/Workshop Meeting held on February 23, 2005.

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**LEGAL MATTERS:** No report.

**LIAISON REPORTS:**

**Planning Board:**

Councilman Hornbeck & Gray shared the highlights of the monthly meeting and the workshop meeting.

**ZBA:**

Councilman Gray said the meeting was dedicated in memory of Brian Belile.

Pre-application for a 25' area variance on Sieber Road was reviewed.

The ZBA meetings are now held at 7:30pm.

James Kingston was appointed member to fill the vacancy.

**Youth Commission/Community Center:**

Councilman Ryan discussed up coming events specifically Earth Day 4/23/05.

**Historic Preservation Commission:** Cancelled due to snow storm.

**Environmental Commission:** No meeting.

**Code Enforcement:**

Supervisor Duke gave highlights of the month's activities.

**Assessor's Office:**

Councilman Gray reported on transfers, property review appointments, etc.

**Highway:** No report.

**COMMITTEE REPORTS/BOARD MEMBER REPORTS:**

**Grant Research & Writing Committee:** Supervisor Duke met with Kevin O'Connor, Executive Director of RUPCO regarding the Main Street Grant.

**Ethics Board:** No report.

**Planning/Zoning Committee:** Meeting cancelled - has been rescheduled.

**RESOLUTIONS:**

Rescind Resolution #59

**Resolution #61 - 2005**

**A Motion** was made by Councilman Gray that Resolution #59 of 2005 be rescinded requesting vendors to submit bids for a Wheeled Excavator for the Town of Rochester Highway Department due to the fact that the specs were not available for the Town Board for review.

Seconded by: Councilman Hornbeck Unanimously approved

**Resolution #62 - 2005**

**A Motion** was made by Councilman Gray that the Town Clerk be authorized to advertise for bids for a Wheeled Excavator for the Town of Rochester 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 Unanimously approved

**Resolution #63 - 2005**

**A Motion** was made by Councilman Hornbeck that the Town Board accept a settlement of \$3,600,000.00 to access Minnewaska Corp. LLC to include the year 2003.

Seconded by: Councilman Gray Unanimously approved

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**FEMA MONIES RECEIVED:**

**Resolution #64 - 2005**

**A Motion** was made by Councilman Gray that \$93,416.41 from FEMA for work on Mill Hook Bridge, Whitfield Road and Bridge and Holly Road in Accord be submitted into DA-3501, State Aid line.

Seconded by: Councilman Santosky Unanimously approved

**Resolution #65 - 2005**

**A Motion** was made by Councilman Ryan that \$22,266.66 from FEMA for work on multiple locations in Accord, City Hall Road and Mill Road Culverts in Accord be submitted into DA-3501, State Aid line.

Seconded by: Councilman Gray Unanimously approved

**Resolution #66 - 2006**

**A Motion** was made by Councilman Ryan that \$16,089.46 from FEMA for work on St. Josen Road in Accord, be submitted into DA-3501, State Aid line.

Seconded by: Councilman Santosky Unanimously approved

**Resolution #67 - 2005**

**A Motion** was made by Councilman Gray that \$3,848.36 from FEMA for work on Mill Road Arch Culvert in Accord, be submitted into DA-3501, State Aid line.

Seconded by: Councilman Ryan Unanimously approved

**Casinos:**

Supervisor Duke stated that a request was made at the last Town Board meeting that our Town adopt a resolution that would reflect concern about the impact that proposed casinos would have in the community. A draft resolution was received and Supervisor Duke used it as a template inserting information pertinent to our Town's information. Discussion ensued and the outcome being that this be a topic of discussion at Town Hall meetings to be scheduled in the near future.

**ZBA APPOINTMENT:**

**Resolution #68 - 2005**

**A Motion** was made by Councilman Santosky that James Kingston be appointed to the Zoning Board of Appeals, his term to expire December 31, 2006.

Seconded by: Councilman Ryan Unanimously approved

**Resolution #69 - 2005**

**A Motion** was made by Councilman Santosky that Robert Godwin be appointed alternate to the Zoning Board of Appeals, his term to expire 12/31/05.

Seconded by: Councilman Ryan Unanimously approved

**Unsafe Structure:** Tabled until active investigation is finalized. The Board will call a special meeting when this information has been received.

**Mensche Road Maintenance Agreement:**

**Resolution #70 - 2005**

**A Motion** was made by Councilman Hornbeck that the Town Board accept a Road Maintenance Agreement with William Mensche off Lucas Avenue and authorize the Supervisor to sign said document.

Seconded by: Councilman Ryan Unanimously approved

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**Baum Road and Drainage Maintenance Agreement:**

**Resolution #71 - 2005**

**A Motion** was made by Councilman Santosky that the Town Board accept a Road and Drainage Maintenance Agreement with Michael Baum for Sahler Mill Estates and authorize the Supervisor to sign said document.

Seconded by: Councilman Ryan Unanimously approved

**Donation:**

**Resolution #72 - 2005**

**A Motion** was made by Councilman Santosky that the Town Board award Timothy Reynolds \$200.00 as a financial sponsor for his tuition for the People to People Ambassador Program.

Seconded by: Councilman Hornbeck Unanimously approved

**Telecommunication Committee Formed:**

**Resolution #73 - 2005**

**A Motion** was made by Councilman Hornbeck that the Town Board establish a Telecommunication Committee to review the Town's current existing cable TV franchise area and to establish a procedure for getting additional areas hooked up; and that Councilman Gray, Councilman Santosky and resident Alex Miller be initial members with others to be identified at a later date.

Seconded by: Councilman Ryan Unanimously approved

**OLD BUSINESS:**

Marge Bonner reported that the WEB sit will be up and running by this Sunday. Discussion was held regarding how to publicize that this is available soon. Marge has developed a poster for distribution.

**NEW BUSINESS:**

Councilman Gray spoke about a study that he has initiated to determine Cost of Community Services for the Town of Rochester. As information is gathered, it will be shared at all Town Board meetings.

**PUBLIC COMMENT:**

Marge Bonner requested that the Town Board is looking for members to be on the Telecommunication Committee, be posted on the WEB.

Tavi Cilenti spoke about the casino issue, his concern regarding accepting the lowest bid, and questioned the industrial property form regarding Councilman Gray's report on Cost of Services.

Britton Baker supported the Cost of Services report and asked that when it is completed it be available for all residents to obtain. He also spoke to the casino issue and that it will only end up hurting the area. He encouraged the Board to seriously look at this and move forward with it.

Cindy Graham spoke to the insurance coverage on the Towpath Road house that has to be demolished. She also had a concern with the town Planner because every applicant is being reviewed from beginning to end. She stated that in other towns each applicant must have everything they need before it is reviewed.

Gene Moncrief is concerned that there is not a clear idea or thoughtful process of what we, the Town, is doing with all that is happening in the Town. She suggested that the Board table development.

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Shane Ricks spoke to four planners coming to a Planning Board Meeting and requested that the WEB site be kept as non bias as possible; and that the Rochester Residents Association is a private citizens group and that their survey was done to achieve their own means.

Zali Win responded to Shane Ricks concerns with the Rochester Residents Association, that the survey was sent to over 4300 residents, all property owners and that the surveys that were returned clearly showed opposition to gambling.

Chris Kelder was complimentary of the WEB site and asked if links would be established to other businesses in the area? He was told that the site is set up for those who want to be linked can do so.

Skit Rabbino suggested that we link to the Ulster Chamber and our local chamber.

Kathy Kuthy talked about Earth Day and asked if there would be amnesty days at the Transfer Station.

**EXECUTIVE SESSION:**

**A Motion** was made by Councilman Hornbeck that the Board enter into executive session at 8:55pm regarding a particular employee, pending litigation with Streamside and the Lapp logging issue.

Seconded by: Councilman Gray Unanimously approved

**A Motion** was made by Councilman Hornbeck to reconvene the meeting at 9:55pm, 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 9:55pm.

Seconded by: Councilman Gray Unanimously approved

Respectfully submitted,

Veronica I. Sommer  
Town Clerk/RMC



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

PRESENT:

Supervisor Duke	Councilman Gray	Councilman Hornbeck
Councilman Ryan	Councilman Santosky	Town Clerk Sommer

Supervisor Duke opened the meeting with 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.

General Fund	\$140,616.59
Highway Fund	81,486.84
Street Lighting	280.01

Seconded by: Councilman Ryan Unanimously approved

Agenda Items Reviewed & Discussed:

Bids received for the Wheeled Excavator were discussed by the Board. Questions were directed to Highway Superintendent Kelder regarding the differences in the models and performance, rental and purchase.

It was discussed if FEMA money could be used toward the Wheeled Excavator. Mr. Kelder to get back to the Board.

The letter received from Chris & Aileen Sauer regarding the tree trimming in front of their home was discussed.

DOG CONTROL OFFICER HEALTH INSURANCE:

Resolution #74 - 2005

A Motion was made by Councilman Ryan that the Town of Rochester will pay one third of the Dog Control Officer's health insurance at \$107.00 per month. Equal amounts will be paid by the Town of New Paltz and the DCO. This will replace the current payment of one half at \$160.00 per month with the Towns of Rochester and New Paltz paying one fourth each.

Seconded by: Councilman Santosky Unanimously approved

TRANSFER STATION TICKET SYSTEM:

Resolution # 75 - 2005

A Motion was made by Councilman Gray that the Town Transfer Station shall adopt a system of using individual tickets that have a unique serial number to replace the current punch card system, effective immediately, and that the Supervisor shall be authorized and directed to order such tickets to be printed for the Town and to direct the sale and implementation of such tickets with the Town Clerk and Transfer Station employees as well as control procedures for unsold ticket inventory. Current punch card in the possession of residents shall be valid until fully used or can be exchanged for tickets at the Town Clerk's Office. Upon the implementation, the Town Clerk's Office shall no longer issue punch cards and the remaining punch cards shall be destroyed.

Seconded by: Councilman Santosky Unanimously approved

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WATERSHED BALLOT

Resolution #76 - 2005

A Motion was made by Councilman Ryan that the Town Board of the Town of Rochester nominate Berndt Leifeld, Supervisor of the Town of Olive to the Catskill Watershed Corporation Board of Directors.

Seconded by: Councilman Gray Unanimously carried

Town Hall Meetings to be scheduled for the end of April. The survey results, casinos and rural conservation to be discussed.

Shared Background Checks, record storage, Fire Company special assessment request, grant monies procedures, subdivision checklists, site plan checklists, Patriot Plan, Mohonk Membership, Association of Towns Property Tax Reform Resolution, moratorium for all commercial properties on Route 209 were topics of discussion.

Executive Session:

A Motion was made by Councilman Hornbeck at 7:05pm to enter into executive session regarding personnel at the Transfer Station.

Seconded by: Councilman Santosky Unanimously approved

A Motion was made by Councilman Hornbeck to reconvene the meeting at 7:20pm, with the Supervisor reporting no action was taken, nor monies expended.

Seconded by: Councilman Santosky Unanimously approved

ADJOURNMENT:

A Motion was made by Councilman Hornbeck to adjourn the meeting at 7:20pm.

Seconded by: Councilman Santosky Unanimously approved

Respectfully submitted,

Veronica I. Sommer  
Town Clerk/RMC