

A Public Hearing was held on 4/5/07 at 7:00pm at the Accord Fire Hall re: amending the Building Codes to include new Fire Protection and Property Maintenance Inspections.

PRESENT:

Supervisor Duke	Councilman Gray	Councilman Miller
Councilman Santosky	Town Clerk Sommer	Attorney Futerfas (7:25PM)
CEO Davis (7:30PM)		

ABSENT:

Councilman Spano

Supervisor Duke led the Pledge of Allegiance to the Flag and opened the public hearing.

Several audience members spoke to the fact that this law as presented is more than needed and more than what the State is requiring. It was also brought up that the Town has the option of Home Rule.

A Motion was made by Councilman Miller to close the Public Hearing at 8:00pm.

Seconded by: Councilman Gray

Motion Carried 4-0
Spano - absent

Respectfully submitted,

Veronica I. Sommer
Town Clerk/RMC

HIGHWAY RENTAL OF PAVING EQUIPMENT:

Resolution #64-2007

A Motion was made by Councilman Santosky that the Town Board advertise for bids for rental of paving equipment for the Highway Department. Bids to be accepted on or before 4/25/07 at 10:30pm at the Town Clerk's Office, and further authorizing the Town Clerk to advertise same.

Seconded by: Councilman Gray

Motion carried 4-0
Spano - absent

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BUILDING MORATORIUM EXTENSION:

Resolution #65-2007

A Motion was made by Councilman Gray that the Town Board schedule a Public Hearing on 5/3/07 at 7:00pm at the Town Hall to extend Local Law #1-07 from 5/6/07 to 8/6/07, and authorizing the Town Clerk to advertise same.

Seconded by: Councilman Santosky

Motion carried 4-0
Spano - absent

FEMA FUNDS DESIGNATED:

Resolution #66-07

A Motion was made by Councilman Gray that the Town Board accept \$45,095.66 from FEMA for the severe storms and flooding of June, 2006 for work completed and work to be completed on Upper Cherrytown Road, Kerhonkson, NY to be put into DA-4960, Federal Emergency Work line.

Seconded by: Councilman Miller

Motion carried 4-0
Spano - absent

YOUTH COMMISSION APPOINTMENTS:

Resolution #67-2007

A Motion was made by Councilman Miller that Donna Ragonese, term ending 12/31/07 and Jessica Knapp, term ending 12/31/09 be appointed to the Youth Commission.

Seconded by: Councilman Gray

Motion carried 4-0
Spano - absent

MIDDLE CLASS STAR AMENDMENT:

Town Clerk/Tax Collector Sommer explained why the following amendment for the Middle Class STAR was needed.

Resolution #68-2007

A Resolution was made by Councilman Gray, seconded by Councilman Miller that;

WHEREAS, Governor Spitzer proposed real property tax reform in the Executive Budget for years 2007-2008 by providing relief from school district taxes known as "middle class STAR", and

WHEREAS, such proposal is welcome and needed, and

WHEREAS, such proposal contains provisions of confidentially that will impose costly requirements of altering assessment and real property tax collection programs, and of additional personnel, and dislocation and confusion in furnishing tax collection records, and

WHEREAS, such needed program of tax relief can be implemented through a direct credit against State income taxes,

NOW, THEREFORE, BE IT RESOLVED, that Governor Spitzer and the Legislature are urged to amend the "Middle Class STAR" proposal by eliminating the costly confidentially provisions, or in the alternative, that the program be revised by providing a credit against State income tax.

Motion carried 4-0
Spano - absent

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REFORM CONDOMINIUM ASSESSMENTS:

Resolution #69-2007

A Resolution was made by Councilman Gray, Seconded by Councilman Santosky that;

WHEREAS, Real Property Law section 339-y, has been interpreted by courts to limit an assessor's method of establishing a condominium assessment to the income approach, resulting in the assessment for each unit significantly under market value, sometimes by as much as 50% or more: and

WHEREAS, further abuse of section 339-y now includes attempts by developers to take large tracts of land, construct large single-family houses on one or two acres and instead of simply subdividing the property, establish a condominium with two classes of common areas, a limited common area (consisting of all the parcels surrounding each residence), which is for the exclusive use of the owner and occupant of the "condominium unit", and one general common area consisting only of the roadways within the development; and

WHEREAS, by structuring ownership of the property in the manner just described, section 333-y limits the assessing unit to setting assessments on all the units as if the property were a single parcel, resulting in a steep reduction in what the assessment would otherwise be:

NOW, THEREFORE, BE IT RESOLVED, that the Town of Rochester calls upon the Legislature and the Governor to repeal Real Property Law section 339-y and vote yes on Bills A1574 and S1058 so as to provide equal treatment for all types of residential housing and to prevent the continuing abuses of section 339-y as described above.

Motion carried 4-0
Spano - absent

ADVERTISE FOR TOWN ASSESSOR POSITION:

Resolution #70-2007

A Motion was made by Councilman Gray that the Town Board advertise for the position of Town Assessor requesting resumes to be received on or before 5/16/07, interviews to be held 5/23/07, and further authorizing the Town Clerk to advertise same.

Seconded by: Councilman Miller

Motion carried 3-0
Santosky - nay
Spano - absent

PART-TIME HELP FOR TRANSFER STATION:

Resolution #71-2007

A Motion was made by Councilman Gray that the Town Board authorize the Town Clerk to advertise for a part-time employee for the Transfer Station on a per diem basis at \$8.50 per hour.

Seconded by: Councilman Santosky

Motion carried 4-0
Spano - absent

OLD BUSINESS:

Councilman Miller spoke regarding the Supervisor's salary increase, and the reason the Board increased the Highway Budget. Councilman Santosky requested a pay increase for the Transfer Station Attendants.

Councilman Gray spoke about the Veterans Park and asked the Board's feeling on recognizing those who served in any war, as a lifetime resident as well as a resident who served who was not born here. Two sets of records will be kept for this purpose. The Board generally agreed it was appropriate.

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NEW BUSINESS:

Monhonk Preserve - one month free membership sign up for residents is 4/21/07 and 4/22/07 9 50 5 at trail head or Monhonk Preserve Visitor Center. Proof of residency is required and valid for one month from date of issue.

State of the Town Letter is available on the web site and the Town Clerk's Office.

The DEC public informational meeting and public hearing re: the Wetlands Act will be held on 4/11/07 at 6:00pm. The public hearing at 7:00pm at Town Hall.

OPEN TO THE PUBLIC:

The Power Point presentation regarding the Condominium Assessments will be available on the web.

It was suggested that the entire town work together on the Veterans Park project.

Other topics mentioned were, the interviewing process, budget questions, playground equipment, better communication, cell towers, names of Veteran's on the web and those already collected, old cars taken from the Town Gravel mine and why the Board was advertising for the Assessor position.

EXECUTIVE SESSION:

A Motion was made by Councilman Gray to enter into executive session at 10:00pm to discuss the Homeland Tower lease.

Seconded by: Councilman Miller

Motion carried 3-0
Spano - absent
Santosky - did not attend
the Executive Session &
left the meeting

A Motion was made by Councilman Gray to reconvene the meeting at 10:15pm, with the Supervisor reporting no action was taken, nor monies expended.

Seconded by: Councilman Miller

Motion carried 3-0
Santosky - absent
Spano - absent

ADJOURNMENT:

A Motion was made by Councilman Gray to adjourn the meeting at 10:15pm.

Seconded by: Councilman Miller

Motion carried 3-0
Santosky - absent
Spano - absent

Respectfully submitted,

Veronica I. Sommer
Town Clerk/RMC