

A Public Hearing was held on February 2, 2006 at 7:00pm at the Accord Fire Hall.

PRESENT:

Supervisor Duke	Councilman Gray	Councilman Miller
Councilman Santosky	Councilman Spano	Attorney Futerfas
Town Clerk Sommer		

Supervisor Duke led the Pledge of Allegiance to the Flag and opened the public hearing, after reading the rules of procedure.

Supervisor Duke said in conjuncton with the Town Board's plan to revise the 1969 comprehensive plan, they feel it is necessary to adopt a temporary moratorium on certain types of development. She explained the two parts the moratorium would create, and explained the Boards reasons for supporting this proposed local law.

Sixteen of the twenty one comments made were against the moratorium.

PUBLIC HEARING CLOSED:

A Motion was made by Counciman Miller to close the public hearing at 8:00pm.

Seconded by: Councilman Gray Unanimously approved

Respectfully submitted,

Veronica I. Sommer  
Town Clerk/RMC

The Town Board Meeting was held on February 2, 2006 at 8:00pm at the Accord Fire Hall, immediately following a public hearing.

PRESENT:

Supervisor Duke	Councilman Gray	Councilman Miller
Councilman Santosky	Councilman Spano	Attorney Futerfas
Town Clerk Sommer		

Public Comment Period:

A resident spoke to a procedural concern regarding a recent case where the Planning Board returned an application to the CEO. It is the understanding that the Planning Board should have sent it to the ZBA. There is a concern that this could open up a dangerous precedent.

APPROVAL OF MINUTES:

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

January	5, 2006	Organizational Meeting
January	5, 2006	Town Board Meeting
January	11, 2006	Special Town Board/Planning/Zoning Comm./Update Comprehensive Plan
January	23, 2006	Special Board Meeting, Cost of Community Services Study
January	25, 2006	Audit/Workshop Meeting

Seconded by: Councilman Miller Unanimously approved

Supervisor's Report: Filed with the Town Clerk.

Correspondence Received:

1/7/06 letter from Gene Moncrief re: Fire Commissioners actions at 1/4/06 meeting.

1/9/06 letter from High Meadow Drive Road Association re: correct address for emergency and delivery purposes.

Letter from the Denise M. Sheehan, DEC congratulating us on being selected to receive a Hudson River Estuary Grant.

Supervisor's Update: Read by Supervisor and filed with the Town Clerk.

**LEGAL MATTERS:**

Attorney Futerfas spoke to the Sauer and Streamside Estates claims.

**LIAISON**

**REPORTS:**

Supervisor Duke and the Councilman shared the highlights of the meetings they attended as liaisons.

**Committee Reports/Board Member Reports:**

The P/Z Committee and the Town Board will work on the comprehensive plan update. Each meeting will be designated as a Special Board Meeting so that all Board members may attend.

The Committee met with consultant Peter Fairweather. He shared what a Comprehensive Plan is, the process, issues and opportunities related to it. Discussion was held and questions and comments were answered.

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Meetings dates were scheduled for the remainder of the year.  
(see January 11th minutes)

**RESOLUTIONS:**

**Resolution #39-2006**

Councilman Miller commented on the proposed local law. Two well attended public hearings were conducted, advisories received from the Town Planning Board and the Ulster County Planning Board.

Local Law #1-2006 (see page 3234)

**A Resolution** was made by Councilman Miller, Seconded by Councilman Gray that the Town Board enact Local Law #1-2006 to establish a Temporary Moratorium on Development for a period of one (1) year.

Roll call vote:

Councilman Gray	aye
Councilman Miller	aye
Councilman Santosky	nay
Councilman Spano	aye
Supervisor Duke	aye

Motion carried 4-1

**HISTORIC PRESERVATION COMMISSION APPOINTMENT:**

Resolution #40-2006

**A Motion** was made by Councilman Gray that the Town Board appoint Alice Cross to the Historic Preservation Commission, her term to expire 12/31/08.

Seconded by: Councilman Miller Unanimously approved

**ZONING BOARD OF APPEALS APPOINTMENT:**

Resolution #41-2006

**A Motion** was made by Councilman Gray that the Town Board appoint Marijane Knudsen to the ZBA, her term to expire 12/31/2010.

Seconded by: Councilman Spano Unanimously approved

**PLANNING BOARD APPOINTMENT:**

Resolution #42-2006

**A Motion** was made by Councilman Miller that the Town Board appoint Steven Fornal to the Planning Board, his term to expire 12/31/2012.

Seconded by: Councilman Gray Unanimously approved

Resolution #43-2006

**A Motion** was made by Councilman Gray that Alice Cross be appointed as Chair of the Historic Preservation Commission.

Seconded by: Councilman Miller Unanimously approved

Resolution #44-2006

**A Motion** was made by Councilman Gray that Marijane Knudsen be appointed Chair and Beatrice Haugen DePuy, Vice Chair of the ZBA.

Seconded by: Councilman Miller Unanimously approved

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Resolution #45-2006

**A Motion** was made by Councilman Spano that Steven Fornal be appointed Chair and Melvin Tapper, Vice Chair of the Planning Board.

Seconded by: Councilman Gray  
Discussion: Councilman Santosky feels the Chair should be established as a member before being appointed Chair.

Motion carried 4-1  
Santosky - nay

**Resolution #46-2006**

**A Motion** was made by Councilman Santosky that the Town Board appoint Frank Dunn and Paul Reisch to the Historic Preservation Commission, their terms to expire 12/31/2008; and the Town Board appoint Sheila Finan to the Environmental Conservation Commission, her term to expire 12/31/2008, and that the Town Board appoint Chris Kelder, Len Bernardo, John Dawson, Kristen Marcell and Gordon Bell to the Planning/Zoning Committee, All new members must take the Oath of Office within 30 days at the Town Clerk's Office.

Seconded by: Councilman Gray

Unanimously approved

**FEMA MONIES RECEIVED:**

**Resolution #47-2006**

**A Motion** was made by Councilman Gray that \$243,371.34 received from FEMA for work on Schwabie Turnpike, Trails End, Upper Cherrytown Road, Schroon Hill Road, Ridgeview Road, Lang Road, Mr. Laurel Road. Baker Road, Stonykill Road, Boodle Hole Road, Waterfalls Road, Lawrence Road, Towpath Road, Dug Road, Mill Road, Holly Road Creek Road and Berme Road in (Alligerville), and that such funds be transferred to account DA3501, State Aid line.

Seconded by: Councilman Miller

Unanimously approved

**Resolution #48-2006**

**A Motion** was made by Councilman Gray that \$24,846.53 received from FEMA for work on Whitfield Road, Sundown Road, DeWitt Road, Lower Whitfield Road, Store Road and Mettakahonts Road, be submitted into DA-3501, State Aid line.

Seconded by: Councilman Santosky

Unanimously approved

**Sanding & Plowing:**

Resolution # - permitting the Highway Department to make sand available to the Rondout Valley School District for ice control in an emergency situation - no action taken/tabled.

Resolution # - permitting the Highway Department to plow and sand the Kerhonkson/Accord First Aid Squad Building on an as needed basis - no action taken/tabled.

Resolution # - permitting the Highway Department to plow and sand the Fire House - no action taken/tabled.

Resolution # - permitting the Highway Department to have sand available in limited amounts for residents- no action taken/tabled.

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**Resolution #49-2006**

**2006 Planning Proposal with Chazen:**

**A Motion** was made by Councilman Miller that the Town Board accept the 2006 Planning Proposal with Chazen for \$14,000 for the year for planning support and coordination and \$8000 for the comprehensive plan update assistance and authorize and direct the Supervisor to sign said document.

Seconded by: Councilman Gray

Unanimously approved

**ROAD MAINTENANCE AGREEMENTS:**

**Resolution #50-2006**

**A Motion** was made by Councilman Miller that the Town Board accept a Road Maintenance Agreement for Leon and Beth Smith for private Road, Trotter Lane, off Route 209 and further authorize and direct the Supervisor to sign said document.

Seconded by: Councilman Santosky Unanimously approved

**Resolution #51-2006**

**A Motion** was made by Councilman Miller that the Town Board accept a Road Maintenance Agreement for Nelson DeGondea for private road, Pond Road off Rocky Mountain Road and further authorize and direct the Supervisor to sign said document.

Seconded by: Councilman Santosky Unanimously approved

**SPECIAL BOARD MEETINGS SCHEDULED:**

**Resolution #52-2006**

**A Motion** was made by Councilman Miller that the Town Board hold special meetings for on-going work with the Planning and Zoning Committee on the Update of the Comprehensive Plan on 2/8 & 2/22/2006 at 7:00pm at the Town Hall, and further authorizing the Town Clerk to advertise same.

Seconded by: Councilman Gray Unanimously approved

**TEMPORARY DEPUTY SUPERVISOR APPOINTMENT:**

**Resolution #53-2006**

**A Motion** was made by Councilman Gray that the Town Board approve and appoint Councilman Santosky to be Temporary Deputy Supervisor in the absence of the Supervisor from 2/4 to 2/14, 2006.

Seconded by: Councilman Miller Unanimously approved

**New Business:**

Walter Levy announced that the Town received a Hudson River Estuary Grant for \$18,500 for development of a Natural Resource Inventory and Open Space Index to protect natural resources in the Rondout Creek, its tributary system and the watershed aquifer system.

**Highway Truck Recommendation**

**Resolution #54-2006**

**A Motion** was made by Councilman Santosky that the Town Board approve that Eric Eck, Deputy Highway Superintendent be allowed to have full use of a highway truck for business purposes only.

Seconded by: Councilman Gray Unanimously approved

**Tax Collector's Report:**

Town Clerk/Tax Collector Sommer reported on taxes collected to date:

Total Taxes to be collected	\$6,815,215.69
Taxes collected to date	- <u>3,995,993.73</u>
Outstanding balance	\$2,819,221.96

The Town's warrant was collected and paid in full to the Supervisor in the amount of \$2,750,964.23.

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**Public Comment Period:**

Several residents spoke to the sand issue and voiced their concerns.

It was suggested that RVCSD be notified re: the sand issue.

It was asked if the speed limit on Lucas Turnpike had been reduced yet.

It was asked if it was illegal for the Town Board to give to such programs as Little League, etc. The answer is yes.

The Attorney for the Town stated that it is illegal for the Town to give sand to residents.

It was requested that the Town Board make a resolution on stone crushing.

**EXECUTIVE SESSION:**

**A Motion** was made by Councilman Miller that the Town Board enter into executive session at 9:45pm regarding pending litigation with Giles Edwards, a Worker's Compensation Case, Patty Abezis, Annette & Charles Rose, the Sauer claim and Streamside Estates claim.

Seconded by: Councilman Gray Unanimously approved

**A Motion** was made by Councilman Santosky to reconvene the meeting at 10:40pm, with the Supervisor reporting no action taken nor monies expended.

Seconded by: Councilman Spano Unanimously approved

**ADJOURNMENT:**

**A Motion** was made by Councilman Santosky to adjourn the meeting at 10:41pm.

Seconded by: Councilman Miller Unanimously approved

Respectfully submitted,

Veronica I. Sommer