

The Town Board Meeting was held on July 5, 2007 at 7:00pm at the Town Hall.

PRESENT:

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

Supervisor Duke opened the meeting with the Pledge of Allegiance to the Flag.

SCENIC BYWAY PRESENTATION:

Al Wegener, Executive Director of the Shawangunk Mountain Regional Partnership, presented an informational update on the status of the Scenic Byway. He answered questions asked by the Town Board and those in attendance.

Rebecca Coup Franks, producer of the Twilight Concerts spoke about this Saturday evenings concert in the Town Park and the subsequent ones that will follow.

Lorilee Chase, Youth Commission member spoke about the possibilities of the Town purchasing a used school bus. She specifically asked what the procedure would be to accomplish this. The Board will look into this.

OPEN TO THE PUBLIC:

A resident asked if the Board had ever considered changing the Audit meetings to Workshop meetings only, and if a time change from 4:30pm to 7:00pm would be considered so that working residents could attend.

Homeland Tower questions were asked - and answered.

The Board gave permission to put an announcement on the website regarding a scholarship for a graduating senior from Rondout Valley Central School being offered by the Rochester Residents Association.

It was suggested that the Town Supervisor contact the owner of the Quarry near the Town Hall since it would be a water source that could possibly be used for the Hamlet of Accord.

A resident suggested that educational events be scheduled regarding the increase of lyme disease.

APPROVAL OF MINUTES:

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

June 7, 2007	Cell Tower Public Hearing
June 7, 2007	Town Board Meeting
June 27, 2007	Audit/Workshop Meeting

Seconded by: Councilman Gray

Unanimously approved

SUPERVISOR'S REPORT: Filed with the Town Clerk.

CORRESPONDENCE: Filed with the Supervisor.

SUPERVISOR'S UPDATE: See Audit/Workshop minutes of 6/27/07.

LEGAL MATTERS: No report.

LIAISON & COMMITTEE REPORTS:

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

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COMMITTEE REPORTS/BOARD MEMBER REPORTS: Highlights were shared. The Code Task Force will hold informational meetings on the draft zoning code and zoning map on 7/14/07 @ 9:00am at the Accord Fire Hall and 7/16/07 at 7:00pm at Rochester #2 Fire Hall.

RESOLUTIONS:

PUBLIC HEARING RE: SUBDIVISION MAP/SUBDIVISION LAW & ZONING LAW:

Resolution #92-2007

A Motion was made by Councilman Miller that the Town Board schedule a Public Hearing on 8/13/07 at 7:00pm at the Accord Fire Hall, re: proposed Local Law #3-07 for the proposed Zoning Map, Subdivision Law and Zoning Law, and further authorizing the Town Clerk to advertise same.

Seconded by: Councilman Gray Unanimously approved

REMOVAL & REPLACEMENT OF PETROLEUM BULK STORAGE TANKS:

Resolution #93-2007

A Motion was made by Councilman Gray, seconded by Councilman Spano that,

WHEREAS, the Town of Rochester (the Town) stores petroleum in an underground storage tank (UST) for heating purposes at Town Hall with an estimated capacity of 500 gallons; and

WHEREAS, the Town stores or has stored petroleum in aboveground and underground storage tanks for heating purposes at the Transfer Station with an estimated capacity of 1000 gallons and 500 gallons respectively; and

WHEREAS, the Town collects used oil from its residents in two aboveground storage tanks (AST) at the Transfer Station with an estimated capacity of 275 gallons each; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC), through their regulations at 6 NYCRR Parts 612-614 and 6 NYCRR Part 360-14, require that petroleum storage and used oil tanks be registered with the Department and meet certain minimum design and operational requirements, including but not limited to secondary containment and leak monitoring; and

WHEREAS, the bulk storage tanks at Town Hall and the Transfer Station do not likely meet all regulatory requirements; and

WHEREAS, the Town prefers to not accept used oil further which will require that the two ASTs be closed in accordance with applicable regulations; and

WHEREAS, to comply with applicable regulations, one UST at the Town Hall will need to be closed and replaced with an equivalent AST, and one AST and one UST at the Transfer Station will need to be closed and replaced with an equivalent AST; and

WHEREAS, to comply with applicable regulations, petroleum bulk storage registrations will need to be completed and submitted to the NYSDEC for both the Town Hall and Transfer Station prior to the commencement of tank removal and replacement.

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Board has determined that the closure and replacement of the subject tanks is required to minimize future liabilities or to comply with applicable regulations.

Roll call vote:

Councilman Gray	aye	
Councilman Miller	aye	
Councilman Santosky	aye	
Councilman Spano	aye	
Supervisor Duke	aye	Unanimously approved

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ADVERTISE FOR REMOVAL & INSTALLATION OF PETROLEUM BULK STORAGE TANKS:

Resolution #94-2007

A Motion was made by Councilman Gray that the Town of Rochester advertise for bids for the removal and installation of Petroleum Bulk Storage Tanks. Bids to be received on or before 8/22/07 at 10:00am at the Town Clerk's Office at which time they will be opened and read aloud. Bid forms and specifications will be available at the Town Clerk's Office, and further authorizing the Town Clerk to advertise same.

Seconded by: Councilman Spano Unanimously approved

ASSESSOR POSITION:

A Motion was made by Councilman Santosky that Sharon Hornbeck be appointed for a six year term as Assessor for the Town.
No second.....

Resolution #95-2007

A Motion was made by Councilman Gray that Daniel Baker be appointed to the six year position as Assessor for the Town - the term to expire 9/30/13.

Seconded by: Councilman Miller
Discussion: Councilman Santosky felt Ms. Hornbeck should be appointed because of her 20 years of service to the Town and her experience with the Town.

Motion carried 4-1
Santosky - nay

CODE OF CONDUCT:

Resolution #96-2007

A Motion was made by Councilman Gray that the Town Board accept the Code of Conduct developed by the staff. This Code to be integrated into the Employee Handbook. It was stated that the Staff developed this code of conduct themselves.

Seconded by: Councilman Spano
Discussion: Councilman Santosky felt this was more rules and not necessary.

Motion carried 4-1
Santosky - nay

FEMA MONEY TRANSFERS:

Resolution #97-2007

A Motion was made by Councilman Miller that the Town Board accept \$215695.63 from FEMA, from the severe storms and flooding of April, 2005 for work to be completed on Trails End and Ridgeview Road to be transferred into DA-4960, Federal Emergency Work line (FEMA).

Seconded by: Councilman Gray Unanimously approved

Resolution #98-2007

A Motion was made by Councilman Miller that the Town Board approve, at the request of Highway Superintendent Kelder, the transfer of \$78010.74 from line DA 4960 (Federal Emergency Work line (FEMA) to DA 5110.4 General Repairs (Roads) for work on Upper Cherrytown Road \$13071.55; Mountain Laurel Road \$12180.59 and Schroon Hill Road \$52758.74.

Seconded by: Councilman Santosky Unanimously approved

OLD BUSINESS:

Palentown Schoolhouse update letter from Gary Miller read.

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OPEN TO THE PUBLIC:

One of the Accord Fire Commissioners requested that the Town Board request that the Highway Department install a storm drain catch basin adjacent to School Road in Accord.

Resolution #99-2007

A Motion was made by Councilman Gray authorizing the Highway Superintendent to install a storm drain catch basin adjacent to School Road in Accord as per the Fire Commissioners request.

Seconded by: Councilman Spano Unanimously approved

A resident said according to the Code of Conduct - it was disregarded regarding the Assessor's appointment.

Sharon Hornbeck, Assessor spoke to her comments made during her interview.

A resident questioned the Board's appointment of a different Assessor and their abilities.

It was empathized that the proposed Zoning Law is a DRAFT, a working document.

A resident offered her personal information regarding fighting and controlling lyme disease.

One resident said that the Town Board does not go by the Code of Conduct they just adopted.

A resident said past Town Boards chastised those who attended and that this Board more than extends themselves and applauded their efforts.

EXECUTIVE SESSION:

A Motion was made by Councilman Gray that the Town Board enter into executive session at 9:00pm re: a pending Workers Compensation Case.

Seconded by: Councilman Spano Unanimously approved

RECONVENED:

A Motion was made by Councilman Gray to reconvene the meeting at 9:05pm with the Supervisor reporting no action was taken, nor monies expended.

Seconded by: Councilman Spano Unanimously approved

ADJOURNMENT:

A Motion was made by Councilman Santosky to adjourn the meeting at 9:06pm.

Seconded by: Councilman Gray Unanimously approved

Respectfully submitted,

Veronica I. Sommer
Town Clerk/RMC