

A Public Hearing re: Local Law #4 - Zoning Map and Zoning Laws and #5-Subdivision Regulations was held on 11/1/07 at 7:00pm at the Accord Fire Hall.

PRESENT:

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

OTHERS PRESENT:

Tom Shepstone, Shepstone Management Co.

Supervisor Duke opened the meeting with the Pledge of Allegiance to the Flag, explained the procedures and opened the hearing to the Public.

A total of 34 residents expressed their views regarding the proposed laws.

ADJOURNMENT:

A Motion was made by Councilman Spano to adjourn the meeting at 9:50pm.

Seconded by: Councilman Gray Unanimously approved

Respectfully submitted,

Veronica I. Sommer  
Town Clerk/RMC

The Town Board Meeting was held on November 1, 2007 immediately following the preceding Public Hearing.

PRESENT:

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

OPEN TO THE PUBLIC:

One resident spoke re: the Assessor Aide.

APPROVAL OF MINUTES:

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

- October 4, 2007 Town Board Meeting
- October 9, 2007 Continued Public Hearing LL#4
- October 10, 2007 Town Board Meeting/Budget Hearings
- October 24, 2007 Audit/Workshop Meeting
- October 29, 2007 Town Board Meeting re: LL#4

Seconded by: Councilman Miller Unanimously approved

SUPERVISOR'S REPORT: Filed with the Town Clerk.

CORRESPONDENCE RECEIVED:

Letter from Thomas J. Herling, PH.D. regarding the conditions of County Route 27, Granite Road.

A discussion was held as to the extent of concern - Supervisor Duke will follow up with a call.

SUPERVISOR'S UPDATE:

See Audit/Workshop minutes of 10/24/07.

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.

COMMITTEE REPORTS/BOARD MEMBER REPORTS: Highlights were shared.

RESOLUTIONS:

DESIGNATION OF FEMA MONEY:

A Motion was made by Councilman Miller that the Town Board accept \$25,817.31 on 10/5/07 from FEMA, for the continuation of work on Ridge-view Road and Trails End Road from the severe storms and flooding of April 2-4, 2005 to be submitted into line DA-4960, Federal Emergency Work.

Seconded by: Councilman Gray Unanimously approved

**REQUEST FOR FEMA MONIES:****Resolution #132-2007**

**A Motion** was made by Councilman Spano that at the request of the Superintendent of Highways, be it resolved that the Town Board increase the budget by \$174,432.05 on line DA4960 (Federal aid emergency work FEMA) and DA5110.4 General Repairs (Roads) for work on Project 1564, from the severe storms and flooding April 2-4, 2005, to include: Bridge Road, \$15,165.20, Old Kings Highway, \$13,615.72; Clove Valley Road, \$3,310.29; Mt. Laurel Road \$11,828.74; DeWitt Road, \$11,698.34 and Project 1589, storms of 2006, to include: Town Path Road, \$76,276.85; Mill Road, \$66,323.10.

Seconded by: Councilman Gray Unanimously approved

**DECEMBER TOWN BOARD MEETING DATE CHANGE:****Resolution #133-2007**

**A Motion** was made by Councilman Gray that the Town Board Meeting will be held on December 10, 2007 instead of 12/6/07. The meeting will immediately follow the Public Hearings LL#4 & LL#5 at 7:00pm at the Accord Fire Hall, and further authorizing the Town Clerk to advertise same.

Seconded by: Councilman Spano Unanimously approved

**DECEMBER AUDIT/WORKSHOP MEETING DATE CHANGE:****Resolution #134-2007**

**A Motion** was made by Councilman Gray that due to a scheduling conflict the December Audit/Workshop Meeting be held on 12/19/2007 at 4:30pm at the Town Hall.

Seconded by: Councilman Miller Unanimously approved

**PLANNING BOARD, ZBA & COMMISSION VACANCIES:****Resolution #135-2007**

**A Motion** was made by Councilman Gray that the Town Board will accept letters of intent by 12/14/07 for upcoming vacancies on the following Boards and Commissions: Youth Commission - 2 vacancies, three year term; Zoning Board of Appeals - 1 vacancy, 5 year term; Planning Board - 1 vacancy - 7 year term; Ethics Board - 1 vacancy, 3 year term; Historic Preservation Commission - 2 vacancies - 3 year term; and that interviews for these positions will be held on 12/19/07 beginning at 5:30pm and authorizing the Town Clerk to advertise same.

Seconded by: Councilman Spano Unanimously approved

**SNOW REMOVAL CONTRACT:**

Resolution #136-2007

**A Motion** was made by Councilman Gray that the Town Board accept the current contract for Snow Removal Agreement at the rate of \$70.00 per hour for sanding and plowing and authorizes the Supervisor to sign said contract.

Seconded by: Councilman Santosky Unanimously approved

November 1, 2007

3407

**HISTORIC PRESERVATION COMMISSION GRANT MONIES RECEIVED:**

Resolution #137-2007

**A Motion** was made by Councilman Gray that the Town Board accept \$5000 from the Preserve New York Grant Program for the Historic Preservation Commission in supporting our efforts to complete a cultural resources survey of historic and architecturally significant properties throughout the Town of Rochester to be submitted into 3889, Other Cultural & Recreation Line.

Seconded by: Councilman Miller Unanimously approved

**MEETING WITH TOM SHEPSTONE SCHEDULED:**

Resolution #138-2007

**A Motion** was made by Councilman Miller that the Town Board meet on 11/12/07 at 6:00pm at the Town Hall with Tom Shepstone to further discuss and review comments from the 11/1/07 Public Hearing (continuation) and any correspondence received, and further authorizing the Town Clerk to advertise same.

Seconded by: Councilman Spano Unanimously approved

**FULL EAF'S AND SCHEDULING A CONTINUATION OF PUBLIC HEARING (#5-2007)**

Resolution #139-2007

**A Resolution** was made by Councilman Gray, seconded by Councilman Miller that a

RESOLUTION CLASSIFYING PROPOSED ZONING LAW AND MAP AMENDMENTS AND PROPOSED SUBDIVISION REGULATIONS AS TYPE 1 ACTIONS UNDER SEQR, DIRECTING THAT FULL EAFS BE PREPARED FOR BOTH ACTIONS AND DIRECTING THAT THE TOWN CLERK CIRCULATE FOR LEAD AGENCY;

WHEREAS, proposed Local Laws #4 & #5 of 2007 were presented to the Town Board of the Town of Rochester in their revised forms at a regular meeting held on 11/1/07, and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Rochester on 11/1/07, continuing the public hearings on Local Laws #4 and #5 to 12/10/07 at 7:00pm at the Accord Fire Hall, Main Street, Accord, NY to hear all interested parties on said amended Local Laws: and

WHEREAS, the proposed local laws are actions subject to the State Environmental Quality Review Act ("SEQR") review and subject to the referral requirements of Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Rochester, New York (the "Town") as follows:

1. The actions proposed are subject to SEQR and constitute Type I actions.
2. The Town Board wishes to be lead agency for the proposed actions and pursuant to Sections 617.6(b)(2) and (3) of 6 N.Y.C.R.R. directs that the Town Clerk relay the Board's wish to other involved agencies pursuant to lead agency circulation and refer the amended local laws to Ulster County Planning with the environmental assessment forms specified herein.
3. The Town Boar also directs Planner Tom Shepstone to prepare Full Environmental Assessment Forms ("EAF") for the proposed actions, as set forth in 6 NYCRR Part 617.6(a)(2), to determine the impact of the proposed action on the environment.
4. The Town Board further directs the Town Clerk to publish notice of said December 10, 2007 public hearing in accordance with local and state laws.

November 1, 2007

3408

The question of the adoption of the forgoing Resolution was duly put to a roll call vote which resulted as follows:

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

**BUDGET WORKSHOP SCHEDULED:**

Resolution #140-2007

**A Motion** was made by Councilman Gray that the Town Board schedule a Budget Workshop meeting on 11/7/07 at 6:00pm at the Town Hall.

Seconded by: Councilman Spano Unanimously approved

**OLD BUSINESS:** none

**NEW BUSINESS:**

The Board agreed that the Supervisor submit a letter of support for the Ulster County land trusts grant request to the Land Trust Alliance for funds to conduct a study of this county's land preservation needs. There is no money involved with this request.

Supervisor Duke gave highlights of the Rondout and Esopus Creek flood study through the Army Corps of Engineers.

Councilman Spano requested that Superintendent of Highways Kelder look at Granite Road and report back to the Board with his opinion re: letter received by Supervisor.

**OPEN TO THE PUBLIC:**

A resident asked what the criteria is for bids specifically with the Snowplow contract. Superintendent Kelder explained that as long as it is not over \$10,000 he continues this bid from year to year.

A resident wanted the vacancies for the Boards and Commissions to be repeated.

**ADJOURNMENT:**

**A Motion** was made by Councilman Santosky to adjourn the meeting at 10:37pm.

Seconded by: Councilman Spano

Unanimously approved

Respectfully submitted,

Veronica I. Sommer  
Town Clerk/RMC