

The Regular Town Board Meeting of the Milan Town Board was held on 11/08/10 at 7:30 PM at the Milan Town Hall.

Present: Supervisor Gallagher

Councilpersons David Byrne, Jack Campisi, Roberta Egan & Marion Mathison

The Supervisor opened the meeting with the Pledge of Allegiance.

Transfer Station Bid

The Clerk opened the Bid from Welsh Sanitation.

MOTION by Supervisor Gallagher seconded by Council. Byrne to authorize the Town Clerk to make copies of the bid and distribute them to the board members and then the board will make a decision at the December board meeting. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO - 0

PUBLIC COMMENT

Rocky Mancini commented on the new voting system that is in place now. He said that it is very difficult for the seniors. He thought that maybe the town could do something about it.

Ross Williams agreed with Mr. Mancini. He said that it did not make any sense at all. Mr. Williams brought up an announcement that a board member was going to make at the meeting tonight. He said that they should think very carefully about it because the announcement refers to about public assembly in a building that has no CO.

George Carrothers said to save the board member from Mr. Williams concern he made an announcement that there will be a Thanksgiving dinner held at Enigma on Wednesday, the day before Thanksgiving at 1PM to serve the Red Hook, Pine Plains and Milan area for those people who live alone and/ or who are elderly.

MINUTES – Regular Town Board Meeting – 10/12/10 – **MOTION** by Council. Byrne seconded by Council. Campisi to accept the minutes as written. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

MINUTES - Special Meeting – interim Bookkeeper – 10/07/10 – **MOTION** by Council. Campisi seconded by Council. Mathison to accept the minutes as written. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

MINUTES – Special Meeting – Adopt Tentative Budget as Preliminary Budget – 10/25/10 – **MOTION** by Council. Byrne seconded by Council. Egan. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

CORRESPONDENCE

Notice from the Town of Stanford of a Public Hearing set for 11/10/10 at 7:30PM on proposed Local Law #5 of 2010 – enacting a nine month extension of the moratorium on the subdivision and development of land.

BUSINESS:

MOTION by Supervisor Gallagher seconded by Council. Mathison to set a date for a Budget Workshop for Monday 11/15/2010 at 7:30PM. Discussion. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

MOTION by Supervisor Gallagher seconded by Council. Egan to set a Special Meeting for 11/16/2010 at 7:30 PM to adopt the Final Budget for FY'2011. Discussion. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

MOTION by Council. Byrne seconded by Council. Egan to authorize the purchase and display of a MIA/POW flag in size, for no more than \$100. Discussion followed. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO -0

FIRE CONTRACT

MOTION by Council. Byrne seconded by Council. Mathison to set a Public Hearing on the Fire Contract for 12/13/10 at 7:00 PM. Discussion followed. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

SOLAR PANEL CONTRACT

At this time Council. Byrne left the meeting.

The Supervisor stated that the engineer is still reviewing the bids. **MOTION** by Supervisor Gallagher seconded by Council. Egan to consider the award on the Solar Panel commencing immediately following the adjournment of the Final Budget meeting on 11/16/2010. Roll was taken and carried

YES - 4 Campisi, Egan, Mathison, Gallagher

NO – 0

Absent – 1 Byrne

Council. Byrne returned to the meeting.

TOWN HALL AIR-CONDITIONING MAINTENANCE CONTRACT

MOTION by Council. Egan seconded by Council. Byrne to authorize the Supervisor to make a payment of \$657.00 to Jeff Lowe, Plumbing, Heating and Air Conditioning for the annual maintenance agreement plus one filter change for the Milan Town Hall air-

conditioning systems with the coverage period beginning on date of signed acceptance for period of one year. Discussion. Roll was taken and carried
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher
NO – 0

SNOW & ICE POLICY

The Supervisor read the changes to the Snow & Ice Policy for the Highway Department. **MOTION** by Supervisor Gallagher seconded by Council. Byrne to accept the changes as presented by the Highway Superintendent. Discussion. G. Butler stated that the County has changed its procedures for snow removal so the town changed its so there would not be any liability to the town. Discussion continued and various comments were made on this issue. Roll was taken and carried
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher
NO – 0

EMPLOYEE HANDBOOK

MOTION by Council. Byrne seconded by Council. Campisi to strike the first “Whereas” in the Resolution #21-2010 . The purpose of this is to clarify that the ladies in town hall were not identified as having created a hostile work environment. Discussion. Roll was taken and carried
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher
NO – 0

ALL HAZARD MITIGATION PLAN

MOTION by Council. Byrne seconded by Council. Mathison to schedule a Public Hearing on the proposed Town of Milan All Hazard Mitigation Plan for 12/13/10 at 7:15. Discussion. Roll was taken and carried
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher
NO – 0

Council. Mathison announced that there will be a Thanksgiving Dinner at Enigma on Wednesday the day before Thanksgiving at 1PM. She also stated that this event does not have any connections with the town.

FUEL CONTRACT/ STATE

MOTION by Supervisor Gallagher seconded by Council. Egan to authorize the Supervisor and/or the Town Highway Superintendent to take all actions necessary, including signing of contract to procure state bids for 2011 through the New York State Office of General Services. Discussion. Roll was taken and carried
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher
NO -0

RESOLUTION # 22-2010 Local Law #2 Of 2010 Dog Licensing

Resolution offered by Council. Egan seconded by Council. Byrne to adopt Local Law #2 of 2010, Amendment to the Dog Control Law of the Town of Milan. This local law is made to address amendments to article 7 of the NYS Agriculture and Markets Law, to provide among other things: (1) that dog licensing is now a local government

function; (2) dog licensing and fees; (3) a procedure for seizure of dogs and redemption; (4) procedures for dangerous dogs; and (5) administration of the NYS Animal protection {Program by not-for –profit entity selected by the NYS Department of Agriculture and Markets. Discussion. Roll was taken and adopted
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher
NO -0

RESOLUTION # 23-2010 Dog License Fees

Resolution offered by Council. Egan seconded by Mathison

Whereas, dog licensing is now a local government function, and services formerly processed by NYS will now be performed by the Office of the Milan Town Clerk,

The following annual fees for dog licensing to begin January 1,2011:

Neutered and Spayed Dogs -

Local fee - \$6.00 NYS fee - \$1.00

Non-Neutered and Unspayed Dogs –

Local fee - \$ 14.00 NYS fee - \$3.00

Discussion followed.

Roll was taken and adopted.

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO -0

Recognition of Judge Kremenick

Council. Campisi announced that Justice Kremenick received an accommodation from the New York State Magistrates Association for 25 years of dedicated service to the NYS Town and Village Justice Courts.

Council. Campisi also wanted to commend the court for expanding their court days to twice a week in the expectation of increase court activity. The Justices are not getting any additional consideration for this.

TOWN & COUNTRY BRIDGE & RAIL RETAINAGE

MOTION by Council. Egan seconded by Council. Campisi to authorize the return of \$2,686.71 bridge retainage to Town and Country Bridge and Rail Company, per the October 15, 2010 letter from Joseph E. Paggi, Jr., Town Engineer, to the Town of Milan. Discussion. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO -0

DURST LETTER

MOTION by Council. Campisi seconded by Council. Egan to sign and send the following letter to Mr. Alexander Durst:

November 10, 2010

Mr. Alexander Durst, Co-Vice President
The Durst Organization, Inc.
One Bryant Park
49th Floor
New York, NY 10036

Dear Mr. Durst,

I am writing you at the direction of the Milan Town Board in reference to your letter of July 28, 2010, which was in response to my letter of June 24.

Your letter asserts that with respect to the past escrow agreement, Milan failed to fulfill its responsibilities. You acknowledge that this Town Board responded satisfactorily to your request for documents. We are sure that you recognize that the present Town Board was not a party to the escrow agreement nor to its execution and that whatever occurred in the past has no bearing on your present proposals.

From what we understand, you have significantly changed your plans for the use of your properties in the Town of Milan. The Town requires additional funds to evaluate those changes. That, we believe, is a burden that should be borne by your firm, for there is nothing preventing you from making additional changes, particularly if the costs of these changes fell on the Milan taxpayers.

You state in your July 28 letter that you "look forward to continuing to work with the Town of Milan," and it is in this spirit that we again request escrow funds to evaluate your revised project

Sincerely yours,

William Gallagher, Supervisor
For the Milan Town Board

Discussion followed. Roll was taken and carried
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher
NO - 0

BNY Mellon Wilcox Trust

Council. Campisi announced that there was a letter sent to the Town Board Attorney, John Greco on 10/06/2010 from BNY Mellon stating that have hired McCabe & Mack and they are proceeding with the Bank's resignation as trustee for the Wilcox trust and that will be hearing from them shortly. Council. Campisi said that they might have to do an audit.

BOOKKEEPER APPOINTMENT

The Supervisor stated that he hired a bookkeeper and her name was Amy Ramsey and she will start tomorrow at 9AM.

MOTION by Supervisor Gallagher seconded by Council. Campisi to set the weekly salary for 2010 at \$481.33 per week to be paid bi-weekly. Roll was taken and carried
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher
NO - 0

APPRAISAL SERVICES – SALISBURY TURNPIKE BRIDGE

MOTION by Supervisor Gallagher seconded by Council. Campisi to appoint DeWan & Schott Appraisal Associates, LLC to appraise the property located at 924 Salisbury Turnpike in the amount of \$750. Discussion followed. They need to relocate the bridge on Salisbury Turnpike and the town needs to acquire some property and before the town can do that it needs to be appraised. Council. Campisi said that it is less than 200 sq. ft. and the bridge has been on that property for about 80+ years. He said the mortgage holder insisted that the town go through these steps to get ownership of the 200 sq. ft. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO -0

PUBLIC COMMENT

Jerry Gold wanted to know what was going to happen to the land where the bridge is located on Salisbury Turnpike.

The Supervisor responded saying that they will probably donate back to the town.

J. Gold also had a comment on the financial report and one of the categories.

Diane May asked again if the names and amounts of the solar bids could be put on the web site.

FUND TRANSFERS

MOTION by Supervisor Gallagher seconded by Council. Egan to make the following transfers:

\$3,000 from 1420.4 to 1130.4

1,496 from 9040.8 to 1110.11

7,000 from 9040.8 to 7020.4

133.75 from 9040.8 to 6772.4

3,000 from 1220.4 to 1220.12

Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

Unemployment/Health Insurance Transfer:

MOTION by Supervisor Gallagher seconded by Council. Campisi to make the following transfer: \$3,640 from 9040.8 to 9050.8 and \$5,000 from 9040.8 to 9060.8 Roll was taken and carried

YES -5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

BILLS – Bills were presented to the board for audit and review. **MOTION** by Council. Egan seconded by Council. Byrne to pay General Abstract # 11 Claims 356-408 totaling \$62,167.38, Highway Abstract # 11 Claims 135 – 145, totaling \$24,808.83, Capital Bridge Project #11 Claims 10,11,12, totaling \$3,121.74, Escrow # 11 Claim 25, totaling \$50.00. Discussion followed. There was a problem with the numbering with the General Abstract #11. **MOTION** by Council. Campisi seconded by Council. Egan to

amend the first motion to strike the claims numbers in General Abstract #11. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

Roll was taken and carried on the first MOTION

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

MOTION by Supervisor Gallagher seconded by Council. Egan to adjourn this meeting.
(8:30 PM)

Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

Respectfully submitted,

Catherine Gill, Town Clerk