

Regular Town Board meeting was held by the Milan Town Board on 06/18/2012 at 7:30 PM at the Milan Town Hall.

Present: Supervisor William Gallagher  
Councilpersons Roberta Egan, Jack Grumet, Marion Mathison  
Absent: Councilperson Jack Campisi

The Supervisor opened the meeting with the Pledge of Allegiance.

**PUBLIC COMMENT:**

George Carrothers, the owner of a dance hall named Enigma, which is located on Rt. 199 in the town, addressed the Town Board with his concerns regarding the sprinkler system and the curbing that is needed for his property. He named other establishments that did not have sprinkler systems and curbing. So he wondered why he had to have it. He said that he got a building permit to renovate the existing building in 2001, and then he got another building permit in 2003 to put an addition on that existing building. Mr. Carrothers said there was no mention of putting in sprinkler systems or anything else by the Building Inspector. At that time the town revoked his building permit. Mr. Carrothers continued to talk about the issues that he is having with DOT and other state agencies.

He stated that the town, back in 2001 gave him building permit and a partial C. O. and feels that he is entitled to it now.

**MINUTES:** Public Hearing 05/21/12 Personnel Policy. **MOTION** by Supervisor Gallagher seconded by Council. Egan to accept these minutes as written. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO - 0

Absent - 1 Campisi

**MINUTES:** Public Hearing 05/21/12 Accessory Apts. **MOTION** by Supervisor Gallagher seconded by Council. Grumet to accept these minutes as written. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO - 0

Absent - 1 Campisi

**MINUTES:** Public Hearing 05/21/12 Vending of Refreshments. **MOTION** by Supervisor Gallagher seconded by Council. Egan to accept these minutes as written. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO - 0

Absent - 1 Campisi

**MINUTES:** Regular Town Board Meeting 05/21/12. **MOTION** by Supervisor Gallagher seconded by Council. Egan to accept these minutes as written. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO - 0

Absent - 1 Campisi

## **HEALTH INSURANCE**

Joyce Polacco from Ulster Insurance Services addressed the Board concerning the health insurance for the town which expires in August. She provided a hand out for the board to compare different health plans (MVP vs. CDPHP) that would be suitable for the town. There was a brief question and answer period. The Supervisor made a **MOTION** seconded by Council. Egan to set a Special Meeting for Tuesday, July 3, 2012 at 7:00 PM to decide which plan the town will go with. The Supervisor suggested that the board get in touch with Ms. Polacco if they had any questions before the meeting. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO – 0

Absent – 1 Campisi

## **ONGOING PROJECTS**

The Supervisor informed the board that Central Hudson has put a temporary hold on pole installation until Cablevision can show Central Hudson that an environmental impact study has been completed. Cablevision is in the process of getting that information to them.

The Supervisor informed the board that the state will provide the 25% funding for expenses incurred by Hurricane Irene, as they have with other municipalities in NY State.

## **RESOLUTION # 60 – 2012 Fees for Generator, Permanent Installation/Solar Panel Installation**

Resolution offered by Supervisor Gallagher seconded by Council. Grumet hereby amends Article 208-4B (d) of Chapter 208 – Fees of The Code of the Town of Milan as follows:

Generator/ Permanent Installation

Solar Panel Installation

Building Permit and Certificate of Occupancy - \$50.00

Roll was taken and adopted.

YES - 3 Grumet, Mathison, Gallagher

NO – 1 Egan

Absent – 1 Campisi

## **CELL TOWER LEASE**

Supervisor mentioned the cell tower lease on Matecki Road. He said that they are still looking into the revised contract and talking to our agent and the attorney and may have a better answer by next month.

Dave Sherman, County Legislator gave a brief update of the last Dutchess County Legislative meeting. He said that they were going to reapportion the legislative districts, which would take effect in 2013. Mr. Sherman informed the board that Charlie Traver, County Public Works Commissioner, after serving the County for nearly 40 years retired. He also informed them about an online budget survey that the County's Legislature's Board started. He said that it is available on the county's website and it will be available online until July 31, 2012. Council. Egan ask Mr. Sherman if he would give the board an update concerning the Woody Rowe Road Cell Tower/Sheriff Department and the Board of Elections regarding the money issue. The conclusion regarding the Cell Tower and the Sheriff Department is that they do owe the town something. He said on the election side the final accounting for 2010 elections which

was recertified sometime in June. Mr. Sherman said that for 2011 he would advise that the law provides that they have until December 2012 to recertify their expenses. Council. Egan wanted to know if they would continue to take that money out of the town's sales tax? He said that the new County Executive would have to address that issue. He talked about cost sharing and charge for services, whether the towns pay a portion or part of it. Council. Egan said that the county did take money from the town's share of sales tax revenue which is a precedent which she thought they should not have done. Mr. Sherman said that he did have a conversation with the budget officer and she said that the county attorney said that this was the way to go as far as the charge backs. Council. Mathison said that this is a really serious precedent for the county or the state to reach into the town's pocketbook. She said that she is very concerned about this because the county can reach in and take this money and the town has nothing to say about it. Council. Mathison said that she would like some guidance from the county legislature on how the town would discuss this. She said that the town really needs to speak up about this. Council. Grumet wanted to know what would be the determining factor in regards to the redistricting. Mr. Sherman said that it would be by population.

**RESOLUTION # 61 – 2012 Intermunicipal Agreement w/  
Town of Red Hook and Town of Milan**

Resolution offered by Supervisor Gallagher seconded by Council. Egan to authorize the Supervisor to enter into an Intermunicipal Agreement with The Town of Red Hook and Town of Milan. Roll was taken and adopted.

YES - 4 Egan, Grumet, Mathison, Gallagher

NO – 0

Absent – 1 Campisi

**HIGHWAY EQUIPMENT FOR SALE**

**MOTION** by Supervisor Gallagher seconded by Council. Mathison to authorize the Highway Superintendent to sell the following equipment:

1. 1989 International, Model 2554, S/N 1HTZLDBR6KH666806, Truck with plow & wing, equipment number M-2
2. 1989 Ford, Model L8000, S/N 1 FDYK82A7KVA20927, Truck with plow & wing, equipment number M-4
3. 1992 Morbark, Model 290, S/N 486SE1514N WOO7902, Chipper, equipment number M-12

Monies from the sale of the above described equipment to be deposited in the Highway Equipment Reserve Fund. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO – 0

Absent – 1 Campisi

**SURPLUS EQUIPMENT**

**MOTION** by Supervisor Gallagher seconded by Council. Egan to advertise and sell the following surplus equipment: HP Deskjet 1220c, HP Digital copier, Cannon Multipass mp700.

Discussion. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO – 0

Absent – 1 Campisi

**MOTION** by Supervisor Gallagher seconded by Council. Egan to discard broken and inoperable computers and associated equipment and copiers located in the Town Hall and Highway Department. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO – 0

Absent – 1 Campisi

### **Generator/Refund**

**MOTION** by Supervisor Gallagher seconded by Council. Egan to refund David Steiler \$25 for an overcharge of a generator installation. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO – 0

Absent – 1 Campisi

**MOTION** by Supervisor Gallagher seconded by Council. Grumet to authorize the Supervisor along with the Town Board attorney to hire James Randazzo, Esq. of Gaines, Gruner, Ponzini & Novick, LLP of White Plains, NY. Discussion followed. The Supervisor stated that the town is currently being sued and the town is needs an attorney that is certified in federal court and the town's attorney is not. Ms. Lore did some research and found Mr. Randazzo and he will represent the town in this lawsuit. Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher

NO – 0

Absent – 1 Campisi

### **PUBLIC COMMENT**

Rocky Mancini responded to the issue regarding Mr. Carrothers curbing for his property. His said that if it is in the book (state) than you have to do what is in there. He said some places need curbing and others do not. As far as the sprinkler system goes, if the state would help a little bit, as far as the cost it would not be so bad.

Lou Rabadi, owner of the Milan Market said that the town should be more flexible and that he is struggling.

Harvey Burns, owner of Northern Dutchess Auto Body said that he had an issue, not so much with the town but with the police department. He said that he is relocating his business at the end of this year because the police department cut back on towing for the parkway. He felt that there was nothing in the town and that he cannot survive here anymore.

George Carothers said that he is not blaming this board but the previous board. He said that this board and the county should get out of the way of small business and let small business do their thing. We need to correct this on the county, state and local level.

**BILLS** – Bills were presented to the board for their audit and review. **MOTION** by Supervisor Gallagher seconded by Council. Egan to pay General Abstract #6 Claims 190-226, totaling \$42,901.75 – Highway Abstract #6 Claims 83-96, totaling \$16,179.39 – Fire Protection #6 , totaling \$21,208.00. Roll was taken and carried

YES – 4 Egan, Grumet, Mathison, Gallagher  
NO – 0  
Absent – 1 Campisi

**MOTION** by Supervisor Gallagher seconded by Council. Egan to adjourn this meeting.  
(9:00 PM). Roll was taken and carried

YES - 4 Egan, Grumet, Mathison, Gallagher  
NO – 0  
Absent – 1 Campisi

Respectfully submitted,

Catherine Gill, Town Clerk