

The Milan Town Board held their Regular Town Board meeting on 08/20/12 at 7:30 PM at the Milan Town Hall.

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

The Supervisor opened the meeting with the Pledge of Allegiance.

MINUTES: Regular Town Board Meeting- 07/16/2012 – **MOTION** by Supervisor Gallagher seconded by Council. Campisi to accept these minutes as written. Roll was taken and carried

YES -5 Campisi, Egan, Grumet, Mathison, Gallagher
NO – 0

MINUTES: Special Meeting (Budget Transfer- Hwy.) – New Phone System-08/07/2012 – **MOTION** by Supervisor Gallagher seconded by Council. Egan to accept these minutes as written. Roll was taken and carried

YES -5 Campisi, Egan, Grumet, Mathison, Gallagher
NO – 0

BUSINESS:

Veteran of the Year

MOTION by Supervisor Gallagher seconded by Council. Egan to nominate Sam Lore as Veteran of the year. Discussion. The Supervisor said that Mr. Lore was in the United States Army 74th Engineer, Staff Sergeant / Korean War from 1952 – 1953. He lives on Rocann Drive in the town of Milan. He was the Supervisor in the town of Red Hook for twelve years and Councilman for two years. He served as Red Hook Little League president and was the president of Dutchess County Supervisor for six years. Roll was taken and carried

YES -5 Campisi, Egan, Grumet, Mathison, Gallagher
NO – 0

CABLEVISION

The Supervisor said that he spoke with Roger Conner from Cablevision, who said that they will be boring under the Taconic Bridge soon, and they will be 170 new customers east and south of the Taconic Parkway. Mr. Conner also said that Turkey Hill Road, Academy Hill Road and other roads nearby would not be hooked up until sometime next year. The Supervisor said that he would keep us updated as time goes by.

The Supervisor informed the board that he had an update from the town board attorney that he wanted to share with them.

There was a discussion about the selling of 30 acre parcel owned by the town. The resident that is interested in buying would like the parcel as a buffer for his own property. The Supervisor said that we are only in the talking stages right now. Apparently there are some deed restrictions that need to be looked into first. The Town Board Attorney was trying to get a hold of the previous owners to verify this but has not heard from them.

McCulloch v. Town of Milan (1) – this lawsuit is scheduled for trial on 10/01/2012. As to the second lawsuit with Mrs. McCulloch – Mr. Randazzo, the attorney for this lawsuit has two options: 1. To consolidate the two actions or 2. Oppose the consolidation. Mr. Randazzo decided to oppose the motion to consolidate.

The Sawmill Road Dam at Edward Kovach residence. Apparently back in 2008 there was a letter written to Mr. Kovach by NY DEC regarding the condition of the dam suggesting repairs to it. There have been no repairs to the dam as of this date. Mr. Harmon from DEC told the Town Board Attorney, Ms. Lore that they would schedule

another inspection for this year and depending on the seriousness of the dam, they could initiate enforcement proceedings. Mr. Harmon also informed Ms. Lore that he was not aware of any NYS or DEC funding that would help with the repairs. Discussion followed. The board talked about the cost to the resident and the option of opening the dam and draining the lake. They said that if the town was to help with this situation Mr. Kovach would have to hold the town harmless. Mr. Butler brought up the question – should the town be spending tax payers money to do work on private property?

Woody Row Road Cell Tower/Sheriff's Dept. – Ms. Lore stated that she called James Fedorchak, County Attorney but did not hear back from him. She said that she sent him new contracts and will be calling him if she does not hear back by 08/21//12. Ms. Lore informed the board that David Groth performed electric usage study. The cost of electricity for the sheriff's installation is approximately \$40.00 per month.

Election issues – Ms. Lore stated that she spoke with County Executive Molinaro several months ago about scheduling a meeting with the town to discuss the elections certifications, billing process and law. She said that she has not heard back from him.

The Supervisor is going to speak with David Groth about taking over the management of the Crown Castle Communications Cell Tower site on Matecki Road should they cease their management.

HIGHWAY BIDS/ 2012

MOTION by Supervisor Gallagher seconded by Council. Campisi to authorize the Town Clerk to publish the following notice in the paper:

BIDS SOUGHT

The Town of Milan is seeking bids for the following highway materials for the year 2013.

1. Abrasive sand for snow and ice control, which must meet, item D-1402: Processed or natural material sand specifications of Dutchess County - price per cubic yard and ton, FOB and delivered.
2. Item 4 gravel – price per cubic yard and ton, FOB and delivered.
3. Bank run gravel – price per cubic yard and ton, FOB and delivered.
4. Bituminous concrete – all types, price per ton, FOB.
5. Washed crushed stone – sizes #1A, #1ST & #1, price per ton, FOB and delivered.
6. Crushed stone fill – various sizes, price per ton, FOB and delivered.
7. Item 4 crusher run (2" minus) – price per ton, FOB and delivered.

Sealed bids will be received by the Town Clerk or Highway Superintendent on or before 2:00 p.m. 9/14/2012. Bids will be publicly opened at the Milan Town Hall, 20 Wilcox Circle at 7:30 p.m. 9/17/2012.

All bids must be submitted in sealed envelope clearly marked "BID".

A non-collusion bidding certificate must accompany all bids. The Town Board reserves the right to reject any or all bids.

Roll was taken and carried

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

NO – 0

David Sherman, County Legislator gave an update on the July and August Legislative meeting. Some issues that he touched on were the appointment of new members to the

Ethics Committee, the Harlem Valley Rail trail design work and the county budget. According to Mr. Sherman he said that the legislators were considering capping the sales tax revenue for the towns. The issues pertaining to the Sheriff's office/Woody Row Road Cell Tower and the Board of Elections taking town money to cover election expensive were discussed but still remain unresolved. Mr. Sherman will continue to look into these issues for the board.

TRANSFERS:

MOTION by Council. Campisi seconded by Council. Grumet to transfer \$228.75 from 9050.8 (unemployment benefits) to 6772.4 (programs for the aging). Discussion followed. Council. Egan wanted to know what this was for. She was told that the Seniors had gone over their budget. Roll was taken and carried
YES -5 Campisi, Egan, Grumet, Mathison, Gallagher
NO - 0

MOTION by Council. Campisi seconded by Council. Egan to transfer \$5,771.25 from 9050.8 (unemployment benefits) to 1650.4 (central communications system). Discussion followed. Council. Campisi said that this transfer was for the new telephone system. Roll was taken and carried
YES -5 Campisi, Egan, Grumet, Mathison, Gallagher
NO - 0

PUBLIC COMMENT

Glenn Butler, Highway Superintendent brought up the 30 acres that the board discussed earlier. He thought that was the road was used to gain access for the cell tower at the landfill.

BILLS- The bills were presented to the board for their audit and review. **MOTION** by Council. Campisi seconded by Supervisor Gallagher to approve General Abstract # 8 Claims #257 thru 305, totaling \$29,126.49 and Highway Abstract # 8 Claims #110 thru 127, totaling \$203,557.70. Roll was taken and carried
YES -5 Campisi, Egan, Grumet, Mathison, Gallagher
NO - 0

MOTION by Council. Campisi seconded by Supervisor Gallagher to adjourn this meeting. (8:43 PM) Roll was taken and carried
YES -5 Campisi, Egan, Grumet, Mathison, Gallagher
NO - 0

Respectfully submitted,

Catherine Gill, Town Clerk