

The Milan Town Board held their Regular Town Board meeting on 01/21/2013 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.

PUBLIC COMMENT

Debra Blalock, newly elected Dutchess County Legislator, introduced herself and handed out business cards to the Board members. She briefly spoke about the Solid Waste Recovery Plan and the agenda for the Legislative meeting for the next night. Ms. Blalock also spoke about a resolution before the Legislator regarding interim Municipal Agreement for shared services with Ulster county and Dutchess County. She said that it should save the counties a lot of money. Ms. Blalock said that if there is anything that the board wished to discussed with her to call her or email her.

MINUTES: Regular Town Board Meeting – 12/17/2012. **MOTION** by Supervisor Gallagher seconded by Council. Grumet to accept these minutes as written. Roll was taken and carried.

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

NO – 0

MINUTES: Year-End Meeting – 1/29/2012. **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

MINUTES: Reorganization Meeting – 01/01/2013. **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

CORRESPONDENCE:

The Supervisor informed the Board that he received a letter from the Office of the State Comptroller regarding the audit that they did back in October. It stated that the town was not in need of any services from them at this time.

The Supervisor also informed the Board that Roger Conner has left Cablevision and he is trying to get in touch with Cablevision to find out who will be the contact person for the town.

BUSINESS:

Charles Godfrey from Second Chance Farm in Milan addressed the Board concerning a Farmers Market in Milan. He handed out to the Board a list of vendors who were interested in participating. He said that he is still working on more vendors. Mr. Godfrey also presented them with a draft copy of the Rules & Regulations that he wanted the Board to review. He said that he and his wife would run the Farmers Market. He talked about the fees and setting up a bank account. Mr. Godfrey stated that neither he nor his wife would receive any pay for services. Applications will be due

by the end of March. Mrs. Godfrey will prepare a banner for display four weeks before the start of the market. The start day will be May 17, 2013 to October 25, 2013 3PM to 7PM on Fridays. She said that they do have some newspapers interested in advertising. Council. Egan will be the liaison to the Town Board. They are planning on finishing up the Rules and Regulations for the next board meeting. There was a question about insurance, and Mr. Godfrey said that everyone will have insurance. It was suggested that the town contact their own insurance company. Supervisor Gallagher thanked Mr. Godfrey and his wife for coming.

The Supervisor received a letter from the Bank of Millbrook regarding the Wilcox Trust and how they would like to invest the money. He told them not to do anything until the board discussed it. The Supervisor thought it was a good idea but wanted to hear from the rest of the board. Council. Campisi stated that the trust is not earning enough money to maintain the fund so we are depleting it. He also said that back in 2007 - 2008 the Bank of New York overpaid the town, which was a violation of Federal law, so causing the town was taxable for the overpayment. The Bank of Millbrook is under paying us. His recommendation was that we changed from 60/40 distribution of funds; 60% in stocks and 40% in bonds to 70/30 division. Council. Campisi said that the town is not making any money on the interest. The following **MOTION** was made by Council. Campisi seconded by Council. Egan to direct the Bank of Millbrook to increase the distribution of funds from 60% Stocks/40% Bonds to 70% Stocks/30% Bonds. Discussion followed. Roll was taken and carried.

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

NO - 0

TRANSFER AGREEMENT

MOTION by Supervisor Gallagher seconded by Council. Campisi to approve and authorize the Supervisor to sign two (2) copies of the Franchise Agreement Transfer Station between the Town of Milan and Welsh Sanitation Service., said agreement to end at midnight December 31, 2014. Roll was taken and carried.

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

NO - 0

HIGHWAY – 284 AGREEMENT

MOTION by Supervisor Gallagher seconded by Council. Egan to sign the 284 Agreement for the Expenditure of Highway moneys in the amount of \$369,734.00 for 51.75 miles of town highways and other expenses. Roll was taken and carried.

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

NO - 0

HIGHWAY TRANSFER

MOTION by Supervisor Gallagher seconded by Council. Egan to transfer \$1357.41 from the 2012 Highway Funds(from Services for other Governments) to Highway Equipment Reserve Fund. This will help offset the costs of future equipment purchases. Roll was taken and carried.

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

NO - 0

ZONING CODE CHANGES

RESOLUTION # 61-2013 Section 200-5 Town of Milan Zoning Code, Convenience Store

Resolution offered by Supervisor Gallagher seconded by Council. Egan to amend Section 200-5 of the Town of Milan Zoning Code, Convenience Store, by deleting the number 2,500 after the words “less than” and replacing it with number 4,000 after the words “less than”; and

Further, amend Table A “Drive-in business, excluding drive-in outdoor theater” of the Town of Milan Zoning Code by adding the letter B to column HB. Discussion followed. The Supervisor said that there was no problem with the first part of this resolution but would like to address the second part. He asked if the second part of this resolution would now permit the town to have a drive thru operation. Council. Campisi responded saying that it would. The drive by would be like a Dunkin Donuts in a convenience store. There was no designation in the law but with this resolution it would do that. Council. Campisi said that there was a recommendation from the Planning Board regarding the issue of drive-ins. This would be a special permitted use by the Planning Board. Discussion continued and other various comments were made. The Board discussed preparing a SEQR for the next meeting and then set a public hearing for the March meeting.

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

NO - 0

RESOLUTION # 62-2013 Section 200-14.1 Highway Business District, E. Parking Standards

Resolution offered by Supervisor Gallagher seconded by Council. Egan to amend Section 200-14.1 Highway Business District, E. Parking Standards: by adding the word “front” after the words “located at the” and by adding a period after “Building” and by deleting the phrase “and shall be screened from the public right-of-way by low walls, fences, or hedges”. Discussion followed. Council. Grumet felt that this would become an issue eventually. Council. Campisi wanted to know if the board had a position from the Planning Board on this issue. Supervisor said that not to his knowledge. Council. Grumet said that this issue has come up with the Planning Board currently but it is an issue that we will be having in the future. Discussion continued. Roll was taken and carried.

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

NO – 0

TRANSFERS:

MOTION by Council. Campisi seconded by Council. Egan to authorize the following transfers from within the General Fund:

- \$4,456.00 from (9060.8 (Hospital/Medical) to 1220.4 (Supervisor Contractual),
- \$1,515.00 from (9060.8 (Hospital/Medical) to 1620.4 (Building),
- \$ 207.92 from (9060.8 (Hospital/Medical) to 1650.4 (Central Communications),
- \$ 64.00 from (9060.8 (Hospital/Medical) to 1110.4 (Town Justices),
- \$ 108.00 from (9060.8 (Hospital/Medical) to 3510.4 (Control of Dogs),
- \$ 621.00 from (9060.8 (Hospital/Medical) to 6869.4 (Cell Towers),
- \$ 763.78 from 9030.8 (Social Security) to 6869.4 (Cell Towers), and
- \$ 313.89 from 9055.8 (Disability) to 6869.4 (Cell Towers).

Roll was taken and carried.

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

NO – 0

BILLS – The bills were presented to the Board for their audit and review. **MOTION** by Council. Campisi seconded by Council. Egan to pay General Abstract # 14 Claims 532 thru 552, totaling \$36,716.56 – Highway Abstract # 14 Claims 196 thru 200, totaling \$9,724.35 – New Truck Abstract #1 Claim 1, totaling \$191,391.00 – Capital Bridge Project Abstract #1 Claim 1, totaling \$10,605.24 – General Abstract #1 Claims 1 thru 18, totaling \$10,658.87 and Highway Abstract #1 Claim 1, totaling \$2,405.18. Roll was taken and carried.

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

NO – 0

Council. Campisi questioned the bill for the new truck. He made the following **MOTION** by Council. Campisi seconded by Council. Egan that the purchase of the new truck from Arkel Motors to be funded by drawing a check from the Truck fund in the amount of \$189,191.19 and the additional amount to be drawn from the Highway Equipment Reserve Fund to make up the total of \$199,301.00. Roll was taken and carried.

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

NO – 0

MOTION by Supervisor Gallagher seconded by Council. Egan to adjourn this meeting. (8:20 PM). Roll was taken and carried.

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

NO – 0

Respectfully submitted,

Catherine Gill, Town Clerk