

The Milan Town Board held their Regular Town Board Meeting on 06/17/2013 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:

Deborah Blalock, County Legislator gave a brief update of the previous legislative meeting. She said that the sales tax agreement with the City of Poughkeepsie and Beacon passed. The County Legislature amended the budget for Mental Hygiene and, they also discussed the addition to the Dutchess County Jail and solar panels on county buildings. There was a brief question and answer period.

The Town Clerk handed out the monthly report of Pamela Johnson, Tax Collector to the Town Board. The Supervisor said that Ms. Johnson collected \$187,575.96.

MINUTES: Regular Town Board Meeting – 05/20/13 – **MOTION** by Council. Grumet seconded by Council. Egan to accept the minutes as written. Roll was taken and carried.

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

NO – 0

MINUTES: Special Meeting – Reclamation Bid – 05/30/13 – **MOTION** by Supervisor Gallagher seconded by Council. Campisi to accept the minutes as written. Roll was taken and carried.

NO – 0

CORRESPONDENCE:

The Clerk read the resignation letter from Charles Godfrey from the Planning Board dated June 3, 2013.

BUSINESS:

Resolution # 72 -2013 Ban New Unfunded Mandates in NYS

Resolution offered by Supervisor Gallagher seconded by Council. Egan

WHEREAS, unfunded mandates are program requirements imposed on local governments with little or no financial assistance to implement these requirements; and

WHEREAS, local governments face a choice between increasing local taxes or cutting important services in order to fund these programs; and

WHEREAS, Senator Terry Gipson's proposed constitutional ban (Senate Bill 5126) on new unfunded mandates will allow local governments to decide whether they will implement a mandate within their jurisdiction; and

WHEREAS, this legislation will require that states fund any new mandate which will cost a municipality or school district \$10,000 or more to implement; and

WHEREAS, passage of this prohibition on unfunded mandates will end the flow of unreasonable requirements from the state to our town, thereby allowing legislators to begin the next step of cutting back on existing mandates; therefore,

BE IT RESOLVED, that this Board endorses Senate Bill 5126 and urges the Senate to take up this bill for debate and to pass it into law.

Roll was taken and carried.

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

NO – 0

MOTION by Council. Campisi seconded by Supervisor Gallagher to strike the words “and not to exceed the sum of \$50,000.00” from the MOTION made at the Special Meeting of May 30, 2013 to award the bid for work on Odak Farm Road. Discussion followed. The Supervisor said that after he made the motion the Highway Superintendent informed him that there were other towns that wanted to “piggy back” on this bid and by putting a limit on it; it would prevent the other towns from taking part. Roll was taken and carried.

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

NO – 0

UNIFORM NOTICE OF CLAIM ACT

MOTION by Supervisor Gallagher seconded by Council. Egan to file and authorize the Supervisor to sign the certificate with the Secretary of State regarding the Uniform Notice of Claim Act SO-7641-2011 – A10657. Discussion followed. The Supervisor reviewed the notice with the board. Council. Egan said that she found information on the internet which explains it pretty well. She said that you can fill out the information on line if you want to. The Supervisor said that this action has to be taken thirty (30) days from today and the board does not meet again within that time frame. He said that he was trying to avoid another meeting. So that is why he was asking for the authorization tonight. Council. Egan said that there has to be a designee that has to be responsible for it; the state has to send it to someone. She wanted to know who that would be if the Supervisor was not here. **MOTION** by Council. Campisi seconded by Supervisor Gallagher to amend the first **MOTION** to designate the Town Clerk to receive the notice of claim. Roll was taken and carried.

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

NO – 0

Roll was taken on the first **MOTION** and was carried.

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

NO - 0

RESOLUTION # 73 – 2013 Uniform Notice of Claim Act SO-7641-2011-A10657

WHEREAS General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town’s agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate; Now therefore Be It

RESOLVED, that the Town Board of the Town of Milan, County of Dutchess designates the Catherine Gill, in her capacity as Town Clerk to receive notices of claims served upon the Secretary of State by mail at 20 Wilcox Circle, Milan, NY 12571 and email at townclerk@milan-ny.gov

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

APPOINTMENT

MOTION by Supervisor Gallagher seconded by Council. Mathison to appoint Kimberly Godfrey as a member to the Planning Board to fill the unexpired term of Charles Godfrey – term ending 12/31/2016. Roll was taken and carried.

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

NO – 0

Documents/Shredding (Record Storage Solutions)

The Supervisor stated that the town was approached by a company that disposes of documents. They are put in a large bin and when it is filled the company comes and shreds the documents on site. The Supervisor said that the cost would be \$74.00. Right now none of the departments have the money budgeted for this shredding separately. He said that you might call this a productivity improvement because of the time it would save. The Supervisor said that he asked each department to "kick in" when each of the bins are filled. He asked the Clerk who the biggest user of the bin would be now and the Clerk said it would be the court. Council. Egan said that she thought they still had grant money left over. The board continued to discuss the different aspects of using this type of shredding. Council. Egan had some concerns about the documentation. The Clerk said that there is a disposition sheet that must be filled every time each department disposes of their documents. She also said that she had a resolution, which she handed out to the board, providing for the creation of records management program. The Clerk asked the board to review it so they could discuss it at the next meeting.

MOTION by Council. Campisi seconded by Council. Egan to contract with Record Storage Solutions, Inc. for the disposal of excess paper for a fee of \$74 per occurrence (12 Cubic feet) on an as needed basis. Roll was taken and carried.

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

NO – 0

MEDICAL PLAN

The Supervisor brought up the changing of medical plans from Ulster Insurance to RSS Agency. He said that he spoke with the people that use the present insurance, and they had no complaints. The Supervisor said that the savings with the new company would be around \$400. He felt that since RSS Agency is a fairly new company, and he wanted to make sure that they would be around a year from now. He said what he would like to do is stay with Ulster Insurance for another year and see how the other company is doing. The town can decide then what they want to do. Council. Grumet said recently had some management changes in Ulster insurance, and he had some bad experience so he said to just keep an eye out for any unusual happenings. The board agreed with Supervisor to wait.

The Supervisor said that he spoke with Highway Superintendent, Glenn Butler about the condition of the highway pickup truck. So far he has rebuilt the rotted out box. As they were going through the rest of the vehicle they noticed in the cab that the metal on the floor is rotted out. Mr. Butler took pictures and handed them out to the Board members to look at. Council. Egan asked what year it was. Mr. Butler said that it was 2001 Dodge. He said that his plan was to repair the floor and try to get another couple of years out of it. Mr. Butler intention was to make the Board aware of the condition of the vehicle because it will have to be replaced.

TRANSFERS

MOTION by Council. Campisi seconded by Supervisor Gallagher to transfer \$9,000.00 from 9040.8 (Workers Comp. Insurance) to 1650.4 (Central Communications). Roll was taken and carried.

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

NO – 0

BILLS – Bills were presented to the Board for their audit and review. **MOTION** by Council. Campisi seconded by Supervisor Gallagher to pay General Abstract # 6 Claims 185 thru 229, totaling \$25,408.75 – Highway Abstract # 6 Claims 76 thru 91, totaling \$20,329.32 – Escrow Abstract # 6 Claims 7 & 8, totaling \$1,684.00. Roll was taken and carried.

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

NO – 0

MOTION by Supervisor Gallagher seconded by Council. Campisi to adjourn this meeting.

(8:10 PM). Roll was taken and carried.

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

NO – 0

Respectfully submitted,

Catherine Gill, Town Clerk