

The Milan Town Board held their Regular Town Board Meeting on 09/15/2014 at 7:30 PM at the Milan Town Hall.

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

The Supervisor opened the meeting with the Pledge of Allegiance.

The Supervisor directed the Clerk to open the Bid for the Transfer Station. The bid was from Welsh Sanitation Service, Hopewell Junction. A Certificate of Non-Collusion was enclosed.

MOTION by Supervisor Gallagher seconded by Council. Egan to table this bid so the board can review it and make a decision for the next board meeting. Roll was taken and carried.

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

NO – 0

HIGHWAY BIDS

The Town Clerk opened by Highway Material Bids for FY'15:

The following bids were:

Red Wing Properties Inc.
PO Box 408
Stormville, NY 12582

Callanan Industries, Inc.
PO Box 15097
Albany, NY 12212

Rock City Sand and Gravel
820 Route 199
Milan, NY 12571

Dutchess Quarry & Supply Co., Inc.
Peckham Industries, Inc.
PO Box 651
Pleasant Valley, NY 12569

A.Colarusso & Son, Inc.
PO Box 302
Hudson, NY 12534

PROPOSAL AND BID FORM

Pursuant to your request and in compliance with "Information for Bidders", dated 8/6 2014, the undersigned hereby offers to furnish Crushed Stone which will meet the requirements as specified in the Specifications of the New York State Department of Public Works, dated January 2, 1962. R.O.B. Gravel, Washed Gravel, and Washed Sand will be clean and well graded; subject to the approval of the Town Superintendent of Highways.

Prices are to be submitted per ton and/or per cubic yard f.o.b. bidder's plant and stockpiled within the Town of Milan. These prices are for the year 2014-15.

Length of haul, quality and availability of product will be considered in awarding this business and the superintendent has the right to reject any and all bids.

	PER TON		PER CUBIC YARD	
	f.o.b. plant	delv'd	f.o.b. plant	delv'd
CRUSHED STONE				
1/4"	_____	_____	_____	_____
3/8"	_____	_____	_____	_____
1/2"	_____	_____	_____	_____
5/8"	_____	_____	_____	_____
3/4"	_____	_____	_____	_____
1 1/2"	_____	_____	_____	_____
2 1/2"	_____	_____	_____	_____
TAILINGS	_____	_____	_____	_____
CRUSHED ROB-ITEM 4	_____	_____	_____	_____
CRUSHED GRAVEL-ITEM 4	<u>10.50</u>	<u>14.50</u>	_____	_____
R.O.B GRAVEL	<u>6.50</u>	<u>10.50</u>	_____	_____
WASHED ICE CONTROL SAND	<u>9.00</u>	<u>13.00</u>	_____	_____
WASHED CONCRETE SAND	_____	_____	_____	_____
WASHED GRAVEL				
1/4"	_____	_____	_____	_____
3/8"	<u>12.00</u>	<u>16.00</u>	_____	_____
1/2"	<u>11.00</u>	<u>15.00</u>	_____	_____
1"	<u>11.00</u>	<u>15.00</u>	_____	_____
1 1/2"	<u>11.00</u>	<u>15.00</u>	_____	_____
TAILINGS	<u>7.50</u>	<u>13.50</u>	_____	_____
SCREENED TOP SOIL	<u>20.00</u>	<u>24.00</u>	_____	_____
BITUMINOUS CONCRETE	_____	_____	_____	_____
COLD MIX	_____	_____	_____	_____
HIGH PERFORMANCE	_____	_____	_____	_____

Dated this 26th day
Of August 2014

BIDDER Red wing Properties inc
BY Frank & Debuty Jr
TITLE President
ADDRESS PO box 408
Starmville N.Y. 12582



September 9, 2014

Catherine Gill, Town Clerk
 Town of Milan
 Wilcox Memorial Town Hall
 20 Wilcox Circle
 Milan, NY 12571

Dear Madam:

Pursuant to your notice to bidders, we are pleased to quote the following prices for 2015.

Item	FOB Plant Per Ton	Delivered
Type 1 Base - 1 1/2"	\$ 58.50	No Bid
Type 3 Binder - 3/4"	\$ 59.50	No Bid
Type 6 Top - 1/2"	\$ 63.75	No Bid
Type 7 Top - 1/4"	\$ 68.50	No Bid
Type 5 Shim	\$ 80.00	No Bid
Winter Mix - QPR	\$105.00	\$110.60
ALL HMA PRICES WILL BE ADJUSTED MONTHLY	9/14 @ \$630.00	ADJUSTMENT BASED UPON NYSDOT INDEX
1A - 1/4"-washed	\$19.50	\$25.10
#1 - 1/2"-washed	\$11.75	\$17.35
1 & 2 Blend - 5/8"-washed	\$11.00	\$16.60
#2 Stone- 3/4"	\$10.50	\$16.10
#3 Stone	\$11.00	\$16.60
Item 4 - Crusher Run	\$ 9.00	\$14.60
Dry Screenings-Road Abrasives	\$10.50	\$16.10
Light Stone Fill	\$12.00	\$17.60
Medium Stone Fill	\$14.00	No Bid
Heavy Stone Fill	\$15.00	No Bid

All materials available at East Kingston Plant.

Terms: Net 30 Days

Thank you for the opportunity of presenting this quotation.

Sincerely,

CALLANAN INDUSTRIES, INC.

Sheila M. Barkevich
 Senior Vice President

Bids' 2015: Milan, T/O

MATERIALS • CONSTRUCTION

Post Office Box 15097 • Albany, New York 12212-5097 • (518) 374-2222 • Fax (518) 374-1721



Dutchess Quarry & Supply Co., Inc.

New York State Approved Materials
P.O. BOX 651 - 19 ARBORIO ROAD

CRUSHED STONE
WASHED SAND & GRAVEL
CONCRETE PIPE
RIT. CONCRETE
READY MIX CONCRETE
CONCRETE PRODUCTS

September 2, 2014

Pleasant Valley, New York 12569

TELEPHONE (845) 835-6151
FAX (845) 835-2516

Ms. Catherine Gill, Town Clerk
Town of Milan
20 Wilcox Circle
Milan, NY 12571

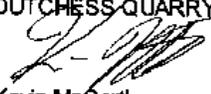
Dear Ms. Gill:

We submit for your consideration the following prices for road materials for the 2015 season.

<u>CRUSHED STONE</u>	<u>F.O.B. PER TON</u>	<u>DELIVERED PER TON</u>
1/4" Washed Crushed Stone	\$13.50	\$21.75
#1 Washed Crushed Stone	13.25	21.50
#1ST Washed Crushed Stone	13.25	21.50
3/4" Washed Crushed Stone	13.00	21.25
#3 Washed Crushed Stone	13.00	21.25
Item 4	12.50	20.75
LSF (Light Stone Fill)	15.50	23.75
MSF (Medium Stone Fill)	18.50	28.75
HSF (Heave Stone Fill)	18.50	28.75
Abrasive Sand	14.00	22.25
<u>BITUMINOUS CONCRETE</u>	<u>F.O.B. PER TON</u>	
Type 1 Base	\$64.50*	
Type 3 Binder	66.50*	
Type 6 Top	68.50*	
Type 7 Top	70.50*	
Cold Mix	87.00*	

* The above bituminous concrete prices are based on the September 2014 NYSDOT index price of \$630.00 per ton. Price is subject to escalation/de-escalation.

Respectfully submitted,
DUTCHESS QUARRY & SUPPLY CO., INC.


Kevin McCarthy
Asst. Secretary
KM/ds

EQUAL OPPORTUNITY EMPLOYER



A. COLARUSSO & SON, INC.

Crushed Stone - Sand & Gravel - Blacktop
PO Box 302, Hudson, NY 12534
Phone: (518) 828-3218 Fax: (518) 828-0546

QUOTATION

To: Town of Milan
Town Hall
20 Wilcox Circle
Milan, NY 12571

Project: Highway Materials 2015
Sand and Gravel Materials

Attn: Mr. Glen Butler
Phone: 845-758-5164
Fax: 845-758-5831

Quotation Date : September 9, 2014

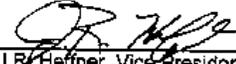
Bid Date: September 12, 2014
Bid Time: 2:00 PM

Item	Description	Unit	FOB	Delivered	Plant Location
Gravel	Snow Sand or Chips	Ton	\$7.50	\$13.60	County Route 31
Gravel	Processed Gravel 2" Minus	Ton	\$9.00	\$15.10	County Route 31
Gravel	Bank Run Gravel	Ton	\$4.50	\$10.60	County Route 31

Delivered pricing based on dump trailers fully loaded.

Payment Terms: Net 30 days, finance charges of 2 % per month (24% per year) will be applied to the unpaid balance after 30 days. Payment not conditioned upon payment by third party. Any and all costs of collections, including attorneys fees will be added if legal action is necessary.

Thank You.


J.R. Hefner, Vice President of Operations



A. COLARUSSO & SON, INC.
 Crushed Stone - Sand & Gravel - Blacktop
 PO Box 302, Hudson, NY 12534
 Phone: (518) 828-3218 Fax: (518) 828-0546

QUOTATION

To: Town of Milan
 Town Hall
 20 Wilcox Circle
 Milan, NY 12571

Project: Highway Materials 2015
Bituminous Concrete

Attn: Mr. Glen Butler
 Phone: 845-758-5164
 Fax: 845-758-5831

Quotation Date : September 9, 2014

Bid Date: September 12, 2014
 Bid Time: 2:00 PM

Item	Description	Unit	FOB	Delivered	Plant Location
Asphalt	Type 1 Base	Ton	\$57.65	-----	91 Newman Rd.
Asphalt	Type 3 Binder	Ton	\$58.65	-----	91 Newman Rd.
Asphalt	12.5mm Top (1/2")	Ton	\$62.10	-----	91 Newman Rd.
Asphalt	Type 6 Top	Ton	\$64.40	-----	91 Newman Rd.
Asphalt	9.5mm Top (1/4")	Ton	\$67.25	-----	91 Newman Rd.
Asphalt	Type 7 Top	Ton	\$68.95	-----	91 Newman Rd.
Asphalt	Shim	Ton	\$71.85	-----	91 Newman Rd.
Asphalt	Winter Mix	Ton	\$80.00	-----	91 Newman Rd.

Payment Terms: Net 30 days, finance charges of 2 % per month (24% per year) will be applied to the unpaid balance after 30 days. Payment not conditioned upon payment by third party. Any and all costs of collections, including attorneys fees will be added if legal action is necessary.

Hot Mix Prices are based on the current NYS DOT posted price index for liquid asphalt. All increases in the cost of liquid asphalt from the date of this quotation will result in a price increase to the above quoted items. September 2014 posted price index for liquid asphalt is \$830.00 Per Ton.

Thank You,


 J. B. Heffner, Vice President of Operations

Rock City Sand & Gravel, Inc.

820 Route 199

Milan, NY 12571

(845) 758-1100

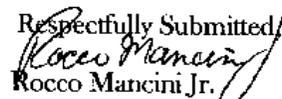
Sand - Stone - Fill - Gravel- Blacktop Estimates

September 8, 2014

Town of Milan

RE: Bids

Sand	\$12.00 / yd. F.O.B.
Gravel Item #4	\$12.00 / yd. F.O.B.
Tailings	\$10.00 / yd. F.O.B.
1" stone	\$16.00 / yd./ F.O.B.

Respectfully Submitted,

Rocco Mancini Jr.



A. COLARUSSO & SON, INC.

Crushed Stone - Sand & Gravel - Blacktop
 PO Box 302, Hudson, NY 12534
 Phone: (518) 828-3218 Fax: (518) 828-0546

QUOTATION

To: Town of Milan
 Town Hall
 20 Wilcox Circle
 Milan, NY 12571

Project: Highway Materials 2015
Crushed Stone Materials

Quotation Date : September 9, 2014

Attn: Mr. Glen Butler
 Phone: 845-758-5164
 Fax: 845-758-5831

Bid Date: September 12, 2014
 Bid Time: 2:00 PM

Item	Description	Unit	FOB	Delivered	Plant Location
Crushed Stone	#1A (1/4")	Ton	\$11.00	\$17.10	91 Newman Rd.
Crushed Stone	#1 (1/2")	Ton	\$11.00	\$17.10	91 Newman Rd.
Crushed Stone	#1A & #1 Mixed (1/4" & 1/2")	Ton	\$11.00	\$17.10	91 Newman Rd.
Crushed Stone	#2 (3/4")	Ton	\$10.75	\$16.85	91 Newman Rd.
Crushed Stone	#1 & #2 Mixed (1/2" & 3/4")	Ton	\$11.00	\$17.10	91 Newman Rd.
Crushed Stone	#3 (1 1/2")	Ton	\$11.00	\$17.10	91 Newman Rd.
Crushed Stone	#4 (2" - 3")	Ton	\$11.00	\$17.10	91 Newman Rd.
Crushed Stone	Screenings (Stone Dust)	Ton	\$8.75	\$14.85	91 Newman Rd.
Crushed Stone	Screen Fill (1" minus)	Ton	\$8.75	\$14.85	91 Newman Rd.
Crushed Stone	Item 4 (2" minus) Crusher Run	Ton	\$9.25	\$15.35	91 Newman Rd.
Crushed Stone	Heavy Stone Fill	Ton	\$14.00	\$23.00	91 Newman Rd.
Crushed Stone	Medium Stone Fill	Ton	\$14.00	\$23.00	91 Newman Rd.
Crushed Stone	Gabion (Light Stone Fill)	Ton	\$11.00	\$17.10	91 Newman Rd.
Crushed Stone	Surge 8" Minus (Fine Stone Fill)	Ton	\$10.75	\$16.85	91 Newman Rd.

Delivered pricing based on dump trailers fully loaded.

Payment Terms: Net 30 days, finance charges of 2 % per month (24% per year) will be applied to the unpaid balance after 30 days. Payment not conditioned upon payment by third party. Any and all costs of collections, including attorneys fees will be added if legal action is necessary.

Thank You,


 J.R. Heffner, Vice President of Operations

MOTION by Supervisor Gallagher seconded by Council. Egan to pass the bids along to the Glenn Butler, Highway Superintendent for his review and recommendation. Roll was taken and carried.

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

NO - 0

MINUTES: Regular Town Board Meeting of 08/18/14 – **MOTION** by Supervisor Gallagher seconded by Council. Egan to accept these minutes a written. Roll was taken and carried.

YES - 4 Campisi, Egan, Mathison, Gallagher

NO - 0

Abstain – 1 Grumet

MINUTES: Special Meeting/ Comments to PSC on transmission lines 08/27/14.

MOTION by Supervisor Gallagher seconded by Council. Mathison to accept these minutes as written. Roll was taken and carried.

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

NO – 0

CORRESPONDENCE:

Supervisor read a letter from D.C. Planning and Development, Division of Public Transit regarding their 2015 budget for Dial-A- Ride.

MOTION by Council. Campisi seconded by Council. Egan to hold a public hearing on October 20,, 2014 at 7:10 pm at the Milan Town Hall on Local Law No.5 Of 2014 Amending Chapter 67, Procurement Policy, of the Code of the Town of Milan. Roll was taken and carried.

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

NO – 0

MOTION by Council. Campisi seconded by Council. Egan to hold a public hearing on October 20,, 2014 at 7:20 pm at the Milan Town Hall on Local Law No.6 Of 2014 Amending Chapter 200, Zoning, of the Code of the Town of Milan. Roll was taken and carried.

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

NO – 0

MOTION by Council. Campisi seconded by Council. Mathison to hold a special meeting of the Milan Town Board on October 3, 2014 at 10:30, am for the purpose of receiving the 2015 Tentative Budget.

MILAN UNION CEMETERY ASSOCIATION

The Supervisor introduced June Gosnell the President of the Milan Union Cemetery Association and Alice Benson, the Treasurer. She explained to the Board that under state law, if there was no more money to maintain the cemetery or if there no more volunteer members of the association, the cemetery would become a ward of the town. The town would have to maintain the cemetery. Ms. Gosnell said since the cemetery has a lot of plots this could go on for a very long time. She continued to explain how they utilize the money they have to maintain the cemetery. She had some concerns about the cemetery especially the entrance. Ms. Gosnell stated that they were not here to ask the town for any money but wanted the Town Board to be aware of the situation that might occur down the road. There was a brief question and answer period. The board asked if the Association could advertise for new plots to get more money to help with the cost of maintaining the cemetery. They also discussed where they have their money invested and maybe they should change banks.

Chris Lo Brutto said that Glenn Butler, Highway Superintendent approached him about a new asset management program for the highway. The one he has now is from the 90s. Mr. Lo Brutto said that he did find one called Web DPW. He said that it is web based program; dial in like Google or Gmail. Mr. Lo Brutto said you don't have to keep anything on hard driver and server. He said that they gave us a free demo, which Mr. Butler has been using for two, months and he likes it and can use it with no problem.

Mr. Lo Brutto said that Mr. Butler wanted him to come before the board and let the board know that this would be a good fit for his department and possibly useful for the town hall. They continued to discuss how the program would work for the town. Mr. Lo Brutto said that there would be two users. The cost would be \$100 a month for the first seat and \$50 for the second seat. The Supervisor wanted to know what that meant. Mr. Lo Brutto explained that with one seat you could have one person logged on and with two seats you could have two people logged on at the same time. Mr. Lo Brutto continued to explain how the program worked. Council. Egan wanted to know who owned the data. Mr. Lo Brutto said that the town owns the data. The company is in charge of disaster recovery, backup, and maintenance. Discussion continued. The Supervisor said that the board will discuss it and have the decision at the next meeting. Council. Campisi asked Mr. Lo Brutto if he would be prepared to give a proposal for the work. Mr. Lo Brutto said that he would work something up.

TRANSMISSION LINES

Council. Mathison gave an update on the Transmission Lines. She said that comments that we filed are on the PSC web site about the project. There is a meeting at the town Hall tomorrow and we are going to be reviewing Dr. Gidon Eshel scientific report which he has finished and discussing how we are going to be using that.

The Supervisor stated that the town hall is having problems with the heating and air conditioning system. He said that he has asked Lowe Plumbing, Heating and Air Conditioning to look at the problem. **MOTION** by Council. Campisi seconded by Council. Grumet to authorize Lowe Plumbing to install controls to operate the combustion air damper with the operation of the boiler for 1661.00. It would include a new actuator, relay and transformer to interlock the damper with the boiler operation. Discussion followed. Roll was taken and carried.

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

NO – 0

FARMERS MARKET

MOTION by Supervisor Gallagher seconded by Council. Mathison to authorize the start of the winter Farmers Market on November 8, 2014 thru March 21, 2015. They will be held on the first and third Saturday of those months. The Supervisor said that he did not have a time when the market will take place. Roll was taken and carried.

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

NO – 0

TRANSFER

MOTION by Supervisor Gallagher seconded by Council. Egan to transfer \$3,000 from 1620.4 (Building) to 1220.4 (Supervisor). Roll was taken and carried.

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

NO – 0

RESOLUTION # 10 – 2014 Change to Employee Handbook entitled “Probationary Period”

Resolution offered by Council. Campisi seconded by Supervisor Gallagher

To delete the contents of the section of the Town of Milan Employee Handbook (January 1, 2013) entitled “Probationary Period” and replace with the following:

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Town of Milan uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Town Board may end the employment relationship at will at any time during the probationary period, with or without cause or advance notice.

During the probationary period, new employees are eligible for those benefits that are required by law, such as worker's compensation insurance and social security. They may also be eligible for other Town of Milan provided benefits, subject to the terms and conditions of each benefits program.

All employees appointed to a permanent position shall first successfully complete a probationary period of not less than six months, but the probationary period shall not exceed the anniversary date of hire. The Town Board shall have the sole power to determine the length of the probationary period.

Before being placed on permanent employment status, the Town Board shall receive from the probationary employee's immediate supervisor a written evaluation of the probationary employee that shall, at minimum, demonstrate that the probationary employee meets the following requirements of the position:

- Possesses the skills to perform the assigned tasks
- Provides a positive experience when dealing with the public and public officials
- Cooperates with co-workers within the department in which employed and other Town employees
- Fulfills the legal requirements to hold the position
- Receives recommendation from the immediate supervisor

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 # 9 Claims 326 thru 367, totaling \$14,731.64 – Highway Abstract # 9 Claims 133 thru 145, totaling \$84,383.74 and Escrow Abstract # 9, totaling \$1,947.00. Roll was taken and carried.

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

NO – 0

MOTION by Supervisor Gallagher seconded by Council. Campisi to go into Executive Session for the purpose of the ongoing litigation of the McCulloch vs the Town of Milan lawsuit and the discussion of the employment history and possible removal of a particular person. (8:47PM) Roll was taken and carried.

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

NO – 0

MOTION by Supervisor Gallagher seconded by Council. Grumet to reconvene the regular board meeting. (10:55 PM). Roll was taken and carried.

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

NO – 0

MOTION by Council. Campisi seconded by Council. Egan to affirm that the job description entitled “Clerk To The Justice,” adopted June 13, 1974 and revised October 23, 1978, is presently the only job description in force for this position, and any other job descriptions for the position of Clerk to the Justice, including one entitled “Requirements and Duties for Milan Court Clerks,” are without Milan Town Board approval and are therefore null and void;

And further, the Milan Town Board states that the alleged position of Chief Clerk, and any duties assigned thereto, whether paid or unpaid, does not exist. Roll was taken and carried.

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

NO – 0

MOTION by Council. Campisi seconded by Council. Egan to authorize Justice Christensen to employ a trained court clerk to provide additional training for Ms. MacPherson, said training to include, at minimum, training related to bail, computer program, interfaces and portals to the sites in the process and training in processing with outside agencies. The cost shall not exceed \$500.00 for this training. Roll was taken and carried.

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

NO – 0

McCulloch Lawsuit

MOTION by Council. Campisi seconded by Council. Egan to authorize Attorney Angela Maier-Lore to offer no more than \$1,500 to settle the case of McCulloch v. Town of Milan, provided that McCulloch agrees to a general release for the same types of action against the Town of Milan. Roll was taken and carried.

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

NO – 0

RESOLUTION #11 OF 2014 Adoption of Local Law #4 of 2014 – Amending chapter 188, Vehicle and Traffic of the Town of Milan Code

Council. Campisi stated that this is a Type II Action and does not require SEQR.

Resolution offered by Council. Campisi seconded by Council. Egan to Amend Chapter 188, Vehicle and Traffic, of the Town of Milan Code by adding the following to Schedule 188-A, Stop Intersection: “On the southbound land of Battenfeld Road at the “T” intersection with Shookville Road” 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.

(10:59 PM). Roll was taken and carried.
YES - 5 Campisi, Egan, Grumet, Mathison, Gallagher
NO – 0

Respectfully submitted,

Catherine Gill, Town Clerk