

TOWN OF PLATTEKILL
REGULAR TOWN BOARD MEETING

August 7, 2013

Time: 7:00 PM

SALUTE TO FLAG

Supervisor Croce opened the meeting with a salute to the American Flag.

ROLL CALL

The following Town Board Members were present:

Supervisor Croce
Councilman Putnam
Councilman Farrelly
Councilman DePew

Councilwoman Morano was absent.

MINUTES

* Supervisor Croce made a motion to dispense with the reading of the minutes from the July 17, 2013 regular Town Board Meeting.

Councilman Farrelly seconded.

On the vote: all ayes.

* Supervisor Croce made a motion to accept the minutes from the July 17, 2013 regular Town Board Meeting.

Councilman Putnam seconded.

On the vote: all ayes.

ADDITIONS

Supervisor Croce stated that he had two additions to this evening's agenda.

1. Telephone Line problem:

Supervisor Croce stated that he wanted to apologize to anyone who had called the Town Hall in the past week or so and had the phone continually ring, with no one answering it. We had a problem with one of our roll over lines and the line was not rolling over; it was just ringing and we could not hear it ring. We finally had it fixed to roll over to the third line when we realized there was a problem. But now all the lines are completely fixed and working correctly.

2. Assessor Flier:

Supervisor Croce stated that the Assessor has left some fliers on the table as you enter the room, in regards to the STAR Exemption. It has something to do with the STAR Applications and that the State will be sending out letters so residents can re-apply for this program. Pick one up if you are interested.

PUBLIC INPUT

Supervisor Croce asked if anyone had any questions or comments for the Town Board?

Mrs. Coppola asked what phone line the residents should be calling to make sure they can get through?

Supervisor Croce stated that he was saying the phone line has now been fixed, so people can call the main number, or any of the rollover numbers, and the phone should work fine.

Mrs. Pearl Morse stated that the Veterans Committee has received a gift from Mr. Matt Schmitz, who is a resident of the Town and a veteran. He has given the Veteran's Committee a United States Naval Ship's Bell for use in the Veteran's Memorial Park. She stated that it was approximately 7 inches high and about 10 inches at the base. She stated that they will incorporate it in the design of the Veterans Memorial Park that will be built across the street from the Park entrance.

Councilman DePew suggested that we send Mr. Schmitz a letter of thanks and maybe we can take a picture of it and post it on the website for everyone to see.

Mrs. Morse stated that she would try to get a picture sent to the Town Publicist.

Supervisor Croce asked if there were any other comments or questions from the Public?

There were no further comments or questions.

* Supervisor Croce made a motion to close the Public Input Section of the Meeting at 7:13 PM.

Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 1 – DOG CONTROL MONTHLY REPORT FOR JUNE 2013

Supervisor Croce read the Dog Control monthly report for June 2013. The report stated that there were 16 documented calls at the Kennel and 12 calls from the Police and County Sherriff. There are 8 open cases, no dogs were impounded or seized, no dogs redeemed and currently no dogs being housed in the kennel. The report stated that he had successfully closed 1 dangerous dog hearing, there was 1 dangerous dog hearing in progress and there was 1 potential hearing for a dangerous dog being investigated.

Councilman DePew stated that he would like to know, just as he had asked from the Building Dept., how long these cases have been open and/or in court.

Supervisor Croce stated that he felt Mr. McKee has been doing very well with mediating these types of situations, but he will contact him for this information and let the Town Board know.

SECTION 2 – SELLING THE POLICE VEHICLE – 2007 CHARGER

Supervisor Croce read a memo from the Town Clerk stating that she had put a second ad in the newspaper to sell the 2007 Dodge Charger Police Car. The ad ran for two weeks and included that there was a \$6,000.00 minimum on the offers being accepted by the Town. The offers were to be opened on July 31, 2013 and no offers were received.

Supervisor Croce stated that he felt they may have over-estimated on this vehicle and if anyone had any ideas on how to sell the car, he would like to hear them. He stated that we also still have the older Crown Victoria car from the Building Dept. Maybe we could put them out by the road with a for-sale sign on them or maybe we could bundle them together and sell them at the Auction Company that he had looked into.

Mr. Robert Wager, the Town Highway Superintendent, stated that there are other auction companies in the area. There is Newburgh Auto Auction and the other one in Marlborough. He stated that he could call them and see if they would take them either separately or together as a package deal.

Supervisor Croce stated that when he called Auto Auction International they said that they would take our price and add 10% on for them for the sale price.

Mr. Wager stated that he thought that most auction companies do the same.

Councilman DePew asked how old the Crown Victoria was?

Mr. Wager stated that he was not sure but thought it was from the late 1990's.

There was discussion that the Town Board did not want to be in the business of selling cars.

Councilman Putnam stated that he felt they should try an auto auction company.

Councilman Farrelly stated that he agreed and felt they should give both cars to the auction company and let them try to get as much as they can. He stated that he did not feel we should put another ad in the newspaper and waste time and money.

Councilman DePew stated that he felt they should do a "reserve price" and say that we at least want that price. We do not want to give them away. He stated that the cars could also be taken to the OGS Salvage.

Supervisor Croce stated that he would contact these local auctions and see how they work. He would also ask about having a "reserved price".

Mr. Wager stated that these local auctions do not just deal with people around this area. They would be able to get the word out to a larger area and get a good price. He also thought that they may be able to bundle the two cars into one deal. He stated that the cars do have issues so that has to be taken into consideration.

Councilman DePew stated that we did have an original bid on the charger for a little over \$3,000.00.

Supervisor Croce stated that he would gather some information and let the Town Board know so they can make a decision.

Supervisor Croce asked Mr. Wager if he had any idea how much the cars were worth if they were scrapped?

Mr. Wager stated that he was not sure, but would guess somewhere around \$200.00.

Supervisor Croce stated that he did not want to just let these cars go, he will get back to the Town Board with information on the auctions.

SECTION 3 – TRANSFER STATION - EMPLOYEE INTERVIEWS

Supervisor Croce stated that he has 5 or 6 applications for the open position at the Transfer Station and he would like to set up interviews.

Councilman Farrelly stated that he had heard that Mr. Battaglia, the Transfer Station employee that was leaving, did not get the full time job that he thought he was going to get. Are we sure that he does not want to stay?

Supervisor Croce stated that he would check with him again, but he doesn't feel the Town Board should cancel the interviews. He is pretty sure that Paul does not want to stay and we did advertise for the position. He felt it would be in the best interest of the Town to do the interviews so we have someone who will work at the Transfer Station if we need him.

The Town Board agreed to meet on Thursday, August 15, 2013 at 6:00 PM to conduct interviews.

Supervisor Croce stated that he would have his secretary set up the appointments.

SECTION 4 – RESIGNATION OF TOWN HISTORIAN -----APPOINTMENT OF NEW HISTORIAN

Supervisor Croce stated that, regretfully, he has received a resignation letter from Murial Obermeyer, our Town Historian. He read the letter which stated that the resignation was effective as of August 7, 2013.

* Supervisor Croce made a motion, with regrets, to accept the letter of resignation from Murial Obermeyer.

Councilman Putnam seconded.

On the vote: all ayes.

Supervisor Croce stated that Mrs. Obermeyer has been a part of the Town of Plattekill for many years in many different capacities. Besides being our Historian, she has also been Chair and Vice-Chair of the Zoning Board of Appeals and has run our Plattekill Day Event for many, many years. She has always been there to help whenever we needed someone and she, without a doubt, will be missed.

Supervisor Croce asked Mrs. Obermeyer to come to the front of the room and he presented her with a plaque to remind her of her time here with us, before retiring.

Everyone congratulated Mrs. Obermeyer on her retirement and pictures were taken.

Appointment of new Town Historian

Supervisor Croce stated that the other half of this is that he needs to appoint a new Town Historian to take Mrs. Obermeyer's place. He stated that we are very fortunate to have Elizabeth "Libby" Werlau to take over for us.

Supervisor Croce stated that Libby is currently the President of the Town of Plattekill Historical Society and she has authored or co-authored several books about the history of our Town and the surrounding area. She is also a Trustee for the County Historical Society, a volunteer to the Wallkill Valley Land Trust, and in her spare time, she is also an English teacher.

Supervisor Croce stated that he is very happy and enthusiastic to appoint Elizabeth Werlau as our Town Historian and hopes that the Town Board will welcome her in this position.

Mrs. Obermeyer presented her with a large set of keys and stated "Here are the key to the Kingdom!" Everyone laughed and welcomed Libby to her new position.

SECTION 5 – PBA CONTRACT NEGOTIATIONS

Supervisor Croce stated that he has been notified by the Police Union that they would like to start negotiations on a new contract. He stated that he would like to propose that he and Councilman Farrelly be the negotiating team from the Town Board, if that is alright with the rest of the Town Board? He stated that he would also like to hire Mr. William Wallens as the Town's legal representative, as he was the representative used during the Town Hall Employee's Union negotiation. He felt that Mr. Wallens had done a great job with these negotiations and would like to use him again to deal with the Police Union.

Councilman DePew asked if Mr. Wallens had been used to negotiate the previous Union contract?

Supervisor Croce stated yes, we used Mr. Wallens for the last Union contract that we negotiated. The last time we negotiated the Police Union contract we used Mr. Richardson, who is a negotiator and not an attorney. He stated that he and Councilman Farrelly were very impressed with the knowledge of Mr. Wallens and his experience in working out these types of contracts. He stated that it would probably be a little more expensive to hire Mr. Wallens, but in the long run, it will be more beneficial to the Town.

Councilman Putnam asked if he knew how much Mr. Wallens would charge the Town?

Supervisor Croce stated that he did not know the exact amount, but he would think that an attorney would charge a little more for his services than a negotiator.

* Supervisor Croce made a motion that the Town Board sets up a negotiating team, for the upcoming PBA contract, consisting of the Supervisor and Councilman Farrelly and that we hire Mr. Wallens to represent us.

Councilman Putnam seconded.

Supervisor Croce asked if there was any discussion on this motion?

The Town Board did not have any discussion.

On the vote: all ayes.

SECTION 6 – COLE FARM vs. TOWN OF PLATTEKILL – TAX CERTIORARI – ASSESSMENT PROCEEDING

Supervisor Croce stated that our Town Assessor, Mr. Michael Dunham, had assessed the Cole Farm and the owners filed a review of that assessment in a Tax Certiorari proceeding, in Court.

Supervisor Croce read a letter from Mr. Dunham explaining that in Court, there was a proposed settlement on this property. The assessment for the years 2012 and 2013 would go from \$260,000.00 to \$210,000.00. This would mean a loss in revenue for the Town, in the amount of \$99.00 per year and for the Highway Department, a loss of \$93.00 per year. Mr. Dunham's letter stated that he felt this was a fair settlement. (A copy of the letter is attached to these minutes)

Supervisor Croce stated that he agreed with Mr. Dunham's opinion on this situation. This case has been in Court for some time and if we were to continue, we would have to do an appraisal by an outside firm, which would probably cost us at least \$5,000.00 right off the bat, as well as some heavy legal fees. He felt that the Town Board should take this settlement.

Councilman DePew asked if the Town had a letter from our Attorney saying that we should take this settlement?

Supervisor Croce stated that he had an e-mail from the Attorney in his office.

Councilman DePew asked if they had gone to the Assessment Board of Review and were turned down? Do we have records on this?

Supervisor Croce stated that he did not have that information here.

The Town Clerk stated that the Assessment Board of Review does keep notes and a recording of their sessions, but she did not know whether they had gone to the Assessment Board of Review or not. She stated that she did not think that that mattered at this point because they have taken this to Court and the Court is drafting this settlement.

Supervisor Croce stated that he had one other situation like this since he was here on the Town Board. It was a case with Forest Park. It is a matter of economics and he has all the faith in the world in our Attorney, Paul Kellar and Mike Dunham has experience as our Assessor, so he feels that they have brought this to the Town Board and are looking for us to make a decision.

Councilman DePew stated that he would like to have more information on this issue before making any decisions.

Supervisor Croce stated again that this has been going on for a while and he is sure they are looking for the Town Board to act on this as soon as possible. He stated that most of the information has been given to the Town Board and our Attorney, Paul Kellar also agrees that the Town should accept the offer.

Councilman Putnam stated that he agreed that the Town Board should approve this settlement.

Supervisor Croce stated that the Town Board has to pass a resolution to adopt this settlement. He stated that he would read the resolution and see if we have enough votes for it to pass.

* Supervisor Croce made a motion to adopt the following resolution:

**TOWN OF PLATTEKILL
RESOLUTION
SETTLEMENT OFFER – SBL#94.18-2-22.1
COLE FARM LLC**

WHEREAS, Cole Farm LLC has filed an application for review under Article 7 of the Real Property Tax Law against the Town of Plattekill and its Assessor, Mr. Michael Dunham, and

WHEREAS, the Town Board of the Town of Plattekill has received a recommendation from the Town Assessor and the Attorney for the Town for a proposed stipulation of settlement,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Plattekill, Ulster County, New York, moves to settle the tax certiorari proceeding on property owned by Cole Farm LLC, SBL#94.18-2-22.1, by agreeing to the reduction in assessed value for this property from \$260,000.00 to \$210,000.00 for the 2012 and 2013 Town of Plattekill Assessment Rolls.

Seconded by Councilman Farrelly

On the vote:	Yes	No	Abstained	Absent
Supervisor Croce	X			
Councilman Putnam	X			
Councilman Farrelly	X			
Councilwoman Morano				X
Councilman DePew			X (wanted more information)	

SECTION 7 – VOUCHERS

* Councilman DePew made a motion to pay the Voucher Detail Report dated 8/7/2013 which includes the General Fund amount of \$50,046.25, the Highway Fund amount of \$21,386.52 and the Trust & Agency amount of \$160.00 for a total amount of \$71,592.77 recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Councilman Putnam seconded.

On the vote: all ayes.

At this time, Supervisor Croce announced that Mrs. Shirley Anson had given him three historical books to look at, that Ms. Werlau had either written or co-written. He stated that if anyone wanted to look at the books too, they would be on the front table for review after the meeting. He stated that if anyone wanted to purchase a copy, it could probably be worked out.

Mrs. Esther Coppola asked about the PBA negotiations and wanted to know the name of the Attorney the Town was going to use.

Supervisor Croce stated that they were going to use Mr. William Wallens and that he was part of a group of attorneys. He would have to get the full name for her from his office.

Mrs. Coppola stated that her concern is that he said he did not know how much this person would be charging the Town. Is it by the hour? Has he taken into account that the cost could be more than what had been paid in the past and had he made a comparison of that cost and what this person could possibly due for the Town?

Supervisor Croce stated yes, attorneys usually charge by the hour and yes, that is why he made the motion and stands by his motion as it was made.

Mrs. Coppola stated, so we still don't know what it will cost the Town?

Supervisor Croce stated that he could not remember what the cost per hour was for the previous negotiations with the Town Hall Employee Contract. He will find out. He stated that he did make a motion to hire Mr. Wallens; however that does not guarantee that he will be hired if there is a reason not to hire him. He stated that he was sure he would be made aware of what the cost will be before negotiations start and he was familiar with Mr. Wallens's work and he was very comfortable with standing by the motion that he made.

SECTION 8 – ADJOURNMENT

* Supervisor Croce made a motion to adjourn the meeting at 7:55 PM.
Councilman DePew seconded.
On the vote: all ayes.