

TOWN OF PLATTEKILL
REGULAR TOWN BOARD MEETING

June 19, 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
Councilwoman Morano
Councilman DePew

MINUTES

No minutes were approved this evening.

ADDITIONS

Supervisor Croce stated that he had three additions to the evening's agenda.

1. New Town Website – Now On Line

Supervisor Croce stated that the new Town Website is now up and running. He stated that they overcame many obstacles and it is still a work in progress. He urged everyone to go on line and visit the site and let us know if there is something they would like to see or something we should add. The Publicist has been trained on up- dating the system and we should be able to keep everyone informed of what is going on in Town. There are documents that can be downloaded and a wealth of other information is available there. Check it out!

2. Modena Rural Cemetery

Supervisor Croce stated that he wanted to discuss the Modena Rural Cemetery during the Old Business Section of the meeting.

3. Salary increase for EMT at Summer Camp

Supervisor Croce stated that in the Reorganization Meeting Minutes from January 2013, the EMT salary is set at \$8.50 per hour. The reality is that it is impossible to get an EMT to work for this amount of money. The EMT has to be present at all times and the Recreation Director is requesting that we

increase the salary to \$10.00 per hour. We have someone who will take the position at that salary. There is money in the budget to cover the extra \$225.00 that it will cost to hire this person.

There was some discussion about the EMT and that this person has to be present anytime camp is in session; even when they go to the County Pool which has its own medical personnel.

Councilman DePew stated that he felt we were getting a bargain at \$10.00 for an EMT.

Mr. Farrell stated that this person will also be one of the counselors. This person will be in charge of dealing with the children who have allergies and inhalers and have other medical needs during the day.

* Supervisor Croce made a motion to increase the salary of the Summer Camp EMT from \$8.50 per hour to \$10.00 per hour.

Councilman Farrelly seconded.

On the vote: all ayes.

PUBLIC INPUT

Mrs. Pearl Morse stated that the Veterans Committee would be getting out the final "thank you" to those organizations and groups that participated in the Memorial Day Parade. She stated that what she wanted to ask the Town Board was where they would want to put the memorial bench, at the Park, that was purchased by the Republican Committee for Bruce Loertscher.

Councilman DePew stated that the Highway Superintendent has it figured out where the benches will be placed at the Park. He had a diagram/plan with a pattern for them to be installed near the flags.

Mrs. Morse stated that she would contact Mr. Wager and she asked if the Town Board had to make a motion to allow for the placement of the bench at the Park.

* Councilman Putnam made a motion to allow the Republican Committee to place a bench, in honor of our past Supervisor Bruce Loertscher, at the Park.

Councilwoman Morano seconded.

On the vote: all ayes.

Mr. John Fazio asked if the Town Board could figure out if he can open a slaughter house, on the cooler property located on the corner of Rt.44-55 and Freetown Highway, and does he need to do a site plan? He stated that the State says he does not have to do a site plan and he cannot seem to get a definitive answer from the Town. It is two and a half years that he has been trying to get this done and he is stopped at every turn. He stated that Long Lane Farm was just issued a slaughter house permit and he is wondering why he cannot get one.

All the members of the Town Board agreed that they had not heard anything about a slaughter house permit being issued to anyone.

Supervisor Croce stated that this was the first time hearing of this. He stated that he would have to contact the Building Dept. to see what was done. Is the slaughter house just for his animals or outside ones also?

Mr. Fazio stated that he did not know, he was told that they had, in writing, permission to have a slaughter house and he is looking to have the same thing.

Supervisor Croce asked if his operation was the same size as what is at Long Lane Farm? There would be impact on the surrounding area depending on the size of the animals.

Mr. Fazio stated again that he did not know, he just knows that they have approval for a slaughter house, in writing, and he is looking to get the same thing.

There was discussion on what the Zoning was for the property where Mr. Fazio wanted to have his slaughter house.

Supervisor Croce stated that he would go to visit the people at Long Lane Farm and would also speak with the Building Inspector to see what letter they have. He stated that he would get the answers for him as requested.

Councilman Putnam asked Mr. Fazio if he had Ag. exempt status?

Mr. Fazio stated that he was working with the Assessor, Mike Dunham, to work this out.

Councilman DePew asked about the apartments that are also in the same building where Mr. Fazio wants to have the slaughter house.

Mr. Fazio stated yes, there were 10 apartments in the front end of the cooler building. He stated that the slaughter house would be on the back "butler" end section. He stated that he does have a slaughter house at the property located farther south on Freetown Highway for smaller animals, but he currently cuts and packages them at the cooler property. He was looking to slaughter larger animals such as sheep and goats at the cooler property.

Mrs. Esther Coppola asked if the Summer Camp had an AUD at the site where the children would be each day?

The Town Clerk stated that she thought they were supposed to have one at all times. In the past, the EMT had one with her and if it was not available, they have used one from the Police Dept.

Mr. Farrell, the Recreation Director, stated that he would check to make sure one was available. The school would have one on their premises, however when the children are at the Park, we will make sure one is available there too.

Mrs. Coppola asked what the Town Board has done to review the situation with Fracking in our Town?

Councilman Putnam stated that he has been reading about it.

Mrs. Coppola stated that surrounding Towns have been putting local laws in place. What are we going to do? She is concerned about contamination to resident's wells.

Councilman DePew stated that our representatives in Albany are still looking at all the pro's and con's to this issue and they can't seem to come up with anything, with certainty, one way or the other. He stated that he wanted to assure her that he is looking at all their information and other information that is coming out on this issue.

Mrs. Coppola asked when she could expect to hear something about what the Town Board is going to do?

Councilwoman Morano stated that the Town Board should ask people in Town how they feel on this issue. Some might want it and other might not.

Mrs. Coppola stated that she felt the Town Board should be looking after the welfare of the residents in Town. That is why we put Zoning in and not everyone likes it. The Town is supposed to look out for all of the residents.

Councilwoman Morano stated that there are fluid by-products that are sometimes used to de-ice the roads.

Mrs. Coppola stated that in Ulster County there is a ban on using those fluids. She stated that she feels that this could contaminate wells and we need to look at the situation before that occurs.

Councilman DePew stated that he wanted to assure her that when he makes a decision on this issue, it will be a well-educated one.

Councilman Farrelly stated that if Ulster County has banned the use of these fluids in Ulster County, then why would we have to do something? And, in the past, when we have stated that we were going to do something that another neighboring Town has done, we were questioned on why we were doing something just because another Town was doing it.

Supervisor Croce stated yes, we have been criticized in the past for doing things just because another Town is doing it. He stated that the Town Board has discussed this and we do not feel that we need to do a local law at this time.

Mrs. Coppola stated that this was a very serious issue. She is concerned about the Town's water supply. People are talking about these things. Our County is concerned about the by-products and has banned their use. She stated that she has asked the Town Board to look into this because it is a huge concern.

Councilman Farrelly stated that it is his opinion that when the State has a more definitive answer, then the Town Board can look at the information and make a decision.

Mr. Castillo stated that he went to a seminar on Fracking and most of what they were stressing was the weight of the trucks that carry the by-products and the impact on the road system. They suggested that Towns look at what laws they have to keep heavy weight off of Town roads.

There were no further comments or questions from the public.

* Supervisor Croce made a motion to close the Public Input section of the meeting at 7:45 PM.

Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 1 – POLICE MONTHLY REPORT – MAY 2013

Supervisor Croce stated that the Chief of Police, Joe Ryan, could not be present this evening and that he would be reading the monthly report.

Supervisor Croce read that there were 436 documented calls for service for the month of May. This was an increase of 46 calls from the previous month. The total number of Traffic Tickets issued was 107 and there were 14 motor vehicle accidents handled by the Plattekill Police Dept. with 6 persons reporting injuries.

Supervisor Croce did not read the arrest blotter, as it was quite extensive, and explained to everyone that a copy of this monthly report could be obtained at the Town Clerk's Office.

Supervisor Croce stated that there were 5 Larceny Cases, 1 motor vehicle accident with a fatality and 4 Burglary cases opened and worked on this month. They also closed three Larceny cases and arrested two people, one for grand Larceny 3rd and one for Assault 3rd. There were no problems reported on any of the vehicles, except that 7F-360 was waiting for a replacement part on the computer docking station.

Supervisor Croce read an announcement that the Plattekill PBA would be hosting a Pig Roast at the Thomas Felten Park on Sunday, June 30th, 2013 from 1 to 5 PM to raise money for the first annual Bruce Loertscher Scholarship Fund. Tickets are \$20.00. The PBA would like to have a scholarship award for someone graduating from the Wallkill High School that is going to further their education in either Criminal Justice or Agriculture.

Supervisor Croce stated that he had one addition to this report. He stated that it has been brought to the attention of the Plattekill Police Dept. that a level-2 sex offender is currently living in close proximity to the Plattekill Elementary School. He stated that he feels this person is living too close to our elementary school and he found out that the Village of Walden has adopted a "Child Safety Law" that that would set a limit as to how close a sex offender could live to a school. He stated that he would like to see the Town of Plattekill adopt this law.

There was some discussion that depending on the level designated to a sex offender, they would have to register with the Police Dept. and that depending on whether a person is on parole or probation, there is a difference as to where they can live.

Supervisor Croce stated that we do have an officer that is at the school regularly and he has approached this person to let him know that he will be watched. He stated that letters have gone out to the parents from the school and the Police Dept. has received many calls. He stated that he is not sure what we can do, but he is looking at obtaining a copy of the law from Walden.

Mr. Castillo stated that he would also notify the church that is next to the school, as they have Sunday School for the children and the parking lot is shared with the school.

Supervisor Croce stated that this was a good suggestion.

Mrs. Coppola stated that before she retired, she worked within the system that dealt with sex offenders and she just wanted to let him know that anyone who was convicted before the newer law, where they have to interact and report to the police, those people are not on the list and do not have to report to anyone.

SECTION 2 - DOG CONTROL MONTHLY REPORT – MAY 2013

Supervisor Croce stated that he had received the May 2013 monthly report from the Dog Control Officer.

Supervisor Croce read that there were 16 calls received at the kennel and 5 calls received from the Plattekill Police or the Sheriff Dept. Dispatch. The report stated that there were 5 open dog cases and no dogs seized, redeemed or in the kennel at this time.

Supervisor Croce continued to read that due to the volume of dog bite cases, he is postponing plans to do a dog enumeration, but will re-visit this issue as soon as the cases are closed. The report stated that the DCO has successfully implemented a new paper filing system which will enable him to handle

complaints, dangerous dogs and repeat offenders in a more efficient manner and will give more accountability to the department.

SECTION 3 – PARIBELLI SUBDIVISION

Supervisor Croce stated that the Town Board has been gathering and reviewing information on the situation involving Mr. Paribelli and the construction of a private road off of Barclay Rd. He stated that he felt Mr. Paribelli would like some indication this evening of the direction the Town Board is going in for handling this situation. He stated that the Town Board has contacted many professionals on this matter including attorneys and engineers.

Supervisor Croce stated that they have a letter from the Attorney and we need to document our decision and be very specific as to why we are making the decision that we make. He read that the Attorney is saying that “it is essential that there be a factual recitation of why you’re making the decision”.

There was discussion that Mr. Paribelli has resided at this property for more than 40 years and his son’s house was built about 12 years ago. This situation has occurred due to property being inherited.

Councilman Farrelly stated that he wanted to ask Mr. Paribelli a couple of questions. First, he wanted to know if he would consider changing a driveway from Barclay Rd. to the private road.

Mr. Paribelli stated that he did not want to change his driveway, but his son’s driveway could be changed to the private road.

Supervisor Croce stated that the problem is having a lot of driveways in a row.

Mr. Paribelli stated again that he could change the driveway that his son, Patrick Paribelli, uses. This could be moved to the private road.

Councilman DePew stated that he felt the driveway would have to be moved to the private road to eliminate many driveways and the road entrance all being in a row on Barclay Road.

Councilman Putnam asked what it would take to change the Private Road Specifications to be part of the Zoning Code? Then this could go to the Zoning Board of Appeals for them to make this decision.

Supervisor Croce stated that this was another possible way to deal with this situation. He has gotten an estimate that it would take at least 2 to 3 months. Then residents could apply to the ZBA for a variance. We would have to figure out what changes we wanted to make to the Private Road Specs. Right now the specifications say that there can only be one dwelling on the property. Do we want to change this? We have to be cautious. If we make an exception, it might not be a good thing. He would think that we would want to make changes to the law before changing it to be under the Zoning Code. This will take time.

Mr. Paribelli explained that this property was left to him through an Estate proceeding. He did not own this property when the other dwellings were originally put on the property. The Estate Attorney had informed him that he could do a flag lot, but he cannot because of the two driveways. This leaves the same situation if you just move the current code to the Zoning Code.

Mr. Castillo suggested that the son could chain off his driveway and only use it in case he is bringing in large machinery.

Supervisor Croce stated that he felt the better way to go was to move the son's driveway. Gating it would just add to the confusion. There would not be a hardship for the son to move his driveway, while there would be for Mr. Paribelli. His driveway has been there for 42 years. He does not agree with having two driveways and then the private road on Barclay Rd.

Mr. Paribelli stated that if that is what it takes to get this done, he will move his son's driveway.

The Town Board members did not want to hold up Mr. Paribelli from continuing the process with the Planning Board and the next meeting with the Planning Board was July 9th.

Councilman Putnam asked what the changes would be to the Private Road Specifications?

Supervisor Croce stated that they would look at changing the limit of one dwelling on a parcel and maybe change that there is a pre-existing use already on the parcel.

There was discussion on how a local law is changed and how long it would take to do so. Mr. Paribelli would be on hold if they were to do this.

Supervisor Croce stated that he is leary of making exceptions. He felt that changing the law would be the way to go, even though it would slow Mr. Paribelli down. If the rest of the Town Board wants to make this exception, we need to be very factual as to why we are making the exception.

The Town Board discussed again, the fact that there were pre-zoning, pre-existing issues.

Supervisor Croce stated that this decision is up to the entire Board. He has stated his opinion, but he is only one vote on the Board.

Councilwoman Morano stated that this situation has been made because of an inheritance. Mr. Paribelli did not create this situation with previous development.

Councilman Putnam stated that due to this property being given to Mr. Paribelli through an inheritance, that there are pre-existing dwellings and moving the driveway to the private road, he felt that this was reason enough to give an exception in this case.

Councilman Farrelly stated that he agreed with Councilman Putnam.

Councilwoman Morano stated that she agreed also.

* Councilman Farrelly made a motion to grant Mr. Paribelli his request and to make an exception to the existing Private Road Specifications providing that his son's driveway will be moved to have ingress and egress only from the private road, that Mr. Paribelli's driveway will remain as it is on Barclay Road and that there will only be two (2) entrances on Barclay Road - Mr. Paribelli's driveway and the Private Road.

Councilman Putnam seconded.

Councilman DePew asked if the Town Board was going to push forward with adopting the law?

The Town Board was in agreement and stated yes.

Supervisor Croce stated that he only has one comment. He stated that he felt the Town Board should be specific that the son's driveway cannot go out on Barclay Road for his house and/or business.

The Town Clerk read the motion back to the Town Board and it specified that the son's driveway will have ingress and egress only from the private road and that there will only be two (2) entrances left on Barclay Road, Mr. Paribelli's driveway and the entrance to the Private Road.

On the vote: Supervisor Croce No
 Councilman Putnam Yes

Councilman Farrelly	Yes
Councilwoman Morano	Yes
Councilman DePew	Yes

* Councilman DePew made a motion to pursue changing the Private Road Specifications to be a part of the Zoning Code.

Supervisor Croce stated that the issue is not only making this part of the code, we may want to make changes in regards to pre-existing situations and other issues.

* Councilman DePew amended his motion to say “to pursue changing the Private Road Specifications to be part of the Zoning Code and in regards to pre-existing situations”.

Councilwoman Morano seconded.

Councilman DePew stated that he would like to see another \$250.00 put in the escrow account for Mr. Paribelli given the fact that this is a unique situation and that there may be other issues that come up.

Supervisor Croce stated that the Town Board would not have any other reason to contact the Attorney; the Town Board just made the decision to allow this project to continue under the circumstances in the motion that was just voted on. There is nothing more for the Town Board to do on Mr. Paribelli’s situation.

Councilman DePew stated then we are ready to release the escrow money left over back to Mr. Paribelli.

Supervisor Croce stated yes.

Mr. Paribelli asked if the Supervisor was going to write a letter to the Planning Board to let them know of the decision that was made for his project?

Supervisor Croce stated yes, he would be writing the Planning Board a letter so that he could move forward.

On the vote: all ayes.

SECTION 4 - MML HOMES SUBDIVISION/INTER-MUNICIPAL AGREEMENT

Supervisor Croce invited Mr. Moriello to the front of the room and explained to everyone that this subdivision that they were going to discuss is partly in the Town of Plattekill and partly in the Town of Lloyd. The Town Board has been asked to enter into an Inter-Municipal Agreement with the Town of Lloyd so that there can be an exchange of services. The Town of Plattekill is looking to do some maintenance on the new road (approximately 500 feet) in this subdivision in exchange for the Town of Lloyd taking over doing some maintenance on Crow Hill Road.

Mr. Moriello stated yes, the developer has asked both Towns to enter in to this agreement and the Subdivision Developer will need a letter from each Town Board stating that they agree with the exchange of services before they can complete the project with the Planning Board.

The Town Board and Mr. Moriello reviewed the map as to what portion of the road was in the Town of Lloyd and what portion was in the Town of Plattekill.

Mr. Moriello stated that the Town Attorney, Mr. Paul Kellar has been working with the Attorney for the Town of Lloyd, Mr. Murphy. There were some concerns on Mr. Kellar's part as he would prefer a Letter of Credit be set up before the road is started and the contractor would like to build the road first and then bond the top coat. This is a financial hardship for the contractor to put up the bond at the beginning as he will have to bond the entire road and then build it for the same amount as the bond is worth, approximately \$400,000.00. He stated that the contractor is willing to put in the agreement that there will not be any building permits issued until the bond is posted and in place to finish the roadway/top coat. This would save the contractor from having to find \$800,000.00 to bond and build the road. He stated that he has done this on other projects that he has been involved in. Again, Mr. Kellar has stated that he would rather have the bond before starting the roadway. Mr. Moriello stated that he wanted to ask the Town Board if they would consider bonding the Top Coat providing the agreement states that no building permits will be obtained until the bond is in place for the Top Coat and any other things the Town Board might want as a safe guard.

Supervisor Croce stated that he has spoken with the Supervisor of the Town of Lloyd and he has read the municipal agreement. It includes that the Town of Plattekill will take care of winter maintenance on the new road in the subdivision and the Town of Lloyd will take care of winter maintenance of all of Crow Hill Road. He read the agreement to the rest of the Town Board and stated that he would get a copy to Mr. Moriello.

Supervisor Croce said he had one question. How does the Highway Dept. currently get to the Plattekill section of Crow Hill?

The Town Clerk stated that they go through the Town of Lloyd to get to the top of the hill, which belongs to the Town of Plattekill. The entrance to Crow Hill Road is off of South Street, which is in the Town of Lloyd. At the top of the hill/road you enter back into the Town of Plattekill.

Supervisor Croce stated then actually this solves two problems because we have to go through Lloyd to take care of our section of this road.

Councilman Farrelly stated so the proposal is to build the road up to putting on the top coat?

Mr. Moriello stated yes, and we cannot get a building permit until the road is bonded for the top coat amount.

Supervisor Croce stated that Plattekill has had problems with this in the past. We now have a system to alert us to when a bond or letter of credit is going to expire. It is the Town's responsibility to keep track of these things. When one is about to expire, we have to notify the bank to get it renewed.

Supervisor Croce stated that he felt this was a good document that Mr. Kellar has drawn up. He stated that he would send a letter to the Planning Board, with a copy of this agreement, letting them know that this is the agreement that the Town Board is considering.

Mr. Moriello stated that this is what they need to move forward.

SECTION 5 – SALE OF POLICE CAR – 2007 CHARGER

Supervisor Croce stated that the Town Board advertised for bids to purchase the 2007 Charger that was taken out of the Police Dept. fleet. We received four bid offers; 1.Scott Wolpert offered \$3,025.00,

2. William Smith offered \$2,077.00, 3. Joseph Jados offered \$2,700.00 and 4. Liberty Motors offered \$2,779.99.

Supervisor Croce stated that the Highway Supervisor has since received some information that the value of this car is more than any of these offers. And we are also working with the lease company where we have been leasing our police vehicles and they might take it in on a trade, again, giving us more than any of these offers.

Councilwoman Morano asked how much the book value was?

Supervisor Croce stated that it is several thousand dollars more than any of the offers.

Supervisor Croce stated that in the bid package we do state that we have the right to refuse any and or all offers. So he would like to suggest that we do not accept any of these offers.

Councilman DePew asked if we could get credit off on a current lease?

Supervisor Croce stated that he did not think they would do this, but we are still waiting for the lease company to get back to us. We do not have to make that decision this evening.

Supervisor Croce stated that there was a suggestion that we use it for a trade in for the new car we would purchase in 2014. He stated that he did not know that we would be purchasing a new car in 2014. We do not purchase a new car every year.

Councilman DePew suggested that we get the information and then if we are not happy with the trade in amount, then we could go out to receive offers again and put a minimum price.

Supervisor Croce stated that we could do that if we choose to do so.

* Supervisor Croce made a motion to reject all four (4) offers on the 2007 Dodge Charger police car. Councilman DePew seconded.

On the vote: all ayes.

SECTION 6 – MODENA RURAL CEMETERY

Supervisor Croce asked the Town Board if they had come to any decisions about what to do for the Modena Rural Cemetery requests? He stated that he wrote the Trustees a letter after the last Town Board meeting, but has not heard back from them yet. He stated that he believed they were having their meeting this evening. Maybe we should wait to see what they come back to us with.

Councilman Farrelly stated that he did not think the Town Board should do anything until they get back to us.

Supervisor Croce stated that he would like to bring up that our new website is up and running and he wanted to know if the Town Board was in favor of putting something on it for them. The Town Board had suggested to them that they get the word out that the Cemetery is in this situation.

Councilwoman Morano asked Mrs. Coppola if she had heard anything about a fundraiser or any other way that they have considered to raise money?

Mrs. Coppola stated that she, as a plot owner, has not heard anything.

Councilman DePew stated that he too understands that they are having a meeting this evening. He stated that he felt we should wait to see what they come back with. If they are meeting this evening, they should be discussing what they want to do. When we know, then we can put it on the website for

them. He stated that he did ask them to change the night that they meet so that it would not interfere with our meeting night. He stated that they were supposed to be discussing fundraising and the cost of the letter to go out to property owners. He did not feel the Town Board could make a decision until they come back to us with what they have decided this evening.

Supervisor Croce asked then we are agreed that we don't want to put anything on the website until we hear from them?

Councilman DePew stated that maybe we can make them aware that the site is up and running and hopefully when they come to the next meeting, we will have answers to our questions.

Supervisor Croce asked if the Town Board had any ideas as to how to put the information for the Cemetery Board on the website.

Councilman Putnam stated that if we do this for them, then does that mean other organizations can ask to put things on it too?

Supervisor Croce stated that he originally felt this way too, but Councilman Farrelly made a good point. We know of no other organization or non-profit group, that if they do fold, would then become the responsibility of the Town. If the Boy Scouts cannot make it, the Town does not have to take it over. There is a law saying we would have to take over the Cemetery and he does not want to see the Town go into the Cemetery Business.

Supervisor Croce stated that he also didn't want to go to the Cemetery Board and ask them what they want to put on the website. Maybe we would want to edit it.

Councilman DePew stated that with respect to what he is saying. He feels confident that we cannot work harder than they do. We should let them write it and then the Town Board can approve it. They run the Cemetery and we can offer to put things on for them and give them the opportunity to advertise for them. He stated that he feels we are even more justified to do this because they are coming to us for help. We want to help them, but they need to do the work.

Supervisor Croce stated again that it was the Town Board who said to them that they have to get the word out there and this is a way for them to do so. If they are going to have a fundraiser, he would have no problem putting it on the site. He stated that he does not have a great sense of cooperation with the Cemetery Board, but we can work things out.

Councilman Farrelly stated that he was in favor of waiting to see what they bring back to us.

SECTION 7 – RESOLUTION – NOTICE OF CLAIM

Supervisor Croce stated that the Town Clerk and he both received a memo on a new law in regards to Notice of Claims. He read the memo saying that State Law currently says the Town can be served with a Notice of Claim by serving either the Town Clerk or the Supervisor or the Attorney for the Town. The new law will allow someone to also serve the Secretary of State, on behalf of the Town, at a charge of up to \$250.00. The law requires the Town to adopt a resolution designating someone as the person the Secretary of State will send the Notice of Claim to, along with half of the money collected at filing. There is a time frame to adopt the resolution and then forward it to the Secretary of State so that the Notice of Claims can be forwarded along with the funds.

Supervisor Croce made a motion to adopt the following resolution:

TOWN OF PLATTEKILL

DESIGNATION TO ACCEPT NOTICE OF CLAIMS
FROM SECRETARY OF STATE

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 Plattekill, County of Ulster, designates Barbara E. Dawes in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at PO Box 45, #1915 Rt. 44-55, Modena, NY, 12548 and email at Plattekilltownclerk@hotmail.com.

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.

Councilman Putnam seconded.

On the vote:	Yes	No	Abstain	Absent
Supervisor Croce	X			
Councilman Putnam	X			
Councilman Farrelly	X			
Councilwoman Morano	X			
Councilman DePew	X			

Date: June 19, 2013

SECTION 8 – RED, WHITE AND BLUE CELEBRATION

1. Band:

Supervisor Croce stated that he had received several price quotes for the Town Board to choose a band for the July event. The Mustangs would play at a cost of \$750.00, however they

are not available for this evening, the Blue Funk Band would cost \$600.00 and the Outer Limits were also \$600.00. All the bands would play for four (4) hours.

Supervisor Croce stated that the Outer Limits Band has played at the Gold Fox. The Blue Funk Band is also a local band which includes the up and coming guitar player Dylan Doyle, who is the grandson of Gene Coy, from the Ardonia area of Town. The Town Board needs to decide who we will choose for this year.

Councilwoman Morano asked Mr. Farrell about the two different bands.

Mr. Farrell stated that both the bands Blue Funk and the Outer Limits are local bands that play many local venues. He stated that Dylan Doyle is from our Town and is an up and coming guitar player and the band is very good.

Mrs. Coppola stated that Mr. Doyle has played at the Falcon in Marlboro.

Mr. Farrell stated that the Mustangs are also very good and they play a lot of local events too. Maybe we should rotate with these local bands each year to give them exposure.

Supervisor Croce stated that he has not heard either band. He has heard the Mustangs, but they are \$750.00 and the other two are \$600.00.

Councilman DePew asked how many pieces were in each band?

Supervisor Croce stated that he understands the Blue Funk Band has 5 pieces and Dylan Doyle has 3 pieces.

Mr. Farrell explained that some of the same people are in both the Blue Funk Band and the Dylan Doyle Band and the entire group will play for some of the time and then just some of the band will play for the rest of the time.

Councilwoman Morano stated that it was like getting two bands for the price of one band.

* Councilwoman Morano made a motion to hire the Blue Funk – Dylan Doyle Band for the July 13, 2013 Red, White and Blue Event.

Councilman Farrelly seconded.

On the vote: all ayes.

2.Fireworks Company

Supervisor Croce stated that Mr. Chris Dawes was still the President of the Southern Ulster Rotary and they have always been in charge of the food vendors for the July event. He stated that he has attended a few meetings and everything is progressing nicely.

Supervisor Croce stated that he has obtained three price quotes from three (3) different fireworks vendors; one is from Fireworks Extravaganza for \$5,500.00, the second one is from Melrose Fireworks, which is based out of Chicago, and their starting price is \$50,000.00 and the third price quote is from Zambelli Fireworks at a cost of \$8,500.00. He stated that both Fireworks Extravaganza and Zambelli Fireworks have the same basic program. We have used Fireworks Extravaganza for the past few years.

* Councilman Farrelly made a motion to use Fireworks Extravaganza for the Red, White and Blue Celebration on July 13, 2013 at a cost of \$5,500.00.

Councilman DePew seconded.

On the vote: all ayes.

Supervisor Croce read through the basic program of what type of fireworks would be used and stated that the show would be approximately 25 minutes long. He stated that he would sign the contract and send the down payment.

Mr. Farrell stated that he had some signs that said “Always Remember” and “Never Forget” and he would like permission to put them up on the upper level at the Park.

Supervisor Croce stated that he thought those signs were from the Republican Committee float and he did not want anyone to get the idea that there was anything political going on at this event.

The Town Board discussed this and it was noted that the signs were from the Veteran’s Committee Parade float; the Republican Committee did not have a float. There was nothing political about the signs.

Supervisor Croce stated that the Town Board is giving him permission to put up the signs.

SECTION 9 – HAYING OF THE FIELD BID

Supervisor Croce stated that the Town Board was to have the bids opened today for the Haying of the Field that is used for parking across the street from the main parking lot of the Town Park. There was an issue with getting the legal notice in the newspaper and it did not get published in the newspaper until today.

The Town Clerk stated yes, it was in today’s edition of the Southern Ulster Times and the bids are to be opened on June 28, 2013. The Town Board can then make the decision on who will be awarded the bid and this will give the person two weekends and two full weeks to get the field mowed.

SECTION 10 – EXECUTIVE SESSION

* Supervisor Croce made a motion to go into Executive Session to discuss personnel. Councilwoman Morano seconded.

On the vote: all ayes.

Time: 9:28 PM.

Back: 9:41 PM.

* Supervisor Croce made a motion to close Executive Session and to reopen the Regular Town Board Meeting.

Councilwoman Morano seconded.

On the vote: all ayes.

SECTION 11 – VOUCHERS

* Councilwoman Morano made a motion to pay the Voucher Detail Report dated June 19, 2013 which includes the General Fund amount of \$28,282.52, the Highway Fund amount of \$9,121.39 and the Trust & Agency amount of \$320.00 for a total amount of \$38,723.91 recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Councilman Putnam seconded.

On the vote: all ayes.

SECTION 12 – ADJOURNMENT

* Councilman DePew made a motion to adjourn the meeting at 9:42 PM..

Councilman Putnam seconded.

On the vote: all ayes.