

TOWN OF PLATTEKILL  
REGULAR TOWN BOARD MEETING

February 5, 2014

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 Farrelly
- Councilwoman Delgado
- Councilman DePew

Councilman Putnam was absent.

Supervisor Croce wanted to take the time to thank the Highway Crew for all the work that they have done cleaning the roads. They do a great job.

MINUTES

\* Supervisor Croce made a motion to dispense with the reading of the minutes from the Dec. 18<sup>th</sup> and Dec. 30<sup>th</sup>, 2013 Town Board Meetings and the Jan. 2<sup>nd</sup> and January 15<sup>th</sup>, 2014 Town Board Meetings.

Councilman Farrelly seconded.

On the vote: all ayes.

\* Supervisor Croce made a motion to accept the minutes from the Dec. 18, 2013 Regular Town Board Meeting.

Councilman DePew seconded.

On the vote: Supervisor Croce	Yes
Councilman Farrelly	Yes
Councilwoman Delgado	Abstained (she was not in office at this time)
Councilman DePew	Yes

\* Supervisor Croce made a motion to accept the minutes from the Dec. 30, 2013 Special Settlement Town Board Meeting.

Councilman DePew seconded.

On the vote: Supervisor Croce	Yes
Councilman Farrelly	Yes
Councilwoman Delgado	Abstained (she was not in office at this time)
Councilman DePew	Yes

\* Supervisor Croce made a motion to accept the minutes from the January 2, 2014 Reorganization Town Board Meeting.

Councilwoman Delagdo seconded.

On the vote: all ayes.

\* Supervisor Croce made a motion to accept the minutes from the January 15, 2014 Regular Town Board Meeting.

Councilwoman Delgado seconded.

On the vote: Supervisor Croce                      Abstained (he was absent at this meeting)

                    Councilman Farrelly                      Yes

                    Councilwoman Delgado                      Yes

                    Councilman DePew                      Yes

PUBLIC INPUT

Mr. Joe Egan was present with his son and stated that it was nice to see Local Government doing business on a snowy evening!

Supervisor Croce thanked him for his comment.

As there were no further questions or comments;

\* Supervisor Croce made a motion to close the Public Input section of the meeting at 7:06 PM.

Councilman Farrelly seconded.

On the vote: all ayes.

SECTION 1 – ASSESSOR MONTHLY REPORT

Supervisor Croce read the January 2014 monthly Assessor’s Report noting that those persons who receive Disability, Veteran and/or Senior Exemptions should make sure that they re-new their eligibility by March 1<sup>st</sup>.

Supervisor Croce stated that the Town Board is looking into adding another Veteran’s Exemption to try to help out the veteran’s in our Town.

A copy of this full report can be obtained in the Town Clerk’s Office.

SECTION 2 – POLICE DEPT. REPORT FOR DECEMBER 2013

Supervisor Croce read the Police Dept. monthly report for Dec. 2013. He read that there were 370 documented calls for service and a total of 83 traffic Tickets issued for this month. There were 18 motor vehicle accidents handled by the Plattekill Police with no one reporting any injuries. Most of these accidents were weather related.

Supervisor Croce did not read through the extensive Arrest Blotter, but he did read the Detective Report which explained that they did case work on an armed robbery and assault that occurred on Cotter Road, another armed robbery that occurred at the Citgo Gas Station on Rt. 32 in Modena and a narcotics investigation at 11 Colleen Lane was closed with an arrest on narcotic charges. One Assault case was also closed with an arrest.

Supervisor Croce read that there were no problems with any of the vehicles in the fleet and the Police Dept. was able to purchase a security camera system for the Police Station. The Supervisors will be able to view the system from their cell phones and there is total view of the evidence room and building exterior. The system was installed by Lt. Smith and Officer Brenner.

Supervisor Croce finished reading the report by reading the Personnel Matters section which indicated that many officers were recognized at the annual Holiday Awards Dinner and several Officers received awards for life saving, excellent and meritorious police duty. Several letters had already been read at a previous Town Board Meeting. A full copy of this report can be obtained at the Town Clerk's Office.

### SECTION 3 – MEMO FROM TOWN ASSESSOR

Supervisor Croce read a memo from the Town Assessor explaining that he had reviewed the State review of changes in the Real Estate Market for all towns in the state to determine full value of each municipality. In reviewing these changes he noticed trends that made a change in the market value from July 2012 to July 2013. Based on the changes in market value the State determined the ratio of assessed value to market value for different property types. The ratios indicated that Residential property types were over assessed by 4%, Vacant Land types were fairly assessed, Commercial types were over assessed by 5% and Utilities were over assessed by 20%.

Supervisor Croce continued reading that the Assessor stated he did his own analysis and is proposing that changes be made to the 2013 Assessments by reducing assessments for all residential properties by minus 4% which would bring these properties down to 100%, for vacant land he would suggest reducing the assessment on buildings lots by 25% and he would review the assessments on small Commercial Properties on a case by case basis to make adjustments where he feels necessary. He stated that he has received appraisals for Utility Properties and based on those appraisals he will need to reduce them by 17%.

Mr. Dunham's memo stated that he felt this adjustment in assessment was necessary to help minimize any shifts in taxes between area Towns. He stated that he would expect to complete the necessary work on these changes by early March and would send out notices to property owners by the middle of March. He stated that he would then meet with property owners until the middle of April prior to the filing of the Tentative Roll on May 1, 2014. He was asking that this project be approved by motion of the Town Board.

The Town Board was in agreement that this project should be completed so that hopefully we will not get hit with such a high increase in our school tax again this year.

Supervisor Croce explained that Mr. Dunham would have been here if the weather was better this evening.

\* Councilwoman Delgado made a motion to allow the Assessor to update the Assessment Roll and make changes to bring us back to the equalization rate of 100% and to do whatever was necessary to complete this project.

Councilman Farrelly seconded.

On the vote: Supervisor Croce                      Yes

Councilman Farrelly	Yes
Councilwoman Delgado	Yes
Councilman DePew	Abstained (stated he did not have enough information)

SECTION 4 – BROOKS & BROOKS - PARIBELLI PLANNING BOARD PROJECT

Supervisor Croce stated that there was supposed to be a representative here this evening to discuss this project, but due to the inclement weather, he did not think anyone was coming. He stated that he had given the Town Board some information on what has been happening with this project and the Town Board has already given this project some exemptions. He stated that they now need us to review the road maintenance agreement. He stated that he would like to send this agreement to the Town Attorney to have him review it before the Town Board approves it.

Supervisor Croce stated that the other issue is that the Highway Superintendent likes to see a hammerhead at the end of a private road instead of a cul-de-sac. It is easier for snow to be plowed and to do maintenance work. Mr. Paribelli would like to have an “L” shape instead of the hammerhead.

Supervisor Croce stated that this has all been discussed with the Highway Superintendent and a letter was sent requesting approval from the Modena Fire Chief that this is acceptable with them. So we have a letter from the Highway Superintendent saying an “L” shape is OK with him and we have a letter from the Fire Chief saying there is enough room for service vehicles to get in and out, so it is OK with him too.

Mr. Paribelli arrived at the meeting at this time and explained that everyone has given their approval to the “L” shape.

Councilwoman Delgado stated that she was reading the maintenance agreement and it keeps referring to the “Private Road” as a “Private Driveway”.

The Town Board agreed that it should be sent to the Town Attorney for review.

The Town Clerk stated that she thought there might be a template that the Planning Board uses for maintenance agreements. She stated that she would have to speak with the Planning Board Clerk to be sure.

Supervisor Croce stated that he would check with the Planning Board to see if they have a template and if not he will forward this agreement to the Town Attorney.

\* Supervisor Croce made a motion to approve the “L” shape, instead of the hammerhead shape, for the private road in the Paribelli project based on the information provided by the Highway Superintendent and the Modena Fire Dept. Chief that they are in acceptance of the “L” shape shown on plans dated 11/25/2013 for the proposed private road over lands of Paribelli located off Barclay Road. Councilwoman Delgado seconded.

There was some discussion on the fact that Brooks & Brooks was asking the Town Board to approve this instead of a request from the Planning Board.

There was also discussion that the Fire Chief must have visited the site to make sure that the service vehicles could get in there and turn around on the “L” shape.

Supervisor Croce stated that the Chief also had a map with all the dimensions and the Highway Superintendent stated that he approves it as long as it was also approved by the Fire Chief.

Mr. Paribelli stated yes, there is a letter from the Fire Chief saying that there is plenty of room for trucks to turn around.

Supervisor Croce stated that we are voting that we are accepting the "L" shape instead of the hammerhead.

On the vote: all ayes.

Councilwoman Delgado questioned whether the Supervisor was going to go back to the Planning Board about the maintenance agreement?

Supervisor Croce stated yes.

#### SECTION 5 – REPORT ON MEETING WITH LIBRARY BOARD

Councilman Farrelly stated that Councilman DePew and he met with the Library Director and three of the Trustees. The Director started the meeting by giving a detailed report on what services are offered by the Library.

Councilman DePew stated that it seemed to be an informal "meet & greet" type of meeting. He stated that Mr. Georghiou gave a rather rushed presentation of who they are and what they do. He stated that he felt that they should take that presentation around Town and let people know what they do. He stated that he did ask some questions and is waiting for them to get back to him with the answers. He stated that he did get a feeling that they were kind of on the defensive side and he felt that they thought they were going to get some negative feedback, but they did have some good information and he would like to see them try to get the public more involved.

Supervisor Croce asked if it was still on the table to have two representatives come to a Town Board Meeting?

Councilman Farrelly stated yes, that is still on the table and they are planning on having another meeting.

Councilman DePew stated that they are looking to get the word out as to what they do and how they can help people. Maybe they could go to the Fire Departments and have area meetings for people who want to learn about what they have to offer.

Councilman DePew continued saying that as a tax payer, he has questions. The Town Board can't tell them what to do as they are a public entity. He stated that he feels the public should get more involved and come to an open meeting to see what they offer. He stated that we could maybe have a link to the Library website from the Town website.

The Town Clerk and Councilwoman Delgado both stated that they thought there already was a link to the Town website.

Mr. Farrell was in the audience and he stated that he thought it would be a good idea to have a link from the Town website to the Library website, if it is not already there. It would solve a lot of issues that have come up.

Councilman DePew stated that the community needs to know, not necessarily the Town Board. We don't have anything to say on an official level.

There was more discussion on asking questions about what the Library is planning in the future and Councilman DePew stated that they should come back to a Town Board Meeting. He stated that they could still have a separate meeting, but they should come to an open Town Board Meeting.

SECTION 6 – U.R.G.E.N.T. RELEASE-RESOLUTION

Supervisor Croce stated that the Town has adopted a resolution to be a part of the URGENT Task Force and there are some funds that will be coming to us, for our use, here in Town. We have to adopt a second resolution so that they can release these funds to us.

TOWN OF PLATTEKILL

RESOLUTION

FOR THE RELEASE OF U.R.G.E.N.T. FUNDS

Supervisor Croce made a motion to adopt the following resolution:

**WHEREAS**, pursuant to the Ulster County Regional Enforcement Narcotics Team Cooperative Agreement (URGENT) and the Inter-Municipal Agreement for the year 2013 between the Town of Plattekill and the County of Ulster, the Town of Plattekill is eligible for a distribution of monies that were seized by URGENT in the amount of \$14,000.00;

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Plattekill has authorized the general release related to this distribution and has authorized the Town Supervisor of the Town of Plattekill to sign the general release required in order for the funds to be released by the County of Ulster on behalf of URGENT.

Councilman DePew seconded.

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

Adopted: 2/5/2014

SECTION 7 – MEDICAL BENEFITS – DOMESTIC PARTNERS

Supervisor Croce explained that he has spoken to the Town Board members separately about a request to offer health benefits to “Domestic Partners”. He stated that the Town has not offered this option before and the Town Board would need to decide if we should start doing this now.

Supervisor Croce read a letter from our current health benefits provider, CDPHP, and the letter basically stated that the “Group”, which would be the Town of Plattekill, would have to make a decision as to whether we wanted to offer this option or not.

Councilwoman Delgado stated that she could see the Town offering this option to our employees.

Supervisor Croce stated that his hesitation is due to the money it already costs us to provide health benefits. This is one of the highest expenses the Town incurs and he has been told by our health representative that we can expect an approximate 15% increase in health benefits for the coming year.

Councilwoman Delgado asked if the “partner” would have to pay some of the cost to be in the program?

Councilman DePew stated that currently we only have new employees pay 25% of the difference from a single plan to a couples or family plan. He stated that he felt this was something that we should offer our employees, but we need a plan as to what they would have to produce as proof that they are actually domestic partners. We should have proof of how long they have been together; evidence that they co-habitat.

Councilman Farrelly stated that he felt they needed to make a list of what they wanted as proof of the co-habitation.

Supervisor Croce asked if the Town Board wanted to do this this evening?

Councilman DePew stated no, he felt the Town Board should set up guidelines. He stated that he was worried that we would allow someone to sign up for the insurance, then if they leave the relationship and three weeks later get back together, then do we take them back again? There needs to be some clause that protects the Town for this back and forth type of situation. And if they have children, do we cover them too? He stated that there was discussion that they would have to prove they have been together for at least two (2) years. If they break up and get back together, do we make them wait two years again?

There was a short discussion on the length of time they would have to prove that they have lived together and that they would have to cover children if there was a family policy involved. The Town Board also discussed a sample “Declaration of Cohabitation & Financial Interdependence” form from another health benefit provider, that had been provided by CDPHP. This form had three possible “proofs of co-habitation” and twenty four possible “proofs of Financial Interdependence” that could be used to prove a couple was living together.

\* Councilman DePew made a motion that the Town of Plattekill offer health insurance to Domestic Partners.

Councilwoman Delgado seconded.

Supervisor Croce stated that he felt this motion was a little premature as the Town Board had not even defined what a “Domestic Partner” would be.

Councilman DePew stated that he recinded his motion and Councilwoman Delgado recinded her second on this motion.

Supervisor Croce read a section of the letter from CDPHP again which stated that it was up to the “Group”, which is the Town, to determine the length of a domestic partnership and what proof would be needed.

Supervisor Croce stated that first the Town Board has to be in agreement that we want to offer health benefits to domestic partners and then second, we have to decide what the length of time that they have been together will be.

The Town Board members all stated that they were in agreement that health benefits should be offered to domestic partners.

After a short discussion, all the Town Board members agreed that 24 months (or 2 years) would be an appropriate length of time that the people would have had to be living together to be considered "living in a Domestic Partnership".

The Town Board then discussed the issue of including children in the relationship. It was discussed that if an employee were to get married, currently any children included in that marriage could be covered if the policy was changed to a family plan. The Town Board all agreed that there shouldn't be any difference if the couple were a "Domestic Partnership".

\* Councilman DePew made a motion to provide Health Benefits for Domestic Partnerships and to follow the template/sample that was received from CDPHP except that cohabitation would have to be shown for at least two (2) continuous years, that there be proof of at least one (1) proof of Cohabitation from the required list and three (3) proofs of Financial Interdependence from the required list; which he then read 23 of the 24 required financial proofs that were listed on the template/sample form. (He did not include the last item which stated "Other items of acceptable proofs...")

Councilwoman Delgado seconded.

Supervisor Croce stated that he felt using the 23 items listed for financial interdependence was going way overboard and did not feel that this long list was needed. He stated that he felt the Town Board should pick a few items like credit cards, loans, etc. and then people could pick 2 or 3 items off the list.

Councilman Farrelly stated that he agreed with Supervisor Croce. He felt we could use this list, but we didn't need all 23 items and that having 2 or 3 items from the list would be enough.

There was discussion that maybe they would only require 2 items on the list, if they were making the list shorter. The Town Board reviewed which items to use and the template/sample was passed around so that each Town Board member could review it and say which items they felt should be on the Town form.

At this time, Councilman DePew recinded his motion and Councilwoman Delgado recinded her second on his motion.

\* Supervisor Croce made a motion that the Town of Plattekill will provide Health Benefits for Domestic Partners who can provide proof of 2 years of continuous cohabitation by providing one of the following two items; Drivers Licenses showing that both reside at the same address or Tax Returns showing that both reside at the same address and by providing 2 years of continuous Financial Interdependence by providing two (2) of the following list of 10 items; A joint bank account, A joint credit or charge card, A joint obligation on a loan, Status as an authorized signatory on the domestic partner's bank account, credit card or charge card, Joint ownership or holding of investments, Joint ownership of a residence, Joint ownership of real estate other than a residence, Listing of both domestic partners as tenants on a lease of a shared residence, Shared rental payments for a residence, Listing of both domestic partners as tenants on a lease or shared rental payments for property other than a residence.

Councilwoman Delgado seconded.

On the vote: all ayes.

## SECTION 8 – INTERMUNICIPAL AGREEMENT

Supervisor Croce stated that he would like to check with Mr. Kellar, the Town Attorney, one more time to make sure that we are adopting the correct agreement. He stated that there were some changes made, a few times, and he is not sure this is the final one. This will be on the next meeting agenda.

#### SECTION 9 – E-MAIL FROM SENATOR LARKIN’S OFFICE

Supervisor Croce stated that he has received an e-mail from Senator Larkin and he has requested that the Town of Plattekill look into adopting a local law to add another exemption for our Town Veterans. There is one person in particular, who is a veteran, and she has also asked that we consider adopting this additional exemption.

Supervisor Croce read a section of the e-mail explaining that there could be two sections to this local law. One is for Veterans on disability and the other is for covering prescriptions that are not covered by insurance. He stated that he felt we should adopt the portion that would help our disabled Veterans.

Supervisor Croce proposed the adoption of a local law entitled “A local law to amend Chapter 97-14A of the code of the Town of Plattekill”. This local law would allow any person on Veteran’s Disability Compensation to deduct that amount from their yearly income before calculating their income for consideration of an exemption.

Supervisor Croce read the proposed local law that would add one additional sentence to paragraph “A” in Chapter 97-14 of the Code of the Town of Plattekill and gave each Town Board member a copy.

#### SECTION 10 – PROPOSED LOCAL LAW – BEST VALUE PURCHASING

Supervisor Croce stated that the Highway Superintendent had first brought this local law to his attention several months ago and when he attended training in January 2014, it was again brought to light that Towns should consider adopting it. It is a local law that would allow a Town to purchase the “Best Value” product instead of having to purchase the “least expensive” product. The Best Value product may not always be the Lowest Priced product. If there is reason to purchase the slightly higher priced product because of lower cost of maintenance, durability, higher quality and/or longer product life and this could all be documented before the purchase is made, it would be more responsible to purchase the better product. This local law is subject to the competitive bidding under General Municipal Law #103 and is also defined in Section #163 of the New York State Finance Law.

Supervisor Croce read the proposed local law entitled “A local law to allow certain purchase contracts to be awarded on the basis of best value” and gave each Town Board member a copy.

#### SECTION 11 – PUBLIC HEARING DATE FOR PROPOSED LOCAL LAWS

The Town Board set a date for the two proposed local laws, one for Veteran’s Disability Exemptions and the second for purchases made for Best Value, at the next regular Town Board Meeting on February 19, 2014 at 7:00 PM at the Town of Plattekill Town Hall.

The Town Board asked the Town Clerk to put a legal notice for each Public Hearing in the Town Newspaper and to post them on the bulletin board in the Town Hall.

SECTION 12 - VOUCHERS

\* Councilman DePew made a motion to pay the Voucher Detail Report dated 2/5/2014, for vouchers dated for purchases made in 2013, which include the General Fund amount of \$481.36 and the Highway Fund amount of \$7384.41 for a total amount of \$7,865.77 recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Councilwoman Delgado seconded.

On the vote: all ayes.

\* Councilman DePew made a motion to pay the Voucher Detail Report dated 2/5/2014, for vouchers dated for purchases made in 2014, which include the General Fund amount of \$88,399.86, the Highway Fund amount of \$72,187.58, the Clintondale Light District amount of \$873.26, the Modena Light District amount of \$1507.18 and the Trust & Agency amount of \$6,118.33 for a total amount of \$169,086.21 recognizing that the Audit Committee has reviewed the claims and found them acceptable for payment.

Councilwoman Delgado seconded.

On the vote: all ayes.

SECTION 13 – EXECUTIVE SESSION

\* Supervisor Croce made a motion to enter into Executive Session to discuss a police matter at 9:18 PM.

Councilwoman Delgado seconded.

On the vote: all ayes.

\* Supervisor Croce made a motion to close Executive Session and to reopen the regular Town Board Meeting at 9:26 PM.

Councilman DePew seconded.

On the vote: all ayes.

SECTION 14 – ADJOURNMENT

\* Councilman DePew made a motion to adjourn the meeting at 9:27 PM.

Councilwoman Delgado seconded.

On the vote: all ayes.