

Town Board Meeting
December 2, 2010 7:30 p.m.

Present: David Lewis, Kitty Brown, Jeff Logan, Jane Ann Williams, Toni Hokanson.

At 7: 35 p.m. the Supervisor called the meeting to order with the Pledge of Allegiance.

PUD Process Discussion and Possible Amending of Law Discussion :

Discussion with Attorney George Rodenhausen. The PUD law in this town provides that when the application comes in to the Town Clerk it gets forwarded automatically to the Town Board and the first job of the Town Board is to refer to the Planning Board. It means nothing other than it starts the process. The Town Board asks the Planning Board for its recommendation back.

Councilwoman Brown disagreed. She said that's not what this law says. She says that it says that we, the Town Board have to weigh the public benefits and that we are enacting rezoning and that is what is going to go to the Planning Board.

Wood burning Stoves: Designated Town Board as lead agency; public hearing set for January 20, 2011 at 7:15 p.m.

Bus Contract with New Paltz Central School District- Periodically use buses for Youth Center Programs. This year included Clean Sweep. We usually sign contract early in summer because of Y Program, which we didn't have this year. The school didn't send until Youth Program had a trip scheduled on Friday (tomorrow)

A motion was made by Supervisor Hokanson to authorize herself to sign the contract. Seconded by Councilman Lewis, all aye votes cast, motion carried. Contract runs through June 30th. Then new contract starts July 1st.

New Year's Holiday- need to set holiday: Supervisor Hokanson recommended designation of Monday, January 3rd as the New Year's Holiday. Can't wait until the Re-Organization meeting to do this. Can't designate Dec. 31st as a holiday because it would give us 14 holidays in one year. A motion was made by Councilwoman Brown designating January 3, 2011 as the New Year's Holiday. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

Bathroom request for additional payment:

Supervisor Hokanson indicated: As you will recall the money that was been expended by Village and sent to us for reimbursable of about 50% - there were certain items I had excluded from the payment that didn't fit with contracts of what we were be obligated to pay. The Village through their attorney is arguing that the intent of agreement between the Town and Village was to split all costs of the project 50/50 regardless that it only referred to engineering

Independent audit, photo mailing to NYS Parks is a requirement of grant, argument is intent to share costs referring to engineering and construction. Regardless of not itemized in agreement – Supervisor Hokanson would bring to this board. That would cover items 2, 3 and 4. Also, final report by Shingebiss which did not require the company writing the grant to provide their final report. Supervisor Hokanson feels this is more questionable than other items given their argument. We have to decide what we want to reimburse them for.

Councilwoman Brown has file – can't find original contract—a contract is a contract; if it was intent it would have been in the contract; that's what lawyers are paid to do. This goes back to 2005. Cannot find that exact

contract –was sent to the Supervisor when she asked for it to review bills-it refers to engineering and construction.

Councilman Logan- no different than the Solar panels.

Supervisor Hokanson-We paid fair payment toward electricity that we received; it is a little different – we do have a contract. Very specific-architectural and engineering expenses should be paid. Can't second guess a contract.

Councilwoman Brown- This is the place where that would be; they forgot to put it in; and we forgot to remind them that they could get more money out of us. You can't second guess a contract.

Councilman Logan suggested to move forward and say the Board would not take action.

Highway request: Two items for disposal; considered unsafe and unserviceable, to be sold as scrap.

1991 ¾ T dodge pickup w/utility body and 1968 5 ton wrecker. Additional item of 1985 Stone, DMcL-9 cement mixer. This is old and is no longer used. Recommending we do public bid.

A motion was made by Councilman Logan that Mike to be allowed to do this. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

A motion was made by Councilman Logan to go into Executive session for the purpose of discussing potential legal action. Seconded by Councilwoman Brown. Supervisor Hokanson amended his motion to discuss contracts: discussing lease and contracts. Seconded by Councilwoman Brown, all aye votes cast, motion carried.

Coming out..pick up attorney language for expenses

Respectfully submitted,

Marian Cappillino
Town Clerk

