

**TOWN OF WASHINGTON
TOWN BOARD
APRIL 11, 2019**

The Town Board of the Town of Washington held their regular meeting on Thursday, April 11, 2019, at the Town Hall, 10 Reservoir Dr., Millbrook. Supervisor Gary Ciferri opened the meeting at 7:00 PM with the following present: Councilmen Robert Audia, Michael Murphy and Al De Bonis, Highway Superintendent Joseph Spagnola, Town Clerk Mary Alex, Bookkeeper Lois Petrone and Attorney for the Town Jeff Battistoni.

County Legislator Deirdre Houston, Howard Schuman, Trustee Kevin McGrane and Charles Abbott were also present.

Supervisor Ciferri opened the meeting with the Pledge of Allegiance.

The Town has received a request from Marc Coviello, Dutchess County Director of Veterans' Affairs for a Town Board member to serve as a Veterans' Liaison for the Dutchess County Division of Veterans' Services. Supervisor Ciferri, a US Army Veteran, having served in the Korea volunteered to represent the Town and his fellow Veterans.

In regard to the 2019/2020 General Insurance, the Town has received a quote from NYMIR to keep the coverage at 6/12 million or increase it to 10/20 million for an additional \$4,000.00. Town Clerk Alex spoke with agent Mary Liberatore to see if the Town had any claims or particular reasons to make the change. Mrs. Liberatore advised that the Town did not have claims, NYMIR as a practice offers quotes with additional coverage. On a motion made by Councilman De Bonis and seconded by Councilman Audia, the Board moved to keep the insurance at the current level of 6/12 million. The vote was as follows:

Supervisor Ciferri: Aye
Councilman Turletes: Absent
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman De Bonis: Aye

Charles Abbott addressed the Board regarding the topic of combining the Village of Millbrook and the Town into one government entity. He said that the growth in the town has been primarily around the village, the outlying area is still greatly rural. With out of control costs and the 2% tax cap, the village and town will have to make extreme decisions. We share schools, the court, recreation and the dump.

He believes a substantial savings could occur between the Town and Village. Mr. Abbott said a combination of the village and town would better allow us to serve all citizens. Mr. Abbott asked the Board would they be willing to put it to the voters to on the 2020 ballot to combine the town and village.

Supervisor Ciferri replied that these are all good points and has been discussed at different times. A vote would be needed by citizens of both the town and village. Prior to having it placed on a ballot, a study would need to be done.

Councilman Murphy said the state encourages municipalities to combine services. There are several areas that the state has been looking at the concepts. We tried to do it on the court system and we share different things with the highway departments. Mr. Abbott said the costs continue to sky rocket. Councilman Audia said we wouldn't save much on the help end. There are shared service grants available to complete the studies. We will continue to think about.

Mr. Abbott said there would be a need to create a sidewalk, water and sewer district and other districts.

2020 not here yet. He would put it on the table to get it going. The Board was appreciative of his comments and idea.

Highway Superintendent Spagnola said the new tractor is on the way. It will be here tomorrow or next week. It is a John Deere 5850- used mostly for raking and mowing. It has a mower, boom and drag behind.

Highway Superintendent Spagnola advised that the dirt roads did very well this winter. He had maybe one call this winter with concerns. They held up. To date we have used 2,466 tons of salt. The 2019 Budget allows for 2600 tons. The Village will pay us back for what they have used, which is approximately 400 tons.

The Highway Crew started today on Killlearn Rd. They purchased a ditching bucket. It is curved and makes a perfectly round ditch. The Highway Department will be working on all roads over the next couple of years. The material being removed is being stored at the Rt. 343 property. At some point, we will bring a sifter in, to take out and reuse the stone material.

Currently, the department has had grading underway. We are running two graders, two tractors and one roller. The Town needs a qualified Class A driver, to drive the large equipment trailer. Wayne Gruntler took the test the other day. Mr. Spagnola said the training and license will be paid for by the Town out of the Highway Superintendent training line. The Town Board approved the training for Mr. Gruntler.

The South Road culvert will be worked on in the near future. If permits are needed, he would like to work with the County to obtain them.

Highway Superintendent Spagnola requested permission to sell the Case Tractor, which is a surplus piece of equipment. A motion was made by Councilman Audia and seconded by Councilman Murphy to advertise the Case Tractor for sale, with interested parties submitting a sealed bid. The vote was as follows:

Supervisor Ciferri: Aye

Councilman Turletes: Absent
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman De Bonis: Aye

Highway Superintendent Spagnola notified the Board that currently the Highway Department has been working on drainage and ditching on Killearn Road. He reminded the Board that during Mr. Race's time as Highway Superintendent, the Town installed a mesh mat several inches under the surface of portions of Killearn Road. As they were digging to put the drains in, they noted that the road has been built up by three feet of materials on top of the mat. He will keep the Board posted on their progress.

County Legislator Houston advised that since New York State has enacted legislation for early voting, there will be voting at locations throughout Dutchess County for 10 days prior to the Tuesday election. Voting will stop on Sunday night and resume on Tuesday. The Millbrook Firehouse is one of the super sites. This is an unfunded mandate pushed by the state. It is a huge cost to the county, in terms of \$745,000.00. Registered voters will be able to vote in any of Dutchess County's five supersite locations.

The County Legislature recently voted to enact term limits. The County Executive, Comptroller, County Clerk and Legislators will have a maximum in office limit of twelve years. The County Sheriff is exempt from the term limit policy.

A revised Code of Ethics, which was co-sponsored by Legislator Houston has been adopted. This will encompass all county employees including Dutchess County Community College and the IDA. Information will be foible to some extent.

The Legislature has also passed legislation to update the Liquor Law expanding the hours of sales allowed for liquor. The hours will be Monday – Saturday until 9:00 PM. It has moved to New York State for approval. Legislator Houston said that Dutchess County had the strictest sales restrictions and the southern Dutchess pushed for this.

Dutchess County is expanding the county parks system with the recent purchase of Lake Walton. This will be a passive park used for boating, kayaking, fishing and similar activities. Dutchess Stadium will be receiving new seats and concrete work.

County Legislator Houston said she is pleased that the Eastern Dutchess County Facility has had funding secured. They will determine how to take the building down. If they have to implode the building it will be more expensive. The County is specking it out now. The cemetery will be opened this spring or summer. A local Eagle Scout has made a sign for the cemetery.

Mr. Schuman asked if the Town has made any progress on Green Briar. Attorney Battistoni provided the Town Board with a letter showing the history of the process of the facility. The original house was built around 1930 with 9 bedrooms. In 1973, the owners applied for and

obtained a special use permit. He said he doesn't think the town can site them for any violations.

Supervisor Ciferri said that Mrs. Berenyi has yet to respond to the Town's request for her to attend a Board meeting to address concerns by the citizens. Town Clerk Alex will follow up with her.

Mr. Schuman asserted that they are non-conforming by being a home for the aged. He said to look at the assessor's code. The assessors code says 633 home for the aged. Attorney Battistoni said the Assessor code doesn't have to be the same as what the zoning is. There is a list of codes for assessor and they select the one that best fits the property.

As the discussion continued Legislature Houston noted that the Dutchess County Board of Health inspects for specific things. The Green Briar website speaks to the Veterans they serve. She has contacted Mark Coviello, Dutchess County Director of Veterans Affairs to ask can we have a well check on the Veterans.

Councilman Murphy said at the stage we are now, we can ask hard questions about what is the baseline screening for the residents, their age and do they screen for psych/social concerns. If there are incidents that might be outside of the allowable scope, then should we bring it to her and her attorney's attention. How do we as the town monitor it without overstepping HIIPA?

How much authority do we have to review the ages of the patients? How do we monitor the ages? Is the Zoning Administrator able to send them a cease and desist order? Mr. Schuman said he asked three different agencies for reports: Board of Health, State and Veterans.

Councilman De Bonis discussed the fire and rescue squad usage per month. He noted they should have a maximum number of calls they respond to and beyond that they should be charged. They should be taxed for garbage calls. Trustee McGrane said when the paid ambulance service responds to such calls, the other residents are without service. Councilman Murphy said they have to have certified people on lift assists, to lift the person, which is the ambulance. They do not have the staff to lift people. If Green Briar is taking in the elderly, that are unable to care for themselves, then they are violating the regulations of New York State. Councilman De Bonis said the facility should have someone on staff to do the lifting.

Supervisor Ciferri said the Town will notify the public when we have a date set with Mrs. Berenyi.

Attorney Battistoni advised the Board that he has been in touch with the Planning Board regarding the regulations for a de minimus lot line change. He asked questions of the Planning Board and to date he hasn't had a response. Councilman De Bonis will follow up. They haven't discussed it at a meeting.

Councilman Audia discussed the Tedesco House, located next to the Transfer Station. It was condemned as part of the landfill closure and has been vacant since the town took possession of it. It appears that a squatter was living in there. The fire department had been using it for training. It is in poor shape now, but it cannot be burned down. He spoke with Highway Superintendent Spagnola about it. Can our excavator and employees take down the building and then have the materials hauled away. Estimate to haul it away is \$7,000.00. The Town should find some money to do this. If we don't do it this year, we need to secure the building with plywood. There are vehicles on the property being held by the fire department. They need to be removed. Councilman Audia will be working with the fire chief.

Bookkeeper Lois Petrone provided the Board with the monthly bank balances and revenue and expense reports. Mrs. Petrone advised that the Court has requested that the Town engage RBT CPA to perform the Court audits for 2018. The previous auditor, Mr. Eglet, has not returned any phone calls. The fee for the service is \$3,000.00, an increase of \$1,000.00. The Board authorized the Court to proceed with RBT CPA.

In other business, the Town has received a bill for unemployment for a seasonal employee. Mrs. Petrone said the private sector pays quarterly for unemployment. Municipalities are handled differently and are billed for charges. The Town has not budgeted for unemployment expenses, so she recommends using the money from the contingency line for this expense. The 2020 Budget should have some money budgeted for unemployment insurance.

Town Clerk Mary Alex notified the Board that the March minutes have been distributed to the Town Board and posted on the website. Monthly reports have been received and filed appropriately from the Building and Zoning Department, the Recreation Department, the Justice Court, Town Clerk and Tax Collector.

The Town will be receiving a tax payment of penalty fees received in the month of March. A payment of \$218,422.96 is being made to the Dutchess County Commissioner of Finance.

Town Clerk Alex spoke with Mayor Brown on several different topics. The first item was about the Village Hall. The Recreation Department has requested, for sanitary reasons, the faucets in the Village Hall bathrooms be replaced. The second item was about scheduling a police officer for court night. This was suggested by the NYS Uniform Court System and money has been budgeted. Judge Shequine has asked about this on several occasions. The Mayor said he will address these concerns once the budget is adopted and the ambulance issue is resolved.

The Village has budgeted for 24/7 paid rescue squad coverage as recommended by the Town Board and the Village Board. The Public Hearing on their budget is at the end of the month, and a final meeting decision will be made at that time.

Mr. Schuman said the volunteer Rescue Squad is an important service to the community. He requested that the town ask the village to work to keep the volunteers. A committee can be formed to determine how to save the volunteers.

Councilman Murphy discussed the Solar Committee. Attorney Battistoni is doing research on the agricultural designated area. He hopes to have results by the end of the month and would like to wrap the solar law up in May.

Due to his absence, Councilman Turletes provided a written recap of recreation activities:

- Family open gym is finishing up for the season.
- Adult 3 on 3 basketball continues on Monday evenings.
- Adult Soccer continues at the for 2 – 3 more weeks.
- Adult Indoor Volleyball continues.
- The Millbrook Lacrosse Club will run from April through June for second through sixth grade children.
- The Easter Egg Hunt is scheduled for Saturday, April 20th at 11:00 AM, weather permitting.
- CPR and First Aid courses were offered.
- Registration is now available for a Senior Trip to Lake George on July 31. The trip is generously underwritten by Millbrook Tribute Garden Inc.

Councilman De Bonis was unable to attend the Planning and Zoning meetings. Mr. Schuman said the application for a barn expansion on Woodstock Road has been delayed. ZBA member Ken Holzberg did a drive by of the property and realized the barn had previously been removed. Apparently, the barn was removed last May, but the applicant did not mention that as a part of the application. The foundation is still there. A demolition permit was not taken out by the applicant. The applicant told the Zoning Board of Appeals that Planning Board Chairman Schwartz knew of the situation, therefore the ZBA approved the appeal based on what the application represented about the input of Chairman Schwartz. Chairman Schwartz learned of this at the Planning Board meeting, and said he did not make any positive statements to the applicant. The Planning Board has referred the application to the Town Attorney.

On a motion made by Councilman De Bonis and seconded by Councilman Murphy, the Board moved into Executive Session at 9:00 PM to discuss a personnel matter. All ayes were recorded. At 9:20 PM, on a motion made by Councilman Audia and seconded by Councilman Murphy, the regular meeting resumed. All ayes were recorded.

On a motion made by Councilman De Bonis and seconded by Councilman Audia, the Town Board moved to engage RBT CPA to review and if necessary, amend the 2016 and 2017 Annual Financial Report.
All ayes were recorded.

Councilman De Bonis left the meeting.

On a motion made by Councilman Audia and seconded by Councilman Murphy, the following claims were accepted as presented:

Gen Fund A	\$30,191.88
Gen Fund B	\$958.85
Highway Fund DB	<u>\$53,889.06</u>
	\$85,039.79

Supervisor Ciferri: Aye
Councilman Turletes: Absent
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman De Bonis: Absent

There being no other business, on a motion made by Councilman Audia and seconded by Councilman Murphy, the meeting was closed at 10:15 PM. The vote was as follows:

Supervisor Ciferri: Aye
Councilman Turletes: Absent
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman De Bonis: Absent

Mary Alex

Mary Alex, Town Clerk
(Electronically signed for web publishing)