

The Regular Town Board Meeting of the Milan Town Board was held on 12/13/2010 at 7:30 PM at the Milan Town Hall.

Present: Supervisor William Gallagher  
Councilpersons David Byrne, Jack Campisi, Roberta & Marion Mathison

The Supervisor opened the meeting with the Pledge of Allegiance.

**MINUTES** – Special Meeting (Preliminary Budget) 11/04/2010 – **MOTION** by Council. Campisi seconded by Council. Byrne to accept these minutes as written. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

**MINUTES** - Regular Meeting 11/08/2010 – **MOTION** by Council. Byrne seconded by Council. Mathison to accept these minutes as written. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

**MINUTES** – Special Meeting (Adoption of Budget) 11/16/2010 – **MOTION** by Byrne seconded by Council. Mathison to accept these minutes as written. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

**MINUTES** – Special Meeting ( Solar Panels) 11/16/2010 – **MOTION** by Council. Campisi seconded by Council. Egan to accept these minutes as written. Roll was taken and carried

YES - 4 Campisi, Egan, Mathison, Gallagher

NO – 0

Abstain – 1 Byrne

#### **CORRESPONDENCE:**

The Clerk read a letter from Peter Menconeri, a student from Pine Plains high school to Mr. Glenn Butler regarding a parking problem at the Rowe Methodist Church. He was asking for help to remedy this problem. Mr. Butler responded saying that he would forward the issue to the Town Board.

The Board discussed this issue and decided that the Supervisor would speak to the pastor about this.

#### **WOODY ROW TOWER LEASE –**

David Groth brought forth to the board a new rental lease with New York Communication, Inc. for a trunked radio communications system for the Woody Row Tower. He said that he had the executed lease with him, and with the Supervisor signature it will become effective on January 1, 2011. The Supervisor wanted to know what the rent would be. Mr. Groth said that renter will pay \$8,400.00 payable in equal monthly installments of \$700.00 in advance on the first day of each month of the first 24 months of the initial term. He went on to say that the annual rent for the months 25 through 48 would be \$8,800.00, paid in equal monthly installments of \$733.33 and then the annual rent for the months 49 through 60 would be \$9,240.00 paid in monthly installments of \$770.00 all in advance on the first day of each month. Discussion continue and various comments were made. **MOTION** by Supervisor Gallagher

seconded by Council. Byrne to direct the Supervisor to sign the lease with New York Communications, Inc. as the new tenant on the Woody Row Tower. Council. Campisi asked the Supervisor if the town's attorney reviewed this lease. The Supervisor said that he had not. David Groth said that it was the same lease as the previous one that town had. Council. Campisi felt that the town's attorney should review the lease before the Supervisor signs this lease. Discussion continued. **MOTION** by Council. Byrne seconded by Council. Egan to amend the first Motion pending the approval of the attorney. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

Roll was taken on the first MOTION by and carried.

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

Council. Byrne asked Mr. Groth where the town stands with Dutchess County Sheriff regarding the cell tower. Mr. Groth said that he met with the County attorneys twice and the county has not allocated any funds. He told them they have until end of the year to allocate the funds or to remove their equipment. Council. Byrne asked if this was done in writing and Mr. Groth said that it was. Council. Campisi asked if the board could have a copy of the letter. Mr. Groth said yes. Discussion continued.

#### **RESIDENT RECOGNITION**

Council. Mathison recognized Patrick Higgins, who recently moved from town. Mr. Higgins was the Town Historian and sponsored a regular newspaper article for many years. Council. Mathison made the following **MOTION** seconded by Council. Byrne to direct the Supervisor to send a letter to Patrick and wish him well. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO -0

#### **MEMORIAL DAY CELEBRATION – 2011**

Supervisor Gallagher informed the board that Stanley Zatwarnicki is going to meet with West Point Band on January 5, 2011 and try and convince them to play at our Memorial Day celebration along with the National Guard of Kingston .

#### **FARMERS MARKET**

The Supervisor talked about getting a Farmers Market started in Milan. He said that he asked Council. Mathison and Council. Egan to work with Ethel Barone, who has some knowledge of this. The Supervisor said that it will be on the web site asking for volunteers to help get this going. Discussion continued.

#### **Burton/Kassell – Lot Line Adjustment – Open Development Area**

**MOTION** by Supervisor Gallagher seconded by Council. Byrne to consent that the Planning Board act as lead agency for to a lot line adjustment for the Burton/Kassell property on North and Indian Road. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO - 0

The Supervisor said that it was brought to the attention by the Highway Superintendent that one of the residents thought that there was a need for a street light at the corner of Brooklyn Heights Road and Rt. 308 as you are driving east. A street light would cost approximately \$540.00 a year. Discussion followed. Council. Campisi stated that there

are two street lights in the town and both are on town property. He did not think it would be feasible financially. Council. Byrne suggested changing the speed limit. Discussion continued and various comments were made on this issue.

**MOTION** by Supervisor Gallagher seconded by Council. Campisi to allow the Highway Superintendent discard a torque wrench. Roll was taken and carried  
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher  
NO – 0

#### **SALT SHED REPAIRS**

**MOTION** by Council. Campisi seconded by Council. Egan to advertise for quotations to repair and/or replace the damaged parts of the Salt Shed covering with materials at least equal in thickness and quality to the present covering. This request for proposal is subject to the provisions of Article 8 Public Works Project and shall include all material and labor costs and a schedule for the completion of the work. The RFP shall include a properly executed non-collusion bidding form and shall be delivered to the office of the Town Clerk no later than 12 Noon, January 7, 2011.

Discussion followed. Council. Egan wanted to know if this is covered by insurance. The Supervisor said yes, the town has a \$1,000 deductible.

Roll was taken and carried

YES -5 Byrne, Campisi, Egan, Mathison, Gallagher  
NO – 0

**MOTION** by Council. Egan seconded by Council. Mathison to set a Public Hearing on Transfer Station Franchise Agreement for 12/29/10 at 7:15 PM. Roll was taken and carried

YES -5 Byrne, Campisi, Egan, Mathison, Gallagher  
NO -0

#### **RESOLUTION # 24-2010 Fire Contract**

Resolution offered by Supervisor Gallagher seconded by Council. Byrne  
**WHEREAS**, the Town Board has introduced the proposed Town of Milan Fire Contract as currently posted on the Town Website and on file with Town Clerk and

**WHEREAS**, a Resolution was duly adopted by the Town Board of the Town of Milan for a Public Hearing to be held by the Town Board on December 13th, 2010 at 7:00 p.m. to hear all interested parties to the proposed Town of Milan Fire Contract; and

**WHEREAS**, said Notice of Public Hearing was duly posted and published; and

**WHEREAS**, the Public Hearing was duly held on December 13th, 2010 at 7:00 p.m. at Town Hall and all parties in attendance were permitted the opportunity to speak on behalf of or in opposition to said proposed Fire Contract; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of Milan hereby authorizes the Town of Milan Supervisor to sign a copy of the Fire Contract, a copy of which is annexed hereto and made a part of this Resolution, and

**BE IT FURTHER RESOLVED** that the Town Board of the Town of Milan hereby adopts the Fire Contract upon execution by the Milan Volunteer Fire Department. Roll was taken and adopted.

YES -5 Byrne, Campisi, Egan, Mathison, Gallagher  
NO - 0

**MOTION** by Council. Egan seconded by Council. Mathison to set a Public Hearing on the Transfer Station Franchise for 12/29/10 at 7:15PM. Roll was taken and carried  
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher  
No – 0

#### **WILCOX TRUST**

**MOTION** by Supervisor Gallagher seconded by Council. Campisi to authorize the Supervisor to sign the change documents for the Wilcox Trust from BNY Mellon Bank to Millbrook Bank. Roll was taken and carried  
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher  
NO – 0

#### **Unemployment Benefits**

**MOTION** by Supervisor Gallagher seconded by Council. Byrne to authorize the town board attorney to appeal the unemployment benefits for Teresa DeFrancesco. Discussion followed.  
Roll was taken and carried  
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher  
NO - 0

#### **RESOLUTION # 25 – 2010 All Hazard Mitigation Plan**

Resolution offered by Council. Byrne seconded by Council. Mathison

**WHEREAS**, Town of Milan has participated in a collaborative, multi-jurisdictional hazard mitigation planning process undertaken by the Towns of Amenia, Beekman, Dover, Milan, North East, Pawling, and Pine Plains, and the Villages of Millerton and Pawling (the “Participating Jurisdictions”) to gather information and prepare the Northern and Eastern Dutchess County Communities Regional Hazard Mitigation Plan (“the Plan”); and

**WHEREAS**, the plan development process was undertaken by a Core Planning Group consisting of one designated representative from each of the nine participating jurisdictions, with support from consultants at URS; and

**WHEREAS**, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000 and has been approved by FEMA; and

**WHEREAS**, the Town Board has introduced the proposed Town of Milan All Hazard Mitigation Plan as currently posted on the Town Website and on file with Town Clerk and Town Supervisor and

**WHEREAS**, a Resolution was duly adopted by the Town Board of the Town of Milan for a Public Hearing to be held by the Town Board on December 13th, 2010 at 7:15 p.m. to hear all interested parties to the proposed Town of Milan All Hazard Mitigation Plan; and

**WHEREAS**, said Notice of Public Hearing was duly posted and published; and

**WHEREAS**, the Public Hearing was duly held on December 13th, 2010 at 7:15 p.m. at Town Hall at Town of Milan and all parties in attendance were permitted the opportunity to speak on behalf of or in opposition to said proposed Town of Milan All Hazard Mitigation Plan; now, therefore, be it

**RESOLVED**, that the Town Board of the Town of Milan hereby adopts the Town of Milan All Hazard Mitigation Plan; a digital copy of which is annexed hereto and made a part of this Resolution.

Roll was taken and adopted.

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

## **CABLEVISION**

Council. Mathison announced that Cablevision is now going house to house at the southwest part of town ( e.g. Salisbury Tpke., Boice Rd., Lamoree Rd., Milan Hollow Rd., Round Lake Rd. etc.) asking residents if they want to sign up for cable. She said the name of the service is Optimum. Discussion followed. Council. Campisi said that when you look at the list there some roads only have one address. The Supervisor said that he would look into that.

## **RESOLUTION # 26-2010 Replacement Dog Tags**

Resolution offered by Council. Egan seconded by Council. Byrne to set the fee for a replacement dog tag in the amount of \$3.00 per occurrence. Roll was taken and adopted.

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

**MOTION** by Council. Campisi seconded by Council. Egan to set the Year-End meeting for 12/29/2010 at 7:30PM for the purpose of auditing bills, submitting year end reports from departments and discussing any other town business. Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

## **PUBLIC COMMENT**

Jerry Gold suggested that the town should find out when everyone else is having a Farmers Market.

## **TRANFERS**

**MOTION** by Supervisor Gallagher seconded by Council. Campisi made the following transfers:

From Highway:

From 5142.1DA \$1950 to 5130.1DA

From 5142.1DA \$1350 to 5140.1DA

From General:

From 6869.41 \$ 243.47 to 6869.40

From 1420.4 \$5,000 to 1620.4

From 1330.4 \$ 7.50 to 6510.4

Roll was taken and carried

YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher

NO – 0

**BILLS** - The bills were presented to the board for their audit and review. **MOTION** by Council. Campisi seconded by Council. Egan to pay General Abstract #12 Claims # 409 – 472, totaling \$22,416.77 – Highway Abstract #12 Claims # 146 – 159, totaling \$22,715.53 – Escrow Abstract # 12 Claims 27 & 28, totaling \$502.25 – Capital Bridge Project #12 Claim # 13 & 14, totaling \$2,510.00. Roll was taken and carried  
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher  
NO – 0

**MOTION** by Council. Campisi seconded by council Byrne to adjourn this meeting. (8:22 PM)  
Roll was taken and carried  
YES - 5 Byrne, Campisi, Egan, Mathison, Gallagher  
NO – 0

Respectfully submitted,

Catherine Gill, Town Clerk