

Minutes

June 12, 2014
General Meeting 6:30 pm

1. CALL TO ORDER/PLEDGE TO FLAG

2. ROLL CALL

	PRESENT	ABSENT	LATE
Supervisor John C. Reilly	X		
Councilmember Donald Coons	X		
Councilmember Jeffery Galm	X		
Councilmember Eric Mortenson	X		
Councilmember John Fraser Paterson	X		

MONTHLY THOUGHT: *Soon after a fire is seen and cry'd out, the Place is crowded by active Men of different Ages, Professions and Titles who, as of one Mind and Rank, apply themselves with all Vigilance and Resolution, according to their Abilities, to the hard Work of conquering the increasing fire... But what is needed is a... Club or Society of active Men belonging to each Fire Engine; whose Business is to attend all Fires with it whenever they happen.*

Benjamin Franklin, founder of the first Philadelphia Fire Company.

Public hearing: 6:30pm. Dissolution of the Gallatin Fire Protection District
The Supervisor provided an introduction to the reason the town board is dissolving the Fire Protection Districts and forming the Gallatin Fire District.
The present system taxes Gallatin resident's different rates depending on which fire protection district they reside. Forming one fire district will provide tax stabilization. Under the Governors tax cap, which for 2014 is 1.6 % with the present system the fire tax, is part of the Town budget, it would be very difficult for the town to remain under the cap. The board could over ride the cap but the town residents would lose the tax rebate offered by the state for towns that remain under the cap.

5 commissioners, made up of Gallatin residents, would represent the new Gallatin Fire District. The commissioners will be appointed by the town board at this meeting and will have to run for election in December 2014.

The commissioners will be responsible to negotiate the 5 fire contracts presented to them by the individual fire companies.

The individual parcels served by the fire companies will be looked at and an accurate map will be generated.

Supervisor Reilly clarified that the funds for the fire district would shift and would now be a separate budget.

On a motion by Mortenson seconded by Paterson the public hearing was closed.

Vote 5 Yes -0 No

Public hearing: 7:00pm. Formation for Gallatin Fire District

**PLAN OF DISSOLUTION
OF THE TOWN OF GALLATIN FIRE PROTECTION DISTRICT**

Name of governing entity to be dissolved:	Town of Gallatin Fire Protection District, Columbia County, New York
Territorial boundaries:	Fire Protection District: Encompassing the entire town of Gallatin.
Type and/class of entity:	Fire Protection District
Fiscal Estimate of the Cost of Dissolution:	Minimal costs. Attorney's fees of \$3,500.
Plan for transfer of employees:	None. There are no employees.
Entity's Assets:	The Fire Protection District has no assets.
Entity's Liabilities:	The Fire Protection District has no liabilities.
Agreements relevant:	None
Manner by which residents will receive services following dissolution:	The Fire District will provide or arrange for fire protection services, which will encompass the area listed above.

Terms for disposition of assets and liabilities:	There are no assets or liabilities.
Findings as to whether any local laws shall remain in effect after the effective date of dissolution:	There are no local laws affected or relevant
Effective date of proposed dissolution:	Approximately July 15, 2104 or sooner, upon the formation of the new fire district in the town of Gallatin.
Time, place or places for a public hearing on the proposed dissolution:	June 12, 2014

Resolution 2014-65: TOWN OF GALLATIN JUNE 12 2014.

RESOLUTION OF THE TOWN OF GALLATIN TO DISSOLVE THE TOWN OF GALLATIN FIRE PROTECTION DISTRICT

Whereas, there has been formed a Fire Protection District in the Town of Gallatin which encompasses the entire town of Gallatin;

Whereas, the Town of Gallatin desires to form a fire district encompassing all of the limits of the town of Gallatin in place of the fire protection district;

Whereas, the Town hereby desires to dissolve the fire protection district in accordance with Article 71-A, Title 3 (Section 773 *et seq*) of the General Municipal Law, to be effective upon the formation of the fire district;

Whereas, the Town previously adopted a proposal of dissolution of the Town of Gallatin’s Fire Protection District on the 8th of May, 2014;

Whereas, the Town published notice of the plan of dissolution on its website, which remained on its site from May 16, 2014 until the present date;

Whereas, the Town published notice in a newspaper having general circulation of the town four times, for four successive weeks, containing a general description of the proposed plan of dissolution as well as a hearing date;

Whereas a public hearing was held on the 12th day of June 2014 for the purpose of taking public comment on the proposed plan of dissolution;

NOW THEREFORE:

The Town of Gallatin Town Board finds that the proposed plan of dissolution is beneficial to the residents of the Town of Gallatin;

The Town of Gallatin town board finds no material negative consequences of the proposed plan of dissolution;

The Town of Gallatin town board hereby adopts the Plan of Dissolution, to be effective upon the adoption of the resolution forming a fire district in the Town of Gallatin encompassing the entire town of Gallatin.

Dated: June 12, 2014

John Reilly, Supervisor-Yes

Jeff Galm, Councilman-Yes

Donald Coons, Councilman-Yes

Eric Mortenson, Councilman-Yes

Fraser Paterson, Councilman-Yes

Resolution 2014-66: TOWN OF GALLATIN JUNE 12 2014.

Whereas, the town of Gallatin has adopted a proposed plan of dissolution of the fire protection district;

Whereas, the town believes it to be in the best interest of its residents to dissolve the town of Gallatin's fire protection district and to form a fire district which encompasses the entire town of Gallatin;

NOW THEREFORE, the Town Board of the town of Gallatin hereby resolves, by no less than a majority of its seated board members, as follows:

1. That all of the residents of the town of Gallatin would be benefitted by the formation of a fire district which encompasses the entire limits of the town of Gallatin, Columbia County;
2. That all of the property, property owners and interested persons within the proposed district are benefitted thereby and that all property or property owners benefitted are included in such proposed fire district.
3. WHEREAS, the estimated (and actual) rate per thousand of assessed valuation of the territory (town of Gallatin) ranges from .42 to \$1.47 and the estimated (and actual) rate per thousand dollars of assessed valuation actually and projected to be assessed is .91;
4. That a fire district is hereby formed, encompassing all of the territory of the town of Gallatin, to be effective immediately.

The following five persons shall be appointed as fire district commissioners, to hold their positions until the 31st day of December 2014, and to be replaced after an election held in accordance with the Town Law, on the second Tuesday in December.

The highest vote getter receives a 5 year term and on down. There are no term limits.

1. Laurence Brody
 2. Thomas Garrick
 3. John Lasher
 4. Ira Levy
 5. Victor Miller
- John Parsons-Treasurer

IT IS HEREBY ORDERED, that the clerk of the town shall, within ten days of the adoption of this resolution, shall cause a certified copy of such resolution to be duly recorded in the office of the clerk of Columbia County and with the state department of audit and control at Albany, New York. The expense of recording shall be a charge against the district.

John Reilly, Supervisor-Yes

Jeff Galm, Councilman-Yes

Donald Coons, Councilman-Yes

Eric Mortenson, Councilman-Yes

Fraser Paterson, Councilman-Yes

On a motion by Mortenson, seconded by Coons the Public Hearing for the creation of the Gallatin Fire District was closed.

Vote 5 yes-0 No

3. NEW BUSINESS SECTION June 2014

1. Resolution 2014-67. Following prior discussion and review of the DEC reports, the assessment and appraisal and other information, as well as tours of building, the Town Board formally resolves to declare the old Highway Garage on Route 11 as a surplus Town asset and list it for sale at least until the July 2014 meeting. The Town Board may accept offers of no less than 10% from appraised valuation, taking into account brokerage fees and closing costs, if any. Town attorney to draft contract for the sale if a proper bid is receive

Board comments:

Advertise for 60 days. The minimum bid would be the appraised value of \$125,000. 10% deposit for winning bid.

The board has the right to refuse bids.

In the case of a tie bid, preference is given to abutting property owners.

Sealed bids will be opened before the August meeting.

VOTE 5 (Yes)/ 0 (No) Motion Coons second Mortenson

John Reilly, Supervisor-Yes

Jeff Galm, Councilman-Yes and put in budget for the highway department.

Donald Coons, Councilman-Yes

Eric Mortenson, Councilman-Yes and improve existing highway garage

Fraser Paterson, Councilman-Yes

2. **Resolution 2014-67.** Discussion of Historic Committee Needs. Vote on Expense budget. \$750 will be budgeted for the Historic Committee.

VOTE __5__(Yes)/__0__(No)
Motion Paterson second Mortenson

3. **Resolution 2014-68.** Agriculture Issues facing Tax Assessors to provide necessary CE credits at cost of \$150.

VOTE __5__(Yes)/__0__(No)
Motion coons second Galm

4. **Resolution 2014-69.** Resolution to approve a 280 (a) overlay. Resolution attached.

VOTE __5__(Yes)/__0__(No)
Motion Mortenson second Paterson

5. **Near Rd East** Update and next step in Abandonment. Town attorney Warren Replansky will review the title reports and prepare the abandonment resolution for the July meeting.

6. **Green Hill Rd.** Update and next step in Abandonment. Town attorney Warren Replansky will prepare the abandonment resolution for the July meeting.

7. **Hoefler Road.** Next step in process update. Modification of Code for Town Road specification in subdivisions pre-dating the Town Zoning Law. The road has to be at least 18'wide to qualify for future CHIPS funding. The culverts need to be inspected. A Special Tax District would need to be created.

8. **Update Town Hall Project:**
Discussion regarding purchase of .6 acre parcel adjoining Town Hall. An agreement could not be reached with property owner. The existing driveway will be reconfigured instead, closing the County Rte 7 entrance and improving the Tinker Hill entrance.

9. **Solar Panel Project Update.** Use of Landfill site, on going.

10. **FOIL REQUEST**, employment records from Paychex will be sent to CSEA to satisfy FOIL request.
11. **CPA FIRM Meeting Review for Board by Clerks and Supervisor.**

PUBLIC COMMENT ON NEW BUSINESS

4. MONTHLY BUSINESS SECTION

1. Review of May Minutes for Errors/Clarifications –**Resolution to approve 2014/70 Vote 5 yes 0 no.** Motion Mortenson second Galm.
2. May Bill Review of Non-Reoccurring items: **Resolution to approve 2014/71 General Bills 99-120 \$6957.71. Highway Bills 66-82 \$13,427.41. Vote 5 yes 0 no.** Motion Paterson second Galm.
3. Supervisor’s Review of County Issues.
4. Review of Planning Board Actions -280A overlay update-planning board needs fire inspection report to proceed.
5. Highway Report: Attached. The \$441.60 proceeds from the sale of scrap metal will be credited back to DA5130.4.
Vote 5 yes 0 no. Motion Paterson second Galm. The purchase of the welder will come out of the Highway reserve DA5130.2.
Vote 5 yes 0 no. Motion Galm second Mortenson.
Discussion on CHIPS procedure. There needs to be a majority vote of the Board to accept CHIPS project, this is then sent to the County. The Town Board has never followed this procedure in the past.
6. Comments of Code Enforcement Officer. Attached.
7. Assessor Comment’s. 2 grievance complaints were filed; small reductions were given on the recommendation of the Assessor.
8. Court Actions –no report.
9. Clerk's Report-read and filed.
10. Historians Report-read and filed.

PUBLIC COMMENT ON MONTHLY BUSINESS

5. OLD BUSINESS SECTION 2014

Supervisor Reilly asked past Supervisor Garrick if the charge-back agreement for the Copake rescue squad was filed. Garrick said he did not receive the request. Supervisor Reilly will get more information for the July meeting.

PUBLIC COMMENT ON OLD BUSINESS

MOTION FOR ADJOURNMENT-Motion Mortenson second Paterson.

TOWN BOARD OF THE TOWN OF GALLATIN

RESOLUTION APPROVING AN OPEN DEVELOPMENT AREA FOR THE KARL KRAUSS INDUSTRIES LLC – CONSERVATION DENSITY SUBDIVISION

WHEREAS, Karl Krauss Industries LLC has made application to the Town of Gallatin Planning Board for a four lot Conservation Density Subdivision off New York State Route 82 in the Town of Gallatin (“Krauss Subdivision”); and

WHEREAS, three of the proposed lots (parcels 2, 3 and 4) do not have direct access on County Route 82 and, instead, will access Route 82 via a proposed private driveway over proposed parcel no. 1; and

WHEREAS, the applicant has prepared a Declaration of Driveway Easement and Maintenance Agreement, which, in relevant part, provides access to lots 2, 3 and 4 via easement over lot no. 1 and the shared driveway; and

WHEREAS, the Declaration provides, in relevant part, for an apportionment of the costs for the upkeep, maintenance and plowing of the shared driveway by the four parcels; and

WHEREAS, the applicant has made application to the Town Board to establish an Open Development Area in accordance with Town Law §280-a (4) for the subdivision, in order to permit the erection of structures on the parcels that gain access by easement over the common driveway as shown on the Subdivision Map prepared by Crawford & Associates Engineering, P.C. dated February 19, 2014, and last revised on March 3, 2014; and

WHEREAS, the Planning Board has conducted a SEQRA review of the proposed subdivision and has declared the project an Unlisted Action, and has determined that the subdivision and its shared driveway arrangement will not result in any significant environmental impacts and that a Draft Environmental Impact Statement need not be prepared; and

WHEREAS, the Town of Gallatin Planning Board has recommended approval of the Open Development Area; and

WHEREAS, the applicant has demonstrated that the proposed common driveway will provide suitable access for private and emergency vehicles to residential and other structures constructed on the said subdivision parcels; and

WHEREAS, it has been demonstrated to the satisfaction of the Town Board that the proposed Open Development Area provided for in the subdivision is one that will minimize the disturbances to environmentally sensitive areas and the destruction of the natural character of the land.

NOW, THEREFORE, be it

RESOLVED, that the Town Board for the reasons heretofore set forth approves the applicant's request to create an Open Development Area for the Karl Krauss Industries, LLC Conservation Density Subdivision.

This motion was offered by Town Board member _____ and was seconded by Town Board member _____.

The Town Board members voted as follows:

Supervisor Reilly _____

Councilman Coons _____

Councilman Galm _____

Councilman Mortenson _____

Councilman Paterson _____

The Resolution was carried by a _____ vote of the Town Board members on June 12, 2014.

**LISA DeLEEUEW,
TOWN CLERK, TOWN OF GALLATIN**