

**Minutes**  
**September 6, 2018**  
**TOWN BOARD MEETING 6:30pm**

1. CALL TO ORDER/PLEDGE TO FLAG
2. ROLL CALL

	PRESENT	ABSENT	LATE
Supervisor John C. Reilly	√		
Council-member Donald Coons	√		
Council-member Jeffery Galm	√		
Council-member Eric Mortenson	√		
Council-member John Fraser Paterson	√		

**MONTHLY THOUGHT:**

On the road from the City of Skepticism, I had to pass through the Valley of Ambiguity.

**-Adam Smith**

**NEW BUSINESS SECTION 2018**

1. Public Hearing- Mid-Hudson Cablevision Franchise Renewal  
 Motion to open public hearing CM Mortenson second CM Galm  
 Vote 5 Yes 0 No  
 Discussion: The agreement is a non-exclusive ROW for roadway access.  
 Motion to close Public Hearing CM Mortenson second CM Coons  
 Vote 5 Yes 0 No  
**Resolution 2018-30: The Gallatin Town Board approves the Mid-Hudson  
 Cablevision Franchise Renewal**  
**Motion CM Mortenson second CM Paterson**  
**Vote 5 Yes 0 No**
  
2. 280a - Church/Crock Road review of files.  
 New documentation by attorneys for Mr. Brody and Mr. Passeri were presented to the Town directly prior to the meeting so Town Attorney Replansky will review all

the new documentation and send a confidential memo to the Town Board with his opinion on all and with recognition that the Town faces several potential litigation claims.

**Summary of Presentation and Town Board Comment:**

- The 2012 Koweeck Case decision that there was no easement issue; as no one looking for or defending easements. Justice option opined using abandonment language.
  - Revised fact that Mr. Brody and his attorney do not dispute access to the North. They said they accepted building permit is valid if based on northerly access versus southern “trespass.” All other parties on road accept that the old town road parcel northerly access exists, including Peters, who is currently negotiating to allow utilities through old road parcel to southern neighbors as case was about access versus utility ROWs.
  - Town Board consensus is that the Koweeck decision did not center on easements so questioning was to the basis of the law for the decision.
  - Town Board members felt that The Koweeck decision does in fact conclude access to the roadway from southern property owners going north.
  - Town Board will wait for town attorney opinion before moving forward.
3. Review of Draft Budget: attached
- Public Hearing for 2019 Town Budget October 13, 2018 12:00 pm
4. Summer Road and Bridges work updates, attached
5. Appointment of County Planning Board Member. Tabled
6. Set Comprehensive Plan schedule-See Old Business
7. Town Map Update- Private Forests. During the reval, the some forestland classifications were changed, the maps will be updated with the most current assessment information.

**PUBLIC COMMENT ON NEW BUSINESS**

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**MONTHLY BUSINESS SECTION**

1. Review of August Minutes for Errors/Clarifications **Resolution 2018-31: Accept August 2018 minutes for filing and posting.**  
**Motion CM Galm second CM Mortenson**  
**Vote 5 yes 0 no**

2. Bill Review of Non-Reoccurring items- **Resolution 2018-32: Approve August 2018 bills for payment.**  
**Motion CM Galm second CM Mortenson**  
**Vote 5 Yes 0 No**
3. Highway Superintendent Comments/Report: Read and filed
4. Comments of Code Enforcement Officer: Read and filed
5. Clerk Report: Read and filed
6. Assessor Comments: Two assessment challenges for small claims review have been filed.
7. Historian Comments
8. Supervisors report- update on broadband
9. File Cabinet Donation to the Milan Fire Company. Councilman Galm requested one of the unused file cabinets be donated to the Milan Fire Company.  
**Motion CM Mortenson second CM Paterson**  
**Vote 5 Yes 0 No**

### **PUBLIC COMMENT ON MONTHLY BUSINESS**

### **OLD BUSINESS DISCUSSION**

1. Comp Plan amendment- timing finalized.
  - a. Expert consultant will be retained Sept-December.
  - b. Three public input meetings at TB Sept. Oct. Nov. meetings.
  - c. Committee to workshop before each of three meetings and add additional meeting as needed. Committee: Planning Board Chair Terry Porter and PB rep. - Larry Brody in main and other PB input as needed by invite to particular session. Town Board Supervisor John Reilly and TB rep. Eric Mortenson with invited TB members for particular topics, especially Fraser on Maps part. Rotating invited citizen guest for each of three-four meetings from different geographic parts of Town. Meet with consultant in December for final input. Present finding Jan-Feb 2019. Zoning changes and adoption March-May 2019.
2. Road and Park Signage

### **MOTION FOR ADJOURNMENT**

## Highway Report

August & September 2018

The Department has finished getting roads ready for Oil & Stone next week. Due to the \$.40+ rise in oil since April, This is the list of roads to be done.

Siglar Road: 2 coats Oil & Stone

Barnett Road: 1 coat Oil & Stone ( CR 11 to McNeil Road )

Taghkanic Road: 1 coat Oil & Stone ( Marty RD to Benton RD )

West Pond Lily Road: 1 coat to seal 2017 Moto pave

Kozlowski Road: 1 coat to seal 2017 Moto Pave

The Bridge repair on Beaver Road is 90% complete and it was reopen on 8/22 .It still needs blacktop on the road surface. The repair cost came in at \$35,484 for the work by Town & County, Bridge & Rail and Matt Blackburn.

Under Shared Services we had 1 truck in Pine Plains for 3 days and 1 truck in Ancram for 3 days. We received help from Pine Plains with 2 truck, drag box and roller for 3 days. We have used Ancram's and Taghkanic' rollers for 11 days.

**Building Inspector/Zoning Enforcement Officer**  
**Monthly Report for AUGUST 2018**

Building Permits:	2	
SHEHAB, 52 E. POND LILY, RENOVATION		18-37
FERGUSON, 131 GOLD RD, SHED		18-38

Zoning Permits: 0

Total permits year to date: 38

Total new homes year to date: 2

Certificates of Occupancy issued: 5

Certificates of Occupancy searches: 3

Site inspections performed: 13

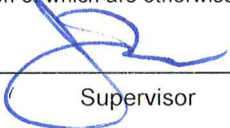
Comparison

	2018 -	Total for year to date – 38
2017	4	25
2016	5	22
2015	6	24
2014	6	25
2013	4	28
2012	4	23
2011	6	28
2010	6	27
2009	3	27
2008	8	47


Account#	Account Description	Fee Description	Qty	Local Share
		Postage	2	106.90
	Marriage Lic.	marriage licensing fees	1	17.50
	Misc. Fees	C / O Search	6	480.00
	Permits	Building Permit	2	309.00
	Planning & Zoning	Zoning Variance	1	100.00
		<b>Sub-Total:</b>		<b>\$1,013.40</b>
A2544	Dog Licensing	Female, Spayed	6	45.00
		Female, Unspayed	1	15.50
		Male, Neutered	1	7.50
		Male, Unneutered	6	93.00
		<b>Sub-Total:</b>		<b>\$161.00</b>
<b>Total Local Shares Remitted:</b>				<b>\$1,174.40</b>
Amount paid to:	NYS Ag. & Markets			28.00
Amount paid to:	State Health Dept. For Marriage License			22.50
<b>Total State, County &amp; Local Revenues:</b>		<b>\$1,224.90</b>	<b>Total Non-Local Revenues:</b>	
			<b>\$50.50</b>	

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Lisa DeLoew, Town Clerk, Town of Gallatin during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

  
\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Town Clerk

9/6/18  
\_\_\_\_\_  
Date