

TOWN OF GHENT
TOWN BOARD MEETING
October 19, 2017

The Regular Meeting of the Town Board was held October 19, 2017 at the Ghent Town Hall, Route 66, Ghent, NY. Supervisor Benvenuto opened the meeting at 7:00 pm with a pledge to the flag.

Present were: Michael Benvenuto	Supervisor
Charles Wood	Councilman
Peter Nelson	Councilman
Patti Matheny	Councilwoman
Mallory Mort	Councilman
Ben Perry	Highway Superintendent
Matthew Cabral	Attorney for Town

Three audience members

MOTION #1 TO OPEN THE MEETING FOR PUBLIC COMMENT made by Councilwoman Matheny, seconded by Councilman Mort and approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Mort, Matheny
Nays: 0

No Comment

MOTION #2 TO CLOSE THE PUBLIC COMMENT AND OPEN MEETING made by Councilman Wood seconded by Councilwoman Matheny and approved unanimously.

Ayes: 5 Benvenuto, Nelson, Mort, Matheny, Wood
Nays: 0

MOTION #3 TO ACCEPT MINUTES OF TOWN BOARD MEETING ON SEPTEMBER 21, 2017 made by Councilwoman Matheny, seconded by Councilman Wood and approved unanimously.

Ayes: 5 Benvenuto, Wood, Matheny, Mort, Nelson
Nays: 0

CORRESPONDENCE:

A Letter from the Columbia Library Association requesting funding in the 2018 Town Budget. Notice of the Columbia County Draft Natural Resources Inventory Review Session on November 29, 2017. Notice from Fairpoint that the NYS Broadband Program Phase two has begun. Charter Communications announced the Sportsman Channel will no longer be available. Food Pantry numbers for August and September 2017 Families- 198, Children 182, Adults 325, Seniors 51, New Clients 10 and 9044 pounds of food. Volunteers needed.

MOTION #4 TO ACCEPT CORRESPONDENCE made by Councilwoman Matheny, seconded by Councilman Wood and approved unanimously.

Ayes: 5 Benvenuto, Wood, Matheny, Mort, Nelson
Nays: 0

DEPARTMENTS:

MOTION #5 TO ACCEPT THE ASSESSORS REPORT FOR THE MONTH OF SEPTEMBER made by Councilman Mort, seconded by Councilman Nelson and approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Matheney, Mort

Nays: 0

MOTION #6 TO ACCEPT THE BUILDING INSPECTORS REPORT FOR THE MONTH OF SEPTEMBER made by Councilman Wood, seconded by Councilman Mort and approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Matheney, Mort

Nays: 0

MOTION #7 TO ACCEPT THE TOWN CLERK REPORT FOR THE MONTH OF SEPTEMBER AND ACCEPT THE TOWN OF GHENT PRELIMINARY BUDGET FOR 2018 made by Councilwoman Matheney, seconded by Councilman Mort and approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Matheney, Mort

Nays: 0

PLANNING, ZONING AND COMMITTEES:

MOTION #8 TO ACCEPT THE PLANNING BOARD MINUTES OF AUGUST 2, 2017 AND THE ZBA MINUTES FOR AUGUST 9, 2017 AND SEPTEMBER 13, 2017 made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Matheney, Mort

Nays: 0

MOTION #9 TO EXTEND THE RFP FOR THE CHARGING STATION UNTIL NOVEMBER 2, 2017 made by Councilwoman Matheney, seconded by Councilman Mort and approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Matheney, Mort

Nays: 0

The Bicentennial Committee is still looking for photos and hope to set up more interviews with residents. Ads for the journal should be in by mid-December. Community day will be held on October 13, 2018.

DOG CONTROL:

MOTION #10 TO ACCEPT DCO REPORT FOR SEPTEMBER made by Councilman Wood seconded by Councilman Nelson and approved unanimously.

Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood

Nays: 0

HIGHWAY:

We are working on our last our last road project for the year .We have begun changing out equipment over for the upcoming season. We are move right along with the two new plow trucks wiring, bodies are being painted should be getting one back next week and one in two weeks. We have an employee that is retiring after over 28 years of service here at the town.

MOTION #11 TO ACCEPT THE HIGHWAY REPORT FOR SEPTEMBER made by Councilwoman Matheney, seconded by Councilman Mort and approved unanimously.

Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood

Nays: 0

RESOLUTION # 29 FOR THE YEAR 2017:

WHEREAS, FRANK PFLEGL WILL BE RETIRING FROM THE TOWN OF GHENT ON OCTOBER 26, 2017 AFTER 28.5 YEARS WITH THE TOWN OF GHENT DEPARTMENT OF HIGHWAYS; AND WHEREAS, MR. PFLEGL HAS ACCRUED 1,159.50 HOURS OF SICK LEAVE OVER THE COURSE OF HIS CAREER WITH THE TOWN; AND WHEREAS, THE APPLICABLE AGREEMENT BETWEEN THE TOWN OF THE GHENT AND TEAMSTERS LOCAL 294 PROVIDES THAT RETIRING EMPLOYEES SHALL RECEIVE ACCRUED SICK LEAVE, UP TO A MAXIMUM OF 165 DAYS, AT THE RATE OF \$90.00 PER EIGHT (8) HOUR DAY; AND WHEREAS, MR. PFLEGL'S 1,159.5 HOURS OF ACCRUED SICK LEAVE EQUATES TO 145 EIGHT HOUR DAYS OF SICK LEAVE; AND WHEREAS, 145 DAYS OF ACCRUED SICK LEAVE AT \$90.00 PER DAY EQUALS \$13,050.00, WHICH MR. PFLEGL IS ENTITLED TO RECEIVE UPON HIS RETIREMENT; AND WHEREAS, IN LIEU OF RECEIVING THIS AMOUNT AS A LUMP SUM PAYMENT, MR. PFLEGL HAS REQUESTED THAT THE TOWN OF GHENT PAY HIM THE SUM OF \$7,050.00 AND RETAIN THE SUM OF \$6,000.00 TO BE APPLIED TO THE ADDITIONAL PREMIUM REQUIRED UNDER THE EXISTING HEALTH INSURANCE PLAN TO EXTEND MR. PFLEGL'S COVERAGE FROM INDIVIDUAL COVERAGE TO DEPENDENT COVERAGE, PURSUANT TO SECTION 32-13(B) OF THE CODE OF THE TOWN OF GHENT.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF GHENT, THAT UPON HIS RETIREMENT ON OCTOBER 26, 2017, FRANK PFLEGL SHALL BE ENTITLED TO RECEIVE PAYMENT FOR 145 DAYS OF ACCRUED SICK LEAVE AT THE RATE OF \$90.00 PER SAY, OR \$13,050.00.

BE IT FURTHER RESOLVED, BY THE TOWN BOARD OF THE TOWN OF GHENT, THAT THE TOWN OF GHENT SHALL PAY TO MR. PFLEGL THE SUM OF \$7,050.00 AND SHALL RETAIN THE SUM OF \$6,000.00 AND APPLY SAME TO THE ADDITIONAL PREMIUM REQUIRED UNDER THE EXISTING HEALTH INSURANCE PLAN TO EXTEND MR. PFLEGL'S COVERAGE FROM INDIVIDUAL COVERAGE TO DEPENDENT COVERAGE, PURSUANT TO SECTION 32-13(B) OF THE CODE OF THE TOWN OF GHENT.

MOTION # 12 TO ACCEPT RESOLUTION # 29 FOR THE YEAR 2017 made by Councilman Mort, seconded by Councilwoman Matheney and approved unanimously.

Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood

Nays: 0 UNFINISHED BUSINESS:

MOTION #13 TO PROCEED WITH SEQRA REVIEW FOR LOCAL LAW #2 FOR THE YEAR 2017 made by Councilman Mort, seconded by Councilwoman Matheney and approved unanimously.

Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood

Nays: 0

MOTION #14 TO ISSUE A NEGATIVE DECLARATION FOR SEQRA FORM PERTAINING TO LOCAL LAW # 2 FOR THE YEAR 2017 made by Councilman Mort, seconded by Councilwoman Matheney and approved unanimously.

Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood
Nays: 0

RESOLUTION # 30 FOR THE YEAR 2017:

WHEREAS, THE TOWN BOARD HAS BEFORE IT PROPOSED LOCAL LAW NO. 2 FOR THE YEAR 2017, WHICH AMENDS THE CODE OF THE TOWN OF GHENT, CHAPTER 190 (ZONING) TO INCLUDE TIME LIMITS FOR COMPLIANCE WITH SPECIAL USE PERMITS AND SITE PLAN APPROVALS; WHEREAS, THE PROPOSED CHANGES ARE THOSE RECOMMENDED BY THE TOWN OF GHENT PLANNING BOARD, AFTER CONSIDERING THE PROPOSALS OF THE PLANNING BOARD, DIRECTED THE ATTORNEY FOR THE TOWN TO PREPARE A LOCAL LAW FILING FOR THE ENACTMENT OF THE RECOMMENDED CHANGES; WHEREAS, AN INITIAL PUBLIC HEARING WAS HELD BEFORE THE GHENT TOWN BOARD ON JULY 20, 2017, AFTER DUE AND PROPER NOTICE BY PUBLICATION AND POSTING, FOR THE PURPOSE OF CONSIDERING ADOPTION OF LOCAL LAW NO. 2 OF 2017; WHEREAS, PROPOSED LOCAL LAW NO. 2 OF 2017 WAS REFERRED TO THE COLUMBIA COUNTY PLANNING BOARD, WHICH REVIEWED THE PROPOSED LAW AND RECOMMENDED CERTAIN REVISIONS THERETO; WHEREAS, THE TOWN BOARD ASKED THE TOWN OF GHENT PLANNING BOARD TO RECONSIDER THE PROPOSED LOCAL LAW NO. 2 OF 2017 BASED UPON THE RECOMMENDATIONS MADE BY THE COLUMBIA COUNTY PLANNING BOARD AND THE TOWN OF GHENT PLANNING BOARD DID SO AND THEREAFTER SUBMITTED PROPOSED REVISIONS TO THE ATTORNEY FOR THE TOWN; WHEREAS, THE ATTORNEY FOR THE TOWN THEN PREPARED A REVISED LOCAL LAW NO. 2 OF 2017 FOR CONSIDERATION AND ENACTMENT; WHEREAS, A SECOND PUBLIC HEARING WAS HELD BEFORE THE GHENT TOWN BOARD ON OCTOBER 19, 2017, AFTER DUE AND PROPER NOTICE BY PUBLICATION AND POSTING, FOR THE PURPOSE OF CONSIDERING ADOPTION OF THE REVISED LOCAL LAW NO. 2 OF 2017; WHEREAS, THE REVISED LOCAL LAW NO. 2 OF 2017 WAS REFERRED TO THE COLUMBIA COUNTY PLANNING BOARD, WHICH REVIEWED THE MATTER AND INDICATED THAT ADOPTION OF THE REVISED LOCAL LAW NO. 2 OF 2017 IS A "LOCAL DECISION"; WHEREAS, THE TOWN BOARD HAS DETERMINED THAT THE REVISED LOCAL LAW NO. 2 OF 2017, IF ADOPTED, WOULD BE APPROPRIATE AND IN THE BEST INTERESTS OF THE RESIDENTS OF THE TOWN; AND WHEREAS, THE TOWN BOARD CONDUCTED A REVIEW OF THE PROPOSED LOCAL LAW UNDER THE PROVISIONS OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND DETERMINED THAT THE PROPOSED LOCAL LAW WOULD HAVE NO SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT AND THAT A NEGATIVE DECLARATION BE ISSUED. NOW, THEREFORE, UPON MOTION DULY MADE AND SECONDED IT IS RESOLVED, BY THE TOWN BOARD OF THE TOWN OF GHENT THAT THE ADOPTION OF LOCAL LAW NO. 2 OF THE YEAR 2017 IS HEREBY APPROVED AND SHALL BECOME EFFECTIVE IMMEDIATELY.

MOTION # 15 TO ACCEPT RESOLUTION # 30 FOR THE YEAR 2017 made by Councilman Mort, seconded by Councilwoman Matheney and approved unanimously.

Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood
Nays: 0

NEW BUSINESS:

MOTION # 16 TO SET PUBLIC HEARING FOR THE 2018 BUDGET FOR NOVEMBER 9, 2017 AT 6:45PM made by Councilwoman Matheney, seconded by Councilman Mort and approved unanimously.
Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood
Nays: 0

MOTION #17 TO ALLOW SUPERVISOR BENVENUTO TO ENTER INTO THE CHARGEBACK AGREEMENTS WITH THE COUNTY REGARDING THE RESQUE SQUADS made by Councilman Mort, seconded by Councilman Wood and approved unanimously.
Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood
Nays: 0

RESOLUTION # 31 FOR THE YEAR 2017:

WHEREAS, PRIOR TO THE ADOPTION OF THE 2018 TOWN OF GHENT BUDGET THE TOWN OF GHENT MUST SUBMIT TO THE OFFICE OF THE NEW YORK STATE COMPTROLLER DOCUMENTATION SHOWING THAT THE 2018 TOWN OF GHENT BUDGET DOES NOT EXCEED THE MAXIMUM TAX CAP INCREASE ALLOWANCE, INCLUDING THE INFORMATION NECESSARY FOR CALCULATING THE TAX LEVY LIMIT FOR THE COMING FISCAL YEAR; WHEREAS, THE TOWN SUPERVISOR HAS THE RESPONSIBILITY TO FACILITATE AND ENSURE THAT THIS FILING IS COMPLETED AS REQUIRED; AND WHEREAS, THE TOWN BOARD WISHES TO EXPRESSLY AUTHORIZE THE SUPERVISOR TO FILE THE REQUISITE INFORMATION WITH THE NEW YORK STATE COMPTROLLER ON BEHALF OF THE TOWN, NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF GHENT, THAT THE TOWN SUPERVISOR IS AUTHORIZED TO COMPLETE ALL NECESSARY DOCUMENTS AND FILINGS TO COMPLY WITH THE NEW YORK STATE COMPTROLLER'S TAX CAP FILING AND REPORTING REQUIREMENTS AS RELATED TO THE 2018 TOWN BUDGET AND ITS ADOPTION.

Commented [C1]:

MOTION # 18 TO ACCEPT RESOLUTION # 30 FOR THE YEAR 2017 made by Councilman Mort, seconded by Councilwoman Matheney and approved unanimously.
Ayes: 5 Benvenuto, Nelson, Mort, Matheney, Wood
Nays: 0

PAYMENT OF AUDITED BILLS AND ACCEPTANCE OF MONTHLY BUDGET REPORT:

AUDITED BILLS:

General A	\$21813.85
S.L.	\$807.62
General B	\$843.65
Highway DB	\$49195.92
TOTAL:	\$72660.44

MOTION# 19 TO PAY ALL AUDITED BILLS AND ACCEPT THE MONTHLY FINANCIAL REPORTS made by Councilman Wood, seconded by Councilman Nelson and approved unanimously.
Ayes: 5 Benvenuto, Nelson, Wood, Matheney, Mort
Nays: 0

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MOTION #20 TO OPEN THE MEETING FOR PUBLIC COMMENT LIMITED TO THE TOPICS DISCUSSED AT MEETING made by Supervisor Benvenuto, seconded by Councilman Matheny and approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Mort, Matheny

Nays: 0

No comments

MOTION #21 TO ADJOURN THE MEETING AT 7:50PM made by Councilman Wood, seconded by Councilman Mort, approved unanimously.

Ayes: 5 Benvenuto, Wood, Nelson, Matheny, Mort

Nays 0

Respectfully Submitted,

Michelle Radley