



TOWN OF CAIRO

GENERAL/REGULAR MEETING AGENDA

April 24, 2013 @ 7PM

Location: Town Hall, Cairo

Call to Order

Pledge of Allegiance

Attendance

Bid Openings for Cemetery Seasonal Maintenance

Approval of Minutes: April 10, 2013

Reports

- | | | |
|--------------------------|-------------------------------|------------------|
| - Supervisor | - Ambulance | -Reservoir |
| - Highway Superintendent | - Planning Board | -Summer Rec |
| - Library | - Police Department | -Tax Collector |
| - Assessor | - Building & Code Enforcement | -Park Task Force |
| - Water & Sewer | - Other Department(s) | |

Appointments & Resolutions

Unfinished Business

- Mobile Home Parks & Campgrounds

New Business

- Fireworks Agreement for July 4th Celebration

Correspondence

Adjournment



**Robert F. Hempstead, Director
Town of Cairo Parks, Buildings, & Grounds**

755 Route 145
Cairo, NY 12413
518-622-9515
518-622-3185 Fax
518-965-1266 Cell

highwaysuper@townofcairo.com

April 24, 2013

To Cairo Town Board Members,

As Director of Parks, Buildings and Grounds, I feel it is in the best interest of the residents of Cairo to receive supervised gradual progressive maintenance for all cemeteries within the Town of Cairo.

I would like to undertake the task of repairing/restoring the cemeteries which would include tree/brush cutting, mowing, uprighting overturned head stones, etc. This will be accomplished using both full/part time employees and supervised community service workers.

Thank you for your consideration.

Best regards,

Robert F. Hempstead

TOWN OF CAIRO
Tara A. Rumph, Town Clerk
P.O. Box 728
Cairo, New York 12413
518-622-3120
518-622-0553 (Fax)

Fax

To: Daily Mail - 828-9437
From: Tara A. Rumph, Cairo Town Clerk
Date: April 16, 2013
Subject: Cemetery Maintenance

Number of pages including this page: 1

Legal notice to run Wednesday, April 17, 2013.
Please send Affidavit of Publication to my office.
Thank you.

The Town Board of the Town of Cairo is soliciting proposals for general cleanup, mowing and trimming of cemeteries owned by the Town. Information on duties to be performed to keep cemeteries maintained as necessary can be obtained at the Town Clerk's Office. Proposals to be submitted to the Town Clerk, Town Hall, Main Street, Cairo, New York by 3:00 P.M. on Wednesday, April 24, 2013.

By Order of the Town Board
Tara A. Rumph
Town Clerk



Minutes

Town of Cairo

Town Board Work Session

Location: Town Hall Meeting Room @ 4:00 PM

April 10, 2013

The Town Board of the Town of Cairo met for a work session meeting on Wednesday, April 10, 2013 at the Town Hall, Main Street, Cairo, New York.

Supervisor Banta called the meeting to order at 4:05 PM and then asked the attendees to Pledge Allegiance to the flag. Councilperson Ostrander, Councilperson Joyce, Councilperson Suttmeier were present. Councilperson Puorro was absent.

The minutes from the March 27, 2013 Board Meeting was accepted by Councilperson Joyce and seconded by Councilperson Suttmeier.

Allen Tavenner from Delaware Engineering, PC spoke to the board members regarding the well(s) to be drilled at the Town Park, the updates and improvements to the sewer system, the Water Tank, the new Sewer Pump Station, the Sewer Plant, the Sewer Moratorium, and the preparation of information to lift the moratorium.

Permission given for the Town of Cairo Police to park their vehicles in the Annex Building garage.

Resolution No. 101-13 “Appoint Chairman of the Board of Appeals” offered by Councilperson Suttmeier and second by Councilperson Ostrander

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby appoint Thomas Baldwin Chairman the Board of Appeals for 2013.

All members in favor – motion carried.

Resolution No. 102-13 “Appointments for the Board of Assessment Review” offered by Councilperson Joyce and seconded by Councilperson Ostrander:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby re-appoint John Kargoe to the Board of Assessment Review for a term of 5 years ending September 30, 2017.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Cairo does hereby appoint Robert Fritze to the Board of Assessment Review to fill the position open as a result of Robert Carrey’s resignation for a term to end on September 30, 2013.

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Cairo does hereby appoint John Kargoe as Chairperson to the Board of Assessment Review for 2013.

All members in favor – motion carried.

Resolution No. 103-13 “Advertise for Bids for Seasonal Maintenance of Town Owned Cemeteries” offered by Supervisor Banta and seconded by Councilperson Ostrander:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby approve the advertisement for cleanup, mowing, and trimming of cemeteries owned by the Town of Cairo. Duties to be performed a minimum of five times during the season, May thru September 2013 to keep cemeteries maintained as necessary. Such bids should be returned to the Town Clerk’s Office by 3:00pm on April 24, 2013.

All members in favor – motion carried.

Resolution No. 104-13 “Reserve Recycling Bottle Deposits for Park Improvements” offered by Supervisor Banta and seconded by Councilperson Ostrander: WHEREAS, the Town Board of the Town of Cairo has partnered with Ulster-Greene ARC and the Catskill Bottle & Can Redemption Center to redeem bottle deposits from the recycling center; and

WHEREAS, the Town Board of the Town of Cairo intends to use the revenue generated from the bottle deposits for Park Improvements; therefore be it

RESOLVED, that a reserve fund shall be created to set the bottle redemption revenue aside for Park Improvements.

All members in favor – motion carried.

Resolution No. 105-13 “Authorizing Highway Superintendent to Attend Thruway Auction” Offered by Councilperson Ostrander and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby approve Robert F. Hempstead, Superintendent of Highways and Ronald Baitsholts to attend and to purchase equipment (vacuum trucks, sweeper & flat beds) at the thruway auction on April 17, 2013.

BE IT FURTHER RESOLVED, that the Highway Superintendent may go over the allowed amount of \$5,000 up to \$10,000.

All members in favor – motion carried.

Resolution No. 106-13 “Accepting Lead Agency Status on Town Municipal Water System Well Drilling Project for the Town of Cairo” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, the Town Board of Town of Cairo has previously determined it necessary and in the best interest of the residents of the Town to drill a second well for the municipal water system and had begun the process to do so, and

WHEREAS, the Town Board has caused the Lead Agency/Coordination letter to be circulated to all interested and involved agencies and that a period of 30 days have elapsed with none of the said agencies having sought lead agency status for the project.

NOW THEREFORE IT IS HEREBY RESOLVED that the Town Board of the Town of Cairo hereby accepts the status of Lead Agency for the said project.

All members in favor – motion carried.

Resolution No. 107-13 “Making a Negative Declaration with Respect to the SEQRA Process in Connecting with the New Drinking Municipal Water Well Drilling Project for the Town of Cairo” offered by Councilperson Joyce and seconded by Councilperson Suttmeier:

WHEREAS, the Town Board of Town of Cairo has previously accepted the status as Lead Agency with respect to the above mentioned project and

WHEREAS, the Town Board of the Town of Cairo has carefully reviewed the Long Environmental Impact Form prepared by the Town Engineer and has taken the requisite “hard look” at the potential environmental impacts.

NOW, THEREFORE IT IS HEREBY RESOLVED that the Town Board of the Town of Cairo hereby adopts a Negative Declaration with respect to the abovementioned project and has found that there will be no potential negative environmental impacts as a result of the project.

All members in favor-motion carried.

Resolution No. 108-13 “Public Hearing for Moratorium on Junk Yards”

offered by Councilperson Ostrander and seconded by Councilperson Joyce:

Be it resolved that the Town Board of the Town of Cairo does hereby approve to set a public hearing for a moratorium on Junk Yards for a period of six months, with a stipulation that those applications pending before the Town Board are grandfathered in for review. The public hearing is set for May 8, 2013 @ 4:00 pm.

All members in favor – carried.

Resolution No. 109-13 “Public Hearing for Junk Yard” offered by Councilperson

Ostrander and seconded by Councilperson Joyce:

Be it resolved that the Town Board of the Town of Cairo does hereby set a public hearing for the review of Junk Yard application on May 8, 2013 @ 4:00 pm.

All members in favor – carried.

Resolution No. 110-13 “The Town Board Decision on John Wernet Sr Property

“ offered by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, The Town Board of the Town of Cairo held a hearing regarding the alleged violation of the Town Code and New York State Property Maintenance Law on February 13, 2013 and Continued to April 10, 2013 and

WHEREAS, The Town Board heard evidence and testimony from the Town Building Department and from the land owner, Mr. Wernet Sr.

NOW THEREFORE, The Town Board hereby determines and orders that violation of both the Town Code LL# 6 of 1985 and the New York State Property Maintenance Law exist at the property and by Mr. Wernet Sr Located at 4422 NYS Route 23 (Tax Map # 100.00-2-6)

Town of Cairo, County of Greene and it is Further

DETERMINED AND ORDERED, that the Town Board of the Town of Cairo shall undertake to clean and remove all junk, debris, unregistered motor vehicles and other garbage and it is further

DETERMINED AND ORDERED, that the Town Building Department refer the said clean up to Greene County and the Town of Cairo Highway Department for an Estimate of the cost to complete such clean up and to seek advertised bids from private contractors and it further

DETERMINED AND ORDERED, that the clean up shall be completed by the lowest responsible bidder or agency and if the owner fails or refuses to reimburse the Town for the cost that same shall be recovered as lien on the subject real property and collected as a special ad valorem levy thereon, and it is further

DETERMINED AND ORDERED, that if the owner shall satisfactorily complete the clean up before same is accomplished by the Town, the Town Board reserves the right to vacate this order.

All members in favor – motion carried

Resolution No. 111-13 “Board to Move into Executive Session” offered by Councilperson Ostrander and Seconded by Councilperson Joyce:

BE IT RESOLVED, Town Board of the Town of Cairo does hereby move into Executive Session at 5:40 PM to discuss medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

All members in favor - motion carried.

Resolution No. 112-13 “Board to exit Executive Session” offered by
Councilperson Ostrnder and seconded by Councilperson Joyce:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby exit the
Executive Session at 5:55 PM.

All members in favor - motion carried.

A motion was made by Councilperson Ostrander and seconded by Councilperson Joyce to
adjourn the meeting at 5:55 PM.

Respectfully submitted,

Debbie Litchko
Deputy Town Clerk

**Town of Cairo
Ambulance Service**

PO Box 728
512 Main Street
Cairo, NY 12413
518-622-2357

**Monthly Report
April 24, 2013**

Total Calls for March..... 71
Total Transported Calls.....47
Total Non-transported Calls.....24

Total Amount Billed____ \$ 42,200

TOWN OF CAIRO BOARD MEETING

ASSESSOR'S MONTHLY REPORT

April 24, 2013

New Business: 17 Transfers for the month of March

CLOSING

Janice Hull
Sole Assessor



TOWN OF CAIRO
BUILDING AND CODE ENFORCEMENT
MONTHLY REPORT

March 27, 2013 – April 21, 2013

- (09) Building Permits Issued
 - (00) Certificates Of Occupancy Issued
 - (09) Certificates of Compliance Issued
 - (19) Violations & Complaints
 - (03) Violations Pending in Court
 - (01) Violation Pending with the Town Board
 - (52) Total Inspections were performed on current projects, violations, and fire inspections
-

16 RailRoad Avenue, P.O. Box 728
Cairo, New York 12413

Phone (518) 622-9894 Fax (518) 622-3217
Hours Mon. – Thur. 10am – 3pm & Fri. 10am – 2pm

Director's Report – April 2013

The 2012 Annual Report has been submitted to MHLS who will review it before it heads to the state.

GED loves the community room.

Check out the upcoming energy savings programs. The one coming up on April 15 requires advance sign up but participants will get an energy savings kit worth \$15.

Other programs this month: Chinese Brush Painting with Alice Tunison, Writing Workshop with author Esther Cohen, and Polymer Clay workshop with Theresa Corrigan. A sample of what can be done with polymer clay is hanging outside the children's room.

We are still coming up with additional local authors.

Robert H and I are working on putting together a teen forum to talk about what the teens would like to see in the library, etc. I am still waiting for the C-D school to get back to me about in-school programs and about the Teen Advisory Board.

The MLS student will be starting next week.

Baby Bundles are again available for pregnant moms.

I spoke with Cornell Co-Op Ext about sending someone out to look at our "gardens" in the front and make recommendations for improvement.

I went to the Interagency Awareness Day in March held at CGGC.

The highway department will install the Knox box and the truss signs.

Dean moved the microwave and plugged it into a different outlet and the second day it was used, it blew a fuse so he has now moved it back to the table...

NYLA Public Library Building Awards' deadline is June 28.

Subject: Cairo Park Task Force Report 4/24/13

From: Elizabeth b Brinckerhoff (charlib@mhccable.com)

To: tedbanta3@yahoo.com;

Date: Wednesday, April 17, 2013 10:29 PM

CAIRO PARK TASK FORCE REPORT

Robert Hempstead and his workers have assembled the new Red Swing Set for the children at the Town Park. The swings were purchased with donations from local businesses and individuals.

Work has begun on the new state of the art basketball court in preparation for the Ribbon Cutting on May 4. The equipment was generously donated by the Bank of Greene County.

Little League held a cleanup day at the Park on April 13th. Dugouts were painted to match the pavilion and the grounds were worked on to get ready for opening day on May 4 along with the 1st Annual Cairo Town Picnic.

There will be a Bike Parade at 11:30 led by Supervisor Ted Banta. John Gallagher will play the bagpipes as a sendoff for the trip around the park. Children and adults are encouraged to participate in the bike parade and the Ribbon Cutting for the new swings and basketball court and then enjoy a picnic in the beautiful Town Park.

There will be a free bike raffle and a variety of activities including the baseball games. Food will be available for purchase at the Little League concession stand.

**Elizabeth Brinckerhoff
4/24/13**



TOWN OF CAIRO PLANNING BOARD

PO Box 728, Cairo, NY 12413

Chairman-Daniel A. Benoit - phone: 518 701-4823

Email: planning@townofcairo.com

April 24, 2013

To: Town Board Members

From: Planning Board

Re: Report of Regular Meeting of April 9, 2013

The Planning Board held its regular monthly meeting at the town library on April 9. There were no public hearings scheduled. One existing project, Master Unit Retreat Speak, appeared. Kaaterskill Associates, who provided a sketch plan of their proposal, represented them. Master Unit Retreat Speak is a religious organization that purchased a roughly 50 acre parcel of land on Silver Spur Rd. (formerly the Miller property) and wishes to convert the property into a membership retreat and yoga/meditation center. Their sketch plan contemplates use of the existing residence as a residence, conversion of an existing farm building (chicken coop) into a dormitory and conversion of a second, existing farm building into a dining hall and meeting rooms. They have also proposed a new driveway access off Joel Austin Rd. leading to a proposed thirty space parking lot. They were advised to complete a survey of the property, finalize their site plan proposal and provide elevation drawings for the proposed converted buildings.

In addition, the following new projects came before the board:

- Vaughn subdivision proposal
- Schneider subdivision proposal
- Torres subdivision proposal
- Susan and Joseph Donato, site plan review
- The Kid Zone, site plan modification
- Muller & Annese (Flora & Fauna)

The three subdivision proposals listed above were all minor subdivisions and all are have public hearings scheduled for the next regular meeting of May 14, 2013.

Susan and Joseph Donato indicated they had purchased the property at 451 Main St. That property, located adjacent to the former Cornerstone Bar, had been recently used as a café. They requested permission to re-open the property as a café. The board waived review and referred them to the building dept.

The Kid Zone requested a modification of their existing site plan. They indicated they wanted to section off a portion of the interior of their building for use as a day care center. They were aware that approval from the Office of Children and Family Services is required in order to operate a day care center. Their modification was approved contingent upon their receiving the required state agency approval.

Muller and Annese (Flora and Fauna) appeared before the board. They complained that their neighbors were in the process of moving an existing private drive. The dispute concerns the location of the private road/drive, whether it is or is not within the defined easement, and whether the neighbors have the authority to move it. As this was clearly a private, legal matter, they were advised to retain counsel..

The next regularly scheduled meeting is 7:00 p.m., May 14, 2013 at the library meeting room.

Respectfully Submitted,

Daniel A. Benoit

Daniel A. Benoit, Chairman, Planning Board.

Cairo Police Department
Town Hall
P.O. Box 728
Cairo, New York 12413

Phones (518)-622-2324
Fax (518)-622-8418

e-mail cairopd@mhcable.com
Cell (518) -965-1180

April 24th, 2013

From: Richard Busch, Officer in Charge
Town of Cairo Police Department

To: Ted Banta, Supervisor
Town Board Members

Re: Report of Activities – Month of March 27th to April 23rd 2013

(A)	Patrol Mileage: Patrol	574-	771
	Vehicle	575-	1449
		576-	535
		577-	1010
		578-	1
	Total Miles		3766

(B)	Criminal Incidents	35
	Non-Criminal	107
	Unclassified	0
	Dog / Animal Complaints	22
	Code Violations	0

Total Complaints 164

(C)	Accident Investigations	9	Total
(D)	Parking Summons	1	Issued
(E)	Arrests	10	With 15 Charges
(F)	Vehicle & Traffic	11	Traffic Summons issued

Town Board Meeting – April 24, 2013

Submitted by Kathy Jurgens – Administrator

Water - Water bills were mailed to customers on April 4th. Annual Water Quality Report included with the bills. A copy was also sent to the Board of Health in Oneonta. Resolution submitted for the billing. A number of seasonal customers have been turned on. Highway Supt. advised me that Highway Dept. was obtaining water from the fire hydrant at the Town Park for sweeping roads. I advised him to keep track of the gallons taken. Myers Laboratory is now doing our monthly water samples. After conferring with Dave Jennings, hydrants will be flushed as soon as the weather gets warmer.

I would like to obtain bids for a security fence to be installed at the stand tank located on Kligerman Drive. Also, I would like to paint the outside of the stand tank. Before proceeding with the legalities on this proposal, I would like the Board's opinion on this.

Sewer - Hunter Environmental expects to resume pumping this week. Additional names have been added to his list for pump outs. There are a few tanks on Main St. to be pumped. Jerome Avenue will be the next street to be done.

There was an issue at Karen's Flower Shoppe; however, it appears not to be our problem as of now. A failed E/One grinder pump on Jerome Ave. last week was removed by George LaPlante Inc. A spare pump at the WWTP was installed by Joe Myers. Customer did not notify us of a problem and turned off the breaker.

APRIL 24, 2013

CAIRO WATER & SEWER UPGRADES

Wastewater

1. The new pumping station behind Cumberland Farms was put in service April 10th.
2. Generator will be started and tested on April 30th.
3. Xylem (supplier of the new treatment unit) will be at the plant April 30th to begin rebuilding the motor and process control systems. Work is being coordinated with the operator.
4. Electrician (Clune Electric) continues wiring work.
5. Schoenecker is within 2-3 weeks of having the major structural and mechanical work done.
6. Work reports for septic were received and are being included in a letter to DEC on moratorium.

Water

1. Delaware Engineering is recommending that the well located at the Head Start building be tested to confirm water quality. This will likely require a pump service contractor to pull the pump so the well can be purged and representative sample taken. The cost for pump service, sample analysis and a technician to sample is estimated to be \$2000-2500.

Highway Report

April 24, 2013

1. Removed residual abrasives from roads with our recently purchased used vacuum sweeper and we also rented a sweeper.
2. New red swing set, playground mulch installed, area seeded (hay mulch)
3. Tax Collector's office painted, new carpeting will be installed
4. Roadside rubbish clean up continues, 2760 pounds for March/April
5. Locks have been changed at Town Hall and Annex
6. Worked at Karen's Flowers on a sewer repair
7. Traffic control maintenance ongoing (stolen/damaged signs)
8. Multiple storm damage tree clean ups
9. Met with Scott Alarm regarding Town Hall/Court Surveillance cameras
10. Assisted the Boy Scouts with Main Street clean up day
11. Gradall out repairing ditching/drainage problems
12. Picked up Ford L8000 dump truck/snow plow from Iroquois School District, town logo has been installed
13. Crew out repairing winter damage
14. Operators sorting stone in the highway quarry for Fema use
15. Work has started on multiple FEMA projects
16. The floors in the library have been stripped, buffed and polished.
17. Newly designed highway uniforms have arrived.
18. Basketball backboards have been installed
19. Crews are out cold patching as weather permits
20. Culvert maintenance ongoing
21. Attended town organized fossil presentation at the library
22. Toured with representatives for solar energy erection sites
23. Removed snow removal equipment from trucks
24. Assisted with Earth Day Clean up in Round Top. 1020 pounds of rubbish picked up.
25. Delivered wood chips to Greene County Soil and Water project.
26. Cumberland Farms pump station is now online and the surplus pumps/electrical panel boxes were picked up, cleaned and stored at the highway department.
27. Rolled ball fields at town park
28. Met with Verizon at Sandy Plains Road for Fema culvert replacement project.
29. Water is turned on in the little league dugout, concession stand, and the ladies restroom



TOWN OF CAIRO SUPERVISOR'S REPORT

April 24, 2013 @ 7PM

Location: Town Hall of Cairo, Meeting Room

Notification of Meeting:

- Town Clerk's Board
- Town Hall
- Outdoor Bulletin Board
- Town Website
- Daily Mail Calendar
- Midhudson Cable
- Town Email from Clerk

Monthly Financial Report: March 2013

Zoning:

- **Zoning Meetings 2013:**
 - o January 8th @ 4pm
 - o January 15th @ 3:30pm
 - o January 28th @ 4pm
 - o February 4th @ 4pm
 - o February 15th @ 3pm
 - o February 26th @ 10am
 - o March 15th @ 9am
 - o March 26th @ 4pm
 - o April 8th @ 4pm
 - o April 15th @ 3:30pm
 - o April 22nd @ 3:30pm
 - o April 29th @ 3:30pm
- February 28th & March 19th meetings were cancelled

Employee Meetings 2013:

- January 23rd
- March 27th
- April 25th

Parks:

- Moving forward with Soccer Fields for the Town Park
 - o Meeting with County Public Works Committee on May 13th
- Ribbon Cutting Ceremony May 4th at noon
 - o Park Task Force diligently preparing for event

Office Renovation:

- Construction to start in Old Library after May 4th Ceremony

Annex Building Renovation:

- Plans being prepared

Boy Scouts Troop 43:

- Clean up Main St for service project on April 6, 2013

Earth Day Cleanup:

- April 20th in Round Top

Suicide Prevention Awareness Day:

- Had to cancel attendance

Spring Fling Luncheon:

- April 24th @ noon for employees, officials, & volunteers
- Volunteer of the Year for 2012 announced: Elizabeth Brinckerhoff

Meeting with Chamber on 4/9:

- Will provide update on office space usage and services to be rendered

Hudson Estuary Watershed Project:

- 10 minute Presentation May 8th
- Will meet with Coordinator

Fossil site Presentation:

- William Stein, April 12th at 10am at Library
- Excellent presentation
- See Daily Mail Article

Memorial Day Parade:

- Many responses received to participate
- Cairo Historical Society will launch their Hometown Heroes Banners Program
 - o Last tally, there were 107 Banners
 - o We have 62 sets of brackets

July 4th Celebration:

- Fireworks
 - o Contracts to be prepared
- 98.5 will be on site for a couple of hours, maybe 1 to 3pm
- Will seek vendors like last year
- Softball game?

TOWN OF CAIRO

April 24, 2013

RESOLUTION NO. _____

“Receipt of Monthly Supervisor’s Report”

Councilperson _____ offered the following resolution and moved its adoption:

WHEREAS, it has been recommended by the NYS Comptroller’s Office in the Town of Cairo Report of Examination 2008M-175, that the Supervisor should present a Monthly Report to the Board Members consisting of cash receipts, cash disbursements, and a budget versus actual report for expenses and revenues, and it be documented in the minutes; therefore, be it,

RESOLVED, that the Town Board Members accept the monthly Supervisor’s Report for March, 2013.

SECONDED BY COUNCILPERSON _____

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE _____ NAY _____ ABSENT _____ CARRIED _____ DEFEATED _____

TOWN OF CAIRO

April 24, 2013

RESOLUTION NO. _____

“Payment of Bills on Abstract #307”

Councilperson _____ offered the following resolution and moved its adoption:

WHEREAS, payment of bills should be properly authorized and documented in the minutes; therefore be it

RESOLVED, the Town Board does hereby authorize that Abstract #307, consisting of 2013 Vouchers #1418 through #1512 in the amount of \$131,567.61 is approved for payment.

The total amount to be paid from the:

General Fund - \$58,583.93	Street Lighting -
Highway Fund - \$45,511.80	Sewer Fund - \$8,804.10
Cap. Library Fund - \$304.00	Water Fund - \$770.98
Cap. Sewer Fund - \$10,092.80	Trust & Agency -
Hydrant Fund - \$7,500.00	Special Fire -

SECONDED BY COUNCILPERSON _____

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE _____ NAY _____ ABSENT _____ CARRIED _____ DEFEATED _____

TOWN OF CAIRO

April 24, 2013

RESOLUTION NO. _____

**“Accepting Water Billings
Dated April 3, 2013”**

Councilperson _____ offered the following resolution and moved its adoption:

WHEREAS, it is necessary for the Water Billings to be authorized by the Town Board and documented in the minutes; therefore, be it

RESOLVED, that the Town Board accepts the Water Billings as presented from the Water Administrator in the amount of \$44,283.51, dated April 3, 2013.

SECONDED BY COUNCILPERSON _____

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE _____ NAY _____ ABSENT _____ CARRIED _____ DEFEATED _____

TOWN OF CAIRO

April 24, 2013

RESOLUTION NO. _____

“Authorize Cairo Court to Apply for a Grant”

Councilperson _____ offered the following resolution and moved its adoption:

WHEREAS, the Department of Homeland Security provides local jurisdictions and authorities grants for planning, equipment, training, exercise needs, preparedness training, etc; therefore, be it

RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Cairo Justice Court to file an application to seek Homeland Security grant funding through the Greene County Sheriff’s Department for security cameras, a bullet resistant transaction window, prisoner benches, a locking drop box, and any other appropriate products or materials to increase security & safety.

SECONDED BY COUNCILPERSON _____

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AYE	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE _____ NAY _____ ABSENT _____ CARRIED _____ DEFEATED _____

TOWN OF CAIRO

April 24, 2013

RESOLUTION NO. _____

“Inter-fund Transfer from Sewer Fund to General Fund”

Councilperson _____ offered the following resolution and moved its adoption:

WHEREAS, the Cairo Sewer District owes, through inter-fund borrowing, the sum of \$325,000.00 to the General Fund; and

WHEREAS, the 2013 Budget allocated \$3,500.00 to be paid to the General Fund; and

WHEREAS, there is sufficient Sewer District Funds to pay an additional \$11,500.00 to the General Fund; therefore be it

RESOLVED, that the Town Board of the Town of Cairo does hereby authorize an inter-fund transfer of \$15,000.00 from the Sewer Fund to the General Fund.

SECONDED BY COUNCILPERSON _____

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AY E	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE _____ NAY _____ ABSENT _____ CARRIED _____ DEFEATED _____

TOWN OF CAIRO

April 24, 2013

RESOLUTION NO. _____

“Inter-fund Transfer from Water Fund to General Fund”

Councilperson _____ offered the following resolution and moved its adoption:

WHEREAS, the Cairo Water District owes, through inter-fund borrowing, the sum of \$82,897.36 to the General Fund; and

WHEREAS, there is sufficient Water District Funds to pay \$10,000.00 to the General Fund; therefore be it

RESOLVED, that the Town Board of the Town of Cairo does hereby authorize an inter-fund transfer of \$10,000.00 from the Water Fund to the General Fund.

SECONDED BY COUNCILPERSON _____

COUNCILPERSON JOYCE	AYE	NAY
COUNCILPERSON OSTRANDER	AY E	NAY
COUNCILPERSON PUORRO	AYE	NAY
COUNCILPERSON SUTTMEIER	AYE	NAY
SUPERVISOR BANTA	AYE	NAY

AYE _____ NAY _____ ABSENT _____ CARRIED _____ DEFEATED _____

AGREEMENT

THIS AGREEMENT, entered into this 24th day of April, 2013, by and between the Town of Cairo, New York (“the Town”), a municipal corporation organized and existing under the laws of the State of New York with offices at Main Street, Cairo, NY 12413 and Misbehaven Fireworks Corp. (the “Contractor”) with offices at _____ ;

WITNESSETH, that the Town and the Contractor, for the consideration hereinafter named, agree as follows:

ARTICLE 1. WORK TO BE DONE AND CONSIDERATION THEREFOR

The Contractor shall furnish all activities and services in connection with the presentation of fireworks at the Town of Cairo, July 4, 2013 celebration. The Town shall pay the sum of \$ _____ for such services.

ARTICLE 2. CONTRACTOR’S INSURANCE

The Contractor shall not commence work under this Contract until it has obtained all insurance required under this paragraph and such insurance has been approved by the Town.

(a) **Compensation Insurance:** The Contractor shall take out and maintain during the life of this Contract Workers’ Compensation Insurance for its employees to be assigned to the work hereunder.

(b) **General Liability and Property Damage Insurance:** The Contractor shall take out and maintain during the life of this contract such general liability and property damage insurance as shall protect it from claims for damages for personal injury, including accidental death, as well as from claims for property damage which may arise from operations under this Contract. The amounts of such insurance shall be as follows:

General liability insurance in an amount not less than \$1,000,000 for injuries, including wrongful death to any one person and subject to the same limit for each person, in an amount not less than \$1,000,000 on account of any one occurrence.

Property damage insurance in an amount not less than \$1,000,000 for damage on account of all occurrences.

The Contractor shall furnish the above insurances to the Town and shall also name the Town as an additional named insured in said policies.

(c) Any accident shall be reported to the office of the Supervisor as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town as soon thereafter as possible and not later than three (3) days after the date of such accident.

ARTICLE 3. PERMITS AND REGULATIONS

The Contractor shall procure and pay for all permits and licenses necessary for the services to be rendered hereunder.

ARTICLE 4. INDEMNITY AND SAVE HARMLESS AGREEMENT

The Contractor agrees to indemnify and save the Town, its officers, agents and employees harmless from any liability imposed upon the Town, its officers, agents and/or employees arising from the negligence, active or passive, of the Contractor.

ARTICLE 5. NO ASSIGNMENT

In accordance with the provisions of section 109 of the General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this Agreement, or its power to execute this Agreement, to another person or corporation without the previous consent in writing of the Town.

ARTICLE 6. AUTHORITY FOR EXECUTION ON BEHALF OF THE TOWN

The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town Cairo at a meeting thereof held on April 24, 2013. Ted Banta, III, Supervisor, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of the Town.

ARTICLE 7. NOTICES

Any and all notices and payments required hereunder shall be addressed as follows, or to such other address as may hereafter be designated in writing by either party hereto:

To Town: Town of Cairo, Town Hall, Main Street, Cairo, NY 12413

To Contractor: Misbehaven Fireworks Corp.,

ARTICLE 8. WAIVER

No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ARTICLE 9. MODIFICATION

This Agreement constitutes the complete understanding of the parties. No modification of any provisions thereof shall be valid unless in writing and signed by both parties.

ARTICLE 10. APPLICABLE LAW

This Agreement is governed by the laws of the state of New York.

IN WITNESS WHEREOF, the Town of Cairo has caused its corporate seal to be affixed hereto and these presents to be signed by John M. Coyne, Supervisor, duly authorized to do so, and to be attested to by Cairo Town Clerk, and the Contractor has caused its corporate seal to be affixed hereto and these presents to be signed by its President or other authorized officer, agent or representative, the day and year first above written.

TED BANTA, III, SUPERVISOR
TOWN OF CAIRO

RICH PILATICH
MISBEHAVEN FIREWORKS CORP.

State of New York)
County of Greene) ss.:

On the day of in the year 2013 before me came, the undersigned, a Notary Public in and for the said State, personally appeared TED BANTA, III personally known to me or proved to me on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

State of New York)
County of) ss.:

On the day of in the year 2013 before me came, the undersigned, a Notary Public in and for the said State, personally appeared RICH PILATICH personally known to me or proved to me on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public