



Minutes

**Town of Cairo
Town Board Meeting @ 7:00 pm
Location: Town Hall Meeting Room**

March 21, 2016

The Town Board of the Town of Cairo met for a Special Town Board meeting on Monday, March 21, 2016 at the Town Hall, Main Street, Cairo, New York.

Supervisor Dan Benoit called the meeting to order at 7:00 and then asked the attendees to Pledge Allegiance to the Flag. All Board Members were in attendance: Councilperson Cords, Councilperson Ostrander, Councilperson Joyce and Councilperson Warner.

Supervisor Benoit opened the Public Hearing.

**NOTICE OF PUBLIC HEARING ON
PROPOSAL FOR INCREASE AND IMPROVEMENT
OF FACILITIES OF WATER DISTRICT NO. 1**

Notice is hereby given that the Town Board of the Town of Cairo, Greene County, will meet at the Town Hall, 512 Main Street, Cairo, New York 12413, on the 21st day of March, 2016, at 7:00 o'clock p.m., prevailing time, for the purpose of conducting a public hearing upon a proposal by said Town Board to improve the facilities of Water District No. 1 pursuant to Section 202-b of the Town Law as hereinafter described, at which time and place said Town Board will meet to consider such proposition and hear all persons interested in the subject thereof and concerning the same.

The improvements proposed to be made consist of a recommended work plan for improvements to Water District No. 1 as described in the Engineer's Preliminary Engineering

Report prepared by Delaware Engineering, P.C. dated September 3, 2015. Such improvements include development of additional sources(s) of supply, improvement of disinfection capacity at the Park well, improvements to decayed and leaking water tank, replacement of old mains and services, a meter survey and replacement program, extension of water service to insufficient yielding private wells at existing residential housing and installation of new meters and remote reading equipment, and including original furnishings, equipment, machinery and apparatus required therefor.

The maximum amount proposed to be expended for the improvements is \$3,500,000.

An engineer's report describing such improvements are on file in the Town Clerk's office for public inspection.

Alan Tavener of Delaware Engineering gave an overview of the project.

He went over the Negative Declaration and the project has no impact on the environment.

A number of residents asked question and raised concern about another loan for the water district. When the residents were asked if anyone was against the bond, no one was against it.

Resolution No. 93 -16 "Close Public Hearing" offered by Councilperson Cords and seconded by Councilperson Joyce:

Be it resolved, the Town Board of the Town of Cairo does hereby close the Public Hearing for the Increase and Improvement of Facilities of Water District No. 1.

All members in favor – motion carried.

Councilperson Warner said the school needs to get two bids for demo of the house next to the school before April 1st so the school can budget for it.

The Town Board decided they would revisit designating different title to different clerks.

The minutes from the February 1, 2016 Board Meeting were accepted as amended by Councilperson Warner and seconded by Councilperson Joyce.

Resolution No. 94 -16 "Cairo Ambulance Bid" offered by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, the Town of Cairo received one bid on March 7th for one 2016 Demers Mirage EX Sprinter, T2 Ambulance Mercedes 2500 Sprinter, 144" WB, 4x4 Chassis equipment

for the Town of Cairo Ambulance Department from North Eastern Rescue Vehicles; and therefore be it:

RESOLVED, the Town Board does hereby accept the bid from North Eastern Rescue for the purchase of the 2016 Demers Mirage EX Sprinter, T2 Ambulance Mercedes 2500 Sprinter, 144” WB, 4x4 Chassis in the amount of \$106,985.

All members in favor – motion carried.

Resolution No. 95 -16 “Cairo Ambulance Financing” offered by Supervisor Benoit and seconded by Councilperson Cords:

WHEREAS, the Town Board has authorized purchase of a 2016 Demers Mirage EX Sprinter, T2 Ambulance Mercedes 2500 Sprinter, 144” WB, 4x4 Chassis equipment for the Town of Cairo Ambulance Department from North Eastern Rescue Vehicles; therefore be it;

RESOLVED, the Town Board does hereby authorize the Town Supervisor to hire counsel to seek financing for the purchase of the 2016 Demers Mirage EX Sprinter, T2 Ambulance Mercedes 2500 Sprinter, 144” WB, 4x4 Chassis equipment for the Town of Cairo Ambulance Department from North Eastern Rescue Vehicles in the amount of \$106,985.

All members in favor – motion carried.

Resolution No. 96 -16 “Authorization to Attend 16th Annual Town Finance School” offered by Councilperson Ostrander and seconded by Councilperson Cords:

WHEREAS, the Association of Towns and the NYS Office of the State Comptroller are co-sponsoring the 16th Annual Town Finance School on May 5 and 12, 2016 in Saratoga Springs at a cost of \$200.00 a person, and

WHEREAS, the topics offered would be beneficial for the Town Supervisor and Bookkeeper; therefore be it

RESOLVED, the Town Board does hereby authorize Dan Benoit and Louann Arp to attend the 16th Annual Town Finance School; and

BE IT FURTHER RESOLVED, mileage and toll expenses will be reimbursed according to the Town of Cairo Travel Policy.

All members in favor – motion carried.

Resolution No. 97 -16 “Authorize Supervisor to Sign Agreement with Greene County Emergencies (Paramedic) Services” offered by Councilperson Cords and seconded by Councilperson Ostrander:

WHEREAS, the Town of Cairo received the 2016 Agreement for Advanced Life Support (Paramedic) Services from Greene County Emergencies Services for a cost of \$55,501; Therefore be it,

RESOLVED that the Town Board of the Town of Cairo does authorize the Town Supervisor to sign the 2016 Agreement with Greene County Emergencies Services.

All members in favor – motion carried.

Resolution No. 98 -16 “Agreeing to Waive 30-Day Waiting Period for TATE Liquor Authority License for Mountain Brauhaus, LLC” offered by Councilperson Cords and seconded by Councilperson Warner:

**AGREEING TO WAIVE 30-DAY WAITING PERIOD FOR TATE
LIQUOR AUTHORITY LICENSE FOR MOUNTAIN BRAUHAUS, LLC**

WHEREAS, in accordance with the New York State Liquor Authority application process an applicant is required to submit a notice to the municipality in which it will be located at least 30 days prior to the issuance of such License, and

WHEREAS, Mountain Brauhaus, LLC located at 430 Winter Clove Road, Round Top, New York 12473, has requested that such 30-day waiting period be waived,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Cairo has carefully reviewed the application and request submitted by Mountain Brauhaus, LLC., and hereby agrees to waive the aforementioned 30-day waiting period, and it is further

RESOLVED that the Town Clerk is hereby authorized to attach a certified copy of this resolution to the SLA “Standardized Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board” and forward same to the applicant and/or NY State Liquor Authority.

All members in favor – motion carried.

Resolution No. 99 -16 “Planning Board Member Resignation” offered by Councilperson Ostrander and seconded by Councilperson Warner:

WHEREAS, the Town of Cairo received a letter from Richard Lorenz resigning his position as a Member with the Town of Cairo Planning Board after the planning board meeting of April 7, 2016; therefore be it,

RESOLVED, the Town Board does hereby accept the resignation of Richard Lorenz as a member of the Town of Cairo Planning Board which will be in effect after the April 7, 2016 Planning Board Meeting.

All members in favor – motion carried.

Resolution No. 100 -16 “Accept Sewer Penalties” offered by Supervisor Benoit and seconded by Councilperson Joyce:

WHEREAS, it is necessary for the Sewer Penalties be authorized by the Town Board and documented in the minutes; therefore, be it

RESOLVED, that the Town Board does hereby accept the Sewer Penalties from the Sewer Administrator in the amount of \$2439.66 dated March 10, 2016.

All members in favor – motion carried.

Resolution No. 101 -16 “Good Energy Letter of Intent” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, on March 7, 2016 the Town of Cairo was presented with a presentation by Good Energy, Inc. on the benefits of Solar Energy and cost savings for the Town of Cairo; therefore be it

RESOLVED the Town Board agrees to authorize the Town Supervisor to send a letter of intent to Good Energy to support their project.

All members in favor – motion carried.

Resolution No. 102 -16 “Central Hudson Lighting Replacement” offered by Councilperson Cords and seconded by Supervisor Benoit:

Whereas, Central Hudson has recommended that the Town of Cairo replace all the lights that are currently using sodium to a more cost effective lighting using LED lights at a cost of \$; therefore be it

Resolved the Town Board agrees to authorize the Town Supervisor to approve the project to replace current lighting with energy efficient LED lights.

All members in favor – motion carried.

Resolution No. 103 -16 “RESOLUTION AND ORDER AFTER PUBLIC HEARING, APPROVING A WATER SYSTEM IMPROVEMENT PROJECT FOR CAIRO WATER DISTRICT IN THE TOWN OF CAIRO, IN THE COUNTY OF GREENE, STATE OF NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW” offered by Councilperson Joyce and seconded by Councilperson Cords:

A regular meeting of the Town Board of the Town of Cairo, Greene County, New York was convened in public session at the Town Hall, Main Street, Cairo, New York 12413 on March 21, 2016 at 7: o'clock a.m., local time.

The meeting was called to order by Supervisor Benoit, and, upon roll being called, the following members were:

PRESENT:

Daniel A. Benoit	Supervisor
Dan Joyce	Deputy Supervisor
Mary Jo Cords	Member
Doug Ostrander	Member
Gary Warner	Member

ABSENT:

RESOLUTION AND ORDER AFTER PUBLIC HEARING, APPROVING A WATER SYSTEM IMPROVEMENT PROJECT FOR CAIRO WATER DISTRICT IN THE TOWN OF CAIRO, IN THE COUNTY OF GREENE,

STATE OF NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN
LAW

WHEREAS, the Town Board of the Town of Cairo (herein called "Town Board" and "Town", respectively, in the County of Greene, New York, on behalf of the Cairo Water District, in the Town (herein called "District"), requested Delaware Engineering, P.C., engineers duly licensed by the State of New York (herein called "Engineer") to prepare a preliminary engineering report for the improvement of facilities of the District, consisting of water system improvements as described in the Engineer's Preliminary Engineering Report prepared by Delaware Engineering, P.C. dated September 3, 2015. Such improvements include development of additional source(s) of supply, improvement of disinfection capacity at the Park well, improvements to decayed and leaking water tank, replacement of old mains and services, a meter survey and replacement program, extension of water service to insufficient yielding private wells at existing residential housing and installation of new meters and remote reading equipment, and including original furnishings, equipment, machinery and apparatus required therefor, and pursuant to the direction of the Town Board, the Engineer has completed and filed with the Town Board such engineer's report for the improvement of facilities of the District; and the Engineer has estimated the total cost thereof not to exceed \$3,500,000;

WHEREAS, the Engineer completed such engineer's report and filed the same with the Town Board, and the Town Board thereafter adopted an order describing in general terms the proposed improvement of facilities, specifying the estimated total cost thereof and stating that the Town Board would meet to hear all persons interested in said improvement of facilities on March 21, 2016 at 7:00 o'clock p.m. (Prevailing Time) at the Town Hall in the Town; and

WHEREAS, notice of such order, was published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 21st day of March, 2016 at 7:00 o'clock p.m. (Prevailing Time) at the Town Hall in the Town, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said improvement of the facilities; and

WHEREAS, it has been determined that the aforesaid purpose constitutes a Type I Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters

including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Cairo as follows:

1. On the basis of the information given at such hearing, it is hereby determined that it is in the public interest to improve the facilities of the District as hereinabove described and referred to at the estimated total cost of \$3,500,000;
2. It is hereby ordered that the facilities of the District shall be so improved;
3. Definite plans, specifications, and a careful estimate of the expense of the improvement are hereby directed to be prepared and the Attorneys for the Town are hereby directed to assist in the preparation of a proposed contract and to submit the same to this Town Board for examination and approval;
4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Daniel A. Benoit	VOTING	Aye
Dan Joyce	VOTING	Aye
Mary Jo Cords	VOTING	Aye
Doug Ostrander	VOTING	Aye
Gary Warner	VOTING	Aye

The foregoing resolution was thereupon declared duly adopted.

Resolution No. 104 -16 “Bond Resolution dated March 21, 2016” offered by Councilperson Joyce and seconded by Councilperson Cords:

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Cairo, Greene County, New York was convened in public session at the Town Hall, Main Street, Cairo, New York 12413 on March 21, 2016 at 7:00 o'clock a.m., local time.

The meeting was called to order by Supervisor Benoit, and, upon roll being called, the following members were:

PRESENT:

Daniel A. Benoit	Supervisor
Dan Joyce	Deputy Supervisor
Mary Jo Cords	Member
Doug Ostrander	Member
Gary Warner	Member

The following persons were ALSO PRESENT:

Alan Tavener
Michael Lamenc

ABSENT:

The following resolution was offered by Councilperson Joyce, and was seconded by Councilperson Cords, to wit;

BOND RESOLUTION DATED MARCH 21, 2016

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF CAIRO, GREENE COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE IMPROVEMENTS OF FACILITIES OF THE TOWN OF CAIRO WATER DISTRICT IN THE TOWN OF CAIRO, NEW YORK, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Cairo, Greene County, New York (the "Town") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The improvement to the facilities of the Cairo Water District, consisting of development of additional sources(s) of supply, improvement of disinfection capacity at the Park well, improvements to decayed and leaking water tank, replacement of old mains and services, a meter survey and replacement program, extension of water service to insufficient yielding private wells at existing residential housing and installation of new meters and remote reading equipment, and including original furnishings, equipment, machinery and apparatus required therefor, is hereby authorized at an estimated maximum cost of \$3,500,000, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty years.

SECTION 2. It has been determined that the aforesaid purpose constitutes a Type I action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQRA not to have a significant impact on the environment.

SECTION 3. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years from the original date of issuance of such obligation.

SECTION 4. The Town plans to finance the cost of the purposes described herein by the issuance of serial bonds of the Town in an amount not to exceed \$3,500,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 7. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Town Clerk is hereby authorized to affix the corporate seal of the Town to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Supervisor is further authorized, in his or her discretion, to execute a project financing and loan agreement and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Environmental Conservation and/or the New York State Department of Health, and amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the specific object or purpose set forth herein, or a portion thereof, by a serial bond and/or bond anticipation note issue of the Town and the sale of such issue or issues to the New York State Environmental Facilities Corporation.

SECTION 11. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with; and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 13. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in Catskill Daily Mail, being a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 14. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Daniel A. Benoit	VOTING	Aye
Dan Joyce	VOTING	Aye
Mary Jo Cords	VOTING	Aye
Doug Ostrander	VOTING	Aye
Gary Warner	VOTING	Aye

The foregoing resolution was thereupon declared duly adopted.

A motion was made by Supervisor Benoit and seconded by Councilperson Ostrander to adjourn the meeting at 10:10 PM.

Respectfully submitted,

Tara A. Rumph, RMC
Cairo Town Clerk