



## **Minutes**

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

**February 1, 2016**

The Town Board of the Town of Cairo met for a Town Board meeting on Monday, February 1, 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.

The minutes from the January 4, 2016 Organizational Meeting were accepted as amended by Councilperson Cords and seconded by Councilperson Joyce.

The minutes from the January 12, 2016 Special Board Meeting were accepted as amended by Councilperson Ostrander and seconded by Councilperson Joyce.

The minutes from the January 18, 2016 Special Board Meeting were accepted as amended by Councilperson Ostrander and seconded by Councilperson Warner.

Supervisor Benoit opened the first public hearing for "Zoning Map Change for the South Side of Western Main Street" Local Law #3 of 2016.

A request was sent to the Greene County Planning Board for their input on the reclassification change to the Zoning Law. The Greene County Planning Board was unable to get a quorum at their meeting, so the Town of Cairo was told to move forward as they wished.

The Town Board went over the environmental impact.

**Resolution No. 52 -16** “Accepting Negative Declaration” offered by Councilperson Cords and seconded by Councilperson Joyce:

Be it resolved, the Town Board of the Town of Cairo does hereby accept the Negative Declaration with regard to the change in the Zoning Law to include the Zoning map change for the south side of Western Main Street in Cairo.

All members in favor – motion carried.

**Resolution No. 53 -16** “Adopt Local Law #3 – Zoning Map Change for the South Side of Western Main Street and new map” offered by Councilperson Cords and seconded by Councilperson Joyce:

Be it resolved, the Town Board of the Town of Cairo does hereby adopt Local Law #3 – Zoning Map Change for the South Side of Western Main Street and new map.

All members in favor – motion carried.

There was a presentation by Andrea Macko of the Greene County Youth Fair which will be held in the Angelo Canna Town Park from July 28<sup>th</sup> – 31<sup>st</sup>, 2016. She informed Board this is the last year on their 3 year contract. The Board asked her to go over the contract and see if anything needs to be updated. She mentioned needing electric and water and also an ambulance at the horse show.

There was a presentation from Pat Manning the latest offer to the Town of Cairo from Solar City. Councilperson Ostrander gave an update and the history on bringing solar to Cairo. Pat Manning has been commissioned by Solar City to find sites in the Hudson Valley where a number of places would be able to participate in solar. He explained certain towns would be able to contract with Solar City per acre for 20 years. Solar City would build the project and maintain the project. The town or landowner would reap the benefit of lease.

The quarry site at the Highway Department has been looked at and it has a clean bill of health. The town needs to come to agreement with letter of intent with lease option payments. The contract will be given to Attorney for Town Tal Rappleyea to go over and then move forward with project.

**Resolution No. 54 -16** “Authorize Supervisor to Sign Letter of Intent” offered by Councilperson Joyce and seconded by Councilperson Ostrander:

Be it resolved, the Town Board of the Town of Cairo does hereby authorize the Supervisor to sign the Letter of Intent with Solar City.

All members in favor – motion carried.

**Resolution No. 55 -16** “Adding Certain Road to Town Inventory of Roads”

offered by Councilperson Warner and seconded by Councilperson Joyce:

WHEREAS, an inventory review has been conducted of the roads for which the Town receives certain state funding;

WHEREAS, this review has led to the request by the State that resolutions be adopted by the Town affirming and re-affirming that the Town owns the roads set forth herein and accept responsibility for their maintenance and repair;

WHEREAS, said roads that are set forth herein have been utilized by the Town and have been maintained and repaired by the Town for several years;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Cairo, at the request and with the consent of the Town Highway Superintendent, affirms that the following roads are owned by the Town and the Town accepts, declares that it has previously, and once again, declares that it accepts responsibility for their repair and maintenance:

1. Holzmann Road Extension – Entire length 0.25 miles
2. Orchard Drive Spur 1 – Entire length 0.08 miles
3. Orchard Drive Spur 2 – Entire length 0.07 miles
4. Winter Clove Road Extension – Entire length 0.19 miles
5. Church Street – Entire length 0.16 miles
6. Clearwater Drive – Entire length 0.23 miles
7. Woodland Drive – Entire length 0.48 miles

All members in favor – motion carried.

**Resolution No. 56 -16** “Remove Water and Sewer Penalties Re-levied to Greene

County Accounts” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, water penalties were assessed and re-levied to Greene County Water Account #'s 4600, 4580, 4581, 4601, 4700, 4701, and sewer penalties were assessed and re-levied to Sewer Account #4600 on November 11, 2015 in the amounts of \$69.78, \$34.89, \$25.00, \$25.00, \$18.25, \$25.00 and \$19.52 respectively; and

WHEREAS, the Greene County Treasurer's office has made a request to have the penalties removed from their re-levy; therefore

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the water penalties in the amount of \$197.92 and sewer penalties in the amount of \$19.52 be removed from Greene County Account #'s 4600, 4580, 4581, 4601, 4700 and 4701.

All members in favor – motion carried.

**Resolution No. 57-16** “Authorize the Solicitation of Bids for One New Ambulance for the Town of Cairo” offered by Councilperson Cords and seconded by Councilperson Joyce:

Whereas, the Town of Cairo operates an ambulance service with two operational ambulances; and

Whereas, it has become necessary to replace one ambulance to maintain an adequate level of service; therefore

Be it Resolved, the Town Board does hereby authorize the solicitation of bids for a new ambulance pursuant to the specifications provided by Reay Mahler, Town Ambulance Administrator, attached hereto and made a part hereof; and

Be it further resolved that said solicitation for said bids will be published as required by General Municipal Law Section 103.1 no later than Monday, February 15, 2016; and

Be it further resolved that to be considered timely, said bids shall be received in the office of the Town Clerk, Town of Cairo, no later than 3:00 PM on Monday, March 7, 2016 and shall be opened at the regular meeting of the Town Board on Monday, March 7, 2016 at 7:00 PM.

All members in favor – motion carried.

**Resolution No. 58-16** “Receipt of Monthly Supervisor's Report” offered by Councilperson Ostrander and seconded by Councilperson Warner:

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 December, 2015.

All members in favor – motion carried.

**Resolution No. 59-16** “Reject Highway Truck Bid” offered by Councilperson Joyce and seconded by Supervisor Benoit:

**WHEREAS**, the Town Board of the Town of Cairo by resolution number 214-15 dated November 5, 2015 did previously authorize the Superintendent of Highways to solicit bid for a “One F550 Regular Cab & Chassis Truck with a diesel motor fitted with snow removal equipment; and

**WHEREAS**, after the bid was advertised, one bid was received and publicly opened and read aloud in the Office of the Town Clerk on January 8, 2016; and

**WHEREAS**, the Town of Cairo reserved the right to reject any and all bids; now therefore

**BE IT RESOLVED**, that the Town board hereby rejects any and all bids received based upon said advertised solicitation that were opened in the Office of the Town Clerk on January 8, 2016 on the grounds that rejection is in the best interests of the Town of Cairo (GML § 103(1); *Matter of Conduit & Found. Corp. v. MTA*, 66 NY2d 144, 148-49 (1985) (stating that a municipality may reject any and all bids based upon statutory authority and when it is in the public interest to do so.))

All members in favor – motion carried.

**Resolution No. 60 -16** “Amend 2016 Budget to Reflect Receipt of Justice Court Assistance Program (JCAP) Grant Monies and Expense of Equipment Purchased” offered by Councilperson Warner and seconded by Councilperson Ostrander:

**WHEREAS**, the town received a JCAP Grant for the purchase of equipment for the Justice Court; and

**WHEREAS**, it is necessary for accounting purposes to track the expenses and revenues associated with this grant; therefore,

BE IT RESOLVED, the Town Board of the Town of Cairo does hereby authorize the Town Supervisor to amend the expense line item A-1110.401 Contractual Grant to reflect the increase in General Fund Appropriations \$5,260.15 and to increase the revenue line item A-3021 Court Facilities to reflect the increase in General Fund Revenue in the amount of \$5,260.15 in the 2016 budget.

All members in favor – motion carried.

**Resolution No. 61 -16** “Purchase Boss 9.2’ V-DXT Snow Plow” offered by Councilperson Cords and seconded by Councilperson Joyce:

WHEREAS, Highway Superintendent received three written quotes for a Boss 9.2 V-DXT, as per the Town of Cairo’s Procurement Policy, and;

WHEREAS, the lowest quote was received from Windham Equipment Rental for \$5400.00 installed, and;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize Highway Superintendent to purchase one Boss 9.2’ V-DXT Snow Plow for a total price of \$5400.00.

All members in favor – motion carried.

**Resolution No. 62 -16** “Authorization to Purchase 2016 Police Utility Interceptor AWD” offered by Councilperson Ostrander and seconded by Councilperson Cords:

WHEREAS, the amount of \$27,210.00 is in the 2016 Police Budget for lease payments for police vehicles; and

WHEREAS, a 2016 Police Utility Interceptor AWD can be purchased on NYS Contract #RFB-WC-15182 Item #2 for the price of \$38,038.90 including options; therefore be it

RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Police Department to purchase (1) 2016 Police Utility Interceptor AWD at NYS Contract Pricing from Beyer Ford; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Town Supervisor to sign a (3) year lease/purchase contract for the same.

All members in favor – motion carried.

**Resolution No. 63 -16** “Authorization for Highway Superintendent Robert F. Hempstead to Surplus Equipment” offered by Councilperson Ostrander and seconded by Councilperson Cords:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Highway Superintendent Robert F. Hempstead to surplus out of service 2001 Ford, VIN#1FTSF31F01EC57756.

All members in favor – motion carried.

**Resolution No. 64 -16** “Mid-Hudson Cable Franchise Offset Fee Reimbursement” offered by Councilperson Warner and seconded by Councilperson Cords:

WHEREAS, Mid-Hudson Cablevision sent a check in the incorrect amount of \$46,981.97 (should have been \$39,241.66) on January 29, 2015 for the 2014 Franchise Fees due to the Town of Cairo; and

WHEREAS, after review by Mid-Hudson Cablevision it was determined that they over paid by adding the offset fees in the amount of \$7,740.31 instead of deducting them from the franchise fees owed; and

WHEREAS, Mid-Hudson Cablevision has offered the Town of Cairo an option of three ways to reimburse them the offset fees; therefore be it

RESOLVED, that the Town Board of the Town of Cairo does hereby approve the offset fees in the amount of \$15,480.62 be returned to Mid-Hudson Cablevision by:

Mid-Hudson Cable deducting the 2014 overpayment of \$15,480.62 from the 2015 Franchise Fees of \$38,771.62 which is forthcoming, minus 2015 offset fees of \$7,740.31 to receive a check in the amount of \$15,550.69 in revenue for 2015.

All members in favor – motion carried.

**Resolution No. 65 -16** “Payment of Bills on Abstract #303 and #304” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

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 #303, consisting of 2015 Vouchers #2788 through #2843 in the amount of \$34,643.07 and Abstract #304, consisting of 2016 Vouchers #2844 through #2936 in the amount of \$788,858.17 is approved for payment.

The total amount to be paid from the:

General Fund -	\$675,436.86	Street Lighting -	
Highway Fund -	\$33,884.10	Sewer Fund -	\$12,931.06
Trust & Agency	\$194.23	Water Fund -	\$1,742.48
Cap. Sewer Fund -			
Hydrant Fund –	\$7,500.00		
Special Fire -	\$92,006.74		

All members in favor – motion carried.

Alan Tavener spoke to Town Board about water source at Cedar Terrace. He suggested getting prices for testing of water supply wells.

Supervisor Benoit reported he received letter from Don Gibson concerning the soccer field property up by the 911 Center. Don Gibson of the Bank of Greene County obtained a \$50,000 grant toward the project that will be about \$100,000 to complete. Don Gibson has been in touch with Senator George Amedore and he strongly believes there could be more grant money from the State and the Municipal Facilities Capital Program toward this project. Mr. Gibson wrote up sample letter for the town to send in support of project.

**Resolution No. 66 -16** “Authorize Supervisor to send letter of Support for Soccer Field Project” offered by Councilperson Ostrander and seconded by Councilperson Cords:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Supervisor to send a letter of support of the soccer field project to Senator George Amedore.

All members in favor – motion carried.

Supervisor Benoit received letter from Chazen Company that has a grant program to replace culverts that are an important part of estuary program that they run. There is a culvert on Warrenstein Road that is a barrier to wildlife getting through the area. This company wants to give a free preliminary redesign service that could position the Town for a grant to fund a replacement for this culvert.



Superintendent of Highways Robert Hempstead will give his opinion on this project.

Attorney for the Town Tal Rappleyea suggested the Town look into whether they could be locked into future dealings with company if they proceed with the redesign service.

Supervisor Benoit informed Board that the Town received money for the landfill closure money back into our budget. He explained there was one million dollars in the account. Two Hundred Thousand has been held back in the town of Catskill account until 2022 to go towards expenses. The other \$800,000 was distributed to the parties in accordance to the distribution of funds. The Town of Cairo's portion was \$198,400 and has been received.

The Town Board discussed the fireworks being held on the Saturday before July 4<sup>th</sup> this year. There is a contract in place for the fireworks to be held on July 4<sup>th</sup>, so if the Board wants to change the fireworks date for 2017 they will have to discuss it in the fall.

Tal Rappleyea will look into a combined animal shelter with Greenville. He should have this information by the next meeting in March.

Councilperson Warner updated the Board on the house next to the Cairo Durham Elementary School. Superintendent of Highways Robert Hempstead will get three estimates to demo the building. The problem is that there is asbestos in the house. The Board needs to have a meeting with the school and Hempstead and figure out how to move forward. They need an estimate so it can be put on school budget vote.

The Board discussed the 2016 Town of Cairo Property Revitalization and Tax Assessment Relief Program. Supervisor Benoit suggested they move forward with the program where businesses or residents would be able to revitalize or improve their property without being assessed for those improvements for a number of years or be on a sliding scale for a number of years.

Tal Rappleyea informed the Board about the programs that the Property Tax Law has where you can pass a law to allow businesses or residents to make improvements to their property and have protection from having to pay taxes on the improvements for the first 10 years. There will be more information next month.

Supervisor Benoit discussed the makeup and formation of the Zoning Board Committee.

The Town Board needs to fill a vacancy on the Board of Assessment Review by next meeting. All interested parties should submit letter of interest to the Board.

There will be a meeting with the Zoning Board of Appeals and Planning Board on Monday, February 8, 2016 at 7:00 PM.

Kathy Start commended the ambulance for their wonderful service when she needed them.

**Resolution No. 67 -16** “Board to Move into Executive Session” offered by Councilperson Joyce and seconded by Councilperson Cords:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby move into Executive Session at 9:25 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 or corporation within the Town of Cairo, and to amend Highway Employees Contract and to discuss the continuation of Salary Payment to a part time employee.

All members in favor – motion carried.

**Resolution No. 68 -16** “Board to exit Executive Session” offered by Councilperson Cords and seconded by Councilperson Ostrander:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby exit Executive Session at 10:07 PM.

All members in favor – motion carried.

**Resolution No. 69 -16** “Continuation of Salary Payment” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, a certain part-time employee is currently receiving a yearly salary based upon a minimum, fifteen-hour work week but does not accrue any sick leave, vacation or personal leave time, and

WHEREAS, this employee will shortly undergo surgery and will be convalescing for a short period of time, and

WHEREAS, this employee will have the opportunity to “make up” lost time upon returning to work so that the fifteen-hour work week minimum will be maintained over the course of the 2016 calendar year, now therefore,

BE IT RESOLVED, the Town Board does hereby authorize the continuation of this employee’s salary for the period of convalescence not to exceed four (4) weeks or 60 work hours, which shall be made up at a rate of 5 hours/bi-weekly pay period for 12 pay periods.

All members in favor – motion carried.

**Resolution No. 70 -16** “Amend Highway Employees Contract” offered by Councilperson Ostrander and seconded by Councilperson Joyce:

WHEREAS, a certain highway employee is currently on disability leave and paying his employee portion of his health insurance premium would result in hardship to the employee, and

WHEREAS, the Town of Cairo Highway Department Employees desire to sell back certain earned and accrued leave time for the purpose of paying the employee premiums for this disabled employee, and

WHEREAS, the current contract does not provide for such an arrangement, and

WHEREAS, the Town of Cairo agrees that this arrangement would benefit both the Town and the disabled employee, and

WHEREAS, the Town of Cairo and the Highway Employees Bargaining Unit have agreed upon the terms of a Memorandum of Understanding, annexed hereto, allowing for the amendment of the current bargaining agreement for this one-time accommodation for the disabled employee, now therefore,

BE IT RESOLVED, the Town Board does hereby authorize the Town Supervisor to sign the annexed Memorandum of Understanding on behalf of the Town of Cairo.

All members in favor – motion carried.

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

Respectfully submitted,

Tara A. Rumph, RMC  
Cairo Town Clerk