



**Town of Cairo**

**Town Board Work Session Meeting**

**Town Hall**

**December 11, 2013 4pm**

The Town Board of the Town of Cairo met for a work session meeting on Wednesday, December 11, 2013 at the Town Hall, Main Street, Cairo, New York.

Supervisor Banta called the meeting to order at 4:10 and then asked the attendees to Pledge Allegiance to the flag with all board members present.

Supervisor Banta asked for a moment of silence for retired employee Frank Lang Sr.

Frank Lang Sr. was employed for 18 years with the Town of Cairo Highway Dept. He worked as an equipment operator for the highway dept. under the administration of two Highway Supervisors, Harold Bishop and Barry Arp. He started in July 1980 and retired in October 1998. He is survived by his wife, Marta; four children, 9 grandchildren and 3 great grandchildren.

The minutes from the November 13, 2013 Work Session Meeting was accepted by Councilperson Ostrander and seconded by Councilperson Joyce.

Supervisor Banta presented a certificate to Sergeant Busch for his exceptional police work and service.

The Town Board went over department reports. The ambulance department would like to further discuss security cameras.

Discussion arose regarding a sidewalk grant through Central Hudson. Legislature Bill Lawrence stated there will be a meeting on December 13, 2013 regarding this grant.

Councilperson Ostrander will attend and report back to the board.

Legislature Bill Lawrence also informed the board that the Cairo Historical Association will be presented with an award for the "Hometown Hero Banners" at their legislative meeting in the county building on the 4th floor.

Discussion arose about the Fabrizio site plan. The Town Board informed Stacy Sprague, Code Enforcement Officer to proceed and town attorney Tal Rappleyea will contact Mr. Fabrizio's attorney.

**Resolution No.258-13 "Receipt of Monthly Supervisor's Report"**

Councilperson Ostrander 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 November, 2013.

Seconded by Councilperson Puorro.

All members in favor - motion carried.

**Resolution No. 259-13 "Accepting Sewer Billing Dated November 18, 2013"**

Councilperson Suttmeier offered the following resolution and moved its adoption:

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

RESOLVED, that the Town Board accepts the Sewer Billings as presented from the Sewer

Clerk in the amount of \$36,434.32 dated November 18, 2013.

Seconded by Councilperson Ostrander.

All members in favor - motion carried.

**Resolution No. 260-13“Accepting Delinquent Sewer EDU Charges Greene County Real Property Tax Services Dated November 13, 2013”**

Councilperson Ostrander offered the following resolution and moved its adoption:

WHEREAS, it is necessary for the Delinquent Sewer EDU Charges to be authorized by the Town Board and documented in the minutes; therefore, be it,

RESOLVED, that the Town Board of the Town of Cairo accepts the Delinquent Sewer EDU Charges as presented from the Sewer Clerk in the amount of \$58,459.34, dated November 13, 2013.

Seconded by Councilperson Joyce.

All members in favor - motion carried.

**Resolution No. 261-13“Accepting Delinquent Sewer Use Charges Greene County Real Property Tax Services Dated November 13, 2013”**

Councilperson Puorro offered the following resolution and moved its adoption:

WHEREAS, it is necessary for the Delinquent Sewer Use Charges to be authorized by the Town Board and documented in the minutes; therefore, be it,

RESOLVED, that the Town Board of the Town of Cairo accepts the Delinquent Sewer Use Charges as presented from the Sewer Clerk in the amount of \$42,515.61, dated November 13, 2013.

Seconded by Councilperson Ostrander.

All members in favor - motion carried.

**Resolution No. 262-13 “Accepting Water Penalties Dated November 14, 2013”**

Councilperson Ostrander offered the following resolution and moved its adoption:

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

RESOLVED, that the Town Board accepts the Water Penalties as presented from the Water Clerk in the amount of \$1,198.02 dated November 14, 2013.

Seconded by Councilperson Puorro.

All members in favor - motion carried.

**Resolution No. 263-13 “Accept Resignation of Court Officer Thomas Murphy”**

Councilperson Suttmeier offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board does hereby accept the resignation of Thomas Murphy as Court Officer effective November 13, 2013. A new Court Officer will be appointed January 2014.

Seconded by Councilperson Puorro.

All members in favor - motion carried.

**Resolution No. 264-13 “Accept Resignation of Justice Clerk Julia Hepperle”**

Councilperson Puorro offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board does hereby accept the resignation of Julia Hepperle as Justice Clerk effective December 20, 2013. A new Justice Clerk will be appointed January 2014.

Seconded by Councilperson Ostrander.

All members in favor - motion carried.

**Resolution No. 265-13 “Accept Resignation of Police Chief Christopher Sprague”**

Councilperson Ostrander offered the following resolution and moved its adoption:

WHEREAS, the Town’s Labor Counsel has been consulted and has advised the Town Board to accept the resignation of Christopher Sprague; therefore,

BE IT RESOLVED, that the Town Board does hereby accept the resignation of Christopher Sprague effective September 19, 2013.

Seconded by Councilperson Puorro.

All members in favor - motion carried.

Councilperson Ostrander gave an update on the Climate Smart Communities program and the possibility of installing a solar farm at the highway department.

**Resolution No.266-13 “Convey Railroad Avenue property to Cairo Historic Association”**

Councilperson Ostrander offered the following resolution and moved its adoption:

WHEREAS, Mary Jo Cords submitted an appraisal for the property on Railroad Avenue owned by the Town of Cairo for the sum of \$500.00. Therefore,

BE IT RESOLVED, that the Town Board of the Town of Cairo, will hereby convey the property owned on Railroad Avenue by permissive referendum to the Cairo Historic Association with the Town of Cairo deeded drainage rights on said parcel.

Councilperson Puorro seconded the motion.

All members in favor - motion carried.

Alan Tavenner from Delaware Engineering gave an update on the development of an additional water supply well. Well drilling in the park did not produce enough water as recommended by State well construction guidelines. Alan stated the most obvious choice for a well site is south of the park on land owned by Greene County and reputed to have extensive sand and gravel banks. Legislature Bill Lawrence will work with the county on this issue.

**OPEN PUBLIC HEARING ON LOCAL LAW #5 - 2013**

**ENACTING A RIGHT TO FARM LOCAL LAW**

Supervisor Banta opened the public hearing at 5:10pm and read the purpose and intent as follows:

The Town Board recognizes farming is an essential enterprise and an important industry which enhances the economic base, natural environment and quality of life in the Town of Cairo. The Town Board further declares that it shall be the policy of this Town to encourage agriculture and foster understanding by all residents of the necessary day-to-day operations involved in farming so as to encourage cooperation with those practices. It is the general purpose and intent of this law to maintain and preserve the rural traditions and character of the Town, to permit the continuation of agricultural practices, to protect the existence and operation of farms, to encourage the initiation and expansion of farms and agri-businesses, and to promote new ways to

resolve disputes concerning agricultural practices and farm operations. In order to maintain a viable farming economy in the Town of Cairo, it is necessary to limit the circumstances under which farming may be deemed to be nuisance and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction.

Supervisor Banta was asked to clarify the purpose of the law and he also stated this law is to show support for the farming community.

Supervisor asked three times were there any more questions, comments, or concerns. As there were none public hearing was closed.

**Resolution No. 267-13** “Close Public Hearing” offered by Councilperson Ostrander and seconded by Councilperson Puorro:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby close the public hearing on Local Law #5 -2013 Enacting A Right to Farm Local Law.

All members in favor - motion carried.

**Resolution No .268-13** “Enacting A Right To Farm Local Law”

Councilperson Joyce offered the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Cairo hereby determines that in accordance with the Town of Cairo Comprehensive Plan, it is appropriate to take measures to protect farming in the Town and

WHEREAS, the Town Board has duly published and held a public hearing on a local establishing a Right to Farm local law.

NOW THEREFORE IT IS HEREBY RESOLVED that the Town Board of the Town of Cairo hereby enacts a local law establishing a Right To Farm, as set forth

in the attached.

Seconded by Councilperson Suttmeier.

All members in favor - motion carried.

Supervisor Banta acknowledged the fact that residents in the audience were present to discuss the Town of Cairo's dog shelter which is currently under contract with Flora and Fauna, Joel Austin Road, Cairo, New York. Kathy from Flora and Fauna spoke about the shelter and was informed that the Town Board was going to move a resolution authorizing the supervisor to enter into an agreement with Bruce Feml for dog control and shelter services. The Town Board stated that there has been complaints regarding the current shelter and Kathy wanted to know why she was not notified of such complaints. After many residents spoke on behalf of the current shelter, Councilpeson Joyce moved the resolution forward. He did not receive a second. Resolution did not therefore move forward...

**Resolution No. 269-13 "Agreeing To Waive 30-Day Waiting Period For State Liquor Authority License For Sherry's View, LLC"**

Councilperson Puorro offered the following resolution and moved its adoption:

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, Sherry's View, LLC located at 4381 Route 23 formerly known as "Winners Circle" 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 Sherry's



View, 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

Seconded by Councilperson Suttmeier.

All members in favor - motion carried.

**RESOLUTION No. 270-13 “Letter of Interest to Discuss a Casino in Greene County”**

Councilperson Ostrander offered the following resolution and moved its adoption:

WHEREAS, it has been asked of the Town of Cairo by several legislators to consider submitting a letter of interest for the opportunity to discuss a casino in Greene County; therefore,

BE IT RESOLVED, that the Town Board does hereby approve the Town Supervisor submitting a Letter of Interest to our elected representatives stating generally the following:

*The Town of Cairo respectfully offers its Letter of Interest for the opportunity to discuss the suitability and feasibility of Greene County hosting a casino. We would like to engage in discussions, presentations, and information sessions so that we may consider this opportunity and determine our interest.*

Seconded by Councilperson Suttmeier

All members in favor - motion carried.

**Resolution No. 271-13 "Supervisor to Sign Letter of Engagement with Pattison, Koskey, Howe and Bucci, CPAs, P.C."**

Councilperson Suttmeier offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Town Supervisor, Ted Banta to sign the letter of engagement with Pattison, Koskey, Howe, and Bucci, CPAs, P.C.

Seconded by Councilperson Joyce.

All members in favor - motion carried.

Supervisor Banta informed the board that there was a letter from Dan Benoit, Planning Board Chairman regarding Zoning. He asked that the planning board be giving an opportunity to discuss the draft zoning law. The Town Board agreed that they will give the planning board thirty days to submit their comments.

Supervisor Banta presented the board with information on renewable energy for them to review.

**Resolution No. 272-13 "Authorization for Highway Superintendent Robert F. Hempstead to Bid For The Purchase of One 2014 F450 Diesel 4x4 Crew Cab/Chassis"**

Councilperson Puorro offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Highway Superintendent Robert F. Hempstead to bid for the purchase of one 2014 F450 diesel 4x4 crew cab/chassis.

Seconded by Councilperson Ostrander.

All members in favor - motion carried.

**Resolution No. 273-13 “Authorization for Parks, Buildings, & Grounds Director Robert F. Hempstead to Purchase under New York State Contract PC64361 One John Deere Z960R Commercial ZTrak Mower”**

Councilperson Puorro offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Director of Parks, Buildings, & Grounds Robert F Hempstead to purchase under New York State contract PC 64361 one John Deere Z960R commercial ZTrak mower.

Seconded by Councilperson Joyce.

All members in favor - motion carried.

**Resolution No. 274-13 “Authorization For Highway Superintendent Robert F. Hempstead To Purchase One ARI-Hetra Hybrid Mobile Lifting System”**

Councilperson Joyce offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Highway Superintendent Robert F. Hempstead to purchase one ARI-Hetra Mobile Lifting system with four mobile columns under New York State Contract No. PC64741.

BE IT FURTHER RESOLVED, that the purchase price will not exceed \$41,000.00.

Seconded by Councilperson Puorro.

All members in favor - motion carried.

**Resolution No. 275-13 “Authorization for Highway Superintendent Robert F. Hempstead To Purchase Under New York State Contact One Skid-Steer Loader”**

Councilperson Ostrander offered the following resolution and moved it adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Highway Superintendent Robert F. Hempstead to purchase under New York State contract one skid-steer loader.

Seconded by Supervisor Banta.

All members in favor - motion carried.

**Resolution No. 276-13 “Authorization for Highway Superintendent Robert F. Hempstead To Request Bids For One 2014 International Terrastar 4x4 Cab/Chassis”**

Councilperson Puorro offered the following resolution and moved it adoption:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby authorize the Highway Superintendent Robert f. Hempstead to Request Bids for one 2014 International Terrastar 4x4 cab/chassis.

Councilperson Joyce seconded the motion.

All members in favor - motion carried.

**Resolution No. 277-13 “Budget Amendments and Payment of Bills on Abstract #321”**

Supervisor Banta offered the following resolution and moved its adoption:

WHEREAS, town law requires that no fund or appropriation account may be overdrawn; and

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

RESOLVED, the Town Board does hereby authorize the following budget amendments:

From	A-1990.4	Contingent	-59.30
To	A-1010.4	Legislative - Contractual	+59.30

From	A-1110.104	Personal Services	-1,166.67
To	A-1110.101	Personal Services	+1,166.67
From	A-1110.2	Municipal Court-Equipment	-57.51
From	A-1110.102	Municipal Court-Persl Serv	-676.44
To	A-1110.4	Municipal Court-Contractual	+733.95
From	A-1410.4	Town Clerk-Contractual	-1,262.82
To	A-1410.2	Town Clerk-Equipment	+1,262.82
From	A-1990.4	Contingent	-5,256.25
To	A-1420.4	Law – Contractual	+5,256.25
From	A-3120.125	Police-Persl Serv	-6,231.34
To	A-3120.126	Police-Persl Serv	+6,231.34
From	A-5010.4	H'way Admin-Contractual	-1,099.98
To	A-5010.2	H'way Admin-Equipment	+1,099.98
From		Fund Balance	-984.77
To	A-5182.4	Street Lighting-Contractual	+984.77
From	A-7110.4	Parks-Contractual	-1,449.12
To	A-7110.15	Parks-Persl Serv	+1,449.12

From	A-8160.4	Refuse&Garbage-Contractual	-260.30
To	A-8160.15	Refuse&Garbage-Persl Serv	+260.30
From	A-8810.4	Cemeteries-Contractual	-386.50
To	A-8810.15	Cemeteries-Personal Services	+386.50
From		Fund Balance	-61,745.59
To	A-9010.8	NYS Retire-Benefits	+51,235.09
To	A-9015.8	P & F Retire-Benefits	+10,510.50
From		Fund Balance	-906.92
To	A-9060.8	Medical Insurance-Benefits	+906.92
From		Fund Balance	-8,211.51
To	DA-5130.4	Machinery-Contractual	+8,211.51
From		Fund Balance	-24,958.66
To	DA-9010.8	NYS Retire-Benefits	+24,958.66
From		Fund Balance	-1,053.20
To	SL-5182.443	St Light – Hitchcock	+265.65
To	SL-5182.444	St Light – Purling	+449.48
To	SL-5182.445	St Light – Round Top	+202.92

To	SL-5182.447	St Light – Winter Clove	+135.15
From	SS-8110.103	Sewer Admin-Persl Ser	-174.16
To	SS-8110.451	Sewer Admin-Contractual	+174.16

And be it further RESOLVED, the Town Board does hereby authorize that Abstract #321, consisting of 2013 Vouchers #2446 through #2562 in the amount of \$355,459.77 is approved for payment.

The total amount to be paid from the:

General Fund -	\$202,130.19	Hydrant -	
Highway Fund -	\$131,748.75	Sewer Fund -	\$19,067.07
Cap. Water Fund -		Water Fund -	\$834.62
Cap. Sewer Fund -		Trust & Agency -	\$1,679.14

Seconded by Councilperson Joyce.

All members in favor - motion carried.

Supervisor informed the audience that the board will be going into executive session and that they would not be conducting any more business when they exit the session. He asked if anyone had any questions before they went into executive session. There were a couple of comments from neighbors of Mr Fabrizio's. They were concerned with safety issues regarding his trucking business.

The Town Board thanked and bid a farewell to Councilperson Suttmeier.

**Resolution No. 278-13** “Board to Move into Executive Session” offered by Councilperson Suttmeier and seconded by Councilperson Ostrander:

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby move into Executive Session at 6:30pm.

All members in favor - motion carried.

**Resolution No. 279-13** “Board to Exit Executive Session” offered by Councilperson Ostrander and seconded by Councilperson Joyce.

BE IT RESOLVED, that the Town Board of the Town of Cairo does hereby exit executive session at 6:55pm.

All members in favor - motion carried.

A motion was made by Councilperson Suttmeier and seconded by Councilperson Puorro to adjourn the meeting at 6:57pm.

Respectfully submitted,

Debra Sommer

First Deputy Clerk