

The Regular Meeting of the Town of Rockland was held on November 3, 2011 at 7:00 P.M. at the Town Hall, Livingston Manor, New York with the following members:

Present: Supervisor Edward Weitmann
 Councilperson Glen Carlson
 Councilperson Robert Eggleton
 Councilperson Eileen Mershon
Absent: Councilperson William Roser Jr.

Others Present: Judy Newman, Town Clerk, Theodore Hartling, Highway Superintendent, Robert Wolcott, Water and Sewer Superintendent and several members of the public.

Supervisor Weitmann called the meeting to order with the pledge to the flag.

7:00 P.M. PUBLIC HEARING PRELIMINARY BUDGET

A scheduled public hearing for 7:00 P.M. on the preliminary budget was called to order. Supervisor Weitmann reported that the budget has an increase of 4.81%. Sheila Shultz, a Livingston Manor resident addressed issues regarding the increase of the budget.

RESOLUTION - CLOSE PUBLIC HEARING

On a motion of Mrs. Mershon, seconded by Mr. Eggleton, to close the public hearing. 4 AYES Carried.

APPROVAL OF MINUTES

On a motion of Mr. Eggleton, seconded by Mr. Carlson, the minutes of October 20, 2011 were approved as presented by the Town Clerk.

PUBLIC COMMENT

None

CORRESPONDENCE

- LMCS Emergency Drill 11/10
- SCDPW Snow & Ice Contract 2012
- Association of Towns update of training classes
- SCDPW Permit for sidewalk project
- NYS Assemble Newsletter
- Letter of Support - Catskill Brewery
- Letter of Support - Catskill Arts Society

OLD BUSINESS

- **Roscoe Sidewalk Project** is in full swing and there are no interruptions to the businesses. The majority of the project should be completed this fall with the exception of painting the asphalt.
- **LMSTP - engineer report** will be completed next week. The first round of grant and loan applications also will be completed soon as the funding cycle will be ending in November.

NEW BUSINESS

Resolution: Livingston Manor Ambulance Parking Lot agreement will be tabled until the next meeting.

RESOLUTION - REASSESSMENT OF ROSCOE SEWER

On a motion of Mr. Eggleton, seconded by Mr. Weitmann, the following resolution was ADOPTED - VOTE - AYES 4, NAYS 0 - WHEREAS, the Clerk of Sewer Rents for the Roscoe Sewer District has presented the list of unpaid sewer rents in the amount of \$19,359.41 for collection upon the 2012 Town of Rockland Tax Roll.

Be it further RESOLVED, that the Town Clerk of the Town of Rockland be and she is hereby

authorized to submit for action by the Sullivan County Legislators said unpaid sewer rents and penalties to be levied upon the 2012 Town of Rockland Tax Roll.

REGULAR MEETING, TOWN OF ROCKLAND, NOVEMBER 3, 2011

Be it further RESOLVED, that the attached list of unpaid charges in the foregoing amounts be and constitute a part of this resolution.

Adopted by unanimous vote.

RESOLUTION - REASSESSMENT OF ROSCOE-ROCKLAND WATER

On a motion of Mrs. Mershon seconded by Mr. Carlson, the following resolution was ADOPTED - VOTE - AYES 4, NAYS 0 - WHEREAS, the Clerk of Water Rents for the Roscoe-Rockland Water District has presented the list of unpaid water rents in the amount of \$24,039.46 for collection upon the 2012 Town of Rockland Tax Roll.

Be it further RESOLVED, that the Town Clerk of the Town of Rockland be and she is hereby authorized to submit for action by the Sullivan County Legislators said unpaid water rents and penalties to be levied upon the 2012 Town of Rockland Tax Roll.

Be it further RESOLVED, that the attached list of unpaid charges in the foregoing amounts be and constitute a part of this resolution. Adopted by unanimous vote.

RESOLUTION - REASSESSMENT OF LIVINGSTON MANOR WATER

On a motion of Mrs. Mershon, seconded by Mr. Eggleton, the following resolution was ADOPTED - VOTE - AYES 4, NAYS 0 - WHEREAS, the Clerk of Water Rents for the Livingston Manor Water District has presented the list of unpaid water rents in the amount of \$30,711.31 for collection upon the 2012 Town of Rockland Tax Roll.

Be it further RESOLVED, that the Town Clerk of the Town of Rockland be and she is hereby authorized to submit for action by the Sullivan County Legislators said unpaid water rents and penalties to be levied upon the 2012 Town of Rockland Tax Roll.

Be it further RESOLVED, that the attached list of unpaid charges in the foregoing amounts be and constitute a part of this resolution. Adopted by unanimous vote.

RESOLUTION - REASSESSMENT OF LIVINGSTON MANOR SEWER

On a motion of Mrs. Mershon, seconded by Mr. Eggleton, the following resolution was ADOPTED - VOTE - AYES 4, NAYS 0 - WHEREAS, the Clerk of Sewer Rents for the Livingston Manor Sewer District has presented the list of unpaid sewer rents in the amount of \$35,576.01 for collection upon the 2012 Town of Rockland Tax Roll.

Be it further RESOLVED, that the Town Clerk of the Town of Rockland be and she is hereby authorized to submit for action by the Sullivan County Legislators said unpaid sewer rents and penalties to be levied upon the 2012 Town of Rockland Tax Roll.

Be it further RESOLVED, that the attached list of unpaid charges in the foregoing amounts be and constitute a part of this resolution. Adopted by unanimous vote.

At 7:15 PM THE PUBLIC HEARING FOR LOCAL LAW #2-2011

Supervisor Weitmann called the public hearing to order for Local Law #2 for 2011 entitled "to override the tax levy limit established by General Municipal Law Section 3-C. There was no public comment.

Resolution - Close Public Hearing

On a motion of Mr. Eggleton, seconded by Mrs. Mershon, to close the public hearing. VOTE - AYES 4, NAYS 0

Resolution - Adopt Local Law #2 for 2011

On a motion of Mr. Carlson, seconded by Mr. Eggleton, to adopt Local Law #2 for 2011. VOTE - AYES 4, NAYS 0 Copy of the law as follows:

1. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Rockland, County of Sullivan, pursuant to General Municipal Law §3-c, and to allow the Town of Rockland, County of Sullivan, to adopt a town budget for (a) town purposes, (b) fire protection districts and (c) any other special improvement district governed by the Town Board for the fiscal year 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

§2. Authority.

REGULAR MEETING, TOWN OF ROCKLAND, NOVEMBER 3, 2011

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3 c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

§4. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjusted finally by a Court of competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or any part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby intended to be the legislative intent that the remainder of this local law would have been adopted had any such provisions not been included.

§5. Effective date. This local law shall take effect immediately upon filing in the office of the Secretary of State.

A copy of the Snow & Ice Resolution is attached to the minutes

NEW BUSINESS - continued

Sewer/Water Weekend schedule was presented.

Town Clerk's Monthly report was presented.

DEPARTMENT HEADS

Highway Superintendent Ted Hartling reported that he met with FEMA representatives today to sign off on paper work for funding.

RESOLUTION -AUTHORIZE HIGHWAY SUPERINTENDENT TO PROCEED WITH STATE BID FOR UTILITY TRUCK

On a motion of Mrs. Merson, seconded by Mr. Carlson, to authorize Ted Hartling to proceed with purchasing a utility truck through the state bid process.

Ted also reported on that his department is working on Pelnor Hollow cutting trees to widen said road.

Water and Sewer Superintendent Bob Wolcott reported that his department had to work on a water main break in Livingston Manor. It was a 10 inch line. He also reported on repairs to a sewer line in Roscoe near the school.

APPROVAL OF BILLS

On motion of Mrs. Mershon, seconded by Mr. Carlson, the following resolution was ADOPTED - Vote - Ayes 4, Nays 0 - resolved - to approve the bills on abstract #21 dated November 3, 2011 in the following amounts:

General Fund	#334 - 348	\$ 18,793.16
Highway	#355 - 375	\$ 24,910.35
Livingston Manor Water	#156 - 162	\$ 4,116.23
Livingston Manor Sewer	#177 - 183	\$ 4,380.32
Roscoe Sewer	#143 - 149	\$ 3,446.03
Roscoe-Rockland Water	#142 - 146	\$ 1,772.24
Roscoe-Rockland Light	#41-43	\$ 365.48

ADJOURNMENT

On motion by Mrs. Mershon., seconded by Mr. Carlson, the meeting was adjourned at 7:33 PM.

Respectfully submitted,

Judy Newman, RMC, Town Clerk

AT A REGULAR/SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF
Rockland HELD AT THE TOWN HALL ON November 3, 2011

The following resolution was duly moved, seconded and adopted:

WHEREAS, the County of Sullivan and the Town of Rockland entered into contract for Snow and Ice control on County Roads from July 1, 2011 through June 30, 2012;

WHEREAS, the contract states the Town will be paid the amount Sullivan County received from the State of New York for snow and ice control on state highways the previous snow and ice season; and

WHEREAS, the County of Sullivan was paid the rate of \$5,325.00 per centerline mile for the 2011-2012 contract year; and

WHEREAS, said section of the Highway Law of the State of New York requires the approval by resolution of each of the legislative bodies of such County, Towns;

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan pay the amount of \$5,325.00 per centerline mile for two lane highways and \$7,987.50 for three lane highways to the Town for the contract year July 1, 2011- June 30, 2012

PRESENT:

Supervisor Weitmann Yes No
Councilman Carlson Yes No
Councilman Mershon Yes No
Councilman Eggleton Yes No
Councilman _____ Yes No

**STATE OF NEW YORK
COUNTY OF SULLIVAN, SS:**

The undersigned Town Clerk of Town of Rockland, does hereby certify that I have compared the foregoing copy of the resolution attached hereto with the original thereof now on file within my office and that the same is a true and correct copy thereof and of the whole of said original.

WITNESS my hand and seal this 3rd day of November, 2011

(Seal)


Town Clerk