

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

PRESENT: SUPERVISOR EDWARD WEITMANN  
COUNCILMAN WILLIAM ROSER JR.  
COUNCILMAN EILEEN MERSHON  
COUNCILMAN ROBERT EGGLETON  
ABSENT: COUNCILMAN GLEN CARLSON

OTHERS PRESENT; Judy Newman, Town Clerk, Theodore Hartling, Highway, 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.

### **APPROVAL OF MINUTES**

On a motion of Mr. Roser, seconded by Mr. Eggleton and carried, the minutes of March 17<sup>th</sup>, 2011 were approved as presented by the Town Clerk.

### **PUBLIC COMMENT**

None

### **CORRESPONDENCE**

- BS & K Conference - Albany set for April 14<sup>th</sup> regarding finance strategies for local officials
- AFSCME - Highway Union contract is up this year and the Board is set to negotiate said contract
- Munistat Services - re: bonding & note issues
- NYMIR 2011 Annual Meeting
- Sullivan County Division of Public Works - has announced that snow & ice watch has ended
- William Brenner sent information on eliminating county legislature
- NYSEG - set information on contract changes for street lighting

### **OLD BUSINESS**

**Livingston Manor Sewer Treatment Plant-** Pre- Engineering report has been completed and is available for review.

**DEC meeting on the Flood Mitigation set for April 1<sup>st</sup>** has been rescheduled for April 22<sup>nd</sup> .

**Office of the Aging -** nomination from the Town of Rockland will be Sally Buck. The Luncheon is set for May 9<sup>th</sup>.

### **NEW BUSINESS**

**Rockland House -** set a letter advising that they are renewing their liquor license. On a motion of Mr. Roser, seconded by Mrs. Mershon, there were no objections with the Rockland House renewing their liquor license. 4 AYES - Carried

**Municipal Cleanup -** for the Town of Rockland has been set for Thursday, May 19 and Saturday, May 21<sup>st</sup>. Supervisor Weitmann reported that he has contracted with Jeff Sanitation to provide dumpsters for the clean up days. Their quote was \$50 less per dumpster from the vender we used last year.

### **RESOLUTION - REAL PROPERTY ASSESSMENT NEGOTIATION**

The following motion was offered by Councilperson Mershon, who moved its adoption, and seconded by Councilperson Roser to wit:

**WHEREAS**, Eugene Shapiro (“Petitioner”) has served and filed a notice of protest and notice of petition and petition for review and reduction of a real property assessment for the year 2010 with respect to a parcel owned by him located in the Town of Rockland; and

**WHEREAS**, the Town of Rockland has appeared in said proceedings by Kenneth C.

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Klein, Esq., attorney for the Town, and Petitioner has appeared in the aforesaid proceedings by Drew, Davidoff & Edwards Law Offices, LLP, Brian T. Edwards, Esq., of counsel; and

**WHEREAS**, following negotiations among the parties and their counsel, a settlement of all matters in dispute has been reached; and

**WHEREAS**, it appears that the proposed settlement of all matters in dispute will result in a fair and equitable resolution of Petitioner's complaint with respect to the subject assessment;

**NOW, THEREFORE**, be it resolved, that Kenneth C. Klein, Esq., Town Attorney, be, and he hereby is authorized, directed and allowed to enter into a formal written stipulation of settlement with the attorney of record for the Petitioner, which stipulation of settlement has been provided to the Town Board for complete reading and filing this date; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., Town Attorney, and Cynthia Theadore, Town Assessor, be, and they hereby are authorized, empowered and directed to execute the proposed written stipulation of settlement, and to thereby bind the Town of Rockland thereto; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., Town Attorney, and Cynthia Theadore, Town Assessor, be, and they hereby are authorized, empowered and directed to do all other things, and to execute any and all other documents, which are reasonably necessary and incidental to the effectuation and finalization of the aforesaid stipulation of settlement.

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

Supervisor Edward Weitmann voting	AYE
Councilperson Eileen Mershon voting	AYE
Councilperson Glen Carlson voting	ABSENT
Councilperson William Roser voting	AYE
Councilperson Robert Eggleton voting	AYE

The resolution was thereupon declared duly adopted.

**7:30 PM - Mowing Bid Opening**

The following bids were received and opened: R&R Services (William Rampe) \$11,500; G&N Law Service \$11,490; Mike's Lawn Service \$10,500; Peter Passaro **\$10,200**; Riverside Lawn Care \$10,850; Joseph C. D'Addezio \$11,400 and D Man's Mowing \$10,740.

**RESOLUTION - AWARD MOWING BID**

On a motion of Mr. Eggleton, seconded by Mrs. Mershon, to award the mowing bid to Peter Passaro at the amount of \$10,200. 4 AYES - Carried

**NEW BUSINESS continued**

**Water/Sewer Weekend Duty & Log** was presented.

**Dog Control Report** was presented.

**Town Clerk monthly report** was presented.

**DEPARTMENT HEADS**

**Highway Superintendent** Ted Hartling reported that he is working with NYSEG to have trees cut near the Roscoe Municipal Building. He also reported that his department is working on sweeping the streets in Roscoe, and next week they will do the streets in Livingston Manor.

Ted advised the Board that he received a registered letter from Thomas Trask complaining about road conditions and plowing of Taylor Road. Ted advised the Board that Taylor Road is scheduled to be paved this year. He also advised that he intends to meet with Mr. Trask about the plowing issues.

**Water & Sewer Superintendent-** Bob Wolcott reported on an issue with water billing from Idella DiMarco. The Sewer bill was changed to the quarterly average use since the water did not

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go through the sewer system. As with past practices on similar issues of water leaks Mrs. DiMarco will be responsible for the entire water bill. There were no objections from the Board.

Bob also reported that his department is looking for water leaks in Livingston Manor.

Bob addressed industrial permits with the Board. They had no objections to allow him to re-look at industrial use permit procedures.

**APPROVAL OF BILLS**

On a motion of Mr. Roser, seconded by Mrs. Mershon, the following resolution was ADOPTED - VOTE - Ayes 4, Nays 0 - RESOLVED - to approve the bills on abstract #7 dated April 7, 2011, in the following amounts:

General Fund	#87-110	\$20,308.48
Highway	#93-119	33,279.00
Livingston Manor Water	#43-53	4,689.99
Livingston Manor Sewer	#46-54	14,656.52
Roscoe Sewer	#37-45	3,870.98
Roscoe-Rockland Water	#40-47	3,409.66
Roscoe-Rockland Light	#13-14	882.95
Livingston Manor Light	#10-11	1,419.93
Hazel Park Light	#7	33.00

**PUBLIC COMMENT**

Sheila Shultz, Zoning Board Chair addressed an issue on the installation of a 30,000 storage tank by Mirabito Fuel Company. This issue was brought before the Planning Board at their last meeting. Mirabito's proposed plans are to install the storage tank in the flood zone.

**ADJOURNMENT**

On motion by Mr. Roser, seconded by Mrs. Mershon, the meeting was adjourned at 7:47 PM.

Respectfully submitted,

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Judy Newman, RMC  
Town Clerk