

TOWN OF GHENT
TOWN BOARD MEETING
August 22, 2018

The Regular Meeting of the Town Board was held August 22, 2018 at the Ghent Town Hall, Route 66, Ghent, NY. Supervisor Benvenuto opened the meeting at 7:00 pm with a pledge to the flag.

Present were: Michael Benvenuto	Supervisor
Charles Wood	Councilman
Peter Nelson	Councilman
Mallory Mort	Councilman
Ben Perry	Highway Superintendent
Matthew Cabral	Attorney for Town

Also present- 4 audience members Absent- Councilwoman Matheney

MOTION #1 TO OPEN THE MEETING FOR PUBLIC COMMENT made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Wood, Nelson, Mort

Nays: 0

Ted L'Estrange- Presented the Board with packets regarding a request for a Resolution condemning China's State sanctioned harvesting organs for profit.

Mark Johnson- Following up from June's meeting on the Town Board's decision on whether or not to change the zoning of a parcel on 9H.

Supervisor Benvenuto- A letter has been drafted in response to the request. The Board has decided not to expand zoning on the 9 H corridor. This keeps things in line with that Town's Comprehensive Plan.

Mark Johnson- Very disappointed in the Board's decision. It is wrong and a slap in the face to someone who has been here his whole life.

Attorney Cabral- This was reviewed extensively during the Zoning Review process over a year ago. Public hearings were held and changes made or not made supported the Comprehensive Plan.

Councilman Mort- your letter for the request specifically states changing the zoning to commercial will increase the monetary value of the parcel.

Mark Johnson- Does not agree, and believes the Board is denying him value. He expected more respect and takes this decision personally.

MOTION #2 TO CLOSE THE PUBLIC COMMENT AND OPEN MEETING made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

MOTION #3 TO ACCEPT MINUTES OF TOWN BOARD MEETING JULY 21, 2018 made by Councilman Wood seconded by Councilman Mort and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

CORRESPONDENCE:

The Ghent VFW Post 5933 informed the Board is renewing its liquor licenses for a two year period.

MOTION #4 TO ACCEPT CORRESPONDENCE made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

DEPARTMENTS:

MOTION #5 TO ACCEPT THE ASSESSORS REPORT FOR THE MONTH OF JULY made by Councilman Wood seconded by Councilman Nelson and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

MOTION #6 TO ACCEPT THE BUILDING INSPECTORS REPORT FOR THE MONTH OF JULY made by Councilman Wood seconded by Councilman Mort and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

MOTION #7 TO ACCEPT THE TOWN CLERK REPORT FOR THE MONTH OF JULY made by Councilman Mort seconded by Councilman Nelson and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

PLANNING, ZONING AND COMMITTEES:

MOTION # 8 TO ACCEPT THE JOINT PLANNING BOARD AND ZONING MEETING JANUARY 10, 2018 AND THE PLANNING BOARD MINUTES FOR JUNE 6, 2018 made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

GZRC- Paperwork is being reviewed by the attorneys and should be ready by October.

BROADBAND- Mr. Berman reports there are still areas in dispute regarding Spectrum coverage. The Town should request a "built map" to see trouble areas. Consolidated finished fiber optics and are in the testing phase now.

CLIMATE SMART- Chris submitted the final grant information last Friday. Working on new grant applications for lighting upgrades and a solar array for Town Garage.

The Town historian submitted his monthly report to the Board to review.

MOTION # 9 TO ACCEPT ALL THE COMMITTEE REPORTS FOR JULY made by Councilman Mort seconded by Councilman Nelson and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

YOUTH PARKS AND RECREATION:

Summer camp has concluded for the 2018 season. All went well. Process has begun to submit a SAM Grant for upgrades to the West Ghent Community Center.

DOG CONTROL:

MOTION #10 TO ACCEPT DCO REPORT FOR JULY AND THE YEARLY INSPECTION REPORT FROM THE DEPARTMENT OF AGS AND MARKETS made by Councilman Wood seconded by Councilman Mort and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

HIGHWAY:

We have been quit busy with mowing finished second road which is around 444 miles and we are starting a third round since Mother Nature has decided to start spring all over again. Worked with State DOT on an ongoing 5 year plan and was able to get the State DOT to help us out with spraying our guide rails to keep our over growth down increased safety for visibility cleanliness and spreading poisonous vegetation with DEC certified herb asides. We have been busy working on the bridge on Angle Hill bridge one side is just about complete and we have started second side. Two sections of the poured bridge pieces were poured today and rest will be done on Saturday. They will have to cure for two weeks before I can get a release date for them. We finally finished pug mill our final two roads which were supposed to have been done in June now we will have to seal them mid-September. Sam Grant we received one bid that meet spec and two quotes under the equipment \$5,000 cap which I would like to accept tonight. Grant people contacted me since I did such a great job with pinching the pennies I came up short of the state \$75,000 grant so I was notified that I have to buy something else to use remaining \$ so I contacted them and they told me what would be acceptable to use for rest of the \$ so I request that we put out to bid a large snow plow for the fleet which would be as a spare which we do not have. We have stripped down the twin ten wheeler plow truck and have begun rehabbing unit with sand blasting and paint to freshen unit while the other ones new body has been ordered and should be here around first of October. I have been personally invited to Everest-Wausau all Season Dump Body and Plow Company in Canada to tour the facility and sit down with their Engineering team to give them my professional opinion and suggestions as to how to make their products better for our industry.

RESOLUTION # 28 FOR THE YEAR 2018:

WHEREAS, THE TOWN SUPERINTENDENT OF HIGHWAYS HAS INDICATED TO THE TOWN THAT THE HIGHWAY DEPARTMENT IS IN NEED OF PURCHASING A 2018 DODGE RAM 3500 CREW CAB 4X4 WITH FISHER PLOW AND SANDER UNIT IN CONNECTION WITH MAINTENANCE AND REPAIR OF THE TOWN HIGHWAYS FOR THE TOWN OF GHENT; AND WHEREAS, THE TOWN HAS PLACED A BID ADVERTISEMENT IN CONNECTION WITH THE PURCHASE OF SAID TRUCK AND EQUIPMENT, PURSUANT TO §103 OF THE GENERAL MUNICIPAL LAW, AND WHEREAS, L.T. BENGAL MOTOR CO. INC., 129 ROUTE 28, KINGSTON, NEW YORK 12401, WAS THE ONLY RESPONDING BIDDER AND THE LOWEST RESPONSIBLE BIDDER MEETING THE SPECIFICATIONS FOR THE ACQUISITION OF THE SAID TRUCK AND EQUIPMENT IN THE AMOUNT OF \$59,888.80, AND WHEREAS, THE TOWN BOARD WISHES TO ACCEPT THE AFOREMENTIONED LOWEST BID MEETING THE REQUIRED SPECIFICATIONS, AND TO THEREBY ACQUIRE SAID TRUCK EQUIPMENT IN CONNECTION WITH MAINTENANCE AND REPAIR OF THE TOWN HIGHWAYS FOR THE TOWN OF GHENT. NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF GHENT, THAT THE TOWN BOARD DOES HEREBY APPROVE AND ACCEPT THE AFOREMENTIONED BID IN THE AMOUNT OF \$59,888.80 FOR THE PURCHASE OF A 2018 DODGE RAM 3500 CREW CAB 4X4 WITH FISHER PLOW AND SANDER UNIT IN CONNECTION WITH MAINTENANCE AND REPAIR OF THE TOWN HIGHWAYS FOR THE TOWN OF GHENT; AND BE IT FURTHER RESOLVED THAT THE TOWN SUPERVISOR IS HEREBY AUTHORIZED TO PROCEED WITH THE PURCHASE OF SAID EQUIPMENT ON BEHALF OF THE TOWN OF GHENT.

MOTION # 11 TO ACCEPT RESOLUTION # 28 FOR THE YEAR 2018 made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

RESOLUTION #29 FOR THE YEAR 2018:

WHEREAS, STEPHEN J. CLEARMAN, WHO OWNS PROPERTY ABUTTING JOHNSON ROAD FROM THE NORTH AND FROM THE SOUTH, DESIRES TO SEE JOHNSON ROAD DISCONTINUED AND ABANDONED FOR PUBLIC PURPOSES AT THE DIRECTION OF THE TOWN OF GHENT HIGHWAY SUPERINTENDENT; AND WHEREAS, THE TOWN OF GHENT HIGHWAY SUPERINTENDENT DESIRES TO SEE JOHNSON ROAD DISCONTINUED AND ABANDONED FOR PUBLIC PURPOSES DUE TO ITS LIMITED UTILITY AND THE DIFFICULTY AND EXPENSE OF PLOWING AND MAINTAINING SAID ROADWAY, PROVIDED THAT THE INTERSECTION OF GARNER ROAD AND COUNTY ROUTE 22 IS REALIGNED TO CREATE A PERPENDICULAR INTERSECTION FOR THE PURPOSES OF HIGHWAY SAFETY AND EASE OF ACCESS TO GARNER ROAD FOR PLOWING AND MAINTENANCE PURPOSES AFTER THE DISCONTINUANCE AND ABANDONMENT OF JOHNSON ROAD; AND WHEREAS, CLEARMAN HAS AGREED TO PAY ALL COSTS AND EXPENSES OF THE TOWN RELATED TO THE DISCONTINUANCE AND ABANDONMENT OF JOHNSON ROAD AND THE REALIGNMENT OF THE INTERSECTION OF GARNER ROAD AND COUNTY ROUTE 22; AND WHEREAS, A PUBLIC HEARING WAS HELD BEFORE THE GHENT TOWN BOARD ON JANUARY 15, 2015 AT 6:45 PM AT THE GHENT TOWN HALL, ROUTE 66, GHENT, NEW YORK FOR THE PURPOSE OF CONSIDERING WHETHER JOHNSON ROAD IS UNNECESSARY FOR HIGHWAY PURPOSES AND SHOULD BE DISCONTINUED AND ABANDONED FOR PUBLIC PURPOSES AT THE DIRECTION OF THE TOWN OF GHENT

HIGHWAY SUPERINTENDENT, AND WHETHER THE INTERSECTION OF GARNER ROAD WITH COUNTY ROUTE 22 SHOULD BE RECONFIGURED TO CREATE A PERPENDICULAR INTERSECTION FOR PURPOSES OF HIGHWAY SAFETY; AND WHEREAS, AT SAID PUBLIC HEARING THE ONLY SENTIMENT EXPRESSED WAS SUPPORT FOR THE DISCONTINUANCE AND ABANDONMENT OF JOHNSON ROAD FOR PUBLIC PURPOSES AND THE REALIGNMENT OF THE INTERSECTION OF GARNER ROAD AND COUNTY ROUTE 22 FOR PURPOSES OF HIGHWAY SAFETY; AND WHEREAS, THE TOWN BOARD, AFTER CONSULTING WITH THE ATTORNEY FOR THE TOWN AND CONSIDERING THE OPINION OF THE TOWN OF GHENT HIGHWAY SUPERINTENDENT AND THE PUBLIC SENTIMENT IN FAVOR OF THE PROPOSAL, ACCEPTED CLEARMAN'S OFFER OF FUNDING AND HAS SINCE BEEN PROCEEDING WITH PLANNING AND PERMITTING FOR THE REALIGNMENT OF THE INTERSECTION OF GARNER ROAD AND COUNTY ROUTE 22; AND WHEREAS, IN ORDER FOR THE REALIGNMENT OF THE INTERSECTION OF GARNER ROAD AND COUNTY ROUTE 22 TO BE COMPLETED AS DESIGNED AND PERMITTED, CLEARMAN MUST CONVEY A SMALL PARCEL OF REAL PROPERTY TO THE TOWN OF GHENT TO BE USED FOR HIGHWAY PURPOSES; AND WHEREAS, CLEARMAN HAS OFFERED TO DEDICATE TO THE TOWN OF GHENT THAT CERTAIN REAL PROPERTY REQUIRED FOR THE RECONFIGURING AND REALIGNMENT OF THE INTERSECTION OF GARNER ROAD AND COUNTY ROUTE 22 FOR THE BENEFIT OF THE GENERAL PUBLIC FOREVER AS A TOWN HIGHWAY, AS DESCRIBED IN THE OFFER OF DEDICATION ATTACHED HERETO; AND WHEREAS, THE TOWN BOARD OF THE TOWN OF GHENT WISHES TO ACCEPT THE ATTACHED OFFER OF DEDICATION MADE BY STEPHEN J. CLEARMAN ON BEHALF OF THE TOWN. NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF GHENT, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 171 OF THE HIGHWAY LAW OF THE STATE OF NEW YORK THAT THE TOWN BOARD DOES HEREBY ACCEPT THE OFFER OF DEDICATION MADE BY STEPHEN J CLEARMAN ON BEHALF OF THE TOWN OF GHENT.

MOTION # 12 TO ACCEPT RESOLUTION # 29 FOR THE YEAR 2018 made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood
Nays: 0

MOTION #13 TO APPROVE A BID ADVERTISEMENT FOR AN EVEREST VORTEX PLOW made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood
Nays: 0

NEW BUSINESS:

RESOLUTION # 30 FOR THE YEAR 2018:

WHEREAS, BY RESOLUTION NO. 13 OF THE YEAR 2018, PASSED ON JANUARY 4, 2018, THE TOWN BOARD OF THE TOWN OF GHENT APPOINTED MORRIS ASSOCIATES ENGINEERING & SURVEYING CONSULTANTS, PLLC ("MORRIS ASSOCIATES") TO BE ENGINEER FOR THE TOWN FOR THE YEAR 2018; AND WHEREAS, BY LETTER DATED AUGUST 6, 2018, MORRIS ASSOCIATES HAS INFORMED THE TOWN THAT IT WILL BE JOINING THE FIRM CLARK PATTERSON LEE ("CPL") AND WILL OFFICIALLY BECOME A PART OF AND KNOWN AS CPL ON SEPTEMBER 4, 2018; AND

WHEREAS, THE TOWN BOARD WISHES TO APPOINT CPL TO BE ENGINEER FOR THE TOWN, IN THE PLACE OF THE FORMER MORRIS ASSOCIATES, EFFECTIVE AS OF SEPTEMBER 4, 2018 AND CONTINUING THROUGH DECEMBER 31, 2018. NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF GHENT THAT THE TOWN BOARD DOES HEREBY APPOINT THE FIRM CLARK PATTERSON LEE TO BE ENGINEER FOR THE TOWN, EFFECTIVE SEPTEMBER 4, 2018 AND CONTINUING THROUGH DECEMBER 31, 2018.

MOTION # 14 TO ACCEPT RESOLUTION # 30 FOR THE YEAR 2018 made by Councilman Wood seconded by Councilman Nelson and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

RESOLUTION# 31 FOR THE YEAR 2018:

WHEREAS, THE TOWN OF GHENT HAS FOR A NUMBER OF YEARS GRANTED THE ALTERNATIVE LEARNING CENTER, INC. A SERIES OF ANNUAL LICENSES TO USE THE WEST GHENT RECREATION CENTER FOR CLASSES AND OUTDOOR ACTIVITIES, AND WHEREAS, THE ALTERNATIVE LEARNING CENTER, INC. HAS REQUESTED TO ENTER INTO A SIMILAR LICENSE AGREEMENT FOR THE USE OF THE WEST GHENT RECREATION CENTER BETWEEN SEPTEMBER 2018 AND MAY 2019 AND HAS REMITTED THE REQUISITE \$500.00 FEE, AND WHEREAS, THE ATTORNEY FOR THE TOWN HAS PREPARED SAID LICENSE AGREEMENT AND IS SATISFIED WITH ITS CONTENTS; AND WHEREAS, THE ALTERNATIVE LEARNING CENTER, INC. HAS PROVIDED THE TOWN WITH PROOF OF INSURANCE NAMING THE TOWN AS AN ADDITIONAL INSURED, AS REQUIRED BY THE LICENSE AGREEMENT; AND WHEREAS, THE TOWN BOARD HAS DETERMINED THAT THE EXECUTION OF THE LICENSE AGREEMENT IS IN THE BEST INTERESTS OF THE RESIDENTS OF THE TOWN OF GHENT. NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF GHENT THAT THE LICENSE AGREEMENT BETWEEN THE TOWN OF GHENT, COLUMBIA COUNTY, NEW YORK AND THE ALTERNATIVE LEARNING CENTER, INC. BE AND THE SAME IS HEREBY IN ALL RESPECTS APPROVED, AND BE IT FURTHER RESOLVED THAT MICHAEL BENVENUTO, TOWN SUPERVISOR, BE AND HEREBY IS AUTHORIZED TO EXECUTE THE LICENSE AGREEMENT ON BEHALF OF THE TOWN OF GHENT AND TO TAKE ANY FURTHER ACTION WHICH MAY BE NECESSARY IN ORDER TO FINALIZE THIS MATTER.

MOTION # 15 TO ACCEPT RESOLUTION # 31 FOR THE YEAR 2018 made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

MOTION #16 TO APPROVE THE EXPEDITURE AND CONTRACT WITH FIREWORKS EXTRAVAGANZA FOR COMMUNITY DAY, OCOTBER 13, 2018 made by Councilman Mort seconded by Councilman Wood and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Mort, Wood

Nays: 0

PAYMENT OF AUDITED BILLS AND ACCEPTANCE OF MONTHLY BUDGET REPORT:

AUDITED BILLS:

General A	\$29803.01
S.L.	\$835.62
General B	\$1525.16
Highway DB	\$75864.59
TOTAL:	\$108028.38

MOTION# 17 TO PAY ALL AUDITED BILLS AND ACCEPT THE MONTHLY FINANCIAL REPORTS made by Councilman Wood, seconded by Councilman Mort and approved unanimously.

Ayes: 4 Benvenuto, Nelson, Wood, Mort

Nays: 0

MOTION #18 TO OPEN THE MEETING FOR PUBLIC COMMENT LIMITED TO THE TOPICS DISCUSSED AT MEETING made by Supervisor Benvenuto, seconded by Councilman Mort and approved unanimously.

Ayes: 4 Benvenuto, Wood, Nelson, Mort

Nays: 0

NO COMMENT

MOTION #19 TO ADJOURN THE MEETING AT 8:09 PM made by Councilman Wood, seconded by Councilman Mort, approved unanimously.

Ayes: 4 Benvenuto, Wood, Nelson, Mort

Nays 0

Respectfully Submitted,

Michelle Radley
Town Clerk