

Regular Monthly Meeting, Hillsdale Town Board
Tuesday, August 16, 2011

I. Call to order

Supervisor Art Baer called to order the regular meeting of the **Hillsdale Town Board** at **7:30 pm** on **August 16, 2011**, in the **Hillsdale Town Hall**. The meeting began with the Pledge of Allegiance.

II. Attending

The following persons were present: Supervisor Baer, Board Members Carmen Barbato, Peter Cipkowski, Gillian Sims-Elster, and August Sena; Town Clerk Julie Kane, Highway Superintendent Richard Briggs, Planning Board Chair Hank Henward, Tax Collector Joe Hanselman, Comprehensive Plan Review Committee Chair Tom Carty, Resident Deputy Bill Dunsbaugh; and 5 members of the public.

III. Acceptance of the Minutes

The minutes of the regular July Board meeting were presented for acceptance. Mr. Sena noted that the Columbia Paper article concerning the July 8th Special Board Meeting agreed with the minutes for that meeting and asked that a copy of the article be attached to the minutes of this meeting. *[Attached to these minutes as an addendum. – JMK]* On a motion by Mr. Barbato, seconded by Mr. Cipkowski, and adopted by unanimous vote, the minutes of the regular July Town Board meeting were accepted.

IV. Committee Reports

- a) SEWER COMMITTEE: Mr. Sena reported the sewer system was functioning well and that there had been a new hook-up. He added that he had had inquiries from other towns about our system. Mr. Baer informed the Board that the NYS Department of Environmental Conservation had suggested that the Sewer District seek approval for the recent change of use of one sewer customer from electronics store to general store and café. He stated that he had agreed to inform them when there is a change of use but that we don't believe a new SEQR is required when a change of use is within preapproved system capacity.
- b) PARKS AND RECREATION COMMITTEE: Ms. Sims-Elster reported that the Summer Youth Program had ended to good reviews and that the Roe-Jan Park is preparing for Eleanor's Walk and Barbecue, to be hosted by the Roe-Jan Library. She added that planning had begun for the fall Harvest Festival, scheduled for October 1.
- c) COMMUNICATIONS COMMITTEE: Mr. Cipkowski reported that the Town's electronic newsletter now has 356 subscribers, 46 of them new, and that the Town web site is still attracting many visitors.
- d) HIGHWAY DEPARTMENT: Richard Briggs, Highway Superintendent, reported that the crew had finished the drainage project and was ready to begin repaving sections of Rockledge and Whipoorwill Roads.

- e) BUILDING DEPARTMENT: Mr. Sena reported that the year-to-date volume of building permits was still slightly below projections but that there were several large projects in the works.

V. Other Business

- a) NEW TOWN HALL: Mr. Sena reported that the ceiling upstairs has been completed and that plaster patching is in progress, adding that he may still need volunteers to help with painting. He continued, reporting that the downstairs has been carpeted and air-conditioned and that the project is basically complete. Mr. Baer expressed his concern about securing the building against the elements before winter, to which Tom Carty replied that temporary fixes to protect the building could be put in place without jeopardizing the application for a preservation grant to fund the historic restoration of the outside of the building. Mr. Baer summarized by stating that we will have an intact, habitable, functional building even before the grant is awarded.
- b) LABOR RELATIONS: Mr. Baer reported that he and Mr. Barbato had met with the union representative about the language of the draft contract between the Town and Teamsters Local 294. He added that the union and the Town have informally agreed to work toward having a three-year contract in place by the end of 2011.
- c) TAX ABATEMENT FOR HISTORIC PROPERTIES: Mr. Carty introduced the topic by stating that New York State allows for a delayed increase in assessments for improvements to properties on the Historic Register. Robina Ward then presented members of the Board with packets of information on a proposed assessment exemption for historic properties in Hillsdale. After discussion, it was decided that Board members and the Town attorney would review the material and revisit the subject at the next Board meeting.
- d) 2012 BUDGET: Mr. Baer stated that department heads would be getting proposed budget forms for 2012 which would be due back in early September.
- e) BUDGET AMENDMENTS: Mr. Baer informed the Board that there was a need to move funds from the Building Reserve fund to pay for the renovations to the new town hall and that the NYS CHIPS funds had been received and needed to be added to the budget. On a motion by Mr. Sena, seconded by Mr. Barbato,

Adopted by a vote of 5 ayes and 0 nays,

the Board resolved to amend the 2011 budget as follows:

General Fund	Increase	Decrease
Interfund Transfers	\$ 108,750.00	
Appropriated Fund Balance, Building Reserve		\$ 108,750.00
Total	\$ 108,750.00	\$ 108,750.00

Highway Fund		Increase	Decrease
Improvements - Chips	5112.2	137,376.00	
S/A Chips	3501		\$ 137,376.00
Total		\$ 137,376.00	\$ 137,376.00

- f) **BUILDING FUND ADJUSTMENT:** Mr. Baer informed the board that certain Library project expenses which were not a part of the services put out for bid had been charged to the Building Fund. On a motion by Mr. Sena, seconded by Ms. Sims-Elster,

Adopted by a vote of 5 ayes and 0 nays,

the Board resolved to reclassify certain transactions as follows:

General Fund		Increase	Decrease
Kaplan, Grant Writer	7510.4	\$ 750.00	
Architectural Bureau	7510.4	7,517.50	
John Reilly Signs & Design	1620.4	400.00	
A-1 Security	1620.4	493.00	
Lady Rooter	1620.4	350.00	
Avaya	1620.4	245.00	
Carmen Barbato, Inc.	1620.4	724.00	
Dan Reed	1620.4	225.00	
Building Fund			
Project costs	1620.2		\$ 10,704.50

- g) **HISTORIC PRESERVATION GRANT:** On a motion by Mr. Cipkowski, seconded by Mr. Barbato,

Adopted by a vote of 5 ayes and 0 nays,

the Board resolved that

WHEREAS the former Hillsdale Library building has become the centerpiece of an effort to retain the historic character of our town; and

WHEREAS after a long and inclusive process, and with the complete support of the community of Hillsdale, the library has been listed on the State and National Registers of Historic Places; and

WHEREAS a new roof is desperately needed; the mortar between the bricks is falling off and must be re-pointed; the trim on many doors and windows is rotting and needs to be replaced; and the absence of much needed storm

windows is causing a serious waste of energy and increasing operating costs;
and

WHEREAS the Town is desirous of having a beautiful, energy efficient, historic property that will be both the site of the town government and a keystone of the Town's efforts to develop an attractive, lively, economically stable Hamlet; therefore

Art Baer, as supervisor of the Town of Hillsdale, NY, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$400,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this town for exterior renovations to the former Hillsdale Library Building and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

- h) SPEED LIMITS, COUNTY ROUTE 21 – Hank Henward asked the Board to consider lowering the speed limit on County Route 21. On a motion by Mr. Barbato, seconded by Mr. Sena,

Adopted by a vote of 5 ayes and 0 nays,

the Board resolved to request that the Columbia County Highway Superintendent lower the speed limit from 55 mph to 45 mph on the portion of County Route 21 from Fern Hill Road to State Route 22.

- i) PUBLIC COMMENT: Town resident Mary King requested that a speed bump be placed on Anthony Street near the intersection with Cold Water Street. Mr. Baer replied that Anthony Street is a county road and that the request should be directed to the County. Ms. King then brought to the Board's attention a problem with feral cats in the hamlet, asking if those who feed the cats could be held responsible for their vaccinations and for spaying or neutering. Mr. Baer indicated that the Animal Control Officer would look into the extent of the problem. Finally, Ms. King asked the Board to consider ways that it could attract organic, sustainable agriculture to the Town.
- j) PAY BILLS: On a motion by Mr. Cipkowski, seconded by Ms. Sims-Elster,

Adopted by a vote of 5 ayes and 0 nays

It was resolved to pay the Town's bills in the following amounts:

General Fund	Voucher #169 - #196	\$ 18,253.31
Highway Fund	Voucher #147 - #165	\$ 50,230.19
Parks Fund	Voucher #28 - #33	\$ 1,566.58
Building Fund	Voucher #35 - #39	\$ 58,722.30
Sewer District #1	Voucher #40 - #46	\$ 4,201.55

VI. Adjournment

On a motion of **Mr. Sena**, seconded by **Ms. Sims-Elster**,

Adopted by a vote of a vote of 5 ayes and 0 nays:

Supervisor Baer adjourned the meeting at **9:10 pm**.

Minutes submitted by: Julie Kane, Hillsdale Town Clerk

Minutes submitted by: Julie Kane, Hillsdale Town Clerk, to be accepted by the Hillsdale Town Board at the September 2011, Regular Board Meeting.

Union warns town after candidate meets workers



Written by CHRIS SIMONDS

Saturday, 23 July 2011 13:39

HILLSDALE--Just-unionized Hillsdale highway workers recently found themselves in the middle of a political fracas, with the Teamsters Union rushing to their defense.

The situation arose following a telephone call the morning of July 5 from resident and town supervisor hopeful Robina Ward to Highway Superintendent Richard Briggs. Ms. Ward asked where the highway crew was working at that time. Mr. Briggs told her, and she appeared at the job site at 10 a.m. bringing with her, Mr. Briggs said at a subsequent Town Board meeting, "a piece of paper with a list of bullet points."

One of the workers spoken to by Ms. Ward July 5 was Joe Regina, acting shop steward for the road crew. After the encounter he called Teamsters Local 274 Business Agent Tom Quackenbush and discussed the situation.

In a later email to Mr. Quackenbush with copies to Town Supervisor Art Baer and Mr. Briggs, Mr. Regina said that Mr. Briggs "had earlier asked the unit if we would sign a letter stating that we went union for a variety of issues, not necessarily for protection from Richard himself."

Last August an investigator with Columbia County Sheriff's Office charged Mr. Briggs with second degree harassment, a violation, in connection with a complaint by a worker who is no longer with the Highway Department. The charge, which was reviewed by the Greene County District Attorney's Office, was dismissed in February.

Mr. Regina also said that "Robina Ward showed up at the job site, papers in hand, requesting that we sign documents then and there."

Ms. Ward remembers it differently, saying in a phone interview last week that her visit to the crew was spurred by an article in another newspaper that she believes inaccurately characterized the reasons why the workers voted to join a union. She said the workers supported Highway Superintendent Briggs and had not unionized to protect themselves from him. She went to see the employees to ask them whether they would be willing to sign a letter in support of Mr. Briggs, but she said she had no such letter with her when she went to see the crew.

After the call from Mr. Regina of the highway crew, the Teamster business agent, Mr. Quackenbush, fired off an e-mail to Mr. Briggs and to Mr. Baer, protesting Ms. Ward's visit to the workers, writing: "If I find out that one of you have coerced my unit or any member of my unit to sign such a document, I will be filing charges with the Public Employment Relations Board each and every time ... and the Town will be faced with costs that will cripple your taxpayers."

Mr. Baer called a special Town Board meeting the evening of Friday, July 8. This brought another threat, this one from Mr. Briggs, warning that "if the board chooses to discuss the allegations [against me] that have been sealed, I will contact counsel and pursue legal action against the board."

There was no such discussion. After a lengthy review of the events and correspondence leading up to the meeting, the board agreed that Ms. Ward's visit constituted an unfair labor practice. Town Attorney Nelson R. Alford was directed to draft a letter to Ms. Ward asking her to cease and desist, for review at the next regular board meeting, which was scheduled for Tuesday, July 19.

Ms. Ward said she did not know about the July 8 special meeting in advance and was not asked to attend. She defended her actions, saying that she is a resident of Hillsdale, not the road crew's employer. The Town Board is the workers' employer, she said, and board has "no jurisdiction, no enabling law" to make a determination that she committed unfair labor practices. She said she is a citizen and has the right of free speech.

Ms. Ward also said she had spoken with Mr. Quackenbush after her visit to the work site and she said he told her he had "no issue" with her visit.

She dismissed the Town Board's action is "politically motivated." She said she respects the wishes of the union and did not want to put the crew in the middle of a political tangle.

Toward the end of the July 8 meeting, Councilman Peter Cipkowski and resident Fred Laing both raised the question of making the highway superintendent position appointive rather than elective, with Mr. Laing suggesting that the position might be combined with the sewer and parks into a public works department.

Mr. Alford said the move would require a ballot proposition, and Councilman Carmen Barbato asked him to look into the process.

Mr. Briggs and Ms. Ward had campaigned in a joint mailing for Hillsdale GOP nominations for the positions of highway superintendent and supervisor, respectively. On July 9, Hillsdale Republicans picked their candidates for the 2011 election. Mr. Baer bested Ms. Ward, 36 votes to 15. Ms. Ward, a Democrat, has the Conservative and Independence Party

endorsements. Hillsdale Democrats had not yet caucused when the GOP named its choices.

At the Republican Caucus Mr. Briggs, a Democrat, lost to second-generation highway worker Ed Brabender.

Also selected by Republicans at the July 9 caucus were incumbents Carmen Barbato and August Sena for councilman 4 years; incumbent Jill Sims-Elster for councilman 2 years; incumbent Juliette Crill and Ira Halfond for town justice; and Ruth Dodds for town clerk.