

TOWN OF HILLSDALE  
REGULAR MEETING  
December 18, 2012

Pledge of Allegiance

A regular meeting of the Hillsdale Town Board was held on Tuesday, December 18, 2012, at the Town Hall at 7:00 p.m. with the following members present:

**PRESENT:** Supervisor Arthur Baer  
Councilman August Sena  
Councilperson Jill Sims-Elster  
Councilman Peter Cipkowski  
Councilman Steven Tiger

**OTHERS PRESENT:** Vivian deGeorges, Deputy Town Clerk; Richard Briggs, Highway Superintendent; Robina Ward; Jeff Paige; John Mason, Register-Star

**APPROVE MINUTES**

On motion of Councilman Cipkowski, seconded by Councilman Sena, the following resolution was **adopted vote 5 ayes 0 nays**

*Resolved to approve the minutes of the regular meeting held on Tuesday, November 20, 2012.*

**SEWER – Mr. Sena**

Mostly bookkeeping. Mr. Hanselman will be receiving a refund for the payments he made for power for the building next to him which is under foreclosure. The tanks have been cleaned. We had a miscommunication with the supplier and they're replacing lids on two tanks because there's water coming into them in a heavy rain.

**PARK & REC – Ms. Sims-Elster**

The Roe Jan Park just sent out its Christmas appeal and they're still trying to find out what equipment they want to get for the Hamlet Park. The pocket park – the obelisk is paid for and should be coming in and the bluestone was being picked out today. Mr. Briggs added that the obelisk is at Cantele's and they're holding it until we're ready. Tom Carty is heading that up and it should be installed within the next two or three weeks. It's funded 100% by donations, including Cantele donating the installation of the obelisk. The concrete needs to be put in so the temperature may affect when that can be done.

**COMMUNICATIONS – Mr. Cipkowski**

The next newsletter will go out January, so the email will be out soon to ask for entries to go in the newsletter. I've been working on a "year in pictures" and am making a photo gallery to be linked to the website. Mr. Baer asked how many people are receiving the newsletter, and Mr. Cipkowski said that over 500 people, not all necessarily Hillsdale residents. He could also see that 280 people actually opened the newsletter. He added that there's a high click-through rate which can be monitored to see which articles are most often read. Mr. Baer then asked if there's anything we could do proactively to get

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more people to subscribe. He said that perhaps the reason we don't have 800 is that many people don't know the newsletter exists. If they were aware of it, they'd probably subscribe because why not? Mr. Cipkowski said that they distributed a Hillsdale post card at farmer's markets, etc., but that he doesn't know if we have the funds to mail them.

Ms. Sims-Elster offered the idea of tanking an "ad" out in the Hillsdale Business Alliance brochure and Mr. Tiger said that it's been discussed to put important town information in the brochure, as well as business information, so that people would hold onto it for reference. The brochure would also have the Town website address

Mr. Cipkowski said that the newsletter isn't meant to be journalism, but just a chatty newsletter about what's happening in Town. He said that he even gets emails thanking us for doing the newsletter. I do think we ought to promote it, perhaps having a card available for the Town and Court Clerks to hand out when people visit Town Hall, asking if they'd like to get the newsletter, and asking for their email address.

Mr. Baer said we should set a goal for 700 recipients. Mr. Cipkowski said that Juniors at Taconic Hills could work on the newsletter as a project. He then asked Mr. Briggs and Mr. Hanselman to send him items anytime they need to have something announced to the public. He also reminded everyone that on the Town website, there's a "services" area on top in which we list virtually all the town businesses.

## **HIGHWAY DEPARTMENT**

Mr. Tiger said that one of the things being discussed at the Highway Committee meeting is a fuel monitoring system and the committee recommends the purchase of that system if it could be done in this year's budget. Mr. Baer asked how much it would cost and Mr. Briggs said about \$14,000. Mr. Tiger said that another thing Carmen Barbato pointed out is that we should really start planning to replace the trucks because we're throwing good money after bad, with the '85 and '86 trucks. Mr. Briggs said that he has approximately \$40,000. Why couldn't we use that for a bond payment for equipment? Mr. Baer said that at whatever point we purchase a new truck, we'd use that money. We haven't budgeted it for 2013 but could do it in 2014. Mr. Briggs said that it takes 8-10 months to build a truck, so that if we start now, we could have the truck within a year. Mr. Baer said that he and Mr. Briggs need to sit down and talk with Mr. Tiger and figure out how that would work financially in the context of 2013. Mr. Briggs said that if we authorized it, we could use it in 2014, but would need to start the process in 2013. Mr. Baer added that the manufacturer would require a down-payment and that that was an offline discussion that we need to have. Mr. Briggs said that 100% of the time, it's Ben Funk we use and that Mr. Barbato needs to be there when we discuss this.

Mr. Baer then began a discussion about the FEMA money. Mr. Briggs offered a handout showing the dates that the money was transferred into the Hillsdale accounts, from the NYS Dept. of Finance. It shows the money that has been transferred with the dates and amounts. Mr. Baer said we have to check with our bank to make sure the money is there.

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Mr. Briggs said that Mark Fitzgerald must know that this has been deposited and Mr. Baer said this was as far as he knows and that we need a bank confirmation. If it hasn't been put in our bank, we have to go back to them and tell them. I've been asking for this information for months. We'll have our Bank connection find out. Ms. Sims-Elster said so you're asking me to confirm that these amounts have been deposited into our account these amounts on these dates in the town of Hillsdale general money market account. Mr. Cipkowski asked, looking at the paper, why the money was distributed in the summer and Mr. Briggs said the money started being disbursed after Hurricane Irene, and added that it would change his budget tremendously. Mr. Baer said that he also has instructed the Town Clerk to adjust the health insurance to be out of the highway account and into the general account. Mr. Briggs said that he's under budget for snow removal, and Mr. Baer said that we're very interested in the FEMA deposits and that he doesn't understand why they don't send me a notification that the money is there.

Mr. Baer said the only other thing I have is that a month or so ago we wanted to review our fuel to third party agencies, the Hillsdale, Copake and Craryville Fire Departments. We asked the Town Clerk to do an average cost of fuel for the last three years, then we multiplied by the amount of gallons and compared them to the figures we got as cost for the past three years. The historic billing process was retroactive, way in arrears to their consumption so to match revenues with expenses was difficult. What it showed was an outstanding balance of about \$3200 for Hillsdale \$3600 for Craryville. We didn't have a contract to be able to sell to the FDs without tax. They were necessitated because Copake couldn't provide gas from their tanks. So we were engaged in providing gas without a contract. When we did the analysis, there was about 13 months during which Craryville FD was provided fuel without a contract. We asked the fire superintendent and he said that in fact the Hillsdale FD owed \$3800 and the Craryville number was about the same. There were also a couple of transcription errors by Mr. Fitzgerald about how many gallons were used. The commissioners agreed to pay the amounts due. Hillsdale and Craryville have decided to seek gas from providers than other Hillsdale, so we no longer provide gas to the fire districts. They went to a credit card system – they have a tax-free card and they use it for gas for that vehicle and that trooper. Mr. Cipkowski asked why we don't use that system. Mr. Baer said that we've received the checks, the higher number, so we are totally current with both fire companies and as of now, the only fuel being consumed that is paid for by the tax payers of Hillsdale are the Highway Dept. and the Roe Jan Park.

Mr. Briggs said that he emailed Mr. Fitzgerald several times to go over the records. That was not done. The records were taken to his office, the same books that I have, to do this. Since I've taken over as Hillsdale Fire District superintendent, the bill has been paid yearly. Mr. Baer said that we're talking about a minor discrepancy. Mr. Briggs answered Mr. Baer saying that there was a commissioners' meeting that was unpublished, and you said at that meeting that there were inappropriate billings. You made accusations. My conclusion is that Hillsdale needs another accountant.

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Mr. Briggs then gave a handout to the Board, describing that the first page is the Town of Hillsdale Audit, the second page is the fuel summary and the next three pages shows that the town accountant put numbers that were incorrect, and from the same books I have. Mr. Baer said that Mr. Briggs' methodology in calculating was based in LIFO for fuel prices. Our method was average cost. The net result was our average price in a rising market was lower than yours. The difference was only about \$600 or \$700 because of the methodology, and noting 4.5 instead of 45 gallons which was an error made by Mr. Fitzgerald. I said to the commissioners I don't care what the difference is; I just want it to be right. I truthfully didn't know the Hillsdale FD didn't have its own diesel tank. No one ever told me that we were dispensing diesel. Mr. Briggs said that the contract said we were supplying diesel to which Mr. Baer replied that it said the have the *right* to purchase diesel but I didn't know we supplied anything but gas. If we were going to go forward, I'd suggest billing quarterly, not yearly. I claim ignorance and responsibility that I didn't know they were buying diesel from us. Mr. Briggs said that Copake had to replace their tanks for about \$60,000 and they came to us to get gas. I should not have been giving Craryville gas without a contract. Mr. Baer agreed, saying you've been around long enough to know we need a contract for third parties. Mr. Briggs added that since 2005, the accounting has been the same, and there's never been an issue.

Mr. Baer said I didn't know billing was being done on a retroactive basis for a year. It's like loaning them money interest free for a year. Mr. Briggs said that Mr. Baer made it difficult for the HFD to have to go somewhere else for fuel. Mr. Baer said that we continue to be willing to provide fuel for Hillsdale/Copake and Craryville Fire Districts as long as we have a contract.

Mr. Briggs then spoke about the security changes at the Highway building. He said that his billing was good, and that the theft of delivery logs is being investigated by the police. The whole property now has boulders to keep unauthorized people out, with a gate. The alarm systems have been updated so I know who has been in and out of the buildings. Repairs have been made to the outdoor lights. Also all the locks in every highway building has been changed and we're pricing night cameras for the property.

Mr. Tiger said that since we're still open to the districts buying gas from us, we need to add "and they'll be billed quarterly". Mr. Baer said that since for Craryville we don't have a contract, it will have to be written. If they want to sign a contract for emergency purposes or other purposes, we need to have an agreement in place with Copake and Craryville. The highway department is not empowered to distribute gas to any third party without a contract.

Mr. Tiger then asked Mr. Briggs if he could foresee that if there were a fire in the far north of the Town, is it possible they'd need to go to Craryville for gas? Mr. Briggs said that there was a fire for which we pumped water for 14 hours, and we couldn't move the trucks so we had to get portable tanks to fill the trucks onsite. Mr. Tiger said that in that case, for the safety of structures and people, we need to have an agreement at least for emergencies to get gas from the closest available source.

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Mr. Cipkowski said the message I would want any fire district to know we're willing to provide gas. Mr. Briggs said I'm chief officer of the board of commissioners but the board makes the decision of where to get gas. Ms. Sims-Elster said that they must have already gone somewhere else for diesel because every year the amount went down.

Mr. Briggs supplied bar graphs showing usage of gallons of fuel. In 2012 the commissioners approved the fire chiefs getting gas each month.

Mr. Paige said that if the highway department will be erecting a gate and scrap metal will only be accepted during business hours that should be on the newsletter or website.

Mr. Baer asked Mr. Briggs how many people have keys to the pumps. Mr. Briggs said only people who have keys to the building can use the pumps, as they have to be turned on from inside. Mr. Baer said so anyone could go in there but the alarm system would know who went in and out.

Mr. Tiger asked about the fuel master system, if it's just for diesel. Mr. Briggs said it would work for gas if we update our 1967 gas pump. He described how it works, with a cardless, keyless system. The truck code has to be put into the keypad as well as the driver's code. Then you get a monthly report of fuel, gas and diesel, who got how much and when for what vehicle.

Ms. Sims-Elster asked what prevents someone from putting in the truck code and then filling up their own car. Mr. Briggs said it also keeps track of mileage and usage and hours for each vehicle so you couldn't put the same truck in more times than it could possibly use fuel for.

Mr. Sena asked if it would help with usage requirements from season to season. Mr. Briggs said it would, and I've been asking for equipment for years that we haven't had money for. I've been asking for this fuel system for 5 years and we have money to keep old trucks running, but this would be a good use of \$15,000. I've got \$49,000 in the equipment reserve account for this year. Mr. Baer added that it would not be just for the fire districts, but for the highway employees as well. Ms. Sims-Elster said to Mr. Briggs that it would also be a safeguard for him against theft of fuel.

Mr. Baer said that if the highway committee wants to make a recommendation to purchase this, we need to do bids. Mr. Cipkowski said that we'd have to put out a cap of how much we'd be willing to spend. Mr. Baer asked Mr. Briggs if he will be over or under budget, and Mr. Briggs said under, then asked about revenues, and Mr. Briggs said he'd be over on revenues. Mr. Tiger asked Mr. Briggs if he has \$17,000 in your budget for 2012? Mr. Briggs answered yes, there's more than enough.

Mr. Tiger made a motion that we set aside \$17,000 to cover the cost for the fuel master system from the 2012 highway budget and put this out to bid. Mr. Sena seconded the motion. The vote was all ayes.

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Mr. Briggs said he'd post the request for bids in the paper. Mr. Baer said that since the organizational meeting is Jan 3<sup>rd</sup>, it needs to be in the paper for 10 days. Mr. Briggs said he'd have it in the paper tomorrow. Bids will have to be in by 1:00PM, the third of January, 2013.

Mr. Baer then talked about Mr. Sena doing some research about "other than road" work being done. The Association of Towns helped with working a resolution.

Mr. Baer said that in 1983, we made a resolution about owners/occupants removing snow from the walks on their property. Mr. Tiger asked if there is any enforcement available for this resolution. Mr. Sena said maybe. Mr. Baer said that the last part of the resolution from 1983 shows the owner is legally liable if anyone hurts themselves on uncleared walks, and that the town is not liable. Mr. Briggs asked if the highway is not to bill for these services. Mr. Sena said he had a more recent opinion that says it needs to be billed to the appropriate general account. Mr. Briggs said that we'll make sure everything gets plowed.

On motion of Councilman Sena seconded by Councilperson Sims-Elster, the following resolution was **adopted vote 5 ayes 0 nays:**

### **Resolution**

**"Pursuant to the provisions of Town Law 32; Highway Law 140;**

**General Municipal Law 128 (5); and Opinion No. 79-367, Opinions of the State Comptroller; the Hillsdale Town board assigns those farther duties to the Highway Superintendent to maintain and repair and remove snow from Town owned Right of Ways, municipal buildings and park parking lots and driveways and municipal walkways and sidewalks."**

### **BUILDINGS – Mr. Sena**

We continue to work on the building, fixing windows downstairs. We may need a new timer for lights. We found shorts in the lights. It is the old timer, and we've replaced the batteries and it's been working for two weeks but a light went out while I was coming in the building. The downstairs windows have been weatherproofed and painted. I've talked to Tom Carty about the grant but because of Hurricane Sandy, there's no grant money right now.

### **Economic Development Committee/Hillsdale Business Alliance – Mr. Tiger**

We're developing a brochure with businesses with logos and there will be a fee to be in the booklet, from \$30-\$50 depending on how many people want to do it. Forty

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businesses have been identified and were called. We've asked Jeanine Dunn to work on the brochure. It will have other important info in it like phone numbers, etc., so people won't throw them out. Mr. Baer said that in February there'll be a meeting of a group of the committee chairs to discuss their contributions to economic development and out of that we'll come up with a focus group to come up with a strategic economic development plan for the town, similar to the park. Mr. Tiger said that they've already had a meeting to see if we wanted all the committee chairs to meet. We want to go forward with more planning with all the committees, for instance the Hamlet, Housing, Historic, and Green Committees.

### **County Update – Mr. Baer**

A .4% decrease by County has been passed. They project a more aggressive sales tax estimate for next year over this year and some inter-fund cost reductions. It's pretty much a neutral budget. The fund balance for the County represents a challenge because we're continuing to take money out of the fund balance to keep the tax increases minimal and at some point, that trend has to reverse itself. The balance has to be stabilized or increased, same as the Town level. If the State holds back payments or other setbacks occur, the money may be needed. It's going to be a difficult union negotiating next year for the County.

As for the Town's health insurance – with BC/BS cancelling our policies, we needed to come up with a comparable plan and we were successful with CD/PHP with some of the coverage better, some worse, but basically comparable \$30pp and \$40 per 2 person family increase. No one knows what's going to happen in 2014 with Obama Care coming in, so most carriers are not giving out quotes for further out than next year. We can handle the increases. The employees have all signed the paperwork to be covered by Jan 1<sup>st</sup>. Next year the Town will be very engaged in figuring out what our options will be for 2014, but we're in place for 2013.

We recently publicized two openings – Planning and Zoning Board positions. Casey Kuhn and Hank Henward both express their interest to continue their service on their respective boards. Those are the only two letters received. Both positions expire at the end of this year.

**On a motion by Mr. Tiger, seconded by Peter Cipkowski, the measure to approve the appointment of Casey Kuhn to the Zoning Board and Hank Henward to the Planning Board was approved. Vote 5 ayes 0 nays**

Mr. Baer then asked if there were any public comments.

Ms. Ward asked what the maintenance costs for the sheriff's substation were now. They had been \$4000/year. Mr. Baer said that \$4000 is more than covering the costs. The board of supervisors from the County made an agreement for 5 year lease with a COLA increase built in. When the County approves the lease, they'll send it to us and we'll

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have to approve it. We drafted the lease and sent it to them a couple of months ago; they just passed it, and we're waiting to get it back. The electric and fuel are under \$4000 and

the cleaning has been reduced by 1/3. Mr. Cipkowski asked when it opened as the substation and Mr. Baer said 2010.

Mr. Hanselman – In 2013 residents will be able to pay their tax bills by credit card. We've got tier 2 experience. Only 4 towns accept credit cards for taxes. There is no expense to the town; the processing fee of 2.5% will be paid by the homeowner. If they want to pay by ACH, the cost is an additional \$1.35. Ms. Sims-Elster asked what notification Mr. Hanselman receives if they want to pay by ACH, and he said he gets an email.

### **PAY BILLS**

On motion of Councilman Sena and seconded by Councilperson Sims-Elster, the following resolution was

**Adopted vote 5 ayes 0 nays**

Resolved to pay the bills in the following amounts:

General Fund	Voucher #297-314 + Highway 258-266	\$32,938.28
Highway Fund	Voucher #267-283	\$41,937.41
RJPark Fund	Voucher #RJP48-RJP49	\$312.94
Sewer Fund	Voucher #SS53-SS58	\$4067.15
Street Lights	Voucher #SL17	\$663.28

**On motion of Mr. Sena and seconded by Mr. Tiger, the meeting was adjourned at 9:00PM with a vote of all ayes.**