

**TOWN OF HILLSDALE
REGULAR TOWN BOARD MEETING
July 16, 2013**

Pledge to flag

A regular meeting of the Hillsdale Town Board was held on Tuesday, July 16, 2013, at the Town Hall at 7:00 p.m. with the following members present

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

OTHERS PRESENT: Vivian deGeorges, Deputy Town Clerk; Attorney Dick Alford; Robina Ward; Jeff Paige; Highway Superintendent Richard Briggs and his Attorney Ken Dow; Alan Walther, Heather Briggs, Bonadio auditors; Anna Kirshner, Cemetery Assoc.; Tom Carty, Building Dept; Bud Atwood; Howard Van Lenten; Hank Henward; Register Star Reporter Joe Gentile; Officer Durosher; Caroline Stewart; Joe Hanselman

APPROVE MINUTES

On motion of Councilman Cipkowski, seconded by Councilwoman Sims-Elster; the following resolution was

Adopted - vote - ayes 5 nays 0

Resolved to accept the minutes of the regular meeting held on Tuesday, June 18, 2013.

FINANCIAL AUDIT

Mr. Walther was introduced by Mr. Baer to present the results of the audit for the year 2012. Mr. Walther distributed three reports for the Board to review in draft form and described them each briefly.

First report - required communications letter, what was done for the audit and a summary of findings.

Second report - financial statements. Pages 1-3 are Bonadio's, 4-16 are the Town's financial statements. Bottom of page 2 is Bonadio's opinion of the Town's balance sheet. Page 4, is the balance sheet of all the funds, a snapshot of the town as of December 31, 2012. Page 13 is revenue/expenditures budget vs. actual for the General Fund, and page 14 the same information for the Highway Fund.

Third report - Ms. Briggs spoke about the internal controls letter, not an opinion, but suggestions for the Town.

Mr. Tiger asked why they didn't get information they needed, and Ms. Briggs said there were a few pieces of information they couldn't receive on a timely manner. Mr. Walther said that they did eventually receive everything, nothing is missing, but they weren't

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received in time for these reports. Ms. Sims-Elster asked to clarify that their opinion is that the Town should address overages or shortfalls as they're discovered, not to wait till the end of the year, and Mr. Walther said yes, that's the way it should be done.

Mr. Cipkowski asked, are you saying that our house is in pretty good shape?

Mr. Walther said that since the opening balances of 2012 weren't audited (the year 2011 ending balances), they can't give an opinion on the total picture, but that the closing balance sheet is in reasonable shape, and that there probably won't be any substantive changes from the drafts delivered tonight to the final report, once they incorporate the information received after the draft reports were generated.

CORRESPONDENCE

Mr. Baer - we received today a letter of resignation from Mark Fitzgerald as of August 1st and I asked that he help us with an orderly transition. We have plans to separate payroll and expense reporting by using outside accounting firms/software/procedures. An outside firm would want documentation on accruals as to vacation pay, sick pay, etc., before they cut paychecks. We'd like to identify two or three firms to bid on this process. I have a list based on suggestions from Mark Fitzgerald and Alan Walther as to what we can do to improve our processes which the Clerk will copy and distribute to the Board. *(see attached)*

There was some discussion as to payroll accruals and processing of payroll cutoff times, submitting times, etc.

CEMETERY ASSOCIATION - Anna Kirshner

This is regarding the cemetery in Harlemlville near Hawthorne Valley School on Ten Broeck Road. We are down to funds of \$11,000-12,000. We have elderly people managing records of burials and all information needed to be filed. They can no longer handle these responsibilities. We would like to continue managing the physical maintenance of the cemetery (mowing, raking, etc.) and can do it for another 12-15 years with the funds we have. We would like the Town of Hillsdale take over the grave digging and taking care of the record-keeping to the DOH, etc. The Town could impose whatever fee needed for the grave digger and for record keeping so it wouldn't be at the Town's expense. We'd like to get all the records for unused graves which have been sold, to make sure there are deeds for them, and turn them over to the Town. And from that point on, the proceeds from any future sale of graves would go to the Town.

Mr. Alford said that he'd have to look into the legality of a Town taking over a functioning cemetery, not an abandoned one, and/or if it's legal to have the cemetery contract the maintenance of the cemetery to the Town. Mr. Baer said we'll get back to Ms. Kirshner hopefully next month. There is also the precedent issue to take into consideration as there are other cemeteries that have approached us in the past about assisting them.

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SEWER - Mr. Sena

Mr. Baer - we're getting close to running over budget on sewer collection, budget line 8120.4, so he asked Mr. Sena to look into that.

PARK AND RECREATION - Ms. Sims-Elster

We are full to capacity on the kids' summer program. A public thank you to Caroline Stewart for all her work - we have the best community garden program ever; the children are learning how and where food is produced and we are getting compliments from parents. Also, August 10th is our first concert, also due to Caroline. Tickets will be \$10 / adult, kids are free and it's our first attempt to get concerts going in the Park. Our first wedding of 120 attendants has taken place, bringing lots of new people into our Town. Mr. Baer thanked Ms. Stewart for all her efforts.

COMMUNICATIONS - Mr. Cipkowski

July newsletter was sent out to 557 subscribers via e mail. The open rate was 61% - 332 opens, and the click-through rate was 41%. Top three items clicked on were Roe Jan events; 10% were for the Hillsdale Arts program, 9% for the Wallace Bruce marker dedication. The videos are not getting the amounts they used to get. We're going to reprint the postcards, asking people to sign up for the newsletter, which will be distributed at the Farmer's Market and the General Store.

HIGHWAY DEPARTMENT - Mr. Briggs

We finished our first round of mowing, started blacktopping, have been cutting shoulders, replacing pipes and cleaning catch basins. There was some discussion on the rocks outside the Town Garage, people getting sand, etc.

TOWN HALL RESTORATION PROJECT - Mr. Carty

Mr. Carty described how 120 people were approached by direct mail, of which 31 have responded. \$14,100 has been received and \$6,000 in additional pledges has been promised. The mailing said we'd appreciate it if you could give \$1,000 either in one payment or 4 payments due by the end of the year. So the total is half of what we need. We'll be sending out another letter to those from the first mailing who did not respond. After that, we can still approach other people and there is an event planned for the fall where we may receive another \$5,000-\$6,000. Mr. Baer said we're expecting the plans for the restoration soon.

Also, Mr. Baer gave an update on the sidewalk planning, showing the Board the Clark Engineering plan drawings and describing them. We've also submitted a grant proposal.

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We still have to hire a firm to assess the easements necessary for the sidewalks. It will probably be around \$900,000 to accomplish this project, 80% paid by the Town which we're asking the grant to cover, and 20% by the DOT.

BUILDING DEPARTMENT - Mr. Sena

The building department is ahead of budget. Town Hall Park is waiting for a contractor to put in the concrete walkway to the park and to mulch around the shrubs and fix the gulleys. Ms. Sims-Elster asked Mr. Carty if there are benches for the park. He said there were. We have them and they've been donated and we are waiting to put them in. There was discussion as to the method of installation of the benches. Mr. Cipkowski asked if there is going to be a dedication and Mr. Carty said that there will be one.

COUNTY UPDATE - Mr. Baer

There has been a resolution to sell the home health business. We might be able to sell it to the person who offered to buy it a year ago. There would be a \$750,000 saving for the County.

There will be an Economic Development meeting on Friday to come up with a strategy to help existing businesses and to attract new businesses. Given the age of the population in Hillsdale and the surrounding area, we're looking into whether we can interest someone in developing an independent/assisted living complex in Hillsdale. We tried to do it in Kinderhook but couldn't get Valatie to give them a sewer connection. We'll be having a study done here to see if there is a suitable site for such a development.

The County is reaching out to local businesses to understand how the Columbia County Development Corps can help develop business, and on July 25, they will meet with two of our local business owners, Deborah Bowen of the Inn at Green River and Matt and Lisa Shober who are running a micro-farming business.

PUBLIC COMMENT

Mr. Henward - regarding the Town's efforts to collect unpaid taxes, does this also apply to sewer fees? Will the County go after them as well? Mr. Alford said yes, and Mr. Baer said that it gets settled up at the end of the year in the County taxes.

Mr. Dow - The report in the audit draft of a \$19,000 shortfall in expenditure and \$49,000 under budget for the year for the highway budget is consistent with what we've been saying. Brian Fitzgerald sent us an email with this information. Mr. Dow pointed out that Mr. Briggs is not getting full detailed reports - he puts in his expenditures and that goes onto the monthly highway statement - but he's not getting a detailed statement

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transaction by transaction as to what line each is being assigned to. Mr. Briggs needs the financial statement reports. Mr. Baer said that this is the first time I ever got these reports (from the auditor) and now that we're going to a new accounting firm, we'll get regular financial reports.

There was discussion about the issue of year-end advance orders, as to which year to report the expense in. Then Mr. Dow read from an email Brian Fitzgerald sent to Mr. Briggs which both Mr. Baer and Mr. Alford questioned as to the propriety of the Town's accountant sending an email to anyone other than the Town, which is the accountant's employer.

Mr. Briggs - does this audit prove that the highway department was not over budget by \$70,000 for 2012? Mr. Baer - we have to look at the final report - I only have a number from Feb. 2012 and if there's any new information, I want to have it and look at it.

Ms. Ward asked who sends the financial reports to the Comptroller, and Mr. Baer said it was the accountant. Ms. Ward further asked why the numbers are different from February's and Mr. Baer said it was because the AUD wasn't filed till recently and the report can be changed. The accountant can send in the filing and then if the audit finds substantive things, the filing can be amended.

APPOINT ASSESSOR

Mr. Baer recommended that the Board appoint Pam Cook as Town Assessor.

On motion of Councilman Cipkowski, seconded by Councilman Sena, the following resolution was

Adopted - vote - ayes 5 nays 0

Resolved to appoint Pam Cook for a 6 year term, 10/1/13-9/30/19, as Assessor for the Town.

PASS RESOLUTION - UNIFORM NOTICE OF CLAIMS

On motion of Councilman Sena, seconded by Councilman Tiger, the following resolution was

Adopted - vote - ayes 5 nays 0

Resolved to accept the Uniform Notice of Claims Certificate requirement. *(see attached)* Requirement in how one files a complaint against the Town, bringing in the Secretary of State. Mr. Baer said that it was passed by the State before we had time to discuss it, so it's just an approval of something that is already in force. Some discussion about what this means by Ken Dow who explained how it works. The Town Clerk is designated as

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the person whom the Secretary of State would have to notify in the event of a complaint against the Town.

PASS RESOLUTION - SPEED LIMIT FOR 10 TOWN ROADS

On motion of Councilman Tiger, seconded by Councilman Sims-Elster the following resolution was

Adopted - vote - ayes 5 nays 0

Resolved to accept the change of speed limits on 10 town roads (*see attached*)

Mr. Baer made a motion to enter Executive Session to discuss a current and a pending litigation at 8:45PM and it was seconded by Councilman Cipkowski. Vote was all ayes.

At 9:30PM, the Board came out of Executive Session. A motion was made by Councilman Sena and seconded by Councilwoman Sims-Elster to return to regular session. Vote was all ayes.

PAY BILLS

On motion of Councilman Tiger, seconded by Councilman Cipkowski, the following resolution was

Adopted - vote - ayes 5 nays 0

Resolved to pay the bills in the following amounts:

| | | |
|---------------|--------------------------|-------------|
| General Fund | Voucher #129,130,144-158 | \$13,451.25 |
| Highway Fund | Voucher #131-143 | \$49,888.95 |
| RJPark Fund | Voucher #RJP14- RJP23 | \$ 1,941.57 |
| Sewer Fund | Voucher #SS41-SS46 | \$ 1,993.46 |
| Street Lights | Voucher #SL7 | \$ 511.20 |

On motion of Councilman Tiger and seconded by Councilman Cipkowski, the meeting was adjourned by Supervisor Baer at 10PM.

Respectfully Submitted,

Vivian deGeorges, Deputy Town Clerk