



TOWN OF HILLSDALE
TOWN BOARD MEETING
July 11, 2023

A regular meeting of the Hillsdale Town Board was held on June 11, 2023 at 7:00 pm in the Hillsdale Town Hall and via Zoom with the following members present:

PRESENT:

Supervisor	Chris Kersten
Councilmember	Steve Tiger
Councilmember	Joanna Virello
Councilmember	Robina Ward
Councilmember	Tom Carty

OTHERS PRESENT: Elizabeth Sheer, Town Clerk, Matt Cabral, Town Attorney, Meg Wormley, Lee Heim, Joe Hanselman, Jr., David Ruede, Mike Dvorchak, Brandon Lentine and other members of the public.

Present via Zoom were, Jonathan DiRocco, Irwin Feld, Bart Zeigler and other members of the public.

The meeting began with the Pledge of Allegiance led by Supervisor Kersten.

Public Comment:

There were no public comments

Resolution #44. Approval of the minutes of the Town Board of June 13, 2023

On a motion by Steve Tiger, seconded by Robina Ward, the Board voted to accept the minutes of June 13, 2023.

Adopted Vote

Aye: 5 Nay: 0

Resolved to accept the Minutes of the June 13, 2023 Town Board Meeting

Supervisor's Report

Recent storms have not resulted in any water damage; however, the Town should revisit the proposed emergency response plan. It might be informed by a plan that was recently adopted by the Town of Copake.

Town Hall renovation project – The response to the contractor’s bid was disappointing. Perhaps rather than put the project out for bid again, a partial plan of doing the roof and gutters and mold remediation could be the focus. Discussion will be held later in the meeting

Bank of Greene County has agreed to raise the interest rate on the Town’s investment account to 3.5% (from 2%)

Roe Jan Park Mowing – There was no evidence of nesting birds. There has been no further information from either Mike Nicosia or Fish & Game.

The COARC building on lower Warren Street was purchased by the County. It will be used for county offices, including the Board of Elections. The project to build offices for the Office of the Aging is on hold.

A 5 town coalition is making some progress on re-opening Copake Rapid Care. A Nurse Practitioner is needed, and the facility needs to make at least 7000 visits per year to break even.

A representative from the VFW requested a donation to purchase a new flag. This cost would be shared among 3 towns, and the Hillsdale share would be \$286.56

Motion to donate for a flag for the VFW

A motion was made by Robina Ward, and seconded by Tom Carty to donate \$286.56 to the VFW to purchase a new flag

Adopted Vote

Aye: 5 Nay: 0

The Board moved donate \$286.56 to the VFW for the purchase of a new flag.

Highway Report – Superintendent Richard Briggs was not in attendance.

Town Clerk’s report

There was one marriage in the past month, and one death. In the dog report, a dog was injured in an accident on Route 22 and required immediate care. The dog was taken to Capital District Veterinary Hospital in New Lebanon. The dog and its owner both recovered from their injuries.

Town Clerk Sheer offered a proposal for upgrading the Town Hall alarm system to remove it from Consolidated. This proposal would move it to a cellular system. The cost would be \$56.90 per month, with an installation fee of \$499.

Motion to accept the proposal for new alarm system for Town Hall

A motion was made by Tom Carty, and seconded by Robina Ward to accept the proposal for a cellular based alarm system for Town Hall

Adopted Vote

Aye: 5 Nay: 0

The Board moved to approve the proposal for new alarm system for Town Hall.

Fire District Report – Joe Hanselman, Jr. reported that there have been 67 calls so far this year.; in July there were calls for downed wires, alarm activations and lift assists.

Tax Collector's Report – Joe Hanselman, Jr. reported that the tax books closed as of June 1. Taxes are 91% collected, of which Hillsdale's share is \$11,594.21

Sewer Report – 9200 gallons were used per day, continuing at 1/3 capacity. The quarterly bills will go out in July. The \$30,000 bond payment is going out on August 1, after which the Board can decide whether to spend the \$10000 needed to clean out the tanks.

Human Resources – Steve Tiger reported that summer staff has been briefed on the Town's policy on harassment

Infrastructure – Robina Ward said that the Department of Transportation has been contacted about repainting the crosswalks. It was repaved two years ago, but not repainted. Silt is being swept off the sidewalks. Dan Levy's property on Route 23 has had gravel put down on the driveway. He has a year to out down aggregate. Lee Heim agreed to speak with him.

Streetlights – Tim Moot sent a proposal for moving streetlights. They can all be moved, with lines run from existing pads to new ones. The cost would be \$20,000 plus construction. The Board agreed to discuss it before the next meeting, to have time to go over the proposal, and the subject will be re-visited in August.

There has been an estimate for the new street sign, which has been sent to the insurance company.

Roe Jan Park Report –Joanna Virello reported that after a visit from the county, at their recommendation, 20 yards of mulch was added. Porta-potties have been installed

Zelda and Bill would like sand on the volleyball court.

New park rules were written, and Joanna received recommendations from the Town Attorney. Councilmember Virello asked that the Board review them, and give thoughts.

Town Supervisor Kersten asked whether the Board was in agreement that the proposed rules are acceptable.

Councilmember Virello said that the non-smoking issue caused concerns.

Town Attorney Cabral said that last year the state passed a non-smoking law in all state parks. Although Roe Jan is not a state park, the state Parks & Rec department would want the non-smoking rule there.

There was discussion about licensed dogs, and children in the dog run.

Attorney Cabral said that the signage does not include enforcement, and suggested a local law to establish rules.

Councilmember Tiger suggested that the rule that states that children should be accompanied by adults be specific about what ages constitute a child, in this case.

Councilmember Virello said that she would contact the Parks Department and run the proposed list of rules by them. After receiving their feedback, the issue can be revisited in August.

Committee Reports – Councilmember Tom Carty reported from the Economic Development Committee that the mural on the supermarket has not been moving forward, principally due to weather and family issues for the artist. There is a promise, however, that it will be done by the end of summer.

Councilmember Virello reported that Kidsdale would not be happening in 2023.

Engineering Report -- Jonathan DiRocco reported on the Town Hall bidding process. There was one bidder, who was turned aside because the application was incomplete, or signed by the applicant, and was submitted with a personal check. In short, it did not fit the formality of the bidding process.

Brandon Lentine, who submitted the bid, said that he only learned of the project at the last meeting and did not have enough time to submit a full application.

The next step, according to Mr. Di Rocco, is that the Town can elect to re-open the bidding process. The alternative is to break the project into smaller pieces, concentrating on the most important issues, namely the roof and gutter repair and mold mitigation.

Mr. di Rocco added that the mold in the basement is a risk and a public bid can be waived if it went above the \$35K threshold.

There were two bids on the roof and gutter project :

Vanguard offered a bid of \$102,380

Paragon offered a bid of \$47,280

CPL offered a quote for mold mitigation at \$80k.

Councilmember Tiger wondered whether the discrepancy in price was odd, and were they based on the same specs.

Jonathan DiRocco said that the higher bid was very high for the project proposed, and that the company that did the lower bid had actually helped CPL do the drawings for the proposal.

He added that if the roof repair is an emergency upgrade, it can be done separately, without having to be bid.

Attorney Cabral said that he would like to take a look at the proposals.

Supervisor Kersten asked whether the Board would be willing to vote on the Paragon roof repair bid.

Motion to vote on accepting Paragon's bid for roof repairs.

A motion was made by Joanna Virello, and seconded by Robina Ward, to accept the Paragon bid for roofing, with the caveat that it first be reviewed by attorney Cabral

Adopted Vote

Aye: 5 Nay: 0

The Board moved to accept the Paragon bid for roof repairs.

Councilmember Ward asked whether paragon/s bid included snow cleats.

Jonathan DiRocco responded that it is in the specs, but not in the proposal.

Brandon Lentine asked whether the contracts are based on the proposals or on the plans and specs.

Jonathan DiRocco said that the contract would be based on the plans and specs

Supervisor Kersten asked whether the Board wanted to consider the renovation as a rolling project, broken down into component pieces.

Attorney Cabral said that the mold mitigation would also hold as an emergency repair. He suggested that CPL come back with one more bid, which Jonathan DiRocco said that he would do.

Lee Heim, Building Inspector, suggested that if the Board elected to do the mold mitigation, the floors need to be done, everything in town Hall needs to be stored while it is going on, and then it would have to be done over again, if the project is broken up.

David Ruede asked whether it was correct that the project was put out to 30 bidders.

Jonathan DiRocco answered that it was put on BidNet, and that one firm responded, but it was too far away for them to be interested.

It was suggested at this point that breaking the project down would ultimately make it more expensive.

Log Cabin

Lee Heim said that the Town Engineer had done an inspection. In the meantime, the property owner passed away. Property taxes were paid in 2022 but not in 2023.

The findings from the engineer were that there was new damage when someone kicked in the side door. There is also another hole in the roof.

Attorney Matt Cabral said that the town had enacted an unsafe buildings and structures law That law allows the Town, upon report, to issue an order served on the property owner and a hearing held before the Town Board before the Town takes further action. The owner has the opportunity to be heard on the issue and allows the town to recover costs. In the engineer's estimation the threat of imminent collapse is not an issue. The doors and windows can be boarded and a construction fence put around the building, This would protect the town from liability.

Councilmember Ward asked who would pay for these measures.

Attorney Cabral said that after the work is done there is the potential for recovering costs. He said that he would search circuit court records for contact with the estate. Simultaneously, the Board should hold a public hearing to go ahead with the engineer's recommendations.

He added that first there will be an order for the estate to fix the problem. The Town should have them appear before the board. When due process has been met, the Board can take action.

Lee Heim suggested that, at a minimum, plywood doors, windows and roof should be put on. He added that a fence is a tangible barrier.

Attorney Cabral said that the Town's obligation is to put the estate on notice and schedule a date for them to appear. The hope is that they will take care of the issues themselves.

Supervisor Kersten said that a public hearing would be held in August.

Real Property Tax Exemptions

Attorney Matt Cabral has drafted Local Laws that enumerate tax exemptions for limited income individuals, disabled persons of limited means, and firefighters and ambulance workers. He said that amendments to exemptions began at the state level, and then came down to the county. Municipalities are undertaking to codify these exemptions. The qualifications are clarified, in that those with an income of \$34,000 or less will be able to claim a 50% deduction. Then on a sliding scale the deductions decrease until at an income of \$42,499 the

deduction would be 5%. Exemptions for emergency workers would be valid regardless of income.

These Local Laws, Attorney Cabral added, should be put down for public hearings in August.

Motion to hold three public hearings in August to pass Local Laws regarding tax exemptions.

A motion was made by Robina Ward, and seconded by Joanna Virello to hold 3 public hearings at the next Town Board meeting, beginning at 6:45

Adopted Vote

Aye: 5 Nay: 0

The Board moved to hold three public hearings at the August Town Board meeting to pass Local Laws regarding tax exemptions

Cyber Insurance

Supervisor Kersten asked for a motion to renew the Town's cyber insurance according to the quote given, which was \$2031 per year for \$1 million policy... The term would run from mid-august 2023 to mid-august 2024.

Motion to appropriate funds to pay for cyber-insurance.

A motion was made by Joanna Virello, and seconded by Steve Tiger, to appropriate \$2031 to pay the premium on the Town's cyber insurance

Adopted Vote

Aye: 5 Nay: 0

The Board moved to appropriate funds to pay for cyber-insurance

Property on Route 23

Town Board members were sent a survey map of a property on Route 23, which the Town may wish to purchase. Attorney Cabral got estimates from two appraisers, one for \$500 and one for \$400. Board members have permission to walk the property. The property would first have to be subdivided. Additionally, there are some liens on it, and there is a preliminary issue by the surrogate court. There would have to be a release to allow for a portion of the property.

Motion to get an appraisal of the property on Route 23

A motion was made by Joanna Virello, and seconded by Steve Tiger, to get an appraisal on the property, with a cap of \$500.

Adopted Vote

Aye: 5 Nay: 0

The Board moved to get an appraisal for a property on Route 23.

Robina offered to set up the appraisal.

PUBLIC COMMENTS

Meg Wormley asked about the property on Route 23 – what was the Town’s aim in purchasing the property? The Town would purchase it for affordable housing, although how that would be accomplished is another issue.

David Ruese asked about the streetlights. He said that it seemed that, from the discussion, all the streetlights would be moved. He had many questions about this. Supervisor said that the engineer would answer these questions.

The Board moved into Executive Session at 8:32.

The Board exited Executive Session at 9:07

Resolution #45 – Abstract dated June 16, 2023. The Board has approved the abstracts of the following:

General	\$16,715.72
Highway	\$11168,188.10
Sewer	\$1089.90
Parks	\$520
Lighting	\$0.0
Capital Fund	\$0.0

Motion to adjourn.

A motion to adjourn was made by Steve Tiger, and seconded by Joanna Virello

Adopted Vote

Aye: 5 Nay: 0

The Board moved to adjourn at 9:08

The next town Board meeting will take place at 7 PM on August 14, 2023, with four public hearings beforehand, beginning at 6:30