

TOWN BOARD MEETING

MONDAY, AUGUST 2, 2021

A regular meeting of the Town Board was held Monday, August 2, 2021 in Town Hall, Bull Road, Campbell Hall, NY.

Those members present were: Supervisor Robert S. Jankowski, Councilman Marcus A. Horrego, Councilman James M. Lord, and Councilman Richard M. Cocchiara.

Other Officials present were: Town Clerk Christine Durante and Town Attorney, David A. Donovan.

Supervisor Jankowski called the regular meeting to order at 7:03 p.m. with the salute to the flag.

MOTION offered by Supervisor Jankowski, seconded by Councilman Horrego, to accept reports of officers as submitted. Motion carried with all voting in favor.

Supervisor's Report

June Receipts	- \$191,897.26	July Receipts	- \$345,854.94
Disbursements	- 221,271.17	Disbursements	- 179,036.20

PUBLIC COMMENT

Dan Lovullo, Day Road, inquired about a lower speed limit on State Route 207 from Day Road to Otter Road.
Dave Wilde, Overlook Drive, stated he is in support of the Town adopting a noise ordinance.
James Sutter, Hamptonburgh Road, stated he is also in support of the Town adopting a noise ordinance.

BUSINESS

Use of Town Roads – Tour de Goshen

MOTION offered by Supervisor Jankowski, seconded by Councilman Lord, to authorize Joe Fix Its to utilize Town roads for the Annual Tour de Goshen on Sunday, August 22, 2021. Motion carried with all voting in favor.

Financial – BAN #4-21

#48 – The following resolution was offered by Supervisor Jankowski, and seconded by Councilman Horrego:

A RESOLUTION PROVIDING FOR PAYMENT FOR THE FOLLOWING Refinance Purchase of Highway Equipment

WHEREAS, the Town Board of the Town of Hamptonburgh, County of Orange, State of New York, has heretofore duly approved the purchase of one (1) New Case 621G Wheel Loader, totaling \$152,067.71, and

WHEREAS, Bond Anticipation Note 5, 2018 annexed hereto and made part of this Resolution, has matured and has or will be reduced to the sum of \$60,825.71; and

WHEREAS, the Town Board hereby authorizes the preparation of a Bond Anticipation Note in the sum of \$60,825.71 for the purpose of refinancing the debt owed on the aforesaid item, and

NOW THEREFORE BE IT ORDERED, by the Town Board of the Town of Hamptonburgh, County of Orange, State of New York as follows:

1. That the Supervisor of the Town of Hamptonburgh be authorized to make, execute and deliver, a Bond Anticipation Note on behalf of the Town to Bank of Greene County, P.O. Box 470, Catskill, New York 12414, in the sum of \$60,825.71 which Bond Anticipation Note is issued in anticipation of Bonds to be issued for the purpose of refinancing the debt owed on said highway equipment, which Bond Anticipation Note shall be in the following form:

BOND ANTICIPATION NOTE
UNITED STATES OF AMERICA
COUNTY OF ORANGE
TOWN OF HAMPTONBURGH

BOND ANTICIPATION NOTE, 2021
No. 4

Financial – BAN #4-21 cont'd.

The Town Board of the Town of Hamptonburgh, a municipality of the State of New York, (herein called the "Obligor") hereby acknowledges itself indebted and for value received promises to pay to the bearer of this Note, or if it be registered, to the registered holder, the sum of \$60,825.71 on the 10th day of August, 2022, together with interest from August 10, 2021, at the rate of 1.85 per centum per annum, payable at maturity. Both principal of and interest on this Note will be paid in lawful money of the United States of America at Bank of Greene County, P.O. Box 470, Catskill, New York 12414. The faith and credit of the Obligor are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Note according to its terms.

It is certified and recited that all conditions, acts and requirements imposed by the Constitution and the statutes of the State of New York which have had to have happened or had to have been performed prior to the issuance of this Note, exists, have happened, and have been performed, and that this Note, together with all indebtedness of the Obligor is within every debt and other limit prescribed by the Constitution and laws of this State.

IN WITNESS WHEREOF, the Obligor, in accordance with the proceedings authorizing this Note, has caused this Note to be signed and its corporate seal to be hereunto affixed and attested as appears below, and this Note to be dated as of the 8th day of August 2019.

TOWN OF HAMPTONBURGH, COUNTY OF ORANGE
STATE OF NEW YORK

By: _____
Robert S. Jankowski, Supervisor

ATTEST:

Christine Durante, Town Clerk

2. The period of probable usefulness of the vehicles and equipment for which the aforesaid bond is to be issued pursuant to the Local Finance Law is hereby determined to be (15) years.
3. It is hereby determined that the proposed maturity of the obligations authorized hereby will not be in excess of five (5) years.
4. The faith and credit of the Town of Hamptonburgh, County of Orange, State of New York is pledged to the payment of the principal and interest of the said Bond when due.
5. The Town of Hamptonburgh, County of Orange, State of New York, is hereby authorized and directed to sell such bonds at a private sale in accordance with the provisions of the Local Finance Law.
6. An annual appropriation shall be made in each year sufficient to pay the principal and interest on the bonds, in anticipation of which this Bond Anticipation Note is approved, as the same becomes due each year.
7. This resolution shall take effect immediately.

Roll Call:

Councilman Horrego – aye

Councilman Lord – aye

Councilman Cocchiara – aye

Councilman Willems – absent

Supervisor Jankowski – aye Resolution carried.

Financial – Refund of Engineering Escrow

#49 – The following resolution was offered by Supervisor Jankowski, and seconded by Councilman Cocchiara:

WHEREAS, escrow funds were deposited with the Town by the following applicants to serve as reimbursement of consultant review fees incurred by the Town, and

WHEREAS, all consulting review expenses incurred by the Town on behalf of the applicants have been reimbursed,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Hamptonburgh hereby authorizes release of the unexpended balance held in escrow for the following projects in the amount stipulated:

Do It Best Corp.	Site Plan review	\$ 1,384.00
Ramapo Rescue Dog Foundation	Const. Observation/SWPP	9,700.50

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Migand Holdings, LLC/Zario	Site Plan	1,496.00
Melissa Gorman	SDS	2,164.00

Roll Call:

Councilman Horrego – aye

Councilman Lord – aye

Councilman Cocchiara – aye

Councilman Willems – absent

Supervisor Jankowski – aye Resolution carried.

Financial – Audit of Monthly Bills

#50 – The following resolution was offered by Supervisor Jankowski, and seconded by Councilman Lord:

RESOLVED to transfer the following funds:

Amount	From	To
\$ 1,590.41	B 1990.4, Contingent	B 7020.4, Parks & Rec
\$250,000.00	B 9901.9, Interfund Transfer	DB 5031, Interfund Transfer

Roll Call:

Councilman Horrego – aye

Councilman Lord – aye

Councilman Cocchiara – aye

Councilman Willems – absent

Supervisor Jankowski – aye Resolution carried.

#51 – The following resolution was offered by Supervisor Jankowski, and seconded by Councilman Lord:

RESOLVED to authorize payment from Escrow as follows:

\$2,258.00	Lanc & Tully, PC	Account T233
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Roll Call:

Councilman Horrego – aye

Councilman Lord – aye

Councilman Cocchiara – aye

Councilman Willems – absent

Supervisor Jankowski – aye Resolution carried.

#52 – The following resolution was offered by Supervisor Jankowski, and seconded by Councilman Cocchiara:

RESOLVED to authorize payment from Escrow, Account TE 9089, in the amount of \$468.04.

Roll Call:

Councilman Horrego – aye

Councilman Lord – aye

Councilman Cocchiara – aye

Councilman Willems – absent

Supervisor Jankowski – aye Resolution carried.

MOTION offered by Supervisor Jankowski, seconded by Councilman Cocchiara, to pay bills received as audited. Motion carried with all voting in favor.

Claim #362 - 412

General A - \$ 20,265.97

General B - 6,225.62

Highway DA - 3,855.47

Highway DB - 40,393.05

T229 - 651.16

Claim #30 - 32

Rural Ridge Water District - 2,922.34

Claim #29 - 31

Windsor Estates Sewer District - 4,288.82

Claim #22-23

Health Reimbursement - 468.04

Financial – Audit of Monthly Bills cont’d.

Claim #9	
Trust & Agency	- 2,258.00
Claim #7	
Campbell Hall Light District	- 743.34

Personnel – Conference Attendance

MOTION offered by Supervisor Jankowski, seconded by Councilman Horrego, to authorize the Highway Superintendent and Foreman, Michael Babb, to attend the Fall Conference in Saratoga, N.Y. from September 28th to October 1, 2021, at a cost not to exceed \$1,300. Motion carried with all voting in favor.

Proposed Local Law #2-2021 - Opt Out Cannabis Law

Supervisor Jankowski introduced proposed local law #2-2021 as follows:

A Local Law adopted pursuant to Cannabis Law Section 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Town of Hamptonburgh.

Be it enacted by the Town Board of the Town of Hamptonburgh as follows:

Section 1. Purpose

It is the intent of this local law to opt the Town of Hamptonburgh out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law Section 131, which expressly authorizes cities, Towns and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

The Town Board of the Town of Hamptonburgh, County of Orange, hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law Section 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or referendum has been conducted approving this local law.

MOTION offered by Supervisor Jankowski, seconded by Councilman Horrego, to schedule a public hearing on Wednesday, September 1, 2021 at 7:00 p.m., or as soon thereafter as the matter can be heard, for consideration of proposed local law #2-2021. Motion carried with all voting in favor.

Noise Ordinance

MOTION offered by Councilman Cocchiara, seconded by Supervisor Jankowski, to authorize the Town Attorney to prepare a local law adopting a Town wide noise ordinance. Motion carried with all voting in favor.

MOTION offered by Supervisor Jankowski, seconded by Councilman Horrego, to adjourn the Town Board meeting at 7:31 p.m. Motion carried with all voting in favor.