

Town of Ashland
12094 State Route 23
Ashland, New York 12407
Town Board Meeting
October 14, 2024

Attendance:

Supervisor Richard E Tompkins

Councilperson Scott Tuttle

Councilperson Jeff Gonzalez

Councilperson James Garraghan

Councilperson John Mattice

Town Clerk Dawn Thorp

Absent: Highway Superintendent Larry Tompkins

Attending: Ryan Pezzulo AAL, Heather Younes, Bruce Utter, Sobhan Moloney, Joseph Clark, Dillion Rion, Keith C Hall, Doug Van Deusen-Sr. Project Manager of Lamont, Barbara Cooke-Planning Board Co Chair, Tal Rappleyea- Town Attorney.

1&6] Supervisor Tompkins opened the public hearing meetings at 7:45pm with the Pledge to the American flag.

Town of Ashland, Greene County, New York Public Notice: Hearing on Joe Clark -TM # 77.04-1-11 at 115 North Settlement Rd., Ashland, NY Public Hearing is for a proposed variance on a septic that only has 10 feet from property line. Proposed project does not meet the Structure Ordinance in the town of Ashland. Notice is hereby given; that the public hearing will be held by Ashland Town Board at 12094 State Route 23, Ashland NY on October 14, 2024 at 7:30pm. Said hearing shall give towns and residents an opportunity to notify the landowner of concerns related to the proposed project. All persons interested in this matter will be heard at such time, date, and place. Specified. By Order of the Town Board, Heather Younes, Deputy Town Clerk-Dated: October 2, 2024

Tal Rappleyea -Doug Van Deusen – Mr. Utter and the parties involved with this project had discussed prior to the meeting, options available for this septic project. Tal explained the original plans to the side, moving it as far back as they can. Doug agreed, it will meet DOH and comply with DEP deeper in the property. It is away from the well on the property.

2-3] Close Public Hearing: Motion by Councilperson Jim Garraghan, seconded by Councilperson John Mattice to close this public hearing and move to the second public hearing at 7:54 – motion carried.

Notice is Hereby Given: A Public Hearing will be held to consider a proposed variance for a septic regarding setback in the Town of Ashland. The proposed variance of a septic system is for Mr. Wm. Bonacci of Deer run Road, Town of Ashland, Tap Map# 76.00-2-23. Mr. Bonacci is asking for 30 feet on the Northern boundary and 23 feet on the westerly Boundary. The hearing will be scheduled for October 14th, 2024 – 7:30PM at the Town Hall 12094 State Route 23, Ashland, New York. All parties will be heard at that time. By Order of the Town Board, Dawn Thorp, Town Clerk- Dated September 17, 2024.

Mr. Bonacci brought his architectural plans to the meeting with his mailings to neighboring property owners, for the Town Clerk. He is looking to build a new house and septic, he has the DEP approved documents- which were reviewed by the board, discussion was regarding the topography and elevation and location of well and footage.

4-5] A motion to close the public hearing at 8:05 pm, start the regular Town Board meeting at by Councilperson Jeff Gonzalez, seconded by Jim Garraghan, motion carried.

7] Comments or Concerns: Supervisor Tompkins asked if there are comments from the floor, there were none.

The Town Attorney Tal Rappleyea stated the 5 standards for zoning determination in the process we do not have zoning, but this is in Town Law 267B which has 5 options that could help when considering a variance.

Supervisor Tompkins asked the Board their thoughts on the Clark proposed variance at 115 North Settlement Road. Councilman John Mattice asked if they owned the adjacent property next to this property as stated at the prior meeting. Joseph Clark owns it, but Ms. Moloney does not. Supervisor Tompkins said that the object is to move the septic back as far as they can, he said we need exact footage for our variance. The Town Engineer will process the designs and footage. Supervisor Tompkins asked the board what they wanted to do.

A motion by Councilperson James Garraghan, seconded by Councilperson Jeff Gonzalez – to approve the septic with moving it back from original design. Roll call: Tuttle Nay, John Mattice Nay, Jim Garraghan Aye, Jeff Gonzalez Aye, Supervisor Tompkins Aye, motion: Adopted: 3 Aye 2 Nay

Mr. Bonacci's request for a variance. Motion by Councilperson John Mattice, seconded by Jim Garraghan to approve the variance- motion; Adopted: 5 Aye Tompkins, Gonzalez, Garraghan, Mattice, Tuttle

8] Update on Nancy Partridge: Sign with damage to the base. The Sign and flower bed were measured, it is not the correct distance from the center of the road required as per the Town Attorney. It is not twenty-five feet from the center of the road. This is not the responsibility of the town to repair it. The discussion of the culvert which has a portion of a garage building built on the pipe- built prior to building ordinances, codes, or laws. The options available to the Board and discussion with the town engineer the receiving end of the pipe 3 ½ feet, the discharge end 4 feet, no decision has been made at this time, further studies and options need to be made.

9] Agreement for the Expenditure of Highway Monies for 2025: the board reviewed and signed the agreement.

10] LVDV Operations Inc: O & M Contract Amendment 10: Motion made by Councilperson James Garraghan seconded by Councilperson Jeff Gonzalez to approve the agreement; motion; Adopted: Aye 5 Tuttle, Tompkins, Gonzalez, Garraghan, Mattice 0 Nay.

11] Review of the proposed 2025 budget of WWTP: The Board reviewed and approved.

12] Review of Proposed Increase in current mowing rates: This was discussed and amounts considered.

13] Town Board Resolutions 43-50

TB #43 Certificates of Deposits: Motion by Councilperson Scott Tuttle, seconded by Councilperson Jeff Gonzalez, to authorize Supervisor Tompkins to use sums of money from different accounts to invest in Certificates of Deposits, the funds with amounts attached to sealed Resolution, Motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins Nay- 0

TB #44 Balance accounts 2024 Highway Fund: Motion by Councilperson Scott Tuttle, seconded By Councilperson John Mattice to authorize Supervisor Tompkins to use the sum of \$9,447.11 of unappropriated Fund Balance to balance 2024 Highway fund, motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins- Nay- 0

TB#45 Balance Accounts 2024 Ambulance District Fund: Motion by Councilperson James Garraghan, seconded By Councilperson Jeff Gonzalez to authorize Supervisor Tompkins to use the sum of \$3,267.91 of unappropriated Fund Balance to balance 2024 Ambulance District Fund, motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins- Nay- 0

TB#46 Balance accounts 2024 General Fund: Motion by Councilperson James Garraghan, seconded By Councilperson Jeff Gonzalez to authorize Supervisor Tompkins to use the sum of \$26,138.25 of unappropriated Fund Balance to balance 2024 General Fund, motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins- Nay- 0

TB#47: Balance accounts 2024 Water District Fund: Motion by Councilperson Jeff Gonzalez, seconded By Councilperson James Garraghan to authorize Supervisor Tompkins to use the sum of \$8,372.96 of unappropriated Fund Balance to balance 2024 Water District Fund, motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

TB #48: Balance accounts in 2024 Sewer District Fund: Motion by Councilperson John Mattice, seconded By Councilperson James Garraghan to authorize Supervisor Tompkins to use the sum of \$7,310.06 of unappropriated Fund Balance to balance 2024 Sewer District Fund, motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

TB#49: Reimbursement to Water Usage Account: Motion by Councilperson Jeff Gonzalez, seconded By Councilperson James Garraghan to authorize Supervisor Tompkins to use the sum of \$78,103.00 to reimburse the Water Usage Fund for bills of the water extension project, funds are ARPA funds which were qualified for the project, motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins- Nay- 0

TB #50: Local Law #1 of 2024 Override tax re-levy limit: Motion by Councilperson Jeff Gonzalez, seconded by Councilperson James Garraghan, to authorize the local law overriding tax cap Municipal law s3c, and file with the Secretary of State. Motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

14] General Fund Resolution #11 of 2024: Motion by Councilperson Scott Tuttle, seconded by Councilperson John Mattice to authorize Supervisor Tompkins to use the sum of \$26,138.25 to balance General Fund accounts, attached to sealed resolution- motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins- Nay- 0

15] Highway Resolution #5 of 2024: Motion by Councilperson Scott Tuttle, seconded by Councilperson John Mattice, to authorize Supervisor Tompkins to balance accounts in the sum of \$9,447.11, to balance accounts, accounts attached to sealed resolution. Motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

16]Sewer District Resolution# 8 or 2024: Motion by Councilperson James Garraghan, seconded by Councilperson Jeff Gonzalez, to authorize Supervisor Tompkins to balance Sewer District accounts in the sum of \$7,310.06, to balance accounts, accounts attached to sealed resolution. Motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

17] Water District Resolution #8 of 2024: Motion by Councilperson James Garrahan, seconded by Councilperson Jeff Gonzalez, to authorize Supervisor Tompkins to balance accounts in the sum of \$7,310.06, to balance accounts, accounts attached to sealed resolution. Motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

18]Ambulance District Resolution # 6 of 2024: Motion by Councilperson James Garraghan, seconded by Councilperson Scott Tuttle, to authorize Supervisor Tompkins to balance accounts in the sum of \$3,267.91, to balance accounts, motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

19] Paid Time off: The Board discussed time off for full time employees, they take off without pay, with their personal and vacation time used, full time employees need to contact their supervisors a week prior to if taking a day off- as work is scheduled ahead causing delays in progress. Being full time employees, they receive benefits at full time status. The board recognizes emergencies, but Councilperson Scott Tuttle and Councilperson John Mattice will have a meeting with them.

20] Ambulance fees Reports: The board reviewed the report, and signed.

21] Town Clerk's September 2024 Report: Motion by Councilperson Scott Tuttle, seconded by Councilperson James Garraghan to authorize the Supervisor to sign the Town Clerk's report for September 2024, motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

22] Assessor's Office Update: Nancy Bower reported approximately 581 residential single-family properties, are 38% complete- value and inventory. 12 state land parcels are 100% complete.

23] Invitation to the Greene County Honor a Veteran- read for information by the board.

Budget 2025: The Board discussed and reviewed several line items in preparation of the 2025 budget.

For the Town Board's Review:

Water District reports, WWTP reports, Planning Board Minutes, Town Board minutes

Pay Warrants:

General Warrant #10- 33 Claims \$16,895.23, Highway Warrant #10- 22 Claims \$16,169.95

Streetlight Warrant #10- 2 Claims \$304.38, Ashland Water Warrant #10- 13 Claims \$87,475.62

Ashland Ambulance Warrant #10- 12 Claims \$ 5,115.16, WWTP Warrant #10- 17 Claims \$42,734.67

Motion to pay bills as written by Councilperson Scott Tuttle, seconded by Councilperson John Mattice motion; Adopted: 5 Aye- Mattice, Garraghan, Tuttle, Gonzalez, Tompkins-Nay- 0

With no further business Motion by Councilperson Jeff Gonzalez, seconded by Councilperson James Garraghan to close at 9:52pm all in favor, motion carried.

For the Town Board,

Dawn Thorp, Town Clerk

Dated: October 11, 2024