

TOWN OF CLAVERACK

REGULAR MONTHLY MEETING

July 14, 2008

The Regular Monthly Meeting of the Town Board of the Town of Claverack, Columbia County, New York, was held at the Town Hall, Rte. #217, Mellenville, New York Meeting called to order at 6:30 p.m. by Supervisor James W. Keegan. A motion to go into Executive Session to discuss proposed acquisition, sale or lease of real property was made by Councilman Blaauw, seconded by Councilman Van Deusen. Carried.

Motion by Councilman Blaauw, seconded by Councilman Weigelt to go out of Executive Session at 7:00 p.m. Carried.

Meeting continued at 7:00 p.m. with Supervisor Keegan leading in the Pledge of Allegiance to the Flag.

Present:

James W. Keegan	Supervisor
James Van Deusen	Councilman
William L. Blaauw	Councilman
Clifford Weigelt	Councilman
Robert Fitzsimmons, Esq.	Attorney for the Town
Mary J. Hoose	Town Clerk

Absent:

Michael Johnston	Councilman
Louis LaMont	Superintendent of Highways

Motion by Councilman Blaauw, seconded by Councilman Van Deusen to accept minutes of previous meeting of June 09, 2008. Carried.

Meeting opened to public:

Jennifer Post – Requested a monthly report from County Board of Supervisors, so Town residents can keep up on what there is going on at the County level.

Cyndy Hall – Read letter and gave same to Town Clerk. Wants Town again to consider purchasing the Claverack School when lease runs out next year. Would like committee formed. Asked for update on acquisition of former Ockawamick School by County. At this time, County is moving forward with plans to purchase property.

George Rodenhausen – Also suggested purchase of former Claverack School property. Liked idea of Committee looking into this. New Comprehensive Plan did not consider use of this building. Would like many people involved in considering the use of this building. Wants Town to go through public process before making a decision.

Joan Steiner – Agrees with Mr. Rodenhausen. Has heard about Town getting land from County if/when former Ockawamick School is purchased. Wants use of Claverack School explored.

George Rodenhausen - Questioned Executive Session at beginning of meeting.

Howard Brandston – Has heard rumors also. Use of Claverack School building is addressed in his “vision statement”. There is a meeting on August 02, 2008, 10:00 a.m. at the A. B. Shaw firehouse to discuss the “vision statement”.

Irene Kiernan – Heard about eliminating traffic light at Routes 9-H and #23 and putting in a round-about. This was a consideration in the “Vision statement”.

REPORT OF SUPERINTENDENT OF HIGHWAYS – In absence of Mr. LaMont, Councilman Blaauw made the report. Stabilized and built bank out on Carpenter Road where it was sliding away – patched road and will be installing guard rails. Grading dirt roads in all zones – sweeping roads and getting ready for chip-sealing. Mowing roadsides in all zones and cold patching roads in all zones. Bathrooms painted in Town Park. Mowing and trimming al Town facilities and Town Parks.

COMMITTEE REPORTS

ZBA – Councilman Weigelt – Working on Comprehensive Plan changes, which will take much time, but will continue to move forward.

No further Committee reports.

Building Inspector’s Report for June received and on file in Town Office for review.

Dog Control Officer's Report for June received and on file in Town Office for review.

Interviews were held for the position of Personnel and Deputy Town Clerk. Motion by Councilman Van Deusen, seconded by Councilman Weigelt to appoint Michelle Fuchs to position, beginning July 28, 2008. Carried.

Resignation from ZBA by Steven Harder received – Read by Supervisor Keegan. Motion by Councilman Blaauw, seconded by Councilman Van Deusen to accept with regrets. Town Clerk will write letter.

CORRESPONDENCE

Letter from Donna M. Smith regarding County's plan to purchase former Ockawamick School.

Letter from Marcus J. Molinaro regarding Greenway.

No further correspondence.

Attorney Fitzsimmons spoke with Bond Consul regarding inter-fund advance pursuant to the New York General Municipal Law section 9-A. Motion by Councilman Blaauw, seconded by Councilman Weigelt for Resolution approving same. Carried.

Motion by Councilman Van Deusen, seconded by Councilman Blaauw to go into Executive Session at 7:35 p.m. to discuss legal matters relating to Claverack Water District #1.

Motion by Councilman Blaauw, seconded by Councilman Weigelt to go out of Executive Session at 8:15 p.m.

General A Fund bills, totaling \$35,721.24, were audited and ordered paid from their accounts.

General B Fund bills, totaling \$4,786.77, were audited and ordered paid from their accounts.

Highway bills, totaling \$60,171.88, were audited and ordered paid from their accounts.

Water District bills, totaling \$71,088.47, were audited and ordered paid from their account.

There being no further business to be brought before the Board, on motion by Councilman Blaauw, seconded by Councilman Weigelt, meeting adjourned at 8:55 p.m.

Date: 08/11/2008

Supervisor: _____

Councilman Van Deusen: _____

Councilman Blaauw: _____

Councilman Weigelt: _____

Town Clerk: _____

TOWN OF CLAVERACK

Resolution -#32

July 14, 2008

At the Regular Monthly Meeting of the Town Board of the Town of Claverack, Columbia County, New York, held at the Town Hall Rte. #217, Mellenville, New York, duly called and held on the 14th day of July 2008, the following Resolution was proposed and seconded:

Resolution by: William L. Blaauw **:**

Seconded by: Clifford Weigelt **:**

WHEREAS, The Town Board of the Town of Claverack, Columbia County, New York, operates the Claverack Water District No. 1, and

WHEREAS, Claverack Water District No. 1 has a need to obtain an amount of \$100,000.00 for expenses of the district, and the Town has determined that rather than finance said needs from outside sources, the Town desires to make an inter-fund advance pursuant to the New York General Municipal Law, section 9-a to the Claverack Water District No. 1 to, to be repaid with interest over a five year period, and

NOW, THEREFORE, IT IS RESOLVED, THAT THE Town of Claverack shall make an inter-fund advance of funds in the amount of \$100,000.00 to the Claverack Water District No. 1 to be repaid annually over a term of five years with interest at a rate of 4.00% by said water district to the Town.

Upon question of the foregoing Resolution, the following Town Board Members voted "Aye" in favor of said Resolution:

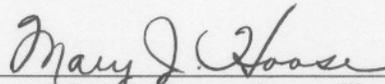
James W. Keegan
James Van Deusen
William L. Blaauw
Clifford Weigelt

The following Town Board Members voted "No" in opposition thereto:

"None"

The Resolution and Order having been approved by a majority of the Town Board, the same was declared duly adopted by the Supervisor of the Town of Claverack.

Dated: July 14, 2008



Mary J. Hoose, Town Clerk
Town of Claverack

Westlaw.

McKinney's GeneralMunicipal Law § 9-a

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Effective:[See Text Amendments]

McKinney's Consolidated Laws of New York Annotated Currentness

GeneralMunicipal Law (Refs & Annos)

Chapter 24. Of the Consolidated Laws

Article 2. GeneralMunicipal Finances (Refs & Annos)

→ § 9-a. Inter-fund advances

1. Definitions. As used in this section, the following terms shall have the following meanings:

(a) "Fund" shall mean a group of accounts set aside for the purpose of accounting for moneys or other resources of a municipal corporation in accordance with the uniform system of accounts prescribed by the state comptroller pursuant to section thirty-six of this chapter and shall include funds established for special improvement districts and other funds containing moneys which, if raised by taxes, special ad valorem levies or special assessments, would be raised by taxes, special ad valorem levies or special assessments levied on property in less than the entire area of the municipal corporation.

(b) "Moneys" shall mean moneys of the municipal corporation raised or received from any source which are held in the custody of the chief fiscal officer of the municipal corporation and are not immediately required for the purpose for which they were raised or received, except proceeds from the sale of obligations or other moneys which, by law, may be used only for stated purposes.

(c) "Chief fiscal officer" shall mean chief fiscal officer as defined in paragraph five of section 2.00 of the local finance law.

2. A **municipal** corporation may temporarily **advance** moneys held in any fund to any other fund of the **municipal** corporation. Any such temporary **advance** shall be authorized in the same manner as prescribed by **general**, special or local law for making budgetary transfers between appropriations. Suitable records shall be kept of each temporary **advance**.

3. Moneys temporarily **advanced** pursuant to this section shall be repaid to the fund from which they were **advanced** as soon as available but in no event later than the close of the fiscal year in which the **advance** was made. If moneys from a fund which, if raised by taxes, special ad valorem levies or special assessments, would be raised from taxes, ad valorem levies or special assessments on a different base of properties than those for which taxes, ad valorem levies or special assessments would be raised for the fund to which the **advance** is made, the repayment shall include an amount reasonably estimated to be the additional amount that would have been earned on the investment of moneys in the fund making the **advance** had the **advance** not been made.

CREDIT(S)

(Added L.1989, c. 195, § 1.)

HISTORICAL AND STATUTORY NOTES

2007 Main Volume

Former Sections

A former § 9-a, added by L.1933, c. 637, § 1 and amended by L.1943, c. 75, § 3, related to issuance of bonds to meet temporary emergencies. See Local Finance Law §§ 10.00, 11.00, 20.00, and 56.00 to 61.00.

CROSS REFERENCES

Chief fiscal officer, defined, see Local Finance Law § 2.00.

LIBRARY REFERENCES

2007 Main Volume

Municipal Corporations  888.
Westlaw Topic No. 268.
C.J.S. **Municipal Corporations** § 1625.

RESEARCH REFERENCES

2008 Electronic Update

Encyclopedias

NY Jur. 2d, Counties, Towns, & **Municipal Corp.** § 1560, Inter-Fund **Advances**.

NOTES OF DECISIONS

School funds 1

1. School funds

The moneys of a city with one hundred twenty-five thousand inhabitants or more and the moneys of the city school district of such a city may be commingled in one or more bank accounts, but while city moneys may be temporarily **advanced** to the school fund, school district moneys may not be temporarily **advanced** to finance city operations. Op.State Compt. 98-12.

McKinney's **GeneralMunicipal** Law § 9-a, NY GEN MUN § 9-a
Current through L.2008, chapters 1 to 117.

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