

**THE TOWN OF MAMAKATING TOWN BOARD MEETING HELD ON TUESDAY, JULY 18, 2023 AT 6:00 P.M. AT 2948 ROUTE 209, WURTSBORO, N.Y. AND VIA ZOOM.**

**Present:** Peter Goodman – Councilman  
Gary Forthoffer – Councilman  
Matthew Mordas - Councilman  
Tyler Wood – Councilman  
James Post - Councilman  
J. Benjamin Gailey- Attorney for the Town  
Jean M. Dougherty- Town Clerk

**Also present:** Thomas Morrow – Highway Superintendent  
Kerron Barnes – Interagency Coordinator  
Jackie Broder – Director MEEC

**Absent:** Michael Robbins- Supervisor  
John Rufer, Jr. – Deputy Supervisor - Councilman

**Worksession Items for Discussion**

1. Public Hearing for Charter Communications Agreement
2. Letter of Support for Village of Wurtsboro Water Grant
3. Summer Camp Positions
4. Clean Path Power Line Intervenor Funds
5. DASNY grant commitment letter

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

- The July 18, 2023 meeting was called to order with the pledge to the flag.

**PUBLIC HEARING - Charter Communications Agreement**

A motion was made by T. Wood, seconded by M. Mordas to open the Public Hearing. All in favor.

Public Comment

- C. Leser stated that he felt Spectrum was a monopoly and we had no choice of vendors.
- D. Lybolt asked if this was the one that funds the Town

There being no further comments, a motion was made by T. Wood, seconded by G. Forthoffer. All in favor. Public Hearing closed.

## HIGHWAY SUPERINTENDENT'S REPORT

- Mowing town wide continues.
- We are also going down our list of issues throughout the town, fixing pot holes and cleaning ditches is an everyday event. If you have reported an issue it is written down and will get addressed as time allows.
- Today we installed the last big pipe on Nashopa road, after we have all the cross cuts that are settling we will be all prepped for the repaving of Pleasant Valley, Nashopa, Budd, and Red hill, just working with our vendor on scheduling dates.
  - I would like to note here that without the annual state funding this department would not be able to repave nearly half of the roads mentioned above, and certainly would leave us with no monies to accomplish smaller repairs. I must decide on what roads get what kind of treatment based on several factors the most important of which are: how bad the road is, how many people live on the road, and how busy the road is.
  - I would like to add, that while over the years there has been much work done on our town roads, there are still a staggering amount of roads that are in very poor condition. As stated before I need to make decisions based on the above factors, and with any luck we will be able to preserve these newer roads so we can concentrate on getting to all the roads that need repair rather than just band aiding them every year. I am asking for your patients as this is NOT a quick process. A proper road maintenance program takes years to come to full fruition.
- In light of all the recent rains occurring I would like to insure the everyone that we are getting to water runoff, and ditching issues as quick as possible. To be blunt however, if residents live below a road, on the bottom of a hill or mountain, or in a marshy area, we can only do so much to alleviate water runoff onto their properties. Our goal is to keep water off the roads and into the prescribed ditches. Water leaving our ditches and going into properties is something we try to fix as soon as we can. However, the highway department is not responsible for a low-lying property taking water naturally, even if it comes from near a roadway.
- Lastly, with all the rain we have seen a significant uptick in fallen trees. We will promptly respond to any trees down on the road and clean them up, HOWEVER we will not touch any tree that is in wires. O&R has done exceptionally well with their response the last few years and I commend them. Spectrum has been a bit more difficult to work with as I have been told on several occasions that they will not come and remove trees from wires. Thankfully with some help from our O&R rep I was able to speak to an engineer from spectrum that states otherwise and I am working on building a relationship with them so we can count on them to remove the downed or low hanging trees from their wires. Again, once on the ground or free from wires this department aims to clean up and reopen any road as soon as possible.

**SUPERVISOR'S REPORT reported by P. Goodman**

- WBOT Founders Day Street Fair went very well
- Talked about the recent fire at the Homowack Lodge and thanked all the Fire Companies and EMS
- The Community Shredding Event will be held on Saturday, July 29<sup>th</sup> from 10:00 a.m. – 1:00 p.m. At the Town Hall free to residents.

**ABSTRACTS**

A motion was made by T. Wood, seconded by G. Forthoffer to approve the following abstract as presented: Abstract #13 (Voucher #20231077-20231203) in the amount of \$220,300.63. All in favor.

**FINANCIAL REPORTS**

A motion was made by T. Wood, seconded by M. Mordas to acknowledge the receipt of the Expenditures, Encumbrances & Appropriations Report, Revenues & Expenditures Report. All in favor.

**MINUTES**

A motion was made by T. Wood, seconded by G. Forthoffer to accept the Minutes of June 29, 2023. 5 ayes, 0 nays, 1 abstention (M. Mordas).

**RESOLUTIONS**

In the Matter of the Granting of a Cable Television Franchise Held by **Spectrum Northeast, LLC** in the **Town of Mamakating, County of Sullivan**, New York

**RESOLUTION**

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An application has been duly made to the Board of the **Town of Mamakating, County of Sullivan**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Mamakating, New York on July 18, 2023 at 6:00\_ P.M. and notice of the hearing was published in the Sullivan County Democrat on July 11, 2023.

**NOW, THEREFORE**, the Board of the Town of Mamakating finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the **Town of Mamakating** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Town of Mamakating** for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

**BE IT FURTHER RESOLVED** that the Board of the **Town of Mamakating** hereby confirms acceptance of this franchise renewal agreement.

The foregoing having received 4 ayes and 1 nay (J. Post) vote was thereby declared adopted.

- A motion was made by M. Mordas, seconded by G. Forthoffer approve a Letter of Support for Village of Wurtsboro Water Grant. All in favor.
- A motion to approve the Summer Camp Positions was made by T. Wood and seconded by G. Forthoffer. All in favor.
- A motion was made by M. Mordas, seconded by T. Wood to approve request to Public Service Commissioner for Intervenor Funds regarding proposed Clean Path Power Line. All in favor.
- Whereas, The Town of Mamakating has applied for and expects to receive a grant of \$125,000 under the NY State and Municipal Assistance Program (SAM) for an addition to and improvements within the NY State Police Barracks, and  
Whereas, the Dormitory Authority of NY(DASNY) requires that the town commit to completing the project with local funding sources if necessary, and  
Whereas, the town has received the project engineer's cost estimate which exceeds the grant amount,  
Now, therefore, be it Resolved that the Town of Mamakating does hereby commit to providing local funds as necessary to supplement the SAM grant to complete the scope of work as described in the grant application.  
Approved by the Town Board of the Town of Mamakating with a vote of 5 ayes, 0 nays and 0 abstentions.
- A motion determining that construction of the pole barn on the Town Park property is a SEQR Unlisted action and will not have a significant adverse impact on the environment was made by M. Mordas, seconded by G. Forthoffer. All in favor.

**COMMITTEE REPORTS**

- No MEEC Report
- No Parks & Rec Report except Pool is open and camp is doing well as per P. Goodman.
- T. Wood gave an update on the Pole Barn being constructed at the Town Park.

**ADJOURNMENT**

- A motion to adjourn the meeting was made by T. Wood, seconded by M. Mordas. All in favor.

Respectfully Submitted;

Jean M. Dougherty, Town Clerk