

December 10<sup>th</sup>, 2009

The regular meeting of the Town Board was held on Thursday, December 10<sup>th</sup>, 2009 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Peter Coseo, Thomas Kinsella and Daniel Cochran, Councilman. Also present was Town Counsel Mark Schachner, Highway Supt. Walter Barss and 5 residents.

Opening of Bids was held at 7:15 PM for a Used Diesel Powered Bulldozer as per Bid Specification 2-2009. Clerk presented proof of legal publication. The following bids were received:

<u>Company</u>	<u>Gross Bid</u>	<u>Trade In</u>	<u>New Bid Price</u>
Anderson Equipment Company	\$65,187.	\$17,000.	\$48,187.
Nortrax Equipment Company	77,500.	20,000.	57,500.
Milton Cat	82,566.	13,000.	69,566.
Monroe Tractor	92,916.	14,000.	78,916.

Bids were turned over to Highway Supt. Walter Barss to review. He noted that the low bid was for a piece of equipment that was 2 years older than what the spec was written for. He would have to look at the values, etc. He will have a recommendation for the End of the Year meeting.

At 7:20 PM a public hearing opened on Proposed Local Law # 3-2009 Amending Local Law #6-1987 Regulating Parking or Standing on Town Roads during snow removal period. Clerk presented proof of legal publication. Supervisor Rowland stated that the proposal was to amend fees for towing and storage to make them more in line with today's costs, as well as increase the possible fine. There being no public comments either pro or con, the hearing was closed at 7:23 PM..

Opening of Bids was held at 7:25 PM for #2 Fuel Oil for the Year 2010. Clerk presented proof of legal publication. The following bid was received:

Company	Brand	Price	Albany Tank Car Price	Differential
C.S. Pita	Hess	2.1810	2.0215	.1595

The regular meeting was called to order by the Supervisor at 7:26 PM and opened with the pledge to the flag.

On motion of Pemrick, C. and seconded by Cochran, C., the Board adjourned to executive session at 7:27 PM to discuss a possible UDAG Loan. Clerk was not present for session and no minutes were filed. On motion of Cochran, C. and seconded by Pemrick, C., the Board returned to regular session at 8:15 PM. Supervisor Rowland advised that no decision was made during the session.

On motion of Pemrick, C. and seconded by Cochran, C. the minutes of 11/12/09 were approved as submitted by all Board members present.

Open Space Fees - \$500.00 - Subdivision of Lorraine Varley

RESOLUTION # 160 – Adopt Local Law #3-2009 Regulating Parking  
On the Highway

Motion: Coseo, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby adopts Local Law #3-2009 which amends Local Law #6-1987 Regulating Parking on Town Highways.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

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RESOLUTION # 161 – Award Bid for #2 Fuel Oil

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby awards the bid for #2 Fuel Oil for the Year 2010 to C. S. Pita at the differential price of .1595 per gallon.

VOTE: Ayes: Rowland, Coseo, Pemrick, Kinsella, Cochran

Noes: None

UDAG Committee Vacancy - Town Clerk advised that she had received 2 applications for the vacancy on the UDAG Committee. Town Board to ask Committee to interview the applicants and make a recommendation to them.

Workplace Violence Policy – Coseo, C. provided Board members with a draft policy. The disciplinary action will be determined by the Town Board. All complaints would be made to the Town Supervisor or Deputy Supervisor in his/her absence. They would then conduct an investigation. Once the investigation was concluded, the Town Board would determine what disciplinary action should be taken. Coseo, C. stated that he added an exemption section where the Highway Supt. and the Town Supervisor could provide written exemptions to the policy for an employee who needed to carry what otherwise may be considered a dangerous instrument to carry out their job duties. This exemption must be in writing and a record of exemptions shall be maintained by the Town Clerk. Coseo, C. did not feel that there was need to adopt lockdown/shelter in place procedure. He did not feel that it would apply to the current Town facilities. Board members were in agreement. Coseo, C. noted that at some point in time, the Board would have to adopt a program to go along with this policy which would require the Town to conduct annual training for the employees.

RESOLUTION # 162 – Adopt Workplace Violence Policy

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby adopts a Workplace Violence Policy and that such policy shall become part of the Town of Greenfield Policy Handbook.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

Al Hillmeyer, Lake Desolation – Mr. Hillmeyer stated that the unsafe building on the Halturewicz property that the Board mandated be taken down has only been half way taken down and the debris is piled in front of the house. He felt that it was a bigger mess now than when it was standing. Supervisor Rowland stated that the last time he spoke with Mr. Halturewicz he was still waiting for National Grid to turn off the power to the building. Pemrick, C. suggested that the Code Enforcement Officer be directed to do an inspection of the property and report back to the Board as to whether or not there was still a safety issue. Coseo, C. noted that if the building was now down and at this point there was just debris that was unsightly, then it would be a different action that would have to be taken. It would no longer be an unsafe building. A zoning violation would have to be pursued. Supervisor Rowland will ask the Code Enforcement Officer to provide the Board with a report for the End of the Year meeting.

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2010 Insurance - Supervisor Rowland stated that the Town Insurance Agent has provided the Board with 4 quotes for insurance coverage for the year 2010. By far, the best quote was submitted by NYMIR. Town Counsel Schachner stated that he had reviewed the agreement and it was a standard NYMIR agreement. They now have several hundred municipalities in the State. It was his understanding that the municipalities involved are reasonably satisfied with NYMIR services. He added that NYMIR was a municipal cooperative insurance effort that grew out of frustration when private companies had too many exposures and were not responsive to municipal insurance needs, etc. Coseo, C. stated that the difference between going with NYMIR rather than a private company would be that there is a slight exposure where if there were significant loses with the group, you would be subject to a potential back assessment. Town Counsel Schachner agreed and stated that there was a small likelihood of risk but the magnitude of risk, if it were to happen, would actually be quite large. Cochran, C. stated that he spoke with a Town Councilman from Ballston. They were one of the first Towns to join NYMIR. They have had several claims and they have had no problem at all. The group was very responsive. Supervisor Rowland also stated that he spoke with a couple of Supervisor's that are involved and they were very confident as well. Coseo, C. noted that it would be a 30% reduction in the current premium.

RESOLUTION # 163 – 2010 Insurance

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby accepts the proposal of NYMIR for 2010 Insurance coverage, and

FURTHER RESOLVED that the Supervisor be authorized to execute the Subscriber's Agreement.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

RESOLUTION # 164 – Re-Appointment of UDAG Member

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby re-appoints Ralph Stacey as member of the UDAG Revolving Loan Fund Committee, with said term to expire 12/31/2014.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

Junkyard License Renewal - Town Clerk advised that an application for renewal was submitted by M & J Construction. Copy had been forwarded to the Code Enforcement Officer. Supervisor suggested that since a report was not submitted by the Code Enforcement Officer that this matter be tabled until the End of the Year meeting. Supervisor to request report from Code Enforcement.

The Year End Meeting was scheduled for December 28<sup>th</sup>, 2009 at 7:30 PM. The combination Organizational Meeting/Agenda Meeting was scheduled for January 4<sup>th</sup>, 2010 at 7:30 PM.

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RESOLUTION #165 – Establish Petty Cash for Tax Collector

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby approves a petty cash fund in the amount of \$200. for the Town Tax Collector.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

Kinsella, C. stepped down from the Board at this time.

RESOLUTION # 166 – Budget Amendments & Transfers

Motion: Coseo, C.

Seconded: Pemrick, C.

RESOLVED, That the Supervisor be authorized to make the following budget amendments and transfers:

Transfer money from General Fund to Capital Projects Fund			
\$1,245.00	From A0201	to	A9950.9
Amend Capital Projects-General Fund			
\$1,245.00	From A0960	to	A9950.9
Amend Capital Projects for expenses			
\$1,245.00	From H0960	to	H5132.41
Amend Capital Projects for revenues			
\$1,245.00	From H5031	to	H0510
Amend Town Justice Budget			
\$634.78	From A0960	to	A1110.4

Transfers:

\$ 43.10	From A1310.2	to	A1310.4
4,014.42	From A5182.4	to	A5132.4
1,632.72	From A7140.4	to	A7310.4
.04	From A1355.4	to	A1355.45
.50	From A1310.2	to	A1340.1
1,363.53	From A7140.4	to	A7140.1
1,067.09	From A1990.4	to	A9060.8
2,727.69	From DA5142.4	to	DA5110.4

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

RESOLUTION # 167 - 2010 Nutrition & Transportation Agreements

Motion: Cochran, C.

Seconded: Coseo, C.

RESOLVED, That the Town Board hereby approves for the Year 2010 the Senior Transportation and Nutrition Agreements with the Saratoga County Office for the Aging in the amount of \$942.00 each, and

FURTHER RESOLVED, that the Town Supervisor be authorized to execute the same.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

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Kinsella, C. returned to the Board at this time.

William Bokus stated that last January his business on Mill Road was destroyed by fire. He had up to a year to begin reconstruction of the building and he was in the process of putting together the drawings in order to apply for a building permit. Mr. Bokus asked the Town Board to waive the fee for a building permit to replace the burned out structure. Cochran, C. asked what the fee would be for the building permit. Mr. Bokus was not sure. Coseo, C. asked if the application would have to go before any of the Boards for review. Mr. Bokus stated that he did not have to go before any Board since he was rebuilding within the same footprint. Coseo, C. also wanted to know what the fee would be. He added that if the Board were to make an exception, maybe it should be a general exception written into the law where someone who's building burns down and they wish to replace their building, that they be given a break. Cochran, C. agreed that it was something that the Board should look into and didn't feel that it would be a bad law to waive the building permit fees if someone's house was to burn down and they wanted to rebuild. Supervisor Rowland will get further information from the Code Enforcement Officer for the End of the Year meeting.

Zoning Law - Coseo, C. explained that at the last meeting he voted "No" regarding the Zoning Law resolution. He added that he fully supported the Zoning changes. He did have some issues with respect as to whether or not there should be a full blown SEQRA at this time or wait for the Planning Board to do one at a later date. However, his "No" vote did not have anything to do with his thoughts on the Zoning itself.

Supervisor Rowland stated that although this was not officially the last meeting for Coseo, C., he would like to thank Mr. Coseo for his service to the Board and Town. Supervisor Rowland added that he hoped that this was not the end of his service to the Town, in any capacity, and that they appreciated all that he had done.

Highway Supt. Barss stated that fortunately their salt usage was down for this time of year. He may have close to \$25,000. left in the budget. Highway Supt. Barss asked for the Board to consider letting him purchase some materials for next years road projects ahead of time. He could get a better price at this time of year for culvert pipes, cracksealing material, etc. He stated that it would really help them out a lot for next year. He believed that there would still be some money going back into the fund balance, approximately \$10,000. Coseo, C. asked if they had enough salt for next year. Highway Supt. Barss stated that the sheds are full at this time and that should last them through the end of the year. Kinsella, C. asked if the salt budget for 2010 was reasonably appropriate or if they shaved that part of the budget low. Highway Supt. stated that the salt prices come out in July. They based the budget on those prices and their average salt use. This Fall has been very mild and they believe they are going to have money left. He added that he would not purchase anything until just before the end of the year when he was sure that he had enough for this year. Pemrick, C. felt that it was a good idea and stated that the Board made a lot of cuts to the 2010 Highway Budget. Coseo, C. asked if since the Board had to cut out the Equipment Reserve money, if they had considered putting some of the money in there. He asked if the money that they would be spending on these items was included in the 2010 budget. Highway Supt. Barss stated that it was all part of

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the Highway Improvements Fund. By allowing them to purchase some of the items from this years funds, it would give them a little bit of a cushion if asphalt prices go up next year. Board was in agreement that the Highway Supt. could go ahead with the purchase of the items.

Monthly Reports were submitted by the Town Justices, Dog Control Officer, Town Clerk, Highway Supt. and Town Supervisor.

RESOLUTION # 168 – General Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That General Bills #657 to #706 in the amount of \$19,466.42 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

RESOLUTION #169 - Highway Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That Highway Bills #208 to #223 in the amount of \$10,589.02 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

RESOLUTION # 170 - Capital Projects Bills

Motion: Cochran, C.

Seconded: Pemrick, C

RESOLVED, That Capital Projects Bill # 75 in the amount of \$1,245.00 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

RESOLUTION #1 71 - UDAG Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That UDAG Bill # 6 in the amount of \$650.00 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

On motion of Cochran, C. and seconded by Pemrick, C., the meeting was adjourned at 8:50 PM.

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Town Clerk