

December 28th, 2006

The Year End Meeting of the Town Board was held at the Town Hall on Thursday, December 28th, 2006 with the following members present: Albert Janik, Supervisor; Carol Osborne, Daniel Pemrick, Peter Coseo and Thomas Kinsella, Councilman. Also present was Highway Supt. Walter Barss and 2 residents.

The meeting was called to order by the Supervisor at 7:00 PM and opened with the pledge to the flag.

RESOLUTION # 214 – Award Bid - #2 Fuel Oil

Motion: Kinsella, C.

Seconded: Osborne, C.

RESOLVED, That based upon the bid received, the Town Board does hereby award the following bid:

For #2 Fuel Oil Bid to C.S. Pita at + \$.1949 per gallon differential

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

Copperfield Road – Supervisor Janik advised that the Town has held money in escrow since 1999. Since the roadway has now been dedicated, the developer has asked that the money be released. The original developer, National Housing Corporation, sold the subdivision to Matthew Parenteau Builders, Inc. A copy of the Contract for Sale of Real Estate was forwarded to Town Counsel for his review. Town Counsel has stated that the money may be released to Matthew Parenteau upon receipt of the recorded deed to the roadway from the County Clerks office.

RESOLUTION # 215 – Release of Funds – Copperfield Road

Motion: Coseo, C.

Seconded: Osborne, C.

RESOLVED, That the Town Board hereby releases the Escrow Funds for Copperfield Road upon receipt of a properly recorded deed.

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

RESOLUTION # 216 – Set Highway Employees Rates & Benefits for
2007

Motion: Osborne, C.

Seconded: Kinsella, C.

RESOLVED, That the full time Highway Employees are to be paid bi-weekly during 2007 as follows:

For all Machine Equipment Operators \$19.41

For the Highway Foreman \$20.14

AND FURTHER RESOLVED, That the benefits for all full time hourly highway employees be as adopted in the benefit package,

AND FURTHER RESOLVED, That the rate for part time seasonal highway employees be set at \$11.14 per hour with no benefits.

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

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RESOLUTION # 217 – Approve 2007 Nutrition and Transportation
Agreements

Motion: Coseo, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby approves for the Year 2007 the
Transportation Agreement in the amount of \$942.00 and the Nutrition Agreement in the
amount of \$942.00, and

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

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

RESOLUTION # 218 – Transfer of Funds

Motion: Kinsella, C.

Seconded: Pemrick, C.

RESOLVED, That the Supervisor be authorized to make the following
transfer of funds:

\$ 63.42	From A3510.2	to	A3510.4
82.00	From A1355.1	to	A1355.4
113.05	From A6410.4	to	A6772.4
465.20	From A3650.4	to	A3310.4
19.82	From A7140.2	to	A7140.1
3,183.19	From A1990.4	to	A5132.4
64.18	From A8010.2	to	A8010.4
649.59	From A1630.4	to	A1620.4
2,369.44	From A1630.4	to	A1420.4
366.01	From A7140.2	to	A7140.4
250.00	From A1110.4	to	A1110.1
13,210.42	From DA5142.4	to	DA5112.2
11,955.38	From DA5142.4	to	DA5130.4
5,941.06	From DA5110.1	to	DA5130.2
7,759.42	From DA5142.1	to	DA5120.4
9,742.90	From CD8684.4	to	CD8662.2
2,038.71	From CD8684.4	to	CD8662.4
24.58	From A1410.2	to	A1410.4

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

RESOLUTION # 219 – General Bills

Motion: Osborne, C.

Seconded: Pemrick, C.

RESOLVED, That General Bills # 843 to #870 in the amount of \$8,315.42
be paid, subject to audit.

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

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RESOLUTION # 220 – Highway Bills

Motion: Kinsella, C.

Seconded: Pemrick, C.

RESOLVED, That Highway Bills # 259 to # 287 in the amount of \$53,245.37 be paid, subject to audit.

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

Town Hall Renovations – Supervisor Janik stated that an issue has come up as far as the front porch was concerned and the impact that may be made architecturally with trying to support the roof. He added that the original building did not have the little roof over the top. He asked Board members to give it some thought as to whether or not they wanted to keep the porch on there or not. If so, do you want to put columns up and create a larger porch going out. The way the porch is attached now is what is causing all the problems with the bricks pulling away. Kinsella, C. noted that in order to meet Life Safety Codes with a crash bar and the door opening out, there would have to be an overhang to keep the area clear of snow.

Caboose – Supervisor Janik stated that he was waiting for an estimate for repairs to the caboose caused by the vehicle accident. He has received a preliminary amount which appears to be below the amount that the insurance company has indicated to be the extent of the liability of the motorist. He added that upon inspection to determine the damages caused by the fire, many other problems were found. Several years ago, inmates were used to put up plywood and paint it. Underneath the plywood is all rotted and is in very bad shape. The caboose actually needs to be totally restored. Supervisor Janik asked that board members take the time to take a look at caboose prior to the January meeting before they decided to move forward with anything.

The Organizational Meeting of the Board was scheduled for 7:30 PM on Tuesday, January 2nd, 2007. The meeting will be held in the downstairs conference room since there was a Zoning Board of Appeals meeting the same time.

Draft Zoning Law – Supervisor Janik stated that he forwarded the comments from the last meeting up to Stu Messinger and he was working on incorporating them. He hoped to have revised pages from him for the next meeting. Coseo, C. felt that the Board needed to have more discussion regarding non-conforming uses. There are four different areas where non-conforming uses are addressed in the proposed law. He felt that the Board needed to read them all in conjunction to figure out what was really meant. Supervisor Janik felt that they were trying to get a handle on everything that is happening throughout the Town as of this time. He agreed that the Board needed to decide whether what they were trying to do was reasonable. Coseo, C. asked if there was any penalty for someone who was operating as a non-conforming use who chose not to file with the Town. Supervisor Janik felt that when you look at the Code, the issue of being grandfathered is a little tricky. The question is whether this was in existence before Zoning was enacted in the Town in 1972 and since that date, has this non-conforming use expanded. If the Town does not believe that they are grandfathered then they would have the option to apply for a Special Use Permit. Coseo, C. stated that

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there are some who will not be able to apply for a Special Use Permit because under the new Zoning Law their business is not allowed as a Special Use Permit. Osborne, C. felt that some of these businesses were operating under the old Zoning and the Town was not aware of it. Coseo, C. questioned what would happen if something has been in existence since around 1990 and has been operating for 15 years and the Town has not done anything about it. Was there some sort of de facto agreement that they were legal. Pemrick, C. stated that he would like to see the Board discuss this at a workshop session. Coseo, C. felt that the last two areas of contention were Type 2 Home Occupations and Non-Conforming Uses. The Board agreed to discuss these items further during a workshop session after the January 2nd Organizational Meeting.

Donation to Youth Recreation – Supervisor Janik stated that the Town had received a letter from Ralph Stacey wishing to make a donation of approximately \$1,000. in stock in memory of Robin Stacey and Katherine Stacey to promote the building of a Youth Recreation Building. The Adirondack Trust Company has agreed to accept the stock and cash it in. The Town will then be able to take the funds from the sale of the stock and put it into a reserve account. Supervisor Janik thanked Mr. Stacey for his generosity.

RESOLUTION # 221 - Accept Donation from Stacey Family Trust

Motion: Osborne, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby accepts the donation of approximately \$1,000. in stock from the Stacey Family Trust, and

FURTHER RESOLVED, That a special building fund be established to construct a Youth Recreation (gymnasium type) Building.

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

Bucket Truck – Highway Superintendent Barss stated that he has been looking for a used bucket truck for the past few months. They believe they have found one and would like to advertise for bids. Kinsella, C. asked if they would be able to obtain maintenance records. Highway Supt. Barss stated that maintenance records were available. The vehicle would be certified for safety and DOT inspected. They went and looked at the vehicle and it is in good shape and everything works well. He added that this past year the Town spent approximately \$25,000. to pay a subcontractor to remove trees. If they were to get this truck, they would be able to do quite a bit of the work themselves. Coseo, C. asked if the Town had people trained to use the vehicle. Highway Supt. Barss stated that he did. He stated that the current bucket truck was a 1977 International and the bucket part of the truck was from the 1960's. It has a 30' reach. He is looking to purchase a newer vehicle with a 60' reach. The old vehicle would be sold as surplus. Osborne, C. noted that this was in the plan for equipment purchases for the year 2007.

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RESOLUTION # 222 – Advertise for Bids – Used Forestry
Bucket/Chipper Truck

Motion: Kinsella, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Clerk be directed to advertise for bids for a Used Forestry Bucket/Chipper Truck as per Bid Specifications # 2-2007, and

FURTHER RESOLVED, that said bid opening will be held on Thursday, January 11th, 2007 at 7:15 PM.

VOTE: Ayes: Janik, Osborne, Pemrick, Coseo, Kinsella

Noes: None

Old Plow Truck – Kinsella, C. asked if they were going to try and advertise for bids again on the Old Plow Truck. Highway Supt. Barss stated that they have checked with a few dealers and nobody wants a single axle plow truck. They would not get more than \$6,000. to \$8,000. for the truck. Highway Supt. proposed that they take the plow gear off and turn the truck into a water truck. He found a 1,500 gallon water tank that he could put on it and felt that it would last for another 15 years or so. He could use it to spray calcium when they are milling roads, spraying dirt roads and supply water when they are paving. Supervisor Janik felt that the Town would be better off keeping it than trying to sell it. Highway Supt. Barss stated that they would try and surplus as much of the equipment off of the truck as they could.

On motion of Osborne, C. and seconded by Coseo, C., the meeting was adjourned at 7:35 PM.

Town Clerk