

December 28<sup>th</sup>, 2009

The 2009 End of the Year Town Board meeting was held on Monday, December 28<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 Highway Supt. Walter Barss and 4 residents.

The Supervisor called the meeting to order at 7:50 PM and opened with the pledge to the flag.

RESOLUTION # 172 – Set Highway Employees Rates & Benefits for 2010

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the full time Highway Employees are to be paid bi-weekly during 2010 as follows:

For All Machine Equipment Operators	\$21.52
For the Highway Foreman	\$22.32
For Laborer	\$14.85

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 \$12.35 per hour with no benefits.

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

Noes: None

Used Diesel Powered Bulldozer - Highway Supt. Barss stated that he reviewed the bids and the low bid from Anderson Equipment did not meet numerous bid specs, including the year, the warranty and several others. In addition, the value of a 2006 versus a 2008 is much less. He would recommend that the Board award the bid to the second lowest bidder, Nortrax, for a 2008 John Deere 550J LT. Pemrick, C. asked what the difference was in price between the two low bidders. Highway Supt. Barss stated that the difference was approximately \$8,000.

RESOLUTION # 173 - Award Bid for Used Diesel Powered Bulldozer

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby awards the bid for the Used Diesel Powered Bulldozer to Nortrax Equipment Co. for the Net Bid Price of \$57,500.

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

Noes: None

Town Justice - Supervisor Rowland stated that the Board had received a letter of resignation from Town Justice Varley effective December 31<sup>st</sup>, 2009. Two individuals had submitted letters of interest in the position and the Board met with each of them prior to this meeting. Both of the candidates are attorneys. Supervisor Rowland stated that because of their legal status they would not have to go through the required training prior to taking the position. This would be a help in getting the Court back up and running as soon as possible. He explained that the Town Board would appoint someone to fill the vacancy until the next general election. Whoever is appointed would have to go through the election process in 2010, at which time they would be running for a full four year term. Pemrick, C. stated that both applicants were very competent and thanked them for applying for the position. Coseo, C. stated that in view of the fact that he would most likely be appearing in that Court in a professional capacity, he would be abstaining from voting.

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RESOLUTION # 174 - Town Justice Appointment

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby appoints Michael Ginley as Town Justice to fill the vacancy due to the resignation of current Town Justice Paul Varley.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Abstained: Coseo, C.

Junkyard License Renewals - Supervisor Rowland stated that he had not received the inspection reports back from the Code Enforcement Officer regarding the two renewals that were received from M & J Construction and Cornell's Used Auto Parts. Coseo, C. noted that the current licenses expire on December 31<sup>st</sup> and suggested that the Board may want to temporarily extend the expiration of the licenses until the next Board meeting. If the Board did not act on the licenses and lets them expire, they could technically be in violation and they have to have a license from the Town in order to continue their license with the State of New York for Dismantling. Coseo, C. stated that the only other license would be for William Gaba and suggested that if his paperwork was submitted by December 31<sup>st</sup> he should also be covered by this extension.

RESOLUTION # 175 - Extend Expiration Date of Junkyard Licenses

Motion: Coseo, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby extends the expiration date on the Junkyard Licenses for M & J Construction, Cornell's Used Auto Parts and Gaba Brothers, if their paperwork is submitted by December 31<sup>st</sup>, to January 14<sup>th</sup>, 2010.

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

Noes: None

RESOLUTION # 176 - Approve 2010 Animal Shelter Agreement

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby approves the 2010 Animal Shelter contract with Saratoga County for the sum of \$1,825.57, and

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

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

Noes: None

RESOLUTION # 177 - Transfer of Funds

Motion: Kinsella, C.

Seconded: Pemrick, C.

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

\$ 10,328.26	From DA9060.8	to	DA5110.4
1,885.56	From DA9050.8	to	DA5110.4
241.10	From DA5140.45	to	DA5110.4
1,005.33	From DA5120.4	to	DA5130.4
827.91	From DA5140.4	to	DA5130.4
469.90	From DA9030.8	to	DA9070.8
9,929.31	From DA5142.4	to	DA5142.1
3,651.80	From DA5120.4	to	DA5142.1

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510.23	From A5010.4	to	A5010.1
136.22	From A6410.4	to	A5182.4
2,405.09	From A1630.4	to	A1630.1
1,723.46	From A4540.4	to	A5132.4
1,336.44	From A7310.1	to	A7140.1
854.57	From A7310.1	to	A7140.4
495.33	From A7140.2	to	A7310.4
765.38	From A1110.2	to	A1110.4
554.84	From A8160.45	to	A8160.4
1,766.67	From A1440.4	to	A3310.4
500.00	From A1310.2	to	A1310.4
266.85	From A1220.2	to	A1220.1
552.55	From A1010.2	to	A9060.8

FURTHER RESOLVED, that the following funds be encumbered:

A1310.4 Harris Computer \$250.00

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

Noes: None

Monthly reports were submitted by the UDAG Revolving Loan Fund and the Building Dept (Sept., Oct. & Nov.).

RESOLUTION # 178 – General Bills

Motion: Coseo, C.

Seconded: Kinsella, C.

RESOLVED, That General Bills # 707 to # 735 in the amount of \$12,133.62 be paid, subject to audit.

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

Noes: None

RESOLUTION # 179 - Highway Bills

Motion: Pemrick, C.

Seconded; Cochran, C.

RESOLVED, That Highway Bills #224 to # 245 in the amount of \$64,202.27 be paid, subject to audit.

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

Noes: None

Cochran, C. stated that he was able to take some of the obsolete computers and put them together and get them up and running. He would like to be able to give them out to some of the Senior Citizens in Town who do not currently have access to a computer. Cochran, C. stated that he spoke with the Town Attorney to see if this was something that could be done and he indicated that the Town would have to declare the computers as obsolete. Cochran, C. to put together a list for the next Town Board meeting.

Supervisor Rowland thanked Councilman Coseo for his service to the Town Board. He has done an excellent job as a councilman. Councilman Coseo thanked the Board for always being willing to carefully consider his input and their willingness to compromise on issues that he felt were important to the Town. He also thanked the Town Clerk for all she had done for him during the past four years in keeping him abreast of everything that was going on in the Town.

On motion of Cochran, C. and seconded by Kinsella, C., the meeting was adjourned at 8:05 PM.

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At 8:06 PM the Town Board convened as a Board of Health to discuss the Unsafe Building at 19 Coombs Roadway. Supervisor Rowland read the report from the Code Enforcement Officer dated December 23<sup>rd</sup>, 2009. He stated that he has received several complaints concerning the current condition of the property and building. The second floor has been removed and deposited in the front yard in a large pile. The balance of the structure is totally exposed to weather. It was his opinion that the work that has been completed has aggravated the pre-existing unsafe building condition and the building should be removed and all the debris removed from the property. Supervisor Rowland stated that he spoke with Mr. Halturewicz after the last meeting and he assured him that he was in the process of taking the remainder of the building down and right after the first of the year he would continue to demolish the building. Town Supervisor stated that he asked the Code Enforcement Officer to see if the building was secured. The building is secured. There is a hole in the wall and he stuck the camera through the hole to take the interior pictures. There is no electricity to the building. Kinsella, C. believed that the Town Board had already authorized the Highway Dept. to go in and take the structure down. Coseo, C. stated the Board did, however they gave Mr. Halturewicz an extension because he wanted to take the building down himself. Supervisor Rowland asked when the Highway Department would be able to take the remainder of the building down. Coseo, C. asked if there was an estimate as to what the cost to the Town would be to remove the structure. Highway Supt. Barss felt that just to get rid of the debris it would cost a minimum of \$3,000. That would not include Highway Department fees. Coseo, C. was questioning if the expenses would be more than the value of the property. The lots in that area are very small and now have to meet the requirements of the Overlay District. He was not sure that they would ever be able to rebuild on the property again. Coseo, C. made a motion to authorize the Supervisor to send a letter to Mr. Halturewicz stating that the Town Highway Department will be on site to remove the structure by January 15<sup>th</sup>, 2010 and that he will be billed for all expenses unless the remainder of the structure has been taken down prior to that time. Kinsella, C. seconded. All Board members were in favor.

On motion of Coseo, C. and seconded by Cochran, C., the meeting of the Board of Health was adjourned at 8:15 PM.

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Town Clerk