

February 11<sup>th</sup>, 2010

The regular meeting of the Town Board was held on Thursday, February 11<sup>th</sup>, 2010 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella, Daniel Cochran and Walter E. Chandler, Councilman. Also present was Town Counsel Mark Schachner, Highway Supt. Walter Barss and approximately 7 residents.

At 7:25 PM, the Board convened as a Board of Health.

Robert Priestley – Variance of Chapter #105-114 Lake Desolation Overlay

Supervisor Rowland stated that the applicant is looking for variance to allow for the installation of an improved septic system. The Town Engineer has reviewed the septic system design and has submitted a report. Kinsella, C. stated that he read the Town Engineer's report and he was okay with the proposed upgrade of the system. He did not see where the Town would be in a position to be able to enforce some of the provisions that were contained in his report as far as annual reporting requirements were concerned. Supervisor Rowland asked Mr. Priestly if he was in agreement with the stipulations contained in the Town Engineer's letter regarding water testing, etc. Mr. Priestley stated that he would be able to do the tests. Pemrick, C. asked if the stipulations included in the engineer's report were to be left out, would it endanger the integrity of the Overlay District. Kinsella, C. stated that one of the stipulations was to protect the applicant too. It is suggesting that he have the drinking water tested annually since there is the lack of required separation between the well and leachfield. Kinsella, C. stated that the Town Engineer has indicated that the proposed system is an upgrade to what is currently there. The Dept. of Health recognizes that in certain circumstances where there are physical constraints, etc., as long as the proposed system is an improvement over the existing system, then that is the best that can be accomplished. Supervisor Rowland felt that the first year or two will provide a lot of evidence as to whether or not there was going to be a problem or concern. He asked that the applicant be very observant in order to protect the stream and the Lake Desolation Overlay District. Chandler, C. stated that the applicant needed to something and agreed that this would be an upgrade. Kinsella, C. asked how many bedrooms the home had. Mr. Priestley stated that there were 2 bedrooms. Pemrick, C. noted that the request would have no detrimental impact to the area. It would actually improve it and would replace a system that was much more inferior than the proposed system. Kinsella, C. made a motion to grant the Variance for Septic System Replacement to Robert Priestly of 492 Lake Desolation Road. Pemrick, C. seconded. All board members in favor.

Denton Road - Supervisor Rowland stated that he had a meeting this week with the Pemrick, C., Highway Supt. Barss and a representative from Congressman Murphy's Office. The Town has submitted an application for appropriation funds through the Congressman's Office. They will also be submitting that same application to the two Senators from the State of New York. One thing that was mentioned was that it would be helpful if the Town Board, acting as the Board of Health in the interest of the safety of the public, would submit a letter to the Congressman's Office in support of the rehab of Denton Road. Supervisor Rowland provided the Board with a rough draft of a proposed letter. Kinsella, C. stated that he liked the concept, however he was not sure that it was a Board of Health issue. Pemrick, C., felt that it was important to try to do

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whatever we can to try to find the funds to do something for Denton Road and if this would help it was worth a shot. Cochran, C. agreed. Pemrick, C. moved to send the proposed letter to Congressman Murphy's Office to be made part of the application of funds. Cochran, C. seconded. All board members in favor.

Unsafe Building – 19 Coombs Roadway – Halturewicz - Supervisor Rowland stated that he spoke with Mr. Halturewicz this week. He has removed one full dumpster of debris. He feels that he probably has two more dumpsters of debris left to remove. He plans on being there within the next weekend or so to take the chimney down. Mr. Halturewicz believes that by the end of next month he should be able to have everything removed.

The meeting of the Board of Health closed at 7:35 PM

At 7:36 PM the regular meeting was called to order by the Supervisor and opened with the pledge to the flag. On motion of Pemrick, C. and seconded by Kinsella, C. the minutes of 1/14/2010 were approved as submitted.

Letter of resignation from Richard Gardiner from the Environmental Committee.

Notice of Public Hearing to be held on February 17<sup>th</sup>, 2010 by the Wilton Planning Board to consider a site plan application for 617 Maple Avenue.

Letter from the Greenfield Lions Club and Greenfield Community & Business Association asking for the Town's support with the 18<sup>th</sup> Annual Town Wide Garage Sale.

Thank you letter from the Greenfield Seniors for the painting of the Community Center and the installation of the movie screen.

Thank you letter from Franklin Community Center for the payment of the 1<sup>st</sup> installment to benefit Project Lift.

Letter and a check from Ralph Stacey to be used toward the purchase of a DVD/Video Player for use at the Community Center. Supervisor Rowland stated that he has purchased the player. He wished to thank Mr. Stacey and his family for the generous donation.

Letter from the Greenfield Historical Society asking for permission to use the Middle Grove Park for the Farmers Market again this year. They felt that it was very successful last year and they would like to continue to run the market on Friday afternoons.

Planning Board Appointment - Supervisor advised that there were 6 applicants for the position. He stated that the Board briefly talked about the interview process. Kinsella, C. stated that it was his recollection that the Town Board was going to appoint a member and send the remaining applicants to the Planning Board for them to interview and provide the Town Board with their recommendation of 3 applicants to consider for the Alternate position.

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RESOLUTION #40 - Appoint Planning Board Member

Motion: Kinsella, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby appoints Nathan Duffney as Planning Board member to fill the unexpired term of Michael Ginley, with said term to expire 6/20/2016.

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

Noes: None

RESOLUTION # 41 - Appoint UDAG Attorney

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby appoints Daniel Chertok as UDAG Attorney to fill the vacancy created by the resignation of Michael Ginley.

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

Noes: None

Code Enforcement Officer Hours - Supervisor Rowland stated that when Pemrick, C. and himself met with the Code Enforcement Officer regarding Saturday hours, he stated that it would be the first and third Saturday of each month only because that would be a definitive time. When he looked at the resolution that was adopted at the last meeting it stated that it would be every other Saturday. He felt that it would be less confusing to the Town residents to have set days.

RESOLUTION # 42 – Amend Resolution #36-2010 Setting Code Enforcement Officer Hours

Motion: Kinsella, C.

Seconded: Chandler, C.

RESOLVED, That Town Board Resolution #36-2010 is hereby amended to state that the Saturday hours for the Code Enforcement Officer shall be the first and third Saturday of each month.

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

Noes: None

Saratoga County Water Quality Committee - Supervisor Rowland stated that the Board had advertised for individuals interested in representing the Town on the Saratoga Co. Water Quality Committee. One individual applied, Stephanie Vetter. He meet with Stephanie and she has also received information from Soil & Water as to what the appointment involves.

RESOLUTION # 43 – Appoint Town Representative to the Saratoga Co. Water Quality Committee

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby appoints Stephanie Vetter as the Town representative to the Saratoga County Water Quality Committee.

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

Noes: None

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HOME Funding Grant - Supervisor Rowland stated that the Towns of Corinth, Day, Edinburgh, Hadley, Providence and Greenfield had a meeting with Marvin & Company. Each of the municipalities have agreed to apply as a consortium of Towns and therefore be considered more eligible for a grant. The other Towns have asked that the Town of Greenfield act as the lead agency. Supervisor Rowland added that he had the Town Attorney review the proposed contract. He had one addition to the contract which has been added by Marvin & Company.

RESOLUTION # 44 – Authorizing Designation of Target  
Area Town of Greenfield, NY

Motion: Kinsella, C.

Seconded: Pemrick, C.

WHEREAS, the Town Board finds it in the best interests of its residents to allow the Town to be included in the proposed target area for the Northern Saratoga County Consortium 2010 Home Grant application; and

WHEREAS, the consulting firm, Marvin & Company, has proven to be qualified and capable of preparation and submittal of the HOME Grant application; and

WHEREAS, any grant funds received as a result of this application shall be made available to all participating members of the Consortium, at no cost to the Town; and

WHEREAS, the Town of Greenfield has agreed to be the lead applicant for the Northern Saratoga County Consortium 2010 HOME Grant application, and to provide this service for no compensation, pending receipt of a HOME Grant award, with all program costs to be covered by the proposed grant funds;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Greenfield hereby agrees to be included in the proposed target area for the Northern Saratoga County Consortium 2010 HOME Grant application.

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

Noes: None

Roll Off Dumpsters - Highway Supt. Barss stated that there was a discussion regarding the dumpsters at last months meeting. He supplied the Board with additional information regarding rental of containers vs. purchasing. He suggested that the Board consider purchasing one dumpster this year and that they not take tires this Spring. The cost of the tires over the past couple of years has been between \$5,500. and \$6,000. per year to dispose of. That savings would more than pay for the dumpster. It would also allow them to have enough containers to continue with the cleanup. Highway Supt. Barss stated that he has been looking for used containers, however he has been unable to find any. The cost of a new container is \$5,150. Chandler, C. asked if they could repair the dumpster that they have. Highway Supt. Barss stated that they are repairing 5 of them. There are 2 that are beyond repair. He added that the Town got the containers used from the County and they are all over 20 years old.

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RESOLUTION # 45 – Authorize Purchase of Roll-Off Dumpster

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby authorizes the purchase of a roll-off Dumpster at the cost of \$5,150. and that it shall be paid for out of the Refuse & Garbage Budget line.

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

Noes: None

Spring Clean Up - The Spring Clean Up Week has been scheduled for April 10<sup>th</sup> to April 18<sup>th</sup>, including the two weekends. No tires or construction debris will be accepted. Town Clerk to put a notice on the website and put an ad in The Pennysaver.

Town Justice Appointment - Supervisor Rowland stated that at the last meeting Al Janik questioned the process for filling the Town Justice vacancy and he had put together a timeline. Justice Varley submitted his resignation on Dec. 14<sup>th</sup> effective Dec. 31<sup>st</sup> and told us his last court date was Dec. 28<sup>th</sup>. There were 100+ cases scheduled for Jan. 4<sup>th</sup> for his court with a full court docket for Justice Hopkins that evening as well. Mike Ginley had expressed interest in May or June should a vacancy occur in the one of the justice positions. Both applicants submitted letters prior to and received interviews on Dec. 28<sup>th</sup> prior to the Year End Meeting. Lawyers can serve without training initially and the Board felt time was of the essence because of the Court situation. The position would be open for election in November and the parties will have to go through the selection process this year. We are currently in the middle of an audit from the Comptrollers office of the courts books and felt that it would be imperative to have a new justice aware and involved in that process. Others were made aware of the vacancy by Justice Varley and all were encouraged to apply that called the office with interest. The Town Board has the authority to appoint the Justice in the manner in which we did. We have not always advertised vacancies when time was a factor as in the vacancy to the Board of Assessment Review that occurred in May 2009. Mr. Janik questioned when the interviews were held and believed that they were actually held before the regular scheduled meeting in January. Supervisor Rowland stated that they were held before the End of the Year Meeting on December 28<sup>th</sup> and Justice Ginley was sworn in on January 4<sup>th</sup> before the Organizational Meeting. Mr. Janik felt that this was a rather unusual set of circumstances. He could understand the concern about the docket, however he did not feel that holding that over for one month was a big deal. He stated that acting in such haste did not look right to him. He felt that there had to be a meeting between the time that Judge Varley tendered his resignation until the time of the interviews for the Board to decide to take this course of action. If such a meeting was held, he questioned why was it not public and why were there no minutes? Supervisor Rowland stated that there was not a meeting held. Mr. Janik questioned how five members of the Board could have decided to take this course of action without having a meeting. Supervisor Rowland again stated that there was no other meeting held.

Al Hillmeyer, Lake Desolation - Mr. Hillmeyer was not in attendance at the beginning of the meeting and asked what the decision was regarding the Unsafe Building on Coombs Roadway. Supervisor Rowland sated that this matter was discussed

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prior to the regular meeting where the Board sat as the Board of Health. He reviewed the progress that has been made to date and explained that Mr. Halturewicz believed that he had two more dumpsters to be removed, which should be completed by the end of next month. Mr. Hillmeyer stated that Mr. Halturewicz only comes up once a month and that it is a mess up there. Mr. Hillmeyer asked if the Town would be going in to remove the debris if it was not removed by the end of next month. Supervisor Rowland stated that they will review the situation again at that time and make a decision. He added that Mr. Halturewicz is working on the project and has done everything that the Board has asked him to do. Mr. Hillmeyer stated that working on it means everyday, not once a month and that this was not acceptable. Supervisor Rowland stated that the property owner does not live in the area and also holds a full time job. He comes up on weekends to work on the property.

RESOLUTION # 46 – Reappointment of Zoning Board Member

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby reappoints Stanley Weeks as member of the Zoning Board of Appeals with said term to expire 2/16/2015.

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

Noes: None

RESOLUTION # 47 – Contract with Cornerstone Telephone

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Supervisor be authorized to sign a one year renewal agreement with Cornerstone Telephone to provide telephone service for the Town.

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

Noes: None

RESOLUTION # 48 – Advertise for Openings for Youth Committee & Environmental Committee

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Clerk be instructed to advertise for openings for the Youth Committee and Environmental Committee in The Pennysaver and on the Town website, and

FURTHER RESOLVED, that anyone interested in volunteering should submit a letter of interest with background information by March 11<sup>th</sup>, 2010.

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

Noes: None

Summer Sports Clinic - Supervisor Rowland stated that the Rec. Director is looking for permission to run three sports clinics this summer at the Middle Grove Park during the month of August. The programs would be run by US Sports Institute and there would be no cost to the Town except for the Rec. Director's time. The big difference between these programs and the programs run by the Town would be the cost. For Town run programs, participants pay very little to nothing to make sure that everyone

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has the opportunity to participate. The cost of these clinics would range from \$100 to \$170.

RESOLUTION # 49 - Authorize Summer Sports Clinic

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby authorizes the use of the Middle Grove Park by US Sports Institute to conduct three sports clinics during the month of August.

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

Noes: None

Are You Okay Program - Pemrick, C. stated that he would like permission from the Board to place an ad in The Pennysaver and Town website to remind residents about the program and to encourage them to sign up. Currently there are only about 10 residents who have signed up. Applications are available at the Town Hall. Supervisor Rowland suggested that more flyers be printed up and made available at the Community Center, etc. Nathan Duffney stated that the Greenfield Community & Business Association would also be willing to help out with this program and suggested that Pemrick, C. might want to come to one of their meetings and explain the program.

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

Noes: None

Denton Road - Highway Supt. Barss stated that besides meeting with the representative from Congressman Murphy's office he also had a meeting with the Deputy Commissioner in Saratoga Springs Tim Cogan trying again to get them to pay for a share of the repairs. Highway Supt. Barss volunteered to do all of the work if they would pay for half of the material. Mr. Cogan stated that they will take a look at it again in the Spring, but he did not know if the City had the finances or wish to do that road at this time. They would pay for the paving of the lower end of Locust Grove Road. Highway Supt. Barss agreed to do the work. Highway Supt. Barss noted that if the Town were to receive any funds from Congressman Murphy it would be in 2011. He stated that he would also get a letter from the Fire Department and the City in support of the request for funds from Congressman Murphy. Supervisor Rowland advised that he has requested a letter of support from Prestwick Chase as well. He is also continuing to work on setting up an intermunicipal agreement with the City should funds become available.

Stanley Weeks, Ashlor Drive – Mr. Weeks stated that he was concerned regarding the quality of the Town roads and did not feel that the Town was keeping up. The street he lives on is 18 years old now. Culverts are heaved and pulling out onto Middle Grove Road is pretty dangerous. If there was anything that he would be willing to do with the tax money it would be to put some more money into the roads. He would encourage the Board to put some more money into the roads and catch up. Supervisor Rowland stated that it has been an unusual winter in that we have not had a lot of snow and there was a lot of rain. Roads that are normally not bad during the winter are heaved. The hope is that things will level back off once the frost comes out of the ground.

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Agreement to Spend Highway Funds - Supervisor Barss provided the Board with a list of roads that he would like to repair this year. So far they plan on doing sections of South Greenfield Road, Braim Road, Lester Park Road, Coy Road and Kilmer Road, for a total of 5.4 miles. If the cost of asphalt comes down they may be able to do a little more. There is one business on Coy Road that has approached the Town and is thinking about helping, possibly with material or labor, to repair that road. If Saratoga is willing to spend money on Denton Road they will shift roads around. Their cost would be around \$61,500. for asphalt. The total cost for Denton Road, just for asphalt would be \$123,000. The Town has the gravel and they would need two or three culverts. Kinsella, C. asked how the base on Coy Road was. Highway Supt. Barss stated that in 1995, Mr. Bokus donated gravel from his pit for the base. However, it does need some more in certain sections. Kinsella, C. would like to encourage both of the industries on Coy Road to help with the base on the road. Highway Supt. Barss stated that Peckham knows that they are a big part of the road deterioration. He has not approached Pompa yet, perhaps they would be willing to help out as well. Pemrick, C. asked if the roads that have been picked for repair this year were on the rating list. Highway Supt. Barss stated that they are all rated as "bad". There is a large number of them to choose from and they are trying to spend it out throughout the Town using traffic counts, etc to determine roads with the most need. Chandler, C. asked how many miles of road the Highway Supt. thought he needed to do in a year. Highway Supt. Barss stated that they needed to do 7 or 8 miles to keep up. Duane Wright explained that the Town has approximately 100 miles of road and if you divide that by a life cycle of approximately 12 to 15 years, that is where you come up 8 miles. Supervisor Rowland stated that he did receive a notice from Assemblyman Tedesco which indicated that the Town should see no more than about a .1% decrease in the CHIPS funding. Highway Supt. Barss stated that they use the CHIPS money to pay for everything other than blacktop, such as gravel, culverts, etc.

**RESOLUTION # 50 - Agreement to Spend Highway Funds**

Motion: Kinsella, C.

Seconded: Chandler, C.

**RESOLVED**, That the Town Board hereby approves the Agreement to Spend Highway Funds for the Year 2010 as submitted by the Highway Superintendent.

**VOTE**: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Vibratory Roller - Highway Supt. Barss stated that he was looking to purchase a used single drum vibratory roller. Last year they rented one for about four months. It is included in their outline of equipment purchases for this year. He would like to go out for bid now so that they could have it for Spring work.

**RESOLUTION # 51 – Schedule Opening of Bids – Used Vibratory Roller**

Motion: Pemrick, C.

Seconded: Cochran, C.

**RESOLVED**, That the Town Clerk be directed to Advertise for Bids for a 2006 or newer Diesel Powered Smooth Drumm Vibratory Compactor with said bid opening to be on Thursday, March 4<sup>th</sup>, 2010 at 7:25 PM.

**VOTE**: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

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Noes: None

Stone Dust – Highway Supt. Barss stated that Palette Stone is giving away over 100,000 tons of stone dust. There is no cost to the Town. To date, they have hauled almost 3,500 tons which they are stock piling at the pit. They will use it to mix with the gravel. Highway Supt. noted that they generally spend around \$25,000. per year for other material to put on top of the gravel when they are filling to harden the roads up and for shoulder material. Supervisor Rowland felt that it was a great opportunity and added that the Highway Dept. should take advantage of it if the opportunity were to become available again. He stated that if nothing else, the Town would have stone dust to use for the walkways in the Parks. Highway Supt. Barss noted that the value of the stone dust hauled to the pit so far is over \$37,000.

Town Motto – Lorna Dupouy submitted a request to the Board to create and adopt a motto for the Town. Supervisor Rowland suggested that the Board form a committee to review this. Kinsella, C. felt that it was a good idea. He wasn't sure if it would be a committee or a contest, open to the community. Mrs. Dupouy felt that a committee would be a good way to go. She felt that with everything that is going on in the Town and County, that the Town needed to brand ourselves and let people know who we are and what we are about. When we come up with some kind of motto we should take that into account also. Pemrick, C. asked Mrs. Dupouy if she had any ideas about how to go about this. Mrs. Dupouy thought that the Town should get a committee together who could come up with 5 or 6 slogans and then have a contest or something for the community to pick. Nathan Duffney suggested that the students at the Greenfield Elementary School be asked to participate as well. Years ago a Greenfield student won a contest with NYS Conservation for the insignia. Cochran, C. asked Mrs. Dupouy if she would be interested in chairing the committee. Pemrick, C. asked that Mrs. Dupouy put together something that the Board could put in the paper to attract local interest and find other people who might want to be part of this committee. Mrs. Dupouy agreed to do so.

Mrs. Dupouy stated that Ballston Spa recently completed an event called Ballston Rocks where they had a competition and everyone decorated Adirondack Chairs. She thought maybe this was something that we could do here in Town where everyone who wanted to participate could decorate an item, maybe a shovel, wheelbarrow or some other item. The competition could start in the Spring and the winners could be announced at the Town Wide Garage Sale. Everybody seems to really enjoy the Town wide garage sale and this would be another community based activity that residents could participate in.

Chandler, C. stated that while speaking with the Home School Association regarding the Youth Committee, it was mentioned that a student could come to a Town Board meeting and lead the Pledge to the Flag and then read something about the history of the Town. This would not only help the students with the public speaking but would create more community involvement.

Tobacco-Free Parks - Supervisor Rowland stated that he received a sample resolution from the Tobacco Free Coalition to establish tobacco free parks and entranceways to public buildings. He noted that on Channel 6 news there was a report this evening where there were at least 20 communities who have established smoke free

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policies for their parks and entrances to their buildings in this immediate area. Supervisor Rowland stated that at times the Town Board sits as a Board of Health and one of the things that they could do to help public health would be to establish tobacco free parks and tobacco free areas in Town buildings. The tobacco free coalition will give the Town all the signs that we need.

**RESOLUTION # 52 – Establish Tobacco Free Parks & Entranceways  
Policy for Town Parks & Buildings**

Motion: Pemrick, C.

Seconded: Chandler, C.

WHEREAS, The Town of Greenfield owns and operates the Middle Grove Town Park, the Porter Corners Park/Rec Fields and the Brigham Road Walking Park; and

WHEREAS, the American Lung Association in New York State has issued a memorandum in support of tobacco free parks, playgrounds and beaches, with the purpose of promoting public health and well-being through the passage of legislation which restricts the locations in which individuals subject others to the deadly effects of secondhand smoke, and

WHEREAS, it has been determined that tobacco is a known asthma trigger and that children are particularly susceptible to the dangers associated with tobacco smoke even if out of doors, and

WHEREAS, the Town of Greenfield, believes that tobacco use, including cigarette use, in the proximity of children, animals and adults is detrimental to their health and can be offensive to those entering town buildings and parks, and

WHEREAS, New York State Public Health Law 1399-r reaffirms the right of a property owner, including the government of any political subdivision of the State, to designate its entire property or any part thereof as a non-smoking area, and

WHEREAS, cigarettes and chew products, once consumed in public spaces are often discarded on the ground requiring additional maintenance expenses, diminish the beauty of the aforementioned facility and pose a risk to children, animals and other wildlife due to ingestion, and

WHEREAS, to be consistent with town resolutions and federal and state law, it is the intent of the Town of Greenfield to establish tobacco free parks and entranceways. This further develops the concept of a family friendly community focused on a healthy lifestyle.

NOW, THEREFORE, the Town of Greenfield hereby designates all town building entranceways smoke free and tobacco free and the Middle Grove Town Park, the Porter Corners Park/Rec Field and the Brigham Road Walking Park smoke free and tobacco free.

**SECTION 1: TOBACCO USE PROHIBITED OUTSIDE THE ENTRANCES  
TO ALL TOWN BUILDINGS**

The Town of Greenfield is hereby designated as having tobacco free entranceways. No person shall use any form of tobacco at the entrances to Town Buildings (ie. Town Hall, Community Center, Town Garage, etc.)

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**SECTION 2: TOBACCO USE PROHIBITED IN TOWN PARKS AND REC FIELDS**

The Town of Greenfield is hereby designated as having tobacco free parks and rec fields. No person shall use any form of tobacco at Town of Greenfield Parks (Middle Grove, Porter Corners and Brigham Road)

**SECTION 3: NOTIFICATION**

Appropriate signs shall be posted on the properties. The staff and community will be notified of this policy.

**SECTION 4: COMPLIANCE**

All individuals are expected to comply with this policy.

**SECTION 5: ENFORCEMENT**

Staff will make periodic observations of entranceways and parks to ensure enforcement.

**SECTION 6: EFFECTIVE DATE**

This policy statement is effective immediately upon the purchase and posting of signs and other notification.

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

Noes: None

Amendment to Zoning Law - Supervisor Rowland stated that when they were reviewing some issues with the Code Enforcement Officer recently they found that some conformance requirements that were believed to be part of the Law were not. Supervisor Rowland had the Town Attorney prepare a draft local law and a copy was given to all Board members. Supervisor Rowland stated that the law proposes that should someone have a violation on record with the Town, they would not be allowed to apply for any further permits on the property that is in violation until such time the violation has been satisfied. He stated there was recently a landowner in Town that has had violations and has come in to get other permits for that property which the Town has not been able to deny. Kinsella, C. questioned how that would work in the case of someone who was coming in for a septic variance, as we had tonight. He does not want someone to be caught in the middle. In that case the property owner had to come and get a variance from the Town in order to be in compliance with the Lake Desolation Overlay District but he would not be able to apply for the variance since he was in violation. Town Counsel agreed that with the proposed local law as written the applicant would not have been able to make that application for variance. Pemrick, C. suggested that perhaps they could be allowed to apply for a variance to comply with the current violation, however they could not apply for anything additional. Kinsella, C. noted that the Board of Health is not listed in the proposed local law Section 105-26 J. Only the Town Board, Planning Board and Zoning Board are listed so applications before the Board of Health would still be allowed. Town Attorney to take another look at the proposed law for the next meeting. Stan Weeks, Zoning Board of Appeals member, recalls a couple of instances where the Code Enforcement Officer has stated that the applicant has already been cited for something else and the Zoning Board has not acted. Supervisor Rowland stated that if the request did not require Zoning Board approval, the Code Enforcement Officer has no right to deny it. Town Attorney stated that the proposed local law did not

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cover that and if that was the intention of the Board then that would have to be added as well, ie. no building permits or Certificates of Occupancy shall be issued.

Al Janik, King Road – Mr. Janik stated that quite some time ago, at least a year or longer, the UDAG Committee was authorized to send out a flyer for input and they also had a webpage up. He asked when the Committee would be providing a report of their findings. Pemrick, C. believed that copies of the report were distributed in the Fall. He would check with the Committee.

Mr. Janik stated that the Town just completed a major undertaking in the building of the New Town Garage. He would like to know the total cost to the Town and where the money came from. He knows that there were change orders made to the original contract and some work was performed by the Town. Supervisor Rowland stated that he fully intended to put that information together. There were a few items that they are just finishing up and once the final figures were available he would be making a report.

RESOLUTION # 53 – Budget Amendments & Transfers

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Supervisor be authorized to make the following Budget Amendments & Transfers:

Transfer Money from General Fund to Capital Projects Fund

\$11,785.44 From A0201 to A9950.9

Capital Projects – Amend budget expenses

\$11,785.44 From H0960 to H5132.44

Capital Projects – Amend budget revenues

\$11,785.44 From H5031 to H0510

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

Noes: None

Farmers Market & Garage Sale - Town Clerk asked if the Board would be taking any action this evening on the two requests they received for the Farmers Market and Garage Sale. Board members instructed Town Clerk to send a letter to each organization to let them know that their requests have been approved.

Monthly reports were submitted by the Highway Supt., Town Justices Supervisor, Building Department and Town Clerk.

RESOLUTION # 54 - General Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That General Bills #56 to #128 in the amount of \$35,770.90 be paid, subject to audit.

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

Noes: None

February 11<sup>th</sup>, 2010 continued

RESOLUTION # 55 – Highway Bills

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That Highway Bills #14 to #32 in the amount of \$68,841.44 be paid, subject to audit.

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

Noes: None

RESOLUTION # 56 – Capital Projects

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That Capital Projects Bills #1 and #2 in the amount of \$11,785.44 be paid, subject to audit.

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

Noes: None

On motion of Cochran, C. and seconded by Chandler, C., the Board adjourned to Executive Session at 8:53 PM to discuss a possible UDAG Loan, a personnel matter and contract negotiation. Town Clerk was not present and no minutes were filed. On motion of Pemrick, C. and seconded by Cochran, C., the Board returned to regular session at 9:35 PM.

On motion of Cochran, C. and seconded by Chandler, C., the meeting was adjourned at 9:36 PM.

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Town Clerk