

January 10th, 2008

The regular meeting of the Town Board was held at the Community Center on Thursday, January 10th 2008 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Peter Coseo, Thomas Kinsella and Daniel Cochran, Councilman. Also present were Town Counsel Mark Schachner, Highway Supt. Walter Barss, one reporter and approximately 10 residents.

The meeting was called to order by the Supervisor at 7:30 PM and opened with the pledge to the flag. Members of Boy Scout Troop 18 presented the flag. On motion of Pemrick, C. and seconded by Kinsella, C. the minutes of 12/13/2007, 12/21/2007, 12/27/2007 and 1/3/2008 were approved as submitted by all members present.

Letter from NYS Dept. of Transportation approving request for speed reduction on Lincoln Mountain Road to 45 mph.

Letter from NYS Dept. of Transportation denying request for speed reduction for Murray Road.

Check from Finch Paper LLC in the amount of \$140.99 for the second quarter 2007 severance tax payment.

Letter from Time Warner Cable advising the Town of some of the changes that were being made with the HD channels.

“Are you OK” Program – Pemrick, C. advised that he will be attending the next meeting of the Saratoga County Safety Committee on Tuesday, Jan. 15th and will have more information for the next Board meeting.

Supervisor Rowland reviewed the list of items to be discussed under Old Business and asked if any members of the public wished to comment on any of the items. There were no public comments.

M & J Construction – Supervisor Rowland advised that the Board received a letter from Michele Anderson, attorney for M & J Construction, asking that this matter be adjourned until the February meeting. He stated that it was his understanding that some additional items have been brought into compliance since the last inspection of the Code Enforcement Officer and they were requesting that he come back and revisit the site. Pemrick, C. asked that the Supervisor request that the Code Enforcement provide them with an updated report prior to the next meeting. All Board members agreed to table this matter until the next meeting.

Zoning Law & Subdivision Regulation Corrections – Coseo, C. stated that when he brought this matter up at the agenda meeting, he did not envision a huge public committee. He thought a member of the Town Board should meet with the Code Enforcement Officer and perhaps a representative from the Planning Board and Zoning Board. Coseo, C. added that basically what is being talked about are some technical corrections and not changes per say. He suggested that the group could get together and report back to the Board at the next meeting. Supervisor Rowland stated that Board members received a memo from the Code Enforcement Officer outlining his proposed corrections. In addition, there was a correction that needed to be made to Outdoor Furnaces and the addition of the requirement of notification for Subdivisions. Kinsella, C. stated that he too was not interested in doing another full blown review and that there were just a few technical items that needed to be addressed. Supervisor Rowland noted

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that Cochran, C. is the Town Board representative to both the Planning Board and Zoning Board of Appeals and suggested that he be the Town Board representative on the committee. Cochran, C. advised that he would contact the other members and report back to the Board at the next meeting.

Supervisor Rowland reviewed the list of items to be discussed under New Business and asked if any members of the public wished to speak. There were no public comments.

RESOLUTION # 27 – Approve 2008 Nutrition & Transportation Agreements

Motion: Coseo, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby approves for the Year 2008 the Transportation Agreement in the amount \$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: Rowland, Pemrick, Coseo, Kinsella, Cochran

Noes: None

RESOLUTION # 28 - Appoint Delegate to Association of Towns

Motion: Coseo, C.

Seconded: Kinsella, C.

RESOLVED, That Richard Rowland, Supervisor be appointed Voting Delegate to attend the Annual Business Session of the Association of Towns to be held on February 20th, 2008.

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

Noes: None

Planning Board Vacancy – Supervisor Rowland advised that there was a vacancy on the Planning Board due to the recent election of Daniel Cochran to the Town Board. Four or five people have applied to date. At this point the Board needs to schedule interviews and invite the Planning Board Chairman to sit in on them. Supervisor Rowland advised that the ad in the newspaper gave anyone interested until January 19th to apply, so there are still a few more days left. Kinsella, C. suggested that the Planning Board interview the applicants and give a recommendation to the Board. This procedure has been used in the past. Coseo, C. stated that he would prefer to have the Town Board interview the candidates as well. If the Planning Board Chairman was not available on the same evening, then he could conduct his own interview and give a recommendation to the Board. Pemrick, C. noted that there was an alternate member of the Planning Board which he felt needed to be considered as well. Cochran, C. felt that it was important that the Planning Board Chairman be given the chance to make a recommendation as to who he feels would best fit the Board. Coseo, C. noted that the Town Board has total discretion as to who is appointed to the Board. Kinsella, C. felt that if the Board waits to conduct interviews until after they get the recommendation from the Planning Board Chairman and then determines that they are not in agreement with that recommendation, it will delay the appointment another month. He suggested that the

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Town Board go ahead and set up their own interview time, perhaps prior to the Agenda meeting. Town Clerk to contact the applicants to set up an interview and invite the Planning Board Chairman, if he is available.

Environmental Committee Vacancy – Supervisor Rowland explained that due to the recent resignation of Alex Rhodes there was also a vacancy on this committee and the Board needed to advertise for any opening. Coseo, C. suggested that the alternate member, Sarah Lieberman, be appointed as the regular member this evening and advertise for an alternate. Pemrick, C. and Cochran, C. felt that in order to be consistent, they should just advertise for a vacancy on the committee.

RESOLUTION # 29 – Advertise for Opening – Environmental Committee

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Clerk be directed to advertise for an opening on the Environmental Committee and that all interested parties should submit their letter of interest no later than February 7th, 2008.

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

Noes: None

Junkyard License Renewal – Cornell's Used Auto Parts – Supervisor Rowland advised that the Board received an application for renewal of a junkyard license from Casey Cornell – Cornell's Used Auto Parts, LLC. The Code Enforcement Officer performed a site inspection on January 8th, 2008 and found the applicant to be in compliance with Chapter 65 of the Town Code.

RESOLUTION # 30 – Approve Junkyard License Renewal

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby approves the following Junkyard License Renewal for the year 2008:

#1-2008 – Casey Cornell – Cornell's Used Auto Parts, LLC

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Abstained: Coseo

Procurement Policy – Highway Supt. Barss stated that the Procurement Policy has not been looked at since 1992 and recommended that the Board take a look at the cutoff amounts where a purchase order is necessary. He spoke with another Town and the only way they use this policy is for parts and repairs. When the list of roads to be rebuilt is approved by the Town Board in February, that is their approval and purchase orders are not necessary for each blacktop delivery, etc. Highway Supt. Barss asked if this was something that was necessary and if it was a State Law or just a Town Law. Duane Wright, Highway Clerk, noted that if the cutoff amount stays at \$1,500. they would have to obtain a purchase order for every salt bill, fuel bill, asphalt bill and even a bill for tires. He felt that it would be better if the policy specified what items would require a purchase order rather than it be a blanket policy. Town Counsel Schachner believed that the legal requirement threshold was a much higher number. He will review for the next meeting. Coseo, C. suggested that perhaps this be on non-recurring items

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only. He also felt that the Board needed to know what the legal monetary amount was. Kinsella, C. felt that the Agreement to Spend Highway Funds should cover those bills but he would be interested in what the legal requirements were. Duane Wright noted that he maintains a complete file on each project which includes the estimate, the amount of asphalt, the exact amount that was spent on the job, etc. This matter was tabled until the next meeting.

RESOLUTION # 31 – Approve Animal Shelter Contract

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby approves the 2008 Animal Shelter contract with Saratoga County for the sum of \$1,661.15, and

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

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

Noes: None

New Highway Garage – Highway Supt. Barss advised that he met with the Town Engineer. They should have information available for the Board by the agenda meeting. They plan on putting together a sketch drawing and plot plan as to approximately where the building will be located. They are going to take it to a few companies to obtain a budget type number on the proposed building. At that point, he would have a better idea as to whether or not what they are looking to build is feasible. Kinsella, C. stated that at some point he would like to learn more about the State procurement rules before they got to much farther into the process. There are many different ways and opportunities in which to get the best value for your money. For instance, you may be able to pre-qualify a vendor based on their safety performance rating, etc. Coseo, C. noted that when the concept plan and cost estimate is available the Highway Supt. may be able to apply for some grant money.

Tri-Town Gravel Pit – Highway Supt. Barss advised that there is going to be a meeting between the three Towns on January 24th regarding dissolving the agreement. The other two Towns no longer want to be part of the pit.

On motion of Pemrick, C. and seconded by Kinsella, C. the Board adjourned to Executive Session at 8:05 PM to discuss a possible property acquisition. Town Clerk was not present for session and no minutes were filed. On motion of Kinsella, C. and seconded Pemrick, C., the Board returned to regular session at 8:15 PM.

Monthly reports were submitted by the Dog Control Officer, Town Supervisor, Town Clerk, Highway Supt., Town Justices, Building Department and the UDAG Revolving Loan Fund Committee.

Annual reports were submitted by the Highway Supt., Town Justices and Town Clerk.

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RESOLUTION # 32 - 2007 Encumbered Bills

Motion: Coseo, C.

Seconded: Kinsella, C.

RESOLVED, that 2007 Encumbered Highway Bills #246 to #251 in the amount of \$10,191.91 and 2007 Encumbered General Bills #870 & #871 in the amount of \$487.50 be paid, subject to audit.

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

Noes: None

RESOLUTION # 33 – General Bills

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That General Bills # 1 to # 15 in the amount of \$27,649.35 be paid, subject to audit.

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

Noes: None

Part Time Code Enforcement Officer Appointment – Town Clerk advised that the reappointment of the Part-Time Code Enforcement Officer, Robert Gizzi, had been inadvertently left off the agenda for the Organizational Meeting and that he needed to be reappointed.

RESOLUTION # 34 – Appoint Part-Time Code Enforcement Officer

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby appoints Robert Gizzi as Part Time Code Enforcement Officer.

Discussion was held as to what the salary was. Town Clerk did not have hourly rate. Coseo, C. noted that the Budget only states the lump sum amount available and does not indicate an hourly rate. He felt that the Board needed the hourly rate in order to do the reappointment. The motion was withdrawn and the matter was tabled until the next meeting when the hourly rate is available.

County Water System – Supervisor Rowland stated that he has been asked by John Lawler, Chairman of the Saratoga County Water Authority to send a letter regarding potential water users in the Town. He stated that he has had conversations with a couple of businesses in Town that would like to be considered as potential water users should the system come up and running. Mr. Lawler is looking for letters to state that so that he can then go to the proper licensing authorities and permit issuing authorities to get everything in order. He is asking for a very general letter stating that after conversation with the businesses in Town that would like to be considered potential water users of the County system, the Town would like to request they be given all consideration for access to the pipeline. This would not commit the Town to anything. It would allow the Town to be on the information side of things and for them to be able to put in some T's and extra valving so that should the businesses decide to use the water it will be available. Coseo, C. wanted assurance that this letter would not commit the Town of Greenfield to pay anything into the County water system at this point in time. Town Counsel Schachner disclosed that he was one of the Attorney's working on litigation for

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the Water Authority, however this proposed letter seemed clearly noncommittal. He did not see anyway that anybody could construe the letter as a binding commitment by the Town of Greenfield to pay anybody anything.

RESOLUTION # 35 – Authorize Supervisor to Send Letter to Saratoga
County Water Authority

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Supervisor be authorized to send a letter to the Saratoga County Water Authority expressing the desire of three businesses in Town who would like to be considered as potential water users of the County system.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: Coseo

On motion of Coseo, C. and seconded by Cochran, C. the meeting was adjourned at 8:25 PM.

Town Clerk