

July 9th, 2009

The regular meeting of the Town Board was held at the Town Hall on Thursday, July 9th, 2009 with the following members present: Daniel Pemrick, Deputy Supervisor; Peter Coseo, Thomas Kinsella and Daniel Cochran, Councilman. Richard Rowland, Supervisor was absent. Also present was Town Counsel Mark Schachner, Highway Supt. Walt Barss, one reporter and 5 residents.

At 7:25 PM the Board met as a Board of Health to discuss the following unsafe buildings.

Unsafe Building – 19 Coombs Roadway – Halturewicz - Pemrick, C. reviewed the Town Code Enforcement Officers report dated 7/9/09. He stated that he met with Mr. Halturewicz on 7/6/09 and he agreed to finish removing the back porch; remove the fallen chimney and miscellaneous debris in side yard and obtain a report from his engineer confirming that the structural repairs are adequate to support the structure. Cochran, C. stated that we have received certification regarding this structure before and it is back before us again. Pemrick, C. suggested that the Board give Mr. Halturewicz 30 days to complete the items he agreed to. Board members in agreement to table until the August Town Board meeting. Town Clerk to send letter advising Mr. Halturewicz that he has 30 days to comply. Al Hillmeyer 15 Kilmer Roadway, asked how Mr. Halturewicz could bypass coming before the Board and go to Gerry McKenna instead. Coseo, C. explained that the property owner is given an opportunity to come before the Board, however he does not have to appear before the Board. The Board has received correspondence from Mr. Halturewicz, the last of which indicated that he wanted to meet with the Code Enforcement Officer to discuss what needed to be done to bring the property into conformance and that is what he has done. Pemrick, C. stated that the Code Enforcement Officer is the one who enforces these matters for the Town. Mr. Hillmeyer stated that he spoke with Mr. McKenna and he indicated that the building was totally unsafe. Mr. Hillmeyer did not understand why he was giving them another chance. Pemrick, C. stated that the Code Enforcement Officer informed the Board of what the property owner was willing to do and the Town Board was giving him time to complete the work.

Unsafe Building – 321 Bockes Road – Myland Corp. - Pemrick, C. reviewed the Town Code Enforcement Officers report dated 7/9/09. The Code Enforcement Officer had not received any further communication from the property owners. On May 20, 2009 the property owner telephoned and indicated that they would be removing the building, however no work has taken place to date. Coseo, C. stated that 60 days had not passed from the time the Notice of Unsafe Building was received by the property owner. Coseo, C. asked Highway Supt. if they would be able to remove the structure and how costly he thought it would be. Highway Supt. Barss did not feel that it would take them more than a day to remove the structure. Kinsella, C. suggested that a letter be sent to the property owner indicating that the structure shall be made secure or removed by July 24th, 2009 or the Town will take the building down and all costs incurred will be charged to the property owner. Board members were in agreement.

The meeting of the Board of Health closed at 7:31 PM.

The regular meeting of the Town Board was called to order by Daniel Pemrick, Deputy Supervisor and opened with the pledge to the flag. On motion of

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Coseo, C. and seconded by Cochran, C., the minutes of 6/11/2009 were approved as submitted by all members present.

Notification from Prestwick Chase at Saratoga of their intention to renew their New York State Liquor License.

Small Claims Petition – Michael & Jennifer Casavant

Stan Weeks, Ashlor Drive - Mr. Weeks stated that the Caboose Committee was going to begin working again. They will be at the Caboose on Saturday mornings from 8 AM to Noon. Anyone who is willing to volunteer their time is welcome.

Mr. Weeks stated that there were “clean fill” signs posted on the telephone poles at the intersection of Middle Grove Road and King Road last year. The Code Enforcement Officer asked the individual to take them down last year, which they did. The signs are back up again this year. He added that the signs were almost 4 X 4 and did not meet the sign codes for the Town. Pemrick, C. stated that he would have the Code Enforcement Officer look into the matter.

Mr. Weeks also commented on the Stewarts Banner that has been hung in front of the Stewarts Plant on Route 9N for the past year. Board members stated that the banner is not within the Town of Greenfield. It was located in the City of Saratoga Springs.

Town Code Revisions - Cochran, C. stated that the Board had met and discussed the proposed changes to the Town Code. The changes include all the items the Review Committee had worked on such as Outdoor Furnaces, Wind Towers, Right to Farm, etc. In addition, there were a few items that the Code Enforcement Officer had proposed. He anticipated having a final draft of the proposed language to the Board within the next couple of weeks so that the Board can move along with the process of public hearings, etc.

Update New Town Garage - Highway Supt. Barss stated that the building was approximately 99% complete. The Plumbing has been completed. The building itself is pretty much done. They are still finishing up some electrical and mechanical work. He stated that there was an issue with the exhaust fans and how they were going to be mounted to the building. They have started on some of the paving and landscaping around the garage. Highway Supt. Barss stated that at the agenda meeting he mentioned an extended warranty on the new generator. He provided more detailed information. The extension would give a full five year warranty with 100% coverage. If they can not fix the generator within 3 days, they will bring in a portable generator to use. The additional 3 year coverage would cost \$1,240. Coseo, C. felt that it was a good idea. Pemrick, C. agreed.

RESOLUTION # 98 – Approve Extended Warranty for Generator

Motion: Cochran, C.

Seconded: Coseo, C.

RESOLVED, That the Town Board hereby authorizes the purchase of an additional 3 year extended warranty on the new Town Garage generator at the cost of \$1,240., and

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FURTHER RESOLVED, that payment should be made from the Capital Projects Fund.

VOTE: Ayes: Pemrick, Coseo, Kinsella, Cochran

Noes: None

Absent: Rowland

Highway Supt. Barss noted that under State contract the gas supplier for the garage has changed to Bovee for the next 2 years. The Main Care contract has expired. He added that State Contract is cheaper than County Contract.

Kinsella, C. asked Highway Supt. Barss who would be doing the punch list inspections for the new Town Garage. Highway Supt. stated that the Town Engineer/Clerk of the Works would be handling it. Kinsella, C. questioned if he was too close to the job to do it and suggested that maybe someone else from his firm may want to do it. Highway Supt. Barss stated that the Mechanical Engineer is coming to do his own inspection and he has not been involved in the day to day construction. Kinsella, C. asked if the issue with the exhaust fans was a design issue. Highway Supt. Barss stated that the fans were wall mounted and they would extend 3 feet. There is some concern with the snow coming off the roof it will bend them down. They are looking into building some kind of frame work for it.

County Mutual Aid Agreement - Pemrick, C. stated that County Emergency Services has put together this agreement and is looking for all the Towns to adopt it. It would establish a procedure for reimbursement for expenses that Towns may incur during emergencies and allows for the sharing of equipment. Coseo, C. believed that this was a draft agreement that had suggested changes proposed by the County Attorney and asked if a final copy had been provided. Town Clerk advised that this was the only copy that she had received. Consensus of Board to wait until the next meeting when a final copy could be obtained.

Saratoga County Arts Council - Adrianna Flax, Grants Administrator, gave a brief presentation to the Board regarding the Arts Council. They are located in downtown Saratoga Springs. They offer grants to municipalities, non-profits, etc. The program she spoke about was called SPAF – Saratoga Program for Arts Funding. They receive the money from the New York State Council on the Arts. It is her job to spread that money throughout the County in the form of a grant for arts and cultural public community programming. The goal of this grant program is to insure that all New York State residents have access to high quality arts and cultural programming. Over \$500,000. has been awarded since 1993. Over 100 arts related programs come out of these grants yearly. Last year over \$44,000. was awarded to 16 recipients throughout the County, as well as 3 artists who received money directly. Municipalities are eligible to request funds from \$500. to \$5,000. that can be used towards concerts in the park, community theater, community workshops and programming, etc. The funds can be used by an Historical Society, Preservation Group, Community Theater or any non-profit organization. Adrianna stated that one of the major priorities is to fund programs in rural communities. This summer there is concert series in Edinburg which is bringing in musicians from all over the country. Any group interested in applying for a grant must attend one of the grant seminars which are scheduled in July and August. The deadline to apply for a grant is September 22nd, 2009.

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RESOLUTION # 99 - Authorize Application for Funds from the
2009 Justice Court Assistance Program

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby authorizes Town Justices Paul Varley and Deborah Hopkins to file an application for funding from the New York State Office of Court Administration 2009 Justice Court Assistance Program.

VOTE: Ayes: Pemrick, Kinsella, Cochran

Noes: None Absent: Rowland Abstained: Coseo

Old Porter Road – Highway Supt. Barss submitted a memo to the Town Board indicating that he had received a request to abandon a portion of Old Porter Road, which he was in agreement with. Coseo, C. asked how many property owners were effected. Highway Supt. Barss stated that there were 2 property owners. He added that the one parcel which is vacant also has frontage along Porter Road. At this time the Town still maintains and plows that section of the road. There is no place to turn around with the plow. They have to back all the way out. The property owner that lives there, complains about the snow being pushed into his driveway and many times he has plowed the road himself. He would like to see the road abandoned. Highway Supt. Barss stated that in 1997 the Town Board started the process to abandon the other side of Old Porter Road on the other side of the railroad tracks, but for some reason never filed the paperwork. Town Counsel advised that all adjacent property owners should be notified and a public hearing will be required.

RESOLUTION # 100 – Schedule Public Hearing Possible Abandonment
Portion of Old Porter Road

Motion: Coseo, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby schedules a public hearing for the possible abandonment of Old Porter Road, to be held on August 6th, 2009 at 7:25 PM, and

FURTHER RESOLVED, That the Town Clerk be directed to issue notice to all adjoining landowners.

VOTE Ayes: Pemrick, Coseo, Kinsella, Cochran

Noes: None Absent: Rowland

RESOLUTION # 101 - 2009 Youth Week Contract

Motion: Cochran, C.

Seconded: Coseo, C.

RESOLVED, That the Supervisor be authorized to execute an agreement with Saratoga County Youth Bureau who will provide \$2,800. as partial reimbursement for expenses incurred by the Town in conjunction with Youth Day.

VOTE: Ayes: Pemrick, Coseo, Kinsella, Cochran

Noes: None Absent: Rowland

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RESOLUTION # 102 – Budget Amendments & Transfers

Motion: Coseo, C.

Seconded: Cochran, C.

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

Budget Amendment to General Fund –

\$24,456.41 From A0960 to A9950.9

Transfer from General Fund to Capital Projects Fund –

\$24,456.41 From A0201 to A9950.9

Amend Capital Projects Budget for Expenses –

\$ 1,540.00 From H0960 to H5132.41

\$15,699.89 From H0960 to H5132.42

\$ 7,246.52 From H0960 to H5132.44

Amend Capital Projects Budget for Revenues –

\$24,456.41 From H5031 to H0510

VOTE: Ayes: Pemrick, Coseo, Kinsella, Cochran

Noes: None

Absent: Rowland

RESOLUTION # 103 – Transfer of Funds

Motion: Coseo, C.

Seconded: Cochran, C.

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

\$420.51 From A1990.4 to A1910.4

VOTE: Ayes: Pemrick, Coseo, Kinsella, Cochran

Noes: None

Absent: Rowland

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

General Bills - Pemrick, C. noted that the bill for Adirondack Sign came in for the Veteran's Memorial Plaques. The bill is for \$100. more than what was authorized. Pemrick, C. added that the committee met and they have a list of approximately 11 names that were not added, as well as a few errors that need to be corrected. He believed that the omission of names may have been a committee error. Pemrick, C. stated that he spoke with Mr. Remillard and he will make all the corrections and additions at no additional charge. Pemrick, C. would like the Board to approve payment of the bill, including the additional \$100. Kinsella, C. stated that he did not feel that it was proper to pay the bill when the work had not been completed. Board members were in consensus to approve payment of the bill and that the check shall be held until such time the work was complete.

RESOLUTION # 104 - General Bills

Motion: Coseo, C.

Seconded: Cochran, C.

RESOLVED, That General Bills # 344 to # 408 in the amount of \$41,415.21 be paid, subject to audit.

VOTE: Ayes: Pemrick, Coseo, Kinsella, Cochran

Noes: None

Absent: Rowland

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RESOLUTION # 105 - Highway Bills

Motion: Coseo, C.

Seconded: Cochran, C.

RESOLVED, That Highway Bills # 105 to # 123 in the amount of \$180,961.36 be paid, subject to audit.

VOTE: Ayes: Pemrick, Coseo, Kinsella, Cochran

Noes: None

Absent: Rowland

RESOLUTION # 106 – Capital Project Bills

Motion: Coseo, C.

Seconded: Cochran, C.

RESOLVED, That Capital Projects Bills # 33 to # 39 in the amount of \$24,456.41 be paid, subject to audit.

VOTE: Ayes: Pemrick, Coseo, Kinsella, Cochran

Noes: None

Absent: Rowland

On motion of Coseo, C. and seconded by Cochran, C., the meeting was adjourned at 8:10 PM.

Town Clerk