

June 12th, 2008

The regular meeting of the Town Board as held at the Town Hall on Thursday, June 12th, 2008 with the following members present: Richard Rowland, Supervisor, Daniel Pemrick, Peter Coseo, Thomas Kinsella and Daniel Cochran, Councilman. Also present was Town Counsel Mark Schachner, Highway Supt. Walter Barss and approximately 15 residents.

The Board met as a Board of Health to discuss the following unsafe buildings.

An unsafe building hearing opened at 7:15 PM regarding property located at 14 Lake Desolation Road, owned by Wayne and Joan Mercier. There was no one present to represent the owners. The Board closed the hearing at 7:16 PM.

An unsafe building hearing opened at 7:20 PM regarding property located at 4224 Route 9N, owned by Joseph & Theresa Mulholland. Supervisor Rowland reviewed the report submitted by the Code Enforcement Officer which stated that the building had been removed and all the junk and debris had been removed from the property. On motion of Coseo, C. and seconded by Cochran, C., all Board Members voted in favor of withdrawing the Unsafe Building Notice since the property has been brought into compliance. The hearing was closed at 7:22 PM.

An unsafe building hearing opened at 7:25 PM regarding property located at 40 Mill Street, owned by Elizabeth Thibodeau & Donald Hoffman. Mr. Hoffman stated that he had 75% of the mobile home taken down and planned to have the remainder of it dismantled over the weekend. All the debris would then be removed from the site. Coseo, C. asked Mr. Hoffman if he felt that he could complete the cleanup by July 12th, which would be the 60 day requirement. Mr. Hoffman stated that he would be completed by then. Coseo, C. stated that Mr. Hoffman should contact the Code Enforcement Officer as soon as the work was completed to have him do an inspection of the property. If everything was completed to the satisfactory of the Code Enforcement Officer prior to the next Town Board meeting, July 10th, then Mr. Hoffman would not have to come back before the Board. The hearing was closed at 7:26 PM.

Unsafe Building Report – 4000 Rt 9N – Chwaz – Mr. Chwaz stated that he had hired an individual to remove the roof, which has been pulled off and piled up on the outside. A dumpster is now on site and he has rented a machine to load the dumpster. Most of the roof is now off. There is some debris inside the building that he is still working on cleaning up. Mr. Chwaz stated that he has removed 5 vehicles from the property. The pavement roller that was out back, along with the steel has also been removed from the property. He has also started to straighten up the fencing in the back of the building. As far as the engineer report was concerned, he needed to remove additional debris from inside the building so he could get to the inside wall before he could do an inspection and give a report. Supervisor Rowland stated that it was his understanding that the site was not secure and that anybody could walk into the building. Mr. Chwaz stated that he has built some doors to go in the front to secure that. He is also going to build a section of wall. The inside doors going into the main building are blocked off so that nobody can get into there. Mr. Chwaz stated that he was doing the best he could with limited funds. Kinsella, C. felt that this was dragging out too long. He added that the Board was obligated to make sure that the public was safe. Mr. Chwaz

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stated that he would put up the doors, etc. so that no one could get in the building. Pemrick, C. asked what Mr. Chwaz could have done if he were to be given an additional 2 or 3 weeks. Mr. Chwaz felt that he would be able to get the dumpster loaded and removed and have more cars removed from the site. Pemrick, C. added that the building appears very unsafe and the Board is trying to work out some sort of an agreement with him to get the site secured. He added that the Board needs to see a genuine effort on the part of the property owner in making in safe. Mr. Chwaz stated that he has already spent over \$6,000. in trying to clean up the property and felt that he has put in quite a bit of an effort. Cochran, C. suggested that Mr. Chwaz concentrate on the safety issue first. Mr. Chwaz stated that he would continue working on getting the building secured, getting the dumpster loaded with the debris from outside and have a few more cars removed. Pemrick, C. stated that he understood that this was a very large and expensive project, however the Board needed to see substantial progress by the next meeting. Kinsella, C. stated that he would also like to see the engineering report by the next meeting. Cochran, C. added that the Board could not just keep giving extensions. The building has to be secured and made safe by the July 10th meeting.

At 7:40 PM the regular meeting was called to order by the Supervisor and opened with the pledge to the flag. On motion of Coseo, C. and seconded by Pemrick, C., the minutes of 5/8/08, 5/22/08 and 6/5/08 were approved as submitted by all members present.

Supervisor Rowland stated that he has received a request from a Boy Scout looking to work on his Eagle Scout Project. He would like to develop a couple of signs for the new Brigham Road Park. If Board members were in favor, he would continue to work with the young man. He is looking at a designation sign, rules sign and a flower box sign.

Health Insurance Presentation – Philip Klein of Adirondack Trust Insurance was present to give the Board an overview of medical benefits for retirees. He hoped that this was something that the Board would review and possibly act on in the near future. He also asked that the Board consider the possibility of making them the Agent of Record for the Town.. Mr. Klein explained some options that the Board could look at regarding enhancing the retiree benefits and helping to save the Town some money. He reviewed a handout he provided from MVP for medicare eligible employees/retirees, anyone 65 years old or older. Currently coverage is provided through the New York State Health Insurance Program. Joan Kelly, Town Bookkeeper, provided the Board with a comparison of the 2 plans. The NYS Plan is considerably more expensive than the MVP Gold. Mr. Klein explained that every month money is taken from the retirees Social Security check, approximately \$97., which goes to Medicare. Medicare and the Federal government would forward that money to MVP. MVP and many other health care providers have contracted with the government to be agents for Medicare. Mr. Klein stated that he would like to see the Board consider whether or not they would like to make this optional for the current members of the NYS Health Insurance Plan. He would set up a meeting with MVP representatives to meet with the retirees to answer any questions, review their medications, etc. so that they could determine which plan would cover them better and check to be sure that their physicians

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were participants in the plan. Mr. Klein added that the Board should also make a decision as to whether or not they would require that any future retiree take the MVP Plan and not the NYS Health Plan as currently offered. In addition, there are other riders that the Board could consider adding, such as hearing aid rider. Mr. Klein stated that it was an excellent plan and that it matches up, and if not exceeds the current plan and would be at a substantial savings to the Town. Coseo, C. questioned if the 2 people listed on the cost projection sheet were 2 employees that have family coverage, and if so, would the spouse continue to have coverage? Mr. Klein explained that if both were over the age of 65 and medicare eligible they would be treated as individuals. If one was not medicare eligible, they would have to continue as a single under the regular health insurance plan until such time they become medicare eligible. Supervisor Rowland stated that one other thing that the Board needed to consider was changing the Health Insurance Coverage to Adirondack Trust Insurance. Mr. Klein noted that currently the Town has Adirondack Trust Insurance for its Property/Casualty Insurance and what they would like to do is take over the rest of the insurances. Nothing would change as far as coverage was concerned, there would just be a new broker. Coseo, C. asked who the broker of record was at this time. Joan Kelly stated that it was David LaVoie of Insurance Design out of Latham. Kinsella, C. stated that he would like to have a couple of the retirees take a look at the proposal and get back to the Board as to whether or not they feel it is comparable. Mr. Klein stated that what he would really like to do is set up the informational meeting and explain the plan to the retirees. Board members were in agreement. Joan Kelly to work with Mr. Klein in setting up the meeting. Cochran, C. suggested that Adirondack Trust Insurance be named the Broker of Record. Coseo, C. questioned whether or not the Board should obtain any other proposals. He understood that nothing would change as far as plans were concerned, it would only change the broker. A discussion was held as to when would be the best time to shop around for prices on plans for all the employees. Pemrick, C. asked how long Mr. LaVoie had been our agent. Joan Kelly believed it was at least 5 years. Pemrick, C. felt that he should be given the opportunity to submit a proposal. Board to discuss the Broker of Record further. They were in agreement to go ahead with the informational meeting for the retirees.

Supervisor Rowland clarified that the public comment portion of the meeting was not to be a public debate. He reminded the audience that all items should be addressed to the Board. The Board reserves the right to limit the number of times a person may speak regarding an issue and for how long. He added that the individual should wait to be recognized by the Supervisor before speaking and that they need to state their name and address for the record.

Porter Corners Park – Supervisor advised that he submitted the application for the UV Filter to the New York State Department of Health. They will review the application and get back to us with an approval or not. Once we receive approval, we are ready to have it installed. Coseo, C. asked what was happening with the water at this time. Supervisor Rowland advised that they are using bottled water and prepackaged items in the concession area. The only water that is being used if for the bathrooms.

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Tri-Town Pit Agreement – Supervisor Rowland advised that they were still waiting to hear back from the other 2 Towns. Highway Supt. is still operating and going ahead with the permit process.

New Town Garage – Highway Supt. Barss stated that he spoke with the Town Engineer and he should have a package together for everyone by Monday, June 16th. At the last meeting, a public hearing was scheduled for Thursday, June 26th, 2008 at 7:00 PM at the Community Center. The purpose of the hearing will be to obtain public input as to the feasibility of the project.

Are You Okay Program – Pemrick, C. stated that during discussions of members of the committee, which is still being formed, there was some concern regarding liability and the need for the Town to officially identify a committee. Since they will be dealing with the public, they felt that it was important to be covered by the Town insurance just as other Town employees are. Town Counsel Schachner stated that when or if the Board wants to participate in the Are You Okay Program it should be done by Town Board resolution. In addition he advised that when the forms are being designed for this voluntary program, there should be a hold harmless or indemnification provisions holding the Town harmless. Pemrick, C. noted that at some point in the program, members of this committee will be calling on residents who have chosen to register for the program. They will be asking them if they are safe, if they have what they need, etc. There was some concern by members of the committee that the Town might be put in jeopardy if a participant felt that the committee did not act quickly enough, etc. Town Counsel Schachner stated that anyone registering for the program should sign the waiver of liability/hold harmless provision that should be part of the application.

RESOLUTION # 99 – Are You Okay Program

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby grants permission for the Are You Okay Committee to proceed with the plans of implementing the Are You Okay Program in the Town of Greenfield, and

FURTHER RESOLVED, that any applications developed for the program shall be reviewed by Town Counsel in an effort to insulate the Town as best as possible from potential liability.

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

Noes: None

Zoning Advisory Committee – Town Clerk advised that she had received 1 letter of interest from the public and a volunteer from both the Planning and Zoning Boards. Coseo, C. felt that there should be a representative from the Environmental Commission and someone from the Town Board as well. Cochran, C. stated that he would be the Town Board representative. The purpose of this committee will be to look at Wind Energy Regulations, the Right to Farm Act and keep the Board abreast of any other possible Zoning changes. Board members in agreement to appoint the 4 members at this time and make further appointments in the future.

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RESOLUTION # 100 – Appointments to Zoning Advisory Committee

Motion: Coseo, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby appoints the following people to the Zoning Advisory Committee:

Stan Weeks – Zoning Board of Appeals Representative; Tonya Yasenachak – Planning Board Representative; Ron Fuelner – Citizen Representative & Dan Cochran – Town Board Representative.

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

Noes: None

Philip Gargan, Locust Grove Road – Mr. Gargan stated that he spoke to a lot of people this past week regarding assessments and they are not happy about it. He submitted an open letter to the Town Board which he read aloud. He stated that the Town Board could work for the people of the Town of Greenfield by throwing out the recently completed reassessments of 540 properties or work against them by accepting the reassessments and subjecting them another year of oppressive and unaffordable taxation. He added that recent surveys show that the median home prices in Saratoga County have dropped 15% and questioned why the residents of the Town of Greenfield were being singled out to pay more taxes.

Candace Merbler, Coy Road – Ms. Merbler stated that she has been a resident of the Town since 1991. Two years ago she was reassessed and for some reason this year she received a \$46,000. increase to her assessment. She met with the Assessor and felt that he seemed to have a formula that he was sticking by. She added that she was not given any grievance forms. Ms. Merbler appealed to the Town Board to support the request that the assessments be thrown out and redone. She stated that she has also investigated what the assessment rates are in Saratoga and in Corinth and she was not sure why Greenfield was bearing the brunt of the tax load in Saratoga County. She felt that people were going to be taxed out of their homes.

Deborah Fellows, Miner Road – She stated that she was assessed 3 years ago when she bought her property; reassessed 2 years ago and reassessed again this year. The only thing she has done to her property was to subdivide it and she now has half the acreage that she had. Her assessment has gone up over \$42,000. She stated that the assessor actually used her own property as a comparable value showing that she owns 6.82 acres when she only owns 3.82 acres. She added that her neighbor owns 500 acres and has a house twice the size of hers, yet the assessed value is only \$100,000. more than hers. She asked the Board to stand up for the arbitrary picking of 540 parcels. She asked why her property has been reassessed 3 years in a row when property values have gone down. Of the 540 properties reassessed, about 20 went down. Only approximately 4 were private homes. The rest of them were commercial properties, Verizon, State of New York, etc. She questioned why these values were going down while residential properties were going up.

Terry Ryfa, Ashlor Drive – Mr. Ryfa stated that if everyone was fairly assessed he would not be here. He stated that the house across from his is much larger with a 3 car garage, cedar siding and a full basement and it is only assessed for \$6,000.

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more than his. When he met with the assessor he felt that he was preoccupied with his computer when he tried to show him something. Mr. Ryfa stated that in the end he agreed to bring the assessment down but he felt that it was still too high and went before the Board of Assessment Review. The Board of Review did not give him any relief at all. They kept it right where it was. He would just like to see some fairness in the process.

Fred McNeary, Daniels Road – Mr. McNeary stated that he was not aware that this was going to be a public hearing this evening. He asked if the Assessor would be here this evening to give an update and if there would be a public hearing prior to the acceptance of the new assessments. Supervisor Rowland stated that the Assessor would not be present and that there was no provision in the law for a public hearing. He added that there was no formal acceptance of the Tax Roll by the Town Board. It is the Assessor who files the Final Tax Roll.

Ken Rohling, Miner Road – Mr. Rohling asked if there was an appeal process. Supervisor Rowland stated that the process for appeal is through the Board of Assessment Review and then Small Claims Court. Mr. Rohling asked if the Board was willing to go through a Class Action Suit. He felt that it was very blatant that there were a lot of arbitrary assessments.

Joan McDonough, Brandell Lane – She agreed with much of what has already been said. She met with the Assessor and he explained the formula that he used. After reviewing all the information she received from that meeting, she came back to get copies of other information that she needed to go before the Board of Assessment Review. At that point they realized that her contemporary home had been compared to 5 colonial homes. She put together a table which included square footage, price per square foot, acreage, etc. for many of the comparable homes in her neighborhood. The Assessor admitted at the Board of Assessment Review session that he used the wrong comparables for this property. She left the Board of Review session thinking that they would come down some. Instead, she received a denial letter from the Board stating that she did not submit enough supporting evidence. She felt that she had submitted a very comprehensive file of evidence and did not know what more she could have presented.

Bob Hyndman, Denton Road – Mr. Hyndman stated that it was his understanding that all the properties in the Town were to be maintained at 100% each year. He questioned how you could go out and pick just 15% of the property owners to increase. He felt that it seemed to be very haphazard.. Mr. Hyndman added that what the Town has done is to bring in someone into the community from out of Town with a whole different way of dealing with assessments. He did not feel that the Assessor was approachable. He believed that the assessment process was being done unfairly and inequitably to the residents of the Town and that the Board needed to deal with this, possibly by throwing out this years' assessments.

John P. Chwaz Jr, Route 9N – Mr. Chwaz stated that he was presently before the Board for an unsafe building. He did not realize until this evening that not everyone in the Town had been reassessed. Over the past 5 years the assessment on this property has gone from \$140,000. to \$329,000. The property value increased \$49,000. this past year alone and the building which has been deemed unsafe has gone up double

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in the past 5 years. The building where the roof fell in actually went up in value this year. He felt that if the Town was going to stay at 100% reassessment, then everyone should be reassessed.

Jason Penge, Ridge Road – Mr. Penge stated that in the 8 years that he has lived here his property has been reassessed 4 times and has gone up \$110,000. He added that he has been buying and selling properties throughout Saratoga County for the past six years and he has seen the hardships that the real estate market has taken on over the past 3 or 4 years. He knows that he could not sell his property for what it is assessed at now. He brought in information to the Board of Assessment Review regarding 7 comparable properties within 1 mile of his home, however they denied his request and felt that the supporting data was insufficient. He felt that only assessing 15% of the entire Town was completely wrong. He did not feel that the Town should be at 100% value in such a drastically changing market. He felt that if the Town had any power to do so, they should reject the new assessments. Mr. Penge requested that there be a public informational meeting set up with the Assessor in attendance so that he can explain his reasons as to why he chose to only reassess 15% of the Town.

Town Counsel Schachner believed that it was the Assessors sole obligation to file the Tax Roll. The Town Board does not have the legal authority to change an individual assessment. Under New York State Law, the Assessor, the Board of Assessment Review and then NYS Courts are the only entities that have the authority to change the assessment of any individual property. Kinsella, C. asked if the Town Board could ask the Assessor to submit the roll with no changes from last year. Coseo, C. asked how that would be fair when someone building a new house, putting on a new addition, etc. would not go on the roll.

Al Hillmeyer, Lake Desolation – Mr. Hillmeyer stated that the Town Board hired the Assessor and ordered him to go out and reassess the properties. Town Counsel Schachner noted that under New York State Law it was the obligation of the Assessor to arrive at an assessed value for each and every property in the Town every year. Supervisor Rowland noted that there were all sorts of proposals out there such as property tax cap, etc.

Phil Gargan agreed that it was required by law that the Assessor must do an assessment of the Town each year. He felt that what everyone was talking about was the Town Board's agreement to do an annual reassessment to stay at 100%. The Town would receive extra money for doing so. Every Town in the state does not do this. Mr. Gargan felt that under Section 566B of the Real Property Tax Law the assessments could be challenged and that the Town Board should look into this. Mr. Gargan believes that what has happened is that assessors are using too much computer assisted mass appraisal and not doing enough ground work.

Candace Merbler asked why the Town of Greenfield was staying at 100% when the other Towns around us were not. Supervisor Rowland stated that all Towns should be working toward 100%. He just received a report from the State and many of the Towns have made changes. The Town of Wilton recently completed a townwide reevaluation and a number of other Towns are working toward that. Ms. Merbler felt that

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the residents of the Town of Greenfield are paying too much of the burden by complying with the law.

Kerry Jameson, Daniels Road – Mr. Jameson stated that he met with the assessor and asked for a \$0 increase. He added that he has been in his house for about 10 years and he has been reassessed every year except for one. In the past two years it has gone up an average of 17% each year. He did not understand why with the housing market the way it was that the value of his home kept going up. There have been no improvements made. He looked at 8 of his neighbors and only 1 other assessment went up. When he met with the Assessor he explained that an addition that he had was unfinished inside. The Assessor came out to the property and called him back later to say that he would reduce the proposed \$71,000. increase this year by about \$20,000. Mr. Jameson did not feel that that was acceptable and that he should not be raised. He then came before the Board of Assessment Review and received no adjustment even though the square footage had been changed. He did not even receive the reduction that the assessor had suggested. He questioned what the burden of proof was that you need to bring before the Board of Assessment Review to prove that you had an unfair assessment. He felt that the citizens were left at an unfair disadvantage not knowing how the assessment process actually works.

Deborah Fellows stated that it was apparent that the Assessor has made mistakes with square footage, etc. She wanted to know what could be done together to come to a resolution that will explain why only 12% of the Town was reassessed.

Lillian Gargan, Locust Grove Road – Mrs. Gargan stated that there were 12% of the people in Town who were reassessed and questioned how many of the Town Board members had been reassessed.

Fred McNeary felt that there were a number of residents that were present that were unhappy with their assessment and the way that it was presented. He agreed that the assessor should make himself accessible to everyone in some sort of a public forum to explain the process.

Coseo, C. stated that anyone can come in and talk to the Assessor at anytime during the year even though the grievance process for this year was over.

Deborah Fellows stated that she has talked to him and you do not get anywhere. She is asking for her representatives to guide her through the process and work together to.

Supervisor Rowland stated that the Board has heard everyone's concerns this evening and will continue to look into this issue. However, there is other business that needs to be taken care of this evening.

Jason Penge asked if the Board would be reviewing the report from the Town Assessor. Supervisor Rowland stated that the report basically states that the Town has received the equalization rate from NYS Real Property at 100%. The document submitted gives a run down of what has happened during the 2008 assessment process. It is not a detailed analysis of individual properties. There has been a big debate for awhile as to whether or not the Town would be at 100%. Supervisor Rowland added that they also received some information as to where the Town was in relation to other Towns. The Board just received this information and needed time to evaluate it.

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Junkyard License – M & J Construction – Michael Ballestero was present along with a representative from Anderson Law. A revised application with maps was submitted. The maps include the barriers that were now in place around the property line. Supervisor Rowland advised that the Board had received a report from the Code Enforcement Officer indicating that the property was now in compliance. Coseo, C. noted that the application filed this evening and the application filed on Nov. 16, 2007 both indicate that this is an application for a new license. The application fee would be \$1,000. He added that there has been some discussion as to whether this should be considered a renewal. It was his understanding that the junkyard has been in operation since 2005 without a valid license. A license was not obtained in 2006, 2007 or 2008. All of the other salvage yards in Town came in and applied; paid the appropriate fees, a total of \$900.; and renewed their licenses. Coseo, C. noted that the Board just changed the rate, effective for next year to \$100. for a renewal and \$1,000. for a new application. He did not feel that the Board should reward someone for not getting a permit for 2 ½ years. It would penalize the other businesses who came in and brought themselves into compliance and paid their \$900. over the 3 years. Coseo, C. stated that M & J Construction has continued to operate from the site even though it has not had a valid license. He felt that if it was going to be renewed, the applicant should pay for the 3 years that he was operating. The Board could also look at this as a violation for that 2 ½ years with a \$100. per day fine for operating without a permit. Another option would be to consider this a new application. He did not feel that it was fair to the individuals who have been in compliance to allow them to renew this license and pay only the \$100. fee. Jessica, representative from Anderson Law, noted that Mr. Ballestero had submitted an application in 2005 that was rejected. He has been working on trying to get into compliance. Coseo, C. stated that Mr. Ballestero never came back to the Board until June 2007, approximately 1 ½ years after it was first returned to him. Every other applicant that was returned was able to bring their property into compliance and renew the licenses each year. Coseo, C. did not believe that it was unfair to either consider this as a new application with a \$1,000 fee or if they are going to get compliant after being out of compliance for 3 years, then pay the same rate over that 3 year period of time that everybody else did, which was \$900. Town Counsel Schachner added that if this was deemed a renewal, he did not see how the Board could not require payment for the 3 year period while out of compliance. Michelle Anderson stated that Mr. Ballestero had submitted a \$400. application fee that was returned to him. He has been working to take care of the situation and come into compliance. She stated that he was not trying to take advantage of the system. He has been working hard over the last year to bring his property into compliance. Cochran, C. noted that for 1 ½ years he did not even apply or come in and try to come into compliance. Coseo, C. added that during that time Mr. Ballestero continued to operate and just like everybody else he should have to pay the same fees. Mr. Ballestero agreed that he would pay the \$900. fee.

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RESOLUTION # 101 – Approve Junkyard License Renewal

Motion: Coseo, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby approves the 2008 Junkyard License for M & J Construction Company contingent upon payment of the 2006, 2007 and 2008 fees for a total of \$900.

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

Noes: None

Annual Reval – Supervisor Rowland stated that as discussed before, the Board has received a written report from the Assessor regarding the 2008 reassessment project. The tentative equalization rate issued by NYSORPS was 91%. John Bonanno was successful in challenging NYSORPS and we have now been notified that our equalization rate will be 100%. Kinsella, C. asked if the Assessor had officially submitted the new tax roll. Town Counsel Schachner stated that normally the final roll is filed around July 1. The Assessor must complete a required publication of notice of filing. Kinsella, C. felt that the Board should have a discussion as to whether or not they were going to ask Mr. Bonanno to reconsider filing the current roll based on the number of complaints. He agreed with Coseo, C. that individuals who have made improvements to their property should be given some sort of an adjustment. Coseo, C. stated that you could cut all the assessments in half, however that does not mean that you are going to pay half the taxes. The tax rate will double. The problem is with the equalization rate. He believed that the proposal to consolidate assessment districts may help to alleviate some of the issues where there are currently several taxing jurisdictions, such as within the school district. Pemrick, C. felt that some people were upset due to a lack of understanding of the process. A number of questions were asked this evening that the Town Board could not answer. He felt that it was important for the Town to have some sort of educational forum and have the Assessor explain the process. Coseo, C. did not have a problem with setting something up as long as it was understood that it would be a general overview and they would not be defending individual assessments. Some of the properties may be involved in litigation and the Board will not be able to talk about individual properties. Pemrick, C. stated that another question this evening was what data was being used, if indeed property values had decreased by 15% in the County. Coseo, C. noted that he spoke with the Assessor's clerk this morning and was told that with the last 5 or 6 sales that they received, the assessments were holding up. In fact, he was under assessed on some things, even on vacant land. Pemrick, C. wondered if most people would expect taxes to go down if their assessments went down, which is not necessarily the case.

Kinsella, C. left the meeting at time.

Planning Board Appointment – Town Clerk advised that the term for Gary Dake expires this month. Coseo, C. noted that Mr. Dake has been on the Planning Board for 14 years and has given the Town many years of dedicated service. He questioned whether or not at some point in time the Town Board should look at giving someone else a chance to get involved in the evolution of our Town. He has always thought that the Planning Board was a very important Board and they basically direct how the Town is

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developed. Coseo, C. added that he was not criticizing Mr. Dake in any way, he just felt that sometimes it was healthy to have a turnover every now or then. Pemrick, C. felt that Coseo, C. raised a good point and that it might be something that the Town Board should think about doing officially across the board to all board members, perhaps a year in advance of their term expiration and not at the last minute.

RESOLUTION # 102 – Reappointment to Planning Board

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby reappoints Gary Dake to the Town of Greenfield Planning Board with said term to expire 6/20/2015.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

RESOLUTION # 103 – Appointment of Court Clerk

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby appoints Cynthia Havens as Court Clerk, and

FURTHER RESOLVED, that she shall work approximately 20 hours per week and be paid at the rate of \$12.48 per hour.

VOTE: Ayes: Rowland, Pemrick, Cochran

Noes: None

Absent: Kinsella

Abstained: Coseo

Update on Road Construction/Blacktop Prices – Highway Supt. Barss provided the Board with an overview. He stated that asphalt prices are up 30% since the beginning of the year. Going along with that, diesel fuel is up 40% and gas approximately 20%. In order to try and mitigate some of the overage costs, they are trying to use a lot of recycled materials for the base and hot mix. It is estimated that it will save approximately \$175, 000. At this time, this will enable them to keep pretty close to the road program. If prices continue to go up, they may have to cut back by the end of the year. Highway Supt. will provide another update for the July meeting.

RESOLUTION # 104 – Budget Amendment & Transfer of Funds

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Supervisor be authorized to make the following Budget Amendment:

\$7,103.67 from A0960 to A8160.4

AND FURTHER RESOLVED, that the Supervisor be authorized to make the following Transfer of Funds:

\$1444.09 from A1990.4 to A1910.4

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

Road Bond – Isabella Woods (Guarnieri) - Supervisor Rowland advised that the Board had just received a report from the Town Engineer. Coseo, C. noted that the report has some reference about the Town Board having taken some action regarding Moss Creek which he did not recall. He would like to have the opportunity to go back

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through the minutes and did not feel that he would be in a position to act on this tonight. Mrs. Guarnieri noted that at one point in the engineer's letter he suggested that a more appropriate request would be to waive the road bond requirement in lieu of a show of performance. She believed that this was what happened with Moss Creek. Coseo, C. did not believe that Moss Creek ever came before the Town Board to request a change in the road bond. He believed that the Town Board actually made a motion to issue a stop work order. Mrs. Guarnieri believed that the minutes indicated that the Board voted on this matter and approved it. Board members believed that it was actually the Planning Board. Cochran, C. felt that what happened was that the Planning Board recommended a reduction of the bond amount due to the fact that a substantial amount of work had been completed. Mrs. Guarnieri stated that she has 2 pending contracts. The contracts would come to almost \$200,000. If she could sell those lots then she would be able to complete the road and establish an escrow account so that all the required engineering inspections are completed. Coseo, C. noted that one of the first conditions listed in the Town Engineers letter states that there can be no building permits/lot sales until a road bond was posted or the road was completed to the satisfaction of the Town Engineer. Mrs. Guarnieri stated that her subdivision plan indicated that there could be no construction, however it did not say that you could not sell a lot. Town Counsel Schachner stated that he had not seen the subdivision approval notice on this project, however he believed that the approval was most likely contingent upon submission of a road bond. The reason that the Planning Board imposes that condition is to avoid a situation where for some reason road construction stops and the Town then has to go in and complete the road at taxpayers expense. Highway Supt. Barss noted that price of the proposed road has probably gone up at least 30% to 40% just over the past few months. Mrs. Guarnieri stated that she had a contract for the road and the contractor has already been paid \$50,000. She mentioned the precedent that had been set with Moss Creek. Town Counsel Schachner reviewed how the Planning Board process normally works and that a road bond is normally a condition of approval. He added that in the case of Moss Creek he reviewed several letters of credit and bonds before they were able to agree on one that would protect the Town. While they were going through that process, the developer continued to do work on the road with his own money and was not able to sell any lots. Coseo, C. suggested that perhaps Mrs. Guarnieri could reach some sort of agreement with the individuals who were looking to purchase the lots to pay some money up front, perhaps allow them to take a mortgage on the property. Cochran, C. stated that the Board has to look out for the taxpayers of the Town. They have to make sure that either a road is built and dedicated to the Town or a bond is in place to do so. Coseo, C. did not feel that the Board could solve her problem. Mrs. Guarnieri asked if there was any way that the Board could approve a reduced bond amount. She stated that she had received 3 bids for the road and they all came to approximately \$160,000., which is well below the amount required for the bond. Town Counsel Schachner stated that it would have been the applicants engineer that came up with the original bond estimate which the Town Engineer then agreed to. Coseo, C. suggested that if Mrs. Guarnieri had a contract from someone to construct the road for \$160,000. she should submit the contract to make sure that it meets the approval of the Town Engineer.

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On motion of Cochran, C. and seconded by Coseo, C. the Board adjourned to Executive Session at 10:10 PM to discuss possible litigation. Town Clerk was not present for session and no minutes were filed. On motion of Pemrick, C. and seconded by Cochran, C. the Board returned to regular session at 10:35 PM.

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

RESOLUTION # 105 – Highway Bills

Motion: Coseo, C.

Seconded: Cochran, C.

RESOLVED, That Highway Bills #81 to # 97 in the amount of \$28,685.06 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

RESOLUTION # 106 – General Bills

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That General Bills # 324 to # 401 in the amount of \$42,140.15 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

Supervisor Rowland stated that he has been approached by the Kennison family who live in the area of Greene Road and Brigham Road. There is an abandoned road up through there that they would like to allow for accessibility for mountain bike trails, etc. They are looking for Town support when they go before the Saratoga County Open Space Committee. They would donate the use of the land. Coseo, C. asked what type of Town support they were looking for and what the obligation of the Town would be. If there was any obligation or liability on the part of the Town he would not be in favor of it.

Phone System – Supervisor Rowland stated that he went back to the Town's current provider and they stated that State Contract pricing would be \$364.00 plus a non recurring \$150. fee. The \$364. does not provide any form of regional toll fees, unlike the proposal from Cornerstone. When you factor in the fees, Cornerstone Telephone Company would be much cheaper. Under normal usage, the Town could save approximately \$1,600. for the year. Coseo, C. asked how long the Town would have to sign on for. Supervisor Rowland stated that it would be a one year agreement.

RESOLUTION # 107 – Contract with Cornerstone Telephone Company

Motion: Cochran, C.

Seconded: Coseo, C.

RESOLVED, That the Supervisor be authorized to enter into a one year agreement with Cornerstone Telephone Company for telephone service.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

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Town Counsel Schachner stated that several individuals had indicated that they would like a copy of the report from the Assessor. He noted that the last paragraph on page 2 and the last three pages pertain to a personnel matter and should be removed prior to distribution.

On motion of Pemrick, C. and seconded by Coseo, C., the meeting was adjourned at 10:45 PM.

Town Clerk