

May 13th, 2010

The regular meeting of the Town Board was held on Thursday, May 13th, 2010 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Daniel Cochran and Walter E. Chandler, Councilman. Thomas Kinsella was absent. Also present were Town Counsel Mark Schachner, Highway Supt. Walter Barss, one reporter and approximately 8 residents.

At 7:25 PM the Board met as the Board of Health to discuss the following unsafe building:

40 Greene Road – Medvec - Supervisor Rowland stated that he spoke with the Code Enforcement Officer and he had found out that there was a lien against the property for \$11,000.+ already and the possibility that there may be some other liens against the property. The taxes on this property have not been paid within the past 3 years. The last time the taxes were paid, they were paid by one of the lien holders at the time. Supervisor Rowland stated that if the Town should go ahead and do the demolition on the building, the potential of the Town getting their money back was slight. He suggested that further review should take place to determine exactly what liens exist, etc. prior to any further action being taken. Chandler, C. questioned whether the Town would eventually be able to get in touch with the property owner. Supervisor Rowland stated that it was his understanding that the owner was no longer in the area. Chandler, C. felt that someone was going to end up with the property eventually and it would be cleaned up. Al Janik, King Road, believed that the demolish costs that are incurred by the Town were added to the tax bill and that would have priority over a judgment or lien against the property. Town Counsel stated that it is his recommendation that when the owner of an unsafe building can not be located that a Court Order to Demolish be obtained just in case someone comes forward once the work to remove the building begins. Town Counsel questioned what the condition of the structure was and how dangerous it was. Supervisor Rowland stated that according to the Code Enforcement Officer, the roof has collapsed. He did not believe that the building was secured and someone could access the building. Pemrick, C. made a motion to table this matter until the Agenda Meeting on June 3rd, 2010. Chandler, C. seconded. All Board members present in favor.

The regular meeting was called to order by the Supervisor at 7:35 PM and opened with the pledge to the flag. On motion of Chandler, C. and seconded by Pemrick, C., the minutes of 4/8/2010 and 5/6/2010 were approved as submitted by all members present.

Check from Tommell & Associates in the amount of \$500.00 for Open Space Fees.

Check from Melissa Diggins in the amount of \$500.00 for Open Space Fees.

Check from RMK Timberland Group for the First Quarter 2010 Severance Taxes on property owner by Upper Hudson Woodlands in the amount of \$336.66.

Letter from Phyllis Olsen thanking the Town Highway Department for all the great work that they done.

Spring Cleanup - Highway Supt. Barss provided the Board with a summary of the Townwide Cleanups for the past 3 years. He also included the totals from the April 2010 week. In April, they collected 127.36 tons of garbage and metal.

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Vandalism at Middle Grove Town Park – Supervisor Rowland reported that there had been more vandalism at the Park recently. The picnic tables were all upside down outside the pavilion, several of them broken. All of the outside lights currently on the property have been smashed out and some of the sockets broken. Over the years, many of the lights inside the bathrooms have been broken as well. He has asked the Saratoga County Sheriff's Dept. and NYS Police to patrol the park more regularly. Supervisor Rowland recommended that the Town investigate the purchase of some outdoor lighting that is more vandal proof and that it be installed higher up on a telephone pole. He has had some discussion with the Highway Supt. about trying to keep the vehicles from driving into the back area of the park where they are unseen, even by someone patrolling the park. He also spoke with Loss Prevention about the possibility of the installation of some security cameras. Supervisor Rowland stated that while he was at the park he actually caught a young man on a four wheeler who came down the walking trail, where no motorized vehicles are allowed. Supervisor Rowland estimated that the pole lights would be about \$260. each and the vandal proof inside lights about \$150. each. He felt that the Town Board needed to be serious about the vandalism and try to abate whatever they can. Chandler, C. also had a few inexpensive ideas. Supervisor Rowland will continue to work on and put together a proposed package.

Seasonal Employee - Supervisor Rowland provided Board members with a proposed job description for a Parks Maintenance Worker – Seasonal. The position would run from approximately April 1st to October 1st, 25 hours per week. Supervisor Rowland stated that he had received several comments on how well maintained the Parks and ball fields were this year. The Parks Dept. has been able to keep their head above water, however the extra person would certainly be a big help.

RESOLUTION # 85 - Establish Parks Maintenance Worker Position

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby establishes the position of Parks Maintenance Worker, a seasonal position, and

FURTHER RESOLVED, That the Town Clerk be instructed to advertise for the opening and that anyone interest shall apply no later than May 25th, 2010.

VOTE: Ayes: Rowland, Pemrick, Cochran, Chandler

Noes: None

Absent: Kinsella

Parks Equipment Purchase - Supervisor Rowland stated that one of the recommendations that has come to his attention was to consider the purchase of a Zero Radius Mower to be used at the Middle Grove Park. He obtained a price through the Towns and Municipal Bid Assist Program where the Town would be able to purchase a 72" Toro Zero Radius Mower for \$9,119.52. This would have to be paid for either out of the Contingency Fund or Unexpended Fund Balance since this was not a budgeted item. Cochran, C. asked where the mower would be stored. Supervisor Rowland advised that the mower would be kept in the locked garage/storage area at the Middle Grove Park. He added that recently the Town Highway Department did a substantial amount of work on some of the other mowing equipment which needed many new parts, etc. They indicated that it was getting close to the end of its usefulness. This purchase is something that

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might have to have been done in the not to distance future anyway. Supervisor Rowland stated that this new mower would not only save a lot of time, but it would also provide a backup as well.

RESOLUTION # 86 – Authorize Purchase of Mower for Parks Dept.

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby authorizes the purchase of a 72” Toro Zero Radius Mower for the Parks Department at a cost of \$9,119.52.

VOTE: Ayes: Rowland, Pemrick, Cochran, Chandler

Noes: None

Absent: Kinsella

RESOLUTION # 87 – Historical Society Grant

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby authorizes the Supervisor to issue a check to the Greenfield Historical Society in the amount of \$1,000. as budgeted in the 2010 Town Budget.

VOTE: Ayes: Rowland, Pemrick, Cochran, Chandler

Noes: None

Absent: Kinsella

Girl Scout Troop Cemetery Cleanup – Supervisor Rowland stated that the troop was granted permission by the Town Board a few years ago to perform some clean up work at the Mitchell Cemetery, however they lost their paperwork. Town Clerk provided a copy of the Board minutes and resolution. Pemrick, C. stated that he spoke with Dan Chertok and the Historical Society is doing some documenting of the cemeteries in the Town. They expressed an interest in speaking with the Scouts regarding this project. Mr. Chertok did express some concern regarding community groups going in to the cemeteries, especially ones that are terribly overgrown. The work can be very difficult. He was concerned that there would be proper supervision. Butch Duffney, President of the Greenfield Community and Business Association stated that they may also be able to provide some assistance.

Time Warner Cable – Supervisor Rowland stated that it has come to his attention over the past few months that Time Warner has sent a notice out to some of the residents who were receiving a Senior Discount telling them that this discount was being discontinued because of action of the Town Board. He called Time Warner and found that they indeed were telling people that. When he questioned as to who they met with from the Town it was determined that they had not met with anyone. Supervisor Rowland wanted to make sure that the residents were aware that this Town Board did not take any action to remove a Senior Discount and that the option of a Senior Discount was not made available to the Town by Time Warner Cable.

Vendors License - Supervisor Rowland advised that the Board had been approached by someone who wanted to open a hot dog and vegetable stand on property owned by Greenfield Mobil. At the present time, the Town has a Peddlers License which requires the individual to move every 15 minutes. There is not a Vendors License. Cochran, C. would be in favor of a Vendors License, however he felt that there needed to be some guidelines to follow. The vendor should be responsible for providing the Town

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with DOH certification, proof of insurance, etc. Supervisor Rowland did not feel that he would like to see vendor stands on every corner. He felt that there needed to be reasons and justifications in place to grant stands, as well as to not grant stands. There has to be a permitting process that has to be followed. Supervisor Rowland asked Town Counsel if he was aware of any communities that had vendors licenses. Town Counsel knew of one fairly sizeable community. He added that there were a lot of communities who felt that enforcement was pretty difficult. Cochran, C. stated that he would try to write up some language for the Board to review. Pemrick, C. suggested that the Planning Board be asked for their opinion as well. Town Clerk stated that she would ask for sample legislation from General Code Publishers.

Wind Power – Supervisor Rowland stated that he did not have any further information to report at this time. The company has changed hands a few times and he has not been able to reach anyone. He will continue to try and get further information as to what they intend to do with the tower and if they are going to proceed with the project. Supervisor Rowland added that much of the Federal and State money that was available for this type of project has dried up.

RESOLUTION # 88 - Approve Summer Recreation Bus Contracts

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Supervisor be authorized to sign the Transportation Rental Agreement with the Saratoga Springs City School District for buses for the 2010 Summer Recreation Program.

VOTE: Ayes: Rowland, Pemrick, Cochran, Chandler

Noes: None

Absent: Kinsella

Spier Falls Electric Line - Supervisor Rowland stated that Ken Witkowich was at the agenda meeting and explained to the Board the effect that this proposed line would have on his property. After doing some further research on this matter, Supervisor Rowland has found that there are several other areas and issues within the Town that may be addressed. There is a public hearing on Tuesday evening in Saratoga Springs. No hearings are scheduled in any of the Towns that will be effected by this line. Supervisor Rowland explained that this was a \$1.6 billion project that would be adding an additional series of poles and electric lines from the Spier Falls Dam to Rotterdam. They are looking for an additional 20 feet of right-of-way for the entire length of the line. They are also looking for an undetermined amount of vegetation control easement along that line and out of that boundary. In some cases the line will be very close to homes and in others it will go right through back yards. Frances Milks, Route 9N (neighbors of Ken Witkowich and Jane Decoteau) stated that he will be very effected by this. He has been out of Town and just heard about the proposal. He would appreciate any input that the Town might have. Supervisor Rowland stated that while looking through the documents he found where they have asked for exemptions from the local Town laws and the New York State Building Code. It was his understanding that the Public Service Commission was considering granting this request. National Grid/Niagara Mohawk has also approached New York State Department of Environmental Conservation with the fact that they are going to be going through

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wetlands and have requested to be exempt from any of those regulations as well. NYSDEC has said that they are going to get that. Supervisor Rowland read a draft letter of response that he put together regarding this project. Jane Decoteau felt that Supervisor Rowland did a great job putting the letter together. She felt that it covered all of their concerns. Mr. Witkovich also thanked the Supervisor for all the work he has done on this project within the last week. He added that as of late this morning he heard that the administrative law judge was considering increasing the public comment portion. Mr. Witkovich stated that there was going to be a pre-hearing conference on May 18th at 1 PM in Albany, separate from the public comment sessions. The purpose is to spell out the concerns associated with this proposal from National Grid. He asked that someone from the Town be present at that session, if possible, to submit the letter that the Supervisor has written. Supervisor Rowland stated that he will be able to attend that session. Board members expressed their support of the efforts being made on the part of the Town for the residents of the community. Chandler, C. asked how other Board members felt about notifying the residents of our Town that will be effected by this. Supervisor Rowland stated that he started to put together somewhat of a list just by looking through the maps. He added that in most areas this is in vacant or somewhat vacant land. Where the line crosses roads is where there are residents effected. Supervisor Rowland felt that it was up to National Grid to notify the property owners. Lavern Utter asked if the maps were available for the public to view. Supervisor Rowland stated that he could photocopy the maps for Greenfield and have them available through the Town Clerks Office. These maps point out very strongly where they will cross the Kayaderosseraras Creek and wetlands numerous times. Mr. Witkovich stated that he is also waiting to hear back from the United States Fish & Wildlife regarding the endangered species butterflies. From the description of the habitat impact provided by NYSDEC on their website, apparently the most intact population of that butterfly was in Saratoga County and the proposed project would be going right through the heart of it. Mr. Witkovich stated that he was strongly against this project. He believes that National Grid had every intention to keep this as quiet as possible and at this point most people do not know about this taking place. He felt that it was very important to let everybody know about it.

RESOLUTION # 89 – Authorize Supervisor to Send Letter Regarding Spier Falls/Rotterdam Transmission Project

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Supervisor is hereby authorized to send a letter of response to the Spier Falls/Rotterdam Transmission Project.

VOTE: Ayes: Rowland, Pemrick, Cochran, Chandler

Noes: None

Absent: Kinsella

Monthly reports were submitted by Town Justice Ginley (March & April), Town Justice Hopkins, Building Department (Feb., March & April), Highway Supt., Dog Control Officer, Town Clerk and Town Supervisor.

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RESOLUTION # 90 – General Bills

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That General Bills # 246 to # 307 in the amount of \$33,539.90 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Cochran, Chandler

Noes: None Absent: Kinsella

RESOLUTION # 91 – Highway Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That Highway Bills # 71 to # 94 in the amount of \$111,506.09 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Cochran, Chandler

Noes: None Absent: Kinsella

RESOLUTION # 92 – UDAG Bills

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That UDAG Bill # 2 in the amount of \$232.50 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Cochran, Chandler

Noes: None Absent: Kinsella

On motion of Cochran, C. and seconded by Chandler, C., the meeting was adjourned at 8:30 PM.

Town Clerk