

May 14th, 2009

The regular meeting of the Town Board was held at the Town Hall on Thursday, May 14th, 2009 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Peter Coseo and Daniel Cochran, Councilman. Thomas Kinsella was absent. Also present was Town Counsel Mark Schachner, Highway Supt. Walter Barss, one reporter and 8 residents.

At 7:20 PM Opening of Bids was held on the Surplus Gradall. Clerk presented proof of legal publication. The following bids were received:

Frank Spetla	\$4,227.00
Robert Eichorst	1,500.00

At 7:25 PM the Town Board met as a Board of Health and opened an Unsafe Building hearing for 347 Greene Road, Tax Map #113.-1-44. The property owner was present. Supervisor Rowland stated that the Code Enforcement Officer had submitted his report after making a site inspection on 5/12/09. He indicated that the mobile home had been secured and repaired. The property had been cleaned up and all the junk and debris had been removed. Coseo, C. stated that in view of the fact that the property is now in compliance, he would make a motion to close the Unsafe Building proceeding for 347 Greene Road. Cochran, C. seconded. All Board members present voted in favor.

The regular meeting was called to order by the Supervisor at 7:30 PM and opened with the pledge to the flag. On motion of Cochran, C. and seconded by Coseo, C., the minutes of 4/9/09, 4/25/09 and 5/7/09 were approved as submitted.

Letter of resignation from Gina Lysczyn as member of the Board of Assessment Review since she has moved from the Town of Greenfield and is longer a resident.

Lavern Utter, Route 9N – Mr. Utter commented on an item of Old Business – Flower Boxes. He stated that many communities and churches are starting to open up community gardens to help out people during these tough times. He suggested that it was something that the Town might want to get involved in.

Surplus Gradall – Highway Supt. Walt Barss suggested that the Board accept the high bid received. He stated that there had been some fairly large equipment repairs to date this year and asked if the money received could be put into the highway equipment repair fund to help to cover the costs of these repairs.

RESOLUTION # 77 - Award Bid Surplus Gradall

Motion: Coseo, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby awards the bid for the Surplus Gradall to the high bidder, Frank Spetla, in the amount of \$4,227.00, and

FURTHER RESOLVED, That the money received shall be put into the Highway Equipment Repair Fund.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

Appointment to Zoning Board of Appeals and Board of Assessment Review - Supervisor Rowland stated that the Board interviewed 5 individuals for the

May 14th, 2009 continued

Zoning Board of Appeals position. In the interim, they found out about the vacancy on the Board of Assessment Review. The Board thanked all those who interviewed.

RESOLUTION # 78 - Appoint Zoning Board of Appeals Alternate Member

Motion: Cochran, C.

Seconded: Coseo, C.

RESOLVED, That the Town Board hereby appoints Joseph Szpak as Alternate Member of the Zoning Board of Appeals, with said term to expire 2/16/2011 and

FURTHER RESOLVED, That the Town Board hereby appoints Albert Janik as member of the Board of Assessment Review, with said term to expire 9/30/2009.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

New Town Garage – Highway Supt. Walt Barss stated that they should be doing a large pour for the floor in the main garage next week. The floor drains are in. The offices have been sheetrocked and they have begun taping. Everything is moving along on schedule. Highway Supt. Barss stated that an air compressor had not been included in the bid specifications. Collins Mechanical has a unit that was slightly damaged on another job. He obtained an estimate from the company and he could get it for about half the cost of a new one. The unit is a large commercial, 3 phase, 200 psi with a 200 gallon tank. For a new unit it would cost almost \$6,500. He could get this one for \$3,800. It would still come with a warranty and would be certified by the company. Cochran, C. asked if they had the old one from the other garage. Highway Supt. Barss stated that the one in the old garage has become very weak. He would like to leave in the old garage so that they have air in case of flat tires, etc. Cochran, C. asked how old the unit was. Highway Supt. Barss stated that it was over 20 years old. Coseo, C. asked where the money would come from to pay for this. He suggested that perhaps it be paid from the equipment repair fund.

RESOLUTION # 79 – Purchase of Air Compressor

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby authorizes the purchase of a new Air Compressor at a cost of \$3,800. with warranty, and

FURTHER RESOLVED, That the cost of the air compressor shall be paid from the Highway Equipment Repair Fund.

Discussion: Cochran, C. asked if this was going to be hard piped in. Highway Supt.

Barss stated that it was and all the piping is in and was part of the bid specifications.

Pemrick, C. asked how things stood as far as overruns. Highway Supt. Barss stated that they were at less than 2% of overrun and the Board had allowed for 10%. He added that as far as the Clerk of the Works was concerned, they were under half of what it would have cost if they were to have hired it out. Coseo, C. asked if any Board members felt that it would be inappropriate to take the money from the equipment repair fund.

Cochran, C. stated that he thought that it would be okay and that towards the end of the year if it looked like there might be a shortfall in that budget, they can deal with it then.

May 14th, 2009 continued

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

Highway Supt. Barss stated that the Offices/Breakroom, etc. are just about ready for painting and that was the responsibility of the Highway Department. This is a very busy time of year for them and he may have to have some of his guys work overtime to do the painting. He added that he obtained a price quote from a painter to do the work for \$5,000. Highway Supt. Barss stated that it is going to take close to 30 gallons of paint. He did not feel that he was going to save any money by doing the work themselves. Pemrick, C. asked if the painting had to be done now. Highway Supt. Barss stated that the Contractor would like the primer and one coat of paint done so that they can put in the ceilings, door frames, trim, etc. Coseo, C. asked if the Highway Supt. hired summer help and suggested that perhaps he could bring them in early and have them do the work. Highway Supt. Barss felt that that could be a possibility. He generally hires one person for about a month, starting in July. Al Hillmeyer, Lake Desolation – Mr. Hillmeyer asked the Board to hold off on any decision and give him time to give them an estimate. He stated that he used to be a painter. Supervisor Rowland stated that if the Board were to go with an outside contractor, they would have to go out to bid. Mr. Hillmeyer asked who gave the Highway Supt. the quote. Supervisor Rowland stated that it was through the General Contractor. Highway Supt. Barss stated that he would get the work done somehow with his Highway Department staff.

Repair to Town Hall Entrances – Supervisor Rowland stated that he spoke with the contractor that provided the proposal and the stated that the subsurface material that was used in the original installation is not the correct material. That is why it is peeling. The moisture got down behind it. The contractor felt that the drip edge, etc. was installed properly and was the proper distance from the edge of the wall. Supervisor Rowland added that the contractor felt that normally the product would not have required any maintenance for approximately 12 years, when it would need to be repainted. What the contractor is proposing to do is to remove everything, install the proper base and repaint the surface at a cost of \$3,380. Supervisor Rowland stated that once repaired, it should be 10 to 12 years before any maintenance would be necessary. Cochran, C. asked if there was any warranty on the original installation. Supervisor Rowland advised that it has been over 6 years since the work was completed. Coseo, C. asked how this project would be paid for. Supervisor Rowland advised that the money would come from the Town Hall repairs budget.

RESOLUTION # 80 – Authorize Repairs to Town Hall Entrances

Motion: Pemrick, C.

Seconded: Coseo, C.

RESOLVED, That the Town Board hereby accepts the proposal from Kevin B. Frassrand to make the necessary repairs to two Town Hall entrances at a cost of \$3,380.00.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

May 14th, 2009 continued

Town Code Revisions – Cochran, C. stated that the scheduled workshops have been completed. Kinsella, C. and Cochran, C. are working on putting together the appropriate language. They will have a draft ready for the next meeting.

Veteran Plaques – Pemrick, C. stated that he spoke with the gentlemen who is doing the work and he has indicated that he hopes to have the plaques done by the end of May.

Pemrick, C. stated that he also spoke with him regarding a dedication plaque for the new Town Garage. He would have more information for the next meeting. An approximately cost for a 16”x 24” plaque would be \$400.

Pemrick, C. stated that this past Saturday there was a clean up day at the Veterans Park. Members of the Veterans Committee and several residents, approximately 10 people, worked at the park for about 3 hours raking, pulling leaves, fixing mulch, cleaning up debris, etc. The Board thanked everyone who participated.

Flower Box Installation - Highway Supt. Barss stated that he spoke with National Grid and they stated that there is absolutely no way that anything of any kind could be attached to their poles. Supervisor Rowland suggested that there several other sites where community groups and/or businesses could help with the planting of flowers such as flower boxes at the Town Parks, the Lion Club entrance signs at each end of the hamlet, etc.

Stan Weeks, Ashlor Drive - Thanked the Board for now putting the draft minutes of the meetings on the website.

Lavern Utter – Mr. Utter stated that the Environmental Committee picked up the Blueberry and Cranberry bushes from the seedlings sale and have planted them at the Porters Park. Supervisor Rowland suggested that if they have not done so, they should make sure that they mark them somehow so that they are not weed wacked, etc. Mr. Utter stated that he was going to put a little fence around them.

Al Hillmeyer, Lake Desolation – Mr. Hillmeyer wanted to commend the Highway Department for the great job that they were doing on Barney Road.

RESOLUTION # 81 – 2009 Animal Shelter Agreement

Motion: Cochran, C.

Seconded: Coseo, C.

RESOLVED, That the Town Board hereby approves the 2009 Animal Shelter contract with Saratoga County for the sum of \$2,184.26, and

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

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

Cochran, C. asked if the Town’s share would go up with the proposed new shelter. Supervisor Rowland stated that they do not anticipate an increase, although there will be additional staffing. So far, the proposed shelter is coming in right where the County expected it to be, around \$5.2 million. Supervisor Rowland added that the fee is based on usage.

May 14th, 2009 continued

RESOLUTION # 82 - Budget Amendments & Transfers

Motion: Pemrick, C.

Seconded: Cochran, C.

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

\$217,677.14	From A0960	to	A9950.9
220,571.25	From H5031	to	H0510
2,485.00	From H0960	to	H5132.41
218,086.25	From H0960	to	H5132.43
1,478.00	From A0960	to	A1110.4
6,038.69	From DA0960	to	DA5130.4

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

\$220,571.25	From A0201	to	A9950.9
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VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None Absent: Kinsella

Office of the Aging – Supervisor Rowland advised the Board that Saratoga County Office of the Aging has offered to replace the refrigerator at the Community Center. The current refrigerator is about 10 or 15 years old. Supervisor accepted their offer.

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

RESOLUTION #83 – Highway Bills

Motion: Coseo, C.

Seconded: Pemrick, C.

RESOLVED, That Highway Bills # 62 to # 85 in the amount of \$28,133.09 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None Absent: Kinsella

RESOLUTION # 84 - General Bills

Motion: Pemrick, C.

Seconded: Coseo, C.

RESOLVED, That General Bills # 204 to # 276 in the amount of \$38,605.31 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None Absent: Kinsella

RESOLUTION # 85 – Capital Projects Bills

Motion: Pemrick, C.

Seconded: Coseo, C.

RESOLVED, That Capital Projects Bills # 20 to # 24 in the amount of \$220,571.25 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None Absent: Kinsella

May 14th, 2009 continued

On motion of Coseo, C. and seconded by Cochran, C., the regular meeting of the Town Board was closed at 8:07 PM

On motion of Coseo, C. and seconded by Cochran, C. at 8:08 PM the Town Board met as a Board of Health to discuss reports of Unsafe Buildings submitted by the Code Enforcement Officer.

19 Coombs Roadway – Tax Map #135.11-1-22 - Supervisor Rowland advised that this property is owned by Francis & Deborah Halturewicz and added that it has previously been before the Board. Board members reviewed the report from the Code Enforcement Officer dated May 12th, 2009. Coseo, C. noted that approximately one year ago this was before the Board and the property owner hired an engineer who stated that the building was safe at that time. Supervisor Rowland stated that the Code Enforcement Officer has indicated that more things have appeared to be deficient since that time. Pemrick, C. stated that even though this has been before the Board before, it was deemed safe at that time. The whole process would have to start over again. He felt that the Board should take a much stronger stand regarding this property.

RESOLUTION # 86 – Unsafe Building Notice

Motion: Coseo, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board has made the determination that based on the information received from the Code Enforcement Officer, the building at 19 Coombs Roadway is unsafe and constitutes a serious health and safety risk and hereby authorizes the issuance of an Unsafe Building Notice, and

FURTHER RESOLVED, that a hearing before the Town Board shall be scheduled for June 4th, 2009 at 7:20 PM.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

321 Bockes Road – Tax Map #124.-3-29.1 - Supervisor Rowland advised that the property was owned by Myland Corporation. It sits on the very edge of Bockes Road and appears to be on the verge of collapse, perhaps into Bockes Road. The Code Enforcement Officer stated that the building has deteriorated to such a point that the roof is sagging and the exterior walls are showing signs of failure. The building appears to be empty and does not have electricity or water service.

RESOLUTION # 87 – Unsafe Building Notice

Motion: Coseo, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board has made the determination that based on the information received from the Code Enforcement Officer, the building at 321 Bockes Road is unsafe and constitutes a serious health and safety risk and hereby authorizes the issuance of an Unsafe Building Notice, and

FURTHER RESOLVED, that a hearing before the Town Board shall be scheduled for June 4th, 2009 at 7:25 PM.

VOTE: Ayes: Rowland, Pemrick, Coseo, Cochran

Noes: None

Absent: Kinsella

May 14th, 2009 continued

On motion of Coseo, C. and seconded by Cochran, C., the Town Board closed their Board of Health session at 8:15 PM.

Town Clerk