

### **May 13<sup>th</sup>, 2021 Town Board Minutes**

The regular meeting of the Greenfield Town Board was held May 13<sup>th</sup>, 2021 at the Greenfield Town Hall with the following members present: Daniel Pemrick, Supervisor; MaryAnn Johnson, Rick Capasso, Kevin Veitch and Ty Stacey, Councilpersons. Also present were Deputy Superintendent of Highways, Mark Young. Mark Schachner, Town Counsel was also present and approx. 9 residents.

On a motion by Capasso , C and seconded by Stacey, C the minutes from April 8<sup>th</sup> and May 6<sup>th</sup>, 2021 were approved as submitted by all members present.

### **CORRESPONDENCE**

DISCUSSION-KINGS STATION-EAGLE SCOUT PROJECT- Ron Trempor, Scout Master states Troop 16 would like to work at the Caboose for an Eagle Scout project. The painting of the Caboose is not considered an Eagle Scout Project because it is maintenance. The stairs leading into the Caboose and Kings Station need to be replaced and that would be one project. The second project would be replacing the decking on the building and adding two benches. Depending on what the Town board would like, a third project would be building a small picnic area. The painting of the Caboose could be a Troop project. Supervisor Pemrick asks for a proposal for the projects. Tony Bucca who was involved in the restoration of the Caboose is present. Supervisor Pemrick asks that he be involved as he and others have helped to keep that presentable for a long time. Discussion takes place on the project and proposal. Ron Trempor and Troop 16 will have a project proposal for the Board at the June meeting. Supervisor Pemrick states that the Board is looking forward to the project and this would be good for the Town.

BRIGHAM ROAD PARK-EAGLE SCOUT PROJECT- Supervisor Pemrick states we had an Eagle Scout Project come before the Board in September 2020. One of the projects were completed and the Town Board would like to present a Resolution of Appreciation to John Mihalek who provided benches for the park.

May 13<sup>th</sup>, 2021 continued

**RESOLUTION OF APPRECIATION**

Submitted by: Rick Capasso

Seconded By: Kevin Veitch

WHEREAS, **JOHN MIHALEK**, has completed all the requirements for achieving the rank of Eagle Scout in the Boy Scouts of America and has shown great perseverance and dedication in achieving this goal, and

WHEREAS, **JOHN MIHALEK**, for his Eagle Scout project planned, fund raised and built three benches using steel and pressure treated wood, to coordinate with the existing pavilion at the Briogham Road Park, located in Greenfield center, New York

BE IT RESOLVED, by this Town Board at a regular meeting held on May 13<sup>th</sup>, 2021 that there be spread upon the minutes of this meeting our congratulations for achieving the rank of Eagle Scout, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to said **JOHN MIHALEK**.

Dated: May 13<sup>th</sup>, 2021

Daniel Pemrick, Supervisor  
MaryAnn Johnson, Councilperson  
Rick Capasso, Councilman  
Kevin Veitch, Councilman  
Ty Stacey, Councilman

I HEREBY CERTIFY that the above Resolution was duly adopted by the Town Board on May 13<sup>th</sup>, 2021.

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Louise A. Okoniewski, Town Clerk

May 13<sup>th</sup>, 2021 continued

## **OLD BUSINESS**

DISCUSSION-STEWARTS ANNEXATION- Stewart's Representative, Chuck Marshall is present. Supervisor Pemrick asks for an update. There is a five acre parcel in the City of Saratoga they would like to move to Greenfield. They would like all of their property to be in one town. There was some confusion on what needed to be done for an annexation of property. Supervisor Pemrick states it seems like a complicated process and asks Town counsel, Mark Schachner if he could explain that for us. Town Counsel asks Chuck Marshall if he has a feeling of what the City feels about the annexation. Mr. Marshall states he has spoken with a couple Council members, not the Council itself. The loss of tax revenue to the City is \$1700, it doesn't change School Districts, who would need to be notified. There would need to be a 10 day Notice of Public Hearing with their intent to annex. Mark Schachner, Town Counsel, states it is a complex process because annexation is literally changing the municipal boundaries so it is not something that is supposed to happen in ten minutes. The next step would be scheduling a joint public hearing with the Saratoga Springs City Council. Sometimes when a private party like Stewarts proposes annexation they prepare notices and negotiate with municipalities when the public hearing will be held. Stewarts did a draft Notice of Public Hearing but it is not a Notice of Annexation. The notice needs to be revised to be an Annexation Notice of Joint Public Hearing. He can contact the City Attorney's office and see if they would like to coordinate this. Annexation is not easily accomplished if one of the municipalities are not supportive of it. It is a cumbersome process, but if the municipalities are supportive it is an achievable goal. If the Town would like, he could prepare an actual Notice of Joint Public Hearing, contact the City Attorney's office for a June 10<sup>th</sup> hearing. In order to have the public hearing it would need to be published by May 19<sup>th</sup>. It is up to the Board. Chuck Marshall states that the City requires a Public Hearing notice appears twice in the paper. Town Counsel Schachner states we could try and get everything out that we need to for the June meeting. Veitch, C asks why put pressure on ourselves? Chuck Marshall feels we should do it in July with the time requirements. Supervisor Pemrick asks if only a quorum of both Boards would need to meet for the Public Hearing? Town Counsel states he has seen if both are in favor one would not send a quorum to the public hearing. It is still a joint public hearing sponsored by both municipalities. Supervisor Pemrick asks what else is required of our Board? Town Counsel states nothing at this point. He will prepare the proper Notice of Public Hearing, Stewarts will need legal representation and they will go over this with their attorney and will contact the City Attorney's office and make sure the City Council is OK with the proceeding that we discussed.

HIGHWAY REPORT- Deputy Superintendent of Highways, Mark Young, states the original quote for the bridge replacement for Brookhaven was \$40,445.00. The total actual cost was \$37,864.61. J & K Trucking replaced the wooden timbers with concrete and we have a much sturdier bridge. Johnson, C asks the weight limit on the bridge? Mark Young says 15 – 20 ton. For the **Spring Cleanup** they counted cars for the first time. There were 650 vehicles over the three day event. They will count in the fall just to keep track of what is the busiest time. Almost 100 tons of garbage was collected, 17 tons of scrap metal and 20 pallets of electronics recycled. In total 165.5 man hours were used. **Stone Church Road Count-** The Highway Department put up a road counter for a week between April 27<sup>th</sup> and May 5<sup>th</sup>. A total of 4,331 vehicles a day were counted. 81 of the total were trucks, 2-4 axels. Keep in mind that is garbage trucks, school buses, UPS, Fed Ex, service vehicles, etc. There is no way of knowing which are independent

May 13<sup>th</sup>, 2021 continued

haulers. 1.8% of the total traffic were larger axel vehicles. 69 vehicles of the 81 were below 40 MPH. That leaves 11 of the trucks were over 40 MPH. So at this time Justin is not recommending any type of limit on the road, the numbers are not there. With Brook Road being closed, there has been more traffic on our roads. Justin has called the larger trucking companies to let them know not to run the Town roads and they have been compliant.

Supervisor Pemrick states we have received a lot of compliments on the new road signs. He asks Mark Young if all the signs are up? Dept. Highway Superintendent Young states 17 were purchased and they are expensive. They replaced the worst and oldest signs. The hope is in two to three years all the signs will be replaced. We have a lot of roads in Greenfield. Mr. Young states all the County roads have welcome signs. Kevin Veitch, C commends the Highway Department for their work on Hyspot, Russell and Dunham Pond roads removing massive trees and stumps from these roads. Mr. Young states the equipment they have make it easier for projects like this.

DISCUSSION- MARIJUANA LAW TIME LINES- Supervisor Pemrick asks Town Counsel, Mark Schachner, what timelines and decisions need to be made before December regarding the new marijuana law. Town Counsel Schachner states that is only if you don't want to have the opportunity to have this business in the Town. There is no affirmative obligation for the Town Board to do anything. If you do nothing that means next year at the earliest, 2022, there will be a State licensing opportunity for people to seek licenses for retail sales and dispensaries. You have no obligation to do anything unless you want that not to happen in the Town of Greenfield. That's where you may be thinking of a deadline. The deadline was published incorrectly as December 31<sup>st</sup>, the actual deadline is January 31<sup>st</sup>. If the Town does not want to allow the possibility of such facilities in the Town, then you need to adopt a Local Law prior to January 31<sup>st</sup>. Local Law meaning subject to Public Hearing and also a Local Law under the State Law subject to permissive, not mandatory referendum. Meaning that if enough people filed a petition objecting to that proposed Local Law then there would need to be a special election or if it happened at the right time, it could be added to the November ballot. That is only if you want to Opt out. If you want to do that then you need you need a Local Law before January 31<sup>st</sup> subject to permissive referendum. If you don't want to opt out, then there is no affirmative obligation to do anything. Capasso, C asks that you would need to go through any local zoning. Mark Schachner replies that is not clear. Some of this is not clear because the state needs legislation. There is going to be a State Licensing Board and State permitting process set up. It is possible the State permitting process would exempt local zoning requirements, but it probably won't. That is not clear. Supervisor Pemrick states there are many parts to this, manufacturing, sales , etc. Town Counsel says you are asking if you could opt out of all of them ? He does not know if you could opt out and say you don't want dispensaries or sales. That is a good question. The State needs to set up a Licensing Board and have legislation before we know what will happen. There will definitely be a state agency in charge of it.

EMS COMMITTEE REPORT- Capasso, C, states they had the first EMS meeting. Matt Fogarty from Jessups Landing, drew up a contract that needs to be reviewed, Mark should look at it. What we are doing is building EMS with Corinth in the Town of Greenfield as a partner. We have meetings set up for next month and July.

Monthly reports were submitted by Town Clerk, Highway Dept., April and May Town Justices, UDAG, Building Dept., Recreation, Dog Control, Parks Dept. and Supervisor's Financial Report.

May 13<sup>th</sup>, 2021 continued

**RESOLUTION #75-2021- TRANSFER OF FUNDS**

Motion: Veitch, C  
Seconded: Johnson, C

**RESOLVED**, that the Supervisor be allowed to make the following transfers of funds:

\$ 10,000.00	From: CR1990.4	To: CR7110.4
\$ 27,372.11	From: CR7100.2	To: CR7110.4

VOTE: Ayes: Pemrick, Johnson, Capasso, Veitch, Stacey  
Noes: None

**RESOLUTION #76-2021- GENERAL BILLS**

Motion: Capasso, C  
Seconded: Stacey, C.

**RESOLVED**, that the General Bills from # 259-346 in the amount of \$253,455.00 be paid.

VOTE: Ayes: Pemrick, Johnson, Capasso, Veitch, Stacey  
Noes: None

**RESOLUTION #77-2021- HIGHWAY BILLS**

Motion: Johnson, C  
Seconded: Veitch. C

**RESOLVED**, That the General Bills from #96-123 in the amount of \$167,841.68 be paid.

VOTE: Ayes: Pemrick, Johnson, Capasso, Veitch, Stacey  
Noes: None

**RESOLUTION #78-2021- PARKS BILLS**

Motion: Capasso, C  
Seconded: Stacey, C.

**RESOLVED**, That the Parks Bills from #81-114 in the amount of \$92,515.72 be paid.

VOTE: Ayes: Pemrick, Johnson, Capasso, Veitch, Stacey  
Noes: None

On a motion by Veitch, C and seconded by Stacey the meeting was adjourned at 8:46 PM.

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Town Clerk

