

September 10<sup>th</sup>, 2015

The regular meeting of the Town Board was held on Thursday, September 10<sup>th</sup>, 2015 with the following members present: Paul Lunde, Supervisor; Daniel Pemrick, Daniel Cochran and Walter E. Chandler, Councilman. Also present were Town Counsel Mark Schachner, Highway Supt. Walter Barss and approximately 10 residents.

The Board convened as a Board of Health at 7:25 PM.

Unsafe Building – 4119 Rt 9N - Supervisor Lunde stated that the property owner is still in the process of cleaning up. He felt that they should be given a little more time to complete the cleanup. Board members in agreement.

Unsafe Building – 3 Ormsbee Road - Supervisor Lunde stated that the Highway Department was able to complete the removal of the unsafe structure and debris on the property. Highway Supt. Barss stated that he would provide the Town Clerk with the total cost of the cleanup.

Unsafe Building – 491 Allen Road - Supervisor Lunde stated that he drove by the property and that the structure has been pretty much taken down. They are working on cleaning up the debris.

The regular meeting was called to order by the Supervisor at 7:30PM and opened with the pledge to the flag. On motion of Chandler, C. and seconded by Pemrick, C. the minutes of 8/13/2015 were approved as submitted by all Board members present.

Check in the amount of \$500 from G. David Evans for Open Space/Parks & Recreation fees.

Check in the amount of \$1,500 from Joe VanGelder for Open Space/Parks & Recreation fees.

Letter from the NYS Dept. of Public Service regarding scheduled public hearings seeking approval to merge Time Warner Cable and Charter Communications.

Ty Stacey, Locust Grove Road - Mr. Stacey stated that he has been looking at the baseball fields to see what could be done to maximize their use. He added that at the last Town Board meeting there was discussion regarding forming a committee regarding a recreation center. He noticed on the agenda for this evening there is discussion regarding the status of the Community Center and the blue house that was purchased next door. Mr. Stacey suggested that the committee be charged with putting together a master plan of all recreational facilities and try to pull it all together instead of looking at each item one at a time.

Eagle Scout Project - Michael Kloss - Michael stated that his project was almost completed. The flagpole has been installed. He is waiting to add the flag until the solar light arrives. He would like to add some sort of a flower bed, etc. around the pole to make it look better. Since flowers would be a lot of maintenance he was thinking that it would be better to put some patio blocks and stones. Supervisor Lunde suggested some sort of perennials that would not require a lot of maintenance and would be deer resistant. Michael stated that he had patio blocks that were donated. He added that someone had also advised him to get a lock box for the flagpole which would cost approximately \$100. He stated that he had spent approximately \$127 so far. Supervisor Lunde believed that the Town had agreed to spend about \$600. Highway Supt. Barss to look into the cost of a lock box.

On motion of Pemrick, C. and seconded by Chandler, C. the Board adjourned to Executive Session at 7:36 PM to discuss the possible appointment of Zoning Board of Appeals members. Clerk was not present for session. No minutes were filed. On motion of Pemrick, C. and seconded by Cochran, C., the Board returned to regular session at 7:45 PM.

Zoning Board of Appeals – Supervisor Lunde stated that the Town Board had interviewed 4 candidates for the opening on the Zoning Board. The Chairman of the Zoning Board has

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suggested that the current Alternate Member, Laura Sanda, be moved up to fill the opening and that an Alternate Member be appointed.

RESOLUTION # 108 - Zoning Board of Appeals Appointments

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby appoints Laura Sanda as Member of the Zoning Board of Appeals to fill the unexpired term of Michelle Grainger with said term to expire 2/16/2019, and

FURTHER RESOLVED, That Curt Kolakowski be appointed as Alternate Member of the Zoning Board of Appeals to fill the unexpired term of Laura Sanda with said term to expire 2/16/2016.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Community Center Annex (Blue House) - Supervisor Lunde stated that he would like to declare the building as surplus so that it can be torn down and cleaned up. He spoke to a few organizations in the County that the Town may be able to donate some of the materials to such as the kitchen cabinets, appliances, etc. that he would like to be able to salvage rather than just throw everything away. Organizations like Habitat for Humanity. Ty Stacey stated that Shelters of Saratoga are taking over the Code Blue Program. Supervisor Lunde stated that he will salvage as much as he can before the Town Highway Department takes it down. Louise Okoniewski asked what was going to be done with the property, what the plan was. She stated that last year the Board was looking to rent the building and the heat and lights were kept on all winter. Now the building is going to be torn down. Louise asked if the building could be used to hold some programs or be used as office space or a shelter. In the past the Community Center was used as a shelter when there was a widespread power outage in Town for about 4 days. Supervisor Lunde stated that they were going to try and rent it out last year however after talking to Town Counsel they realized that it was something that they couldn't do for any length of time. During the winter, some of the pipes broke and there was a lot of water damage. In order to make that a usable piece of property again, it would cost too much money. The porch is rotted and has to be removed, etc. Cochran, C. stated that the Board has to look at a comprehensive plan as to what they want to do with this footprint, i.e. Community Center property and the adjacent property that was purchased this past year. They have to look at the Community Center building as well and plan for future growth such as ambulance bays, etc. Chandler, C. stated that the new building was not in real good shape and the Community Center is failing. In order to have the room for a new Community Center, if that is what the Board is looking to do, they will have to use that land. He added that that was really why they bought the property was for the land to rebuild the Community Center.

RESOLUTION # 109 - Declare Community Center Annex (31 Wilton Rd) Surplus

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby declares the Community Center Annex (Blue House) located at 31 Wilton Road as surplus.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Recreation Center Committee - Supervisor Lunde stated that there has been discussion regarding forming a committee to assist the Town Board in developing a Master Plan for the Town Parks and recreation facilities. He spoke with Karyn Zanetti, Ty Stacey and Lorna Dupouy who have expressed an interest in being on that committee. Ty Stacey stated that he spoke with Richard Seales, Shelly Emery and Brian Wagner who were also interested. Shelly grew up in Greenfield and has 9 & 12 year old children. Brian has been working on the Little League fields on the West Side in

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Saratoga for the past 5 or 6 years. Chandler, C. stated that he would be glad to be the liaison with the Committee, if needed by the Committee. He would like to see them put together their recommendations.

**RESOLUTION # 110 - Appoint Recreation Committee**

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby appoints the following individuals to serve on a Recreation Committee for the purpose of developing a Master Plan for the Town Parks and Recreation Center: Ty Stacey, Chairman; Karyn Zanetti, Lorna Dupouy, Richard Seales, Shelly Emery and Brian Wagner.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Brookhaven Pavilion - Supervisor Lunde stated that Highway Supt. Barss and Councilman Chandler had looked into the cost of replacing the pavilion at Brookhaven. The cost would be approximately \$40,000. Supervisor Lunde stated that he would have to discuss with the Bookkeeper to determine where the funds would come from. Supervisor Lunde added that he spoke with Jason Kemper, Saratoga County Planning Director, about the possibility of him coming up and looking at the property. In the County, they are developing horse trails, bike trails, etc. He has offered to come up and talk to the Board. Supervisor Lunde questioned whether the Board wanted to do anything with that pavilion right now and if there was a need to have that building there this year. Chandler, C. stated that the Board needed to know where the funds were going to come from. Pemrick, C. agreed that the Board needed to determine where the funds could be spent and added that he would also be interested in listening to Mr. Kemper. Cochran, C. stated that he agreed with what Ty Stacey said earlier about the development of a Master Plan for Parks & Recreation. Chandler, C. felt that some of the small things needed to be taken care of while the committee was researching and developing the plan. The Board needs to deal with 31 Wilton Road and replacement of the pavilions that were torn down about 3 years ago now. It has to be replaced.

Ambulance Municon - Supervisor Lunde stated that he was in the process of finalizing the application for the Municon and it should be submitted to REMO soon. At the time of submission, he will need a check for \$7,500. The money will be used to cover expenses incurred during the processing of the application and the unused portion will be returned to the Town.

**RESOLUTION # 111 - Authorize Expense for Municipal Certificate of Need**

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby authorizes the \$7,500 expense for the Town's Municipal Certificate of Need.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Old Stone Ridge - Francesca Tillou, Lower Meadow Road, stated that she was at the agenda meeting last week and talked a little bit about the status of Lower Meadow Road and what needed to be completed in order for the road to be turned over to the Town. Snowplowing is a big issue for everyone. However, the biggest concern is being able to have the public school bus come into the neighborhood rather than having the bus stop at the entrance to the subdivision out on Lester Park Road at the blind curves. Supervisor Lunde stated that the road is not finished to Town standards. Highway Supt. Barss stated that he rode through the development and measured and inspected the road. There is a small list of things that had to be finished. Some of the ditches need to be filled in,

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which has been done. There are guard rails that need to be installed. There also needs to be a "Stop Ahead" sign installed heading down toward Lester Park Road. Highway Supt. Barss stated that he would feel comfortable if the guard rails are installed for the Town to take over plowing. He would also like to see the road paved within a year. There are starting to get some cracks and there are some areas that are going to start to fall apart. It has been a long time for just the binder course. Cracks need to be filled and sealed before the seal coat is applied and a tack coat on top. Highway Supt. Barss added that a few of the driveway aprons have laid in stone which is at the binder height now. They are going to be too low when the top coat is installed. The stones will have to be reset. The blacktop aprons will not be a problem. Highway Supt. Barss stated that if the conditions were met and the Board was in agreement, he would be in agreement to take over the road for snowplowing purposes only. He agreed that it was a dangerous spot to have a bus stop. Supervisor Lunde stated that what he was hearing was that if the Board made a motion that gave Mr. Witt until October 15<sup>th</sup> to install the guardrails, install the sign and crackseal, the Highway Supt. would agree to take over the roads, with the stipulation that within 1 year the top coat has been installed or the Town would take the bond and complete the road themselves. Pemrick, C. stated that this was a large amount of money and a great deal of responsibility and he was a little uncomfortable with sitting here putting together a legal agreement. He suggested that Town Counsel draft an agreement. Cochran, C. asked why it had to be a year until the top coat was installed and wondered if it could be put down soon. John Witt stated that the Town regulations say 80 to 90 percent build out then top coat. He would be going against the Town regulations if he paved it. He felt that from the Town's point of view it makes sense to hold off on the paving. He agreed with the Highway Supt. that some of the cracks should be sealed and some maintenance done. He has been plowing the road for years. In other municipalities he has been able to ask them to take over the roads for plowing only. He has done so in 3 instances in the City of Saratoga. Mrs. Tillou asked Mr. Witt if he would be willing to pave the road within 1 year. Mr. Witt stated that he would like to follow the Town regulations for paving or pave within 2 years. He would do maintenance & crack sealing the next year or so. Highway Supt. Barss stated that he was concerned that it was going to go too far and a section of the road will have to be taken out and replaced. Unfortunately, the Code does say that the development is supposed to 80 to 90 percent built out, however there is another line in the Code where there is a 3 year time limit. Town Counsel Schachner did not feel it was reasonable to construe the Code provision as saying that paving sooner would be a violation of the Code. The Code says that when a certain percent has been developed, the paving must have been completed by then. Typically developers do not want to do it earlier, however it does not say that it can not be paved earlier. Pemrick, C. stated that his understanding was that if the work was not completed within a specific time frame that the Town would have the right to garner the money and do the work itself. Town Counsel Schachner stated that he would have to look at the approval documents but he believed that the Town may have the right to do so. Pemrick, C. stated that there is some maintenance that the Highway Supt. would like to see done and he believed that the Board should be very specific about what needs to be done and within a specific time frame. Highway Supt. Barss felt that an agreement could state that the crack sealing had to be done this Fall. He would like to see the road paved sooner than 2 years, however he would also like to help out the residents with the safety issues, etc. If the road deteriorates within the next 2 years, the developer will have to bring it back up to Town specs in order for the Town to take it over. Mr. Witt was in agreement to pave the roads within 2 years. He would also be in agreement to put up the guard rails, install the sign and complete the crack sealing by October 15<sup>th</sup>. If all the conditions are met, the Town will take the road for snowplowing only with the stipulation that the road must be paved by September 1<sup>st</sup>, 2017. Highway Supt. Barss stated that the developer would be responsible for the driveways and aprons. Town Counsel Schachner stated that the Board could agree

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to this by resolution, however he stated that a written agreement should also be prepared that is acceptable to the Highway Supt. Chandler, C. asked how long it would be before the Town would actually take over the road. Supervisor Lunde stated that the Town would take over the road on October 15<sup>th</sup> if everything was completed. Chandler, C. asked if the buses would be able to come in immediately. Francesca Tillou stated that she would be contacting the school district. She added that she spoke with the Transportation Department a number of times and they would not agree to anything at this time. They still had to review the matter. Town Counsel Schachner stated that the Town Board could not make a commitment as to how the school district was going to view this. The road was being taken over for snowplowing only and would not be a Town road. Supervisor Lunde asked what the difference would be between taking the road over just for plowing and taking the road over. Highway Supt. Barss stated that the Town would be accepting a sub-standard road, however they would not be releasing the bond. The Town would be responsible for maintenance, etc. however we can add the roads to our highway inventory for CHIPS funding.

RESOLUTION # 112 - Accept Old Stone Ridge Road & Lower Meadow Lane for Snowplowing Only

Motion: Lunde, Supervisor

Seconded: Chandler, C.

RESOLVED, That the Town will hereby accept Old Stone Ridge Road and Lower Meadow Lane for snowplowing purposes only contingent upon the following items being completed by October 15<sup>th</sup>, 2015: Installation of Stop Ahead Sign; Installation of Guard Rails and cracksealing of roadways, and

FURTHER RESOLVED, That the top coat of the roads must be completed no later than September 1<sup>st</sup>, 2017, and that the driveway aprons will be the responsibility of the developer at the time of paving, and

FURTHER RESOLVED, That there shall be a written agreement in a form acceptable to the Highway Superintendent and Town Counsel.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 113 - Agreement with Saratoga County for Osteo Exercise Site

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Supervisor be authorized to sign the agreement with Saratoga County Office for the Aging to hold their Osteo Exercise Class at the Greenfield Community Center at 25 Wilton Road.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Zoning Review Committee - Supervisor Lunde stated that the Committee should look into tightening up some of the language regarding Town roads. Highway Supt. Barss stated that the Town Engineer and himself have been working on that already. They are looking at not letting the roads go so long without being finished. Supervisor Lunde added that he would like to see the Committee prioritize what they see as important in a timely manner and bring it to the Board first. Cochran, C. stated provided the Board with a list of the items that the Committee has been working on. He has begun the process of putting in all the information that was gathered by the Committee this past Spring. He should have something to the Board in November or December.

Deputy Town Clerk - Town Clerk advised that she would like to bring in an extra person a few half days a week from now until the end of the year to start to learn the day to day operations of the Clerk's Office. Pemrick, C. suggested that the Board authorize up to 15 hours per week. Town Clerk

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added that this was not something that was budgeted for and advised the Board that they may have to do a budget transfer to cover the expense.

RESOLUTION # 114 - Authorize 2<sup>nd</sup> Deputy Town Clerk

Motion: Lunde, Supervisor

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby authorizes the Town Clerk to appoint a 2<sup>nd</sup> Deputy to work up to 15 hours per week from now until the end of the year.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 115 - Resolution of Honor – James A. Smith Jr.

Motion: Cochran, C.

Seconded: Pemrick, C.

WHEREAS, it is the desire of the Town of Greenfield, which throughout its history has sent many of its residents to serve in the armed forces of the United States, to honor those of its citizens who have served their country, and

WHEREAS, **James A. Smith Jr.**, enlisted in the US Marine Corps and served as part of the 3<sup>rd</sup> Marine Division seeing action in New Zealand, Guadalcanal, Bougainville, The Marshall Islands, Guam and Iwo Jima, and

WHEREAS, **James A. Smith Jr.**, was a decorated soldier receiving the Presidential Unit Citation, Navy Unit Commendation, Good Conduct Medal, Asiatic Pacific Campaign, WWII Victory Medal, American Campaign Medal and the Combat Action Ribbon,

BE IT RESOLVED, by the Town Board that there be spread upon the minutes of this meeting our recognition of the service of **James A. Smith Jr.** to his nation, his Town and his family, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to his family at the Special Recognition Ceremony at the County Offices on September 15<sup>th</sup>, 2015.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Budget Workshop – Supervisor Lunde stated that the first workshop meeting is scheduled for Thursday, September 17<sup>th</sup> at 7 PM. He added that he has asked the Budget Officer to put together some scenarios of what the tax increase would be if the draw from the fund balance is 0., 100,000. or 200,000. He believed that the draw from the reserve the past couple of years has been around \$200,000. With the State Cap, the budget can go up .73 percent. The New York State Retirement cost will be quite a bit lower next year. He added that the Budget Officer was still waiting on the insurance costs. Supervisor Lunde stated that he was not looking to cut services but he felt that the budget could be a little tighter in different areas. Pemrick, C. suggested that the Building Inspector may be able to provide the Board with information as far as increases in activity in terms of building, developing, etc. He asked if the Highway Department would be able to provide information they obtained from traffic counts over the past few years. He would like to see data verifying that fact that the Town was growing as rapidly as he felt it was. It may have an impact on how the Board thinks.

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RESOLUTION # 116 - Reappointment of Board of Assessment Review Member

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby re-appoints Kathy Tuczynski as member of the Board of Assessment Review with said term to expire 9/30/2020.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 117 - Historical Society Gala

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby waives the \$100 Space Use Fee for their Gala to be held on October 3<sup>rd</sup> at Brookhaven; and

FURTHER RESOLVED, That a Haven Pass be donated to be included in the Silent Auction.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 118 - Community Center Use Request

Motion: Lunde, Supervisor

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby authorizes the following organization to use the Community Center for their meetings:

Girl Scout Troop #3053 – Siobhan Dahl, Leader – 2<sup>nd</sup> & 4<sup>th</sup> Tuesday from Oct. to May

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 119 - Budget Amendment & Transfer of Funds

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Justice Contractual Budget be amended as follows:  
\$3,100.00 From A0599 to A1110.4

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

\$1,625.16	From	DA9070.8	to	DA5120.4
2,754.20	From	CR7180.44	to	CR7180.4
1,079.32	From	CR7110.2	to	CR7110.4
468.60	From	CR7180.43	to	CR7180.4
855.50	From	CR7180.43	to	CR7180.42
100.50	From	CR7110.44	to	CR7180.45
68.37	From	A8020.1	to	A8010.1

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Monthly reports were submitted by the Town Clerk, Town Highway Supt. , Town Supervisor and the Parks & Recreation Department.

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RESOLUTION # 120 - Highway Bills

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That Highway Bills # 174 to # 196 in the amount of \$288,486.74 be paid, subject to audit.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 121 - General Bills

Motion: Lunde, Supervisor

Seconded: Pemrick, C.

RESOLVED, That General Bills # 485 to # 533 in the amount of \$28,386.19 be paid, subject to audit.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 122 – Parks Bills

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That Park Bills # 189 to #223 in the amount of \$17,086.05 be paid, subject to audit.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Parks & Recreation Mower - Highway Supt. Barss stated that the 72” mower for the Parks & Rec Department needs to be replaced. Supervisor Lunde questioned whether it was something that was needed this year or if it could be budgeted for next. The cost of the mower is approximately \$11,000. Supervisor Lunde to check with the Bookkeeper to see if there is money in the Parks & Recreation budget this year.

On motion of Pemrick, C. and seconded by Chandler, C., the meeting was adjourned at 8:40 PM.

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Town Clerk