

January 10th, 2013

The regular meeting of the Town Board was held on Thursday, January 10th, 2013 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella and Walter E. Chandler, Councilman. Daniel Cochran was absent. Also present was Highway Supt. Walter Barss and 4 residents.

At 7:25 PM Opening of Bids was held for Fertilizer for Brookhaven Golf Course for the 2013 Season. Clerk presented proof of legal publication. The following sealed bids were received:

Matrix Turf Solutions
Direct Solution

Supervisor Rowland advised that the bid packages will be reviewed and the Board should be able to make a decision and award the bid at the next meeting.

The regular meeting was called to order at 7:30 PM and opened with the pledge to the flag. On motion of Chandler, C. and seconded by Kinsella, C., the minutes of 12/13/12, 12/27/12 and 1/3/2013 were approved as submitted by all Board members present.

Information packet from the Association of Towns regarding the 2013 Training School and Annual Meeting to be held in New York City from February 17-20, 2013.

Stan Weeks, Ashlor Drive - Mr. Weeks complimented the Town on the new website. He stated that he read the minutes of the last meeting and noticed some of the comments and concerns regarding the ambulance committee. He attended the last meeting of the Committee. He added that some of the people on that Committee were making some pretty strong statements regarding the performance of Empire Ambulance which concerned him a great deal. There were statements regarding them not responding to calls in a timely fashion, not having a paramedic on every call, paramedics not well trained, etc. These are statements that should be made if they are true, however if they are not true he would suggest that they should not be saying these things. He stated that he was very concerned about what he heard. Supervisor Rowland stated that the current contract requires a report to be submitted to the Board indicating the number of calls, who was on the run and their qualifications, which Empire will be submitting shortly. In addition, surveys were recently sent out by Empire to all the patients that have been served by them with a self addressed stamped envelope to return the surveys to the Town. To date we have not received any back.

Zoning Referral – Peter Barber - Mr. Barber stated that he has received the documentation back from his attorney who is handling the boundary line agreement and deeds with regards to his property and the Ure Estate. The new deed has been recorded with a 50' right-of-way over Ure Way as shown on the filed map. Town Counsel briefly reviewed the deed and map and stated that it appears be complete. Supervisor Rowland stated that an email had been received from a representative of the Fire Department indicating that all the suggested improvements had been made with the exception of a few areas where additional crusher run should be applied. Mr. Barber stated that he intended to take care of that once the area is cleared out and construction begins. Kinsella, C. asked what the next step would be for the Board to take. Town Counsel Schachner explained that the ZBA has left the hearing open. If the Town Board

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is satisfied, they would have to adopt a resolution designating the area as suitable for development from the standpoint of ingress/egress and provide emergency access. Kinsella, C. questioned whether the resolution would cover the entire length of the right-of-way or just for the Barber property. He wondered if another adjacent property owner that would use Ure Way as a right-of-way would be covered by this Resolution or would they have to come in individually. Was the lot or the road being designated? Town Counsel stated that they would be designating the whole access and someone could feed off of this access into another property. Kinsella, C. stated that if that was the case, there would not be an assessment made of the driveway as there has been with Mr. Barber. Pemrick, C. asked if the remaining recommendation of the Fire Department could be made a part of the Building Permit process.

RESOLUTION # 28 - Designate Portion of Ure Way as Suitable
For Development

Motion: Kinsella, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board declares that Ure Way to the end of the property owned by Peter and Denise Barber be deemed adequate for access for development, subject to final approval of the Zoning Board of Appeals, and

FURTHER RESOLVED, That a building permit can not be issued until the recommendations by the Fire Department have been implemented on the driveway associated with the Barber construction.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

Handicapped Bathrooms – Brookhaven - Supervisor Rowland advised that the Highway Supt. and himself reviewed the 3 low bids received – Champagne, Bast Hatfield and TMG. There were no deviations to the bid packet. All of them provided Worker's Compensation Insurance, bonding, etc. The low bid at \$41,340. meets the spec. He was the only bidder who came to the site and did a walk through with someone from the Town. Supervisor Rowland added that the Town Engineer indicated that he would be confident with that company. He had many conversations with them prior to the bid opening and was quite sure that he understood the job. Supervisor Rowland recommended that the Board go ahead with the low bidder.

RESOLUTION # 29 - Award Bid for Handicapped Bathrooms
At Brookhaven Park

Motion: Kinsella, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby awards the bid to P & A Builders Inc. in the amount of \$41,340.00 to construct an addition to the Brookhaven clubhouse to provide handicapped bathrooms.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

Various Board Vacancies - Town Clerk advised that she had received applications from 2 individuals interested in serving on the Planning Board, 1 for Board of Assessment Review and 2 for the Environmental Committee. Town Clerk to provide

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Board with copies of the applications. Town Board will review prior to scheduling interviews.

Ambulance Committee - Kinsella, C. stated that they hoped to have a first draft of the report ready for their next meeting which will be on January 17th. He added that he would not deny what Mr. Weeks stated and added that a lot of input that they have received from individuals who have come to the committee has been negative. The current contract requires certain elements and they need to make sure that they are living up to their contract. Kinsella, C. questioned when the survey had been sent out. Supervisor Rowland stated that they were sent out just after the holidays. Kinsella, C. did not feel that the committee would have their full report ready until at least March so if there was going to be any further input from the public they should have it by then.

RESOLUTION # 30 - Community Center Use Request

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby authorizes use of the Community Center by the Cub Scouts - Bill Welmaker, Leader, on January 26th, 2013 from 8AM to 1 PM.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

RESOLUTION # 31 - Budget Amendment

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Supervisor be authorized to make the following amendment to the 2012 Brookhaven Budget:

\$10,999.43 From CR0599 to CR7020.1

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

RESOLUTION # 32 – Transfer of Funds

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That the Supervisor be authorized to make the following Transfer of Funds in the 2012 General Fund:

\$2.60 From A7310.1 to A7150.1

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

Monthly reports were submitted by the Town Clerk, Highway Supt., UDAG Revolving Loan Fund (Nov. & Dec.), Town Justices and the Building Dept. (Oct. & Nov.).

Supervisor Rowland noted that the December UDAG Report indicated that Greenfield Veterinary Clinic had paid down \$100,000 of principal on their loan and that the Town released the lien on the property that was used to secure that portion of the loan. In addition, the Committee recommended that the Town Board write-off the outstanding loan of Greenfield Country Medicine which was previously discharged in bankruptcy proceedings.

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RESOLUTION # 33 – Accept UDAG Committee Recommendation to
Write-Off Greenfield Country Medicine Loan

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby accepts the recommendation from the UDAG Revolving Loan Fund Committee to fully write-off the outstanding loan of Greenfield County Medicine that was previously discharged in bankruptcy proceedings.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

Annual Reports were submitted by the Town Clerk, Highway Supt., Town Justices and Building Department.

RESOLUTION # 34 – General Bills

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That General Bills # 1 to # 32 in the amount of \$63,034.99 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

RESOLUTION # 35 – Highway Bills

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That Highway Bills # 1 to # 9 in the amount of \$32,038.60 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

RESOLUTION # 36 – Park Bills

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That Park Bills # 1 to # 12 in the amount of \$4,174.69 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Chandler

Noes: None

Absent: Cochran

On motion of Pemrick, C. and seconded by Chandler, C., the meeting was adjourned at 8:05 PM.

Town Clerk