

December 13th, 2012

The regular meeting of the Town Board was held on Thursday, December 13th, 2012 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella and Daniel Cochran, Councilman. Walter E. Chandler was absent. Also present were Town Counsel Mark Schachner, Highway Supt. Walter Barss and 6 residents.

The Board met as the Board of Health at 7:25 PM.

99 Wilsey Road - Supervisor Rowland reviewed the report from the Code Enforcement Officer dated 12/5/2012. A site inspection was performed on that date at which time a new chain link fence had been installed enclosing the in ground pool. Board determined that the property was now in compliance and no further action was required at this time.

The regular meeting was called to order at 7:30 PM and opened with the pledge to the flag. On motion of Cochran, C. and seconded by Pemrick, C., the minutes of 11/8/2012 were approved as submitted by all Board members present.

Check in the amount of \$1,500. for Open Space/Park & Recreation Fees for the Kilmer Subdivision.

Notice from the Highway Department Employees thanking the Town for their efforts to improve the health care insurance package offered to Town employees.

Letter of Resignation from Lorna Dupouy from the Planning Board

Various Board & Committee Vacancies - Town Clerk advised that there were vacancies on the Board of Assessment Review, Planning Board and Environmental Committee. The Town Health Officer position also needed to be filled, as well as a new part-time clerical position that was included in the 2013 budget. Pemrick, C. suggested that a job description be prepared prior to advertising for the clerical opening. Supervisor Rowland stated that he was working with Town Counsel regarding the Town Health Officer position. He hoped to be able to make the official appointment for that position right after the first of the year. Board members in agreement to put an add in The Pennysaver and on the Town website advertising for openings on the other boards and committee, having anyone interested apply by January 10th, 2013.

Zoning Referral – Peter Barber - Mr. Barber stated that the map was approved by the Planning Board and has been filed. He was waiting for the deed revisions to be completed by his attorney. He was also waiting for a letter from the Fire Department regarding the road improvements that had been made.

Brookhaven Park Budget - Supervisor Rowland stated that the Board members had received a copy of the proposed budget for review. Al Janik, King Road, asked if the insurance costs were prorated to Brookhaven Park and if so where it was located in the budget. Duane Wright stated that the insurance is included in the Contractual Line of the budget. The cost is approximately \$17,000. Mr. Janik asked if the employees were covered under any kind of hospitalization insurance. Supervisor Rowland stated that the employees were all seasonal employees and were not eligible for medical insurance coverage.

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added that the cost of living includes all these costs and health care is a factor in determining the cost of living. Kinsella, C. stated that he was not sure that health insurance was a factor in the cost of living. He added that he was affected by a cap where he works as well and he was not seeing where increased costs in health insurance were being compensated. Supervisor Rowland stated that the employees have been receiving cost of living increases, however health benefit costs were far outweighing that increase. They decided to give no raise this year and make a change in the benefit package to help offset some of the cost. Some employees could no longer afford to have insurance. Mr. Janik stated that everyone was facing this and in general employers are not as generous as the Town would like to be toward their employees. Pemrick, C. felt that was unfortunate. He added that he chose to invest in some very dedicated and well qualified people. The Board knew there were some risks. They explained to the employees that there may be a need in the future to come back to them and make a change to the policy. Mr. Janik added that \$400,000. was taken out of the fund balance for the 2013 and at some point this had to stop. The increase in health care costs is a big part of that.

RESOLUTION # 156 – Update to Employee Handbook

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby adopts the proposed amendment to the Employee Handbook updating the Health Insurance Benefits for Full Time employees as presented.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

2013 Emergency Squad Contract - Kinsella, C. stated that the current contract does contain the provision that each crew shall have one certified EMT Paramedic and one certified Medical Technician. He added that it also contains a clause where Empire shall supply the Town on a semi annual basis with a report of all transports provided and asked the Supervisor if we had received that. Supervisor Rowland stated that he would contact Empire and obtain a copy of the report. Kinsella, C. stated that he would like to hold them accountable to the contract. He added that when the committee makes a recommendation, his input would be not to continue with Empire based on what he has learned on this committee. However, at this point he felt that there was no choice but to contract with them again this year. Cochran, C. agreed.

RESOLUTION # 157 – Approve 2013 Ambulance Agreement

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby accepts the agreement between the Town of Greenfield and Empire Ambulance Service for the Year 2013 in the amount of \$53,000.

Discussion: Pemrick, C. felt that it was important for the Board to try to be as objective as possible when they move forward in looking at any kind of ambulance service. Kinsella, C. appreciated that, however 90% of the input he has received has been negative. Pemrick, C. noted that the report is not finished and presented to the Board. The comments this evening were as far away from objective as possible. He needs to

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have good data in order to make an objective opinion. Town Counsel stated that he would like to have a chance to make an adjustment to the termination provision in paragraph 20.

VOTE: No vote taken on this Resolution

RESOLUTION # 158 – Amendment to Proposed 2013 Ambulance Agreement

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Counsel be authorized to amend the wording of the termination provision in paragraph 20 of the proposed agreement.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

RESOLUTION # 159 - Approve 2013 Ambulance Agreement

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby accepts the agreement between the Town of Greenfield and Empire Ambulance Service for the Year 2013 in the amount of \$53,000. as amended by Town Counsel.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

Junkyard License Renewals – Supervisor Rowland stated that all 3 renewal applications have been submitted. Town Code Enforcement Officer has made his inspections and has submitted his reports. All were found to be in compliance. Al Janik, King Road – Commented that he believed that the junkyard on Middle Grove Road was in the name of William Gaba who is deceased and questioned if the license would go with the owner and not stay with the property. Supervisor Rowland stated that the license was issued in the name of Gaba Brothers Auto Parts with William Gaba as President. It was his understanding that Mr. Gaba's wife is the executrix of the estate and is operating the business at this point. Mr. Janik stated that he spoke with the Code Enforcement Officer regarding the application of the Cornell's junkyard. He felt that they were expanding the area immediately in back of the building which he did not believe was part of this permit. Supervisor Rowland stated that the report from the Code Enforcement Officer regarding that application indicates that they are in compliance. Pemrick, C. asked the Town Clerk to read into the record the three junkyard licenses. Town Clerk stated that the licenses were issued to Casey Cornell/Cornell's Used Auto Parts, LLC; Gaba Brothers Auto Parts and M & J Construction Company.

RESOLUTION # 160 - Approve Junk Yard License Renewals for 2013

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby approves the following Junkyard License renewals for the Year 2013 as per the Town Code – Chapter 65, Junkyards:

#1-2013	Cornell's Used Auto Parts – Casey Cornell
#2-2013	Gaba Brothers Auto Parts – William Gaba

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#3-2013 M & J Construction – Michael Ballestero

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None Absent: Chandler

RESOLUTION # 161 – Scheduled End of Year & Organizational Meeting

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That that Town Board hereby schedules the End of the Year meeting for Thursday, December 27th, 2012 at 7:30 PM and the Organizational Meeting for the Year 2013 for Thursday, January 3rd, 2013 at 7:30 PM.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None Absent: Chandler

RESOLUTION # 162 – Schedule Bid Opening for #2 Fuel Oil

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Clerk be directed to advertise for the opening of bids for #2 Fuel Oil for the Year 2013 with said bids to be opened on December 27th, 2012 at 7:25 PM.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None Absent: Chandler

RESOLUTION # 163 – Schedule Bid Opening for Fertilizer

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the Town Clerk be directed to advertise for the opening of bids for Fertilizer for Brookhaven Golf Course for the 2013 season with said bids to be opened on January 10th, 2013 at 7:25 PM.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None Absent: Chandler

Handicapped Bathrooms - Supervisor Rowland advised that the Board has a bid packet prepared by the Town Engineer. There were a few corrections that needed to be made. The bid will include the pad, framing & exterior finishes. The remaining work will be done by staff or bid as an additional bid if necessary.

RESOLUTION # 164 – Schedule Bid Opening for Handicapped Bathrooms at Brookhaven Park

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Clerk be directed to advertise for the opening of bids for Handicapped Bathrooms at Brookhaven Park with said bids to be opened on January 3rd, 2013 at 7:25 PM.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None Absent: Chandler

Surplus Equipment - Highway Supt. Barss stated that he has some mower equipment from his roadside mower that he would like to surplus and sell. He will be replacing it with a new side mower with an arm attachment so they can reach across

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ditches, guard rails, around bridges, etc. He would like to list the equipment on the online auction site.

RESOLUTION # 165 – Declare Surplus Equipment

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby declares the 2003 Alamo Flail Mower as surplus, and

FURTHER RESOLVED, That the Highway Supt. be authorized to sell the equipment online at Auctions International.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

Brigham Road Park Improvements - Supervisor Rowland stated that the Lion's Club has inquired about making some improvements to the Brigham Road Park. They would like to expand the walking trails and perhaps put in a small pavilion area for 2 or 3 picnic tables. Highway Supt. Barss stated that there is a map that was prepared by the Town Engineer that shows proposed future trails. Supervisor Rowland questioned whether it would be necessary to have some type of restroom facility if we were to put up a pavilion. Highway Supt. Barss added that the Lions Club was also looking to see if there was any funding available to do this. They would be working with an Eagle Scout project and may be able to provide some of the funding. Kinsella, C. asked how frequently the park was used. Supervisor Rowland stated that the park actually gets a fair amount of use. He would like to have a more defined plan. He felt that expansion of the trails would be a minimal cost. Paul Lunde, Ballou Road, asked if portable toilets could be used. Supervisor Rowland was not sure if they would work in that area. He added that in some outlying areas, the federal parks use a cement box type system. Pemrick, C. noted that we have to have the means to maintain and police the Park if we expand the use at the Park. Board in agreement to go forward with exploration of expansion.

RESOLUTION # 166 – Transfer of Funds

Motion: Cochran, C.

Seconded: Kinsella, C.

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

\$ 2,374.89	From	A7520.4	to	A7140.4
5,253.28	From	A3310.4	to	A5132.4
429.45	From	A8010.2	to	A8010.4
2,275.00	From	A1420.4	to	A1440.4
5,831.92	From	A1990.4	to	A8160.4
197.44	From	A1620.4	to	A1620.1
282.72	From	A1630.4	to	A1630.1
2,188.92	From	A7310.1	to	A7140.1
165.23	From	A8015.2	to	A8010.1
13,524.76	From	DA5110.1	to	DA5142.1
22,705.24	From	DA5142.4	to	DA5110.4
283.65	From	CR9055.8	to	CR7110.48

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641.91	From	CR9055.8	to	CR7180.4
1,543.90	From	CR9050.8	to	CR7180.43
598.66	From	CR9050.8	to	CR7110.42
377.77	From	CR9050.8	to	CR7180.41
25.92	From	CR9055.8	to	CR7180.41
62.38	From	CR9030.81	to	CR9030.8
681.64	From	CR9030.81	to	CR7180.42
703.58	From	CR7020.1	to	CR7110.1
3,391.35	From	CR9020.1	to	CR7110.2
5,211.48	From	CR7020.1	to	CR7180.1

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

Court Audit - Supervisor Rowland stated that Pemrick, C. and himself met with the Court Clerk and Judge Ginley to review the Court books. They used the State report form as they have in the past. They found the books to be in good order. Supervisor Rowland added that the old cases that were in question as to their disposition started out at about 14 pages long. The report is now down to a page and a half and most of the items are either scooped or brought forward for dismissal in the interest of justice. The new system of reporting that is being used for the Court system on a monthly basis along with the new system of conducting the annual audit has become much easier. The Judges and Court Clerk are doing a great job.

RESOLUTION # 167 – Accept Court Audit

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby accepts the audit of Court Records conducted by Town Supervisor Rowland and Deputy Supervisor Pemrick dated 12/11/2012, and

FURTHER RESOLVED that a copy of the completed audit be sent to the NYS Office of Court Administration.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

RESOLUTION # 168 – Establish Tax Collector Petty Cash

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby approves a petty cash fund in the amount of \$200.00 for the Town Tax Collector.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

RESOLUTION # 169 – Approve Nutrition Site Agreement

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Supervisor be authorized to execute the agreement with Saratoga County Office for the Aging to operate the meals site at the Community Center and that said agreement shall remain in effect for a period of two years.

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VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

Assessment Settlement - Town Counsel Schachner explained that there was a minor change to the Resolution that was adopted regarding the settlement of the Article 7 Real Property case filed by William Bokus. Opposing Counsel made an arithmetic error on the 1st parcel – 164-1-54. He stated that it was a very minor error which would have very little effect on the taxes.

RESOLUTION # 170 – Approve Amended Resolution Authorizing Settlement of Article 7 Real Property Case Filed By William Bokus

Motion: Cochran, C.

Seconded: Pemrick, C.

WHEREAS, William Bokus filed a 2012 Article 7 Real Property Assessment Review case against the Town of Greenfield concerning the following three parcels located on Mill Road:

<u>Address</u>	<u>Tax Map Number</u>
24 Mill Road	164-1-54
29 Mill Road	164-1-38.1
30 Mill Road	164-1-31

WHEREAS, the Town Board has reviewed the case and proposed settlement terms with Town Counsel; and

WHEREAS, the Saratoga Springs City School District has intervened in the case and its approval is also required for settlement; and

WHEREAS, the District's counsel believes the School Board will approve the proposed settlement,

NOW, THEREFORE, BE IT RESOLVED, that the Greenfield Town Board hereby approves the settlement of the 2012 Article 7 assessment case filed by William Bokus in accordance with the following revised assessment schedule:

<u>Parcel</u>	<u>Current Assessment</u>	<u>Revised Assessment</u>
164-1-54	\$240,000	\$200,000
164-1-38.1	\$19,000	\$10,750
164-1-31	\$80,000	\$50,000

BE IT FURTHER, RESOLVED, that no refunds shall be paid in connection with the reductions in assessments set forth above, and

BE IT FURTHER, RESOLVED that in compliance with NYS Real Property Tax Law Section 727, the Revised Assessments on the parcels listed above shall be the Final Assessments on these parcels on the Town's Assessment Rolls for 2013, 2014 and 2015, subject to exceptions provided for by law, and

BE IT FURTHER, RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Assessor and/or Town Counsel to execute settlement

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documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of this Resolution.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

Monthly reports were submitted by the Town Clerk, Highway Supt., Dog Control Officer (Sept. & Oct.), Town Justice and Town Supervisor.

RESOLUTION # 171 – Highway Bills

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That Highway Bills # 283 to # 312 in the amount of \$54,648.04 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

RESOLUTION # 172 – General Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That General Bills # 606 to # 672 in the amount of \$55,467.45 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

RESOLUTION # 173 - Park Bills

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That Park bills # 328 to # 342 in the amount of \$6,023.25 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

RESOLUTION # 174 – UDAG Bills

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That UDAG Bill # 16 in the amount of \$890.00 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

On motion of Kinsella, C. and seconded by Cochran, C., the meeting was adjourned at 8:35 PM.

Town Clerk