

February 14th, 2013

The regular meeting of the Town Board was held on Thursday, February 14th, 2013 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella, Daniel Cochran and Walter E. Chandler, Councilman. Also present were Town Counsel Mark Schachner, Highway Supt. Walter Barss and 8 residents.

The meeting was called to order at 7:30 PM by the Supervisor and opened with the pledge to the flag. On motion of Cochran, C. and seconded by Pemrick, C., the minutes of 1/10/2013 were approved as submitted by all Board members present.

Committee/Board Vacancies - Supervisor Rowland advised that the Board had advertised and received applicants for one opening on the Planning Board, one on the Board of Assessment Review and two members and the alternate member on the Environmental Committee. He added that the Board of Assessment Review appointment was the most important to fill at this time since there was required training that was going to take place very soon in order to be available for Grievance Day this May.

Board of Assessment Review – Supervisor Rowland stated that we received one applicant – Richard Schwartzbeck. He noted that Mr. Schwartzbeck was actually an Assessor in Town many years ago so he does have experience in this area.

RESOLUTION # 37 – Appointment to Board of Assessment Review

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby appoints Richard Schwartzbeck as member of the Board of Assessment Review with said term to expire 9/30/2017.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Planning Board - Chandler, C. stated that since there was more than one applicant he would like to interview the applicants. Supervisor Rowland added that the Planning Board Chairman has reviewed the applications and would be comfortable with either applicant. Board members instructed the Town Clerk to schedule interviews prior to the next agenda meeting on March 7th.

Environmental Committee – Kinsella, C. stated that this was an advisory committee to the Planning Board and did not feel that there was a need to conduct interviews. He added that from his time on the Planning Board it was helpful to have the committee's help to answer some questions and do some research on things. He did not have a problem with appointing either of the applicants that have applied.

RESOLUTION # 38 – Appointments to Environmental Committee

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby re-appoints Kenneth Blom, Chairman; Lavern Utter, James Bruchac, Nancy Kmen and Vince Walsh as members of the Environmental Committee, and

FURTHER RESOLVED that Michael Getz and Daniel McIntyre be appointed as new members of the Environmental Committee.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

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Fertilizer Bid – Highway Supt. Barss stated that they reviewed the two bids received. Direct Solutions did not bid on everything and some of the items that were substituted were not comparable and did not meet specs. Pemrick, C. asked how the price compared this year to last year. D. Wright stated that this was not bid last year so it was hard to compare. Supervisor Rowland stated that if all of the products that were bid are purchased the total will be slightly higher than last year. However, this year the plan is to buy as needed and not purchase all of the items up front. This should help us in not overbuying in any one category.

RESOLUTION # 39 – Award 2013 Fertilizer Bid

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby awards the bid for Fertilizer for the 2013 Season to Matrix Turf Solutions.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Ambulance Committee Report - Kinsella, C. stated that the committee would be meeting again next Thursday. The draft report is being circulated through the committee. They hope to finalize any other comments on it and have it turned in early next month. They have gathered all their information. They have the reports from Empire, budget estimates on a couple of different options, etc. which will all be part of the report.

Proposed Eagle Scout Project – Joe Jarvis, member of the Greenfield Lions Club since it was chartered in 1985 was present. Mr. Jarvis stated that they served the Greenfield community in a lot of ways, including their sight and hearing programs. They work with youth programs and in the last few years have focused on scouting programs. Mr. Jarvis introduced Connor Ferris who would like to present his Eagle Scout Project Proposal to the Board. Connor presented the Board Members with a copy of his proposal. He stated that he lived on Wilsey Road was a member of Boy Scout Troop 18. He was currently a Life Scout working on obtaining his Eagle Scout rank. With the assistance of the Lions Club, he would like to complete his Eagle Scout Project. Connor stated that there is currently no shelter or resting spot at the Greenfield Center Park and he is proposing to build a little pavilion. Connor's proposal included a map with a few suggested locations for the pavilion, the most ideal being the closest to the parking area. If possible he would ask for the help of the Highway Department in clearing the trees and preparing the lot prior to construction. His project would include the fundraising for and donations of materials and construction of the pavilion. Connor stated that fellow scouts, members of the Lions Club and any other individuals willing to volunteer to help on the project would be appreciated. Kinsella, C. asked if there was an estimate of the material costs. Connor believed it to be approximately \$3,600. Cochran, C. asked Connor if he had any sources of funding as of yet. Connor stated that he was waiting to begin his fundraising until he received feedback from the Town. He would probably see if there was anything that the Lions Club might be able to contribute. Butch Duffney, President of the Greenfield Community & Business Association, stated that they would probably be able to help out financially and with labor as well. Supervisor Rowland suggested that Connor see what he could do with his fund raising and come

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back to the Board and let them know how he has made out. He added that this was the best proposal that the Board has received to date and that he did a very good job. Supervisor Rowland noted that this park has been the site of several scout projects. The projects included installation of benches, trailhead signs, park entrance sign with planter, etc.

RESOLUTION # 40 – Accept Eagle Scout Project Proposal
Connor Ferris

Motion: Chandler, C

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby accepts the Eagle Scout Project Proposal presented by Connor Ferris to plan and construct a pavilion at the Greenfield Center Park.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Brookhaven Golf Course – Supervisor Rowland stated that the adjacent landowner to holes 7 & 8, Frank Giaculli, has expressed concern regarding the number of golf balls that are landing on his property. He would like to see if the Town could install netting or something along his property line to keep the balls out. Mr. Giaculli felt that it was a safety concern for his grandchildren who are often outside in the back yard and in the pool. Supervisor Rowland stated that he spoke with the Golf Pro regarding possible solutions. It was suggested that the t-box on the right side of hole 8 no longer be used. We could possibly extend the t-box on the left side and/or use the blue t-box. This would keep most everyone from trying to cut over the top of the trees on the corner. Mr. Giaculli stated that the hot spot was actually the Par 3. Supervisor Rowland explained that they believed that the solution to that would be to put up some netting to span the gap between the trees behind the green. He added that this may require Mr. Giaculli to allow temporary access to his property by Town employees to install the netting. Mr. Giaculli did not have a problem with that. Supervisor Rowland stated that they were not going to be able to eliminate every ball from coming onto his property but they would do their best to try and cut down the number of balls.

RESOLUTION # 41 - Approve 2013 Animal Shelter Agreement

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby approves the 2013 Animal Shelter Contract with the County of Saratoga in the amount of \$1,464.55.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Supervisor Rowland noted that the Director of the Animal Shelter, Dan Butler, is retiring at the end of March. He was very instrumental in the planning and development of the new shelter. He will be a tremendous loss to the County. He has been able to attract a large group of volunteers and has obtained contributions of over ¼ of a million dollars. With the money they have outfitted surgical suites and brought a trailer that could be used in animal rescue situations to name a few things. Mr. Butler instituted a cat adoption center at the Clifton Country Mall where hundreds of cats have been adopted from. The Saratoga County Shelter really only euthanizes animals when there are behavioral or health issues.

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Community Center Use Request - Town Clerk advised that the Saratoga Plan has submitted a request to use the Community Center for 4 meeting dates. Supervisor Rowland explained that the purpose of the meetings was to discuss the creation of the Palmertown Ridge Trail in the Town and possibility of ultimately connecting that to the rest of the trail system in Saratoga County. Tom Siragusa, a member of the Town Planning Board, has volunteered to be Greenfield's representative to that Plan. Highway Supt. Barss stated that he spoke with Julia Stokes and they have a meeting with Skidmore College and a DEC representative. They would like to develop a trail down along Clinton Street. Skidmore is willing to give the land to connect that part of Saratoga to this trail. The one problem is going to be the bridge over the railroad tracks. That is a County owned bridge and it is not wide enough.

RESOLUTION # 42 – Community Center Use Request

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby approves the request of Saratoga Plan to use the Community Center for 4 meetings to be held from February to May.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

RESOLUTION # 43 – Re-Appointment of Zoning Bd of Appeals Member

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby re-appoints Kevin Veitch as member of the Zoning Board of Appeals with said term to expire 2/17/2018.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

RESOLUTION # 44 - Temporary Closing of Roads for Vehicles Over Four Tons

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Clerk give notice of the following:

NOTICE is hereby given that pursuant to Subdivision II of Section 1660 of the Vehicle and Traffic Law, the Town Board of the Town of Greenfield hereby directs and orders that all Town roads will be temporarily closed to any and all vehicles having a gross weight of over four tons.

Such temporary restrictions will become effective when notices are posted on the highways and continue until such time as conditions will permit opening.

Further notice is hereby given that any person or persons violating this order shall be subject to punishment as provided in Section 1800 of the Vehicle and Traffic Law.

By order of the Town Board.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Abstained: Chandler

Contact Information for vacant structures - Supervisor Rowland advised that there was currently legislation at the State that would require Banks who have taken ownership of properties to inform local governments as to who to contact regarding maintenance, etc. with the properties. He added that the Town had just recently gone

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through a process where there was a building on Route 9N that needed to be demolished and there was also another property where there was an open swimming pool which was a dangerous situation. The process went on for months, with the Town being forwarded from person to person and had a difficult time finding someone responsible for the maintenance of the properties. He felt that this would be very beneficial to local governments.

RESOLUTION # 45 – Support for NYS-Contact Information for Vacant Structures

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED to support New York State regarding the proposed laws concerning contact information for vacant structures.

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of Greenfield Town Board supports the passage of said Bills.

NOW THEREFORE BE IT RESOLVED, that the Town of Greenfield hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of Greenfield support the passage of said Bills.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Agreement to Spend Highway Funds – Highway Supt. Barss stated that he is proposing to reconstruct & pave approximately 6.24 miles of road at a cost of approximately \$691,000. The list of roads includes a portion of Daniels Road, Stone Church Road, Hovey Road, Clinton Street, Bockes Road, Old State Road, Dunham Pond Road, Ballou Road, Medbury Road and Russell Road. Cochran, C. asked how that compared to the paving program that is in place. Highway Supt. Barss stated that 8 miles of road would be ideal, however due to the costs of blacktop, etc. they have been averaging 6 ½ miles the last few years.

RESOLUTION # 46 - Agreement to Spend Highway Funds

Motion: Chandler, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby approves the Agreement to Spend Highway Funds for the Year 2013 as submitted by the Highway Superintendent.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

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Used Asphalt Roller - Highway Supt. Barss stated that he would like to go out to bid for a used double drum asphalt roller. The roller they currently have broke down twice this year during paving jobs and they had to wait an hour & a half to borrow one from another Town. He is looking to upgrade to a 2008 and to trade in the 2000 roller. Highway Supt. Barss noted that he had the money in his equipment budget for this year to cover the purchase.

RESOLUTION # 47 – Schedule Bid Opening – Used Asphalt Roller

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Clerk be directed to Advertise for Bids for a 2008 or Newer Diesel Powered Asphalt Roller with said bid opening to be held on Thursday, March 14th, 2013 at 7:25 PM.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Multi Use Dump Body - Highway Supt. Barss stated that he had bid this last year however did not award the bid due to some unexpected equipment expenses. He would like to go ahead and rebid again at this time.

RESOLUTION # 48 – Schedule Bid Opening – All Season Combination Material Spreader Dump Body

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That the Town Clerk be directed to Advertise for Bids for an All Season Combination Material Spreader Dump Body with said bid opening to be held on Thursday, March 14th, 2013 at 7:20 PM.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

2013 Asphalt Bids - Highway Supt. Barss stated that the County Bid was awarded to Palette Stone this year. The Town can either go with the County Bid or can rebid it themselves. After discussion, it was the consensus of the Board to accept the County Bid.

New Garage Heating System - Highway Supt. Barss stated that the whole inside baffle and framework is gone. He tried calling the company to see if anything could be done. They had a list of parts that could be purchased if we wanted to. Highway Supt. Barss stated that even if they were to purchase new parts, the wood boiler does not heat the garage. Supervisor Rowland suggested that we purchase the necessary parts so that it would have some value to sell at auction. Kinsella, C. felt that we may not be able to get the money back out of it and it should just be auctioned as is. It was the consensus of the Board that the boiler needed to be replaced. Due to the size of the building, it is recommended that the heating system be at least 250,000 BTU. Kinsella, C. stated that the wood boiler was undersized and added that it was rated at just over 100,000 BTU. There was a discussion regarding which alternative would be the best, oil or propane. Duane Wright completed a cost comparison between the two and found it to be comparable. Supervisor Rowland stated that the oil fired burner would have to be located away from the building in a separate building because venting it through the roof would void the roof warranty. Cochran, C. asked what was being used for backup heat at the present time. Highway Supt. Barss stated that there was no backup heat. The wood

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boiler was the only source of heat at this time. Highway Supt. supplied two quotes each for both propane and oil boilers. Kinsella, C. added that in addition to the cost of the boiler they would have to buy a double wall tank and add it to the tank list for DEC. Highway Supt. Barss stated that the cost of the tank was approximately \$2,600. Cochran, C. asked how this would be paid for. Supervisor Rowland advised that the Board would probably have to make a budget amendment and pay for it from the General Fund Balance.

RESOLUTION # 49 - Approve Replacement Heating System for
Town Garage

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby authorizes the emergency replacement of the boiler at Town Garage, and

FURTHER RESOLVED, that the Town Board hereby accepts the quote from Middlebrook Plumbing, Heating & AC for a 250,000 BTU oil boiler at a cost of \$9,879.56, including all labor and materials necessary for installation, and

FURTHER RESOLVED, that the Highway Supt. be authorized to spend additional funds necessary for the purchase of a double wall oil tank and installation, and

FURTHER RESOLVED, that the total cost for the heating system shall not exceed \$15,000.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

RESOLUTION # 50 - Declare Parks & Rec Pickup Truck as Surplus

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby declares the 2001 Dodge Pickup Truck as surplus and that the Highway Supt. be directed to put on auction site.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Highway Supt. Barss advised that he just received the check for \$2,200. for the sale of the mower that was recently declared surplus.

RESOLUTION # 51 – Budget Amendment

Motion: Chandler, C.

Seconded: Pemrick, C.

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

\$31,927.90 From A0599 to A7140.2

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Code Revisions - Highway Supt. Barss stated that he has been talking to the Code Enforcement Officer and Town Engineer regarding making some changes to the Subdivision Code regarding roads. Some of the items they have already changed at the Planning Board level but need to be updated in the Code, like blacktop thickness, size of cul-de-sac. There is also a section that states that the developer has 3 years to finish a road. Highway Supt. Barss felt that they were allowing the roads to go way too long before requiring them to be topped with the seal coat. He would like to see a specific

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amount of time set and require that a bond still be maintained until the subdivision is built out in case they cause damage to the road during construction. He added that he would like to be able to take a road over to plow only in the winter after the binder was applied. There are a few subdivisions where it has been 7 or 8 years and the roads have not been completed. Taxpayers living in those subdivisions are not receiving any service from the Town. For example, in the Greenfield Manor Subdivision there is a 650' section of road that has never been completed and turned over to the Town. He checked the bond and there is plenty of money in the bond to go ahead and complete the paving. He would like to see that completed this Summer or take the bond and complete the road. Town Counsel stated that the developer would have to be given notification of what needed to be completed with an appropriate deadline for completion or the Town will be calling the bond. Highway Supt. Barss stated that he was checking with other Towns to see what they were doing. Most of them take over the road once it is built and has one course of blacktop. Kinsella, C. clarified that if the Town would take over the road we would only be plowing and would not be maintaining the ditches, etc. that have not been completed. Highway Supt. Barss stated that was correct and that a road bond would still have to be maintained until everything was completed. Board members in agreement to have the Highway Supt. continue to move forward with putting together proposed code language.

Spring Clean Up - Highway Supt. Barss stated that they would like to run the Spring Clean up beginning April 20th and ending April 28th. He stated that the Board had to decide if they wanted to accept tires like they usually do in the Spring. Electronics recycling will be accepted. Highway Supt. Barss stated that he had just received information regarding the electronics recycling for this past year and reported that over 35,000 lbs of Electronic Equipment was turned in.

RESOLUTION # 52 – Schedule Spring Clean Up

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That the Town Clerk be directed to advertise for the Spring Clean Up Week to be held April 20th to April 28th, and

FURTHER RESOLVED, that computer equipment and electronics will be accepted, along with a maximum of 4 tires per household.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Monthly reports were submitted by the Building Department (Dec & Jan), UDAG Revolving Loan Fund, Town Justices, Town Clerk, Supervisor (Dec & Jan) and Highway Supt.

RESOLUTION # 53 - Highway Bills

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That Highway Bills #10 to # 33 in the amount of \$175,543.75 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

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RESOLUTION # 54 – General Bills

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, that General Bills # 33 to # 90 in the amount of \$64,228.35 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

RESOLUTION # 55 – Park Bills

Motion: Kinsella, C.

Seconded: Pemrick, C.

RESOLVED, That Park Bills # 13 to # 28 in the amount of \$5,203.43 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

RESOLUTION # 56 – UDAG Bills

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That UDAG Bills # 1 to # 2 in the amount of \$6,308.75 be paid, subject to audit.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

On motion of Chandler, C. and seconded by Cochran, C., the Board adjourned to Executive Session at 8:50 PM to discuss pending litigation. Town Clerk was not present for session and no minutes were filed. On motion of Cochran, C. and seconded by Chandler, C., the Board returned to regular session at 9:32 PM. Supervisor Rowland advised that no decisions were made during the session.

Surplus Pickup - Butch Duffney asked if the surplus truck would be advertised locally rather than just putting it online. Supervisor Rowland did not feel that the Town would get as much for it. Pemrick, C. noted that the Board would be able to take either bid. Chandler, C. felt that it would give the local people a better chance if it were advertised locally.

On motion of Pemrick, C. and seconded by Cochran, C., the meeting was adjourned at 9:35 PM

Town Clerk