

January 12<sup>th</sup>, 2017

The regular meeting of the Town Board was held on January 12<sup>th</sup>, 2017 with the following members present: MaryAnn Johnson, Deputy Supervisor; Daniel Cochran and Rick Capasso, Councilmen. Absent were Supervisor Daniel Pemrick and Councilman Walter E. Chandler. Also present were Highway Superintendent Walter Barss and approx. 12 residents.

A public hearing was opened at 7:10 for proposed Local Law 1-2017 – Amending Chapter 84, Section 84-4. Clerk presented proof of legal publication. Deputy Supervisor Johnson, asked if anyone from the public would like to speak on Local Law 1-2017. There being no comments pro or con, the public hearing was closed at 7:12.

At 7:20 PM the Town Board opened as a Board of Health. The Board agrees to accept the Septic Application for 3100 Route 9N, Dr. Frank Akawi, Greenfield Veterinary Services. A Public Hearing is scheduled for February 3<sup>rd</sup>, 2017 at 7:20 PM. Board of Health closed at 7:22 PM.

Councilman Walter E. Chandler and Town Counsel Mark Schachner arrive at 7:25.

The meeting was called to order by the Deputy Supervisor at 7:30 with a pledge to the flag.

On a motion by Cochran and seconded by Capasso, the minutes of 12/8/2016 and 12/27/2016 were approved by all members present.

**Town of Wilton Planning Department-** Town of Greenfield received notice that Theresa Capozzola, Esq., submitted an application to convert 502 Maple Ave. to law offices.

**Cumberland Farms-** Notice from Cumberland Farms that a public hearing will be held at Wilton Town Hall, Jan. 18<sup>th</sup>, on the proposal to construct a convenience store at the corner of Rt. 9 and Daniels Rd.

**Haven Tee Room-** Written notice from Kevin Canale to the Town Board of his intention to renew his NYS Ball Park License.

– **BROOKHAVEN TRAILS COMMITTEE-** Steve Schriber states that we have had good snow, 30 inches on the trails. It is far better than this time last year. The Haven Tee Room has been open. If the weather holds up things will be in great shape. Mr. Schriber states that he has some ideas for the space that is available around the golf course. Once we are through the winter season he would like to present those for the spring.

**SARATOGA POLO PROJECT-** Peter Loyola, CLA Engineering; Donald Zee, project attorney; Luke Michaels, Michaels Group; Mike Rossi, representing Spa Retreats are present. Mr. Loyola states that

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they were at the Town Board's agenda meeting and made a presentation regarding the changes they are making to the site plan. They have been before the Planning Board a couple of times, things are on hold until they can get a determination from the Town Board on how to proceed with the PUD and the Water District.

They are here tonight to get some feedback from the Board on how to proceed. Mr. Zee states they are here and he does not believe that they need an amendment to the PUD, but the Board wanted confirmation of that from Counsel. There was discussion on the Water District (at the Agenda meeting) and back in 2014 the Town Board did adopt legislation with regard to a Water District that has not been completed and they obviously have to work with the Town and Town officials to go forward and complete the necessary application in regard servicing this project with public water. They have received correspondence from the Saratoga County Sewer District and they indicated that they would take the sewage from the facility back to the point of accepting the mains within the 42 acre property's main lines and be responsible for it's maintenance after they are installed, dedicated to the Sewer Authority. With regard to the Water District, the County has a tap in a location, they propose to connect to a path, install the infrastructure. They have more specific drawing to show that. Mr. Loyola states that they were in discussion with Saratoga County water Authority and they have provided a 36 in X 12inch tap, that will not require any easements or crossing of any properties. There is a Public Service Commission easement that is already out there, so it is already set up for them to tie in. In discussions with them they indicated they did not need to get a water withdrawal permit from DEC, because that is already in place. What they are looking for from the Town is a letter of request for purchasing bulk water. The usage request that Polo would need is for 45,000 gallons of water a day. In speaking with Ed Hernandez he has asked Saratoga Polo to present their plans to the Water Authority on January 26 at their monthly meeting.

Deputy Supervisor Johnson says that speaking for herself, she looked at what was submitted and what went along with the Water District establishment and as part of that, the proposed Town of Greenfield Water District would include the parcel in which the Stewarts plant resides, tax map # 164.-1-64, on the corner of Locust Grove Road and Denton Road and the parcel owned by Greenfield Development Corp. The map plan report specifically states that the new main will extend past several improved parcels that lie between Stewarts and Greenfield Development and those people would be able to join at some point when they may extend the district. It also says the district is to be formed at no debt to the Town and that there would be a 10 inch water main service and the connection will be made to the existing 30 inch main, which Saratoga Polo is speaking of, at the intersection of Bloomfield Road and Denton and it would continue to run west on Denton Rd. 6,000 ft. to the Stewarts plant. Dept. Supervisor Johnson, states that her understanding with what Mr. Loyola is saying is that they are not talking about running the 6,000 ft. to the Stewarts plant. Mr. Loyola says that they just want to do their portion of it. This was going to be paid for by Stewarts, proposed when they were doing an expansion. Deputy Supvr. Johnson agrees. Mr. Loyola said their portion of it remains intact and tying into the tap that is right there. Dept. Supvr. Johnson states that she is saying what was then approved and approved as a Water District with a Public Hearing which is subject to permissive referendum, was approving that entire district. And if they read the letters and the resolution that Polo submitted, part of that was that it had to be done in full and a final order has to be filed before the Town allows any water to be drawn from there. She does not see how the Town can allow just that one connection to be made and not the rest of the pipe and be able to issue a final order. She thinks that there would need to be amendments and changes to that map. She asks Town Counsel if he would like to speak. Mark Schachner, Town Counsel states that what MaryAnn Johnson has described is very accurate. This may be a wonderful project, but from our

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perspective we have two parallel concerns. One in relation to the underlying Zoning which is the Planning and Development Local Law that was authorized in 2005 and the second is the underlying Water District that was approved in 2014. The concerns are similar almost identical in that the Town is struggling to see from the Town's understanding on what is proposed now, how that fits within the authorized use PUD Local Law. He does not remember any discussion verbal or in writing that talked about detached, standalone single family residences, but the only discussion in the PUD Local Law seems to talk about not stand alone detached single family residences but residential units that are components of larger multi-unit residential buildings. We are of the mind that the Town Board would need to clarify, if not potentially having the applicant seek an amendment of the PUD Local Law, to expressly allow detached single family residential uses. Our concern on the Water District is similar and feels that Dept. Supervisor Johnson expressed it perfectly. The resolution from the Town Board in 2014 has a list of conditions leading up to potentially adoption of the final order. None of the conditions as we understand it have been fulfilled, which is not a criticism of anybody, they just haven't been fulfilled. What we understand from the current proposal is that is a small piece of what was then proposed. Again, may be a terrific idea, but it doesn't seem to fit within the map plan and report that was approved by the Town Board back in 2014. So from our perspective, as Town Counsel, if the applicant wants to proceed and the Town Board wants to entertain the proceeding that is fine. Then we would need to look for amendments to the PUD Local Law and the Water District. Donald Zee says that in regard to the Residential Units, he does not see where the units have to be multi-family buildings. It indicates that they will be permanent residences. In the PUD itself it says residences, it doesn't specifically say that has to be, it says including. He reads from appendix B Saratoga Polo retreat. It also talks about having the subdivision being permitted, and here we do have multiple units in the new conceptual plan. He shows where they have three structures attached and another structure with two attached, and single family. If it is the interpretation of this Board that you need to have them as attached structures they can modify their plan so that they are attached structures at the same time they will seek a subdivision of those units. They can make the units all duplex attached units. That is something that Luke Michaels had indicated to Mr. Zee after the agenda meeting. They have no problem modifying when they appear before the Planning Board for the subdivision, to have 2 units, 3 unit buildings. If that is what this Board needs they can do that and have no concern about that. He points out that one of the questions that were raised by the Planning Board was the question of setbacks. He shows where the plan specifically show a setback of 40 ft. And in the Zoning code in the PUD its specifically says that the Planning Board will determine the setbacks and in the previous site plan that was approved they had both structures as well as carports that were 20 feet away. They are reducing the neighbor impact by expanding the setbacks from what was approved in the original approved site plan. As far as the Water District, Mr. Zee understands the Counsels concern about the water district, as he indicated initially he is perceived as needing any amendments for the PUD in and of itself. The Water District that is a separate and distinct application. They would like to run parallel perhaps with the Town Board and with the Water District and whatever amendments that need to be done or clarifications and still be able to go forward on the Planning Board. When they appeared at the PB at the workshop session they all acknowledged that Polo can't do anything until the Town Board is comfortable with the plan with the units labeled 4-19 are combined in some way, shape or form, meet the interpretation of the drafting of the PUD. Capasso, C. asks why they would not entertain the Town Board changing the PUD. Mr. Zee states that one big thing that he has said is that in a period of one week in December the interest rates went up 60 aces points. That impacts the commercial rates of borrowing. It impacts the borrowing for installation of infrastructure, for the construction of homes and end homes. This project had been approved in 2005, it is now 2017. We went through one crisis in 2008-2009. We now have a

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builder that is ready to move forward. It is all based on economics. They are concerned that amending the PUD is going to take an extended lengthy process that will eliminate their ability to get this project approved in a timely basis. It is a matter of public record that less than 2 months ago a bank was going to complete a foreclosure on this property. If not for the Michaels Group, Luke Michaels and his company, a bank would own this property. With the lenders that they have temporarily, they have a timeline to work with. As he said to the Planning Board that is not your direct problem, but we all understand that the POLO field is an intrigal part of this community and as part of the contract the Michaels Group has with Greenfield Development is that the Polo fields must remain, they must be there for an extended period of time because they are an intrigal part of the marketing for the housing as well as the commercial operation that Mike Rossi has committed to. That is why they are concerned with timing. They would have to go back to the drawing board. If they had their druthers, like this they could have an amendment in 30 days, there could be other things they would want to amend. But they have concerns about timing. Chandler, C. asks how long it would take to amend the PUD. How long does the Board think. Johnson, Dept. Supervisor, states that it would take some time because we would have to have a Public Hearing and if she remembers a PUD has to go to the Planning Board, to referral, and back to the Town Board. The process is a few months or more. Cochran, C. asks what are the sticking points. One sticking point is changing to duplexes and the water district. Capasso, C. says we haven't got that far yet. Capasso, C. asks Town Counsel if the big issue is the PUD. Mark Schachner, Town Counsel, states that from our stand point our concern that the language in the PUD Local Law that says individual residential buildings, each housing several residential units. We interpret that to mean not single family detached residences. He does know if there is anything in the PUD that says duplex, triplex, quadplex. What type of non-detached standalone single family residences, so from our stand point that would alleviate the problem of inconsistencies. Mr. Zee's contention about specific setback limitations being determined by the Planning Board on site plan review. That is consistent with PUD Local Law language. Luke Michaels asks Town Counsel to repeat the first sentence that he was referring to. Town Counsel says Individual residential buildings each housing several residential units are proposed with residences also incorporated into the Lodge. Counsel Schachner states that what he remembers the Lodge was a larger building with residences, not a specific number. With some number of number of other residences. He does not remember the precise definitions and it would not matter if he did, it is not reflected in the legislation and it is not. What we see is inconsistencies with detached standalone, single family residences. The applicant, if he understands correctly, is representing a willingness to eliminate that inconsistency, by making duplexes or whatever. Luke Michaels, states that the strategy was multi diversity which is part of the Comprehensive Plan. In seeking the amendment of the PUD we could make that. Johnson, Dept. Supervisor states that in her opinion then that would meet that requirement. Capasso, C. concurs.

Donald Zee states that with the Water District and the timing of it, with the determination that if they do the duplexes, then they can go forward with the Planning Board. They understand separately they have to work with the Town Board and the Town technical staff, and it's Counsel about what they need to do about the Water District. That they can do while they are going through the Planning Board process for the site plan and subdivision process. Donald Zee states that his concern the Water District, Stewarts was a co-applicant with Greenfield Development, when the resolution was adopted. And he asked the Board, the last time he was here, has Stewarts ever withdrawn its application. And the response that he got at that meeting was no. He sees that they were part of an application that Stewarts was a co-sponsor of, the Board approved it and Stewarts has since chosen to do something else. But at the same time the application has not been withdrawn. So that was the question he has, and he believes

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the Board said they have to speak with Counsel as to what to do. So that is partly why he was hoping Mr. Schachner could have a dialogue with him. How do we proceed there? Do we seek a letter from Stewarts to withdraw its portion of it? Do they withdraw from the application and say they want to be a new application. They want to be right there with the Board so they don't mess it up. That is why they are here and they understand they need to go through that process. Deputy Supervisor Johnson asks if any Board member have any comments. Chandler, C. asks if the Board has an answer. Has Stewarts withdrawn the application? Deputy Supervisor Johnson says that she does not believe there is anything in writing. Counsel Schachner states that he does believe that is critical for that to happen, unless he is missing something. We have a Town Board Resolution. The Town Board Resolution is in response to a very specific, very detailed map plan report, as is required by Town Law. If he understands the current proposal, it is a completely different animal. Not that it is bad, but different. It is much smaller, less ambitious. The applicant does not need that much water district. From our prospective the thing to do is to have a new map plan and report prepared to amend the water district. If the applicant wants to seek water district establishment / approval from the Town Board. The Board is under no obligation to approve the water district and there are other ways for the applicant to get water including not even the same water, and also including potentially the same water. Town Counsel, in full disclosure, states that he is Counsel for the Saratoga County Water Authority and he has nothing to do with this project or any other project. Ed Hernandez that the applicant has referred to is the Executive Director of the Saratoga County Water Authority. It would not be inappropriate for someone to reach out to Stewarts and ask if they are planning on pursuing this plan. It seems likely that they are not. Peter Loyola asks from a Comprehensive standpoint, if there is a Water District in place that runs down the road, would this be treated as Phase 1 with the District intact, that would allow Prestwick Chase and anyone else on that road to tie into the Water District at the boundary of Denton Road with their own plan to supply the conduit for distribution. Those are things that he cares about comprehensively this was going to benefit whole Denton road. This would be the first phase of that and they would have the District in place and the mapping in place for the future.

Town Counsel asks Charlie Baker, Town Engineer, if he has reviewed the new proposal. Mr. Baker says yes, but not in great detail. Counsel Schachner says what Mr. Loyola described is interesting from a legal standpoint. Is there anything you are proposing that is inconsistent with, different than, changing what was previously approved in the water district or is it a lesser piece of? Mr. Loyola answers lesser. The tap is there, they could provide a "T" and allow anyone else to tie in. Counsel Schachner says there is nothing inconsistent or different just a lesser piece of. Mr. Loyola says yes. Charlie Baker asks when that plan and map was done by Stewarts when the project was presented to the Board, there is a section that talks about rates, and what is going to be charged. That was based on the whole project. Deputy Supervisor Johnson, says yes full usage. Counsel Schachner says that we can do an amendment but from his perspective there is nothing proposed that is different or inconsistent with the prior approval. We are talking a less ambitious piece of it. Peter Loyola states that is why Ed had asked to present to the Board a request for 45,000 gal. of water a day. Somewhere in the by-law it was mentioned 100,000 per day limit. They want to have municipalities because they want customers. When they present this to them on the 26<sup>th</sup> hopefully they will be agreeable to the smaller amount and obviously the rates will be based on that amount. Amending the Water District to be Phase 1 the District will stay the same, natural boundaries, mapping will stay the same. The trunk line that is part of the Water District will stay in place. They would show an update to the tap, because he thinks that was installed after 2014. It would be a slight adjustment to the Water District. Donald Zee, states that he has spoken to representatives of Prestwick Chase about the possible expansion of water lines to their properties. It was discussed in the

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last 10 days. Cochran, C. asked if Prestwick Chase had an answer, Mr. Zee said he is waiting for a response. Deputy Supervisor Johnson stated that in speaking for herself, she is a little concerned with the Phase approach and the effect it is going to have on the Town. First adding a Water district to the Town is a huge amount of work to the Town. You will need people doing the water testing, meter readings, water billings, all types of things. At the time it was agreed to, and she was not on the Board at the time, there was a whole section of the Town that was going to benefit from it. Fire hydrants were going to be installed that would help on insurance purposes and the valves so that people could connect. Now, if they just do their phase, we have all those things we have to do for one project. Say the other phases don't happen, the rest of the people never benefit from that, yet the Town still has to have billing, chlorination, people to do meters all the stuff that goes with that. From her opinion she would need to think about this. Chandler, C. is there another way to get to the water line. He doesn't want to put Town Counsel on the spot. Deputy Supervisor Johnson Transportation District. Counsel Schachner says a Transportation Corporation. Counsel Schachner states that he made reference earlier to other ways to potentially for different water sources. There are also other ways to gain this exact same water source. Historically, the Town Board hesitant to create a Water District for a small portion of the Town. Even though MaryAnn was not a member of the Town Board when this was discussed in length, she was not far away. He believes that the applicant understands, they have a very competent team of representatives, there is not a legal obligation to approve an amended map plan and report, the applicant knows there are different possibilities. They have the right to try and convince the Board to go with an amended Water District approval based on an amended map plan and report, and that is up to the applicant. Luke Michaels asks about the reference of ways to obtain water. One was a well system of sorts on site. Counsel Schachner said he did not list any, he said there are other ways. Luke Michaels says he mentioned that they could access the water in other ways instead of the Water District. Is it possible to establish Transportation? Counsel Schachner states that they have extremely skilled Counsel and he doesn't feel that it is appropriate. Donald Zee says that it is their understanding in other communities that it's possible to have a Transportation Corporation taking water from a public source and servicing an area. It is their understanding in talking to the Saratoga Water Authority that they will not permit a private water transportation corporation to take water from them. They require it to be through the Town. So they are precluded in that, and have been advised that it not doable. That is why Luke Michaels is saying that there is another way to get water and you have an idea of where, they will explore that. Peter Loyola asks about the Town contracting out to do the billing, help with the Admin piece of it. Donald Zee states that there are national companies that will do that, for example American Water. Counsel Schachner says that the district would bear the cost of administering that, which could include testing, equipment, etc. That is a viable option. Deputy Supervisor Johnson states that she has nothing against the project at all, it is a great project. She is trying to look at the whole picture of the community. Chandler, C. says that they represent the community. Donald Zee says that time is important. They will look into companies to do that for the Town. If that is something the Board is willing to entertain, rather than seeking an amendment to the prior water district application, then he will recommend to his client that they start from scratch, start from the beginning. If that is something that this Board will entertain to avoid the question of what happens in the future if this is Phase 1 and nothing else ever happens. He says it will be just as quick to go through the process, because they only need one applicant on the petition, his client. Capasso, C. says he has no problem with the PUD, but they need to talk more on the Water District. Chandler, C. asks if they have an answer from the County, especially if we don't want to form a Water District and they know that. Peter Loyola says that they require a municipality to purchase the water bulk through a water district. Counsel Schachner asks the Board to make sure they understand the last statement that Mr. Zee made and he is not quoting him.

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The Town Board has expressed some valid concerns on this being the first Phase of a multi- phase, we have seen a list of potential developments over the years without anything happening. The last offer from Mr. Zee is never mind the existing water district that was approved with the ambitious map plan and report with the 6,000 feet of water line, just start from scratch with a new map plan and report And this is the district. He is correct that it wouldn't be a significant difference from their end to prepare it so if that is more attractive and it would be a smaller district serving just this and the Board could consider that. Deputy Supervisor Johnson, states that she is willing to look at it and consider it, but she would also ask to look into something through Transportation Corp. Counsel Schachner says they would know more after their meeting. Peter Loyola says the Water Authority may want a larger district. They are looking for customers and they have plenty of capacity, and with the tap there it would benefit the people along Denton Rd. if that district were still in place. If they have to go through a whole map plan and report maybe the cut it at the tap. Donald Zee feels that would be the easiest and create less controversy. Walter Barss, Highway Supt. asks if they are absorbing all the cost, does that include maintenance of it. Counsel Schachner says it is borne by the district. Chandler, C. asks if we the Board should be in touch with the Water Authority. Deputy Supervisor Johnson says that the Board has to see what Polo is going to do and the Board has asked them to pursue the other options through Saratoga County Water Authority. Peter Loyola states that since this was setup 10 years ago a lot has happened since then. They don't need anything from DEC. They do need to be specific in regards to the tap. Johnson says that Polo will get us some more information on the Water District. She asks if the Board is in agreement they change the proposed PUD. If the PUD is in compliance they can go to the Planning Board. The Board agrees.

**William Bokus- Hi Trek Drive-** William Bokus states that he opened a new quarry on Clark Road, in the Town of Providence. He has maintained Barney Road and Clark Road on a part time basis several times with his own grater and material. He has asked Highway Superintendent Barss to plow and sand the road because in the Town of Providence it is no longer a seasonal road. In the Town of Greenfield it is not going to stay a seasonal road forever. This is progress. It states that he is looking out for the liability of the Town because the way the road is now and the way it is in the summertime it is bad liability for the Town. The trees are 2 feet from the road. He has heard the story that the State won't let the Town cut any trees. Mr. Bokus says to cut the trees on the other side. If you look in the law it says the every Town in the State has a 3 rod right of way. It is a Law that it is in books. He doesn't know what the Board wants to do. He doesn't want the Town to expand, his traffic from the quarry goes out the other way. He doesn't want the Town to fix the road. It can't stay a seasonal road forever. Capasso, C. says that it is a seasonal road now, correct? Johnson, says yes. Mr. Bokus states he doesn't know what it is. Highway Superintendent Barss states the he spoke with Providence Highway Superintendent today and Providence side is a seasonal road. They plow it now for a logger that is cutting on that side. Once he is finished he has no plans to continue plowing and maintaining it. Mr. Bokus argues that it is not a seasonal road. Capasso, C. tells Mr. Bokus that a seasonal road does not get plowed in the winter time, period. Cochran, C. agrees. Highway Superintendent Barss says that a few years ago they had State Representatives there, the Town's legal representative, Town Engineer, people from the Governor's office, Assembly, Senate, lawyers from DEC, people from DEC and they all said absolutely no way the Town can fix that road. Mr. Bokus argues that is not true. Highway Supt. Barss says that is a road by use. Counsel Schachner states that the 3 rod rule applies to dedicated roads, not roads by use. Highway Supt. Barss says it is not a dedicated road, new development or anything. He would like to fix it for public safety. You can't go to the South it is private property. He will not go on the State property. Mr. Bokus argues that Mr. Barss is wrong. Deputy Supervisor Johnson, says that it is a seasonal road, we do not

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plow seasonal roads. Mr. Bokus is not happy with the answer, and argues with Highway Supt. Barss and the Town Board. Deputy Supervisor Johnson says that it is advertised as a seasonal road. After a few expletives from Mr. Bokus, the Board tells him that they are finished.

**RESOLUTION # 31- ADOPT LOCAL LAW #1-2017 AMEND CHAPTER 84 SNOWMOBILES**

Motion: Capasso, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby adopts Local Law #1-2017, amending Chapter 84 Section 84-4 Snowmobiles and adds the seasonal portion of Barney Road from the end of the pavement to the Town of Providence line.

Vote: Ayes: Johnson, Cochran, Chandler, Capasso

Noes: None

Absent: Pemrick, Supervisor

**RESOLUTION # 32- DECLARE 2004 VOLVO TRUCK SURPLUS**

Motion: Capasso, C.

Seconded: Cochran, C

RESOLVED, The Town Board hereby declares the 2004 Volvo Tandem Plow truck as surplus and can advertise it on the auction site.

Vote: Ayes: Johnson, Cochran, Chandler, Capasso

Noes: None

Absent: Pemrick, Supervisor

**UPDATE ON THE DISASTER PLAN** - Chandler, C. states that he is working on updating the contact information on the Town's Disaster Plan. He will be meeting with the Fire Dept. so all the numbers and contacts are accurate and will get the information back to the Board.

**EMERGENCY SERVICES AGREEMENTS-** Deputy Supervisor Johnson states that we did not send out the Ambulance Service Agreements in December. Community and Jessups agreed to keep the same rates as last year and Wilton went up a small amount. They were included in the budget. We need to establish those agreements.

**RESOLUTION # 33- APPROVE EMERGENCY SERVICES AGREEMENTS**

Motion: Capasso, C.

Seconded: Cochran, C

RESOLVED, That the Town Board hereby approves the Emergency Services Agreements for 2017 as follows:

Wilton Emergency Squad	\$60,682.
Town of Corinth ( Jessups Landing)	\$50,000.
Community Emergency Corps	\$50,000.

Vote: Ayes: Johnson, Cochran, Chandler, Capasso

Noes: None

Absent: Pemrick, Supervisor

**RESOLUTION # 34- APPOINT ZONING BOARD MEMBER**

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby appoints Denise Eskoff as Zoning Board member with said term to expire February 16, 2022.

Vote: Ayes: Johnson, Cochran, Chandler, Capasso

Noes: None

Absent: Pemrick, Supervisor

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**Rocky Daniels – 113 Daniels Road-** Rocky Daniels states that the Town has put a stop work order on his project. He has had some difficulties. His father and sister passed away. He has been down 14 months with that. There are safety issues there with the pile of chips, and he is in financial burden and if his insurance runs out, who is going to take the burden if that catches on fire? He went to Mr. McKenna, Code Enforcement the next day and he asked where he would have to go to get this stuff stopped. He would like to give a piece of his property to straighten out the road, because that is the type of person he is. And in return he gets people saying that he is running his operation all hours. He can say the same about the people here. He machine has been down since August. He was seriously hurt back in September. He does not want the material there. He had rather have the money so he can pay his bills. And he would like to see how he can get his stop work order lifted. He would like the mess cleaned up. The material is going to waste. He came to the Town for a permit, yet there are people that dump chips, etc. without a permit. Deputy Supervisor Johnson states that you have Special Use Permit before the Planning Board. What was said and why the stop work order was issued was because you were in violation of those items of the Special Use Permit. The things that were allowed by the Planning Board and the Town Board sent him back to the Planning Board to make sure that he was in compliance with all the items that of the Special Permit or amend the Special Use Permit and get yourself in compliance and then the stop work order will be lifted. If you want to know how to lift it, that is the way. Cochran, C. says that he was told what the hours are and all was specific. Chandler, C. tells Rocky Daniels to correct the list, go to the Planning Board show that all is corrected and Mr. McKenna can lift the Stop Work Order. Cochran, C. states that he is sorry about his loss, but if he will sit down with Gerry and go over what the violations are, he should tell you if you meet the requirements of the Special Use Permit. The Stop Work order was issued because you were in violation of what was in your SUP. Mr. Daniels says that he was told to come here from Mr. McKenna. Counsel Schachner states that he does not need to go to the Planning Board. Chandler, C. asks if he needs someone to sit with him and Gerry. Mr. Daniels states yes. Cochran, C. tells Mr. Daniels that if he needs help, to reach out and someone will go with him to straighten things out. Get a list together and go over that with Mr. McKenna.

Monthly Reports were submitted by Town Clerk, Town Justices, Highway, Dog Control and Parks.

**RESOLUTION # 35- GENERAL BILLS-**

Motion: Cochran, C.

Seconded: Capasso, C.

RESOLVED, That the General Bills, from #1-37 in the amount of \$77,951.69 be paid.

Vote: Ayes: Johnson, Cochran, Chandler, Capasso

Noes: None

Absent: Pemrick, Supervisor

**RESOLUTION # 36- PARKS-**

Motion: Capasso, C.

Seconded: Cochran, C

RESOLVED, That the Parks bills, from #1-14 in the amount of \$4102.89 be paid.

Vote: Ayes: Johnson, Cochran, Chandler, Capasso

Noes: None

Absent: Pemrick, Supervisor

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**RESOLUTION # 37- HIGHWAY BILLS**

Motion: Chandler, C.

Seconded: Capasso, C.

RESOLVED, That the Highway Bills from #1- 12 in the amount of \$242,721.95 be paid.

Vote: Ayes: Johnson, Cochran, Chandler, Capasso

Noes: None

Absent: Pemrick, Supervisor

On a Motion by Chandler, C. and seconded by Capasso, C. the meeting was adjourned at 8:45.

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Town Clerk