

July 8th, 2010

The regular meeting of the Town Board was held on Thursday, July 8th, 2010 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 4 residents.

At 7:20 PM Openings of Bids was held for a Surplus Track Paver. Town Clerk presented proof of legal publication. No bids were received. Highway Supt. Barss suggested that they try an online auction. He would get more information on how to go about it for the next meeting. Al Janik, King Road suggested that if the Board decides to do an online auction they should consider putting a reserve on the item. Highway Supt. agreed.

At 7:25 PM the Board met as a Board of Health.

Unsafe Building – 40 Greene Road – Medvec - Supervisor Rowland reviewed the report from the Code Enforcement Officer dated 6/30/10. Mr. Medvec has contacted him and stated he was in the process of contacting someone to remove or dismantle the mobile home. The Code Enforcement Officer suggested that Mr. Medvec send a letter outlining his intentions to the Board, however that has not been received to date. Supervisor Rowland stated that he also spoke with Mr. Medvec. Supervisor Rowland explained to Mr. Medvec that the Town would go in and remove the structure only as a last resort. He understood and had intentions of hiring someone to remove the trailer. Town Clerk advised that although the last Unsafe Building Notice was sent on June 11th, Mr. Medvec did not sign for his certified letter until July 1st, 2010. Mr. Medvec has 60 days to comply with the Unsafe Building Notice. This matter will be placed on the agenda for the September meeting. The meeting of the Board of Health closed at 7:28 PM.

The regular meeting was called to order by the Supervisor at 7:30 PM and opened with the pledge to the flag. On motion of Cochran, C. and seconded by Kinsella, C. the minutes of 6/10/2010 and 7/1/2010 were approved at submitted by all members present.

Town Clerk advised that there will a Voting Machine Demo Day held at the Greenfield Community Center on Wednesday, August 11th from 3 to 7 PM. The Board of Elections will be there to give instructions on use of the new voting machines that will be used this Fall.

Notice of Intent to Renew the On-Premise Liquor license from O. B. Beyer Recreation Park Inc. (Brookhaven Golf Club).

Check from Matthew & Kristy Miller in the amount of \$500. for Open Space/Parks & Recreation Fees.

Town Historian – Supervisor Rowland advised that the Board interviewed 2 applicants for the Town Historian position prior to this meeting. On motion of Pemrick, C. and seconded by Cochran, C., the Board adjourned to Executive Session at 7:34 PM to discuss a personnel/legal issue. Clerk was not present for session and no minutes were filed. On motion of Pemrick, C., and seconded by Cochran, C., the Board returned to regular session at 7:41 PM.

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RESOLUTION # 106 – Appoint Town Historian

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby appoints Ronald Feulner as Town Historian due to his experience and on going participation in the Community.

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

Noes: None

Supervisor advised that one of the concerns of the Board was that Ron was an author. If he authors a book for the Town it is totally a different situation then him selling his books that he previously authored at the Town Hall. Should he accept the position as Town Historian, his books will no longer be sold here at the Town Hall.

Update Park Use Regulations - Supervisor Rowland stated that he had put together two separate packets. One packet contains an Application for Field Use which covers all the fields and the other packet contains an Application for Middle Grove Park Pavilion Usage. They have not changed a great deal other than cleaning them up a little bit and making the documents more similar. Supervisor Rowland added that he did take a look at the General Rules and made sure that all the Parks had all the same rules and made necessary modifications. The General Park Rules are as follows:

GENERAL RULES & HOURS OF OPERATION OF TOWN PARKS

Hours: Daylight Hours Only

Parks open 1/2 hour before Sunrise

Parks close 1/2 hour after Sunset

Violators will be considered trespassers

All Parks are tobacco/smoke free areas

Leashed Pets only

Recognized pavilion activity takes priority

No alcohol allowed

No Weapons

10 MPH speed limit in parking lots

Park in designated areas only

Pedestrians have the right of way

Children are to be supervised at all times

Fires in barbecue pits only

Trash brought in - Trash brought out

No motorized vehicles on trails, walkways or fields

No skateboarding

No bicycles in pavilion

Vandalism will not be tolerated and will be punished to the fullest extent of the law.

Supervisor Rowland stated that one of the reasons the Board was reviewing the Rules & Regulations was due to a rash of vandalism, especially at the Middle Grove Park. It has cost the Town a significant amount of money. He has noticed that the Parks were not always clearly posted and had a variety of signs. He would like to update the signage to include a

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complete list of the rules and regulations. The Town has installed some security type cameras and additional lighting in the Middle Grove Park. Balusters have been installed to prevent people from driving onto the fields and trails. He is currently looking into installing balusters at the Brigham Road Park since there has also been a report of a car driving on the walking trail. The Parks Dept. was in the process of repainting the bathrooms at Middle Grove Park due to the extensive and fairly disgusting graffiti. The Sheriff's Dept. and State Police have been contacted. There is a Sheriff investigator looking into who tried to start the picnic table on fire while leaning up against the pole of the pavilion. The picnic tables have now been chained down so that they can not be removed. Cochran, C. asked if signs containing all the rules and regulations would be made and installed at the Parks. Al Janik, King Road, suggested that the Board look into installing barricades/fencing between the Park and the mobile home park next door. This would make them enter the Park out where they are more visible rather than through the large number of entry points in the woods. Supervisor Rowland stated that they are also finding that a good number of youth were coming in by car as well and not just from the mobile home park.

RESOLUTION # 107 – Approve Updated Park Rules

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby approves the amendments to the Parks Rules and Regulations, and authorizes the purchase and installation of Park Rules Signs.

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

Noes: None

Update to Town Code – Vendors - Cochran, C. stated that he has done some research in the current Code and there is nothing in our Code that would allow for someone to set up, for example, a hot dog stand by the Park. He did not believe that it would take too much to modify the Code to do so. He contacted the Association of Towns and was able to obtain some sample language from other municipalities. He believed that what was needed were regulations to allow for mobile vending carts. Cochran, C. stated that he would put together some proposed language for the next meeting. Al Janik, King Road asked the Board if they considered how this would tie in with the Comprehensive Land Use Plan. He believed that this was discussed during that review process. Mr. Janik felt that there would be problems with allowing hot dog carts throughout the Town. Are they going to be limited to a certain number, in certain areas of the Town, etc. Mr. Janik believed this whole process started due to a request to set up a hot dog cart at the Greenfield Mobil property. He thought that limitations were imposed by the Planning Board on that property when Greenfield Mobil received their Special Permit to operate the garage. Mr. Janik was not sure a hot dog cart was a good fit for that site. Cochran, C. stated that one of the options that he would be looking at is perhaps putting a restriction on size, parking, certain zones, etc. Pemrick, C. added that he did not think that the Board knew at this time as to whether or not this would be appropriate for the Town, but they have to start somewhere.

NYS Retirement – Supervisor Rowland advised that they were still working on putting together the information that they need to submit to the Comptrollers Office. All

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elected officials and anyone else in the retirement system that is not required to submit a time card is required to submit a 3 month calendar outlining their hours worked, etc.

RESOLUTION # 108 – Approve Youth Committee Petty Cash

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Clerk be given an additional sum of \$200. for use by the Youth Committee for the Summer Recreation and Fall Soccer Programs.

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

Noes: None

Al Janik, King Road – Mr. Janik stated that at the 4/8/10 meeting there was a breakdown of the funding and total costs for the New Town Garage. At that point, he asked whether there were any State or Federal funds applied for. It was stated funds were applied for but nothing was received. Mr. Janik stated that he was surprised by that because in the past he found that if you ask there is always something available. It may not always be a grant, but in member items. After that meeting, he filed a FOIL Request to see what was actually applied for and was told that funding requests were made verbally. Mr. Janik stated that he had a problem with that and felt that the Town should have been more active in pursuing funding. He believes that money would have been available to help to defray the \$1.5 million construction costs.

Mr. Janik stated that quite awhile ago there was a report of an audit on the Town Justice funds which indicated that there was an overage of \$500. He believed that the Court requested an audit from the Unified Court System and questioned whether or not it had been completed. Mr. Janik also asked if the current audit that is supposed to be completed by the Town in January was done. Supervisor Rowland stated that the audit was actually being conducted by the State Comptroller's Office, not Unified Court System. The on site portion of the audit has been completed, however the Town has not received a final report back as of this time. Mr. Janik stated that he was actually looking to see if the Town Board audit of last years books was done. It was his belief that the Comptrollers Office was auditing older records and not the current year. He had not seen in the minutes where the Board had completed their 2009 audit. Supervisor Rowland stated that the Comptrollers Office was looking at everything, right up to the current date. He added that in the Fall, himself and Pemrick, C. completed an audit and presented a report to the Board. They did not complete an additional audit since that time due to the audit being done by the Comptrollers Office.

Lavern Utter, Route 9N – Mr. Utter thought that it was great that Town was able to put up the Garage and did not have to rely on outside funds. You do not run into that very often.

Monthly reports were submitted by Town Justices, Town Clerk, Building Department, Highway Supt. and Town Supervisor.

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RESOLUTION # 109 – General Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That General Bills # 368 to # 423 in the amount of \$24,532.30 be paid, subject to audit.

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

Noes: None

RESOLUTION # 110 – Highway Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That Highway Bills #116 to # 133 in the amount of \$302,487.47 be paid, subject to audit.

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

Noes: None

RESOLUTION # 111 – UDAG Bill

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That UDAG Bill # 5 in the amount of \$5,750.00 be paid, subject to audit.

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

Noes: None

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

Town Clerk