

July 13, 2017

The regular meeting of the Town Board was held on July 13, 2017 with the following Members present: Daniel Pemrick, Supervisor; Daniel Cochran, MaryAnn Johnson and Rick Capasso, Councilmen. Absent was Councilman Walter E. Chandler. Also present were Town Counsel Mark Schachner; Walter Barss, Highway Superintendent and 6 residents.

The Board convened as a Board of Health at 7:20 PM.

Unsafe Building - 92 Ballou Rd. - No one is present representing the property. Supervisor Pemrick states that according to Gerry McKenna, Code Enforcement Officer's report the building at Tax Map # 111.-2-74 has been demolished, is no longer a hazard and complies with Chapter 40 of the Town Code.

Unsafe Building - 7 Lake Desolation Rd.- No one is present representing the property. Supervisor Pemrick states this property at 7 Lake Desolation Rd. came to us June 8<sup>th</sup>. It is in foreclosure. Jack Baugh is the mortgage holder for the property. (Town Counsel arrives at 7:22). Mr. Baugh contacted the Town Clerk on July 6<sup>th</sup> and stated that he was going to meet with his attorney regarding the foreclosure. In his letter Mr. Baugh states that he did meet with his attorney on July 7<sup>th</sup> and provided some data which he will present to the referee in the proceeding. He has no information on when that meeting will occur. Until the case is completed, Mr. Baugh states that he does not have a legal standing to take any action on the property. Capasso, C. states that he has no control. Supervisor Pemrick asks Mark Schachner, Town Counsel, if the owner has no legal right to step on the property, if the Town still feels that it is a health risk or danger, do we have a right to intercede? Not saying that the Town will, he is just interested. Town Counsel states that if he means intercede, go on the property, then there is no different right than if it wasn't in foreclosure. What we have the right to do, depending on where it is in the foreclosure proceeding, we have the right to initiate the unsafe building against the financial institution that is in charge, if that is how far along it is. Supervisor Pemrick states our concern with it being an unsafe building would be a discussion with the financier. Capasso, C. says that he is staying in touch with the Town. Johnson, C. states that this gentleman will do the right thing, when and if he can, he won't let it go. Supervisor Pemrick states that we will grant 30 days until our August meeting. Board of Health meeting closes at 7:24PM.

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The regular meeting was called to order by the Supervisor with a pledge to the flag at 7:30 PM. Supervisor Pemrick asks everyone to remain standing and take a moment to remember former Town Councilman Ernest Chamberlin who passed away this week. Supervisor Pemrick asks Councilwoman MaryAnn Johnson, approximately how many years Ernie was a patron for the Town of Greenfield. Johnson, C. states that he was one of the original Planning Board members and he was on the Town Board for approx. 20 years. Town Counsel Schachner remembers Ernie Chamberlin for presiding over the shortest Town Board meeting. Supervisor Pemrick states that a number of people have tried to beat that record but have not been able to do so. He was a kind person and did a lot for our Town. On a motion by Capasso, C. and seconded by Johnson, C. the minutes were approved as submitted by all Board members present.

Letter from Greenfield Baptist Church- Town Garage Sale- Town Clerk states she received a letter from the Greenfield Baptist Church stating that they are asking for the Town's support for this year's Town Wide Garage Sale. They would like the Town to provide 2-3 portable toilets, the advertising, post the dates on the website & the event board on 9N and handle the map sign-ups. The Garage Sale weekend will be September 9-10, 2017. The Lions Club is also helping and will run the food truck on the corner of Wilton Rd. and Route 9N. All proceeds will go to the Greenfield Food Pantry.

Letter from Greenfield Elementary School Principle- Tina Davis- Tina Davis asks the Town if the Community Center is available for 9 dates in July and August. This would be for tutoring for Greenfield School students. The school building is not available past 3:30 and is looking to use the Center from 3PM – 4PM. Wednesday, they would use the room from 3:30 -4:30, due to the Food Pantry Hours on that day. The dates requested are July 12, 18, 19, 20, 25, 26 & 27. August 1 and 2<sup>nd</sup>.

**RESOLUTION # 95- Allow Community Center use to Greenfield Elementary School**

Motion: Johnson, C.

Seconded: Cochran, C.

**Resolved,** That the Town Board hereby allows the Community Center to be used by Tutors from the Greenfield Elementary School on July 12, 18, 19, 20, 25, 26 & 27 and August 1<sup>st</sup> and 2<sup>nd</sup>, from 3-4 PM and 3:30 – 4:30 PM on Wednesdays, for the purpose of providing academic support for Greenfield Elementary School students.

VOTE: Ayes: Pemrick, Cochran, Johnson, Capasso

Noes: None

Absent: Chandler

Letter from Franklin Community Center- Town Clerk states that she received a report from the Franklin Community Center's "Project Lift" 2016-2017 school year for Greenfield Elementary School students. This is an after school program that focuses on positive behavior, provides positive adult role models and a safe environment for students. Supervisor Pemrick states the Town Board annually donates money to the Franklin Community Center for this project. They held their fundraiser at Brookhaven Golf Course where 100 people attended. They are doing good things for kids in Greenfield and Saratoga County at large with the Franklin Community Center.

Letter from William Older and Alice Sharp- Town Clerk received a letter from William Older and Alice sharp thanking the Town of Greenfield Supervisor Dan Pemrick, Town Historian Ron Feulner and Town Clerk Louise Okoniewski for honoring their father Howard Older at the Saratoga County's deceased Veteran of the month recognition ceremony.

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Walter Barss, Greenfield Highway Superintendent received a letter from a family on Coy Road thanking him for installing No Littering signs.

Report- Recreation Director- Rebecca Sewell, Greenfield Recreation Director, comments on the Franklin Community Center. She states that she has been looking into that and we are the only town that donates the amount of money that Greenfield does. That says a lot for our town. Last year the Captain Cares Summer meals for the Town of Greenfield had 6 kids show up, most days were zero. This year we paired the meals program with the summer camp and call it the Dragon Club. Along with some brain-storming with Louise, Andy Gilpin, Christine Bovare, Asst. Camp Director, Erik Hayden and herself. We came up with the Dragon Club and we are feeding between 17 – 30 kids a day. She had 22 kids come in today that would not have had a lunch or breakfast. It has been a huge success. Parents that are picking up their kids from camp are bringing the younger siblings for lunch. The kids are eating 2 sandwiches and are learning to make their own sandwiches. The food is incredible this year. So there are learning skills and learning to have a healthy lunch. We are proud of this program. We put this on the Facebook page on Monday and by Tuesday morning we had 1995 people look at it. It was the highest post that we put on Facebook. She doesn't know what that means, just that it is of interest to people in Greenfield. Hopefully next year we can extend it past July and try to figure out as a Town how to do these into August and will take any suggestions from the Town. Rebecca shows the Town a report from Facebook with all the postings and she has paid for advertising for the Octoberfest Trail Run with Facebook for 6 months. So far 2,654 have looked at that post and 50 people have signed up. She has a feeling that the last 2 weeks before the event in October we'll have a lot of runners. She suggests that the Town consider capping the number of runners at 400 because of the Town's capabilities of handling a large crowd. Maybe have pre-registration only, however the Town would like to do it. Facebook has helped triple or even quadruple the interest in our programs. We need to think about the October Run and Octoberfest. Facebook has been great and camp has been awesome. Steve Schreiber says that he is going to access the trails. He has to cut brush and trim the trails. Rebecca states that she has had people ask if they can run the trail. Mr. Schreiber states they are not ready yet. He needs to get a crew of volunteers to cut back the trails and he needs to speak with Adam on what he would like to do with the new trail. Some of the running trail is on the Course itself, so not much we can do now. Rebecca states that in mid-August the Town should concentrate on the Race and the Octoberfest. Supervisor Pemrick states that in August we would be able to shut down part of the Course to have people practice. We can find a way to work through that. The Town Board thanks Rebecca for all her work.

Update –Code Revision Committee- Dan Cochran, C. acknowledges Charlie Dake from the Committee. They have tried to organize the priorities of what to work on and what is important to the Town. The first item to tackle is Open Development. Then they will work hobby farms & animals, shared driveways, signs and organizing the Code Book. The Committee will meet on July 26<sup>th</sup>, August 23 and September 20<sup>th</sup>. Charlie Dake states that the first item is Open Development and is glad to be a part of the Committee.

Open Development Plank Road- Evans- Supervisor Pemrick states that the Town Board has an Open Development referral from the ZBA for Dave Evans. Supervisor Pemrick explains the process for Open Development to Mr. Evans, which is when we receive a request for Open Development we look at the Application, determine if it is complete, except it and with advice from Counsel send it to the Planning Board for their review and recommendation to the Town Board. At that point, the Town

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Board reviews their input, factor that in with the Town Board's decisions and ideas, more counsel from our Town Attorney, and then decides if we would grant a permit for Open Development. He asks Mr. Evans if he would like to add anything. Mr. Evans says that at some point at a meeting he was asked where the abandoned road was because there was an old road and a road that was older than that. Supervisor Pemrick says that we could speculate and guess but that is something that the Planning Board would need to work through and instead of swapping opinions, he would like to cut to the chase, get it to the Planning Board, let them dig through it and send the facts back to the Town Board. Mr. Evans asks if anything is happening at this meeting. Supervisor Pemrick says that the only thing happening at this meeting would be for the Town Board to decide to move to send this to the Planning Board for their review and recommendation. Cochran, C. asks Mr. Evans if he has any right- of -ways into the land at all. Mr. Evans states that he has a utility ROW, and a right of way by virtue of the abandoned Town Road. Cochran, C. asks if it been established as an abandoned Town Road. Mr. Evans says yes. Cochran, C. continues to explain that Open Development is the first item that the Code Revision Committee is taking on, and the State has definitions for Open Development. He explains to Mr. Evans they had discussed key-hole lots which he has on all his lots. If you have a legitimate right of way to your land you don't need road frontage. He is not hearing that Mr. Evans has a clear right of way. Cochran, C. would like to table this, in his opinion, he does not want to approve it or pass it on. Open Development is something the Code Committee is working on. Supervisor Pemrick asks how the Board feels and states that we are not approving anything. Cochran, C. states that we are passing it on to the Planning Board, we don't have clear definitions and he heard about this at several meetings. Supervisor Pemrick feels that we can get the legal advice that we need to enable us to do the right thing in this particular case. Whether we accept this or not, we have Town Attorneys two of them that have knowledge regarding this, we will be well counseled. If he knows that the Code Committee would be done August 8<sup>th</sup> with Open Development, then he might go along. Cochran, C. asks if we are in a hurry. Supervisor Pemrick says yes, it is an application in front of us if we accept it we have a time period that we have and we don't know what we are going to do. Cochran, C. agrees. Supervisor Pemrick says that it will be worthwhile to go through this with the legal advice that we have available to us. Cochran, C. states we need to table this like we did with the Solar Panels because it is an emanate situation. The last time we passed to the PB something like this, he heard it was a problem, he is not comfortable with it and would like to table it. Supervisor Pemrick asks Town Counsel if he can provide anything to the Town regarding this. Mark Schachner, Town Counsel, states that he doesn't think he has heard any legal questions from the Town Board. We have a request before the Board, you have the discretion and the State Statute that Dan Cochran has referred to. The Town Board may by resolution do a number of things, you have the discretion to process and forward as some wish, you have the discretion to not process and forward as some others wish. Supervisor Pemrick explains that he would like to send it on, if indeed the Committee or Planning Board has very specific concerns we are apt to get those back. At that point the Town Board based on the response of the Planning Board after we have referred it to them, gives us pause to consider tabling this until they are finished with a new Town Ordinance, we can still do it at that particular time, at this point he is inclined to send it on. Capasso, C. says that he doesn't see anything wrong with sending it on, we are not approving his application. Johnson, C. states It is just to give us their opinion, we did this with another application that is in front of the Planning Board for Open Development. Cochran, C. his opinion is that we can table it.

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**RESOLUTION # 96-Accept Open Development application for G. D. Evans- Plank Rd.**

Motion: Capasso, C.

Seconded: Johnson, C.

**Resolved**, that the Town Board hereby accepts the Open Development application for G. David Evans for Plank Road Tax Map # 129.-2-21and refers it to the Planning Board for their review and recommendation.

VOTE: Ayes: Pemrick, Johnson, Capasso

Noes: Cochran

Absent: Chandler

Supervisor Pemrick clarifies to Mr. Evans that we are sending this to the Planning Board for their review and their recommendation to the Town Board. Mr. Evans asks when the PB meeting is, Johnson says the last Tuesday in July is the next meeting. Supervisor Pemrick reminds him that it may take some time to get it on the agenda so he should check with the Building Dept. Mr. Evans says that he was asked if that road was officially abandoned and he has documentation to that effect and what point should he submit that. Supervisor Pemrick says to the Planning Board.

Part Time Code Enforcement Position- Supervisor Pemrick states that they have two applicants that have chosen to interview for the part time position. They will be 9:30 on Monday and 9:30 on Tuesday. If anyone would like to come in and sit with himself and Mr. McKenna at that time they are welcome. Capasso, C. asks if we had any others. Supervisor Pemrick says that one applicant is an in house employee that we can interview anytime and another applicant has a job commitment in Maine until the end of September and chose to withdraw at this time.

Renewal Proposal for Copy Machine- Town Clerk Okoniewski states that she has received a proposal from Electronic Office Supply for a new five year lease for the Town Hall copy machine. It is on state contact. Johnson, C. asks if it will have the same functions and a percentage for the color copies. Town Clerk states yes and we will save approx. \$35.00 a month.

**RESOLUTION #97- Accept Five Year Lease Proposal for Copy Machine**

Motion: Capasso, C.

Seconded: Johnson, C

**Resolved**, That the Town Board hereby accepts the five year lease from Electronic Office for a copy machine for the Town Hall.

VOTE: Ayes: Pemrick, Cochran, Johnson, Capasso

Noes: None

Absent: Chandler, C.

Town Wide Cleanup- Highway Superintendent Barss states that he would like to have a 3 day Town Cleanup after the Town- Wide Garage sale. We've been having the cleanup one week a year for the past few years. A lot of residents have been asking for another opportunity to have a cleanup and that would be a good time. It also falls in with our Storm Water Management.

**RESOLUTION # 98- Set dates for Fall Town – Wide Cleanup**

Motion: Capasso, C.

Seconded: Cochran, C.

**Resolved**, That the Town Board will hold a Fall Cleanup for Three (3) days only, September 15, 16 and 17, 2017 from 7 AM to 3 PM. It will be open to Town residents only and they must have a Town ID card. No Tires will be accepted.

VOTE: Ayes: Pemrick, Cochran, Johnson, Capasso

Noes: None

Absent: Chandler

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**RESOLUTION # 99- Transfer of Funds**

Motion: Johnson, C.

Seconded: Cochran, C.

**Resolved**, that the Supervisor be authorized to make the following transfer of funds:

\$ 4230.31	from: CR1990.4	to: CR7180.4
\$ 53.19	from: CR7110.48	to: CR7110.40
\$10292.08	from: A1990.4	to: A1310.4
\$ 3506.72	from: A1990.4	to: A7140.4
\$ 101.24	from: A8020.2	to: A8020.4
\$ 1866.23	from: CR1990.4	to: CR9795.7

VOTE: Ayes: Pemrick, Cochran, Johnson, Capasso

Noes: None

Absent: Chandler

Brookhaven Committee Report: Duane Wright, Deputy Highway Superintendent states that he has put together a report which shows the Tournaments and players that we had in June, the number of players and revenue. He compared it to last year's information. Good news is that it is up. He also gave the number of rounds, both members and non-members, which is up from May. He has tried to identify the larger expenditures in June. He is going to work with the Golf Pro and Course Superintendent to provide some information for the report. Johnson, C. says that she likes the new format. Next year we will have a good comparison. Mr. Wright says that Amanda Davis will be working with the Golf Pro on Facebook, adding information about the course such as Tournaments and when the course will be closed. Amanda Davis helped the Highway Dept. with a project and it turned out great. She will be a Senior this year and is excited to be working with the Town.

Monthly reports were submitted by the Town Clerk, Highway Dept., Town Justices, UDAG, and Supervisor's Financial Report.

**RESOLUTION #100- General Bills**

Motion: Cochran, C.

Seconded: Johnson, C.

**Resolved**, That the General Bills from #404-488 in the amount of \$48,710.48 be paid.

VOTE: Ayes: Pemrick, Cochran, Johnson, Capasso

Noes: None

Absent: Chandler, C

**RESOLUTION #101- Highway Bills**

Motion: Johnson, C.

Seconded: Capasso, C.

**Resolved**, That the Highway Bills from # 122-144 in the amount of \$442,618.52 be paid.

VOTE: Ayes: Pemrick, Cochran, Johnson, Capasso

Noes: None

Absent: Chandler, C

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**RESOLUTION #102- Parks Bills**

Motion: Capasso, C.

Seconded: Johnson, C.

**Resolved**, that the parks Bills in the amount of \$16,836.20 be paid.

VOTE: Ayes: Pemrick, Cochran, Johnson, Capasso

Noes: None

Absent: Chandler, C

**RESOLUTION #103- UDAG**

Motion: Cochran, C.

Seconded: Capasso, C.

**Resolved**, that the UDAG bill in the amount of \$5,750.00 be paid.

VOTE: Ayes: Pemrick, Cochran, Johnson, Capasso

Noes: None

Absent: Chandler, C

On a motion by Capasso, C. and seconded by Cochran, C., the meeting was adjourned at 8:22PM.

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Town Clerk

