

March 11<sup>th</sup>, 2010

The regular meeting of the Town Board was held on Thursday, March 11<sup>th</sup>, 2010 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella, Daniel Cochran and Walter E. Chandler, Councilman. Also present was Town Counsel Mark Schachner, one reporter and approximately 8 residents.

The 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 Chandler, C., the minutes of 2/11/2010 & 3/4/2010 were approved as submitted by all members present.

Intermunicipal Notification from the City of Saratoga Springs regarding the proposed installation and operation of a new telecommunications facility at 81 Nelson Avenue by Cellco Partnership d/b/a Verizon Wireless.

Notice of Legal Advertisement from the Town of Wilton regarding a variance request for signage for property located at 494 Route 9 in the Town of Wilton.

Fourth quarter payment in the amount of \$748.18 for 2009 severance taxes on property owned by Upper Hudson Woodlands ATP.

Notice from the NYS Association of Counties reminding everyone that under Amanda's Law homes built prior to January 1, 2008 are permitted to have battery powered CO alarms, while homes built after that date are required to have the alarms hard-wired in the building. Additionally, Amanda's Law will require contractors in New York State to install a CO alarm when replacing a hot water tank or furnace if the home is not equipped with an alarm.

Used Vibratory Roller – Highway Clerk Duane Wright submitted a matrix that they put together rating the bid submittals. Abele Tractor came out on top and that is who they would like to see the bid awarded to. Supervisor Rowland stated that it was low bid also at \$54,912.11. Kinsella, C. noted that the price was not that far apart between #1 and #2, however the warranty was 90 days for one and a year for the other one. It seemed to him that a one year warranty would be better. D. Wright stated that the warranty was not as significant as it sounds because the equipment was used mostly May to Sept. A lot of that one year time frame would really not mean a whole lot.

RESOLUTION # 57 – Award Bid Used Vibratory Roller

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby awards the bid for the Used Vibratory Roller to Abele Tractor & Equipment, the low bidder, for the 2006 Hypac C840C for the amount of \$54,912.11.

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

Noes: None

D. Wright submitted a letter from Abele Tractor which stated that after the bid was awarded, Abele Tractor agreed to provide a full 90 day full machine warranty starting on May 15<sup>th</sup>, 2010. In addition they agree to provide a 1 year powertrain and hydraulics warrant until May 15<sup>th</sup>, 2011.

Planning Board opening - Supervisor Rowland stated that the Planning Board will be conducting interviews before and after their next meeting and will provide the Town Board with their recommendations.

March 11<sup>th</sup>, 2010 continued

Youth Committee openings – Town Clerk advised that she provided Board members with copies of letters of interest of the two individuals who had applied so far. Chandler, C. stated that he believed that there were still applicants that had expressed an interest that we have not received a letter from. There are additional openings on the Committee. The Board will consider additional applicants at the next meeting.

RESOLUTION # 58 – Appoint Youth Committee Members

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby appoints Jane Szpak and Dominique Rowland as members of the Youth Committee with said term to expire December 31<sup>st</sup>, 2010.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Abstained: Rowland

Environmental Committee opening - Supervisor Rowland stated that the Board had received one letter of interest for the Alternate Environment Committee member. Board members felt that the applicant would contribute a great deal to the committee.

RESOLUTION # 59 – Appoint Environmental Committee Member

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby appoints Vincent Walsh as Environmental Committee Alternate Member, with said term to expire December 31<sup>st</sup>, 2010.

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

Noes: None

Proposed Amendment to Zoning Regulations Relating to Application Requirements - Supervisor Rowland advised that Town Counsel has revised the proposed local law based on the comments and concerns raised at the last meeting. Town Counsel stated that the previous draft unintentionally precluded someone in violation from even applying to cure the violation. This proposal would allow someone to apply to cure the violation only and they would not be allowed to apply for anything else until the violation is corrected.

RESOLUTION # 60 – Schedule Public Hearing Proposed Local Law #1-2010 Relating to Application Requirements

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the Town Board hereby schedules a public hearing on Proposed Local Law #1-2010 to Amend the Zoning Law Relating to Application Requirements, and

FURTHERS RESOLVED, that the hearing will be held on Thursday, April 8<sup>th</sup>, 2010 at 7:20 PM at the Town Hall at which time all interested parties will be heard.

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

Noes: None

March 11<sup>th</sup>, 2010 continued

Home Funding Grant – Supervisor Rowland advised that he has received the application that is to be submitted. He has reviewed the application and will forward a copy to Town Counsel for his review. It is the same application that we have had in the past. This year we are applying as a consortium of Towns including the Towns of Day, Corinth, Hadley, Providence, Edinburg and Greenfield. The other Towns have asked that Greenfield act as the Lead Agency. Supervisor Rowland advised that the only way that the company preparing the application will be paid is if we received the grant. There is no cost to the Town to apply. He felt that this was a great opportunity for these communities to receive \$400,000. to help people fix their homes.

William Bokus, Hi Trek Drive – Mr. Bokus stated that he had come to a previous meeting requesting that the Town waive his building permit fee to rebuild after the fire. He added that former Town Councilman Coseo had suggested that this could be treated as passing an addendum to the law that anyone who had a fire would be exempt from the building permit fee. Mr. Bokus stated that he read the minutes from the meeting in January and was confused as to what the Board was doing. The minutes indicate that Town Counsel has advised that there was no provision in the law to waive the fees. Mr. Bokus stated that it was his understanding that the Board was going to change the law. Mr. Bokus commented on a statement made by Kinsella, C. regarding inspections. Kinsella, C. believed that what he said was that if the Board were to waive the fees, there would still need to be some mechanism with which the Town is going to do all the applicable inspections during construction. Supervisor Rowland stated that one of the things that the Board was looking into was to see if other Towns have this provision and he has not received a response from any of the other Towns. Mr. Bokus stated that this is not a costly venture to do this and in these tough economic times he felt that this was something that the Board could give back to the community. Pemrick, C. felt that what he was hearing from Mr. Bokus was more of a concern with the timing. What the Board is trying to say is that they can not give you an answer right now because Town Law does not allow the Board to do that. Before the Board considers changing the Law, they would like to see what other laws exist in other communities and what other communities do in these types of situations. Pemrick, C. added that the Board could craft a similar response if it is advised by Town Counsel. It will take a little time to get that information from other communities. Mr. Bokus did not feel that it was up to Town Counsel to decide what to do. The Board makes that decision. Pemrick, C. stated that the Board seeks his advice because he works with other Towns and has knowledge of how other Towns handle situations. This is a process that the Board needs to go through. Mr. Bokus asked if the Board was going to go ahead with this. Supervisor Rowland advised that the Board was still looking into the situation and no decision has been made. Mr. Bokus stated that he has given a lot to this Town over many years. He felt that this was a very simple thing for the Town to do.

RESOLUTION # 61 - Community Center Use Requests

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the following groups be authorized to use the Community Center:

March 11<sup>th</sup>, 2010 continued

North Country ATV Association - March 14<sup>th</sup>, 2010

Boy Scout Troop 18 Eagle Scout Ceremony - June 6<sup>th</sup>, 2010

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

Noes: None

Mass Gathering Permit Application – Supervisor Rowland stated that the Board received an application from the Greenfield Community & Business Association for a Mass Gathering Permit. They are looking to hold their 2<sup>nd</sup> Annual Car Show on June 5<sup>th</sup>, 2010 at 104 Wilton Road. Chandler, C. stated that he would recuse himself from any discussion. President of the Association, Butch Duffney was present. He stated that last years event went very smoothly. Board members reviewed the proposed layout which was the same as last year. Mr. Duffney stated that there was off road parking for Show Cars and spectators. They will again have people directing traffic in and out of the site. Sanitation facilities will be provided. Medical and first aid facilities are on site. Fire lanes are kept open at all times. There are also areas for Food Services and Vendors. The Association will provide the Board with proof of insurance.

RESOLUTION # 62 - Approve Mass Gathering Permit for Greenfield Community & Business Association

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby grants a Mass Gathering Permit to the Greenfield Community & Business Association for a Car Show to be held on June 5<sup>th</sup>, 2010 at 104 Wilton Road.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Abstained: Chandler

RESOLUTION # 63 – Waive Mass Gathering Fee

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby waives the Mass Gathering Permit Application Fee due to the fact that the Greenfield Community & Business Association is a Non-for-Profit Organization.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Abstained: Chandler

Used Paver – Duane Wright submitted bid specification for a Used Track Paver. They are having problems with the current paver. The Highway Supt. would like to have the bid opening as soon as possible. There is at least one paver in the area that would fit the needs of the Town. There is money in the equipment budget for this purchase.

RESOLUTION # 64 – Schedule Opening of Bids – Used Track Paver

Motion: Kinsella, C.

Seconded: Chandler, C.

RESOLVED, That the Town Clerk be directed to Advertise for Bids for a 2000 or newer diesel powered track paver with said bid opening to be held on Thursday, April 1<sup>st</sup>, 2010 at 7:25 PM.

March 11<sup>th</sup>, 2010 continued

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

Noes: None

RESOLUTION # 65 – Budget Amendments & Transfers

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Supervisor be authorized to make the following Budget Amendments & Transfers:

Transfer Money from General Fund to Capital Projects Fund

\$12,819.68 From A0201 to A9950.9

Capital Projects – Amend budget expenses

\$12,819.68 From H0960 to H5132.44

Capital Projects – Amend budget revenues

\$12,819.68 From H5031 to H0510

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

Noes: None

Albert Janik, King Road – Mr. Janik stated that he had asked at a previous meeting for the total cost of the New Highway Garage and he believed that the Supervisor had indicated that an overview of that project would be forthcoming. Supervisor Rowland stated that it was his intention to put that information together and make it available. They are in the process of installing the lift and the last few bills should be submitted for the next meeting. Supervisor Rowland stated that the Highway Department had saved quite a bit of money in fuel oil this year. Duane Wright added that at this point in the year, the Town has saved roughly \$3,000. in fuel costs for the old garage from last year to this year. There has been no cost to the Town for fuel oil for the new garage since they are heating that with the new wood boiler.

On motion of Pemrick, C. and seconded by Chandler, C., the Board adjourned to Executive Session at 8:08 PM to discuss a possible UDAG Loan and personnel. Town 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 9:02 PM.

UDAG Loan – Supervisor Rowland stated that the Board discussed a proposed UDAG Loan for Tech Valley Technologies in Executive Session. The amount of the loan would be \$400,000 at a fixed rate of 4.75%. The term of the loan would be ten years with monthly payments of \$4,193.91. If this loan is to be approved, the loan will also carry a \$5,000 hiring incentive fee which will be due at the anniversary date of the loan. This fee can be reduced by \$1,000. for each 2000 hours worked by a resident of the Town of Greenfield, not including the current principles of the company. The UDAG Committee considers this loan to be 100% collateralized.

RESOLUTION # 66 - Approve UDAG Loan for Tech Valley Technologies

Motion: Kinsella, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby grants Preliminary Approval for a loan to Tech Valley Technologies in the amount of \$400,000.

March 11<sup>th</sup>, 2010 continued

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

Noes: None

Monthly reports were submitted by Town Justices, Dog Control Officer, Town Clerk, Highway Supt., UDAG Loan Fund (Jan. & Feb.) and Supervisor.

RESOLUTION # 67 – General Bills

Motion: Cochran, C.

Seconded Pemrick, C.

RESOLVED, That General Bills # 130 to # 181 in the amount of \$27,987.37 be paid, subject to audit.

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

Noes: None

RESOLUTION # 68 – Highway Bills

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That Highway Bills # 33 to # 54 in the amount of \$73,020.46 be paid, subject to audit.

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

Noes: None

RESOLUTION # 69 – Capital Projects Bills

Motion: Cochran, C.

Seconded; Pemrick, C.

RESOLVED, That Capital Projects Bills # 3 & # 4 in the amount of \$12,819.68 be paid, subject to audit.

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

Noes: None

On motion of Chandler, C. and seconded by Kinsella, C., the meeting was adjourned at 9:10 PM.

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Town Clerk