

March 14th, 2013

The regular meeting of the Town Board was held on Thursday, March 14th, 2013 with the following members present: Daniel Pemrick, Deputy Supervisor; Thomas Kinsella, Daniel Cochran & Walter E. Chandler, Councilman. Richard Rowland, Supervisor was absent. Also present were Town Counsel Mark Schachner, Highway Supt. Walter Barss and approximately 40 residents.

At 7:20 PM Opening of Bids was held for an All Season Combination Material Spreader Dump Body. Clerk presented proof of legal publication. The following bids were received:

T & T Sales Inc. - \$29,785.00

Loughberry Mfg. Corp. - 23,343.00

Bids were turned over to Highway Supt. for his review.

At 7:25 PM Opening of Bids was held for a 2008 or Newer Diesel Powered Asphalt Roller. Clerk presented proof of legal publication. The following bids were received:

<u>Company</u>	<u>Year & Make</u>	<u>Bid</u>	<u>Trade</u>	<u>Net Price</u>
Tracey Road Equipment	2008 Sakai	\$60,867.	8,500.	\$52,367.
Nortrax	2008 Hypac	55,000.	9,500.	45,500.

Bids were turned over to Highway Supt. for his review.

Deputy Supervisor Pemrick stated that on advice of Town Counsel, the bid opening for the 2001 Dodge Pickup has been canceled. The Board will have further discussion during the meeting.

The meeting was called to order at 7:30 PM by the Deputy Supervisor and opened with the pledge to the flag. On motion of Chandler, C. and seconded by Kinsella, C., the minutes of 2/14/2013 were approved as submitted by all Board members present.

Planning Board Vacancy – Deputy Supervisor Pemrick stated that the Board has interviewed candidates and should be making the appointment at next months meeting.

Palmer Ridge Trail Committee – Maria Trabka of Saratoga Plan was present to make a presentation to the Board. She stated that Saratoga Plan was a non-profit organization that works throughout Saratoga County to help communities and landowners to accomplish their conservation goals. They use the County Green Infrastructure which identifies important agricultural land, natural areas, trail corridors and historic gateways throughout the County. The plan was adopted by the County in 2006. The pink dots on the map provided represent the trail network. Some of the trails have been built. Eleven miles of the Zim Smith Trail from Ballston Spa to Halfmoon has been completed and they are about to complete the trail into Mechanicville. A number of parts of the Champlain Canalway Trail along the Hudson River, which is a 69 mile trail that will go from Waterford to Whitehall, have been built. The City of Saratoga Springs is currently studying a greenbelt trail to go around the City. Between the Town of Moreau and the City of Saratoga Springs it was envisioned that there be a trail called the Palmertown Ridge Trail. This trail would be approximately 12 miles from the Moreau State Park to Saratoga Springs by the Skidmore College Campus. They currently have agreements from the Office of State Parks for Moreau State Park. The NYS Office of Corrections is going to grant an easement along the back side of McGregor State Prison.

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A developer in the Town of Wilton agreed to provide a 25' easement through his property. There is also property that is now owned by the Nature Conservancy that is going to be transferred to NYS Dept. of Environmental Conservation, Lincoln State Forest, that DEC has agreed to allow an easement through. Skidmore College is working with them as well. The goal is to allow as many uses as possible in as many sections of the trails as possible and for the trails to be off road as much as possible. Trail surfaces will be dependent on the arrangement made with the particular landowners and funding availability. They have not been able to figure out a proposed route for the section of trail through the Town of Greenfield. A trail committee of volunteers, who work on trails throughout the County, are working with a group of Town residents to try and come up with a way to connect property through Greenfield. There is a great deal of wetlands in that section of Town and it may have to be a large arc to the east or west. Saratoga Plan is providing support to this committee to try and get them moving forward. They are currently meeting once a month at the Greenfield Community Center. The next meeting is on March 27th, 2013 and anyone interested is welcome to attend. Dan Lynch, 4 Pine Robin Road, stated that they are looking to put this trail together for hikers, bikers, horseback riders, etc. Possible Town involvement in this project would be things like determining the paths linking the north end of the trail, which is at Greene Road, down through Brookstone Drive area and continuing down through to the north end of the Skidmore property. They will work with the Planning Board to try and find trail possibilities. They may be looking to use Town property or right-of-ways for parking areas for trailheads, etc. Wendy Stein, Larkspur Court, added that one of the problems in Greenfield is that in the area between Greene Road and Clinton Street there are large parcels that are privately owned as well as a large amount of wetlands. In order to be able to come up with a plan they are going to need the support of the Town and interested residents. They are fairly confident that there are owners in this area that would be willing to grant an easement. Under New York State Law there is no liability to the landowner. Cochran, C. asked if they had talked with any of the landowners. Mrs. Stein stated that she spoke with a longtime resident who knows many of the property owners in that area to see if they would be willing to help when they get ready to contact the homeowners. Deputy Supervisor Pemrick asked if there had been any discussion with the Planning Board at this point. Tom Siragusa, resident of Plank Road & Planning Board member, stated that the committee made a presentation before the Planning Board. Members were interested in finding out how they could help. There are a lot of pieces that need to be put together. The Planning Board can look for new development in that area to see if there is an opportunity to speak with a developer at that time and ask for volunteer participation. Deputy Supervisor Pemrick suggested that the committee should submit something more formal indicating what the Town role may be and how we may help to support this effort. Kinsella, C. suggested that if we were supplied with information we could post on the Town website.

Ambulance Committee – Kinsella, C. stated that the review process has been completed and Board members were given a copy of the report this evening. To put the report together they toured several facilities, including Wilton & Empire. They spoke

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with the County EMS Coordinator as well as fireman and EMT's in this Town and surrounding Towns to gather information. The input they received from the surveys that were sent out is also included in the report. Kinsella, C. stated that he personally felt that there were better services that can be provided to the Town. He would like to have further discussion and debate at the Board meeting next month once Board members have had the opportunity to review the report. He would like to see a change in the service based on what he learned. He felt that if the Board spent some time discussing the issue and were able to finish up by May or June, it would give the Board enough time if they choose to make a change to have it in place for next years budget. Cochran, C. stated that due to hip surgery he was not able to participate as a member of the committee as much as he would have. He added that the committee did a great job and put a lot of time and effort to very thoroughly research the issues and provided a lot of options for the Town. He would like to see how the Town residents would like to go as far as ambulance service was concerned. Kinsella, C. asked if a copy of the report could be uploaded to the Town website for public review. Chandler, C. felt that it was important to stress that this was about the quality of service and what fits best for the Town. He has done his own research, however he hasn't read the report yet. As the Town grows they need to make choices and some things may be different. It isn't that one ambulance is better than another but it may be the way that the business is operated, etc. Deputy Supervisor Pemrick stated that he was happy to hear that the Board was looking for public support of whatever it is they decide to do. He felt that was clearly the best way to go. He thanked the members of the committee who took the time to put together this report.

Bids - Highway Supt. Barss stated that he reviewed the bids opened earlier this evening and he would recommend that both of the low bids be awarded. He stated that he had the opportunity to test the roller that came is as low bid. The Dump Body was the same one that was bid last year that was not awarded due to budget constraints. Kinsella, C. asked if both bids were conforming. Highway Supt. Barss stated that they were. Kinsella, C. asked if the purchase of this equipment was in the budget. Highway Supt. Barss stated that they were included in the budget. The roller bid was a little less than anticipated and the dump body was about the same as last year.

RESOLUTION # 57 - Award Bid for Asphalt Roller & All-Season
Dump Body

Motion: Chandler, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby awards the bid for the All Season Combination Material Spreader Dump Body to Loughberry Manufacturing at the bid price of \$23,343.00 and

FURTHER RESOLVED, that the bid for the 2008 or Newer Diesel Powered Asphalt Roller be awarded to Nortrax at the bid price of \$55,000. less the trade-in allowance of \$9,500. for a net bid of \$45,500.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Absent: Rowland

Surplus Dodge Pickup - Deputy Supervisor Pemrick stated that the Board had made a mistake in how the bid was advertised so no bids were accepted/awarded this

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evening. The Board would have to start the bid process over again and make a determination as to whether they would like to advertise for sealed bids or place it on the on-line auction site. Highway Supt. Barss would recommend staying with the auction site. The Town has made out very well with the sale of equipment on this site. When they tried to sell the truck about 3 years ago they only received a bid of around \$500. with a sealed bid locally. They would be able to make out much better on the auction site. Highway Supt. Barss suggested that it be put online for a week and close it.

RESOLUTION # 58 – Place Surplus Pick-Up Truck on Auction

Motion: Chandler, C.

Seconded: Kinsella, C.

RESOLVED, That the Highway Supt. be directed to put the Surplus 2001 Dodge Pickup Truck on the online auction site for sale.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Absent: Rowland

Phil Gargan, Locust Grove Road – Mr. Gargan stated that he was here to speak in favor of a resolution to oppose the NY Safe Gun Act. He felt that this bill was enacted in violation of the State Constitution. As a former police officer he did not believe that there was any justification for this type of gun law. Things have gotten so out of hand now you can not even go to the store and buy ammunition. There's none left on the shelves. Law abiding citizens are being denied the opportunity to own a gun and their civil rights are being violated. Mr. Gargan believed that the problem was with individuals with mental disabilities, however critics say that mandatory treatment of these individuals violates their civil rights.

Mark Rosenslig – Lieutenant on the Albany Co. Sheriff's Dept for the past 33 years and retired military. This bill was not fair to the citizens. There are portions of the bill that are good and portions that are bad. He believed that the bill needed to be repealed. If you have more than 7 rounds of ammunition in a firearm you can be charged with a Class D felony. This is stronger than more than 31 other crimes such as Rape 3rd degree, Possession & Promoting Child Pornography, etc. The Veterans Administration has stated that they will not support this bill and that they will not release any mental health information regarding anyone that is being treated in the VA Hospital. He does not hunt, but enjoys target shooting as a sport. Now that sport has been taken away from him as a result of this ban.

Laura Waldron – Ms. Waldron felt that the worst possible thing that could be done was unarming or limiting arms for law abiding citizens. This law makes criminals out of law abiding citizens. Collectors who buy guns as a hobby are now criminals. Ms. Waldron would like the Board to adopt the resolution in opposition to the Gun Act.

Susan Walsh – Her family owns pistols. She stated that because of where she lives in Greenfield she feels safer with pistols in her home. They are taken care of properly in a safe, etc. and her child is fully aware of the proper procedures. In New York State you have no options for any type of pistol now due to the fact that there are no magazines manufactured for 7 rounds or less. Ms. Walsh asked the Board to adopt the resolution in opposition.

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John Bokus – Mr. Bokus stated what they are asking for is a non-binding resolution. As of last week 47 counties, including Saratoga, and a number of Town Boards have adopted this resolution. He felt that this Board should adopt this resolution as a show of support for the community. The Federal Government has bought up billions of rounds of ammunition and it is not available for purchase by individuals.

Cynthia Dozois – She believed that what the government did takes away her constitutional rights and asked the Board to adopt the resolution in opposition to the Safe Act.

Arthur Galli - Mr. Galli stated that he moved up here 40 years ago and purchased 100 acres of land to hunt on. He is a WW II veteran and the governor has taken away his rights. He asked the Board, as his representatives, to oppose this law and support the citizens.

Tim Kemp - Mr. Kemp stated that he was a responsible gun owner and law abiding citizen. He is opposed to the Safe Gun Act and would like the Board to adopt a resolution in opposition as well.

Leonard Muller - Mr. Muller read an article that appeared in the Saratogian entitled “Don’t repeat the mistakes made with prohibition”.

Dan Henderson - Mr. Henderson stated that he was also opposed to the gun law and asked the Board to represent the citizens in opposition. He added that this could be the last generation that can pass down marksmanship skills to their children. When he dies his children will not be able to inherit his guns, they will have to be turned over to the State.

Cliff Hodsoll - Mr. Hodsoll has had his handgun permit since he was 21 years old. He owns a 1911 pistol which holds a 8 round magazine which is legal up until April 14th. After that time, he will be considered a felon. He stated that the Safe Act takes away his basic rights.

RESOLUTION # 59 - Opposition to the NY Safe Act

Motion: Cochran, C.

Seconded: Chandler, C.

WHEREAS, the Town of Greenfield endorses and upholds the 2nd Amendment to the United State Constitution: “A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed”; and

WHEREAS, the Town of Greenfield endorses and upholds Article III, Section 14 of the New York State Constitution: “No bill shall be passed or become a law unless it shall have been printed and upon the desks of the members, in its final form, at least three calendar legislative days prior to its final passage, unless the governor, or the acting governor, shall have certified, under his or her hand and the seal of the state, the facts which in his or her opinion necessitate an immediate vote thereon”; and

WHEREAS, there was no urgency for the passage of the New York Secure Ammunition and Firearms Enforcement Act (referred to as the NY Safe Act) since most provisions do not come into effect for months, and the governor’s “Message of Necessity” was instead used to shut out review and public comment of the bill before passage;

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NOW THEREFORE BE IT RESOLVED THAT, the Town of Greenfield opposes the law passed on January 15th, 2013, referred to as the NY Safe Act. We condemn the action taken and the way in which the law was enacted and the governor's use of Message of Necessity to limit the debate and input on the proposal.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Absent: Rowland

Greenfield Playground - Jeff Redick stated that he was one of 5 individuals present this evening to represent the Greenfield Home School Association. They are working on rebuilding the playground. The current playground is approximately 25 years old. Over the years it has been slowly dismantled, piece by piece, due to the fact that certain elements have been deemed unsafe. The goal is to build the new playground the same way that it was built 25 years ago as a community build. Mr. Redick stated that they were here this evening for two reasons. The first is to ask for financial support. They have been actively fundraising for several months and have raised approximately \$60,000. to \$65,000. In addition, they have a tremendous amount of donation materials coming to them. They still have a goal of an additional \$130,000. to \$140,000. that still needs to be raised for the build. The second reason is to see what other equipment, labor, material donations that the Town may be able to offer. None of the funds that they are looking to raise are going to labor, it is strictly for materials only. Jill Ragle added that they have quite a bit of money that still needs to be raised in order to build the playground in June and they would appreciate any help that the Town could give them. Chandler, C. asked if they had a specific date set in June. Ms. Ragle stated that the build is scheduled for June 5th to June 9th. Mr. Redick added that they are using the same company that was used for the playground 25 years ago, Leather & Associates. They provide a website with step by step instructions on how to plan and build a community playground. They help to organize groups to manage the building of the playground, how to manage fundraising, how to manage materials, etc. They provide representatives to help to organize the building during the 5 day build. Andrea Mann, North Creek Road asked if it would be legal to use funds from the UDAG account since it would improve the community. Deputy Supervisor Pemrick stated that he believed that the Town Supervisor had a discussion with somebody from the school regarding that, however he was not sure what the outcome was and would like to speak with the Town Supervisor. Kinsella, C. asked if the school district was providing any help since it was school district property. Jennifer Casavant stated that the playground would actually be the property of the HSA and they would then turn it over to the school district once it is built. They have been asked, however their budget is so tight they can not provide funding for a playground. Kinsella, C. noted that the Town fundamentally suffered from the same issues. He asked if the school has offered any buildings or grounds materials. Mr. Redick stated that they would be meeting with the school on Monday evening. Kinsella, C. suggested that they check on the potential of some labor help from BOCES. Butch Duffney, GCBA President, stated that they would be able to provide any necessary equipment.

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RESOLUTION # 60 – Authorize Petty Cash for Golf Course Pro Shop

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby approves a petty cash fund in the amount of \$400.00 for the Brookhaven Golf Course Pro Shop.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Absent: Rowland

Are You Okay Program - Deputy Supervisor Pemrick stated that in the recent newsletter put out by the Greenfield Fire District there was a very nice article on the Are You Okay program. He thanked the Fire District for their efforts in carrying out the program. It is a wonderful continuation of the good work and community safety that they provide within the Town.

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

RESOLUTION # 61 – Highway Bills

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That Highway Bills # 34 to # 54 in the amount of \$101,744.96 be paid, subject to audit.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Absent: Rowland

RESOLUTION # 62 - Parks Bills

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That Parks Bills #29 to # 45 in the amount of \$6,332.69 be paid, subject to audit.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Absent: Rowland

RESOLUTION # 63 - General Bills

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That General Bills # 91 to # 137 in the amount of \$22,943.56 be paid, subject to audit.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Absent: Rowland

RESOLUTION # 64 – UDAG Bills

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That UDAG Bills # 3 to # 8 in the amount of \$38,043.39 be paid, subject to audit.

VOTE: Ayes: Pemrick, Kinsella, Cochran, Chandler

Noes: None

Absent: Rowland

On motion of Cochran, C. and seconded by Kinsella, C., the meeting was adjourned at 8:55 PM.

Town Clerk