

May 14th, 2015

The regular meeting of the Town Board was held on Thursday, May 14th, 2015 with the following members present: Paul Lunde, Supervisor; Daniel Pemrick, Daniel Cochran and Walter E. Chandler, Councilman. Also present were Town Counsel Mark Schachner, Highway Supt. Walter Barss and 6 residents.

At 7:15 PM the Board met as the Board of Health.

4119 NYS Route 9N – Tax Map #112.-1-26 - Elizabeth Huntley and Ralph Federiconi were present. Mr. Federiconi explained that they planned to renovate the entire building. They were waiting for their plans to be stamped. The barn that collapsed during the winter was full of material to be used during the renovation of the other building. As soon as construction begins, the materials will be used and the remainder of the barn will be taken down. He added that it should all be taken care of this summer. Supervisor Lunde informed Mr. Federiconi to keep in touch with the Code Enforcement Officer. Pemrick, C. stated that as long as the Board can see that progress is being made they will work with them. Mr. Federiconi stated that they were trying to reconstruct the building to make it look like it did originally.

23 Frasier Road – Tax Map #138.1-2-46 - Mr. Frasier was not present. Supervisor Lunde reviewed a letter from Mr. Frasier that was submitted to the Code Enforcement Officer. Mr. Frasier stated that he had started to remove some of the items from the trailer. The remainder of the stuff may have to be taken out at the same time that the trailer is being demolished. He has contacted someone to help him as he is disabled now since he broke his back.

61 Plank Road (3 Ormsbee Road) - Tax Map #124.-1-13.2 - Supervisor Lunde reviewed the report submitted by the Code Enforcement Officer dated 5/14/2015. To date, the Town has not received any communication regarding this property.

491 Allen Road - Tax Map #124.-1-16 - Supervisor Lunde reviewed a letter received from Cathy White. Mrs. White stated that she has made arrangements for a salvage company to remove the remains of the building.

The regular meeting was called to order by the Supervisor at 7:30 PM and opened with the pledge to the flag.

Matthew Veitch, Chairman of the Saratoga County Board of Supervisors was present. Mr. Veitch thanked the Board for having him and stated that he would like to provide a quick update of what is going on at the County. The 2015 budget did not increase property taxes to the County residents for the first time in 4 years. They have begun to restore the unappropriated fund balance to give the County some level of financial stability within the budget. Because of this they were able to move forward with some initiatives. They were able to restore \$250,000 to the Farmland and Open Space Protection Fund; appropriated \$100,000 to trails initiatives; restored a portion of funding to the Saratoga County Chamber of Commerce and increased funding for the Southern Chamber of Commerce. The County joined the National Association of Counties in order to be able to take advantage of federal purchasing discounts and keep abreast of how federal laws and programs affect the County. They will be promoting agriculture by updating the Saratoga County Farm Guide. The County will be a partner in hosting a reception for the Vietnam Veterans and will be reinstating the popular Veterans concert for later this year. The County has changed over to single stream recycling which is much more cost effective. They have updated the IT Infrastructure substantially and will continue to do more work on that this year. All of the computers throughout the County facilities have been upgraded. There is now WIFI available to the public in the County Board of Supervisors' Chambers. Mr. Veitch stated that the health and continued growth of the horse racing industry is critical to the County. The race track benefits the entire County through sales tax, VLT revenues and keeps the horse farms and agriculture strong within the County. He added that he choose Supervisor Lunde to Chair the Racing and Gaming

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Committee this year. Lastly, you hear almost daily about incidents between Law Enforcement and the public. The Public Safety Committee is working very closely with the Sheriff to evaluate all staffing aspects of the Department, from patrols to prisoner transports to dispatching, as well as the County jail. They are also looking into the possibility of equipping the deputies with body cameras. Mr. Veitch thanked the Board for giving him the time to speak and stated that if there was anything that he could do to assist the Town to please let him know.

On motion of Chandler, C. and seconded by Pemrick, C., the minutes of 4/9/2015 were approved as submitted by all Board members present.

Thank you note from the Greenfield Food Pantry for the purchase of the new refrigerator.

Letter from the Greenfield Environmental Commission with their concerns regarding the proposed transportation of nuclear waste through the Town.

Notice of Claim - John Reome vs. Town of Greenfield & William Semzock

Code Revisions - Cochran, C. stated that he and Butch Duffney recently met with the Fire Commissioners regarding driveway access. Butch explained that the Planning Board has had several long driveways and shared driveways and the Board did not know how to address them. They have had discussions as to how to make the driveways so that the Fire Department would know how far back the home was from the road. They talked about post markers, pull off areas, turn radius, driveway widths, etc. Butch stated that he would review the information with the Town Engineer. Butch added that they also talked about "Knock Boxes" on businesses. The Fire Department would have a key to the box so that they would be able to get a key to access a building in case of emergency rather than have to knock down the door. Cochran, C. stated that there was some discussion regarding the installation of solar panels on roofs. The Fire Department is unable to combat a fire in the same way they can with a home without panels on the roof. He felt that there needed to be Code language written to take care of that. The Committee will continue to meet and move forward with the proposed revisions. Supervisor Lunde stated that he would like the committee to look into marijuana dispensaries. It was his understanding that they have to allow them if there is no Code language in place to regulate them, similar with Adult Bookstores, etc. Town Counsel Schachner stated that there are a tiny number of licenses that are going to be granted. For the most part, the application process has already taken place. It was his understanding that there was not going to be a second round for a long time.

Spring Clean Up - Highway Supt. Barss stated that he believed that this was the largest Clean Up Week ever. They collected over 117 Ton of just garbage alone along with about 40 Ton of metal. There was a lot of sheet metal and they had at least 6 loads (80 yard dumpsters) which included tin, etc. They were overwhelmed with people the first weekend. At times that was a 45 minute to 1 hour wait and the line was almost ¼ mile long. In addition to the trash, they also had 1 load of tires that they picked up throughout the year, about 175 tires. It costs about \$900 per load to get rid of the tires. Highway Supt. Barss added that fortunately he was able to find a vendor to take the electronics and televisions free of charge. The past couple of years they have had to pay to get rid of them. Duane Wright felt that the Town Board should be commended for budgeting for this expense. It saves the Town from the time and expense of having to pick up the trash from along the side of the roads. Supervisor Lunde asked if there were any issues with Resident Cards. Highway Supt. Barss stated that the cards worked very well. They turned away some people the first weekend who were from other Towns. Town Clerk advised that her office turned away several people who came in looking for a resident card that did not live in Town. In all, approximately 700 cards were issued.

Brigham Road Park - Highway Supt. Barss stated that he spoke with Joe Jarvis who is involved with the Greenfield Lions Club and the Boy Scouts. They would like to expand the walking trails

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at Brigham Road Park through some Eagle Scout projects and volunteer work. He added that he would be doing a walk through with him next week. There were a few spots that needed to be widened a little bit in order to get some equipment through. He felt that they could probably do the work in a couple days. It should be a minimal amount of money. Supervisor Lunde stated that there was also talk about another Eagle Scout project to install a flagpole with a solar light.

Al Janik, King Road - Mr. Janik spoke regarding the application for Junkyard License at 183 Middle Grove Road. Mr. Janik asked if the Board was going to schedule a public hearing. Mr. Janik stated that he was concerned about the applicant coming in and not what happened in the past. In the past it was basically used for overflow and not much of anything was done there except stock pile vehicles. He was concerned that if the new applicant were to receive a license to operate a junkyard, the scope of the operation would increase dramatically. The applicant also has other business interests and he was not sure if there were going to stay in another area or if he would bring them in to that location. Mr. Janik stated that it is a residential area and the junkyard should have never been permitted in that location. He questioned what the intentions were. Was the applicant looking to dismantle vehicles, sell parts, scrap metal, etc. If permission to operate a junk yard is granted any number of activities can be allowed. There could be multiple pieces of equipment there supposedly for the purpose of operating the junk. He was very concerned about the scope of the operation.

Junk Yard Application – 183 Middle Grove Road – 7337 LLC - Supervisor Lunde stated that he spoke with the Code Enforcement Officer and he felt that there were between 100 to 150 cars on the property right now. He explained that the applicant recently purchased the property. Because it is a new owner, he had to come in and apply for a new license. Cochran, C. stated that he would like to look into this further. Pemrick, C. agreed and felt that the applicant should be here so that the Board can ask what their intentions were for the property. Is there going to be an expansion of the existing use, etc. Supervisor Lunde stated that the application indicates that there is a proposed pole barn. Pemrick, C. believed that the pole barn was already there. Supervisor Lunde stated that he would have the Code Enforcement Officer get ahold of the applicant and have them come in next month. Chandler, C. agreed that the Board should look into the scope of the operation, etc. however, the applicant purchased the property because it was licensed. Town Clerk advised that she spoke with the Code Enforcement Officer regarding the license application and that the license does not go with the title of the land nor may it be sold, assigned or transferred. The applicant had to pay the \$1,000 fee and apply for a new license and not a renewal.

Part Time Code Enforcement Officer - Supervisor Lunde stated that the Code Enforcement Officer had budgeted for a Part – Time Code Enforcement Officer. He has asked that the Town Board consider raising the rate of pay from \$22.15 per hour to \$23.85 per hour. The money has been budgeted for. Pemrick, C. asked if this would be a seasonal position. Supervisor Lunde stated that he was looking to have him work 2 days per week probably until December.

RESOLUTION # 72 - Set Rate of Pay for Part-Time Code Enforcement Officer

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the rate of pay for the Part Time Code Enforcement Officer be set at \$23.85 per hour.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Replacement Highway Truck - Highway Supt. Barss stated that during the Spring Clean Up the motor blew in the tractor that they use to haul all the trash away. The truck is 31 years old and he did not feel that it was worth putting in \$15,000+ into it. He started looking for some used vehicles.

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Some of them had the new clean air system which they were having a lot of issues with and they do not have a warranty. He would like to propose that a new truck be purchased off of the Oneida County contract. The new truck would have a 5 year warranty. It could be set up so that other pieces in the future could be purchased that would help out the Highway Department, such as a dump trailer, low-boy, etc. They could actually go and get some of their own salt and be able to save about \$10 per ton in delivery charges. He spoke with the Budget Officer and they believe that there would be enough money if they used money from the equipment reserve fund, there is some in the equipment fund and money from the sale of scrap that could be used. Highway Supt. Barss stated that a local contractor has allowed the Town to use his tractor so that they could empty all the containers from the clean up and move around some other equipment. He looked into renting a tractor which would cost approximately \$2,800 per month. They are at their busiest season now and they need to be able to move around equipment on a daily basis. Pemrick, C. stated that he would like to thank J & K Trucking who loaned the Town the truck and helped us out of a tight spot. Cochran, C. asked what type of truck he was looking to purchase. Highway Supt. Barss stated that he was looking at a 2016 Western Star Tandem Tractor. It would have a full five year warranty. Cochran, C. asked what was going to be done with the old truck. Highway Supt. Barss stated that they would surplus it. Cochran, C. stated that a lot of money is being put into this one vehicle and questioned if in the next year or two that was going to be a problem. Highway Supt. Barss stated that you never know. That is why they try to put money away for just this kind of situation. Duane Wright, Deputy Highway Supt., stated that that was why they have an equipment plan. At this point, the equipment that they have in the garage right now is in good shape. Anything can happen, however the Highway equipment is in good shape at this point. Chandler, C. stated that with the way the emissions are now, you really want to try and keep the vehicle under warranty if you can. Chandler, C. asked what was going to be done with the money from the sale of the old truck. Highway Supt. Barss would probably have to go back into the sale of scrap account.

RESOLUTION # 73 - Purchase of New Highway Truck with Budget Amendments
& Transfers

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That the Town Supervisor be authorized to make the following Budget

Amendment and Transfer of Funds:

Budget Amendment:	\$ 133,281.64	From	DA0599	to	DA5130.2
Budget Transfers:	7,474.70	From	DA5110.4	to	DA5130.2
	9,733.00	From	CR7110.1	to	CR7180.1

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 74 - Declare Peterbilt Truck as Surplus

Motion: Chandler, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby declares the Peterbilt as surplus and that the Highway Supt. be authorized to sell it at auction.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Greenfield Historical Society - Town Clerk advised that the Board members had all received a copy of the letter from the Historical Society looking for permission to use Middle Grove Park again this year for the Farmers Market. They also asked for permission to use the Caboose and surrounding area for the annual Caboose Day celebration on Aug. 8th, 2015. Board members all in favor

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of allowing the use of the facilities. The Town Board has also budgeted for a \$1,000 donation to the Historical Society for the past few years and were in agreement to do the same this year.

RESOLUTION # 75 - Contribution to Greenfield Historical Society

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby approves the \$1,000 contribution to the Greenfield Historical Society as budgeted.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Tax Cap Rebate Plan - Supervisor Lunde provided Board members with copies of a trend report that he got online through Open Book New York for the years 2012 to 2015. He would like to sit down with the Bookkeeper and work out a plan for the State, if the Board chooses to do so, in order for the Town residents to get the rebate. The plan has to be submitted by June 1st. The Bookkeeper also provided the Board with a chart regarding the amount of money taken from reserve accounts each year for the past 5 years in order to balance the budget. An average of \$72,000 has been taken each year. Supervisor Lunde explained that a penny in tax equals approximately \$7,600. The tax base right now is \$1.83. If the tax base in 2009 had been increased by 10 cents, the budgets would have been balanced right straight through. Supervisor Lunde stated if the Time Warner Cable agreement goes through, it would mean a \$42,000 revenue increase to the Town. The Town has also done a lot of things since 2014. There have been upgrades for utilities and they spent \$10,000 on the baseball fields that were one time expenses that they will not have over the next couple of years. The Town needs to provide the State with a plan to cut 1% of the tax base or about \$13,800+. He felt that it was doable. Joan Stunzi agreed and felt that it could be done without causing any stress or strain on the services that the Town needs to continue to provide. Supervisor Lunde asked if the Board would be comfortable allowing the Bookkeeper and himself put together the Plan and file with the State. Supervisor Lunde stated that the money that was spent this year at Brookhaven and the Town Garage to upgrade utilities will not have to be done next year. Pemrick, C. asked if over the successive years this would be harder to do. Supervisor Lunde stated that the Town also does shared services with other Towns which he was not looking at using for the first couple of years. In the future, if the Town had to continue to provide the plan to the State, the shared services savings could be used. Joan Stunzi stated that she called the State Comptroller's Office and the Department of Budget who is really overseeing this. She had concerns, as did Councilman Pemrick at the last meeting, that the budget as a whole will be able to increase for normal inflationary increases and that it was just that in certain categories the 1 percent reduction had to be shown. The total budget does not have to decrease, just the particular categories that we choose.

Garewal vs. Town – Article 7 Settlement - Supervisor Lunde stated that Town Counsel and the Town Assessor have been working on this case for the past couple of years. He spoke with the Assessor and she is in agreement with the settlement. Board members in agreement. Town Counsel advised that the School Board would also have to vote on it as well.

RESOLUTION # 76 - Authorizing Settlement of Pending Article 7 Real Property Assessment Case – Karan Garewal

Motion: Chandler, C.

Seconded: Cochran, C.

WHEREAS, Karan Garewal ("Petitioner"), filed an Article 7 Real Property Assessment Review case against the Town in 2014 concerning the assessment on his property located at 358 Porter

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Corners Road in the Town of Greenfield, more specifically identified by its Tax Map Number: 124.-3-2; and

WHEREAS, it appears to be in the best interests of the Town to avoid the significant costs that would result if the litigation continues and goes to trial; and

WHEREAS, terms of a proposed settlement have been negotiated with Petitioner and the Town Assessor recommends them; and

WHEREAS, it is anticipated that the Saratoga Springs School District will accept the proposed settlement terms and will vote on approval of the Settlement terms this month; and NOW, THEREFORE,

BE IT RESOLVED, that the Greenfield Town Board hereby approves the proposed settlement of the tax assessment case filed by Karan Garewal for 2014 as follows:

- 1) 2014 assessment to be reduced from \$97,500 to \$82,000; and
- 2) Refunds shall be paid based on the assessment reduction; and
- 3) Section 727 of the Real Property Tax Law will apply, fixing the assessment at \$82,000 for the 2015, 2016 and 2017 Assessment Rolls unless the property is further improved or is destroyed or the assessment is subject to some other exception under Section 727; and

BE IT FURTHER, RESOLVED, that unless otherwise ordered by the Court, refunds shall be paid without interest provided they are paid within sixty (60) days after Petitioner serves a copy of the filed Court Order approving the settlement, with Notice of Entry, on the Town and on the Saratoga County Treasurer, together with the necessary Demand for Payment; and

BE IT FURTHER, RESOLVED, that approval of this Settlement Agreement is contingent upon Town Counsel's satisfactory review and approval of the Judgment and/or Stipulation of Settlement and upon Town Counsel's receipt of satisfactory proof that the Stipulation of Discontinuance for the Petitions filed by Petitioner in 2011 and 2012 has been duly filed and the 2011 and 2012 matters have been discontinued of record; and

BE IT FURTHER, RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Assessor, Town Clerk and/or Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of this Resolution.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

Supervisor Lunde announced that he would like to give his full support to Dan Pemrick who is going to be running for Supervisor next election. He has his 100% support.

Monthly reports were submitted by the Town Justices (March & April), Building Department (Feb. & March), Town Clerk, Dog Control Officer (March & Apr.) and the Town Supervisor.

RESOLUTION # 77 – Encumbered Bills

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That 2014 Encumbered Bill # 736-2014 in the amount of \$28,292.21 be paid, subject to audit.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 78 - General Bills

Motion: Chandler, C.

Seconded: Cochran, C.

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RESOLVED, That General Bills # 221 to # 292 in the amount of \$48,343.74 be paid, subject to audit.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 79 - Park Bills

Motion: Pemrick, C.

Seconded: Cochran, C.

RESOLVED, That Park Bills # 58 to # 89 in the amount of \$30,081.64 be paid, subject to audit.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

RESOLUTION # 80 – Highway Bills

Motion: Pemrick, C.

Seconded: Chandler, C.

RESOLVED, That Highway Bills # 82 to # 98 in the amount of \$44,109.56 be paid, subject to audit.

VOTE: Ayes: Lunde, Pemrick, Cochran, Chandler

Noes: None

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

8:25 PM.

Town Clerk