

## October 10<sup>th</sup>, 2019 Town Board Minutes

At 7 PM a Public Hearing was called to order to consider proposed Local Law #2-2019, "Amending Greenfield Town Code relating to roadway and infrastructure construction and dedication procedure". The Town Clerk presents proof of publication. Supervisor Pemrick asks if there are any questions or comments from the public. There being none, the Public hearing is closed at 7:03 PM.

The regular meeting of the Town Board was held on Thursday October 10<sup>th</sup> with the following members present: Daniel Pemrick, Supervisor; Rick Capasso and Kevin Veitch, Councilpersons. Also present were Superintendent of Highways, Walter Barss; Duane Wright, Deputy Superintendent of Highways; Town Counsel, Mark Schachner and approx. 6 residents. Absent were Daniel Cochran and MaryAnn Johnson, Councilpersons. The meeting was opened by Supervisor Pemrick at 7:03 with the Pledge to the flag. On a motion by Capasso, C. and seconded by Veitch, C. the minutes from September 12<sup>th</sup>, 2019 were approved as submitted by all members present.

### CORRESPONDENCE

Letter from the Albany VA thanking the Town for the Golf Tournament donation.

Community Center Use- Request from Rich McDermott, State DEC Forrester, to use the Community Center November 7<sup>th</sup> for Logger training.

#### **RESOLUTION # 105- GRANT USE OF COMMUNITY CENTER**

Motion: Veitch, C.

Seconded: Capasso, C

**RESOLVED**, that the Town Board hereby grants NYS DEC use of the Community Center on November 7<sup>th</sup>, 2019 use of the Community Center for logger training classes.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

Letter from Dr. Streit to the Town Board providing information regarding the health dangers of vaping and how it is impacting the youth of our town.

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**OLD BUSINESS**

Supervisor Pemrick states we held the public hearing for proposed Local Law #2-2019. This local law sets new standards for road construction and cul-de-sacs. There were no public comments.

**RESOLUTION # 106- ADOPT LOCAL LAW #2-2019-AMENDING TOWN CODE RELATING TO ROADWAY INFRASTRUCTURE, CONSTRUCTION AND DEDICATION PROCEDURE**

Motion: Capasso, C.  
Seconded: Veitch, C.

**RESOLVED**, that the Town Board hereby adopts Local Law #2-2019. Amending Town Code Relating to Roadway Infrastructure and Construction and Dedication Procedure.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

COURT OFFICER- Capasso, C. states that tonight the Board interviewed Ed Scalo for the open Court Guard position. He's employed with Moreau Court, is qualified and has all required credentials.

**RESOLUTION # 107- APPOINT COURT / SECURITY GUARD**

Motion: Capasso, C.  
Seconded: Veitch, C.

**RESOLVED**, that the Town Board hereby appoints Ed Scalo as Court and Security Guard for the Town of Greenfield with the rate of \$24.17 per hour.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

BUDGET WORKSHOP DATES- Supervisor Pemrick states the Town Clerk has presented the Tentative Budget. We have some increases that have been presented to us. The Budget Officer has presented some scenarios for these increases so we need to have some workshops and continue working on the 2020 budget. The Board sets workshop dates for Thursday October 17<sup>th</sup> @ 6PM, Thursday October 24<sup>th</sup> @ 6PM and Friday October 25<sup>th</sup> @ 8AM if necessary. Discussion takes place on time lines for Budget requirements.

**RESOLUTION # 108 – REAPPOINT ALBERT JANIK TO BOARD OF ASSESSMENT REVIEW**

Motion: Capasso, C.  
Seconded: Veitch, C.

**RESOLVED**, that the Town Board hereby re-appoints Albert Janik to the Board of assessment review with said term to expire 9/30/2024.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

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DISCUSSION RECREATION USE POLICY- Recreation Director would like to update applications and paperwork for the Baseball Fields. Town Clerk adds that her office is working on Middle Grove Park and the Community Center applications. We need to add a hold harmless agreement on all of them. Supervisor Pemrick asks Rick Schwartzbeck from the Lions Club his thoughts on how many different baseball teams are using the Porter Corner fields? Mr. Schwartzbeck states there are three main teams and others are interested in using the park. Supervisor Pemrick asks are there 60 games a month? Mr. Schwartzbeck states at least. We have fall baseball now. All the groups have welcomed the Lions Club running the concession stand and the Lions enjoy providing that service to the town and community. Supervisor Pemrick states the field condition is great thanks to our maintenance and teams are willing to be there thanks to our Rec Director. Rick Schwartzbeck states he was part of building those fields years ago. It's been a community project and great to see it being used.

TAX LEVY LIMIT- Supervisor Pemrick states there are a couple possible increases to services and programs and he would like to schedule a public hearing for the Tax Cap override in case we need it.

**RESOLUTION # 109- SCHEDULE PUBLIC HEARING ON PROPOSED LOCAL LAW #3-2019-  
OVERRIDE TAX LEVY LIMIT**

Motion: Capasso, C.

Seconded: Veitch, C.

**RESOLVED**, that the Town Board hereby schedules a public hearing on proposed Local Law #3-2019- Override Tax Levy Limit for November 7<sup>th</sup> at 7PM at the Greenfield Town Hall.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

DISCUSSION VAPING - Dr. Streit states in the time that he was here last month deaths are up five fold. He explains how companies and local business market to young children. There will be a program at the Middle School October 23 discussing this issue. He feels that if States can ban vaping products so can Towns. He requests that the Board take it on as an issue for next month's meeting. Town Counsel, Mark Schachner refers to a September 13<sup>th</sup> letter that included information on nationwide vaping . AP reported that State of Appeals Court temporally blocked New York from enforcing a new ban on sales of flavored e-cigarettes. The order issued gives the Court time to consider the vaping industry lawsuit to block the ban. As an attorney the remark from Dr. Streit, if a state can do it a Town can do it, is legally incorrect. He explains the legalities of what the State can do and why a Town cannot. Now that the State has exercised its authority the industry has fought back with a lawsuit in which an Appeals Court has blocked the State's efforts. He continues to explain that he would not recommend banning because the Town does not have the legal authority. Discussion continues on legalities. Supervisor Pemrick states that we have a Health Officer and we can ask her to help educate our residents. Dr. Streit agrees with Town Counsel and he has enjoyed the information. He would like to ask the Board to accept this issue. He asks the Board to attend the program at the Middle School and think of reasons of what we as a board and leaders can do to help. Supervisor Pemrick will check with the County and our Health Officer and research what we can do. Veitch, C. states that he feels we should let the County and State know that we recognize this as a problem and health issue. Supervisor Pemrick asks Nash Alexander from Wilton EMS his thoughts. Mr. Alexander states that clinically they have not encountered any of these patients but they are struggling with products that can be introduced into vaping that can be done at the workplace and are undetectable. It has become a question on long and short term breathing

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problems. Supervisor Pemrick thanks everyone for this discussion.

**RESOLUTION # 110 – ACCEPT RESIGNATION OF SUPERINTENDENT OF HIGHWAYS, WALTER BARSS**

Motion: Capasso, C.

Seconded: Veitch, C.

**RESOLVED**, that the Town Board hereby reluctantly accepts the resignation of Superintendent of Highways Walter Barss, effective December 31<sup>st</sup>, 2019.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

**RESOLUTION # 111- POST JOB OPENING FOR SUPERINTENDENT OF HIGHWAYS**

Motion: Veitch, C.

Seconded: Capasso, C

**RESOLVED**, that the Town Board hereby directs the Town Clerk to advertise the opening for Superintendent of Highways to include letter of interest, resume and qualifications. Applications to be accepted by November 14<sup>th</sup>, 2019.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

**RESOLUTION # 112- ACCEPT SARATOGA PLANS APPLICATION FOR OPEN SPACE GRANT**

Motion: Veitch, C.

Seconded: Capasso, C

**RESOLVED**, that the Town Board hereby endorses Saratoga Plan's Application to Saratoga County to acquire the Conant Family Woodlands to ensure natural resources, conservation of surface and ground waters, views and public access to natural open space.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

Monthly reports were submitted by Town Clerk, Recreation Dept., Highway and Building Dept. Permit Report

**RESOLUTION # 113- GENERAL BILLS**

Motion: Capasso, C.

Seconded: Veitch, C.

**RESOLVED**, that the General bills from #714-805 in the amount of \$77,091.20 be paid.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

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**RESOLUTION # 114- HIGHWAY BILLS**

Motion: Veitch, C.

Seconded: Capasso, C

**RESOLVED**, that the Highway bills from # 231-262 in the amount of \$185,915.64 be paid.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

**RESOLUTION # 115- PARKS BILLS**

Motion: Capasso, C.

Seconded: Veitch, C.

**RESOLVED**, that the Parks Bills from # 240-261 in the amount of \$13,247.45 be paid.

VOTE: Ayes: Pemrick, Capasso, Veitch

Noes: None

Absent: Cochran, Johnson

On a motion by Veitch, C. and seconded by Capasso, C. the meeting was adjourned at 7:50 PM.

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Town Clerk

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