

October 13<sup>th</sup>, 2011

The regular meeting of the Town Board was held on Thursday, October 13<sup>th</sup>, 2011 with the following members present: Richard Rowland, Supervisor; Thomas Kinsella, Daniel Cochran and Walter E. Chandler, Councilman. Daniel Pemrick was absent. Also present were Town Counsel Mark Schachner, Highway Supt. Walter Barss, and 5 residents.

At 7:28 PM the Board met as a Board of Health.

Unsafe Building – 181 Porter Corners Road – Germain - Highway Supt. Barss stated that all the building debris has been removed from the property. Supervisor Rowland asked what the approximate price was for the Town to remove the debris. Highway Supt. Barss stated that it was approximately \$12,000. A summary of the expenses incurred by the Town has been forwarded to Saratoga County Real Property to be added to the next Town & County Tax Bill. On motion of Chandler, C. and seconded by Cochran, C. the Board agreed that the Unsafe Building matter at 181 Porter Corners Road was now closed and the Lis Pendens filed on this property could be released.

The regular 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 9/8/2011 and 9/26/2011 were approved as submitted.

Letter of Credit for Mary E. Griffin, Greenfield Manor Road, was renewed. The new expiration date is now September 30<sup>th</sup>, 2012.

Parks Advisory Committee – Supervisor Rowland stated that the Board recently appointed the members of this committee and appointed Peter Coseo as Chairman. Unfortunately, Peter's son was involved in a very bad traffic accident a few weeks ago and he has stated that he would have to resign from the committee at this time. Supervisor Rowland stated that he would like to see Mr. Coseo left on the committee at this time with a leave of absence and a new chairman appointed. Supervisor Rowland to speak with another committee member to see if they would be available and interested in chairing the committee.

RESOLUTION # 132 – Schedule Budget Workshops

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby schedules budget workshops to be held on October 19<sup>th</sup> and October 26<sup>th</sup> at 7 PM.

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

Brookhaven Park Maintenance Building - Highway Supt. Barss stated that the Town Engineer has completed a structural inspection of the building and has provided the Board with a report and estimates. He stated that to replace the whole top half of the existing building, including replacing all the trusses, new doors, etc. it would cost approximately \$48,000. Mr. Barss stated that he spoke with the Supervisor earlier today and he was thinking that they might be able to do some repair work to what is there rather than replace the entire thing. They may be able to put in some extra support beams and replace the roof with tin. The estimated cost would be \$12,000 to \$15,000. The other option would be to put up a whole new building at a cost of approximately \$150,000. to \$160,000. Supervisor Rowland asked the Board for their input as to what

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direction they would like pursue and get firm prices. He would like to see the Board members take a look at the building as well. There is no question that the roof needs to be replaced. Highway Supt. Barss stated that there are some real structural issues. The roof was not really built with trusses the way we would today. Cochran, C. stated that he had the opportunity to take a look at the building this past week and also suggested that the other Board members go as well. He agreed that the roof was not in good shape. Kinsella, C. asked if the roof was in immanent danger of failing. Highway Supt. Barss stated that there were several sags and they were not sure that it would hold a snow load this winter. Supervisor Rowland noted that at this point in rains more inside the building than it does outside.

Proposed Local Law to Override Tax Levy Limit - Supervisor Rowland stated that the Board has a draft of the proposed local law. He stated that if the Board were to adopt the law, it would only mean that there was the potential that the Board could override the tax levy. It was not a done deal. Due to the time requirements, if the Board does not act on this now, they would lose the opportunity to do so if they find out down the line that they need to go above the levy limit. Kinsella, C. asked if all the Board had to do this evening was to schedule the public hearing. Supervisor Rowland stated that was it. He added that this whole new tax cap formula is very unclear. Depending on who you talk to at the Comptroller's Office, the Association of Towns, etc., there is a discrepancy in the opinion on what figures to use. Town Bookkeeper, Joan Stunzi, stated that she is looking for further verification on pension information and what percentage can be used. Supervisor Rowland reiterated that adopting this local law does not mean the Board will use it just because it is adopted.

RESOLUTION # 133 - Schedule Public Hearing on Proposed Local Law  
#2-2011 – Override Tax Levy Limit

Motion: Chandler, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby schedules a public hearing on Proposed Local Law #2-2011 to be held on November 3<sup>rd</sup>, 2011 at 7:25 PM.

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

Al Janik, King Road – Mr. Janik felt that the Town could have done a better job of getting the information out regarding the budget than what was recently in the newspaper. He believed that the budget and information should be posted on the Town website to get the information out to the public. The newspaper tends to distort things and scares people.

Mr. Janik also stated that in the 9/26/2011 minutes the Supervisor stated that there had been some discussion regarding the possibility of having some timber harvested at Brookhaven Park and a Forest Management Agreement was approved. He questioned when that issue had been discussed. Supervisor Rowland stated that he could not give him exact dates from memory, however there were discussions held. Mr. Janik stated that he knew there was an area around the pavilion that was overgrown, but it did not seem like it was extensive enough to warrant going out for a proposal for management. He questioned why it couldn't be done by the Town. Supervisor Rowland

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stated that what had been talked about was the ability to garner some income from the sale of the trees that had to be taken down rather than just discarding them. He added that they do not know to what extent that may be until they have gone in and marked the trees. The Town made the agreement to contract with this group to do the marking and then the bid process. Supervisor Rowland stated that there are very large white pine trees that have exceeded their useful life and they are endangering the pavilion area and structure. Mr. Janik questioned that the Board was talking the area around the pavilions only and not the entire Park. Supervisor Rowland stated they were looking at the pavilion area and one other area adjacent to several of the golf holes, not the entire property. Mr. Janik questioned if there were sufficient logs to warrant going through all this. Chandler, C. believed that there was and stated that there would be no up front cost to the Town. The only cost would be a percentage of the sale of the trees.

RESOLUTION # 134 - Mulleyville Snowmobile Club Agreement

Motion: Chandler, C.

Seconded: Kinsella, C.

RESOLVED, That the Supervisor is authorized to sign the 2011-2012 Snowmobile Trail Landowner Permission agreement with Mulleyville Snowmobile Club allowing them to cross Town property with their trail system.

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

RESOLUTION # 135 – Transfer of Funds

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the Supervisor be authorized to make the following transfer of funds:

\$ 3,419.83	From	A6410.4	to	A3650.4
2,905.31	From	A5182.4	to	A5132.4
38.70	From	A8020.2	to	A8020.4
101.21	From	A4540.4	to	A3310.4
262.00	From	A8160.45	to	A8810.4
9,887.27	From	A1440.4	to	A9060.8
13,753.56	From	DA5130.2	to	DA5142.4
30,728.95	From	DA5112.2	to	DA5110.4

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

Monthly reports were submitted by the Building Department, Dog Control Officer (July, August & Sept), Highway Supt., Town Clerk, Town Justices (August), UDAG Revolving Loan Fund Committee and Town Supervisor.

RESOLUTION # 136 – General Bills

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That General Bills # 535 to # 591 in the amount of \$38,712.90 be paid, subject to audit.

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

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RESOLUTION # 137 – Highway Bills

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That Highway Bills # 175 to # 196 in the amount of \$96,287.73 be paid, subject to audit.

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

RESOLUTION # 138 – Park Bills

Motion: Kinsella, C.

Seconded: Chandler, C.

RESOLVED, That Park Bills # 182 to # 209 in the amount of \$25,543.14 be paid, subject to audit

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

On motion of Cochran, C. and seconded by Chandler, C., the Board adjourned to Executive Session at 7:55 PM to discuss a personnel matter. Town Clerk was not present for session and no minutes were filed. On motion of Cochran, C. and seconded by Chandler, C., the Board returned to regular session at 8:27 PM.

Brookhaven Park - Highway Supt. Barss stated that he had one other item to bring before the Board. The Boiler at the clubhouse needs to be replaced. It is 41 years old and came from the mill. The system failed several times this past winter which resulted in frozen pipes. It failed again when they tried to start it this past week. He was in the process of getting prices for a replacement boiler. The cost was below the threshold for going out to bid. It would be paid for from the current Park budget. The estimated cost is around \$9,000. installed. Cochran, C. asked what size unit was needed. Highway Supt. Barss stated 260,000. BTU Commercial Grade unit. Supervisor Rowland noted that the current boiler burns approximately 2 gallons of oil per hour. There are two 275 gallon tanks which run out weekly at times in the winter.

RESOLUTION # 139 – Replace Heating System – Brookhaven Park

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby authorizes the emergency replacement of the heating system for the Clubhouse at Brookhaven Park which will be paid for from the current budget.

Discussion: Kinsella, C. again stated that he did not like to be piece-mealed. This evening they have talked about the roof on the shed and the boiler. He would like to have a prioritized listing of what the issues are so that the right decisions can be made instead of just waiting until there is no choice. Cochran, C. agreed that there should be a list. Duane Wright stated that a list was put together and given to everyone at one point a while ago. Supervisor Rowland stated that the group has been discussing how they would go about forming a business plan, etc. However, if Board members are just looking for a list of long term/short term needs and goals that would be easy to provide. Chandler, C. agreed that there needed to be a list. In addition he would like to see more information regarding where the funding will come from. He agreed that it was obvious that the boiler and the roof needed to be taken care of. D. Wright stated that none of them knew how bad the roof was until recently. Chandler, C. felt that it was important to

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be able to show the people a plan. Highway Supt. Barss stated that the top three issues were the boiler, roof and handicapped bathrooms. Kinsella, C. was not sure if the handicapped bathrooms has to be completed right away in order to be in compliance with handicapped accessibility. Perhaps, part of the business plan may have some kind of expansion or other change to the restaurant area of the clubhouse to be able to accept banquets, weddings, etc. Why would you put in a handicapped bathroom now when you may want to expand the area in the future. Cochran, C. stated that the Board needs to decide what they want to do with this property. D. Wright stated that the Board had just appointed the new advisory committee and asked if that was something that they were going to work on. Supervisor Rowland felt that the new advisory committee would look at parks and recreation in general in non-golf related activities. They would look at the use and concepts for the additional acreage. He felt that the Board would handle the business operations of the golf course and determine how any money that is made at the golf course will be divided up. Highway Supt. Barss added that the committee has also been talking about the pavilion area, skating rink, cross country ski trails, etc. Supervisor Rowland saw some of this stuff as more immediate usage that we stated we would do. He would then like the committee to determine what else the community would want. For example, would they like to see a warming hut or do they no even care for the ice rink at all.

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

Management Operating Agreement - Supervisor Rowland stated that the restaurant/bar operator received a deficiency letter from the State Liquor Authority. There were some items that needed to be corrected. A few of the items pertained to the operating agreement that we signed. The Liquor Authority is requiring that the agreement be amended to state that the operator shall have exclusive use of the premises for the purpose of operating a restaurant, bar, snack bar and beverage cart. In addition, the management agreement must run for the full term of the license period and therefore must be amended to read 3 years. A three year period is the longest term of any license that the operator has applied for.

RESOLUTION # 140 – Amend Management Operating Agreement

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby amends the Management Operating Agreement between the Town of Greenfield and Dozers Bar & Grill, Inc. as outlined in the deficiency letter from the NYS Liquor Authority, and

FURTHER RESOLVED, that the Supervisor be authorized to execute the same.

VOTE: Ayes: Rowland, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

On motion of Cochran, C. and seconded by Kinsella, C., the meeting was adjourned at 8:42 PM.

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Town Clerk