

January 8th, 2015

The Organizational Meeting of the Town Board was held on Thursday, January 8th, 2015 at 7:00 PM with the following members present: Paul Lunde, Supervisor; Thomas Kinsella and Daniel Cochran. Daniel Pemrick and Walter E. Chandler were absent. (Chandler, C. arrived after the Organizational Meeting prior to the scheduled public hearing). Also present was Highway Supt. Walter Barss, Deputy Highway Supt. Duane Wright and 6 residents.

Supervisor Lunde stated that Board members had copies of the draft resolutions for various designations, appointments and pay rates. He asked if there were any questions or discussion regarding any of the proposed resolutions. He added that the proposed Ambulance Rates included in Resolution # 27 needed to be revised to reflect the rates that he agreed to in the Billing Contract with Wilton. The rates should be as follows: \$1,000. Basic, \$1,100 Advanced 1, \$1,200 Advanced 2 and \$20. per mile charge. Board members present in agreement that it was not necessary to read all resolutions aloud and to adopt proposed resolutions with one roll call vote.

RESOLUTION # 1 - Designations

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the following designations be made:

1. Regular meeting night to be the second Thursday of the month at 7:30PM
2. Agenda meeting to be the first Thursday of the month at 7:30 PM
3. Official newspaper for notices to be The Daily Gazette.
4. Depository for all Town funds to be The Adirondack Trust Company, Saratoga Springs, NY; Ballston Spa National Bank, Greenfield Center, NY; Central National Bank, Saratoga Springs, NY, and/or such other depository as may be named later.
5. That the Supervisor be authorized to invest any idle Town funds with The Adirondack Trust Co.; Ballston Spa National Bank; Central National Bank; NBT Bank and/or such other depository which may be named later by the Town Board and which must have a branch bank operating within Saratoga County.

RESOLUTION #2 - Salaries Affixed

RESOLVED, That the salaries be set as specified in the annual budget:

Supervisor	\$19,713.00	Tax Collector	\$ 8,696.00
Town Clerk	51,642.00	Assessor	40,800.00
Justices (2) each	15,569.00	Highway Supt.	66,300.00
Councilman (4) each	7,752.00		

and that the hourly rate for the Deputy Town Clerk be set at \$16.31 per hour, and that the mileage rate for official Town business to be set at the rate equal to the Federal Rate at the beginning of the year 2015 – 57.5 cents per mile.

RESOLUTION #3 - Appoint Town Legal Counsel

RESOLVED, That Mark Schachner and/or Miller, Mannix, Schachner & Hafner of West Notre Dame Street, Glens Falls, NY be appointed Town Legal Counsel at the annual rate of \$35,000. as per contract and to be paid on a monthly basis.

RESOLUTION #4 - Appoint Town Engineer

RESOLVED, That Charlie Baker and/or Environmental Design Partnership, Clifton Park, NY be appointed Town Engineer for the year 2015 and to be paid on an hourly basis as billed.

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RESOLUTION #5 - Set rate of pay for Building Inspector, Code Enforcement & Zoning Administrator

RESOLVED, That Gerard McKenna, III be paid the annual salary of \$58,542.00 on a bi-weekly basis for the year 2015 for Building Inspector, Code Enforcement & Zoning Administrator.

RESOLUTION # 6 – Appointment of Part-Time Code Enforcement Officer

RESOLVED, That the Town Board hereby maintains the position of Part Time Code Enforcement Officer at the rate of \$22.18 per hour.

RESOLUTION #7 - Appoint Rosamaria Rowland as Executive Secretary to Planning and Zoning Board of Appeals

RESOLVED, That Rosamaria Rowland be appointed as Executive Secretary for the Planning/Zoning Board of Appeals, with said term to expire on December 31st, 2015 and to be paid at the rate of \$16.31 per hour, and an additional \$3,214.00 per annum for attending all Planning Board and Zoning Board of Appeals meetings,

And that the top rate for all clerical positions in the Town of Greenfield to be set at \$16.31 per hour,

And that the rate for part time clerical positions in the Town of Greenfield to be set at \$14.68 per hour

RESOLUTION #8 – Appoint Bookkeeper/Payroll Clerk to Supervisor and Budget Officer

RESOLVED, That Joan Stunzi be appointed Bookkeeper/Payroll clerk to the Supervisor to be paid at the hourly rate of \$30.17 per hour and to be appointed Budget Officer for the Town at the annual salary of \$2,820.00., and

FURTHER RESOLVED, That Toni Reynolds be appointed as Part Time Clerk for Bookkeeper at the rate of \$14.68 per hour.

RESOLUTION # 9 - Appoint Part Time Clerk to Assist Assessor

RESOLVED, That Kirsten Kern be appointed as Part Time Clerk to assist the Town Assessor at the rate of \$14.68 per hour.

RESOLUTION #10 - Appoint Town Justice Clerk

RESOLVED, That Cynthia Havens be appointed Full Time Town Justice Clerk with said term to expire on December 31st, 2015 at the rate of \$16.31 per hour with benefits.

RESOLUTION #11 - Appoint Maintenance Workers

RESOLVED, That Channon Emigh be appointed Full Time Parks Maintenance Worker for the Town for the year 2015 and to be paid at the rate of \$18.38 per hour and to receive the same benefits as highway employees, and

FURTHER RESOLVED, That the Robert Madison be appointed Full Time Parks Maintenance Worker for the Town for the year 2015 at the rate of \$14.88 per hour plus benefits, and

FURTHER RESOLVED, That Stephanie Fanelli as a Part Time Parks Maintenance Worker for the Town of the year 2015 at the rate of \$13.84 per hour with no benefits.

RESOLUTION #12 - Appoint Channon Emigh as Dog Control Officer

RESOLVED, That Channon Emigh be appointed Dog Control Officer for the Town to be paid monthly at the annual salary of \$11,059.00 with said term to expire December 31st, 2015, and

FURTHER RESOLVED, That Steve VanDyk be appointed Deputy Dog Control Officer at the rate of \$35.00 per day for a maximum of 60 days.

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RESOLUTION #13 - Reappoint Dog Control Officer as Rabies Control Officer & authorize pickup of cats killed along the highways

RESOLVED, That Channon Emigh be reappointed Rabies Control Officer for the Town and also be authorized to pick up cats killed along the highways and to be paid at the hourly rate of \$9.30

RESOLUTION #14 – Set Annual Salary of Deputy Supervisor

RESOLVED, That the sum of \$1,159.00 be set as the annual salary of the Deputy Supervisor for the year 2015.

RESOLUTION #15 – Authorize payment of certain claims prior to audit

RESOLVED, That the Supervisor be authorized to pay in advance of audit all claims for public utility services, postage, freight and express charges pursuant to Sec. 118 of Town Law.

RESOLUTION # 16 - Supervisor to file annual report within ninety days with Town Clerk

RESOLVED, That the Supervisor shall submit to the Town Clerk within ninety days after the close of the fiscal year, a copy of his report to the State Comptroller, in lieu of filing an annual financial report.

RESOLUTION # 17 – Official Mailing Address for Town Hall

RESOLVED, That the Official mailing address for all Town officials shall be PO Box 10, Greenfield Center, NY 12833. All mail will be picked up and sorted at the Town Hall and distributed to various Town officials, including the Highway Department and Brookhaven Golf Course mail.

RESOLUTION # 18 – Designations of Polling Places

RESOLVED, That the following be designated as polling places for the Town of Greenfield for the year 2015:

District # 1 - Greenfield Fire Hall #1, So. Greenfield Rd.
Greenfield Center

District # 2 - Porter Corners Fire Hall #2, Bockes Road
Porter Corners

District # 3 - Middle Grove Fire Hall #3, North Creek Road
Middle Grove

District # 4 - Greenfield Community Center, 25 Wilton Road
Greenfield Center

District #5 - Greenfield Community Center, 25 Wilton Road
Greenfield Center

District #6 - Middle Grove Fire Hall #3, North Creek Road
Middle Grove

District #7 - Porter Corners Fire Hall #2, Bockes Road
Porter Corners

District #8 - Greenfield Fire Hall #1, So. Greenfield Road
Greenfield Center

RESOLUTION # 19 – Appoint Highway Department Clerk

RESOLVED, That the Town Board hereby appoints Duane Wright as Highway Department Clerk for the Year 2015 at an hourly rate of \$24.10.

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RESOLUTION # 20 – Set annual salary for Deputy Highway Supt.

RESOLVED, That the sum of \$957.00 be set as the annual salary of the Deputy Highway Supt. for the year 2015.

RESOLUTION # 21 – Highway Supt. Purchases

RESOLVED, That all purchases in excess of \$3,000. must be made on a Town Purchase Order. This Purchase Order must have the approval and signature of the Town Supervisor and/or Deputy Town Supervisor prior to purchase being made. In addition, all purchases must be made in accordance with Resolution #133 adopted August 13th, 1992 entitled “Procurement Policy and Procedures”, including all subsequent amendments.

FURTHER RESOLVED, That the Highway Supt. be authorized to purchase Federal Surplus property for the Town of Greenfield and to attend the New York State Thruway Authority sales as the Town representative.

RESOLUTION #22 - Appoint Chairman & Vice Chairman of Planning Board & Chairman of Zoning Board of Appeals

RESOLVED, That Tonya Yasenchak appointed Chairman of the Planning Board and John Streit be appointed Vice Chairman of the Planning Board, with said terms to expire December 31st, 2015 and

RESOLVED, That Taylor Conard be appointed Chairman of the Zoning Board of Appeals, with said term to expire December 31st, 2015.

RESOLUTION #23 – Appoint Recreation Director

RESOLVED, That Karyn Zanetti be appointed Recreation Director with said term to expire December 31st, 2015 at the annual salary of \$17,999.00

RESOLUTION # 24 – Appoint Town Representative to Saratoga County Youth Bureau

RESOLVED, That Ty Stacey be appointed as the Town representative to the Saratoga County Youth Bureau.

RESOLUTION # 25 – Appoint UDAG Administrator

RESOLVED, That James Lee be appointed UDAG Revolving Loan Fund Administrator for the Year 2015 at an annual salary of \$4,800.00

RESOLUTION # 26 – Appoint Environmental Committee Members

RESOLVED, That the Town Board hereby re-appoints Kenneth Blom, Chairman; Lavern Utter, James Bruchac, Nancy Kmen, Vince Walsh and Daniel McIntyre as members of the Environmental Committee.

RESOLUTION # 27 – Set Rates for Greenfield Ambulance Service

RESOLVED, That the 2015 rates for Greenfield Ambulance Service shall be as follows: No more than \$1,000. for Basic Life Support; No more than \$1,100. for Advanced Life Support 1; No more than \$1,200. for Advanced Life Support 2 and No more than \$20.00 per mile loaded charge.

VOTE: Ayes: Lunde, Kinsella, Cochran

Noes: None

Absent: Pemrick, Chandler

Highway Superintendent Barss advised the Town Board of his appointment of Duane Wright as Deputy Highway Superintendent.

Town Clerk Johnson advised the Town Board of her appointment of Louise Okoniewski as Deputy Town Clerk.

Supervisor hereby makes the following appointments:

Town Historian	--	Ron Feulner
Deputy Town Historian	--	Joyce Woodard

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Deputy Supervisor	--	Daniel Pemrick
Building & Grounds	--	Thomas Kinsella
Highway Representative	--	Daniel Pemrick
ZBA Representative	--	Thomas Kinsella
Planning Board Representative	--	Daniel Cochran
Youth Committee Representative	--	Walter E. Chandler
Fire Commissioner Representative	--	Walter E. Chandler
Environmental Commission Representative	--	Daniel Cochran
Building Department	--	Daniel Pemrick
Liaison to UDAG Committee Representative to Office for Aging Council	--	Thomas Kinsella
Brookhaven Committee	--	Patty Veitch
	--	Supervisor, Deputy Supervisor, Highway Supt, Deputy Highway Supt, Town Clerk & Bookkeeper

On motion of Kinsella, C. and seconded by Cochran, C., the Organizational portion of the meeting was adjourned at 7:08 PM.

At 7:25 PM a Public Hearing was held for the purpose of obtaining public input regarding granting a Cable Television Franchise Agreement with Time Warner Cable. Clerk presented proof of legal publication. There being no public comments either pro or con, the hearing was closed at 7:26 PM.

The regular meeting was called to order by the Supervisor at 7:30 PM and opened with the pledge to the flag. Chandler, C. made a motion to approve the minutes of 12/11/14 & 12/29/14. Town Clerk advised that there needed to be a correction to the minutes of 12/11/14. During the Board of Health portion of the meeting, the second unsafe building should have been 984 Locust Grove Road and not 984 Plank Road. On motion of Chandler, C. and seconded by Cochran, C., the minutes of 12/11/14 and 12/29/2014 were approved as corrected by all Board members present.

Letter from the Greenfield Food Pantry thanking the Town for the Holiday get together and for providing them with a secure environment to have the pantry.

Notification of the 2015 Association of Towns Training School in New York City from February 15th – 18th.

Letter of Resignation from Michael Getz from the Environmental Committee.

John Jayko, Denton Road - Mr. Jayko stated that he had a few comments regarding Prestwick Chase. His first concern was with traffic. He keeps hearing that the State has a formula that is used to help determine traffic flow/counts. He questioned how an accurate assessment could be made when the applicant does not even know the number of beds that are going to be involved in the project. Mr. Jayko stated that the applicant hired a firm to do the research. He felt that there needs to be someone hired who is totally independent from the project. He noted that this project is going to have 300 units and that it was not just the addition of 2 homes. He questioned if the formula took into account the fact that there was only going to be one entrance. Mr. Jayko suggested that the Town Board appoint an independent firm to study this project. Supervisor Lunde asked if Mr. Jayko was at the last Board meeting and if he understood what they were looking to do. Mr. Jayko felt that the Board was going green light the project. He felt that asking the Highway Department to do a traffic count was

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going to be after the fact. Mr. Jayko asked if the traffic study included the proposed retail that is supposed to be located on site. It may keep the people on site, however there are people who are going to have to come to the site that will be working there, service people, delivery people, etc. One entrance/exit on to Denton Road is a big concern for him. Mr. Jayko felt that the applicant should have to come up with an alternate plan. His second concern was with water runoff. His property is getting flooded now. He asked how much additional property was going to be covered with this project and what the additional runoff was going to be. Mr. Jayko stated that there was 1 pond prior to the original development that dried up during the summer. There are now 5 ponds located on the property. Three of them disperse on to his property. He has lost a lot of trees that he has to replace. Mr. Jayko felt that these items had to be looked at before the Board green lights the project and allows it to go to the next step. He stated that he already had a problem with glare from the solar project on the other side of his property which he has told would not be a problem. He asked that more research be done before this project moves ahead.

Proposed Local Law Prestwick Chase PUD - Town Counsel Schachner provided the Board with a proposed draft of the local law which included the proposed changes from last months' Town Board meeting. The first change was on page 7 where a provision was added requiring the owner to grant any necessary easements to the Town for future infrastructure needs. The second change was on pages 10 to 11 and detailed what type of traffic would be allowed on the portion of the roadway that was restricted to emergency vehicles and maintenance vehicles. The third change was on page 13 and concerned limitations to extensions of time to complete the improvements. Town Counsel Schachner stated that there was a discussion at the last meeting regarding the Town conducting its own traffic count, however he believed that the discussion was to not impose that requirement on the applicant. The Town Highway Department will conduct it for the benefit the Planning Board if and when Site Plan review is sought by the applicant. Supervisor Lunde asked if this should be part of the local law. Town Counsel Schachner advised that it did not have to be. Supervisor Lunde was concerned that in order to conduct the traffic count they would have to put the counters across private property. Highway Supt. Barss stated that they could put it within the right-of-way. He suggested that the counters could be set up on each side of the entrance on Denton Road. Supervisor Lunde explained that the idea was that the traffic count be conducted in the Spring and after each phase is completed. Prior to starting the next phase, the information obtained could be used by the Planning Board during their review. If necessary they could require additional entrance/exit to be completed with the next phase. Board in agreement to add sentence on page 7 that would state that the owner agrees to allow the Highway Department to place traffic counting equipment on their property. Mr. Jayko felt that it was harder to correct things after the fact and that the Board needed to be more pro-active. Kinsella, C. stated that once the Planning Board gets into the detail designs, they will have to do a storm water plan. The Town Engineer is going to have to confirm that the plan adequately addresses the water. He added that at this point, the Town Board is looking at a zoning change. The detail for design is done at the time of Site Plan Review with the Planning Board. Cochran, C. agreed and stated that the Planning Board would have to do a thorough review. Kinsella, C. stated that when the project was originally approved there was a stormwater study that had some assumptions. They assumed that certain things would happen and certain water would leave the property. What he was hearing was that those assumptions proved to be false and that there was more water leaving the property. He would ask that when the next storm water study is being completed, it should go back to the first study and address the total flow and correct what was incorrect in the first study. Town Counsel Schachner did not believe that that needed to be part of the local law. It would be something that would be recommended to the Planning Board for their review. Chandler, C. stated that by addressing the issues with the original plan, this could help

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Mr. Jayko even more. Cochran, C. asked about the exit onto Daniels Road. He questioned where it was and if it was not being approved as a full use road from a safety standpoint. Highway Supt. Barss stated that he believed that it was due to a site distance issue. Cochran, C. felt that it would not be bad to have another way to enter/exit the project. Highway Supt. Barss believed that they may have a right-of-way off of Locust Grove Road. Butch Duffney, Planning Board member, stated that there was an old deeded right-of-way that goes through what was the old Lombardi farm. Luigi Pollachi, applicants' engineer, believed that that area of the project was where all the wetlands were located. Mr. Duffney stated that he believed that it would make the roadway approximately 4 feet off of the porch. Mr. Jayko stated that most of the traffic leaving the property is heading South and would leave through Denton Road. There will be construction traffic for the next 5 to 9 years. He would like to see something to help to alleviate some of the truck traffic from construction as well as deliveries. Cochran, C. stated that although his question was not related to this project, he asked Mr. Jayko what the issue was with the glare. He asked if there were fences, trees, etc. planted as proposed. Mr. Jayko stated that they were not planted close enough together. There were gaps in the plantings for roadways, etc. He believed that Skidmore was trying to take care of it. Supervisor Lunde asked if based on the traffic study, there was any way to reword page 11 and put in something about being able to open up the road based on the results of the traffic studies. Kinsella, C. stated that the road was a Planning issue, not a Zoning issue. Town Counsel Schachner stated that the motion of restricting the traffic the way the Planning Board recommended was part of the Planning Board's SEQRA Negative Declaration. He was concerned that if the Town Board makes a modification, it may make the determination questionable. Chandler, C. stated that from a safety standpoint, the Fire Chief clearly stated that he did not feel that it was safe for people to be turning out of that intersection.

RESOLUTION # 28 - Adopt Local Law #1-2015 – Prestwick Chase Planned Unit
Development District

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board approves Local Law #1-2015.

Discussion: Town Counsel Schachner questioned what the exact motion was.

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That the Town Board hereby approves Local Law #1-2015 amending the Town of Greenfield Zoning Law to provide for the creation and amendment of Planned Unit Development District No. 2, Prestwick Chase Planned Unit Development District as revised.

VOTE: Ayes: Lunde, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

Time Warner Cable Franchise Agreement - Supervisor Lunde stated that he compared the proposed new agreement with the old agreement. He made sure that he reviewed the proposed changes that the Board had made. The term of the agreement has been changed to 10 years. The extension of system statement has been included in the new agreement, where they would extend service for a minimum of 20 dwellings per cable mile. Franchise fees were changed from 3 percent to 5 percent. Town Counsel Schachner stated that he did a preliminary review of the agreement but he had not made a thorough review.

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RESOLUTION # 29 - Approve Time Warner Cable Franchise Agreement

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby approves the Time Warner Cable Franchise Agreement as proposed contingent to approval by Town Counsel.

VOTE: Ayes: Lunde, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

Skidmore College - Lorraine Fiorino, Town Assessor, provided Board members with a copy of correspondence related to the possible taxability of the recent Skidmore Solar Project. She stated that Skidmore College does not seem to be happy that she is looking into the possibility that a portion of the property may be taxable. She stated that she highlighted the one statement bothered her which indicated that if the Town seeks to assess the property, the Development Agreement payments would no longer be necessary and that she should discuss with the Town Board the use of the funds to help with any expenses that she was seeking to defray. Lorraine stated that she was not seeking to defray any expenses. She was simply trying to do her job. She has not asked Skidmore for anything that she does not require low income seniors or any other exemption applicant to provide. She stated that she has not responded to any letters since the first letter that was sent to her. She requested information which they have denied so at this point she will make her decision without that information. Chandler, C. asked if this was something that could be resolved. Supervisor Lunde stated that the next time he speaks with Mr. West he is going to strongly suggest that he speak with the Assessor. Lorraine added that there seems to have been several conversations regarding this matter with different people, however he has never spoken to her. Town Counsel Schachner stated that he did speak with the Assessor regarding this matter. He agreed that there does seem to be some Skidmore misunderstanding. There is a specific provision in the agreement that states that any portion of the property could become taxable. Chandler, C. asked if the Board could help the Assessor in any way. Supervisor Lunde stated that if he was contacted again, he would strongly suggest that he needs to speak with the Assessor and if need be he would set up a meeting with the two.

RESOLUTION # 30 - Temporary Closing of Roads for Vehicles Over
Four Tons

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That the Town Clerk give notice of the following:

NOTICE is hereby given that pursuant to Subdivision II of Section 1660 of the Vehicle and Traffic Law, the Town Board of the Town of Greenfield hereby directs and orders that all Town roads will be temporarily closed to any and all vehicles having a gross weight of over four tons.

Such temporary restrictions will become effective when notices are posted on the highways and continue until such time as conditions will permit opening.

Further notice is hereby given that any person or persons violating this order shall be subject to punishment as provided in Section 1800 of the Vehicle and Traffic Law.

By order of the Town Board.

VOTE: Ayes: Lunde, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

Committee Reports - Chandler, C. provided the Board with an updated list of the Fire Commissioners, Fire Chiefs, District Staff, etc.

Monthly reports were submitted by the Highway Supt, Building Dept (Nov), UDAG Revolving Loan Fund, Dog Control Officer (Sept. – Dec.), Town Supervisor and Town Clerk.

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Annual reports were submitted by the Town Clerk, Town Justices and Highway Supt. Highway Supt. also submitted a report with the final totals from the Townwide Cleanup.

RESOLUTION # 31 - 2014 Encumbered Bills

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That 2014 Encumbered Bills # 728 & # 729 in the amount of \$2,074.60 be paid, subject to audit.

VOTE: Ayes: Lunde, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

RESOLUTION # 32 – Highway Bills

Motion: Chandler, C.

Seconded: Cochran, C.

RESOLVED, That Highway Bills # 1 to # 9 in the amount of \$82,060.76 be paid, subject to audit.

VOTE: Ayes: Lunde, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

RESOLUTION # 33 – General Bills

Motion: Kinsella, C.

Seconded: Chandler, C.

RESOLVED, That General Bills # 1 to # 29 in the amount of \$65,892.54 be paid, subject to audit.

VOTE: Ayes: Lunde, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

RESOLUTION # 34 - Park Bills

Motion: Cochran, C.

Seconded: Chandler, C.

RESOLVED, That Park Bills # 1 to # 11 in the amount of \$3,361.14 be paid, subject to audit.

VOTE: Ayes: Lunde, Kinsella, Cochran, Chandler

Noes: None

Absent: Pemrick

On motion of Cochran, C. and seconded by Chandler, C., the meeting was adjourned at 8:17 PM.

Town Clerk