

December 15th, 2011

A special meeting of the Town Board/Board of Health was held on Thursday, December 15th, 2011 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella and Dan Cochran, Councilman. Chandler, C. arrived late. Also present was Highway Supt. Walter Barss and 6 residents.

At 7 PM a public hearing opened pursuant to an application for a septic variance for John & Margaret Ovitt, 264 North Greenfield Road. Clerk presented proof of legal publication. Supervisor Rowland stated that the Board has a report from the Town Engineer who has reviewed the proposed septic design. They also have a report from the Town Code Enforcement Officer showing the status of the property violations. Supervisor Rowland stated that a new manufactured home is to be placed on the property. In doing so, the 2 existing trailer units will be removed. Bob Kanar, 244 North Greenfield Road, stated that he has lived next door to the Ovitt's for at least 20 years. He asked if there was a problem with the existing system. Supervisor Rowland stated that he believed that one of the requirements of the grant program was that a new system be installed. The proposed plan was designed by Ryan Burns and has been reviewed by the Town Engineer. It meets the NYS Health Dept requirements as well as the Town of Greenfield local regulations. Mr. Kanar stated when they were reconstructing the road many years ago there were large boulders, tree stumps, etc. that were buried on the property. He questioned what the drainage was going to be. He was concerned that if the ground were to become saturated where the overflow was going to go. Both his and his son's property are at a much lower grade. Mr. Ovitt believed that there was currently an old 500 gallon steel tank. He believed that the Code required a 1,000 gallon concrete tank. There have been many loads of fill brought in and there will be more during the construction process. Supervisor Rowland stated that what is being proposed is a raised bed system. Kinsella, C. stated that this system should be much better than what currently exists. Ryan Burns, engineer who designed the system, was present. He explained that it was a shallow fill system. The system has been designed to meet the requirements for a 3 bedroom home. They have observed and tested the soils per the State Health Department Code and have found good sandy soils. Pemrick, C. stated that the proposed system meets the NYS requirements. In addition he felt that it would eliminate any potential health hazards. Also, the Town Code Enforcement Officer was in favor of granting this variance and septic system design has been approved by the Town Engineer. Pemrick, C. noted that this is also a requirement of the Manufactured Home Replacement Initiative that the Ovitt's are participating in.

RESOLUTION # 170 – Approve Septic Variance for John & Margaret
Ovitt – 264 North Greenfield Road

Motion: Cochran, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby approves the Septic Variance for John & Margaret Ovitt of 264 North Greenfield Road, and

FURTHER RESOLVED, that final as-built drawings must be provided to the Code Enforcement Officer and shall include a statement that indicates that the system was installed in substantial compliance with the plans and specifications.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

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Supervisor Rowland thanked Mr. Ovitt for his efforts to clean up the property and stated that he has done a good job to this point. Sandy Kanar, 244 North Greenfield Road, stated that there was a third trailer on the property and questioned whether or not that was going to be removed as well. Bob Kanar stated that Mr. Ovitt was supposed to remove the trailer about 17 years ago when he got a variance to put in the current homes he is living in and it was never done. Supervisor Rowland stated that the Code Enforcement Officer has indicated in his report that the trailers are to be removed as part of the replacement program. Mr. Kanar stated that they were supposed to be removed 17 years ago and the Code Enforcement Officer has never done anything about it. He was happy with what has been done so far, however he felt that more had to be done. Pemrick, C. stated that it was his understanding that the trailers will be removed before a Certificate of Occupancy will be issued. Mr. Ovitt stated that they were not as fortunate as some people and they have not had the funds available to be able to take care of everything. They will be doing more excavating before the new home is placed on the property. The new home is going to be put on a slab. All the electric, water and sewer will be brought up to Code.

The meeting of the Board of Health was closed at 7:13 PM.

At 7:14 PM a special meeting of the Town Board opened. Chandler, C. arrived at this time.

Maintenance Shed – Brookhaven Park - Highway Supt. Barss stated that the actual cost of repairs was a little more than the estimate received from the Town Engineer. There was some additional electrical work that needed to be completed. They also had to reinforce some of the concrete block walls during construction. In addition, the furnace was bad and the fuel tank needs to be upgraded to meet DEC regulations. The tanks now have to be double wall. They would like to ask for another \$17,000. from the Open Space/Park Fund to complete the work and pay all of the bills. Supervisor Rowland stated that the Board originally made a motion to approve \$22,000. The cost of the roof actually was pretty close to the estimate. The labor costs were a little more. They had not planned on the furnace and additional reinforcement of the walls. Cochran, C. felt that the total cost was still better than what was originally estimated to replace the building.

RESOLUTION # 171 – Amend Resolution # 142

Motion: Pemrick, C.

Seconded: Kinsella, C.

RESOLVED, That Resolution # 142 be amended by increasing the cost of the emergency repairs to the Maintenance Building at Brookhaven Park to \$39,000., and

FURTHER RESOLVED, that the Supervisor be authorized to make the necessary transfer of funds.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Budget Amendment - Supervisor Rowland stated that there needed to be an amendment made to the 2011 budget to allow for the transfer of income from the sale of scrap to be used to pay for expenses incurred in the machinery fund.

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RESOLUTION # 172 - Budget Amendment & Transfer

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the 2011 Town Budget be amended for transfer of scrap sales income to the machinery expense account, and

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

\$14,763.83 From DA00599 to DA5130.4

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Reimbursement of Highway Department Labor Costs – Highway Supt.

Barss stated that in the past the Board has reimbursed the Highway Department for Labor costs for working on Parks development. He stated that originally the Board had agreed to transfer \$50,000. At this point the cost of labor and machinery costs is just over \$90,000. The Highway Department put in 2 new parking lots, skating rink, tree removal and worked on replacement of the roof for the maintenance building. Board members were provided with a list of the breakdown of costs. Highway Supt. Barss stated that this money would go into the reserve account. Supervisor Rowland noted that this would mean that they would not have to take as much out of the equipment reserve and fund balance for the new truck. He added that the Highway Department has done a tremendous amount of work with both equipment and manpower to help in the development of the Park.

RESOLUTION # 173 – Reimburse Highway Department for Labor & Machinery Costs

Motion: Kinsella, C.

Seconded: Cochran, C.

RESOLVED, That Resolution # 141 shall be amended to authorize the Supervisor to transfer \$90,668. from the UDAG Fund to the Highway Fund for reimbursement of Labor & Machinery Costs.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

Brookhaven Park Budget - Supervisor Rowland stated that some minor adjustments had been made to the budget from the original proposal. Duane Wright stated that the overall number stayed the same. There were some adjustments made between line items. Supervisor Rowland stated that the budget was now in standard budget format and the individual accounts were now better delineated. Duane added that the overall budget has actually gone down a little bit from last year. The proposed expenses went down a little. Chandler, C. felt that this year's revenues and expenses were pretty comparable to previous years. Duane stated that a lengthy list of things were improved this year. Hopefully in the coming year the course will be able to open sooner and we will not have all the rain that we had this past summer.

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RESOLUTION # 174 – Adopt 2012 Brookhaven Park Budget

Motion: Chandler, C.

Seconded: Kinsella, C.

RESOLVED, That the Town Board hereby adopts the 2012 Brookhaven Park Budget as presented.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran, Chandler

Noes: None

On motion of Cochran, C. and seconded by Pemrick, C., the meeting was adjourned at 7:30 PM.

Town Clerk