

Town Board Meeting
April 12, 2010

At the Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 12th day of April 12, 2010, 7:30 PM at the Town Hall, the following were present:

Supervisor William Watkins
Councilwoman Catherine Fedler
Councilman Ted Berndt
Councilman Alan Davis
Councilman Frank Ziehm

Others present: Town Clerk Heather Greenawalt, Justice Janet DeCarlo, David DeCarlo, Ashleigh Farrell, Astraid Davis, Nancy Maebus, Rani Bass, Danny Thomas, Gerald Skiff, Paul Gruber, Dick Battistoni, Terry Hamilton, Bob Hamilton, Jimmy Standard, Scott Keller, Dick Sutherland, Mark Palinski, Jim Buckley, Brian English

Supervisor Watkins called the meeting to order at 7:30 PM and immediately led in a moment of silent prayer and then led in the Pledge of Allegiance to the Flag.

Resolution #38

Councilman Ziehm motioned, Seconded by Councilwoman Fedler, to approve the minutes of the March 8th Regular Meeting with the following amendments. On page 7 Rani Bass stated that she contacted the Association of Towns this should read that she contacted the Committee on Open Governments. On page 10 of the minutes where it says Highway Superintendent Eric Shaw has a concern if the Town of Cambridge is doing the county roads are the county people going to be helping out? This is incorrect he said that if the Town of Cambridge is doing the county roads, what's the county people going to be doing?

Vote: Aye – 5 Noes – 0

Supervisor Watkins made the public aware of some ground rules for the meeting, that if anyone in the audience had something to say that they need to raise their hand and wait their turn to speak. Any questions will be addressed to Supervisor Watkins or Deputy Supervisor Councilwoman Fedler.

Resolution #39

Councilwoman Fedler motioned, Seconded by Councilman Berndt to accept the Supervisor's monthly report for March 2010.

Vote: Aye – 5 Noes – 0

Supervisor Report

Supervisor Watkins mentioned the bill that was received from the lawyer representing the town on the litigations on the Brownell Road Property. The Supervisor stated that the bill is approximately \$4800 the Supervisor talked to a gentleman today at the firm of Deily, Mooney & Glastetter, LLP where Mr. Douglas Rose used to practice, he has now changed firms they will be sending us a questionnaire from the old firm to see if we are

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interested in staying with this firm or going with the other lawyer. This gentleman that the Supervisor spoke with told him not to worry about paying the bill right now. The Supervisor also spoke to Alan Wrigley about this bill and the Supervisor doesn't think that the tax payers should have to pay for any of the lawyer fees because they have not done anything wrong. Mr. Wrigley is pursuing in a couple different ways in regards that other people that are responsible besides the tax payers. Councilman Davis asked where we stood in regards to the litigation, the Supervisor stated that there was no decision and it could be a couple of months before we know.

LaVerne Davis and Supervisor Watkins went what he called house hopping, they went to a house because of the renter's complaint and LaVerne made up a report on it and everyone is happy.

The Supervisor attended the Superintendent of Highways meeting up in Granville this month along with Eric Shaw. Mentioned were the things that Eric Shaw is implementing, instead of using Calcium Chloride he is using stone dust to maintain the dirt roads this summer. Calcium Chloride is \$1.00 per gallon the stone dust is \$4.00 a ton and the stone dust is environmentally friendly. Eric has already done Rogers lane with it and its seems to be working good and it also hardens up the road, makes for better driving conditions with very little dust.

The supervisor also mentioned about the break in at the Town Hall and the Town Justice's filing cabinet was tampered with, the latch was broken off on the drawer for old files. Whoever broke in must have had a key because nothing else was out of place, Trooper Saunders made out a report. The locks were changed on the Town Hall so if a key is needed to the Town Hall must see the Town Clerk during her hours Monday – Wednesday 8:00-4:00 and Thursdays 1:00-7:00.

Ed Holland and Nancy Quell have made the Supervisor aware they have been finding rabid raccoons so if you see a raccoon out in the day time don't go near it and call the Town Clerk for the number for Ed Holland and Nancy Quell.

Town Board

Councilman Berndt reported on the High Speed Internet, the committee had a meeting prior to this meeting at 6:30 PM and they decided to redo a survey that was done approximately 18 months ago to see how much interest or more interest there is. Six contiguous townships are going to sign off on a letter addressed to Verizon to keep the pressure up. Letters will be written to the editor and in addition the Post Star has written one letter so far and they are going to be asked to follow up on some of the other things to keep it in the public arena. Gerald Skiff questioned if this was a survey that was taken from the Comprehensive Plan. Councilman Berndt stated that it was a special survey for the purpose of the internet there was an email address, forms at the Town Hall, and could also leave a message with Dr. Bill Figlozzi or Councilman Berndt and they were also circulated out to church suppers. Nancy Maebus questioned how the high speed internet was paid for was it a grant, the Supervisor stated that there is a grant available however he is not depending on the grant. The High Speed Internet Committee is a group of

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people that have come together and donated their time to try and come up with ideas to get Verizon to put DSL in the Town of Cambridge.

Supervisor Watkins made everyone aware that Joe Drisco has sent him correspondence on a landslide down by Councilman Ziehm house. The Supervisor stated that this has been known about for years but they are just now realizing that something needs to be done about it. This problem is at the corner of Councilman Ziehms road and Johnson's property the supervisor thought maybe possibly the county would put Jersey barrier up or do something. Dick Sutherland commented that this summer the county was going to do something about it Mr. Grimmke said. The Supervisor stated that something needs to be done before that.

Councilman Davis reported that Fran Moon dropped off an editorial to him from the Post Star dated March 26th about the Town of Monroe in regards to reassessments. This article was questioning whether in regards to reassessments if it has to be done does the level have to be at 100% or not. This editorial states that when a town does a reassessment the level doesn't have to be at 100% and it tells the reader to check out the Orps website. The state and the local municipality determine the level of assessment not the state. The supervisor states that it is not up to the town it is up to the assessor about the level of assessment. Supervisor Watkins stated that he checked with Jeffry Jackson the assessor and he said that there is nothing wrong with assessment role the way it is now. In the next month or so information will come from Office Real Property about where the level is at for the equalization rate. Scott Keller from the public questioned if Jeffry Jackson is looking at current sales when Maxwell did their assessments the numbers today don't hold there, no ones property today is worth what it was when Maxwell went through and did the reassessment. When is the time when Jeffry looks at current numbers? Numbers are being looked at from 2007 and we are now in 2010. Supervisor Watkins states that in the next couple months he is going to have Jeffry Jackson attend the Town Board Meeting so he can answer questions. Right now Mr. Jackson is trying to get all the exemptions straighten out, the supervisor asked if everyone has turned in the silo exemption paperwork? There are still some silo exemptions that are missing that need to be handed in. The Supervisor also talked to Civil Service more documentation was needed they are hoping to have a decision some time in May. Councilwoman Fedler mentioned in regards to property taxes that everyone needs to be aware that only 30% of the tax bill goes to the Town the other portion goes to the county 70%. People should attend county meetings and go up to the budget meetings to voice their opinion and see what is going on.

Town Clerk Report

Town Clerk Heather Greenawalt reported that on April 7, 2010 she took the 2010 Town and County taxes and turned them into the county clerk. April 8, 2010 she attended a DEC seminar at the Hilton Garden Inn in Sartoga, updated training was received on the DEC program.

Planning Board Report

In the absence of Sally Eddy clerk to the Planning Board, Town Clerk Heather Greenawalt reported that on April 1, 2010 the Planning Board met with 6 members

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present and 5 people from the public. Vice-Chairman Earl Horton presided in the absence of Chairman Eric Pearson. There were no subdivision requests to be reviewed. It was an evening of much discussion among the board members with input from the public. The board did come up with a list of areas and subjects they did agree upon that need to be addressed through regulations:

- 1) Junk Yards
- 2) Landfills
- 3) Set backs
- 4) 50 ft right-of –ways
- 5) Rendering Plants
- 6) Ridge Top Development (for the purpose of preserving the rural character of the town)

Vice-Chairman Horton stated he felt it was not clear as to what the Town Board charged the Planning Board to do at the February joint meeting. He would like to speak with Supervisor Watkins to find out precisely what the Town Board wants from the Planning Board. The Board strongly feels they need the council of an attorney to advise them as to what they can and cannot legally do.

Supervisor Watkins questioned Danny Thomas about the meeting attended by the Planning Board in Fort Edward whether it had helpful information that could be used by our board. Danny responded that mostly the meeting was about the city and lawsuits, information did not really pertain to our town, however at the end Eric Pearson asked the lawyer some questions and that was helpful. Danny Thomas stated that in our town we would like to keep it where the people get along. Councilman Davis stated that it wasn't really a planning meeting then. Supervisor Watkins did say that he could get a planner to come down from the county and help them but right now at the county they don't have a planner. Councilman Ziehm stated that maybe we need to take this slower and look at other towns and see what they have adopted. It was agreed that the Planning Board has a good start with the list, they need to go from there. Mr. Thomas did state that the Planning Board needs to look at one issue at a time and work on that for the month.

Highway Superintendent Report

In the absence of Eric Shaw Highway Superintendent, Town Clerk Heather Greenawalt reported that in the past month they patched where needed, painted plow and wings, swept all the hardtop roads, graded the roads, drew stone dust and are in the process of spreading it on the dirt roads in front of houses. Eric Shaw also met with engineers from Chemung Supply Corporation to devise a plan for the replacement of the South Union Street Bridge. The best solution is a box culvert which will nearly double the volume of water allowed to flow through. The cost, which will be shared with the Town of White Creek, is \$52,706.58 plus the cost of installation. The installation will be done by both Highway Departments in cooperation. Highway Superintendent Eric Shaw is requesting the permission from the Town Board to attend the annual Highway School in Ithaca being held from June 7th through the 9th. The 2010 Highway School topics will be:

- 1) Legal Panel
- 2) Choosing the Right Repair
- 3) Estimating and Understanding the Costs of Highway Projects

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- 4) Highway Right-of-Way
- 5) Snow & Ice – calibration, using liquids, applications rates, sand mixes
- 6) New Sign Standards
- 7) Energy-impacted roads (wind power/gas drilling projects)
- 8) Budgets – developing/presenting to Board/Use of General Fund
- 9) Safety in the trenches

Resolution#40

Supervisor Watkins motioned, Seconded by Councilman Berndt for Highway Superintendent Eric Shaw to attend the 2010 Highway School in Ithaca being held from June 7th through the 9th, and to approve the purchase of the culvert pipe for the repairs on the South Union Bridge.

Vote: Aye – 5 Noe – 0

Supervisor Watkins stated that the reason Eric Shaw was interested in attending the School was mainly for Snow & Ice – calibration, using liquids, applications rates, and sand mixtures. The new truck that was purchased by the town has automated spreading system on it.

Supervisor Watkins also stated that him and Eric Shaw worked on the culvert project for two months meeting with engineers and original project was over \$75,000 and now has lower to \$52,706.58. The towns are all going to get involved and do this bridge and this is called shared services. When the Supervisor met with the Highway Departments the four towns go in together, they asked for two things large chipper for doing brush so they don't have to haul the brush they can compost it and leave it on the site. Also air compressor a tow behind so they can sand blast the trucks and keep them clean. The money for this is all appropriated its been in there for five years its just a matter of getting the job done.

The Selling of the Old Truck was discussed whether or not to sell it outright or to have an auction. The Supervisor suggested that a reserve be put on it for \$12,000 so that at least that much is gotten out of it. The question is asked whether or not it should be offered separate? Councilman Davis mentioned that it should be considered to sell it on website at Auctions International.

Resolution#41

Councilman Berndt motioned, Seconded by Councilman Ziehm to put the old truck up for bid on the auction website for a \$12,000 reserve.

Vote: Aye – 5 Noes – 0

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Discussion was taken further to whether or not the hopper should be left in it or sold separate. It was discussed that the town could get more for the truck if they sold it separately.

Resolution#42

Councilman Berndt motioned, Seconded by Councilman Davis to withdraw the previous motion and to change to sell the truck and hopper separate on the website.

Vote: Aye – 5 Noes – 0

Resolution#43

Councilman Berndt motioned, Seconded by Councilman Ziehm to put the truck and the box separate on the website with reserves of \$10,000 on the truck and \$4,000 for the hopper.

Vote: Aye – 5 Noes – 0

Code Enforcement Report

None

Assessor's Report

Exemptions for the silos must be turned in.

Communications

The Greenwich Citizens Committee has invited the Supervisor and one of the council members for a evening forum on Composting on April 20th it will pertain to the State Solid Waste Management Plan. The purpose of this plan is to keep food scraps and yard waste out of landfills and incinerators a major priority, this will offer towns, villages, and schools practical information on how to meet this objective.

The first weekend of the Tour of the Battenkill has already passed and this weekend April 17th and 18th will be the remaining weekend. Supervisor Watkins went to IGA to make sure there was no problems in town with the bike race, and he commented on the peewee football chicken barbecue the town was shut down at south and north union and had to go all the way around to Rte 22. Some of the town people commented that it was not all a plus and everyone in town was not happy with it. Councilman Berndt stated that this weekend with the rolling road block there should not be as many problems because it is the ProAm this weekend.

A resolution was read asking for the support of the town for the week of April 19th – 23rd this was for the Council for Prevention of alcohol and substance abuse they would like to make the month of April Parents that Host Lose the Most. Town Clerk Heather Greenawalt read the resolution.

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Resolution#44

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems, and

WHEREAS, alcohol kills 6.5 times more young people than ALL other illicit drugs combined, and usage among teens often accompanies traffic fatalities and other high risk behaviors such as unsafe sexual activity, tobacco, and other drug use, and contributes to illegal activity such as vandalism and theft, and

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well being, and

WHEREAS, it is illegal to give or allow teens other than your own, to drink alcohol in your home, even with their parent's permission, and

WHEREAS, anyone found guilty of providing alcohol to youth can face up to a \$1,000 fine and six months in jail, in addition to any civil action that can be brought as a result of damages or injury related to the offense, and

WHEREAS, any citizens who are aware of underage drinking at teen house parties are responsible to report such activity to their local law enforcement agency by calling their local law enforcement agency, and

WHEREAS, adults have the authority and responsibility to our youth to provide them with alternative opportunities by creating alcohol free activities, and

WHEREAS, New York Parents For Drug Free Youth, through the Parents Who Host, Lose The Most Campaign provides the educational materials to raise community awareness regarding this illegal and unhealthy practice, and

WHEREAS, parents and the community must take responsibility to give teens the clear message that there is no safe way to drink alcohol, and

WHEREAS, Cambridge encourages residents to refuse to provide alcoholic beverages to underage youth and to take the necessary steps to discourage the illegal and unhealthy practice, including the reporting of underage drinking by calling your local police, and

NOW, THEREFORE, be it resolved that Cambridge not only discourages the use of alcohol by those below the legal age of consumption but also exhorts all residents of Cambridge to refuse to provide alcoholic beverages to those underage youth, and will continue to take necessary steps to discourage this illegal and unhealthy activity.

NOW, THEREFORE, I William Watkins, Supervisor of Cambridge, State of New York do hereby proclaim, the month of April to be: Parents Who Host, Lose the Most Month 2010.

Vote: Aye – 5 Noes – 0

Eric Shaw Highway Superintendent talked to Supervisor Watkins about putting a new radio in the new truck, he decided to change vendors on the Radio Contracts and he saved \$300 a piece.

Unfinished Business

Supervisor stated by May hoping to have some information on the Waiver for the Civil Service for Jeffrey Jackson.

The Supervisor made the Board aware of the three applications that were received for the Assessor's position, of the three applications only one was possibly qualified for the

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position with some minimum training needed. If the applicant has experience as a Real Estate agent then they can take some courses that will make them eligible to be an Assessor. They must have experience in R1 – R2 appraisal experience, and possibly more.

Resolution#45

Councilman Berndt motioned, Seconded by Councilman Ziehm to table the reviewing of the applicants for now pending the waiver with the Civil Service.

Vote: Aye – 5 Noes – 0

New Business

Supervisor Watkins mentioned that he had spoke with Alan Wrigley the lawyer for the town in regards to the issue of giving the lanes back to the property owner. Mr. Wrigley said that he would write a letter up and have the Town Board review it for approval. The Supervisor and Highway Superintendent Eric Shaw do not want to keep plowing these lanes they feel it is a waste of the tax payer's money. Supervisor Watkins stated that there are 7 miles of lanes and it is costing the town approximately \$1,800 per mile per year. Mr. Wrigley is looking into how to turn the lanes over to the property owner legally. This is something that is going to take a little while to do. Councilman Davis has concerns about how the property owners are going to react to this. Supervisor Watkins stated that when the rest of the tax payers find out that the town is maintaining these private driveways they will put pressure on people, they will realize that somebody is getting something for nothing. Mark Palinski was present at this meeting and some people questioned him what he had for comments on this. He stated that when he bought the property the previous owner gave him a piece of paper saying that the lane was turned over to the town. He feels that given the fact that its been this way for such a long time and the town wants to give the lane back to him he is not sure that he wants to take it back. He doesn't feel that legally he needs to accept it back. Some present at the meeting asked him whether of not he thought that this was right that the Town of Cambridge took care of his road. Councilman Berndt stated that it may not be appropriate to put an individual landowner on the spot.

Councilman Berndt made everyone aware that there are issues with the Justice system because she is in noncompliance with New York State, everything should be done through the internet and uploaded and downloaded. It was suggested at the High Speed Internet Committee that the Town look further into getting satellite, or a HI-FI Verizon Air Card.

Resolution#46

Councilman Berndt motioned, Seconded by Supervisor Watkins for the Town Clerk and Justice Janet DeCarlo to purchase a Verizon Air Card for Internet capability in the Town Hall.

Vote: Aye – 5 Noes – 0

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Transfer of Funds

Councilwoman Fedler read a letter from the Tri County Town Clerks Association that Heather Greenawalt Town Clerk has received a \$250.00 scholarship to cover her Town Clerk schooling.

Resolution#47

Councilwoman Fedler motioned,
Seconded by Supervisor Watkins

Be it Resolved, that the Town Board of the Town of Cambridge, does hereby authorize the use of the Scholarship money (\$250) received to amend the budget by including it in the Town Clerk Contractual fund (A1410.4).

Was duly put to vote and resulted in 5 – Ayes 0 – Noes

Another Transfer of funds was needed to cover the insurance bill (\$1,083.60) for the new truck. We only have \$571.21 remaining in the account at the present so funds will need to be transferred to cover the remaining balance of the Northern Insuring Invoice.

Resolution#48

Councilman Davis motioned,
Seconded by Councilman Ziehm,

Be it Resolved, that the Town Board of the Town of Cambridge, does hereby authorize the transfer of \$512.21 from Contingent (A1990.4) to Unallocated Insurance (A1910.4) to cover the cost of the Northern Insuring Invoice.

Was duly put to vote and resulted in 5 – Ayes 0 – Noes

County Report

County Health Insurance was brought up. They still haven't decided what they are going to do for the Health Insurance for the employees. The County is still negotiating with the agents.

Privileges of the floor

Rani Bass had some questions about the Supervisors reports and with the Annual Update Document that was filed with the state in February. There were two bank accounts that where not included in the Supervisors reports. The end numbers of the accounts were read. These accounts were active as of the end of December and now they are closed. The Supervisor stated that he could not do anything about the previous administration. The next account numbers that were questioned were the Town Clerks accounts. Heather Greenawalt Town Clerk explained how the Town Clerks accounts are managed. The Supervisors Reports and the other accounts that were in question Heather Greenawalt

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Town Clerk suggested that Rani Bass talk with Margaret Shaw Clerk to the Supervisor, so that she can help her to better understand how the accounts were managed.

Nancy Maebus mentioned about the accidents that have been happening in the area, she was wondering if the police patrol these roads at all. Her concern was about how fast these kids are going and the young kids that were killed in these recent accidents.

Danny Thomas questioned whether or not the new truck had been paid for. Supervisor Watkins said that no, not until June. That was what was decided at the March 8, 2010. Mr. Thomas questioned if we had the truck or not and if we had insurance on it. Supervisor Watkins said yes we have the truck and we just paid the insurance and its registered.

Justice Janet DeCarlo thanked LaVerne Davis for the donation of the two drawer filing cabinet because she needed one for her Justice requirements.

The following bills were presented for audit and approved for payment:

General # 57 – 80	\$16,998.65
Highway # 23 – 36	\$16,693.63

There being no further business before the Board, the meeting was moved and carried to adjournment at 9:50 PM.

Respectfully submitted,

Heather Greenawalt
Town Clerk