

Town Board Minutes
September 12, 2011

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

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

Others Present: Heather Greenawalt Town Clerk, Leon Barkley, Sue Herrington, Town Attorney Alan Wrigley, Henry Peabody, Lillian Herrington, Rani Bass, Astrid Davis, Dick Sutherland, Megan Wilkins, Eric Wilkins, Amy Drake, Terry Hamilton, Dick Bastistoni, LaVerne Davis Code Enforcement, Town Justice Janet DeCarlo, David DeCarlo, Scott Keller, Mary Beth Dillard, Bruce Rolleston, Gerald Skiff, Sally Whitney, Holly & Robin McMurray, Robbie McIntosh, Jim Buckley Jr.

Bills audited prior to the meeting at 7:00 PM.

General	#188 – 212	\$18,590.67
Highway	#102 – 113	\$17,343.32

Before the meeting started at 7:20 PM the auction that was advertised in the Eagle started and the sealed bids were opened. The 6 – 6ft tables went to Charlie Peabody for \$110.00 and the 1 – 4ft table went to Charlie Peabody for \$10.00. There were two different bids put in for on the 8 Wooden High Back Captain chairs. Terry Ziehm put a bid in for 4 chairs for \$27.50 each and Holly McMurray put in a bid for all 8 chairs \$12.50 each. So Terry Ziehm received 4 chairs at \$27.50 each and Holly McMurray received remaining 4 chairs at \$12.50 each. There was bid on the Wooden End Tables in the amount of \$10.00 from Terry Ziehm and from Janet DeCarlo for the amount of \$2.00. The Wooden End Table went to Terry for \$10.00 and the other one to Janet DeCarlo for \$2.00.

Supervisor Watkins called the meeting to order Town Justice Janet DeCarlo had a special homage, pause in remembrance of the 911 lives lost on September 11, 2001. Honorable Chief Vito Caruso Chief Administrative Judge of the 4th Judicial District of which we are part asked all courts, towns and the people to pause from important tasks for remembrance of 911. The Town Justice had chosen words from a speech written by Mary Ann Lamontte Korinko, acting United States Secretary of Environmental Conservation Dept. under President George Bush. She read this following with a moment of silence. The Town Justice Janet DeCarlo led in the Pledge Allegiance to the Flag. Town Justice Janet DeCarlo and David DeCarlo presented new flags and new flag poles in memory of those that lost their lives on September 11, 2011.

Minutes

Resolution #70

Councilman Ziehm motioned, Seconded by Councilwoman Fedler to approve the minutes of the August 8, 2011 meeting with one correction. On page 3 where it says “However

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she did state that it would be decided before election time which would let the candidate know what it would be when referring to salary. Councilwoman Fedler stated that it should read that it could be decided before election time not that it would be decided.

Vote: Ayes – 5 Noes – 0

Supervisor's Report

Resolution #71

Councilwoman Fedler motioned, Seconded by Councilman Ziehm to approve the Supervisor's report of August 2011.

Vote: Ayes – 5 Noes – 0

Transfer of Funds

Resolution #72

Councilman Berndt motioned, Seconded by Councilman Ziehm to transfer \$151.30 from A1990.4 Contingent to A1420.4 Attorney, Contractual to cover the Brownell Road litigation fees.

Vote: Ayes – 5 Noes – 0

Assessor

A letter was received from the office of Real Property Tax Services stating the term of Frank Root on the Board of Assessment Review expires September 30, 2011. He needs to either be reappointed or another individual should be appointed.

Resolution #73

Councilwoman Fedler motioned, Seconded by Councilman Ziehm to reappoint Frank Root to the Board of Assessment Review for the term of 10/1/11 to 9/30/16.

Vote: Ayes – 5 Noes – 0

The Town Attorney Alan Wrigley was present at the meeting and informed everyone that they were still negotiating the Mary McClellan Property Assessment.

Resolution #74

Supervisor Watkins motioned, Seconded by Councilwoman Fedler to go into Executive Session.

Vote: Ayes – 5 Noes –

Enter into Executive Session at 7:35 PM

Resolution #75

Supervisor Watkins motioned, Seconded by Councilwoman Fedler to come out of Executive Session.

Vote: Ayes – 5 Noes – 0

Exited out of Executive Session at 8:00 PM.

Resolution #76

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Councilwoman Fedler motioned, Seconded by Councilman Ziehm to have Attorney Wrigley accept the counter proposal to their Attorney's approval of the stipulation.

Vote: Ayes – 5 Noes – 0

Appointment Policy

Town Attorney Alan Wrigley has completed the draft copy of the Appointment Policy. This draft procedure is hoped to make sure appointments are handled in a timely manner. The policy was copied and handed out to the public at this meeting. Councilwoman Fedler read the policy aloud and stated that the lawyer would be at next months meeting for any questions. The Town Clerk will have copies in her office for anyone that did not receive a copy at this meeting.

Resolution #77

Supervisor Watkins motioned, Seconded by Councilman Ziehm to table the discussion of the appointment policy till next month so everyone could have a chance to look it over. At next months meeting there will be a Public Hearing on the Appointment Policies and Procedures.

Vote: Ayes – 5 Noes – 0

Town Clerk

Town Clerk Heather Greenawalt read a Thank You note from the former Highway Superintendent Eric Shaw. He thanked everyone for the plaque and the gift certificate that was presented at the retirement party. He also thanked all of the townspeople for allowing him to serve the town as Highway Superintendent.

The Town Clerk also made everyone aware of the mailbox under the bulletin board on the front of the Town Hall. This mailbox is for Town use only no US Postal mail is to be put in it.

Town Board

Councilwoman Fedler stated that she had heard from the Lawyer, and the Brownell Litigation continues. The plaintiff has appealed.

Councilman Ziehm mentioned that the chairs that are in the shed behind the Town Hall are being damaged by the weather and moisture.

Supervisor Watkins mentioned that he had received a call from Grace Reynolds and she had four sheep killed by domestic dogs. Because the State is no longer in charge of the Animal Control or the dog licensing this is now the responsibility of the Town. The Town does not have an actual policy for the damage or replacing animals.

Planning Board

In Sally Eddy's absence Heather Greenawalt the Town Clerk reported, the Planning Board held their regular monthly meeting on Thursday September 8, 2011 with 5 members present and 3 people from the public. The following business was addressed:

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1. Held a public hearing and granted Final Approval to James & Viola Gray for a minor subdivision on Morris Road. The Grays own 43.26 acres and are proposing to subdivide off the house with 1.07 acres to keep for themselves and sell the remaining 42.19 acres to Tiashoke Properties LLC for agricultural purposes.
2. Granted Preliminary Approval to Elizabeth Breault for a minor subdivision at 280 Conley Road. Mrs. Breault owns a total of 34.7 acres with the road splitting her property. She is proposing to sell the portion east of Conley Road which contains her house and consists of 12.77 acres. She will retain the remaining 22 vacant acres west of the road to sell at a future date. A public hearing will be held at the October 6th meeting.
3. Granted Preliminary Approval to Peter & Pauline Grimes for a minor subdivision on Cobble Road. The Grimes own a total of 43.8 acres and the road splits their property. They are proposing to subdivide off a 10 acre lot on the east side of the road to build a residence thereon while retaining the remaining acreage. A public hearing will held at the October 6th meeting.
4. Resident Nancy Mabeus read a letter she wrote expressing her views as to the direction the Planning Board should take in regards to a comprehensive plan. The letter is on file.

Superintendent of Highways

The Town of Cambridge was very lucky when it came to the damage from Tropical storm Irene, there was only minimal damage compared to towns around us. Eric Shaw the former Highway Superintendent has been back running the grader. The roof on the Town Highway Garage has been repaired, and they are also looking for a person to replace Gene Geimza when he retires. It was discussed what to do for Gene when he retires and there was a question of how many years he has in the Highway Department.

Hourly Wage for the year-round part-time MEO was discussed. The Town Board has mentioned that 11.56 per hour was not much for men like Eric Shaw and Gene Geimza who already have so much experience. It is hard to find someone to work for that little. It is Chuck's decision whether or not to hire someone before the end of the year for the full time position. It was discussed by the Town Board to move the amount of hourly wage to 14.00 per hour for year-round part-time MEO for the remaining of 2011. Supervisor Watkins said that he had called the Association of Towns and they said that as long as this is done through a meeting and through resolution that it is ok. All part time MEO positions must be changed you can not do one single person.

Resolution #78

Councilman Davis motioned, Seconded by Councilman Ziehm to change the amount of the hourly pay from \$11.56 to \$14.00 for year-round part-time experienced help with a CDL this will be in effect till the end of December 2011.

Vote: Ayes – 4 Noes – 1

Supervisor Watkins – Aye
Councilwoman Fedler – Aye

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Councilman Davis – Aye
Councilman Ziehm – Aye
Councilman Berndt – Noe

Resolution #79

Councilman Davis motioned, Seconded by Councilwoman Fedler to amend resolution #78 to read that the part-time person must be a Machinery Equipment Operator with a CDL.

Vote: Ayes – 4 Noes – 1

Supervisor Watkins – Aye
Councilwoman Fedler – Aye
Councilman Davis – Aye
Councilman Ziehm – Aye
Councilman Berndt - Noe

The Supervisor mentioned the Town Highway Department taking over County Rt. 60 and that the Town would make \$5,000 a mile. The temporary Highway Superintendent has signed the contract with the county and the Town Clerk and Richard Wilson from the County Dept. of Public Works must still sign. This will be retroactive when the plowing season starts in 2011 and the county will not actually pay the first half until January 1st and the other half of the money will be paid in April at the end of the season.

Code Enforcement

LaVerne Davis mentioned that everything was quiet and he only had to collect money.

Communications

On September 29th Supervisor Watkins has a meeting with Supervisor Shay from the Town of Whitecreek, Alan Brown from the Town of Jackson, and Mayor Spiezio from the Village of Cambridge they will meet and talk about what is being paid to the phoenix corporation to test the old dump site on Plains Road. They will be going over information at the meeting about the DEC regulating and they will be trying to get a lawyer to see if they can get DEC to cut back on the amount it is costing the towns. The supervisor also mentioned that there is an outfit called Siemens. They are an Engineering outfit, this would be a prime place to put solar panels.

Robert McIntosh had a question: Siemens would install the solar panels and the energy that was generated would then be sold back to the grid? Is this correct? The Supervisor stated that this was correct. He stated that right now this company is working with the sewer district in Fort Edward. Councilman Berndt explained that in order to do this 40,000 square feet is needed similar to what was just done in the Town of Greenwich. If our township was able to combine with the Town of Jackson or Whitecreek or the Village would it be 40,000 or 60,000 or 80,000 sq. ft.? Basically what a solar farm does is they sign off with the municipality to pay them for the use of the land while they generate the electricity onto the grid. It could eventually, down the road, come back to the town.

Unfinished Business

The Supervisor checked with Bill McCarty about the Veterans exemptions current level which is 120,000 and to increase that to 180,000. It will cost every parcel in the Town of Cambridge approximately \$1.00 to \$2.00. For the Aged Exemptions the current level is 16,000 and to increase that to 20,000 that will cost every parcel in the town approximately 2.00. This change must go through a public hearing and a referendum. Councilwoman Fedler asked if we wanted to have a public hearing for the Exemptions and also for the Appointment Policy next month.

Supervisor Watkins stated that he had talked to Don Patten that lives on County Rt 74 and asked him about insulating the Town Hall. Don Patten claims in three years this will pay for itself. The Supervisor has talked to Don Blair and there is no insulation in the building only in the ceiling. Last month it was mentioned about applying for another Jcap Grant and this time using the money for the insulating and painting of the town Hall and the archives.

Resolution #80

Councilman Berndt motioned, Seconded by Councilman Davis to apply for a Jcap Grant for the Painting and insulating of the Town Hall and the Archives to be painted also.

Vote: Aye – 5 Noes – 0

Councilman Davis asked if some work needed to be done inside the Archives. Town Justice Janet DeCarlo said that some of the old documents that are housed in the archives are getting ruined, some are moldy and some are starting to disintegrate. The Town Justice has purchased some totes for the Town Clerk to put some of the records in. Hopefully this is going to help but it needs to be decided what to do with the other records to protect them.

The Dangerous Dog Law was another topic that was brought up. A public hearing is needed because this law has been updated. The public hearing will be held at the next meeting.

County Report

The Supervisor mentioned again that the contract has been signed by the Highway Superintendent for the maintaining of County Rt. 60, the Town Clerk must sign this yet and the county.

Privilege of the Floor

There were questions from the public on the Internet and what is happening with that. The Supervisor stated that the grant is still being processed and the money is still there. He has talked to Tony Jordans' people. He has talked to Betty Little's office and they are moving forward with it. Time Warner is starting the process. There are actually three providers involved with this: Time Warner, Verizon and Hudson Valley Wireless. These three all have different parts of this grant. Time Warner will be doing Fort Ann and down through Kingsbury, Town of Argyle. Verizon has the Town Hall and the Town of

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Cambridge. Verizon is working on updating their equipment, and have just done this in Hoosick Falls.

Councilman Berndt mentioned that if anyone finds out that their neighbor has DSL then call Verizon and talk to them about getting it at their house and get a work order number.

Nancy Maebus read a letter and submitted it for the record thanking Supervisor Watkins for voting no on the Adirondack Community College Budget and no on the County Budget. She also thanked Alan Brown from the Town of Jackson who said that we need to be responsible to the tax payers. She also mentioned Seth Pitts of Salem, Robert Shay of Whitecreek and Richard Gordon of Whitehall who also voted no.

LaVerne Davis Code Enforcement officer thanked Town Justice Janet DeCarlo for all the work she did on getting the Town Hall fixed up with the money from the Jcap Grant.

Gerald Skiff, a concerned resident, asked Supervisor Watkins if there was anything that he could do about getting the speed limit lowered on his road. He lives on South Road. Henry Peabody questioned his road also. The Supervisor said that he would call the state and see what he could do.

Councilman Davis asked where they stand with the lanes? The Supervisor stated that two lanes have been taken back by the Property owners. These include Sandy Niles and Anthony Turi.

Councilman Davis questioned about the budget, and whether or not something has to be set up before the next meeting. Councilman Davis stated that before the next board meeting the Town Clerk has to present the budget to the Town Board.

Councilman Davis also questioned about the Ag Exemptions and whether or not they are checked on every year by the Assessor. Councilman Ziehm and Councilwoman Fedler commented that if anything they are over checked. The Farmer must give the information to the Assessor before the Exemptions are keyed into the computer this includes the financial figures. Councilman Davis states that he knows that but is every parcel being checked.

The Ondawa-Cambridge Chapter National Society Daughters of the American Revolution has written the Supervisor requesting that September 17-23, 2011 be designated Constitution Week.

Resolution #90

Councilwoman Fedler motioned,
Seconded by Councilman Davis.

Passed by a vote of 5 Ayes – 0 Noes

CONSTITUTION WEEK
September 17 – 23, 2011

WHEREAS: September 17, 2011, marks the two hundred twenty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, William H. Watkins, by virtue of the authority vested in me as Supervisor of the Town of Cambridge in the State of New York do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Cambridge to be affixed this 12th day of September of the year of our Lord two thousand and eleven.

Signed: William H. Watkins

Resolution #91

Councilman Ziehm motioned, Seconded by Councilwoman Fedler to hold the Board Meeting on the 3rd of October and to finish any remaining business on the 10th of October.

Vote: Ayes – 5 Noes – 0

There being no further business before the board, the meeting was moved and carried to adjournment at 9:10 PM.

Respectfully Yours,

Heather Greenawalt
Town Clerk