



Councilman Anderson: Questioning a \$600 voucher from Saratoga for computer work. We keep hearing about computer problems. Do we have to set up a committee to find out what is wrong with our computers? Why are they going down? Are they old? Do we put new in?

Supervisor Kemper: They need upgrading, the Assessor and the Clerk needed work on their computers. They took mine because they believe the hard drive is bad. The computer guy came highly recommended. He is not done working on our computers and we have very old equipment.

Councilman Anderson: I think that we could look at upgrading our equipment. Has the town board heard anything about this before now? I don't think so.

Supervisor Kemper: I believe the board approved the upgrades last year.

Cristen Shepard: The upgrades have been sitting in boxes underneath the desk in our office.

Councilman Anderson: We're still buying from Derby Office supplies. Did it go out to Staples or Masons?

Response: We haven't received the book you were suppose to bring in from W.G. Mason.

Cristen Shepard: I called W. G. Mason you gave me the name for. I left a message and did receive a call back. He said when we got our list together for him. I got a list of supplies from the Justice and the Assessor.

Councilman Ellsworth approved paying the warrants, as presented to the board, seconded by Councilman Roosa, and passed by,

5-Ayes: Kemper, Ellsworth, Anderson, Roosa and Gritsavage 0-Nays

**Accounts Payable 2012 Warrants**

General	\$ 17,556.29
Ambulance Fund	2,475.00
Highway	17,404.19
Sacandaga Fire District	0.00
Sacandaga Lighting	1,788.12
Sacandaga Water District	614.63
Sacandaga Sewer District	<u>1,361.91</u>
<b>Total Warrants</b>	<b>\$41,200.14</b>

**January 18, 2013 Warrants**

General	\$ 4,184.97
Highway	7,483.29
Sacandaga Fire District	0.00
Sacandaga Lighting	0.00
Sacandaga Water District	815.92
Sacandaga Sewer District	<u>0.00</u>
<b>Total Warrants</b>	<b>\$12,484.18</b>

**Total Warrants AP's and January \$53,684.32**

**2013 FUEL BIDS:**

Bid #1 - Smith & Sons Fuel, Inc. – 36 Second Ave/P.O. Box 191, Mayfield, NY 12117  
 #2 Fuel Oil Price-rack (3.21) + mark up (.20) = \$3.41 per gallon; Kerosene Price- rack (3.63) + mark up (.20) = \$3.83 per gallon; Diesel Fuel Price (3.21) + mark up = \$3.46 per gallon.

Bid #2 - Shepard Oil Company, Inc. Industrial Park - Box 298, Johnstown, NY 12095  
#2 Fuel Oil-Price Albany rack + .17 = \$3.4109 a gallon; Dyed Kerosene Price Albany rack + .17 = \$3.8513 a gallon; Diesel 70/30 Blend Price - Albany rack +.17 = \$3.5094 a gallon.

Bid #3 - G.A. Bove & Sons, Inc. 1537 State Highway 30, Wells NY 121090  
#2 Fuel Oil Price - \$3.33 per gallon; Kerosene Price - \$3.76 per gallon; Diesel Fuel Price – \$3.3825. POST +.23 - LOW OPIS oil price daily plus .23 cents per gallon.

Councilman Gritsavage stated that a committee needs to study these bids. Councilmen Roosa and Gritsavage stated that they would review the bids.

**CODE ENFORCEMENT:** Matthew Ginter collected \$115.00 in fees and has issued (4) permits in December 2012; #70-Septic System permit; #71-Demolition permit; #72-Patio roof permit and #73-Fence permit. The total Estimated Project Costs was \$9,000.00.

Mr. Ginter spoke of the BAS software for the Code Enforcement. We had the BAS system and some time in 2008 we stopped using the program. At least he thought we did. I use the BAS system in Edinburg and it tracks all the transactions on building permits; planning/zoning; electrical inspections, reports; a whole ray of different programs are in it. I called BAS and asked what we needed to do to implement it to get it going again here. A cost of \$1,500 was quoted to me. I explained to them that we have given them a couple thousand dollars since 2008 and basically had not gotten a thing. The owner had gotten back to me and he stated that he was going to send some one from the company up and set it up at no charge. I found in the desk a note to stop payment on the program and it apparently it never got in the right hands.

We're planning on having the building permits on the town website; Zoning Board applications; my hours; information for people, among other things. I've spoke with the County and they are going to put all the town property S/B/L on disc for me, at no charge.

I have sent out letters to all the bars and businesses in the Town for Fire Inspections. I'm informing the Town Board in case someone questions you "why are you doing this now". NYS Law requires Fire Inspections of bars, restaurants, businesses; and any place public. The Town in July 2009 did pass a Law to do just that. It is the Law.

I've attended the January training. I will be attending the one day event in Saratoga on January 30, 2013 on Zoning and Planning. I will be attending training the first week of each month in Montauk Falls for the next several months.

**COMMUNITY ENHANCEMENT:** Greg Ellsworth mentioned that he received a complaint on Bunker Hill Road. He provided an update with current property inspection codes.

Matthew Ginter: The town has to guide him how he is to proceed with one of properties. I can tag it "not to be occupied based on structure" and the town can figure out whether to enforce it to be torn down or tear it down. A lot of communities have a policy and the very next day they are tearing it down. It is expensive. I am asking if I try to pursue this with the legal aspect or do I recommend that they tear it down, or as, it is an unsafe structure? I need to know how to address some of these issues. These structures are caving in and they are dangerous but they are on private property. There is a lot to think about on this. Legal wise enforcing them about it, there has to be a policy on what we are going to do. I don't think that we want to spend money going around tearing down peoples properties.

Question: Isn't there something in codes on that?

If someone were to get hurt on a homeowner's property, maybe you can suggest I can send them a letter that it is "unsafe". It may cover us even more that we recognize it as a dangerous situation and we need to get it resolved. Most people, if it sat that way for a few years like that, are going to let it set there like that for a few more years.



### **Committee Reports**

**ASSESSOR:** The Centralization of RPS data is progressing with some concerns. Some have been addressed and corrected others will hopefully correct themselves.

Reminder to the Public: If you are turning 65 during the 2013 calendar year you may be eligible for a Star Enhanced exemption, these forms must be submitted by March 1, 2013. Contact the Assessor's office for further information.

The Assessor will be attending a course on "What is Income" on Wednesday, January 23, 2013 and her office will be closed.

The Assessor will be on vacation and her office will be closed from Wednesday, January 30, 2013 thru Monday, February 4, 2013. The office will reopen on Wednesday, February 6, 2013. The Assessor has asked to meet with the Town Board committee to discuss the phone system and fax at the Second St. building.

Supervisor Kemper: The issues with the fax machine have all been resolved.

Councilman Ellsworth: I've spoken with Jeff Daum regarding the phones at the town hall and asked what is involved on getting the direct lines back.

Cristen Shepard: The Assessor did get a new phone and a fax machine. She would like a separate fax line from the justices because she gets pages and pages of faxes at times. With it being connect with the justice she's never able to receive a complete fax when being sent to her. The Computer Guy was over in the Assessor's office working on her computer yesterday. He hooked up her printer/fax. Discussion ensued on the justices fax/phone line.

Councilman Gritsavage: I think we should look at getting a professional phone line for the town hall. We give Frontier a lot of money and there should be something that they can do for us.

Supervisor Kemper: There has to be someone at Frontier who will call us back.

Steve Norris suggested that if the Town were to go with Time Warner to keep at least one phone line analog because if the power goes off, there's at least one line you can use.

**ZONING:** Councilman Gritsavage motioned approval of Heather Simpson, Jeff Daum, Heidi Darling and Ivar Anderson attending the Saratoga County Planning/Zoning Conference on January 30, 2013, seconded by Councilman Ellsworth, and passed by,

5-Ayes: Kemper, Gritsavage, Ellsworth, Anderson and Roosa                      0-Nays

**AMBULANCE:** During December 2012 members responded to 10 calls in the Town of Northampton, 5 calls in the Village of Northville, 1 in the Town of Hope, and 1 Mutual Aid to Edinburg. They volunteered 141 man hours and traveled 444 miles through the month.

### **NAS Officer's to serve 2013 are as follows:**

Jack Farquhar, Chief; Eric Shumaker, 1st Assistant EMS Chief; Jon Vanalstyne, 2<sup>nd</sup> Assistant EMS Chief; Holly Clairmont, Secretary; Ruth Farquhar, Treasurer; Doug Ellsworth and Jill Dunham, Representatives; and Jeff Daum, Alternate Representative.

Councilman Gritsavage stated that he attended the January 8<sup>th</sup> meeting and he feels there is still a lot of concern within the Ambulance Corps about communication between the Ambulance Corps

and the Town. There are some issues that they want to discuss with the Town Committee such as the amount of money saved for the next new ambulance.

**REFUSE & GARBAGE:** Monday, January 21, 2013 is an official holiday, Martin Luther King Day. The transfer station will be closed.

**HAULING FEES** for the month of December 2012 are as follows:

County Transfer	64.420 Ton @ \$52	\$3,349.84
Curbside Recycling	12.270 Ton @ \$25	\$ 306.75
Total		\$3,656.59

**NORTHVILLE FIRE DEPARTMENT:** No report

**WEBSITE:** Cristen Shepard stated that she spoken with Dylan Thomarie regarding the website. We will be meeting with him tomorrow afternoon to review getting information placed on the website. There was previous discussion on possibly hiring Peggy Young to do the website for the Town. I called her today and she would charge \$50 a month, its \$10 an hour and she would work at least 5 hours a month on updating the information on the website. She will give us a better rate for certain projects or extra links.

Councilman Gritsavage: We need to be able to put community events on quickly and accurately. We ought to have something for the local businesses can be mentioned for whatever the reason.

Councilman Gritsavage: I think that is a great idea to hiring someone to do the website.

Councilman Ellsworth: Who does the surrounding town websites? We need to check into that.

Councilman Gritsavage: I think we need to form a committee, gather information from the surrounding towns that have websites and get contact names of their web masters. Website Committee is Councilmen Ellsworth, Anderson and Gritsavage.

**SACANDAGA PARK WATER & SEWER:**

Councilman Anderson: I've gotten two replies back as to our rate study and I am awaiting a third reply. You will get this information within a reasonable time so that you all can get a chance to look at before the next town board meeting, so that we can review it and discuss it.

Councilman Gritsavage: We've got to get going on this.

Supervisor Kemper: This has to do with the Water/Sewer. This initiated with the State, on stating my displeasure with no funding available for the small communities for the balance of our project. Rob Streeter from the DEC came in to talk with me, said that we are caught between a rock and a hard stone because we're too small of a community, we don't have the numbers. There is absolutely nothing at all that we can be applying for that is out there that is available to us on that issue. Discussion ensued on consent order and its process.

I have renewed the grant from the State and the balance on the grant is \$116,934 left of the \$200,000. I applied for and have a USDA Grant that I had applied for and was awarded for the water design and planning for \$9,400. We now have our engineering report from AES and have been billed, so that I can submit that. I have been awarded a USDA Grant for the sewer in the amount of \$12,500. I have to get the water report to them for their approval.

Both Mr. Cramer and Mr. Streeter had stated the only way to correct that problem is to move the lines out to the road. But it is cost prohibited.

**December 2012:**

**Water:** December-2011-usage, 1,046,000 gallons pumped.

December 2012-usage, 1,355,000 gallons pumped

**Repairs/Maintenance:**

- No problems to report

**Wastewater:** December 2011 daily average flow 34,400 gallons.

December 2012- daily average flow 42,600 gallons.

**Repairs/Maintenance:**

- Fulton County Electric wired new float switches on wet well pump electric panel after a failure on one of the floats resulting in the pumps not operating.

**Discussion:** Has anyone asked Mr. Cramer why we are pumping so much more water? Have we got more people living in the park?

Councilman Anderson: But we have also increased our flow of wastewater. It's proportional to the two. It isn't the ground water, its water to wastewater. Why are we using more water then last year? I'll check with Mr. Cramer.

Supervisor Kemper: The rain water is a lot of INI. We are treating ground water.

Councilman Anderson: We are also pumping water out of the well.

Supervisor Kemper: We did have a leak on Mountain Road.

Councilman Anderson: A leak will not put it into the wastewater plant.

**TOWN CLERK:**

For the record the Clerk has informed the board that the form "Notification of Appointment of Registrar of Vital Statistics" DOH-1556 for the Clerk's appointment as Registrar and the appointment of Deputy Registrar being Carol Roberts had been notarized previously and sent to the State and the term expires 12/31/2013.

Councilman Gritsavage: Why was this brought up at the Organizational meeting?

Elaine Mihalik: I don't know because I did not prepare the Organizational paperwork for the meeting.

Supervisor Kemper: I think that it has been done for so many years in the Organizational meeting. By operation of Law, Town Clerk, Elaine Mihalik is the Registrar of Vital Statistics and for the record Carol Roberts is the Deputy Registrar

Elaine Mihalik: Public Health Law 4122.1 requires each local registrar to appoint a deputy registrar.

**MOTION:** Councilman Anderson motioned to approve the Town Clerk's December 2012 monthly report as presented and seconded by Councilman Gritsavage, and passed by,

5-Ayes: Kemper, Roosa, Ellsworth, Anderson, and Gritsavage 0-Nays



you sent a check I'm not sure who you sent it to. You better check on who you sent your check to because the Conference applications and agenda have not been sent out yet.

Councilman Anderson: I didn't send a check. I just said that I filled in all my applications.

Supervisor Kemper: The applications aren't done yet and haven't been sent out to anyone.

Councilman Anderson: I will send you a copy of it.

**PROPOSED ROOF:** John Rizzo of Greenman-Pedersen, Inc. stopped in the Clerk's office this morning and dropped off the progress prints for the roof replacement and a copy of the manufactures product information for the board to review. Mr. Rizzo stated to the Clerk that he saw no reason to do a presentation tonight but he would come if the Board wanted him too.

Councilman Anderson: We will review the spec's to make sure that we're happy with them.

Guy Poulin: I did some research on the metal roofing. It was verified by John Rizzo that you will not be able to walk on that metal roof. We've got ice problems. We were warned because of the huge overhang we have there is no way of preventing ice build up. So you're going to have to get up there, more than likely and knock some of the ice off. I believe there was quite a bit of difference between the metal shingles and the standing seam roof. The board should consider the standing seam roof over the metal shingles.

Councilman Gritsavage: Can you provide us with your research?

Guy Poulin: I've spoken to Brownell Lumber Company about this.

Councilman Ellsworth: This is the first I've heard this. The whole purpose was to get rid of the ice build up.

Guy Poulin: It was mentioned when you had a meeting here with the engineers.

Councilman Anderson: I think that if you look at the ventilation and systems that they've done, that they feel that they have corrected that. That's why we hired an architect so that it would not do that.

Councilman Ellsworth: That's a valid question to ask. If there is going to be ice problems then we shouldn't do it. If we're going to go through this trouble, somebody needs to figure it out.

Councilman Gritsavage: I think we should see the research and not go by what somebody told me.

Councilman Anderson: This is why we have a month to review the material that Mr. Rizzo dropped off and ask questions. That is a valid question and we will have an answer to it.

A copy of the information packet from Greenman-Pederson Inc. was given to the Code Enforcer to review and make comment on.

Guy Poulin: Brian who previously came along with John Rizzo stated that because of the huge over hang you are not going to be able to take care of the ice buildup on the edge.

Councilman Anderson: Something is wrong because that is not the discussion what was said. This is the reason why we are going with a system that we are.

Supervisor Kemper: Mr. Rizzo stated to her that he wasn't far enough into the process. He had just put this information together. Mr. Rizzo has asked that the Board review this information he provided and then we can have him come back here to be able to question him on it.

There was a brief discussion between Matthew Ginter and Councilman Ellsworth on this.

Discussion ensued on the different types of roofing materials.

Supervisor Kemper **opened the floor for Public Comment at 7:57 p.m.**

Steve Norris: We're hearing that the Solid Rock Ranch is planning a concert in May 2013. They are advertising it on the website. I would like to know, what the town is going to do about it.

Matthew Ginter: I have spoken with Deb Bant. I've asked her, what are you doing? She has advertised it. However, she has not advertised a location. Her response to me was, I don't know where I'm going to have it. I stated to her, you realize that the new regulations that we have through Zoning and Mass Gatherings. Ms. Bant stated, yep.

I stated that if you have it, you're going to get a ticket. Ms. Bant stated, yep. Tell me when you're coming and I will accept it.

I have read our law and I have sat with the Attorney and we've gone over it together. I asked, what are my options? What can I do legally? What is the process to enforce this?

Discussion ensued on a scenario of the process.

Councilman Gritsavage suggested sending her a letter to give her notice and maybe have the Attorney do it, indicating that if she proceeds, we will get a court order. If they get a court order, then they can get order to show cause with a temporary restraining order.

Matthew Ginter: What if I show up and they give me a head count of 299 people?

Steve Norris: That doesn't apply. That's a mass gathering. Mass Gathering is only for non-residential property, its moot.

Matthew Ginter: You have to look at the wording very carefully. It's a commercial function. If people show up with a \$10 donation for a fund raiser, it is still commercial.

I can tell you that a lot of eye's are on that property from the law because of the issues that have happened in the past. I don't think I will have a problem with that. I've told them if they have an issue to call the Sheriff's Department.

We suspect where the event is going to be but they have left that out.

Matthew Ginter: I suggest this should be referred to Attorney Miller and Mannix; and have them tell us the best way to proceed.

Steve Norris: If you go to their website it doesn't give a venue. But if you go to Mama Strawberry's website it does state that the event is happening there.

Councilman Gritsavage: The Lawyer should be made aware of that.

Councilman Gritsavage: Has our Zoning Law and the Special Event Permitting Law been filed with the State?

Elaine Mihalik: The Special Event Permitting Law has been submitted to Attorney Poulin but a letter of confirmation has not been received as of yet that this Law has been filed with the State.

Supervisor Kemper: Our Zoning Law has been filed with the State and a letter has been received confirming that.

Steve Norris: I know that you (Elaine Mihalik) are following the letter of the law on the audio tapes of the meetings. You are not required to keep them. I strongly suggest that you should keep a copy of every board meeting.

There was discussion on looking into digitally taping meetings.

Hearing no further public comment, the **Public Comment Session was closed at 8:07 p.m.**

Supervisor Kemper: In not doing the appointment of a local Attorney at our Organization meeting. It was brought to my attention under Town Law Section 23: "Every officer at the time of his election and throughout his term of office shall be an elector of the town. Except that: (a) in towns having no resident attorney, the town attorney and such counsel as may be employed need not be electors". It is saying, is that you have to first offer this position to an Attorney within the Town, unless they refuse it.

I know that we've run into problems with not having someone local. Its simple things for instance like our Planning contract and things that we do back and forth with the County. The Board does need to make a decision on this. There are two attorneys in the Town and they are both Public Defenders and both of them have conflicts. I highly recommend that we have a local attorney at least to do our local everyday things.

Councilman Gritsavage: Do we have a legal committee to study this and get back with the Town Board on this?

Supervisor Kemper: It is not reasonable to be sending out in the mail, these little things and contracts that we are dealing with daily and wait for them to come back via mail.

Councilman Gritsavage stated that he will check into this.

Councilman Gritsavage: I think that the Councilmen should all have their own e-mail address.

Supervisor Kemper: We need somebody from Frontier to respond and guidance on that.

Councilman Gritsavage: I afraid that if I e-mail any of the board members from my own personal e-mail account, it becomes foible.

Supervisor Kemper: I think that if its town business, your personal e-mail is foible anyway.

Councilman Gritsavage: That's why I don't want to do town business on my personal e-mail. I think that if we have a common e-mail address we can get the information quicker. I think that when you look at the letterhead it's got the town e-mail address. I feel people would feel comfortable to e-mail their complaints; or ideas; or questions they can e-mail directly to us.

Councilman Gritsavage: Is there some reason that we can't have direct deposit? Instead of having checks written out?

Supervisor Kemper: With the bank, you pretty much need the majority of the people in favor of it. The highway crew is not interest it.

Councilman Gritsavage: The Village does it. Why can't we do it?

Cristen Shepard: I've spoken with someone at the bank and she will come and do a presentation with everyone that works for the town on this.

Councilman Gritsavage: This will save time and effort with the Bookkeeper.

Discussion ensued on the possibility of direct deposit.

**MOTION TO GO INTO EXECUTIVE SESSION:** Councilman Ellsworth motioned to enter into Executive Session at 8:21 p.m. to discuss contracts, seconded by Councilman Anderson, and passed by, 5-Ayes: Kemper, Gritsavage, Ellsworth, Anderson and Roosa 0-Nays

**MOTION TO COME OUT OF EXECUTIVE SESSION:** Councilman Anderson motioned to come out of Executive Session at 8:26 p.m., with “No Action Taken”, seconded by Councilman Ellsworth, and passed by, 5-Ayes: Kemper, Gritsavage, Ellsworth, Anderson and Roosa 0-Nays

The next **regular board meeting** will be Wednesday, **February 20, 2013 at 6:30 p.m.**

**ADJOURN:** Not having any more business before the board, Councilman Ellsworth motioned to **adjourn the meeting at 8:27 p.m.**, seconded by Councilman Gritsavage, and passed by, 5-Ayes: Kemper, Anderson, Roosa, Gritsavage, and Ellsworth 0-Nays

Respectfully submitted,

Elaine Mihalik, RMC  
Town Clerk