

**TOWN OF NORTHAMPTON
REGULAR MEETING
AND PUBLIC HEARING
May 15, 2013**

The regular meeting of the Town of Northampton and Public Hearing was held on Wednesday, May 15, 2013. Supervisor Kemper called the meeting to order at 6:38 p.m. in the Municipal Building at 412 South Main St., Northville, NY. Supervisor Kemper led the salute to the flag

PRESENT: Supervisor: Linda Kemper
Councilmen: Bob Ellsworth, Darryl Roosa, Ivar Anderson and William Gritsavage

RECORDING SECRETARY: Elaine Mihalik-Town Clerk

ALSO PRESENT: Code Enforcement Officer: Matthew Ginter
Ambulance Corp Coordinator/Justice: Jack Farquhar
Recorder newspaper: Carla Kolbe,
Chris Schlegel, Bob Scheldt, Tina Rafferty, Frank Bendl, Richard & Linda Logan, Steven Naple, Donald & Jane Ferguson, Sandy Yates, Wendy Reu, Chris Doyle, Colleen Glode, Steve Norris, Rosemary and Ray Hatch Jr.

Councilman Ellsworth motioned to approve the minutes of the Regular meeting held on April 15, 2009 as presented by the Town Clerk, seconded by Councilman Anderson and passed by, 5-Ayes: Kemper, Roosa, Ellsworth, Gritsavage, and Anderson, 0-Nays

Supervisor Kemper **Opened Public Comment** Session on any matter other than the proposed Local Laws presented tonight at 6:39 p.m.

Chris Schlegel: 222 Houseman St. is getting ready to open up his business. What is the town going to do?

Matthew Ginter: We're doing everything we can do. He got rid of the camper. I'm following the process.

As far as opening, the owner needs a fire and structure inspection. I wish I had more cooperation from the different agencies. The paperwork is a nightmare.

Councilman Gritsavage: The owner can't open without the inspection?

Matthew Ginter: Correct

Chris Schlegel: They are getting deliveries at the business. That property issue is on the State's agenda.

Matthew Ginter: I can't get a hold of the owner. He won't tell me when he's there.

Councilman Anderson: The board is 100% behind the Code Enforcer.

Supervisor Kemper **opened the Public Hearing at 7:02 p.m. for public comment on the proposed Local Law entitled:** Resolution Adopting Local No. 1 of 2013 Amendment to Local Law #1 of 2012, entitled "Town of Northampton, New York ZONING SUBDIVISION LAW:.

Discussion on Local Law Amendment of the Town of Northampton, New York Zoning Subdivision Law:

Richard Logan: Last year I presented a petition to change the speed limit reduction and no parking signs.

Supervisor Kemper: The petition to change the speed limit is in the hands of the County.

Councilman Anderson: The DOT should be out soon, it is on his to do list.

Richard Logan: The signs can we put up signs and mark the road?

Councilman Anderson: That is part of the DOT.
People don't go 35 mph. I've sat and watched them.

Supervisor Kemper: there was talk of the new lines being changed to reflective.

Councilman Anderson: It could deteriorate the roads. It was recommended to leave the roads alone.

Bob Schelt: Mr. DeMeo has property next to mine on Co. Hwy 152 and he (DeMeo) has an abandoned trailer with no tires on the property. One time one of the trailers was a kennel and it is still sitting there. Mr. DeMeo is also dumping garbage in the back of his property.

Matthew Ginter: those trailers there were the result of an illegal trailer park Mr. DeMeo was setting up. The septic he has started has to be abandoned. It's been tough, they're junk.

Linda Kemper: Has there been any activity back there?

Bob Schelt: Children have been playing on my property.

Councilman Gritsavage: is it antidotal garbage?

Matthew Ginter: It's a DEC issue.

Councilman Ellsworth: The Community Enhancement can do it?

Matthew Ginter: Yes.

Steve Norris: What's the status on a new tape recorder? I can send you a link to Staples. You have an account there.

Councilman Gritsavage: I will take care of it.

Supervisor Kemper asked if there was anyone present that would like to make comment on the proposed Amendment to Local Law #1 of 2013, hearing none, Supervisor Kemper **closed the Public Hearing at 7:08 p.m.** for public comment on the proposed Local Law entitled: "A Local Law Amendment of Local Law #1 of 2013 entitled "Law".

Discussion on Ambulance

Mr. Farquhar: How is the replacement for the new ambulance fund doing? How much do we have put away. I would like to negotiate and change it from 12 years back to 10 years. After I spoke with Councilmen Ellsworth and Gritsavage it was recommended that the Ambulance Corp kick in \$40,000 toward a new ambulance. The current ambulance is a 2006 and we would like to buy a new one in 2016. We need specs.

Councilman Gritsavage: We know from the Audit that we have more funds than we need. I suggest we look at possibly moving money into the Ambulance Fund.

Supervisor Kemper: The town has taken a \$30,000 drop in sales tax revenue this last quarter from the previous quarter. We need to discuss this during the Budget process.

Discussion ensued on the \$6,000 for the generator.

Mr. Farquhar: In the event of an emergency are we prepared. Hell no. The Ambulance Corp. would like to be prepared. The ambulance building is a 3 phase - 4 wire. The Fire Department can house the emergency responder. The Ambulance building needs revamping.

MOTION ON RES. #2013-05: Resolution Adopting Local No. 1 of 2013 Amendment to Local Law #1 of 2012 entitled "Town of Northampton, New York ZONING SUBDIVISION LAW:

The foregoing resolution was made by Councilman Anderson and seconded by Councilman Gritsavage, and passed by,

ROLL CALL VOTE:

Linda Kemper	Aye	Ivar Anderson	Aye
Bob Ellsworth	Aye	William Gritsavage	Aye
Darryl Roosa	Aye		

Supervisor Kemper: The Court action on the preliminary injunction was postponed from Friday 5/10/13 to Monday 5/13/13. The Town board was informed Tuesday morning of a court ordered meeting that was to be held that same Tuesday, May 14, 2013 regarding Deb Bant applying for a "Special Event Permit". The board was to render a decision on that application and that decision had to be presented today in court at 1:30 p.m. before the judge.

The Town Board and the Attorney, did in fact, meet last night as per the court order. The Board reviewed the application line by line and deemed it as incomplete and denied the Special Event permit submitted by Deb Bant.

The only testimony in court today was from Miss Bant. Both sides should have been heard.

There was no restraining order given. Reasons: There was no proof of Public Health or hazard. Deb Bant testified and showed proof of having events on her property over 10 years

Councilman Ellsworth: Didn't our Attorney rebut that?

Councilman Gritsavage: No.

Supervisor Kemper: Deb Bant did come before the Town Board previously in 2004-2006 and she was granted permission to hold her event. The next year she again came to the Town Board, then Supervisor Collins and David Curtis (CEO) told Deb she didn't need a permit to hold her event. This took place prior to Linda Kemper being Supervisor. There was lack of proof of public safety with risk; no proof of police reports; no accident reports; no proof of health concerns.

There was no proof of anything wrong other than the noise.

There was no permit required since the 10 year history. The court ordered further trial on the process of the zoning change.

The valid concerns by Town on the responses from the people on their property, was not proven. There was no proof in any manner of the number of people at the event.

Attendance was spotty, no proof over the 10 year history.

There was no proof of accusations (no documentation).

There was a preliminary injunction ordered against over night camping

Councilman Ellsworth: Did the Judge define camping?

Response: No

Wendy Reu: Is anything being done?

Steve Norris: We need a copy of the judge's decision.

Supervisor Kemper: The judge challenged and stated it was arbitrary and capricious. No one is allowed to camp there. The Town followed through.

Councilman Ellsworth: Did the Attorney do a good job?

Supervisor Kemper: We didn't have the supporting documentation.

Sandra Yates: According to Zoning?

Councilman Gritsavage: I spoke with the Attorney wanting to know why the Judge made us have that meeting last night. However, the Judge did thank us for having that meeting. I don't feel the attorney represented us. Deb Bant was the only one to testify and I had documentation. Everything the Judge had to decide from was from Deb Bant. Deb Bant testified that she was zoned open space prior to our new zoning and that she was grandfathered in.

Supervisor Kemper: We were criticized for not responding to Deb Bant's e-mail in March 2013.

Public: Don't pay the attorney.

Councilman Gritsavage: We had people lined up. There were complaints on health and safety.

Steve Norris: You should talk with the Senior Attorney.

Councilman Gritsavage: I thought we had it. I could have refuted.

Wendy Reu: I'm sorry. I think that you people and David Curtis dropped the ball.

Matt Ginter: It's easier to give the Judge's order to someone if it's on paper. The police want documentation.

Wendy Reu: If you want documentation, here is documentation, that there is camping up there.

Supervisor Kemper: Then that is a violation of a court order.

Councilman Ellsworth: It's Wednesday and we need a plan as a board.

Councilman Gritsavage: We need the Judge's order, and then we can enforce it.

Question: If you get the Judges order, and if the Solid Rock Ranch is in violation, you would contact the State Trooper and he would enforce it?

Response: Right

Supervisor Kemper: That is a violation of the order but would the order be done by tomorrow? I don't know.

Councilman Gritsavage: What I found amazing was when Ms. Bant testified that she never had more than two hundred people there. If that were the case, why did she go the permit route? I think that it was interesting in that the permit application that Ms. Bant

put in, it asked how many people were going to be at the event. It was indicated that there were going to be 299+/-.

Chris Doyle: We all know that we have pictures. We got a bum scam on this whole deal. If anyone on the board needs stuff that I have. I am willing to give of the things that I saw and what I have. I am willing to provide that and do whatever I can to help.

Supervisor Kemper: I think that would be the next step. This is the preliminary thing to stop this particular event for right now until the whole case was heard. I think that will come down the road.

Question: What is the next step?

Supervisor Kemper: Attorney Everhart met with Councilman Gritsavage, Elaine and myself briefly.

Councilman Gritsavage: I suppose we have to make a decision at some point. Ms. Everheart wasn't clear to me exactly what had to be done with. She was discouraging on the part which had to do with, basically, showing that our law was legal. I don't think there was any question as to whether that law was legal. It was put into effect legally.

Supervisor Kemper: We had the Law and the minutes.

Councilman Ellsworth: The Law doesn't even apply to that property.

Councilman Gritsavage: It was whether the Zoning, affects her. It irritated me because I could testify from my own knowledge that property was zoned residential.

Councilman Ellsworth: My frustration is that shortly after we came out of Executive Session last night, the Attorney requested that someone be there today to testify for us. You took time out of your day to be there and then our Attorney who asked **you** to be there, didn't even ask you to go up and testify. It amazes me that she asks you to be there and you didn't get the opportunity to refute anything that was said. This person wouldn't be my Attorney for another four seconds.

Jane Ferguson: Who gave our Lawyer the directive?

Councilman Ellsworth: The Lawyer that was here last night to meet with the Board was not the Lawyer that showed up in court today.

Steven Norris: Can you tell me why there was a change in the Attorney?

Councilman Gritsavage: Initially, the Attorney that was in court today was in court on Monday for the other session and apparently couldn't be here with us last night.

Jane Ferguson: I want to thank the Board for doing what you have done. We're all disappointed. I don't think we have to settle here.

Supervisor Kemper: No, we don't.

Jane Ferguson: If we have to get documentation, on the health issues, or a number of people get pictures this weekend. I don't know if they will enforce this or not. I don't think we should drag our feet and just wait to make a decision and try to decide what the plan of action is.

Wendy Reu: That was all a part of the ruling is no camping.

Councilman Ellsworth: We need to instruct our Attorney to get the Judge to give a copy of his ruling so that we can do that this weekend.

Supervisor Kemper: I will be at the County at a meeting tomorrow. I will make every effort to contact the court and find out when we're going to get the Judges ruling for this event in writing.

Steven Naple: You might want to contact who is going to enforce that Law (State Police) to see if they are willing to do that.

Councilman Anderson: There is no problem, they will do that.

Supervisor Kemper: It's a preliminary injunction.

Steven Naple: Or if you plan on them being the enforcers of it. Do you have any idea what the Lawyer's cost to the Town is so far?

Councilman Anderson: Don't worry about that.

Steven Naple: Why?

Ray Hatch: Why not? That's money. We need to know. You've got to tell us.

Councilman Anderson: We're going to know but we don't know because of the number of hours. It's been voted on and it's been demanded by the people. So, therefore, we are continuing on.

Ray Hatch: Okay.

Supervisor Kemper: A bill in last month's vouchers was between \$1,500 and \$1,600. We have had three or four court dates that have been postponed. So, they (Attorneys) have sat for hours in the court. Monday's court wasn't held at 1:30 p.m. it was apparently held hours later. We sat for about an hour after the scheduled court time on Wednesday before we were called into court.

Councilman Gritsavage: The Attorney showed up for one of the court dates and the Judge adjourned it until Monday.

Supervisor Kemper: It's on going.

Steven Naple: So, it's going to cost us more?

Supervisor Kemper: Yes.

Councilman Gritsavage: Not necessarily because I'm not so sure we want to go back to court.

Steven Naple: When do we say, hey, the race is over and let's cut our losses?

Councilman Gritsavage: I want to see the opinion and then I want to know from the Lawyers what our next step is.

Steven Naple: They may push for an article 78.

Supervisor Kemper: The court ordered further trial of the challenge of the zoning change.

Councilman Gritsavage: They went through the whole zoning process and that was the thing that frustrated me because they should have put me on the stand. I was there when the zoning had the discussion concerning that particular property. There was one person who wanted to make it mixed use because of Steven Naple's property, thought it should be Industrial or commercial what ever your property is. Maybe we should make that a mixed use.

Steven Naple: You're right.

Councilman Gritsavage: Then it was decided, no, that that wouldn't happen. The only place that was made the same as yours is the property across the street which is the lumber yard. I believe that the Zoning Commission decided that the lumber yard should have the opportunity to get a Special Permit to become a lumber yard. I don't know because I wasn't there for that part of the discussion.

Wendy Reu: That hasn't changed, it's residential. The only properties that were changed were Tony Eschler's and Baldwin. They were changed to residential. I was at the meeting and Councilman Anderson made the motion at that meeting, that everything from the Solid Rock Ranch and up North remained residential.

Stephen Naple: An injunctive relief puts the burden on her for seeking the injunction to prove that there is a problem. Where after the fact, if there are problems, it would probably be easier to go to court and say here are the facts. We talk about we need a new

ambulance and we're short on money for that. I'm wondering how much realistically do we want to spend on this?

Councilman Anderson: A few years ago, on Route 30, we spent a ton of money on a little old lady who pays her taxes, who never made any noise and never did any wrong. A couple of neighbors complained about her and she ended up complying.

Councilman Gritsavage: For example, Mr. DeMeo who doesn't do anything ignores us and we had to get a temporary restraining order or preliminary injunction. There are legal fees that you are going to have to spend to get that. If we don't do that then they are always going to walk away.

Steven Naple: We can't say that you can have Card Blanc to run legal fees.

Councilman Gritsavage: Nobody has said that. In fact, I just said it might not be worth our while to do anything else.

Steven Naple: I would like to know, how much are we going to spend on this? Do we have a budget item for it? This is something I think you can budget.

Supervisor Kemper: We do have a budget item allowed for attorneys.

Councilman Gritsavage: We might be within that, I don't know.

Councilman Anderson: It's a budget line item but do we know what's going to happen within the year. No, we do not. So therefore, it would have to come out of something else.

Councilman Gritsavage: I think that we, as a board, should have monthly reports on the entire budget. So, that we know where we stand.

Supervisor Kemper: They are available any time my office is open and they are all in a book. The entire budget is approximately 30 pages thick. You didn't want the entire budget. You wanted the summary each month, which it couldn't be done today because of court.

Councilman Gritsavage: That is what the Auditor stated that we should have.

Steven Norris: You mentioned that Deb Bant gave testimony that she had permission from previous Supervisor Ted Collins. Did she have proof of this? You can give testimony and say whatever you want.

Supervisor Kemper: It's probably in the minutes because it did happen. She came once and they gave her permission and I think through conversation with then Code Enforcement Officer David Curtis. He told her it was an allowable use and she didn't need it. She did come to the board the following year. I think it was my second year on

the Town Board approximately 2002-2004. She was specifically told by Ted Collins, you don't have to come to the board for approval. You can just do it.

Steven Norris: Correct me if I'm wrong. Ms. Bant can say what ever she wants. Doesn't she have to prove it?

Councilman Gritsavage: Absolutely. In this type of a hearing a Judge will take hear say. We could have testified and said that we never agreed to anything. She said that we agreed to the hours. I had no opportunity to say "no". I was there.

Carla Kolbe: The Judge spoke with the Attorneys and there was no rebuttals. I know from sitting at these meetings that was not how it was stated at the meeting. It was misinterpreted and not exactly how it went at the meeting that I was at. He just called the Attorney's, he made a decision and that was it.

Matt Ginter: For the record, am I playing any role in this? Am I going to do something? I need to know.

Supervisor Kemper: The Judge did state that there was not going to be any restraining order. Ms. Bant is allowed to have her event but with no camping allowed.

Councilman Ellsworth: What is camping?

Supervisor Kemper: He didn't define camping.

Matt Ginter: That is the judge's order. All I have is what is in the Zoning.

Councilman Ellsworth: Did the judge set hours?

Response: Nope. Ms. Bant told the judge that it was an agreement with the board. She stated that the noise level is cut down at 10 p.m. and it's not amplified and it is completely off at 1 a.m.

Wendy Reu: I've heard them at 2 a.m.

Councilman Gritsavage: What do you want me to tell you? I know that you're frustrated.

Jane Ferguson: When a member of the board receives a copy of the judge's preliminary ruling can they call the State Police and alert them of this ruling and there might be this possibility? So, if they do come up, they can at least make a judgment themselves?

Councilman Gritsavage: Why don't we call the Sheriff's Office? They promised us they would help.

Matt Ginter: Is the board expecting me to enforce this judge's decision?

Councilman Gritsavage: Yes

Matt Ginter: Based on what?

Councilman Gritsavage: When we get the judge's decision, then you will have the basis.

Matt Ginter: If I have to go there and they are camping, camping is not a violation in our Zoning. It is not a building permit violation.

Councilman Gritsavage: It is a violation of the judge's order.

Matt Ginter: Do I have the authority to enforce that judge's order?

Councilman Gritsavage: No, but you can call the Police, the State Troopers or the Sheriff's Department.

Steven Naple: The police are going to need some sort of direction.

Wendy Reu: When the police showed up at my home, they stated that they have no law in our area and there was nothing that they could do.

Steven Norris: suggested someone from the Town Board call the Town Attorney and ask them precisely what needs to be done to enforce the judge's ruling about no camping. That's what they are being paid for. Ask them to contact the Judge and get his written ruling, ASAP.

Councilman Gritsavage: They should fax it to us tomorrow morning.

Jane Ferguson: Did Ms. Bant apply for the non-for-profit?

Supervisor Kemper: Ms. Bant stated that she is a non-for-profit. That wasn't even a factor in the court.

Steven Norris: In the morning I am calling the NYS Department of Taxation to inform them that she is operating without a tax exempt status. Therefore, she should be taxed on this event. She is stating that this is a non-for-profit event.

I want to thank the board on behalf of everybody here. Thank you for taking a stand and helping. It is greatly appreciated. I knew it cost us some money but it had to be done. Otherwise, you might as well throw that new Zoning Law out because if you do not enforce it then there is no law.

Councilman Ellsworth: It's my understanding that Councilman Gritsavage will call the Attorney tomorrow morning and tell her to get us a copy of that order. We need to know how to enforce the "no camping".

Councilman Gritsavage: Another thing that I was annoyed at was that Ms. Bant claimed that she was never notified of the court ordered meeting we had last night. But her Attorney was notified. The Attorney stated that he wasn't in the office and he didn't get the message.

Supervisor Kemper **closed Public Comment** Session at 6:45 p.m.

COMMUNICATIONS

- Time Warner Programming notice.

CODE ENFORCEMENT: Matthew Ginter collected \$1,952.50 in fees and has issued (10) permits; #12-Annual License Renewal permit (Silver Maple Park); #13-Annual License Renewal permit (Lakewood Campers); #14-Deck permit; #15-Septic system repair permit; #16-Major alterations permit; #17-Annual License Renewal permit (Northwoods Campground); #18-permit renewal; #20-Major Alternations permit; #21-Septic system repair permit; #22-Sunroom & porch permit; and Z03-13 ZBA application and P03-13 Planning Board application. The total Estimated Project Costs was \$44,000.00.

I've been continuing with my Code training classes. June I will be doubling up on training because we missed the month of May.

JUSTICE REPORT: Councilman Gritsavage motioned to accept the Justices report of 52 cases handled and \$8,052.00 collected in fines for the month of April 2013, seconded by Councilman Anderson, and passed by,

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

Councilman Gritsavage motioned to accept the Justices report of 30 cases handled and \$3,605.00 collected in fines for the month of May 2013, seconded by Councilman Anderson, and passed by,

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

ANIMAL CONTROL: The board has received from the NYS Dept. of Agriculture and Markets Division of Animal Industry a Municipal Shelter inspection report – DL-90 on Helping Paws Rescue.

Committee Reports

Joint Inter-Municipal Commission: The Town is waiting for a Joint meeting date to be set with the Village to address a water meter agreement.

ASSESSOR: Grievance Day is Tuesday, May 28, 2013 and the hours are 10 a.m. – 12 noon; 2 p.m. – 4 p.m. and 6 p.m. – 8 p.m. and will be held at the town hall, 412.

S. Main St., Northville, NY

We have to post an ad in the Leader Herald before the term of the Assessor is up seeking letters of interest for a part time assessor, must be NY State Certified. This position is a six year appointment.

Councilman Gritsavage motioned to give the applicant a month to respond to the notice of the Town of Northampton seeking letters of interest for a part time assessor, seconded by Councilman Ellsworth. It was unanimous passed by all.

ZONING: There will be a Public Hearing on 5/22/2013 at 7 p.m. for William Fenwick for a proposed carport.

PLANNING: There will be a Public Hearing on 6/12/2013 at 7 p.m. for a proposed Subdivision on the property of Helen Cramer.

JOINT YOUTH: There will be an employee orientation the first week in June. Everyone has been hired. They have a Little League Baseball Team and they formed their own Commission with the parents.

CEMETERIES: The cemeteries are now open and they have done a great job getting them done for Memorial Day weekend.

REFUSE & GARBAGE: As of Saturday, June 1, 2013 the Northampton Transfer Station will begin its summer hours of operation. The hours for the station will be as follows and will run until the Friday after Labor Day, September 6th, 2013.

Monday, Tuesday and Friday: 8:00 a.m. to 4:00 p.m.
Saturday: 8:00 a.m. to 1:00 p.m.

HARDFILL SITE: There were a total of 20 vehicles that had come to the Hardfill site opening day April 20, 2013 thru April 30, 2013. A total of \$9.00 was collected in April.

Hauling Fees for the month are as follows:

County Transfer Haul	88.620 @ \$52.00 ton	\$4,696.86
Curbside Recycling	12.120 @ \$25.00 ton	\$ 303.00
Transfer Station Recycling	1.910 @ \$12.50 ton	\$ 23.88
Curbside Metal	-0- @ \$20.00 ton	<u>\$ -0.00</u>
TOTAL		\$5,023.74

Northville Fire Dept.: It was reported that Tom Groff has been in contact with the Clerk and he apologizes and will get a Fire Report for the Town Board soon.

Town Clerk: The Clerk has received a Certificate of Attendance on the Board of Assessment Review Training dated 5/9/2013 for Carl Ingalls.

Councilman Anderson has motioned to approve the Town Clerk's April 2013 monthly report as presented and seconded by Councilman Gritsavage, and passed by,

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

agreed that they can't do anything at this time until the Town has the whole summer to collect the data that is needed.

- It was requested by the town board that Ken Cramer should be sent a memo by the Committee to state that he is required to do a water meter reading every month and if there are any questions he should contact either Councilmen Roosa or Anderson.
- Is there anything on the proposal for the phone system?

Councilman Ellsworth: We voted for the Supervisor to sign the contract for me to speak with Frontier.

The Clerk read the motion made at the last meeting. It needs to be in writing that you authorize the Supervisor to sign the contract.

Supervisor Kemper: I gave the board members Frontiers proposal.

Councilman Ellsworth: The only thing left was whether we had the funds and it was going to be either a lease or a purchase of the phone system.

Supervisor Kemper: Is that the amount of phone lines that you want? I got the e-mail along with the proposal. Do you want to adjust it? Who was working on the number of phones? How was it going to work with the Assessor over here now?

Councilman Ellsworth: That's an extra phone but that would be the same phone number from over at the justice building.

I will meet with Grant from Frontier to understand what we are doing. Please get me a list of the number of phones that we will need. I will check with the Village office and make sure that we have a right number of phones for them.

Does this board authorize me (Ellsworth) to make a decision after we get these details straightened out?

MOTION: Councilman Ellsworth motioned to authorize the Supervisor to sign the Frontier contract once Councilman Ellsworth meets with Grant Preston of Frontier and confirms the details, seconded by Councilman Gritsavage, and passed by,

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

OLD BUSINESS:, Councilman Ellsworth stated that the board at the April 2013 meeting approved him speaking with Frontier Communications regarding the phone billing and he has drawn up a letter for the Supervisor to sign. Councilman Ellsworth noted that after speaking with Frontier they will not accept a verbal request they want it in writing.

Supervisor Kemper has signed a prepared letter authorizing Frontier Communications to discuss any and all questions concerning the town's account and/or current phone billing with Councilman Ellsworth. Councilman Ellsworth has permission to have these discussions in the presence of anyone accompanying him. This also includes discussion on the town phone system.

Website: Peggy Young has been diligently working on the new website. Apparently we do not have the ability to work on it off line. We need everyone's current e-mail so that she can send you your new town e-mail and password. She will have an e-mail address setup for the minutes and other things of interest to be sent to so they will not be sent directly to the webmaster. They will be reviewed by the website committee and they will

make a decision if it's okay to place on the website or if the board needs to confirm it before being sent to the webmaster. If there are any questions from anyone from the public on the website they are to be directed to either Councilmen Gritsavage or Ellsworth. Not to the webmaster. There was discussion of getting pictures of the Ambulance and placing it on there. It was asked about possibly placing a link to the Northville Fire Department.

Councilman Anderson left the meeting at 8:34 p.m.

Discussion on the roof

Councilman Ellsworth: I received a call from John Rizzo, Engineer. Mr. Rizzo has been receiving calls from the roofers who submitted a bid and they want to know, what the town decision is.

After reviewing the bids, they were higher then what we anticipated and the board wasn't sure what they were going to do because it is way more money then we wanted to spend. I explained to Mr. Rizzo my discussions with Matthew Ginter on possibly moving the thermostat and insulating the ceiling along with some other things. Mr. Rizzo agreed that that might help but he didn't agree that would solve all of our problems. He stated that there are some things that the board needs to consider is that some day down the road you might not had done some of those changes, among other reasons.

Councilman Anderson and I met with the roofer and it was explained that there was not a lot of room in that bid that he could remove. He stated that it was tight and that he still wanted the job. The only way he (roofer) could suggest we could possibly save \$5,000 - \$6,000 would be to remove the request for a metal roof and go back to the asphalt shingles. The ice issue we're having. He (roofer) stated that it doesn't matter if it were metal or asphalt shingles the ice is going to stick to the metal as well as to the asphalt shingles.

If we change the bid to read shingles and put it back out to bid. We might get a little more action on the bids. Councilmen Anderson and Ellsworth suggested calling the Engineer (Mr. Rizzo) and make sure it not a big deal to change the specs from the metal roof to asphalt shingles and put it back out to bid. We should receive more bids than last time and we should get lower bids this time. Discussion ensued.

Motion new roof bid

Councilman Ellsworth motioned to change the roofing material and ice barrier from metal to asphalt limited lifetime shingles and to place this back out to bid, seconded by Councilman Gritsavage, and passed by,

4-Ayes: Kemper, Roosa, Ellsworth and Gritsavage 0-Nays

Councilman Gritsavage will contact Mr. Rizzo on the board's decision.

The board stated that we need to get the Town Clerk a new computer and it should be under State Contract.

Both Ken Cramer and the Clerk were advised previously by Harris that the upgrade for a new computer would be 64 bytes. This would be hard to convert the water and sewer program we currently use because it is not compatible. We can get a new computer for

everything else. Hook up the internet to and work the water and sewer program on the old computer system.

Supervisor Kemper: This is why we've held off buying a new computer system for the Clerk because we were told that a new water and sewer program is extremely expensive. We were told that we are using the older system and there was nothing the matter with it. The issue is the support and the compatibility. We need to know the cost of the updated water and sewer program.

Councilman Roosa: The Village has purchased the new water program and had it installed in a new computer system.

Supervisor Kemper mentioned getting support and compatibility from Tom the "Computer Guy". He has given me suggestions and has provided a list of things of he thinks the clerk needs.

Councilman Roosa motioned to enter into Executive Session at 8:47 p.m. to discuss Contract negotiations and employment history, seconded by Councilman Gritsavage, and passed by, 4-Ayes: Kemper, Roosa, Ellsworth, and Gritsavage 0-Nays

Councilman Ellsworth motioned to come out of Executive Session at 8:54 p.m., seconded by Councilman Gritsavage, and passed by,
4-Ayes: Kemper, Roosa, Ellsworth, and Gritsavage 0-Nays

Councilman Gritsavage motioned to increase the hourly rate of the new bookkeeper from \$12.50 to \$14.00 due to her experience and knowledge of the computer system, seconded by Councilman Ellsworth, and passed by,
4-Ayes: Kemper, Roosa, Ellsworth, and Gritsavage 0-Nays

Board Discussion

Councilman Gritsavage: This board is to formulate a corrective action on the Audit. What is the process?

Linda Kemper: We have been working on that bullet by bullet.

The question I need a definitive answer at what steps the ambulance has taken. Do they have id number for another account?

Councilman Ellsworth suggested the Supervisor sending Mr. Farquhar a memo saying that you (Kemper) are working on a reply to the Audit and these are the questions I need answered.

Supervisor Kemper: As far as lack of participation. The board needs to state that you are reviewing monthly statements.

The little time that Carol has come into the office, she has helped me with the payroll.

Discussion ensued on today's Court

Supervisor Kemper: I was amazed that the attorney didn't bring up any of this stuff. People here could have disputed many things.

Councilman Ellsworth: I feel that we shouldn't have to pay Attorney Radner to come here to talk with the board on the Attorney's lack of performance. She (Radner) requested that the Clerk and Councilman be there to be called on the stand and they didn't even do it.

Supervisor Kemper: I feel the Judge just wanted to push it through and he kept looking at his watch.

Councilman Gritsavage: Then he could have adjourned until tomorrow morning. As an Attorney, you can't tell a judge what to do. But, you are there to protect your clients. When the Attorney stated that she rest. She could have stated that she would like to have a minute with my client.

Councilman Ellsworth: The agreement with Greenman-Peterson on the town hall engineering, do we have a way of knowing if they are staying within their contract amount or do we just keep paying the bills every month? Is the bookkeeper keeping an eye on the amount that is being paid to Greenman and Peterson for Engineer costs? We need to know. Are we calling them too much and we need to cut back?

Discussion ensued on trying to have the warrants ready by Friday before the Town Board meeting for the board to review. Tell everyone that these are the terms of the Town and we need the bills by a certain day of the month. They have to submit their voucher or they won't get paid until the next month.

Supervisor Kemper: We did cut it off on Friday.

The problem is that Carol did everything for everybody because she wanted everything done. We are trying to train each department to do their own vouchers and submit them. It is a learning experience.

Councilman Gritsavage: I don't have a problem with that, I understand.

WARRANTS: Councilman Ellsworth approved paying the bills as presented to the board, seconded by Councilman Gritsavage, and passed by,
4-Ayes: Kemper, Ellsworth, Roosa, and Gritsavage

<u>May 2013 Warrants</u>	
General	\$14,595.19
Highway	3,991.92
Sacandaga Fire District	85,250.00
Sacandaga Lighting	1,441.23
Sacandaga Water District	832.14
Sacandaga Sewer District	<u>5,527.90</u>
Total Warrants	\$111,638.76

The next regular board meeting will be Wednesday, June 19, 2013 at 6:30 p.m.

ADJOURN: Not having any more business here before the board, Councilman Ellsworth motioned **to adjourn the meeting at 9:07 p.m.**, seconded by Councilman Gritsavage, and passed by,

4-Ayes: Kemper, Roosa, Ellsworth, and Gritsavage 0-Nays

Respectfully submitted,

Elaine Mihalik, RMC
Town Clerk