

**TOWN OF NORTHAMPTON
REGULAR MEETING
July 17, 2013**

The regular meeting of the Town of Northampton was held on Wednesday, July 17, 2013. Supervisor Kemper called the meeting to order at 6:30 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: Darryl Roosa, Bob Ellsworth and Ivar Anderson
William Gritsavage entered at 6:43 p.m.

RECORDING SECRETARY: Elaine Mihalik-Town Clerk

ALSO PRESENT: Kip Richardson, Highway Superintendent
Matthew Ginter-Code Enforcement Officer
Vern Duesler III-Animal Control Officer
Mark DeMeo, Linda and Richard Logan, Art Simmons, and Randy Palmateer
Jack Farquhar entered at 7:07 p.m. and left 7:10 p.m.
Carla Kolbe, Recorder Newspaper

MOTION: Councilman Roosa motioned to approve the May 15, 2013 Regular/Public Hearing meeting minutes and June 19, 2013 Regular meeting minutes as presented by the Town Clerk, seconded by Councilman Anderson and passed by,
3-Ayes: Kemper, Anderson, and Roosa 0-Nays
Councilman Ellsworth abstained on the June 19, 2013 meeting minutes. He was not present at that meeting.

MOTION: Councilman Roosa approved paying the warrants, as presented to the board, seconded by Councilman Anderson, and passed by,
4-Ayes: Kemper, Anderson, Roosa and Ellsworth 0-Nays

July 2013 Warrants

General	\$31,227.59
Highway	7,442.24
Sacandaga Fire District	0.00
Sacandaga Lighting	1,146.71
Sacandaga Water District	691.03
Sacandaga Sewer District	<u>920.31</u>
Total Warrants	\$41,427.88

Speaker:

Vernon Duesler: I received a call around 6:30 p.m. on 7/16/2013 regarding the Betler property. Matthew Ginter the Town Code Enforcer and I went to the Betler property and I called the Sheriff's Department to have police there as backup because I thought that we were going to have problems. As soon as we opened the door to Ms. Betler's little trailer out behind the main trailer we had a lot of problems. Ms. Betler did finally surrender the dogs. Matthew Ginter had a tough time, Ms. Betler was going to let him do an inspection of the main trailer but after some help from the police Mr. Ginter was able to do an inspection of the main trailer and it was deemed inhabitable. There were 28 dogs, 15 cats and a rabbit that went to Helping Paws Rescue. The vet

bill is going to be high. There was one dog that had a broken leg. Veterinary Matt Long came to the site and inspected the dogs. There were 2 female dogs that each had a batch of puppies. Matt Long stated that the dog with the broken leg needed to fix the leg properly. The vet bill is going to probably be \$700 or \$800. Protocol says it is the responsibility of the Town to pay the vet bills. The Town can charge the owner because Ms. Betler admitted the dog did get hit in the road two or three days ago.

Supervisor Kemper: What breed was that dog?

Vernon Duesler: It was a Chihuahua. Most of the dogs were Chihuahua's and Chihuahua mix. It was quite an ordeal. I got home around 3:30 a.m. We did get the dogs out and they are with Helping Paws Rescue. Because Ms. Betler did surrender the dogs and once all the dogs that didn't have their shots, get their shots, they will all be put up for adoption. But for now, as far as charges, Mr. Ginter and I have to go to the Sheriff's Office on Friday and finish up the paperwork.

We had three Deputies, the Sergeant, and the D.A. there. A couple of times the Troopers stopped. Hopefully that will be the end of her ever having animals again.

Supervisor Kemper: How many dogs were registered with the Town?

Vernon Duesler: Twelve of them. The last time I was there Ms. Belter was in compliance with the dogs a little over a year ago.

Councilman Roosa: What prompted the call?

Vernon Duesler: The call was from a concerned party that was there and was actually fixing the place up, until things went haywire.

Everything started moving once the Code Enforcer put the yellow sign on the door. The last time nothing got done. These were horrible conditions then it was the last time.

Councilman Ellsworth: So the Veterinarian is waiting to hear from you on the one dog with the broken leg?

Vernon Duesler: I told the Veterinarian to hold off until I spoke with the Town Board tonight and you made a decision. The Veterinarian stated that there are two procedures that he could follow. One involved putting in pins to put the leg where it belongs.

Councilman Ellsworth: What is our legal obligation?

Vernon Duesler: We have to take care of it.

Supervisor Kemper: Unless there is no hope for the dog.

Vernon Duesler: It does have life. Its leg is broken. The Chihuahua dog is at Veterinarian Matt Long's office now. I told the Veterinarian he had to do what he had to do.

Supervisor Kemper: How can a Chihuahua get hit by a car and still be alive?

Vernon Duesler: I don't know. It was the dog's hind leg that is broken.

We chased cats around for about two hours. We thought we had everything pretty much done. The dog with the puppies, we had the dogs I thought pretty well cleaned up, I looked and found three puppies in another crate.

Supervisor Kemper: Were they fed?

Vernon Duesler: She did feed them. It was obvious they did not have dishes, any access to water. Ms. Betler stated that she did water them once a day. I think there were four bowls for eighteen dogs that were stuffed in cages at one time. It took us about an hour to get through to the owner,

to get the dogs water. I told Ms. Betler to get the dogs out of the trailer because it was so hot in there.

Supervisor Kemper: Did Ms. Betler give you a hard time?

Vernon Duesler: Not as hard I thought it would get. Ms. Betler did sign all the papers. The Deputies did document each dog, their name and took individual pictures of each of them. I did mention that some of the dogs did have licenses. It was organized very well.

Councilman Ellsworth: We need to get the options for the dog that had the broken leg and do something.

Vernon Duesler: We don't have much of an option. I don't know if they are going to charge Ms. Betler.

Supervisor Kemper: If they are going to charge us for anything it would be added in that as part of restitution. Who has to get a hold of the Veterinarian?

Vernon Duesler: I will. The Veterinarian was talking about bring in an orthopedic doctor or we can amputate the leg.

Councilman Ellsworth: That would be cheaper. There are a lot of dogs out there that do just fine.

Vernon Duesler: There are a lot of dogs that do just fine. That was one of the options. This is why I stated to the Veterinarian that I would bring this to the Board.

Councilman Ellsworth: My advice is to authorize Vernon Duesler to tell the Veterinarian he has to do what he has to do with the least expensive option.

Councilman Anderson: I second that.

Councilman Ellsworth: If to amputate the leg is cheaper then putting in pins and bolts. Then I think that is what you have to do.

Vernon Duesler: The leg was just dangling.

Supervisor Kemper: Will the Veterinarian have to amputate it then, or leave it just the way it is? I will not be the one to make that decision.

Vernon Duesler: They can place pins and bolts in there.

Had it been healed within the ten days of it getting started then I would say to let it go.

Councilman Gritsavage entered the meeting at 6:43 p.m.

MOTION: Councilman Ellsworth motioned to authorize Vernon Duesler to do his job and make a judgment call with the Veterinarian on the care of the Chihuahua dog with the broken leg that was removed from the home of Faith Betler, seconded by Councilman Anderson, and passed by, 5-Ayes: Kemper, Ellsworth, Anderson, Roosa and Gritsavage 0-Nays

Supervisor Kemper was there only dogs in the back trailer?

Vernon Duesler: Both trailers had dogs in them.

Supervisor Kemper: Which trailer is posted by the Code Enforcement Officer?

Matthew Ginter: The main trailer that was the residence.

Supervisor Kemper: Is Ms. Betler living in there?

Matthew Ginter: Let me say that I give the organization Helping Paws **five stars** and I give Fulton County **none**. Fulton County is coming up very short in giving any resources or help to

our Animal Control in the entire County and it is an embarrassment. The Deputies hands were tied. There is no where to turn in this County.

Supervisor Kemper: Don't they have the one investigator from the Sheriff's Department?

Matthew Ginter: I'm talking about someone that will come and take the dogs store them, feed and water them and provide shelter. There should be some sort of system in place where they will come.

Vernon Duesler: We were under the assumption that the Regional Animal Shelter was for the County. The Deputies stated that they only handle Gloversville. Well at 2:30 a.m., Helping Paws showed up to help.

Matthew Ginter: Even the Deputies expressed frustration. This needs to be looked at at the County level. To provide some sort of assistance.

Supervisor Kemper: The regional doesn't do anything?

Vernon Duesler: No they don't but they did show up around 2 a.m. while we were trying to get the animals' situated and offered their assistance. I did mention to Joe and Karen to take anything that they can give you.

The Regional Director was going to meet with their board this morning and they were going to offer some assistance to them.

At the whole County level if you have 20 or 30 dogs. I was real fortunate. I stated that I would call Helping Paws, we're contracted with them. But I knew they were full too and they went above and beyond. Both of them they got no sleep. I hope this board will give them a little compensation because of what they have done.

Supervisor Kemper: We have never had a situation like this before.

Vernon Duesler: No we haven't to this degree but this was an extraordinary situation. There were over 40 animals over there. I average maybe two or three dogs a year that I've brought to them. Discussed ensued on the last issue where the dogs were left at the house on County 113.

Matthew Ginter: If we can go back to last fall, I wasn't here at the time. But as long as I've been here there were court proceedings against this particular property owner, to take control of this property and to potentially level it all off and just have it a lot. If I'm not mistaken we were granted that in Supreme Court. I am going to contact our Attorney to get verification of that decision. I believe that was one of the pressing things when I came on board.

At the end of November we could have gone in there and cleaned it all up. At that time I was contacted by the property owner's sister who was very willing to work with me and had the funds to put into this place. With consulting with the Code Enforcement Office at that time we came to the determination, it would probably be in the Town's best interest and expense wise to give these people another chance. They were willing to clean it up, put money into it and we were willing to give it a try. At that time a building permit was issued, they did the siding; the roof; they built a couple of porches, there was electrical work done there at that time. They passed inspections, a meter was put in. They had power and they were able to get water. I wasn't able to get verification of the septic because they weren't using it at the time. Everything was progressing good and I was very encouraged. I was dealing directly with the sister who was financing this. Then winter hit. Hence we came into spring. I hadn't had any idea that anyone was staying there. We saw the building permits come down and blankets went up in the windows.

I think we need to look hard at, do we go back to the order that we had to clean this place up. Otherwise we are going to be sitting here six months from now doing this all over again. It has been condemned and was condemned all along. Now, I have just reposted it and started the process again. But, in reality there **never** was a CO issued and it is not going to stop them. I

know there is expenses involved but if we keep doing this we're going to keep incurring expenses like we are now. We went through all of that trouble to court to get that order. I think we need to do the next step and finish this. To go there every evening to see if they are sleeping there is a job in itself. They don't understand the rules.

Councilman Ellsworth: There was never a CO issued there?

Matthew Ginter: No. To get a CO you need a source of heat, hot and cold running water, you need electric. They were getting there. I was shocked that National Grid put a meter there. Guys were in there replacing flooring, putting on new siding, electrician was putting new wiring. I was encouraged. The sister at that time stated that she hoped it didn't go back to the way it was and that is exactly what it has done. I think this is a cycle that is never going to end. Unless we end it and we have the authority to do it.

Councilman Ellsworth: That order still stands? Have you check with the Attorney?

Matthew Ginter: I have contacted the Attorney and she is looking back into her files and she stated she would get back with me. I think they've had their second or third chance.

We owe it to these animals, if you only saw what we saw last night. It was just indescribable

Vernon Duesler: We're at the end now. The trailer is beyond repair again.

Matthew Ginter: The financing to do the work is now gone the sister stated. No more work is going to be done. So it's just going to go downhill.

Councilman Gritsavage: Does the order say to "Keep Out"?

Matthew Ginter: It simply states that it is "not to be occupied" but it has been. The order was in a three month stages. First part of the order-We had the right to remove the storage buildings. Second part - I believe we had the right to remove the campers on location; the third part was to take the residence. The Attorney is checking if there was a time limit to the order. The board needs to get some bids. I have spoken with people before when I thought we were going to remove it.

Councilman Gritsavage: Who owns the property?

Matthew Ginter: I believe it's in Faith's name.

Councilman Gritsavage: She was served all the papers?

Supervisor Kemper: We did it last fall and we got a default judgment because the owner never showed up in court.

Matthew Ginter: I brought it with me and read it to Faith so that she understood what we had the authority do last fall. The trailer has gone back to being totally uninhabitable. Discuss ensued.

Councilman Ellsworth: Mr. Ginter will you research where the Town stands with the court order and contact the Attorney again. Try to contact the sister and maybe have the Town Board hold a Special meeting in a week to discuss this and to decide what we have to do.

Councilman Gritsavage: Make sure you have a Deputy present to explain it to the homeowner if the court order is still good.

Supervisor Kemper: It's very sad but we will have to do what we have to do.

The Northville Rotary has requested the use of the Bradt Building for their next year 6th Annual 2014 Woodworking and Fine Arts Weekend.

MOTION: Councilman Anderson motioned to approve the Northville Rotary the use of the Bradt Building and Town Park for their 2014 Annual Woodworking and Fine Arts Show the weekend of July 18-20, 2014, seconded by Councilman Gritsavage, and passed by,
5-Ayes: Kemper, Anderson, Gritsavage, Ellsworth and Roosa 0- Nays

Jack Farquhar entered 7:07 p.m.

I wanted to bring to the Town Boards attention regarding the letter that came from the NY State Department of Health dated 7/9/13 regarding identifying our municipally owned ambulance service as one that holds operating territory outside of the border of our municipality. Our certificate reads the "Town of Northampton Service primary territory: Towns of Northampton, Hope and Benson". We fought very hard to get this. We need a memorandum of understanding stated that there is a document that is our territory and we are allowed to go there because it is our territory, to be sent to Daniel Clayton of our primary operating territory, which is on the certificate.

Councilman Gritsavage: That is not a problem with the Town of Hope is it?

Supervisor Kemper: We have a contract with Hope.

Jack Farquhar: Mr. Clayton is not looking for the contract. He wants a letter on Town letterhead and signed by the Supervisor verifying that a current agreement is in place no later than September 30, 2013.

Councilman Gritsavage: Is it a problem with the Town of Benson?

Jack Farquhar: No, it's a problem with both. We just need an agreement that the Town of Northampton can go in there and it is our primary operating territory. Otherwise, the State is going to pull it. Once the State pulls it, it will cost \$5,500 and they would have to get a Certificate of Need to get back in there.

They just need a letter from the Supervisor regarding the agreement.

Supervisor Kemper: I will get an agreement, write a letter and send it to Daniel Clayton, Deputy Director for Operations from the Bureau of Emergency Medical Services.

Councilman Gritsavage: Do you think we'll have a problem with the Town of Benson?

Jack Farquhar: I don't think that we will have a problem with the Town of Benson as long as you don't go in there and bill these people. We aren't charging them anything.

It was agreed that the Supervisor and Mr. Farquhar will attend the next Town of Benson Town Board meeting to discuss this agreement.

Jack Farquhar left the meeting at 7:10 p.m.

COMMUNICATIONS:

- Monthly Revenues and Expenditures Reports as of June 30, 2013
- Monthly Transfers for abstract of Audited vouchers
- Up coming Animal Control Workshop will be held on Thursday, August 1, 2013 at Kunsela Hall, SUNYIT, Utica, NY.

Supervisor Kemper opened for Public Comment at 7:12 p.m.

Richard Logan: Regarding the July 9, 2013 Public Hearing, there were some things stated at that meeting that I was surprised at. It came from the Board, saying that there were certain things that they were not aware of, that they were not aware that people were parking on the road.

If the Board was listening to me when I presented this to the Board originally a year ago I mentioned then and I know it has been covered since then. That cars parking on that road, two tires on the road, if not half the vehicle on the road and it doesn't matter whether it's up near the Marina or down towards the State Campsite. I have taken pictures which I didn't bring tonight because I'm sure you have been inundated with enough pictures but at least a third of the vehicle is on the road. This is the type of stuff we are dealing with all the time and that vehicle was parked there for two days, all day Saturday and most of the day Sunday. Obviously, those people got into another vehicle and stayed at the Campsite.

Back in 1961 when my parents had the trailer park that I now have and back then the Marina had one set of docks and they now have three. Pinehaven did not exist and across the street from us was Birchwood Courts which went to Ellen Simonds home and it was all vacant fields all behind there. Things have changed down there. Our store that my parents and family ran was the only store down there. Mr. DeMeo's store did not exist. There was the Pink Store and a store by Co Hwy 152. The speed limit was 35 MPH back then. Things have changed over the last 52 years. This Board needs to take a serious look at the traffic down there, to the size of the vehicles and a lot of the boats that are going into the campsite to the boat launch, to the sizes of the motor homes. There is just not enough room to have parking on both sides of the street. The amount of people that are down there and to provide what is needed to be provided for the resident's and for the business that you want to have in the area. You're not making it safe the way things are today.

Supervisor Kemper: Thank you for your comments Mr. Logan. We are addressing this later on in this meeting.

Mark DeMeo: I want to thank the Board for all their help for getting all that had gotten done.
Supervisor Kemper closed the Public Comment at 7:15 p.m.

CODE ENFORCEMENT: Matthew Ginter collected \$650.00 in fees and has issued (10) permits in June 2013; #19-13 Carport permit; #34-13 Storage Shed permit; #35-13 Porch permit; #36-13 Storage Shed permit; #37-13 Repairs permit; #40-13 Garage permit; #41-13 Alterations permit; #42-13 Addition permit; #43-13 Storage Shed; #44 Handicap Ramp permit. The total Estimated Project Costs was \$158,500.00. Matthew Ginter has informed the Board that he has completed the required Code Enforcement Training Courses.

HIGHWAY: Kip Richardson stated right now the Highway fund is under budget. I have another issue and I have to wait to address that problem and I need a \$5,000 cushion for any other problems.

Supervisor Kemper: We have an additional \$12,960 a 28% increase for CHIPS Consolidated Highway. We did get more money then was budgeted for CHIPS and if the board wants to allow you that money. We can do a budget amendment. We did get more money then budgeted for CHIPS and the rest we were taking out of the Highway Fund.

MOTION: Councilman Anderson motioned to allow Highway Superintend to spend the additional CHIPS money (\$12,960) if he needs to go over budget and the Town can do a transfer of Funds, seconded by Councilman Roosa, and passed by,

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

Supervisor Kemper mentioned that the County has scheduled for 2014 to pave Southern part of Co Hwy 152.

Supervisor Kemper: The total amount from CHIPS was \$58,112 up from \$45,000 so the rest is coming out the Town Fund.

MOTION: Councilman Anderson motioned to approve the Agreement to Spend Town Highway Funds. We agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows.

1. **General repairs.** The sum of \$160,540.80 may be expended for general repairs upon 1.9 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. **Improvements.** The following sums shall be set aside to be expended for the improvement of town highways:

- (a) On the road commencing at Seven Hills Road and Leading to Elmer Brown Road, a distance of 9,800 ft, there shall be expended not over the sum of \$160,540.90. Type Cady mix; width of traveled surface 20'; Thickness 2.5 inch, seconded by Councilman Roosa, and passed by,

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

MOTION: Councilman Anderson motioned to allow Highway Superintendent to go over budget because of the extra \$12,960 Chips money given, seconded by Councilman Roosa, and passed by,

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

Supervisor Kemper mentioned that part of the County's 2014 Capital Project they will be paving a portion of County Hwy 152.

JUSTICE REPORT: Councilman Anderson motioned to accept the Justice report, of a total of 53 cases were handled and \$6,992.00 collected in fines for the month, seconded by Councilman Gritsavage, and passed by,

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

Committee Reports

ASSESSOR: An ad has been posted in the legal paper of the Town for the Assessor's position which has to be reappointed every 6 years. Received letters of interest for the Assessor's position the Board members will review applications and make comment whether they want to interview applicants.

Matthew Ginter: He and the Assessor are working together on a project of placing all building permits in folders under SBL, making it easier for any municipal searches someone inquires about.

Supervisor Kemper: I would like to see the Code Enforcer and the Assessor get back on board with the Pictometry that we have an agreement with the County to use.

CEMETERIES: The Cemetery Committee met with Stu VanNostrand and reviewed the proposed pricing change for Cemetery-Related Services which will be effective January 1, 2014. These are charges that due to rising costs.

Supervisor Kemper read the full resolution.

Resolution 2013-07: Resolution to Approve Pricing Change for Cemetery-Related Services. The foregoing resolution was made by Councilman Gritsavage and seconded by Councilman Anderson.

Roll Call Vote: Linda Kemper Aye Ivar Anderson Aye
 Bob Ellsworth Aye Darryl Roosa Aye
 William Gritsavage Aye

Councilman Gritsavage informed the Board members that the Cemetery Committee has more work that needs to be done. They will be working on policies, contracts and By-laws.

AMBULANCE: During June 2013 members responded to 13 calls in the Town of Northampton; 3 calls in the Village of Northville and 1 call in the Town of Hope. They volunteered 153 man hours and traveled 565 miles through the month.

HAULING FEES for the month of June 2013 are as follows:

County Transfer	90.660 Ton @ \$53.00	\$4,804.98
Curbside Recycling	11.080 Ton @ \$25.00	\$ 352.00
Metal	4.640 Ton @ \$20.00	\$ 92.80
Transfer Station Recycling	1.040 Ton @ \$12.50	\$ 13.00
Total		<u>\$5,262.78</u>

NORTHVILLE FIRE DEPARTMENT: Chief Thomas Groff submitted a Fire Report for July 2013. There was a total of 9 responses and a total of 94 man hours for the month.

Village of Northville had 4-Hazardous Conditions and 1-Alarm Activation. The Town of Northampton had 2-Hazardous Conditions and 2-MVA/EMS. Three members were appointed to fill three vacant Captains' positions: Holly Downing, Owen Jensen and John Stortecky.

Three members were elected by the membership to serve as Lieutenants of the Department: Roger Bergman, Lt.; Robert Blowers, 1st Lt; and Greg Bedell, 2nd Lt.

HARDFILL: For the month of June 2013 there were a total of 64 vehicles that had come to the Hardfill and total of \$43.00 was collected.

SACANDAGA PARK WATER & SEWER:

Report for June 2013

Water: June-2013-usage, 1,833,000 gallons pumped.

June-2012-usage, 1,332,000 gallons pumped

- Meters are being read each month.

Repairs/Maintenance:

- No problems to report

Wastewater: June 2013 daily average flow 195,600 gallons.

June 2012- daily average flow 45,900 gallons.

Repairs/Maintenance:

Treatment plant was in violation and in non compliance for the month for exceeding the flow limits. Also, fecal coliform readings were elevated above the MCL limits set for the plants SPEDES permit. The elevation in numbers are a direct result of the high flow rates which in turn results in little contact time in the chlorine contact tank. The flow rates have finally subsided and are back to normal.

SUPERVISOR:

We need to make a correction on a motion the Board made in the April 17, 2013. Working on writing the letter to LaMont Engineers for the Water and Sewer Rate Study in the Sacandaga Park Water and Sewer District we discovered a little flaw. Elaine and I went to send out this letter stating that the Town accepted their proposal. We were attaching the minutes and in the minutes it was a motion to approve the bid for revision of billing rates for Engineering Services Wastewater System. It doesn't state anything about water. So, we weren't comfortable sending these minutes because it only stated Wastewater and we need to add Water to that. We both listened to the tape and it is not in there.

MOTION: Councilman Ellsworth motioned to amend the minutes of April 17, 2013 meeting to include the Water System with the Wastewater System in that motion, seconded by Councilman Anderson, and passed by,
5-Ayes: Kemper, Roosa, Anderson, Ellsworth and Gritsavage 0-Nays

NEW BUSINESS:

Councilman Ellsworth: I was approached by Janet Rudd who takes care of the flowers and plants in the Town Park at no cost. It was brought to my attention that the raised up planters are falling apart. I walked around the park today and also noticed that the poles that the flags used to have been on them are no longer in use. They look dumb with nothing on them.

I will talk with Carl Sedon regarding the planters before we do something about them just in case he has anyone else wanting to get involved and I will bring this back to the table next month. I think it would be better to not have the planters there looking crummy when we can have a nice looking lawn there.

Councilman Roosa: The flags were put up. My daughter's class retired the flags last fall when she graduated. I have spoken with Sue Sedon and there was an issue as to whether they were going to replace them. If they are going to replace them it will probably be this fall.

Councilman Ellsworth stated that he will look at the gazebo because it was stated that it does need to be stained.

Clerk Elaine Mihalik has informed the Board that Doris Fordyce has come into her office the beginning of the week and then called later in the week to inform the Town that there is a street light that is out in front of her house. She would like the bulb to be replaced.

Councilman Roosa stated that he will check on the pole number and relay that information to National Grid.

OLD BUSINESS:

Discussion on the Public Hearing held on Tuesday, July 9, 2013 regarding the petition the Town received proposing placing "No parking signs" along Houseman Street.

Supervisor Kemper noted that she has been in contact with the Jim MacAnee the DEC Supervisor of Operations and there is nothing that they can do concerning parking outside and people walking into the Northampton Campsite because their jurisdiction ends at the Campsite gate. He did say that perhaps an option is to limit parking, I'm not saying that I agree with this at all. He knows that there is a problem with the parking because the people are too cheap to pay the extra amount. They do go into other cars and enter the Campsite which is normally for day use. They do park their cars and ride their bicycles into the Campsite which only costs them \$2 opposed to paying \$8 to drive their car in. The DEC knows that some weekends are busier than others and as far as getting the State to give us any type of assistance, nothing. I asked that maybe they would want more revenue. Can't you police this? It was stated to her that it was out of their jurisdiction. It is an issue when people go into other cars and enter the Campsite and as

you have stated and we are fully aware of that. However, it is the State that is creating the problem. If you take away those spots then it is going to force them to move further up the road. They are still going to do it and the State is not going to lower their fees. I did ask DEC if they had any suggestions that they might have of what we can do. He stated that the police are very reluctant to issue tickets for parking on pavement and the courts are reluctant to enforce it.

Councilman Gritsavage: Do mean Environmental Police?

Supervisor Kemper: No, the Environmental Police will do nothing at all. I'm talking the State Troopers unless there is an accident of a specific complaint. People can call all the time and report parking on the pavement. One suggestion the DEC Supervisor did say was that they would love to see "No Parking" because then the people wouldn't be able to come into the Campsite and walk.

I'm concerned that they will park further down and infringe on the local businesses. So he thought if we were considering any kind of signage was to put "No Parking between signs" on a specific area you are trying to target.

We did hear from the permit holders and we did hear a lot of input from a lot of different sources the businesses at the Public Hearing on 7/9/2013. That's my information on the DEC where their jurisdiction ends at the Campsite gate.

Councilman Roosa: I spoke with Max and he stated that due to the congestion is due solely to the process of checking in and coming out and he agreed that was a concern and something needed to be done. I suggested 300' from the Northampton State Campsite to Logan's driveway to possible make this "a half hour No parking zone". The additional 500' to the Mini Golf Course would be "no parking". On the opposite side of the street if you're parking there, you're parking on the pavement. I spoke with Matt VanValkenburg from the Sheriff's Department and Bob Johnson who is retired and with a complaint the Sheriff's Department will come and ticket the car if they are parked on the pavement.

Supervisor Kemper: So, if some complained that somebody was parking on the pavement they would indeed come over there?

Councilman Roosa: That's what he told me.

Councilman Anderson: The Trooper's have stated that they won't be bothered with it because there is so much that is going on. If it were to go before the court, it would get adjourned anyway. The Troopers are willing to set on the corner of Houseman Street and County Hwy 152 and ticket people going through the stop sign.

Councilman Roosa: Max agreed that my suggestion would be a remedy to try. The first 300' from the Northampton State Campsite to Logan's driveway to possible make this "a half hour No parking zone". The additional 500' to the Mini Golf Course would be "no parking" along the chain link fence.

Councilman Gritsavage: I'm not convinced that if you put no parking signs along the fence then everyone is going to move down more. If we put "one hour" or "no parking" signs and where it narrows down by the Mini Golf Course that seems to be a real problem. I can't see how you can not have "no parking" on at least one side of the road. I understand the argument. You've got to do something down there.

Councilman Anderson: You also have a problem further down.

Councilman Gritsavage: The problem is they write the tickets and if there is a problem then they have to go to court.

Councilman Ellsworth: My problem is that the Sheriff's Department never shows up. I've called and asked to meet with him. The Sheriff then he chatted with me on the phone and he informed me that he was going on vacation which is understandable. I asked the Sheriff on how far you have to park on the pavement and I was told he had to research it. That Sheriff went on vacation and he has never called me back.

I also spoke with the State Troopers and they won't issue parking tickets at all.

Councilman Roosa: Suggests to place 1 hour parking 300' from the entrance of the Northampton State Campsite to the Logan's driveway. From Logan's driveway to the Miniature Golf place "2 hour parking" on the lake side (E) side "No parking on pavement" beyond Marina to the guardrail at the culvert pipe on Houseman Street.

Councilman Ellsworth: The other problem is getting someone to write the tickets. The Sheriff's Department hasn't come thru for us on anything we asked them to do.

Supervisor Kemper: We have heard from permit holders and we can certainly identify with these people. If you have "no parking", I can't agree with that. Councilman Roosa where are you talking about the 300'?

We've heard from property owners there saying that they don't mind that they don't hurt their lawns at all.

Councilman Gritsavage: That is not the entire issue. When they are particularly parking on the pavement, it's a safety issue. It's not an issue of I don't mind if somebody parks here. What about the other guy on the other side of the street? I'm not impressed by that argument.

I spoke with the Mayor. What about getting the Northville Police?

Councilman Ellsworth: You can't hire the Northville Police just for this issue. If we contract with the Village Police you have to be on call for the whole town. That is how it was explained to me by the Mayor.

Councilman Gritsavage: I'm not so sure of that. If you had a Police District may be that is something to look into.

We have a Village with 1,100 people and we can afford to have Police. We don't have parking problems in the Village and no they are not 24/7. But when we have issues we have a good Police Department here in Northville. The Village people pay for that and they get what they pay for. I wonder maybe you can have a Special Police District.

Councilman Ellsworth: It would you have at as a District or for the whole town.

Councilman Gritsavage: I don't have a problem with that. We could have a Town Constable. That might be something to look into. I'm concerned with these issues and somebody's going to hurt.

Councilman Ellsworth: What happens at the County meetings? Don't the Supervisor's have some control over the Sheriff?

Supervisor Kemper: The Sheriff is an elected official.

Councilman Gritsavage: You have to be able to raise hell. He has to be re-elected. Tell him up in Northampton you're not doing your job. We're not going to come up with a good solution. What Councilman Roosa is talking about might be a start. I don't want to hurt those businesses. But, it's dangerous and it's not fair to the people who live there.

Supervisor Kemper: You only have a few months of the year over there.

Councilman Ellsworth: Instead of putting up “no parking” put “time parking” sign.

Councilman Gritsavage: If you’re talking about time parking, you put the signs up and the people complain.

Councilman Ellsworth: Just from what I heard from the Public Hearing. Would just a string of signs with ‘no parking on pavement’ make a difference? If there was no one on the pavement over there it sounds like that congestion would be much better. It probably is not going to make everybody happy but it would make a little bit happy.

Supervisor Kemper: Ironically, talking with the people at the Campsite, a lot of the parking that is being done outside the Campsite is local people.

Councilman Gritsavage: It doesn’t matter. If they park near the fence it seems to cause a lot of congestion in the area where it narrows in there and it is going to be dangerous.

Discussion ensued.

Councilman Gritsavage: What if we have a “one hour parking” or half hour parking” or “standing only” down there?

Supervisor Kemper: Then you have parking for the Marina

Councilman Anderson: The Marina has parking in the back there.

Councilman Ellsworth: If you were at the Public Hearing Ivar, they were using that space for other things.

Councilman Anderson: I take a ride down thru at least twice a week and I see what is back in there. I see the same cars that are parked up along the side of the road for the whole weekend.

Councilman Ellsworth: The Marina states that they use that for swinging boats around and other things.

Councilman Roosa: When I talked to her the other day, you can’t tell me that they have parking for everyone who owns a boat here. She said “we don’t” but we do offer parking in the back.

Councilman Ellsworth: That’s different then what she stated here.

Councilman Gritsavage: Maybe they need another configuration for their customers parking there.

Councilman Anderson: The people who go to Jay’s Restaurant should be allowed two hour parking but the people who are going to be parking for the weekend should be parking else where.

Councilman Gritsavage: How about two hour parking on the one side of the road?

The other side is just driveway and there is no parking there anyway.

Councilman Anderson: I think that along the fence by the Miniature Golf should be used for people to park for Jay’s. Not people who go to the Marina and stay all weekend.

Councilman Gritsavage: Or for people who go into the Campsite. They are parking there as part of the backup. Maybe they’ll have to pay the money to go to the Campsite.

Councilman Anderson: Or find a friend who lives on Houseman St and park in their driveway.

Councilman Gritsavage: We can pass something with restrictions but if it is not being enforced, we can put pressure on the Sheriff's Department.

Councilman Ellsworth: Putting up "no parking on pavement" it could solve a part of the problem. It could remind them not to park on the pavement.

Councilman Gritsavage: This would be at least something we could call the Sheriff's Department with and state that we have these Laws on the Town and you never enforce them. It may be that we may have to look at something so that we can provide our citizens with Law enforcement.

Councilman Ellsworth: It sounds like we are restricted because of the lack of enforcement. We can make a lot of decisions based upon the fact there is no enforcement here.

Discussion ensued.

I may get accused of raising taxes but something has to be done. The businesses are getting hurt. The resident's are terribly inconvenienced and can't enjoy their property. You probably theoretically argue that the value of their property is less because they can't enjoy it and therefore they can't sell it. We could lose tax dollars in that respect.

Councilman Ellsworth: Someone mentioned that the Supervisor may have the authority to post emergency speed limit until the State does what they have to do and make a decision on the request. Is it possible to research that? If this is something that the Supervisor can do with the Board's approval in a Resolution stating that we are not going to wait for the State to do their studies and then lower it until the State decides what they want to do.

Councilman Anderson: I'll be talking with someone from the DOT tomorrow and I'll ask.

Councilman Gritsavage: If there is such a thing we could get an opinion from our Attorney.

Councilman Anderson: The paperwork has gone to the DOT and they have sent it on to the Troopers. When the Trooper's are done with their study they will meet with DOT and make a decision.

The Board is reviewing and discussing the pictures taken of Houseman Street of the area in question and what they decide.

Councilman Gritsavage: The big question. How are we going to enforce this?

Councilman Anderson; If you say no one is going to enforce this then throw out all the laws in the state. $\frac{3}{4}$ of the laws don't get enforced anyway.

Councilman Gritsavage: He then asked the Supervisor what she thought.

Supervisor Kemper: I can't support going down past the businesses. We had a Public Hearing and we heard the people. These are people who live right there. From the businesses this is their only livelihood down there and there are the people who are 10' permit holders.

Councilman Anderson: That's their problem. He then compared this to Fishhouse permit holders.

Councilman Anderson: Greg Simonds told me that when they sign a contract for the dock space they have parking down in the back.

Councilman Gritsavage: I have a tendency to believe those people parking there are the ones that are going into the Campsite.

Councilman Anderson: The ones that are going into the Campsite are parking down by the Campers Last Stop and Logan's Trailer Park.

It was suggested to put up one hour parking from the State Campsite to the chain link fence and the rest no parking on the pavement.

Supervisor Kemper **opened the Public Comment Session at 8:28 p.m.**

Randy Palmateer: Suggested that the Board go down there so you can see what is by the fence. Because what he is explaining is fence as cables between the trees up to the Marina. Go down there and meet. Walk the whole distance and see what it looks like.

Councilman Gritsavage: We've been down there.

Randy Palmateer: From the Campsite up to his place (Logan) and there is second chain link fence up to the Mini Golf.

Richard Logan: A concern you might want to consider is if you post signs on one side of the street, the people that have been parking on that side are going to revert to parking on the other side of the road. If they park in front of the Simonds' they will be parking on their grass to get off the road and park. You might want to consider this before you make any decision. For clarification are you talking about the fence from the State Campsite to our first driveway not the second driveway.

Councilman Roosa: I wasn't going to put anything up to both your driveways. You have boat trailers there.

Supervisor Kemper: There's a perfect example. We've had two people who stated that they park their own vehicles with trailers there to block the area so other people can't park there and this has been stated at meetings.

Councilman Anderson: These people are not parking on the road. They are not creating a hazard. You don't understand there is congestion down there. There are kids running down there, dogs down there and there is everybody else.

Linda Logan: We can't even get out of our driveway.

Richard Logan: showing the Board a picture that was on his phone. He stated that there was a 30 ft motor home that was parked in front of his property right before his driveway.

Supervisor Kemper: Isn't there a Law for blocking a driveway?

Linda Logan: We have a problem with people parking to go into DeMeo's store. The people at the Marina should park out back, they park out front. They give their own excuses but they want to live their own way. It's crazy.
Do you call the police?

Richard Logan: You call the 911 number and state your complaint and they come up and may be they come up to the Campsite and turn around and leave. They don't do anything.

Linda Logan: There is no parking signs there that say you can't park there.

Councilman Gritsavage: What if we put "No Parking" signs in your area?

Linda Logan: It would help us. It won't help the congestion at the Marina.

Richard Logan: It's just going to migrate to the other side of the road.

Discussion ensued.

MOTION ON SIGNS ON HOUSEMAN ST.: Councilman Gritsavage motioned to approve placing "No Parking on Pavement" signs on Houseman Street on both sides of the road starting

from the guardrail at the culvert pipe +/- .5 miles N (1/2 mile) to the beginning entrance of the Northampton State Campground on Houseman Street in the Town of Northampton, Fulton County, NY. The Board will then revisit this in 1 month to see if this was effective, seconded by Councilman Ellsworth, and passed by,

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

Councilman Roosa is to check to see what the cost of the signs will be and what the distance between each sign is required to be.

It was suggested Supervisor Kemper check to see if the Town Supervisor or Town Board has the authority to post a speed limit on a Town Street. Check with our Attorney and see if we can put in an emergency speed limit.

Mean time we can meet with the Under Sheriff. I did think Councilman Roosa had some good ideas but I do see some problems with that.

Discussion ensued.

Councilman Gritsavage suggested revisiting the discussion with the Mayor on the possibility of getting some enforcer over there. May be that would be something for the Joint Inter-Municipal meeting to talk about.

Randy Palmateer: Are most of the guys that work for the Village Police deputized?

Councilman Gritsavage: Yes, but that is not the issue.

Randy Palmateer: If they are over there with the Village Police car can't they enforce it?

Councilman Gritsavage: How are you going to get the authority to get them over there?

Randy Palmateer: The car is over there.

Councilman Gritsavage: The Police are over here and are hired by the Village to watch the Village. They're over there to back up something I assume.

Randy Palmateer: It wasn't for a call. This was just when they were out for a ride.

Councilman Gritsavage: I don't know anything about that.

Randy Palmateer: Did you say that Patti Sweet had a permit down there?

Response: Yes

Randy Palmateer: She doesn't have a permit down there.

Supervisor Kemper closed the Public Comment Session at 8:38 p.m.

The next regular board meeting will be Wednesday, August 21, 2013 at 6:30 p.m.

Councilman Gritsavage: What are we going to do about a Deputy Supervisor and a Deputy Clerk?

Supervisor Kemper: Right now we don't have any. We are not required to have any, I've inquired with the Association of Towns. The Clerk has to have a Deputy Vital Statistics Registrar.

Councilman Gritsavage: It's a political season coming up and I think that people should, that are not Town employees or not doing Town business should not be inside the offices reading newspapers. If you want to read a newspaper, go to Stewart's.

Supervisor Kemper: The Town building is paid for by the public and anybody can come into any of our office any time, which Town people do. They come into both of our offices.

Councilman Gritsavage: they are there for business. There are records, conversation and financial things being discussed and should only be seen by people on the board.

Supervisor Kemper: These are things that the public is entitled to. We don't have anything to hide.

Discussion ensued.

ADJOURN: Not having any more business come before the board the meeting was **adjourned at 8:44 p.m.**

Respectfully submitted,

Elaine Mihalik, RMC
Town Clerk