

**TOWN OF NORTHAMPTON
REGULAR MEETING
August 21, 2013**

The regular meeting of the Town of Northampton was held on Wednesday, August 21, 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, Ivar Anderson and William Gritsavage

RECORDING SECRETARY: Elaine Mihalik-Town Clerk

ALSO PRESENT:
Matthew Ginter-Code Enforcement Officer
Mark DeMeo, Linda Logan, Art Simmons, Steve Norris, Guy Poulin
Carla Kolbe, Recorder Newspaper

MOTION: Councilman Ellsworth motioned to approve the July 9, 2013 Public Hearing meeting minutes as presented by the Town Clerk, seconded by Councilman Gritsavage and passed by, 4-Ayes: Kemper, Ellsworth, Gritsavage and Roosa 0-Nays
Councilman Anderson abstained he was not present at the July 9, 2013 meeting.

Councilman Anderson motioned to approve the July 17, 2013 Regular meeting minutes as presented by the Town Clerk, seconded by Councilman Ellsworth and passed by, 5-Ayes: Kemper, Anderson, Ellsworth, Gritsavage and Roosa 0-Nays

Councilman Gritsavage motioned to approve the August 5, 2013 Special meeting with corrections made on page 1 to add "Councilman Ellsworth" to third paragraph and on page 6 first paragraph should read, I have called the Benson Clerk and have already asked to be placed on their agenda for their "August" meeting to discuss this matter, seconded by Councilman Ellsworth and passed by, 3-Ayes: Kemper, Anderson, and Roosa 0-Nays
Councilman Anderson abstained he was not present at the July 17, 2013 meeting.

MOTION: Councilman Gritsavage approved paying the warrants, as presented to the board, seconded by Councilman Roosa, and passed by, 4-Ayes: Kemper, Anderson, Roosa, and Gritsavage 0-Nays
Councilman Ellsworth abstained he hasn't had the opportunity to review the warrants

<u>August 2013 Warrants</u>	
General Fund "A"	\$12,968.61
General Fund "B"	125.00
Highway	8,150.75
Sacandaga Fire District	0.00
Sacandaga Lighting	1,225.37
Sacandaga Water District	35,311.42
Sacandaga Sewer District	<u>3,562.10</u>
Total Warrants	\$ 61,343.25

Supervisor Kemper opened for Public Comment at 6:36 p.m.

Steven Norris:

1. Discussion on whether the public should be using the middle office. Does the Council get copies of confidential information from attorneys put in their mailboxes?

Response: that is given to the Councilmen.

2. Every day he is going to set up his laptop in that office.

Councilman Gritsavage: I think that that is not a public part of the office. If you're looking at maps that fine.

3. I was in that office last week. The dog was roaming the hallway and I almost tripped on it.

George Krehl had e-mailed the Councilmen a while ago about him being bitten by that dog.

There is a liability and I like to know what the board is going to do about it.

Are you going to assume liability if that dog bites someone or trips over it? Have you had the dog in a County meeting? Supervisor Kemper: There's a liability with the dogs that come in here and there are many of them.

Councilman Gritsavage: Most public buildings allow dogs that are Handicap dogs.

4. Is the Supervisor willing to pay the rider on the town insurance to have the dog in the town hall? I'm going to check with the insurance company.

Supervisor Kemper: That's excellent because the insurance company has been here many times and has been at many other public places in which the animals come in.

5. Who is the Budget Officer?

Supervisor Kemper: I'm the Budget Officer.

6. So you are getting a stipend as a Budget Officer?

Supervisor Kemper: By law I'm the Budget Officer once Carol left.

7. In the 2013 Organization meeting minutes I would like the clarification of Supervisors vote on Jack Farquhar as Ambulance Coordinator. It was Auditor who suggested eliminating that position

Discussion

Supervisor Kemper: I voted "No" against his (Farquhar) salary. The salary of the Ambulance Coordinator is what we were questioned about by the Auditor. I did not vote against an Ambulance Coordinator.

The Comptroller stated that that should not be a paid position since it is a volunteer ambulance and they wanted to know why they were paid a stipend.

Steve Norris: They (Comptroller Office) stated the reverse, that there was no recommendation What so ever from the Comptrollers Office when he did the audit.

Supervisor Kemper: Many of the things that were discussed over the issues were not in that final audit. There was no discussion of the elimination of the position, it was of the salary. Perhaps you would have gotten the answer to the question if you presented it in the proper manner.

Linda Logan:

1. Asking about the update on the parking and the speed limit on Houseman Street?

Councilman Anderson: I talked with Beth from the DOT District 2 today. They have done their study. They then presented it to the Troopers and they are waiting to meet with the Troopers to make a decision. Her office has not heard back from the Troopers.

Councilman Anderson will keep on it and try to see who we can contact at the Troopers Barracks on this issue.

Councilman Ellsworth: Has anyone called the Troopers? I just kept calling the Troopers when we had asked about the speed limit along State Highway 30.

Discussion ensued on how dangerous it is when she's walked her dog on Houseman Street when a car was speeding around the corner by the guardrails.

2. Discussion on “No parking on pavement” signs.

Supervisor Kemper: The board did have a Special meeting on that.

Linda Logan: There are people who are upset with the fact we talked about putting the signs on the property line so that people wouldn't be upset. But then they were told they could do it every 30 feet. There were people who didn't want the signs in front of their homes. We agreed that was not part of the ambience of the place.

One of the things that we are seeing is that people are temping to stay off the black top and on to the side of the road.

My concern is when the vehicle is wider and there is no shoulder for any give.

Councilman Roosa: That is what was supposed to happen, to start issuing tickets down there to everybody for speeding and parking. You need to call 736-2100 if you have an issue.

Supervisor Kemper: The reason for having the Special meeting. We found out that there is not a generic “No parking on pavement” sign. Councilman Roosa researched and found out that these signs had to be specially made and if we have to be replaced for a substantial price. We have absolutely no use for “no parking pavement” signs.

Councilman Roosa: It is a State Law.

Linda Logan: You did tell us that and we appreciate it. There were people that stated that they are going to take the signs down personally and that is a waste of money.

I know by the bend by the guardrail it is marked every thirty feet. You know people are going to be screaming because that is their view of the lake. I don't think that people park there a lot.

They're parked closer to the Marina.

Councilman Roosa explained when he saw the three cars parked there unloading coolers during the weekend of the bands.

Supervisor Kemper: We also determined and it was brought up at the Special meeting that no one can park along the guardrail. You can't even get a bicycle or a stroller to fit there. So, it's senseless to put up signs on the lakeside along the guardrail.

3. What about the two trailers owned by Mark DeMeo, the motor home and the one that says “sold”, which Mr. DeMeo has parked on Co Highway 152? The one that is sold is still on the property a month later. Will it be removed?

Matthew Ginter: There's nothing in our zoning that says you can't have a camper there if it's sold. Last year Mr. DeMeo had campers set up out back and he was turning it into a camp ground.

Guy Poulin:

* Mentioned fixing the lights when the ballast went out in the Clerk's office versus paying Fulton County Electric a \$100.00 to come up here and change it.

* I don't think staying in office 15 minutes to read newspaper is ridiculous.

Art Simmons: That's what we have a library for and it is open 6 days a week

Councilman Anderson: Do you have liability insurance? Is he a licensed electrician?

Guy Poulin: There is no such thing as a licensed electrician.

Art Simmons: It's very nice of Mr. Poulin to do these things but what happens if he's injured? I'm concerned about him getting shocked or he falls off a ladder. Is the town covered for this?

Guy Poulin: Are we going to get a new roof or not on the town hall?

Councilman Anderson: We're planning on it. Some time in September or October.

Guy Poulin: You've been working on it for three years and we had two bids.

Councilman Ellsworth: Contracts are signed.

Guy Poulin: We had two bids on the Justice Grants for the Court. One of the bids was rejected because it was over \$30,000.

I took it over and received 18 bids and the low bid was approximately a little over \$17,000. The current Justice Grant and 6 months has passed by and still nothing has been done.

Councilman Anderson: It is being worked on and being done.

Guy Poulin: I hear that a lot from you Councilman Anderson.

Councilman Anderson: It's too bad you can't be around every day. When you are around you can't hear the conversations I guess.

Guy Poulin: Do you want me to take over?

Councilman Anderson: You don't have to take over. It's being worked on and it's already being done. If you spoke to the right people you would know what is happening.

Guy Poulin: I thought I spoke to the right person today.

Supervisor Kemper: Who was that?

Guy Poulin: Jack Farquhar.

Councilman Anderson: We have paperwork to go out to the contractors and as soon as we get quotes back we will be doing it.

We also have quotes going out for the chimney.

Supervisor Kemper closed the Public Comment at 7:03 p.m.

COMMUNICATIONS:

- Monthly Report of Revenues and Expenditures as of July 2013
- Letter from time Warner Cable dated 8/21/2013
- Monthly Transfers for abstract of Audited vouchers
- All the books are available for review anytime for each separate account.

CODE ENFORCEMENT: Matthew Ginter collected \$797.50 in fees and has issued (10) permits in July 2013; #39-13 Major Alterations permit; #45-13 Water Well permit; #48-13 Addition permit; #49-13 Storage building permit; #50-13 Storage building permit; #51-13 Permit Renewal; #52-13 Septic Repairs permit; #53-13 Septic Repairs permit; #54-13 Deck permit; #55-13 Storage building permit, #Z04-13-Area Variance and #P04-13 Lot line adjustment. The total Estimated Project Costs was \$259,300.00.

Matthew Ginter has informed the Board that he has received filed in the Clerks office his certificate of completing the Code Enforcement Courses.

Discussion on proposed Town of Northampton Subdivision Waiver for Lot Line Adjustment form for the Town Board to review and approve.

Matthew Ginter: It was brought to my attention by Scott Henze, Co Planning Department that each form that I make has to be approved by the Town Board. The Board should have that waiver to follow what it states in our Zoning Law.

When a person applies for a boundary line adjustment, if they met all the criteria on that form, they can ask to be waived from all Subdivision requirements which are quite lengthy and expensive. A boundary line adjustment is typically two people that share a line and they have an agreement to move the boundary one way or the other.

Supervisor Kemper: How would that pertain to someone if they are within the Sacandaga Park because that is under the Overlay District? Would they have to go to the Planning Board for that?

Matthew Ginter: The Sacandaga Park would have to go through the procedure just like the rest of the Town would for the lot line adjustments. The only thing that is different is if it has to do with the Planning Board review for building permits.

MOTION: Councilman Anderson motioned to accept the Town of Northampton Subdivision Waiver for Lot Line Adjustment form as provided by Code Enforcement Officer, seconded by Councilman Gritsavage, and passed by,

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

0-Nays

Demolition Proposal Bids for removal of trailer on State Highway 30.

Bids were received from:

Bid 1. Rick Carbone Excavating Company, 1509 North Shore Rd, Hadley, NY Demolition to take down and removal of two trailers outbuilding, garbage, tires, contents and debris Labor & trucking \$4,800.00 plus the tipping fee.

Bid 2. P.W.T. Construction, 114 Murray Rd., Northville, NY for demolition of Trailer and out building and garbage, camper trailer. Containers sent to County dump site. \$9,200.00

Discussion on the Bids:

Matthew Ginter: I have been in contact with at least six contractors. We have been acting on a Supreme Court Order from last August. I have spoken with our attorneys and it is still valid and we have the ability to do this. Councilman Gritsavage and I have spoken with the owner of the property (Betler) at a meeting and explained what was going to happen. Ms. Betler did have her attorney with her. Her sister was here who was funding all of the remodeling for the second chance to bring every thing up to code on the trailer. She was not happy with the conditions of the place currently and would like to see the place leveled as we have been given the right to do. When the animals were removed, we incurred a lot of veterinarian bills. I think we need to be done with this.

I have reached out to quite a few contractors and have received two bids. I have spoke with Jeff Bouchard at the County on the different options we have. Because the Town does not own the property, the County can't help us out. It has to be municipally owned in order to allow the County Demolition Team to help us in any way.

One of the bids was for labor only and we would pay the tipping fee and tonnage. The advantage to that is, if we take in 20 tons, we pay for exactly for what they haul.

Supervisor Kemper: Will Mr. Carbone be salvaging any of it?

Matthew Ginter: Yes. Mr. Carbone does have his own dumpsters and he has four or five trucks that are registered at the Landfill.

Councilman Ellsworth: I was told by Jeff that his guess would be \$2,500.

Councilman Gritsavage: So even with the \$2,500 plus the \$4,800 we're still ahead.

Supervisor Kemper: I have spoken with Jeff Bouchard and he stated that he will drive to the site and give her an estimate as to what he feels the tonnage should be.

Matthew Ginter: The second bid was hiring someone to come in with dumpsters. It's quite expensive because you are using another hauler. That estimate is \$9,200.

Councilman Ellsworth: There is a misprint on the bottom of that bid from P.W.T. Construction in the amount of \$8,900 and the \$9,200 is correct amount?

Matthew Ginter: Yes, that bid is for \$9,200.

Both bidders claim they can remove everything within two days. Mary has been a request to keep the pole with the meter on the property. She had put all that brand new in there.

Supervisor Kemper: Does that mean **everything**, dog kennels, out buildings, etc.....

Matthew Ginter: The Court Order states everything.

Discussion ensued on removal.

Supervisor Kemper: Assuming the fees are correct and there will be no added costs here from what I can see. We are looking at a difference of \$7,300 and \$9,200. I can't believe it to be over \$2,500 to haul it.

Councilman Gritsavage: This is going to be place on the lands as liens.

Supervisor Kemper: I have seen the County demolition projects in the City for County seized for taxes.

Councilman Ellsworth: Is the process that the project going to be levied on her taxes?

Supervisor Kemper: I'm not sure of the exact process but she has to be given the opportunity to pay it first. We do have to check with legal on this.

Councilman Ellsworth: Is it the same thing for the veterinarian bill?

Supervisor Kemper: We have not received any veterinarian bill yet. Ms. Betler would be given a time frame to pay that bill and if she does pay it at that time then I'm not sure what has to be done to levy it.

Councilman Gritsavage: I guess the other option would be that it would become a lien on the property?

Supervisor Kemper: I have spoken with Marc Yost and he had other contractors but I haven't had the time to contact them.

Discussion ensued on the cost and the proposed tonnage.

Supervisor Kemper: After this incident with Ms. Betler, people were trying to create turmoil for Helping Paws. They wanted Vernon Duesler to let them in on the Helping Paws property. These people were the ones that did not respond to this incident.

HIGHWAY: Paving has been taken place on Elmer Brown Road with the help of the Highway Crews from the Towns of Edinburg, Broadalbin, Mayfield and Benson

Resolution #2013-08: 2013-2014 Fulton County Snow Removal and Ice Control Contract Acceptance of proposal by Town of Northampton to undertake Snow Removal and Ice Control for the winter of 2013-2014 on County Roads designated below.

Total Miles: 9.69; price per mile: \$5,000.00; total Contract: \$48,450.00

County Road Number:	113	1.48 miles
	123	1.88 miles
	130	0.51 miles
	143	1.59 miles
	149	1.19 miles
	152	3.04 miles

Councilman Gritsavage motioned to approve, seconded by Councilman Roosa, as passed by
5-Ayes: Kemper, Gritsavage, Anderson, Ellsworth and Roosa 0-Nays

Committee Reports

CEMETERIES: Stu VanNostrand has requested the Board to review and comment on a recent proposed pricing change for Sunday and Holiday burial for Cemetery-Related Services that was approved at the July 17, 2013 Regular meeting which will be effective January 1, 2014.

Resolution #2013-09: Resolution to Approve Amending Pricing Change for Cemetery-Related Services.

The foregoing resolution was made by Councilman Anderson and seconded by Councilman Gritsavage.

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

AMBULANCE: During July 2013 members responded to 7 calls in the Town of Northampton; 6 calls in the Village of Northville, 3 calls in the Town of Hope and 4 mutual aid calls to Edinburg. They volunteered 167 man hours and traveled 330 miles through the month.

AMBULANCE: 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.

Mr. Clayton is not looking for the contract. He wants a letter on the Town letterhead and signed by the Supervisor verifying that a current agreement with the Town of Benson is in place no later than September 30, 2013. This letter is to be sent certified.

MOTION: Councilman Anderson motioned to approve new members Jeremy C. Jenson and Bradford L. Buyce on the Northampton Ambulance Service, seconded by Councilman Gritsavage, and passed by,

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

PLANNING BOARD: A letter was received from Bob Smith which is Budget related for the Planning Board. That has already been taken care of way before he wrote this letter. I upped the

contract amount because I had to do it at the County. We allowed extra hours into this next contract. Scott Henze is coming because the Zoning is very complicated.

YOUTH & REC: We are going to have an end of the year meeting like we usually have, stated Councilman Gritsavage. We have gotten out letters to the employees asking for comments. We are going to do the same procedure we did last year. We had some suggestions from the Commission members on how to handle things differently next year.

The port-a-potties have been removed from the beach and Friday is the last day the beach will be open.

We had two incidents that probably didn't amount to anything and we will be discussing them.

HISTORIC LANDMARK: Is it still active?

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

County Transfer	136.400 Ton @ \$53.00	\$7,229.20
Curbside Recycling	13.160 Ton @ \$25.00	\$ 329.00
Metal	3.230 Ton @ \$20.00	\$ 64.60
Transfer Station Recycling	4.960 Ton @ \$12.50	\$ 62.00
Total		<u>\$7,684.80</u>

HARDFILL: For the month of July 2013 there were a total of 49 vehicles that had come to the Hardfill and total of \$36.00 was collected.

SACANDAGA PARK WATER & SEWER:

Report for July 2013

Water: July-2013-usage, 2,228,000 gallons pumped.

July-2012-usage, 11,874,000 gallons pumped

- Meters are being read each month.

Repairs/Maintenance:

- Leak repaired on 2" water main on McKinley Ave.

Wastewater: July 2013 daily average flow 60,600 gallons.

July 2012- daily average flow 23,600 gallons.

Repairs/Maintenance:

- Replaced Air bubbler line from flow meter to effluent weir
- Replaced starter motor on electrical panel for wet well pump that had failed
- Replaced alarm card on same electrical panel that had shorted out
- New alarm calls direct with no need for alarm company
- Notified Supervisor to cancel contract with alarm company and cancel long distance service on sewer plant phone

TOWN CLERK:

MOTION: Councilman Anderson motioned to approve the Town Clerk's July 2013 monthly report as presented and seconded by Councilman Roosa, and passed by,

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

original return. So, we will get checks for approximately \$1,100 for the next two or three years.

- The County is into the 2014 Budget process.
- Sales Tax is down and Walmart is official opened.
- I believe the Tax Cap is going to be lower than last year at 1.66%. I haven't gotten a formal notification.
- The Workman's Comp issue that we are going to have to deal with it is going to affect our budget. The charge back from the County now, I don't know. A lot of places are just over riding because by the time you get well into the budget it's too late to hold a Public Hearing on that. That's your option.
- Any budget requests, I will be sending out 2014 Budget memo's. If anyone has any specific things for training.

Councilman Ellsworth: I would say looking at maybe a Constable. It would be a discussion and there would be money in the Budget should you need one.

Councilman Gritsavage: We need to be looking at the Capitol Project for the Ambulance. I think that is a savings issue.

OLD BUSINESS:

Councilman Ellsworth:

* Flag poles I have been told can be removed. They are not going to be using them.

* I spoke with Carl Sedon about the flower boxes. It seems that the folks who built them would like to see them stay. I will try and get an amount for the Budget because they need to be rebuilt. I spoken with Kip and he would help build then and Carl Sedon will remove the plants and replant them in the new flower boxes. I say we wait until spring to do this project and that we use treated lumber because it will last a lot longer.

* Randy Palmateer contacted me and stated that the Boy Scouts would probably be interested in staining the gazebo as a Service Project if the Town bought the material. We should get them to do it as soon as possible because of weathering.

Councilman Roosa: If they don't do it this year then get me the material and I will spray it.

* Regarding the chimney. I have spoken with Councilman Roosa. He and I can have that down in no time. We have the cherry picker equipment and the dump trucks. We can temporarily seal it from the weather and we can get bids to complete it in the spring. We could get it down with virtually no cost to the Town.

Supervisor Kemper: Wasn't that planned in the bid that they would extend the roof over it?

Councilman Ellsworth: Our responsibility is to get the chimney down below the eave and then they take it from there.

Supervisor Kemper: There's an issue with the shingles on the bell tower on the Little School House. We'd have to look at it again and talk with the Historic Society about this.

Councilman Anderson motioned to **enter into Executive Session** to discuss Employment History at 7:53 p.m., seconded by Councilman Ellsworth and passed by,

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

Councilman Ellsworth motioned to **exit the Executive Session at 7:55 p.m.** with no action taken, seconded by Councilman Gritsavage, and passed by,

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

Resolution: #2013-10: Resolution to re-appoint Assessor Melissa Mazzarelli for a Six-Year term.

A motion was made by Councilman Ellsworth to re-hire Melissa Mazzarelli as Town of Northampton as Sole Assessor for the term of 6-years, Commencing October 1, 2013, seconded by Councilman Gritsavage, and passed by,

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

The next regular board meeting will be Wednesday, September 18, 2013 at 6:30 p.m.

ADJOURN: Not having any more business come before the board the meeting was **adjourned at 7:58 p.m.**

Respectfully submitted,

Elaine Mihalik, RMC
Town Clerk