

TOWN OF NORTHAMPTON
REGULAR MEETING
November 20, 2013

The regular meeting of the Town of Northampton was held on Wednesday, November 20, 2013. Supervisor Kemper called the meeting to order at 6:31 p.m. in the Municipal Building at 412 South Main St., Northville, NY. Supervisor 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
James Groff: Supervisor Elect and Art Simmons: Councilman Elect
Skip Taylor, Caroline Murray-Reporter for Sacandaga Express, and Steve Norris

MOTION: Councilman Anderson motioned to approve the October 16, 2013 Regular meeting minutes as presented by the Town Clerk, seconded by Councilman Roosa and passed by,
5-Ayes: Kemper, Ellsworth, Gritsavage, Anderson and Roosa 0-Nays

Discussion on re-levy issue:

Supervisor Kemper: I gave the County, prior to the 2013 November deadline, the costs of the demolition of the Belter trailer on Route 30 that is to be re-levied on the owner's tax billing for 2014 Real Property Taxes per court order demolition. Ms. Belter was sent a letter of "notice to pay"; she never responded and she did not pay the bill of approximately \$8,000.

Peter Galarneau, Director of Fulton County ORPS called me yesterday and informed me this re-levy can't be done, even though they have done this practice right along and he has stopped the practice because of an Attorney General opinion on liens on properties. Mr. Galarneau stated that he is discussing with the Attorney General on what our options are. My feeling is, the only way that we're going to do it now is, to put a lien on the property which is more attorney expenses. This would not have any impact on her at all. So basically now, even though it was court ordered if it something that the ORPS doesn't feel they can legally do, they are going to stop that practice of re-levying demolition expenses. Yet, the City can re-levy demolitions on their properties within their jurisdictions but the Towns can't re-levy this on their taxes.

Councilman Gritsavage: This was Supreme Court Judge Ordered.

Supervisor Kemper: They are trying to consult with the County Attorney to find out what we can do.

Councilman Ellsworth: How about we hold off paying the Board of Elections bill?

Supervisor Kemper: The County will hold our Sales Tax then.

ELECTION: They are talking about having another extra Primary Election next year. I believe it's for the governor's position.

Supervisor Kemper opened for Public Comment at 6:45 p.m.

Skip Taylor: Commented on the appearance of State Highway 30. I commend the CEO who pursued the clean up on State Highway 30. You're doing a very nice job and enforcing the Property Maintenance Law.

The Zoning Ordinance – the Village Planning Board had their meeting on the proposed Box store in the village. I think that the value of the new Town Zoning Law will become apparent to Town residents even more over the coming weeks and months as the Village deliberates on over how it is going to deal with this new proposed Box store. How old is the Village Zoning Ordinance?

Councilman Gritsavage: In the early 90's.

Skip Taylor: I think that you worked hard to put the Town Zoning Law into place.

I appreciate that you as a Town Board discuss the issues so that when you do pass a motion, there has been time for the public to hear and they can consider the different Town Board positions on the issues. I think that this Town Board has had to deal with some difficult issues.

Supervisor closed Public Comment at 6:48 p.m.

MOTION to Adopt the 2014 BUDGET of the Town of Northampton

Councilman Roosa motioned to adopt the 2014 Budget of the Town of Northampton at .96 cents per thousand tax rate, and changes to be made on page 2 of the Budget to read **SUPERVIOR-Per Services \$17,000** as previously approved not ~~\$20,000~~ and the **TOTAL** to read \$19,900.00 not ~~\$22,900.00~~, seconded by Councilman Gritsavage, and passed by,

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

Linda Kemper Nay – I am uncomfortable with the continued use of Fund Balance. I am afraid that we made such a tight budget that there were areas where it could have cut more. I am concerned for the future years. The Town needs to watch your expenses during the year and stay within your budget.

COMMUNICATIONS:

- Monthly Report of Revenues and Expenditures as of November 2013
- Fulton County Board of Elections Charge back for 2013 Elections
- Monthly Transfers for abstract of Audited vouchers
- Street Light Malfunctions list

CODE ENFORCEMENT: Matthew Ginter collected \$480.00 in fees. The total Estimated Project Costs was \$106,200.00. A total of (5) permits were issued in October 2013; #38-13 Garage permit; #77-13 New House permit; #78-13 Addition permit; #79-13 Garage permit and #80-13 Storage Shed permit. Plus, a Planning Board review application.

The Assessor and I are working on a couple of problems we have. It may lead to legal action.

Discussion:

Matthew Ginter: We didn't realize we needed the Building Permit Review for Sacandaga Park Overlay District form until we had Planning Board action. Based on Zoning and the Sacandaga Park having new construction, we need that form. I wasn't sure if the Board wanted to include a fee with that form or not. It is based on anyone doing any residential new construction they are going to have building permit fees.

With this particular construction they will be tapping into the Water District which there will also be a fee. I would recommend that we don't have a fee with this application. They are still going to have other fees to build a house.

MOTION: Councilman Gritsavage motioned to approve the form for "Building Permit Review for Sacandaga Park Overlay District" as presented by Matthew Ginter, Code Enforcement Officer with no fee to be charged, seconded by Councilman Anderson, and passed by,
5-Ayes: Kemper, Ellsworth, Gritsavage, Anderson and Roosa 0-Nays

ZONING BOARD OF APPEALS: The Board approved a 9' variance request for a garage from Ira Conklin on 497 Bunker Hill Road.

PLANNING BOARD: The Board denied a Temporary Use Permit Application from Ronda Cucchi of 201 St Hwy 30. This camper issue remains an open enforcement case and may result in legal action.

HIGHWAY:

Councilman Roosa mentioned on him being approached by the Town of Mayfield. They want to borrow the Leaf Vacuum to vacuum leaves out of their ditches. The Leaf Vacuum is going to Broadalbin tomorrow for some welding that is needed to be done on it.

Supervisor Kemper: For how long a period?

Councilman Roosa: I'm hoping to get it back on Monday.

Councilman Gritsavage: Can it work damaged?

Councilman Roosa: What damages it is when people place their leaves out with rocks, sticks and it's abrasive. The sealant apparently has worn off so there are projectiles that are leading into the machine. We're looking at Broadalbin placing a temporary patch on it until we can take it apart. We have approximately two weeks to pick up leaves and then we are going to be putting it away. The Town of Mayfield would just like to try it for a day to see if it would warrant Mayfield to purchase one.

Councilman Ellsworth: What's your (Darryl) opinion on Mayfield using it?

Councilman Roosa: I haven't got a problem with it. They are aware that you can't vacuum anything else but leaves. As it is, we get maybe two or three years life out of the impeller, a \$2,200 item.

Councilman Ellsworth: I trust your judgment on allowing Mayfield to use the leaf vacuum.

Supervisor Kemper: I say if there is any more damage done while in Mayfield's care. Then they are responsible for any damage. That needs to be clearly defined.

MOTION: Councilman Roosa motioned to allow Mayfield to borrow the Town Leaf Vacuum for one day with the understanding if there is any further damage done to the Leaf Vacuum while in their care. That Mayfield will be responsible for any repairs on to the Leaf Vacuum, seconded by Councilman Gritsavage, and passed by, 5-Ayes: Kemper, Roosa, Gritsavage, Anderson and Ellsworth 0-Nays

JUSTICE REPORT: Councilman Anderson motioned to accept the Justice report, of a total of 22 cases were handled and \$2,339.00 was collected in fines for the month, seconded by Councilman Ellsworth and passed by, 5-Ayes: Kemper, Ellsworth, Gritsavage, Anderson and Roosa 0-Nays

Committee Reports

Joint Inter-Municipal Commission: Have you met to do the water meter agreement.

Councilman Ellsworth: No meeting has been scheduled to document the water agreement.

CEMETERIES: A legal notice has been posted that the cemeteries will be closed as of 12/01/2013 for burials.

ASSESSOR: Star Renewal forms were mailed in October and she has received 75% of them back already.

Reminder to the Public:

1. If you have not registered for STAR BASIC exemption you have until December 31, 2013 to register. NYS Taxation and Finance has mailed post cards to any individual that has not registered as of November 9th. If anyone needs assistance in completing this task please have them contact my office before December 20th. If you do not register the exemption will be removed and I will not be able to reinstate the exemption you will have to go through a grievance process with the Department of Taxation and Finance.
2. If you are turning 65 during the 2014 calendar year you may be eligible for a Star Enhanced exemption, these forms must be submitted by March 1, 2013. Contact the assessor's office for further information.

The Assessor attended the November 7 & 8, 2013 two day Excel training class.

The Assessor's office will be closed December 23-27, 2013 for the Christmas Holiday.

HISTORIC LANDMARK: Skip Taylor: No meeting has taken place and John Ferguson has shown interest in becoming a member of the Historic Landmark Commission. We need to get the interest going again.

AMBULANCE: During October 2013 members responded to 3 calls in the Town of Northampton, 1 call in the Village of Northville, 3 calls in the Town of Hope, and 1 mutual aid to Edinburg. They volunteered 52 man hours and travelled 224 miles through the month.

Refuse and Garbage: The Clerk has received from Fulton County Department of Solid Waste the "2014 A to Z Guidebook".

There hasn't been any increase in hauling fees with the County Solid Waste.

HAULING FEES: The month of October 2013 fees are as follows:

County Transfer	99.000 Ton @ \$53	\$5,247.00
Curbside Recycling	10.350 Ton @ \$25	\$ 258.75
Transfer Station Recycling	2.730 Ton @ \$12.50	\$ 34.13
Metal	4.950 Ton @ \$20	<u>\$ 99.00</u>
Total		\$5,638.88

HARDFILL: For the month of October 2013 there were a total of 66 vehicles that had come to the Hardfill site and a total of \$16.00 was collected in fees.

Northville Fire Department: For the month of October 2013 there were a total of 13 responses and a total of 201 man hours made by the Northville Fire Department. The Village of Northville there were 1-Hazardous Conditions; 1-MVA/Rescue and 2-Fire Alarm Activations. The Town of Northampton there were 1-Vehicle Fire; 2-Hazardous Conditions and 3-MVA/Rescue. In the Town of Benson there was 1-MVA-Rescue and Mutual Aid was 1-Edinburg and 1-Hope.

SACANDAGA PARK WATER & SEWER:

September 2013

Water:

- September 2013 usage 1,968,000-gallons pumped
- September 2012 usage-1,683,000-gallons pumped

Meters:

- Meters are being read each month

Repairs/Maintenance:

- Ordered new pump and motor to replace dead ones on well number 2
- Met with the engineer from LaMont to give him the information he requested including the past years meter readings. So he may begin the water rate structure for water consumption.
- LaMont requested Elaine compile info on a spread sheet by the end of October so he can formulate usage

Wastewater:

- September 2013 – daily average flow 17,300 gallons
- September 2012 – daily average flow 48,500 gallons

Repairs/Maintenance

- Received price quote on replacement media for the RBC unit at the WWTP

October 2013

Water:

- October 2013 usage 1,672,000-gallons pumped
- October 2012 usage-1,748,000-gallons pumped

Meters:

- Meters are being read each month

Repairs/Maintenance:

- Installed new well pump and motor for well 2
- waiting for Elaine to finish spread sheet for LaMont Engineering so we can begin the rate structure analysis

Wastewater:

-October 2013 – daily average flow 16,500 gallons

-October 2012 – daily average flow 38,700 gallons

Repairs/Maintenance

-Ordered replacement media for RBC unit at the treatment plant

TOWN CLERK:

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

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

11/01/2013

**Town Clerk Monthly Report
October 01, 2013 - October 31, 2013**

Page 1

:

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Conservation	Conservation	99	176.97
	Town Clerk Fees	Marriage License	1	12.50
	Sub-Total:			\$189.47
A2130	Hardfill Site	Hardfill Site	2	64.00
	Transfer Station	Transfer Station	14	140.00
Sub-Total:				\$204.00
A2544	Dog Licensing	Female, Spayed	1	7.00
		Female, Unspayed	1	13.00
		Male, Neutered	1	7.00
Sub-Total:				\$27.00
A2770	Minor Sales	Fax	14	14.00
	Photo Copy	Photo Copy	14	3.50
Sub-Total:				\$17.50
B2110	Building Permits	Building Permits	5	430.00
	Planning Application	Planning Application	1	50.00
Sub-Total:				\$480.00
Total Local Shares Remitted:				\$917.97
Amount paid to:	New York State DOH for Marriage Licenses			22.50
Amount paid to:	NYS Ag. & Markets for spay/neuter program			5.00
Amount paid to:	NYS Environmental Conservation			3,198.03
Total State, County & Local Revenues:		\$4,143.50	Total Non-Local Revenues:	\$3,225.53

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Elaine Mihalik, Town Clerk, Town of Northampton during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor

Date

Town Clerk

Date

RES. #2013-12: Resolution Authorizing Contract Between Town Clerk and New York State Department of Environmental Conservation. A motion was made by Councilman Anderson to approve said resolution and seconded by Councilman Gritsavage, and passed by,

VOTE:

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

Supervisor's Report: We've had a lot of 2014 Budget work sessions at the County. There will be another Budget hearing on Monday at the County. I think it will be a good budget that does not call for an increase or potential decrease.

NEW BUSINESS:

Discussion on the Bookkeeper position for the year 2014

Councilman Gritsavage: I know that Patti Guy is not interested in that position after the first of the year. We're going to need a new bookkeeper, come this January and we will need a smooth transition on January 1, 2014.

Supervisor Kemper: Is Mr. Matthews interested in the bookkeeper position?

James Groff: Mr. Matthews is interested in being a Budget Officer. He is not interested in being a Bookkeeper at this time.

Supervisor Kemper: You have payroll and the bookkeeping. Plus, cemeteries, etc...

Mr. Matthews is familiar with the program.

Councilman Gritsavage: We'll have to figure out the pay for the position in the next month or so.

Supervisor Kemper: Recommends they clearly define the tasks of what is expected of the Bookkeeper position. They should be efficient with EXCEL and the program.

MOTION ADVERTISEMENT FOR BOOKKEEPER POSITION:

Councilman Gritsavage motioned to allow Supervisor Elect James Groff to advertise for the Town Bookkeeper position. To receive applications and interview candidates for this position prior January 1, 2014, seconded by Councilman Ellsworth, and passed by,

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

OLD BUSINESS:

Roof update:

Councilman Anderson: We've gotten a few issues resolved on where they wanted to charge us extra and we've had a couple of issues today. I plan on having a meeting with John Rizzo; the Architect; and the contractor.

Supervisor Kemper: We really haven't had anyone to oversee the spec's.

Councilman Gritsavage: Mr. Rizzo can take a look at it, he's the engineer.

Supervisor Kemper: Are we going to place ceiling tiles where the 3 grates are in the hallway where the light shown through from the skylights to try and keep the heat down on the main floor?

Chimney:

Councilman Ellsworth: We originally agreed that we would take care of the chimney. That was not part of their quote.

Councilman Roosa: We took part of the chimney down. Are they going to corden the chimney off so they can go over it?

Supervisor Kemper: I thought it was going to be made so the roof would be extended over the chimney. Are the stones flush?

Councilman Roosa: No, there in steps.

Supervisor Kemper: Are you going to level it off?

Councilman Roosa: Not until spring. The stones are up at the Legion. You probably could get a quote from Darby. We also need to address the front steps. They need to be fixed too.

Supervisor Kemper: I think that there is going to be a space between the chimney and before you hit the roof. Are we on schedule with the roof?

Councilman Anderson: Yes

Councilman Roosa: There also is a problem with the handicap ramp out front. The wood is all rotted. That can be pulled out and redone in the spring.

Supervisor Kemper: I mentioned to Stu VanNostrand to be looking for someone to help him to replace the one that is no longer working there at the cemetery. He only has one helper right now. They did get the new leaf blower for the cemetery and it does do a much better job. Now, two of them can use the leaf blowers.

Discussion on the Warrants

Councilman Ellsworth: How about we don't pay the portion of the Hauling fees that pertain to the demolition of the Betler property? Deduct that fee from this month's bills and tell them were not going to pay Solid Waste since they are not willing to help us collect the money.

Councilman Gritsavage: We should write them and say that they are legally responsible for it. And if they don't, we will take legal or other action and that action may be next month not paying it.

Supervisor Kemper: The problem is you do have to pay the bill. They'll take it out of our Sales Tax.

Councilman Gritsavage: They are basically changing the rules on us. I don't know how they can do the opposite of what the Supreme Justice says.

Councilman Ellsworth left the meeting room at 7:25 p.m. to talk on the phone with a Representative from Greenman-Peterson regarding the roof replacement issues.

Councilman Ellsworth reentered the meeting at 7:30 p.m.

Supervisor Kemper: There are laws which what you can and cannot re-levy.

Councilman Gritsavage: There is something that is called "Contempt of Court". If you don't do it you can be brought up in contempt. We should contact our Attorney and she should advise us what we should do. She should also contact the County and discuss this with them.

Supervisor Kemper: Apparently, the County will not make it whole with the town on the demolition portion of any tax bill. They will only make it whole on the tax portion of a tax bill. If the tax is collected with the demolition portion then the County would pay the Town that portion.

MOTION WARRANTS: Councilman Gritsavage approved paying the warrants as presented, seconded by Councilman Roosa, and passed by,

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

November 2013 Warrants

General Fund "A"	\$23,949.65
General Fund "B"	117.95
Highway	3,641.67
Sacandaga Lighting District	1,475.00
Sacandaga Water District	6,103.76
Sacandaga Sewer District	<u>835.00</u>
Total Warrants	\$36,123.03

The next Town Board meeting will be held on Wednesday, December 18, 2013 at 6:30 p.m.

Having no further business come before the board, Councilman Ellsworth motioned to adjourn at 7:32 p.m., seconded by Councilman Anderson, and passed by,
5-Ayes: Kemper, Roosa, Anderson, Ellsworth and Gritsavage

Respectfully submitted,

Elaine Mihalik, RMC
Town Clerk