

**TOWN OF NORTHAMPTON
REGULAR MEETING
February 19, 2014**

The regular meeting of the Town of Northampton was held on Wednesday, February 19, 2014. Supervisor Groff called the meeting to order at 7 p.m. in the Municipal Building at 412 South Main St., Northville, NY. Supervisor Groff led the salute to the flag.

PRESENT: Supervisor: James Groff
Councilmen: Darryl Roosa, Ivar Anderson, and Art Simmons
Absent: William Gritsavage

RECORDING SECRETARY: Elaine Mihalik-Town Clerk

Other Town department representatives in attendance were: Matthew Ginter-Code Enforcement Officer; and Bookkeeper- Nathaniel Matthews; Jack Farquhar-Town Justice

ALSO PRESENT:
Michael Warner; John Spaeth; Frank Bendl; and Ruth Farquhar

Justice Court Assistant Program Grant (JCAP)

Jack Farquhar: I'm inquiring about the status of the grant in the amount of \$5,550.00 that was awarded to the Town of Northampton Court last year under the 2012-13 cycle of the Justice Court Assistance Program (JCAP). Nothing has been done.

A copy of the letter dated 2/14/2014 from the NYS Unified Court System notifying the Town of Northampton Court that they have been awarded a grant in the amount of \$4,400.00 under the 2013-2014 cycle of the Justice Court Assistance Program (JCAP).

Discussion ensued on the work that needs to be done to the court. The hot water tank, the ceiling and insulation, new carpeting, remove the wall between the two rooms, and the two bathrooms need to be painted and they both need new fixtures.

It was suggested drawing up bids on fixing the bathrooms and see how much that will cost. Supervisor Groff stated to give him and Councilman Anderson until the end of the month to work on getting this done.

2014 Ambulance Agreements

Councilman Simmons: The Town of Hope 2014 Ambulance Agreement needs to be renewed. It would be the same contract as last year "the sum of Four Hundred Dollars (\$400.00) per call if the ambulance transports to a medical facility and Two Hundred Dollars (\$200.00) per call if the ambulance does not transport".

Town of Hope

MOTION: Councilman Simmons motioned to authorize Town of Hope Supervisor Bob Edwards to sign the 2014 Ambulance Agreement between the Town of Northampton and the Town of Hope. Town of Hope agrees to pay the Town of Northampton the sum of Four Hundred Dollars (\$400.00) per call if the

ambulance transports to a medical facility and Two Hundred Dollars (\$200.00) per call if the ambulance does not transport, seconded by Councilman Anderson, and
Adopted by a vote of 4–Ayes: Groff, Anderson, Roosa, and Simmons

Town of Benson

Councilman Simmons: the conversation, Bill and I had with Benson Supervisor Phil Snyder, he (Snyder) was under the impression that Benson had a contract with the Town of Northampton. They don't. What they do have is an agreement with the State on covering their territory. Supervisor Snyder had mentioned that he wasn't sure they wanted to contract with the Town of Northampton Ambulance because they are not a billing Ambulance.

It was suggested to meet with the Town of Benson's Town Board and discuss this.

Fish House

We did have a contract with the Town of Providence for ambulance service for Fish House. I have spoken with the Providence Supervisor and some of their Ambulance EMT's and the Providence Ambulance is not functioning. It's my understanding that Edinburg has helped cover that area. Shouldn't we have a contract with Edinburg to cover that area?

Jack Farquhar: We have on our Operating Certificate of Territory of expansion what areas our Ambulance can cover. You can't just have a contract with any Town unless they are named on this Operating Certificate of Territory of expansion which is done through the State. We went through the Operation Certificate of Territory expansion process years ago with the State and we've included both the Towns of Hope and Benson.

Supervisor Groff: We need to check the Town of Providence Operating Certificate of Territory.

MOTION: Councilman Simmons motioned to approve the January 17, 2014 Sign off on the Town Books, as presented by the Town Clerk, seconded by Councilman Roosa, and
Adopted by a vote of 3–Ayes: Groff, Roosa, and Simmons Abstain: Councilman Anderson

MOTION: Councilman Simmons motioned to approve the January 22, 2014 Regular meeting minutes as presented by the Town Clerk, seconded by Councilman Roosa and
Adopted by a vote of 4–Ayes: Groff, Anderson, Roosa, and Simmons

RESCIND MOTION: Councilman Simmons motioned to rescind previous motion made at the January 22, 2014 meeting “to post public notices, this does not mean Legal Notices, in various locations in the community which includes the Town Offices, NBT, Stewarts, TOPS, Allen & Palmer, the laundry mat, Klippel's Kozy Korner, and Coloney Centre, to the best of our ability”, seconded by Councilman Roosa, passed by, 4–Ayes: Groff, Roosa, Anderson and Simmons 0–Nays

MOTION: Councilman Simmons motioned in addition to the posting and publishing requirements – guidelines of New York State Law, that the Town of Northampton will post legal notices and public notices at various locations in the community which includes the Town Offices, NBT, Stewarts, TOPS, Allen & Palmer, the Laundromat, Klippel's Kozy Korner, and Coloney Centre, to the best of our ability, seconded by Councilman Roosa, passed by,

4-Ayes: Groff, Roosa, Simmons and Anderson 0-Nays

COMMUNICATIONS

- Monthly Report of Revenues and Expenditures as of January 2014
- Monthly Transfers for Abstract of Audited vouchers
- APA Minor Project Public Notice Application received APA Project #2014-0012 and APA Project No. 2014-17
- NYS Office of Parks, Recreation and Historic Preservation

MOTION ON WARRANTS

Councilman Anderson approved paying the warrants, Seconded by Councilman Simmons, and passed by,
4-Ayes: Groff, Roosa, Anderson, and Simmons 0-Nays

<u>February 2014 Warrants</u>	
General Fund "A"	\$87,855.06
General Fund "B"	587.54
Highway	20,217.16
Sacandaga Lighting District	1,539.90
Sacandaga Water District	11,514.19
Sacandaga Sewer District	<u>490.97</u>
Total Warrants	\$122,204.82

Res. #2014-02: RESOLUTION AUTHORIZING TRANSFER OF FUNDS WITHIN ACCOUNTS TO MEET CERTAIN CONTRACTUAL EXPENSES FOR ACCOUNTS PAYABLE FROM 2014 BUDGET LINE ITEMS

Supervisor Groff offered the following resolution and moved its adoption.
Councilman Roosa seconded the motion.

WHEREAS, within the budget certain appropriated amounts are insufficient to meet certain accounts payable expenses from Budget line items from 2014 Budget for the February transfers;

NOW THEREFORE BE IT

RESOLVED, That the Town Supervisor be authorized to transfer the below indicated funds from within existing accounts of the 2014 budget to cover anticipated expenses;

Transfers

Feb.

To: A1320.4 – Accounting - Contractual

From: A1620.4 – Buildings - Contractual

Amt: \$2,000.00

Reason – to cover annual software support and upcoming expenses

To: A1330.4 – Tax Collection - Contractual

From: A1620.4 – Buildings - Contractual

Amt: \$600.00

Reason – to cover additional expenses (mailings, etc.)

AND BE IT FURTHER

RESOLVED, that this resolution be recorded in the Town Clerk’s minutes and be a permanent record of the Town.

Adopted by a 4 vote of Aye: Groff, Roosa, Anderson, and Simmons 0-Nays

CODE ENFORCEMENT: Matthew Ginter collected \$350.00 in fees. The total Estimated Project Costs was \$145,500.00. A total of (3) permits were issued in January 2014; #001-14-Modular Home permit

pending ZBA approval; #002-14-Addition permit pending ZBA approval; #003-14 Storage shed pending ZBA approval; P02-14 Minor subdivision; p03-14 Lot line adjustment; P04-14 Minor subdivision; Z01-14-Use Variance; and a Municipal Search.

Discussion among the board on pursuing combining the Town of Northampton and Village of Northampton Planning Boards. The Supervisor has spoken with our Town Attorney regarding the ZBA and Planning Board and I am waiting for a response.

Discussion on the Town of Edinburg has a vehicle that the Code Enforcement Officer will be using to travel to and from this training class in Lake Placid.

MOTION: Councilman Anderson motioned approval of Matthew Ginter, Code Enforcement Officer to attend the Northern Adirondack Code Enforcement Officials Education Conference March 3rd-6th, 2014 in Lake Placid. It was noted that the Code Enforcement Officer will be using the Town of Edinburg's vehicle to attend Code Enforcement classes. The Town of Northampton agrees to pay for the gas used to and from the Lake Placid training class at this time, seconded by Councilman Roosa, and passed by, 4-Ayes: Groff, Anderson, Roosa, and Simmons 0-Nays

HIGHWAY: Posting in the legal paper of the Town of Northampton: Legal Notice is Hereby given that pursuant to Section 1660 of the Vehicle and Traffic law the Town of Northampton will be posting all town roads to a four (4) ton limit upon erection of signs and will remain so until signs are removed.

2014 County Mowing Contract

Councilman Roosa motioned to approve the 2014 County Mowing Contract, seconded by Councilman Anderson and

Adopted by a 4 vote of Aye: Groff, Roosa, Simmons, and Anderson 0-Nays

JUSTICE:

Councilman Anderson motioned to accept the Justice report, of a total of 21 cases were handled and \$3,952.00 was collected in fines for the month, seconded by Councilman Roosa and passed by,

4-Ayes: Groff, Roosa, Anderson, and Simmons 0-Nays

RES. 2014-03: Resolution acknowledging Annual Examination and sign-off of the Town of Northampton Justice Court.

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

WHEREAS: each year Auditor Donnelly of the NYS Office of Court Administration requires, in accordance with Section 2019-a of the Uniform Justice Court Act, that Town Justices annually provide their court records and dockets to the Town Board; AND

WHEREAS: the Justice Court of the Town of Northampton provides these records each year that the Town Board signs off on what they provide: AND

WHEREAS: the minutes of the sign off reflects that the Justice Court has provided these records; NOW THEREFORE BE IT

RESOLVED: that the Town Board of the Town of Northampton has signed off on the 2013 Justice Court records on January 17, 2014 and attaches to this resolution a copy of the minutes of 2014; AND BE IT FURTHER

RESOLVED: that at each and every year-end a resolution be prepared and sent to Mr. Dennis W. Donnelly, Director of Internal Audit, NYS Office of Court Administration, 98 Niver Street, Cohoes, New York 12047 and to A. Gail Prudenti, Chief Administrative Judge, New York State Unified Court System, 25 Beaver Street, New York, New York 10004, along with the minutes of the meeting.

Adopted by a 4 vote of Aye: Groff, Roosa, Simmons, and Anderson 0-Nays

ZONING BOARD OF APPEALS: There will be two cases coming before the Board in February. Robert Brown is seeking an area variance for an addition to his home. Christopher Garber is seeking a use variance to place a shed in his front yard. Dennis Conway will be seeking a use variance in March.

PLANNING BOARD: The Board will be hearing three cases this month. Linda Bojarshi is seeking approval for a minor subdivision. Matthew Keicher is seeking approval for a lot line adjustment. The major subdivision application from Adirondack Escape will be continuing.

HAULING FEES: The month of January fees are as follows:

County Transfer	76.940 Ton @ \$53	\$4,077.82
Curbside Recycling	9.480 Ton @ \$25	\$ 23.00
Transfer Station Recycling	1.760 Ton @ \$12.50	\$ 22.00
Metal	0.000 Ton @ \$20	\$ 00.00
Municipal Direct Haul	0.000 Ton @ \$25	<u>\$ 00.00</u>
Total		\$4,336.82

SACANDAGA PARK WATER & SEWER: January 2014

Water:

- January 2013 usage 1,593,000-gallons pumped
- January 2014 usage-1,379,000-gallons pumped

Meters:

- No problems to report

Repairs/Maintenance:

- No new problems to report

Wastewater:

- January-2013- daily average flow 99,400 gallons
- January-2014-daily average flow 38,100 gallons

Repair/Maintenance:

- No new problems to report

Northville Fire Department: For the month of January 2014 there were a total of 4 responses and a total of 38 man hours made by the Northville Fire Department. The Town of Benson there was 1-Hazrdous Conditions. There was 3 Mutual Aid given in the Town of Hope.

Department Note:

1. Purchase of a thermal imaging camera was completed and the unit was placed into service this month. The new camera replaces the original unit which was purchased approximately 10 years ago.

2. The hovercraft has officially been removed from service. Due to reliability, mechanical repairs and maneuverability issues the unit has proved unworthy of the terrain and the task. We are contemplating options for replacement of the hovercraft. We are looking for some other type of rescue vehicle that can handle both ice and water situations that arise in early spring and late fall when boats are not available.

SUPERVISOR:

~ The County has contracted with Montgomery County to take on their garbage. I was originally against this but as we've discussed this issue it seems to be a good thing for the Fulton County Solid Waste because they need this for the dry fill to help make more gas.

~Letters and Easements paperwork has been sent out to the property owners on McKinley Ave. in the Sacandaga Park.

~ The Attorney will be putting together letters for Easements for the property owners on 9th Ave. in the Sacandaga Park. That is the project that we are looking at putting in pipes and because that is not a Town Road we will need easements.

TOWN CLERK:

MOTION: Councilman Anderson motioned to approve the Town Clerk's January 2014 monthly report as presented and seconded by Councilman Roosa and passed by,

4-Ayes: Groff, Roosa, Simmons and Anderson 0-Nays

02/01/2014

**Town Clerk Monthly Report
January 01, 2014 - January 31, 2014**

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Account#	Account Description	Fee Description	Qty	Local Share
A2130	Transfer Station	Transfer Station	174	1,750.00
			Sub-Total:	\$1,750.00
A2544	Dog Licensing	Female, Spayed	3	21.00
		Male, Neutered	2	14.00
			Sub-Total:	\$35.00
A2770	Minor Sales	Fax	3	3.00
	Photo Copy	Photo Copy	4	1.00
			Sub-Total:	\$4.00
B2110	Municipal Searches	Municipal Searches	1	25.00
	Planning Application	Planning Application	3	120.00
	Zoning Application	Zoning Application	1	205.00
			Sub-Total:	\$350.00
			Total Local Shares Remitted:	\$2,139.00
Amount paid to: NYS Ag. & Markets for spay/neuter program				5.00
Total State, County & Local Revenues:		\$2,144.00	Total Non-Local Revenues: \$5.00	

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

The Town Clerk has submitted the Clerk's 2014 Annual Report.

MOTION: Councilman Anderson motioned to authorize the Town Clerk attending the NYS Town Clerks Association Conference in Saratoga April 27-30th, 2014, seconded by Councilman Simmons, and passed by, 4-Ayes: Groff, Roosa, Simmons, and Anderson 0-Nays

The roof project on the town hall

Councilman Simmons: Is the Town satisfied that the roof project is done properly?

Councilman Anderson: Matthew Ginter and I will be meeting with the Engineer and the Contractor on Friday morning at 7 a.m. at the town hall to do a walk around. You are welcome to come.

Res. 2014-04: Permissive Referendum re Use of Reserve Funds for Replacement of roof on the Town of Northampton Office Building

Councilman Simmons offered the foregoing resolution and moved its adoption
Councilman Anderson offered a second.

WHEREAS it is the intention of the Governing Body of the Town of Northampton to utilize funds that have been accumulated in a reserve fund the purpose of Roof replacement on the Town of Northampton Office Building, which fund is designated A231.1 Capital Reserve for buildings, under General Municipal Law 6-c, and **WHEREAS** the amount that will be utilized from the reserve fund should not exceed \$80,000, and **WHEREAS** the Town Law of the State of New York requires a permissive referendum in the event of taking such action,

NOW THEREFORE BE IT RESOLVED that the Clerk of the Town of Northampton be directed to take appropriate steps with respect to holding a permissive referendum on the issue of whether to utilize funds not to exceed \$80,000 from the reserve fund; for the replacement of roof on the Town of Northampton office building; and **BE IT FURTHER**

RESOLVED that in the event that a sufficient number of valid petitions by registered voters is not received within 30 days of passage of this resolution, the resolution will take full force and effect, **AND BE IT FURTHER**

RESOLVED: that copies of this resolution be retained by the Supervisor as part of the records of the Town and that it be recorded in the Town Clerk's minutes and be a permanent record of the Town.

Adopted by a 4 vote of Aye: Groff, Roosa, Anderson and Simmons 0-Nays

OLD BUSINESS:

A decision on the Sacandaga Valley Arts Network request for donation has been tabled.

NEW BUSINESS:

~Councilman Simmons noted that the State clears the Bridge with the sidewalk but who's responsible to clean off the sidewalk on the Bridge? People are walking out on the roadway.

Councilman Roosa: The State does generally plow the sideway and they have been plowing it. Even though the walkway has been plowed the people still choose to walk on the roadway.

~Councilman Simmons: The County has still not replaced me as the Fulton County Coroner. They have known this since the middle of November 2013 that I was leaving. Apparently there is thought of possibility of going to one coroner. That is an insane idea. It is a disservice to the deceased, the families of the deceased. I have spoken with Supervisor Groff and I know that he is not in favor of the County going with the one Coroner system.

Besides us, there are 17 counties in NY that are our size and smaller and maybe two of them may use a one Coroner system and they got out of that because it did not work.

Jack Farquhar: It ties up the EMS and the Law Enforcement and the Fire Department sometimes. I can't believe that they would use one Coroner 24/7 at 365 days a year.

Councilman Simmons: If the current Coroner goes away for training or for personal business two weeks at a time, you have to call in a Coroner from Hamilton, Herkimer, or Montgomery Counties to cover for them. If the deceased is an organ donor the time frame is very critical.

The next Town Board meeting will be held on Wednesday, March 19, 2014 at 7 p.m.

Supervisor Groff motioned to enter into Executive Session at 7:50 p.m. to discuss the lawsuit, seconded by Councilman Anderson, passed by,

4-Ayes: Groff, Roosa, Simmons, and Anderson 0-Nays

Supervisor Groff motioned to come out of Executive Session at 7:58 p.m. with no action taken, seconded by Councilman Anderson, passed by,

4-Ayes: Groff, Roosa, Simmons, and Anderson 0-Nays

Councilman Anderson motioned to adjourn the meeting at 7:58 p.m. Councilman Roosa seconded the motion. All board members were in favor of the motion.

Respectfully submitted,

Elaine Mihalik, RMC
Town Clerk