

**TOWN OF NORTHAMPTON  
REGULAR MEETING  
and Public Hearing  
October 15, 2014**

The regular meeting of the Town of Northampton and Public Hearing on Local Law #01 of the Year 2014 was held on Wednesday, October 15, 2014. Supervisor Groff called the meeting to order at 7:00 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, Art Simmons and  
William Gritsavage

**RECORDING SECRETARY:** Elaine Mihalik-Town Clerk

**Other Town department representatives in attendance was:** Bookkeeper-Nathanial Matthews  
Highway Superintendent – Christopher (Kip) Richardson  
Code Enforcement Officer-Matthew Ginter

**ALSO PRESENT:** Frank Bendl

Supervisor Groff read the Legal notice that was posted in the Leader Herald which is the newspaper of general circulation in the Town of Northampton.

**LEGAL NOTICE**

**TAX CAP OVERRIDE**

**LOCAL LAW #1 of 2014**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Town Board of the Town of Northampton on Wednesday, October 15, 2014 at 7 p.m. at the Town Hall, 412 S. Main St., Northville, NY, proposed Local Law #1 of the Year 2014 Entitled “A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c”, to consider the advisability of adopting a Local Law, which must be in effect, to override the mandated tax levy limit established in General Municipal Law § 3-c in the event of unforeseen cost overruns associated with meeting contractual obligations, bond payments, funding health insurance expenses, pension contribution payments and fire protection districts.

By Order of the Northampton Town Board, Dated October 3, 2014, Elaine Mihalik, Town Clerk

Supervisor Groff Opened the Public Hearing on Local Law # 1 of 2014 Tax Cap Override at 7:01 p.m. and asked if anyone from the public wanted to address the Town Board on Local Law #1 of the Year 2014-Tax Cap Override. Having no one from the public wanting to speak Supervisor Groff kept the Public Hearing open and continued on with the regular meeting.

**MOTION:** Councilman Simmons motioned to approve the September 24, 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  
Councilman Gritsavage Abstained - He was not present at the September 2014 meeting

**MOTION ON WARRANTS**

Councilman Anderson approved paying the warrants as set forth, seconded by Councilman Gritsavage and  
Adopted by a vote of 5-Ayes: Groff, Gritsavage, Roosa, Anderson, and Simmons 0-Nays

**September 2014 Warrants**

General Fund "A"	\$39,159.67
General Fund "B"	294.38
Highway "DB"	17,890.50
Sacandaga Lighting District "SL"	1,318.64
Sacandaga Sewer District "SS"	3,327.81
Sacandaga Water District "SW"	723.39
Trust & Agency Fund	00.00
Trust – Cemeteries – Expendable "TE"	<u>00.00</u>
Total Warrants	\$ 62,714.39

**Resolution #2014-14:** Resolution Authorizing Transfer of Funds within Accounts to Meet Certain Contractual Expenses for Accounts Payable from 2014 Budget Items.

Councilman Anderson offered the following resolution and moved its adoption.

Councilman Gritsavage 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 September 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

October

\$10,000.00

From: DB9950.9 – Inter-fund Transfer – Machine Reserve

To: DB5110.1 – General Street – Personnel Services

Reason – to cover payrolls

\$500.00

From: DB9950.9 – Inter-fund Transfer – Machine Reserve

To: DB9030.8 – Social Security

Reason – to cover payrolls

\$13,000.00

From: A1990.4 – Contingent

To: A1910.4 – Unallocated Ins.

Reason – to cover liability insurance

AND BE IT FURTHER

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

Roll Call Vote:

James Groff	Aye	William Gritsavage	Aye
Ivar Anderson	Aye	Art Simmons	Aye
Darryl Roosa	Aye		

## COMMUNICATIONS

- Monthly Report of Revenues and Expenditures as of 8/13/ 2014
- Monthly Transfers for Abstract of Audited vouchers

**CODE ENFORCEMENT:** Matthew Ginter collected \$832.50 in fees in August. The total Estimated Project Costs was \$125,700.00. A total of (14) permits were issued in August 2014; #048-14-Major Alterations; #049-14-Addition; #050-14 HVAC; #051-14-Major Alterations; #052-14 Swimming Pool; #053-14 Minor Alterations; #054-14 2 Car Garage; #055-14 2 Car Garage; #056-13 Storage Building; #057-143R2 Permit Renewal; #057-14 2 Car Garage; #058-14 1 Car Garage; #59-14 Storage Building #061-13R1 Permit renewal and 2 Municipal Searches.

Matthew Ginter stated that his goal of bringing the Town's bars, restaurants and businesses to compliance with NYS Codes has been challenging but nearly complete.

**MOTION:** Councilman Gritsavage motioned to accept the Code Enforcement Officer's report as presented, seconded by Councilman Roosa, passed by,

5-Ayes: Groff, Roosa, Gritsavage, Anderson, and Simmons

0-Nays

**HIGHWAY:** The Highway Superintendent has provided his Inventory of Highway Machinery, Tools and Equipment dated October 2014

### **Cross walk on the corner of McKinley and Co Hwy 152 in the Sacandaga Park**

Supervisor Groff: According to Marc Yost the County Highway Department does not do crosswalks and the County does not have a paint machine. The Village of Northville does have a paint machine.

Councilman Anderson: Who put in the crosswalks at the Golf Course? Do they put their own in?

Supervisor Groff: Mr. Yost will put up signs that say "crosswalk" and he is not opposed to the Town putting in crosswalks. Marc Yost had told the Supervisor that he does not put in crosswalks in anywhere else in the County. For the Town of do it, it would have to be done in the spring. He (Yost) would come up in April 2015 and both he and I can figure out where to put in the crosswalks if that is alright with the Town Board.

The full board present was in favor of the Town putting in the crosswalk on the corner of McKinley Ave. and Co. Hwy 152 in the Sacandaga Park.

### **Handicap curb cut from Co Hwy 152 to the North side of the Northville Bridge**

Supervisor Groff: I have had people coming to me saying that they are coming into the Village from the Sacandaga Park in a wheelchair and they cannot get up onto the sidewalk on the north side of the bridge. I have been asked if the Town could please look into putting in a handicap curb cut at the end of the sidewalk so that the wheelchairs can get up and onto the sidewalk to cross the bridge into the Village of Northville.

I told them that I could write a letter to the Utica DOT on this issue and see if they would do this for us.

The full board present was in favor of Supervisor Groff calling the DOT in Utica and then send the DOT a follow up letter requesting putting in a handicap curb cut at the end of the sidewalk from Co Hwy 152 to the north side of the Northville Bridge.

**JUSTICE:** Councilman Anderson motioned to accept the Justice report, there were a total of 37 cases handled and \$4,398.00 was collected in fines for the month, seconded by Councilman Gritsavage and passed by, 5-Ayes: Groff, Roosa, Gritsavage, Anderson, and Simmons

0-Nays

## COMMITTEE REPORTS

**ANIMAL CONTROL:** Supervisor Groff reported that the Animal Control Officer will be out of the area for a week and if anyone needs assistance should call the Deputy Animal Control Officer Heidi Darling.

**AMBULANCE:** No report

**ELECTION:** The General Election will be held on Tuesday, November 4<sup>th</sup>, 2014 and the polls will be open from 6 a.m. to 9 p.m.

Matthew Ginter has built two new privacy screens which will be used during the Elections in the town hall.

**ASSESSOR:** No report

**ZONING BOARD OF APPEALS:** We do have a case coming before the Zoning Board of Appeals. However, the application was not complete and received on time to post and hold a Public Hearing.

The next scheduled ZBA meeting is October 22, 2014 in the Town hall at 7 p.m.

**PLANNING BOARD:** The Planning Board does have some business coming before them. The application was not complete and received on time to post.

I have posted in both my office and the Town Clerk's office that all Planning Board and Zoning Board of Appeals applications will not be processed until the Code Enforcement Officer determines each application to be complete. All applications must be complete before the posted deadline. The applicant tends to give bits and pieces of the paperwork that is needed past the posted deadline.

The next Planning Board meeting is scheduled for Tuesday, October 14, 2014 at 7 p.m. in the Town hall.

**Councilman Simmons:** Has the Town heard back from the County on the meeting that we had with the Planning Board on the proposed changes to our Zoning and Sub-division Law? It was supposed to go to the County and then come back.

Matthew Ginter: I'm not sure if that was exactly the way it was left. I don't think that the County was asked at this point to make comment on that.

Councilman Anderson: Scott Henze was going to take the minutes of that meeting but I don't think that he has sent the minutes on that yet.

Supervisor Groff: We'll have to call Scott tomorrow to see if he has the minutes of that meeting done so that we can move ahead with the changes.

**YOUTH /REC:** Councilman Simmons: Does anyone know what the Mayor has come up with with the Joint Youth? I believe it is in the Mayor's hands and there were some things that he wanted to do. We (the Committee) are an Advisory Board and no further meetings have been scheduled at this time.

Supervisor Groff: The Mayor and Molly Whittaker met this morning. They were going to get together and she was going to give him ideas on what she could do to refreshing the program. Molly was going to work on having some changes and see if it improves the program. We may have to make some cuts.

**SPECIAL—Disaster Shelter:**

Councilman Roosa: I have a backup 10K Generator for the bus garage. It can be used to get fuel as well as heat and lighting for the garage. It's a matter of getting it worked on and getting it hooked up. The will have power for fuel and emergency vehicles.

**Fuel Storage Facility:** Basically, they are trying to get the pumps fixed stated the Supervisor. The have been working on them today as well as Monday stated Councilman Roosa. They did get one to work.

**HARDFILL:**For the month of September 2014 there were a total of 44 vehicles that had come to the Hardfill site and a total of \$7.50 was collected.

**HAULING FEES:** The month of September fees are as follows:

County Transfer	105.480 Ton @ \$53	\$5,590.44
Curbside Recycling	11.930 Ton @ \$25	\$ 298.25
Transfer Station Recycling	1,690 Ton @ \$12.50	\$ 21.13
Metal Hauling	4.550 Ton @ \$20	\$ 91.00
Leaves, Grass & Brush-	N/C	<u>\$ 0.00</u>
Total		\$6,000.82

**NORTHVILLE FIRE DEPT.:**For the month of September 2014 the Northville Fire Department reported a total of 3 responses and a total of 75 man hours.

The Village of Northville had 1 Alarm Activation; the Town of Northampton had 1 Motor Vehicle Accident; and Mutual Aid given: 1-Edinburg.

1. Members responded mutual aid to Edinburg (Town of Day) for a structure fire, one motor vehicle accident requiring the Jaws of Life to extricate an injured/trapped victim and one smoke detector activation.
2. Northville Fire Department participated in the following training:
  - Search and rescue techniques at Hope Fire Department training trailer. 2.5 hours x 15 members.
  - Reviewed Self Containing Breathing Apparatus (air packs) in partial and full escape procedures at Hope Fire Department training trailer. 6 hours x 5 members.
  - Tanker and Pumper Relay with Hope Fire Department in the Town of Northampton. 2 hours x 19 members.
3. Members also conducted truck checks (inventory, fluids checks and ran portable gas powered equipment). 1.5 hours x 12 members.

A letter has been put together by Councilman Simmons for the Board to sign and the Clerk to forward to Tom Groff. The Northampton Town Board, Town Supervisor, and residents of the Town take this opportunity to congratulate you on your appointment as the Gloversville Fire Chief. We thank you for your years of loyalty, dedication and professionalism while serving us as Northville Fire Chief. Our very best wishes for your future.

**SACANDAGA PARK WATER & SEWER:September2014**

Water:

- September 2013 usage 1,968,000-gallons pumped
- September 2014 usage-1,051,000-gallons pumped

Meters: No problems to report

Repairs/Maintenance:

- No problems to report

Wastewater:

- September-2013- daily average flow17,300 gallons
- September2014-daily average flow 17,700 gallons

Repair/Maintenance:

- Concluded the disinfecting process for the season.
- Replaced the second series of media on the RBC unit.
- Four trees were taken down successfully.
- Annual inspection conducted by DEC.

Supervisor Groff: I believe Ken had a problem with the well over the weekend and he has got it running again. I believe he is going to have to put a censor on one of the wells. Everything is up and running and everything is working.

Rob Streeter has put forward to the Governors Shovel Ready Projects program, a request for funds for \$5.8M for our shovel ready project.

The SPEDS report mentions having to fix the roof on the sewer plant. I hate to do anything with the roof at the sewer plant until we know if we were able to get any funds from the Governor Shovel Ready Projects program.

If we don't get the funding which I have already talked with Ken about needing to get the roofs fixed.

Councilman Simmons: Have there been any indication of when we will hear back on the request for funds?

Supervisor Groff: I plan on calling Mr. Streeter regarding that.

**TOWN CLERK:**

**MOTION:** CouncilmanAnderson motioned to approve the Town Clerk's September 2014 monthly report as presented and seconded by Councilman Simmonsand

Adopted by a vote of 5-Ayes: Groff, Gritsavage, Roosa,Anderson and Simmons 0-Nays

**10/01/2014**

				<b>Page 1</b>
<b>Town Clerk Monthly Report</b>				
<b>September 01, 2014 - September 30, 2014</b>				Account#
A1255	Conservation	Conservation	112	255.91
			<b>Sub-Total:</b>	<b>\$255.91</b>
A2130	Hardfill Site	Hardfill Site	1	44.00
	Transfer Station	Transfer Station	17	170.00
			<b>Sub-Total:</b>	<b>\$214.00</b>
A2544	Dog Licensing	Female, Spayed	3	21.00



We are waiting to get with Justice Farquhar to put everything together and then get the Justice Court Grant sent out.

~ Has Stephen West gotten back with the town with a quote?

Response: Yes, but they can't get anyone to do the cement work. Nobody seems to have the time or want to do any work. I was trying to get a couple of proposals to compare it with. We can't even get those.

The same with contractors, they're all busy and some wouldn't be able to do the work until next spring.

Councilman Anderson: I know I can get a few of the crew at Miller's to do the concrete work.

The town crew can remove the concrete.

### **Petition for Reduce Speed limit on County Highway 152**

Councilman Anderson has provided the Town Board with a petition to lower the speed limit on County Highway 152 from its tee intersection with Co Hwy 152 to Co Hwy 123 on the North to approximately 1,000 feet South of its intersection with Town of Northampton's Houseman Street and Hampton Point Road to 20 MPH as is the portion of Co Hwy 152 north of this intersection. They ask for this reduction in speed for the safety of the pedestrian, bikers and other users of this highway, not only for this reason these roads are vintage 1920-30's and are narrow, curvy, limited sight distance along with it being highly populated. With the N.Y.S.D.E.C. Campground as the largest attraction using this through fare there has been an increase in residents using this piece of roadway.

They also ask for a review of the remainder of Co Hwy 152 speed limit (maybe 35 or 40 MPH) to where it meets NYS Highway 30.

I am going to see if I can get a few more people to sign this petition to include with this that I have given to the Town Board tonight, stated Councilman Anderson.

Supervisor Groff stated that he was going to contact the County Highway Department to inquire about them placing signage at the crosswalk on Co Hwy 152 by Vic's.

We have painted the crosswalk.

Hearing no input from the public Supervisor Groff has closed Public Hearing on Local Law #1 of the Year 2014 Tax Cap override at 7:30 p.m.

**Resolution 2014-17 :** Resolution Adopting Local Law No. 1 of the Year 2014 entitled "Local Law Authorizing a Property Tax Levy in excess of the Limit Established in General Municipal Law §3-c" Supervisor James Groff offered the following Resolution and voted its adoption:

WHEREAS, effective in 2014, local governments are subject to a tax levy limitation as a result of the New York State Property Tax Cap Legislation set forth in General Municipal law Article 2, §3-c; and WHEREAS, There is a provision within the legislation that requires the Town to pass a local law that states that it wishes to override said tax cap limit if the tax levy limit established by this preliminary budget will exceed the tax cap limit; and

WHEREAS, ¶5of Law §3-c of Article 2 of the General Municipal Law reads in full:

"A local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, not including any levy necessary to support the expenditures pursuant to subparagraphs (i) through (iv) of paragraph g of subdivision two of this section only if the governing body of such local government first enacts, by a vote of sixty percent of the total voting power of such body, a local law to override such limit for such coming fiscal year only, or in the case of a district or fire district, a resolution, approved by a vote of sixty percent of the total voting power of such body, to override such limit for such coming fiscal year only."; and

WHEREAS, The Town Board of the Town of Northampton hereby held a public hearing on the 15 day of October, 2014, at 7 p.m. at the Town of Northampton Municipal Building, 412 S. Main Street, Northville,

NY to adopt a local law overriding said tax cap limit, at which time all persons desiring to be heard were heard; and

WHEREAS, in excess of sixty percent of the total voting power of the Town Board has approved adoption of a budget that requires a tax levy that is greater than the tax levy limit for the Tax year 2015;  
NOW THEREFORE BE IT

RESOLVED, the Town Board does hereby enact Local Law No. 1 of the Year 2014; and, be it further RESOLVED, that the Town Clerk has properly published notice of said hearing in the Leader Herald and other copies of such notice in the manner provided by law; and be it further

RESOLVED, attached hereto and made a part hereof, shall take effect immediately upon filing in the office of the Secretary of State and that a copy of this resolution become a permanent record of the minutes of the Town Clerk.

Seconded by Councilman Roosa and adopted by the following Roll Call vote:

James Groff	Aye	Darryl Roosa	Aye
William Gritsavage	Aye	Art Simmons	Nay
Ivar Anderson	Aye		

2015 Preliminary Budget Public Hearing will be held on Wednesday, November 12, 2014 at 7 p.m.

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

Councilman Anderson motioned to adjourn the meeting at 7:31 p.m. Councilman Simmons seconded the motion. All board members present were in favor of the motion.

Respectfully submitted,

Elaine Mihalik  
Town Clerk