

**TOWN OF NORTHAMPTON
REGULAR MEETING
September 16, 2015**

The regular meeting of the Town of Northampton was held on Wednesday, September 16, 2015. 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, and Art Simmons
Absent: William Gritsavage

RECORDING SECRETARY: Elaine Mihalik-Town Clerk

Other Town department representatives in attendance were: Bookkeeper-Nathanial Matthews; Matthew Ginter-Code Enforcement Officer; Ken Cramer-Water/Sewer Plant Operator; Christopher (Kip) Richardson, Highway Superintendent; and Vernon Duesler III ACO

Also present: Skip Taylor

MOTION: Councilman Anderson motioned to approve the August 19, 2015 Regular meeting minutes. Seconded by Councilman Roosa and Adopted by a vote of 4-Ayes: Groff, Anderson, Roosa, and Simmons

RES. #2015-26: Resolution Authorizing Transfer of Funds within Accounts to meet certain Contractual Expenses for Accounts Payable from 2015 Budget Line Items.” Councilman Anderson offered the following resolution and moved its adoption. Councilman Simmons seconded the motion.

WHEREAS, within the budget certain appropriated amounts are insufficient to meet certain accounts payable expenses from Budget line items from 2015 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 2015 budget to cover anticipated expenses;

September

\$500.00

From: A1320.2 – Accounting Equipment
To: A1320.4 – Accounting - Contractual Exp.

\$500.00

From: A7110.4 – Parks – Contractual Exp.
To: A1320.4 – Historian - Contractual Exp.

\$1,000.00

From: DB5140.1 – Brush/Weeds – Personal Services
To: DB5130.1 – Machinery – Personal Services

\$4,000.00

From: DB5140.1 – Brush/Weeds – Personal Services
To: DB5110.1 – Highway General – Personal Services

\$6,500.00

From: DB9901.9 – Interfund Trans – Road Maintenance Res.
To: DB5142.408 – Snow Removal - Sand

\$3,500.00

From: DB9901.9 – Interfund Trans – Road Maintenance Res.
To: DB5148.407 – Service – Other Gov’t - Sand

AND BE IT FURTHER

RESOLVED, that this resolution be recorded in the Town Clerk’s minutes and be a permanent record of the Town and a copy be filed with the Supervisors records for auditing purposes.

ROLL CALL VOTE:

| | | | |
|--------------------|--------|---------------|-----|
| James Groff | Aye | Ivar Anderson | Aye |
| William Gritsavage | Absent | Art Simmons | Aye |
| Darryl Roosa | Aye | | |

Discussion on Warrants:

Supervisor Groff stated that there will be a change in the warrants. The total amount paid will be \$155,776.60. Under water voucher #215553; the bill came in at \$2,600 for paving done by Sprakers Paving of Ron Pintuff’s driveway because of a previous water leak. The voucher was written and signed by the owner for \$1,600 and the board approved the work for \$1,600.

Councilman Simmons: I spoke with Mr. Matthews and one of the phone bills is wrong. They billed us \$190.00 for four pages of directory assistance calls. I was told that the phone company was to give us credit on that billing.

I believe this is coming from either the sewer or the water plant. One of the phones is auto dialing for directory assistance stated Mr. Matthews. It was dialing every hour on the hour every three minutes. I have contacted Grant and he is looking into it and is going to adjust the bill. This apparently has been going on for approximately a month straight.

MOTION ON WARRANTS

Councilman Anderson approved paying the warrants with the \$1,000.00 correction for the paving bill as set forth and seconded by Councilman Simmons.

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

September 2015 Warrants

| | |
|----------------------------------|------------------|
| General Fund “A” | \$109,958.69 |
| General Ambulance Fund Account | 2,738.81 |
| General Fund “B” | 5,046.90 |
| Highway “DB” | 20,633.11 |
| Sacandaga Lighting District “SL” | 959.39 |
| Sacandaga Water District “SW” | 4,492.77 |
| Sacandaga Sewer District “SS” | <u>11,946.93</u> |
| Total Warrants | \$155,776.60 |

Supervisor Groff opened Public Comment at 7:04 p.m.

Skip Taylor: The ZBA members at their meeting came close to approving the Variance before them instead they are continuing the Public Hearing meeting to another day. I can’t see where they are

following what the law and ordinance requires. There was great discussion that this wasn't an appropriate thing to have in the ordinance. His perspective perhaps, but not what was passed in the law. Particularly he was saying that you don't need a 10 foot side line setback. He was expressing that opinion as being superior to the zoning. He was also sighting the ability to place numerous junk cars along the property line and that isn't possible. I am curious if the members have received the appropriate required training this year.

Matthew Ginter: there is some degree of training that is required each year. I believe three or four hours a year.

Skip Taylor: The minimum standard of training per member is four hours a year I believe. As the members were approaching their decision they realized that they were deadlocked. The members on that board never expressed the documentations that they would use as a reason if they were approving the variance and that is a key requirement in the ZBA. It states on five different points on what their findings were (the fact) because they need facts on this. They were ignoring that it was self-inflicted. They were ignoring a hardship, there was no hardship. This was avoidable. It was just poor planning. I know you can't interfere with this particular decision and I am not asking you to do that.

Supervisor Groff: Mr. Ginter and I will check to see who has and has not attended training this year. I talked about combined both the Village and Town Planning and Zoning Boards because no one seems to want to sit on either one of them. We have problems right now because one member is in Arizona and the other is in Florida.

Skip: Do they Skype?

Supervisor Groff: They do but Skype doesn't always work that well. The face time actually works better because you don't get the delay. Skype has a delay. We had problems with a Village board member.

Skip Taylor: Then I would make it a point to be present.

I really feel that the ZBA is not doing what was hoping the Ordinance would allow them to do.

COMMUNICATIONS

- Monthly Report of Revenues and Expenditures as of 8/31/2015
- Monthly Transfers for Abstract of Audited vouchers
- Time Warner-Programming Notification
- Fulton Montgomery Regional Chamber of commerce Newslite
- Received email from Solar Sunrun Communication Director, Brianna Therkelsen requesting having Solar Sunrun resource added to the Town website.

Councilman Simmons: A month or two ago we agreed to add Frontier to the list of local links. I didn't think too much about it until this next request that we have tonight came in. I took a look at the local links and with the exception of Frontier. There are things like the Edinburg newsletter, Fulton County Chamber of Commerce, Northville School, Northville Library, Northville Fire... They are not commercial business and I think don't think in retrospect that Frontier belongs on there. I don't think that is what the local links is for.

Councilman Anderson: Have you checked on other website for other towns and villages?

Councilman Simmons: I don't care about other municipalities. I care about this and with all due respect with what you are saying. I would like to table this for further discussion. To see what do we want to have on the town website.

MOTION: Councilman Simmons motioned to table the request from Solar Sunrun. Seconded by Councilman Anderson and passed by, 4-Ayes: Groff, Roosa, Anderson, and Simmons 0-Nays

CODE ENFORCEMENT: Matthew Ginter: I am requesting to go into Executive Session with the Town Board during this meeting to discuss possible Litigation.

Matthew Ginter collected \$612.50 in fees in. The total Estimated Project Costs was \$226,000.00. A total of (7) permits were issued in August 2015; #002-14R1 Permit Renewal; #053-14R1 Permit Renewal; #057-15 Septic repair; #058-15 Swimming pool/deck; #059-15 Single Family Home; #060-13 2 car garage; and #061-13R2 Permit Renewal.

Matthew Ginter: The Town Attorney is still reviewing the proposed changes to the Town of Northampton Zoning and Subdivision Law that I have sent them to them for their review and comment on.

JUSTICE: Councilman Roosa motioned to accept the Justice report, there were a total of 42 cases handled and \$4,194.00 was collected in fines for the month, seconded by Councilman Simmons and passed by, 4-Ayes: Groff, Roosa, Anderson, and Simmons 0-Nays

MOTION: Councilman Anderson made a motion to accept the application as presented by the Town Justice for the New York State Unified Court System 2015-2016 Justice Court Assistance Program which has been reviewed by the Town Board in its entirety at a duly held meeting on this 16th day of September 2015. The Town Board of the Town of Northampton hereby authorizes the applicant to request up to the maximum available (\$30,000.00) and hereby authorizes its full support of filing the application to the Justice Court Assistance Program. Seconded by Councilman Roosa, and Adopted by a vote of 4-Ayes: Groff, Anderson, Roosa, and Simmons

HIGHWAY: Mr. Richardson: 1. The paving is done except for the shoulder work. I have received a few complaints about a couple of driveways that drop down. It will get corrected I told them.

2. The parts have been ordered and I am waiting for them to come in for the town truck stated Mr. Richardson.

Councilman Simmons: Will you be getting bids for this?

Mr. Richardson: Yes.

Supervisor Groff: Kip needs a pickup sander and there are funds in the reserve account. We need permission to use the funds. Discussion ensued.

RES. #2015-27: Permissive Referendum re Use of Reserve Funds for Pickup Truck Sander Councilman Anderson made a motion to accept the following resolution and moved for its adoption. Councilman Simmons seconded the motion and moved its adoption.

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 supporting the purchase of a pickup truck sander, which fund is designated DB0231.1 Capital Reserve for Highway Machinery, under General Municipal Law 6-c, and

WHEREAS the amount that will be utilized from the reserve fund should not exceed \$6,000, 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 purchase the pickup truck sander, and utilize funds not to exceed \$6,000 from the reserve fund; toward that purpose; 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 the copies of this Resolution be retained by the Supervisor as part of the records of the Town and be made a part of the minutes of this meeting.

Roll Call Vote

| | | | |
|--------------------|--------|---------------|-----|
| James Groff | Aye | Darryl Roosa | Aye |
| William Gritsavage | Absent | Ivar Anderson | Aye |
| Art Simmons | Aye | | |

RES. #2015-28:Permissive Referendum re Use of Reserve Funds for Highway Road Maintenance

Councilman Roosa made a motion to accept the following resolution and moved for its adoption. Councilman Anderson seconded the motion and moved its adoption.

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 supporting road maintenance, which fund is designated DB0231.2 Capital Reserve for Highway Road Maintenance, under General Municipal Law 6-c, and

WHEREAS the amount that will be utilized from the reserve fund should not exceed \$50,000, 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 support road maintenance, and utilize funds not to exceed \$50,000 from the reserve fund; toward that purpose; 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 the copies of this Resolution be retained by the Supervisor as part of the records of the Town and be made a part of the minutes of this meeting.

Roll Call Vote

| | | | |
|--------------------|--------|---------------|-----|
| James Groff | Aye | Darryl Roosa | Aye |
| William Gritsavage | Absent | Ivar Anderson | Aye |
| Art Simmons | Aye | | |

Kip Richardson and the board discussed if there was a possibility of a lease program for a plow truck, leasing with turning it back in or leasing with the possibility of buying it.

Supervisor Groff: Are you still looking at doing the white truck and the gray truck?

Kip Richardson: As soon as the parts come in for the truck and we fix it. We are going to sell it. I am looking at looking into it in the spring. As long as that money that we sell the truck for is put into a reserve for a new one.

Supervisor Groff: The money will be put into a reserve fund. He (Groff) has asked Mr. Richardson to look into the lease program and report back to the board with his findings.

ANIMAL CONTROL OFFICER:

Supervisor Groff: I have received a letter of resignation from Heidi Darling as the Town Deputy Animal Control Officer.

MOTION: Councilman Roosa motioned to accept the letter of resignation from Heidi Darling as the Town of Northampton Deputy Animal Control Officer to take effect August 24, 2015. Seconded by Councilman Anderson and

Adopted by a vote of 4-Ayes: Groff, Anderson, Roosa, and Simmons

Vernon Duesler: I don't think she'll ever give us a satisfactory report. In one of my reports from Ags and Markets it was reported that I had a husky. I can't find that in any of my reports.

Supervisor Groff: The things that she and I spoke of, I don't feel the issues that were brought up were major issues. They were minor things, like putting the dog into the cab instead of the cage, giving the dog back to the owner instead of charging them, and not having a bed for them to lie in.

Discussion ensued.

ELECTION:

The General Election will be held on Tuesday, November 3rd— hours will be 6 a.m. to 9 p.m.

ZONING BOARD OF APPEALS:

Z02-15 Richard and Crystal Bruno. The Zoning Board of Appeals reviewed an application for an Area Variance received from Richard and Crystal Bruno and held a Public Hearing on August 26, 2015. The ZBA was deadlocked on a decision so the meeting remained open until the next scheduled meeting on September 23, 2015 at 7 p.m.

MOTION: Councilman Anderson motioned to accept the letter of resignation from Heather Simpson as member of the Town of Northampton Zoning Board of Appeals to take effect immediately. Seconded by Councilman Roosa and

Adopted by a vote of 4-Ayes: Groff, Anderson, Roosa, and Simmons

Supervisor Groff: We used Alternate Dennis Miller at the last ZBA meeting and due to acceptance of the resignation from Heather Simpson as member of the Town of Northampton Zoning Board of Appeals there now is vacancy.

MOTION: Supervisor Groff motioned to approve Dennis Miller as a Member on the Town of Northampton Zoning Board of Appeals to take effect immediately. Seconded by Councilman Anderson and

Adopted by a vote of 4-Ayes: Groff, Anderson, Roosa, and Simmons

PLANNING BOARD:

P06-15 Stephen Woodland. The Planning Board reviewed a major subdivision request on Bunker Hill Road. The application remains open.

P07-15 David Koes. The Planning Board approved the construction of a single family home in the Sacandaga Park.

The Planning Board's next scheduled meeting is for Tuesday, October 6th, 2015 at 7 p.m.

HISTORIAN:

MOTION: Councilman Anderson motioned to reappoint Joanne Blaauboer as Town of Northampton Deputy Historian. Seconded by Councilman Simmons and

Passed by a vote of 4-Ayes: Groff, Anderson, Roosa, and Simmons

AMBULANCE: I am under the understanding that the members are waiting to hear back from someone who is doing the spec's on a new ambulance stated Councilman Simmons. They are expecting that information any day.

HARDFILL: For the month of August 2015 there were a total of 55 vehicles that had come to the Hardfill site and \$50.00 was collected in fees.

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

| | | |
|----------------------------|--------------------|----------------|
| County Transfer | 96.620 Ton @ \$53 | \$5,120.86 |
| Curbside Recycling | 13.060 Ton @ \$20 | \$ 261.20 |
| Transfer Station Recycling | 3.050 Ton @ \$10 | \$ 30.50 |
| Metal Hauling Fee | 6.060 Ton @ \$20 | \$ 121.20 |
| Electronics | 0.570 Ton @ \$0.00 | \$ <u>0.00</u> |
| Total | | \$5,533.76 |

Northville Fire Department: During August 2015 there were a total of 7 responses and a total of 162 man hours made by the Northville Fire Department. The Village of Northville there was- 1 Motor vehicle accident; outside rubbish fire; Arcing electrical equipment. In the Town of Northampton there was 1- False alarm – Smoke Detector activation; 2-Motor Vehicle accident. Town of Edinburg there was 1- Structure Fire. Mutual Aid given: 1-Town of Edinburg; 5-Mutual Aid Received-Town of Hope. Injuries: Civilian-Fatality MVA..

The Northville Fire Department participated in the following training:

1. August 3 – Members performed monthly vehicle and air pack checks. 12 members present.
2. August 10 – Members performed Ladder Training. 11 members present.
3. August 17 – Members attended annual Self Contained Breathing Apparatus (SCBA) Training and demonstrated use of SCBA. 16 members present.
4. August 24 – Members practiced Search and Rescue Operations. 11 members present.
5. August 31 – Members practiced Ventilation Technics. 13 members present

SACANDAGA PARK WATER & SEWER: August 2015

Water:

- August 2014 usage 1,743,000-gallons pumped
- August 2015 usage-1,291,000-gallons pumped

Meters:

- No new problems to report

Repairs/Maintenance:

- Spraker’s Paving completed the driveway repairs for Mr. Pintuff.
- Replaced leaking and defective backflow prevention device at the waste water treatment plant.

Wastewater:

- August-2014- daily average flow 30,300 gallons
- August 2015-daily average flow 15,000 gallons

Repair/Maintenance:

- Removed six loads of sludge from the imhoff tank.
- Changed deodorizer blocks.
- Replaced three drive belts on the RBC unit.

TOWN CLERK:

MOTION: Councilman Roos motioned to approve the Town Clerk’s August 2015 monthly report as presented and seconded by Councilman Anderson and passed by,

A vote of 4-Ayes: Groff, Roosa, Simmons, and Anderson

0-Nays

09/01/2015

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|---|----------------------|----------------------|----|-------------------|-----------------|
| Town Clerk Monthly Report | | | | | |
| August 01, 2015 - August 31, 2015: | | | | | |
| | | | | Account# | |
| A1255 | Conservation | Conservation | 73 | 157.45 | |
| | Marriage Certificate | Marriage Certificate | 1 | 10.00 | |
| | | | | Sub-Total: | \$167.45 |
| A2130 | Hardfill Site | Hardfill Site | 1 | 33.50 | |
| | Transfer Station | Transfer Station | 25 | 250.00 | |
| | | | | Sub-Total: | \$283.50 |
| A2544 | Dog Licensing | Female, Spayed | 18 | 126.00 | |
| | | Female, Unspayed | 2 | 26.00 | |
| | | Male, Neutered | 9 | 63.00 | |
| | | Male, Unneutered | 2 | 26.00 | |
| | | | | Sub-Total: | \$241.00 |
| A2770 | Minor Sales | Fax | 5 | 5.00 | |
| | Photo Copy | Photo Copy | 22 | 5.50 | |
| | | | | Sub-Total: | \$10.50 |
| B2110 | Zoning Application | Zoning Application | 1 | 50.00 | |
| | | | | Sub-Total: | \$50.00 |
| B2115 | Planning Application | Planning Application | 1 | 50.00 | |
| | | | | Sub-Total: | \$50.00 |
| B2555 | Building Permits | Building Permits | 9 | 672.50 | |

| | | | |
|--|---|-------------------------------------|-------------------|
| | | Sub-Total: | \$672.50 |
| | | Total Local Shares Remitted: | \$1,474.95 |
| Amount paid to: | NYS Ag. & Markets for spay/neuter program | | 39.00 |
| Amount paid to: | NYS Environmental Conservation | | 2,698.55 |
| Total State, County & Local Revenues: | \$4,212.50 | Total Non-Local Revenues: | \$2,737.55 |

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

SUPERVISOR:

We are going to have a meeting October 2nd in Warrensburg with Jason Denno from DEC, Wayne Ryan from AES, myself (Groff), John Spaeth, an individual from the APA and anybody else stated Supervisor Groff. We are going to discuss how maybe we can join the Village and Town on a joint sewer project. This might help us by putting the Village in with the Town it lowers the income to where maybe we can get some funding. There was thought of having one sewer line placed along Bridge Street and one on Main Street in Northville. Connected it would be a joint sewer system for the businesses in the area and the business district. It would be a start and maybe we can get some funding. With APA, DEC and those people helping us maybe we can get something going. Discussion ensued.

OLD BUSINESS:

Update on the 2015 Franchise Agreement to provide Cable Television Services between Town of Northampton and Time Warner Cable Northeast LLC c/b/a/ Time Warner Cable.

Councilman Simmons: We haven't heard a word from Time Warner.

Supervisor: Have I given you the changes?

Councilman Simmons: We sent the contract with the changes to Time Warner and we haven't heard a thing back from Time Warner. It's not only get the contract but also getting the television station back on the air.

I'm asking the board, what do you want to do about that? This has been going on for a year. They (Time Warner) haven't contacted the Northville Central School like they said they would.

The last correspondence was when I called the Public Service Commission. We did get a response the next day and we spoke with (Time Warner Rep). We were assured Time Warner would call NCS and talk with Dr. Ford the next day. It's about five months ago and Dr. Ford has not heard a word from Time Warner.

When Councilman Gritsavage and I met with Dr. Ford and the NCS staff last October they were very enthusiastic about having the Television station moved from the library to the school.

They thought it would be good for the community and an excellent tool for some of the students, especially the students that are interested in broadcasting.

Supervisor Groff: I will talk with Councilman Gritsavage and contact Dr. Ford to see if she is still interested.

Discussion ensued.

NEW BUSINESS:

Councilman Simmons:

1. The marker at Sweet's Crossing. If it hasn't already be done. I think the Town should send a thank you letter to the Walker family for letting us place the marker on their property.

2. Dr. Curtis Mills made me aware of a program that he runs for Bassett out of their St. Johnsville Facility. It's a program from St. Johnsville to here geographically he goes out and calls on shut-ins as a doctor. I have never seen anything in the newspaper on this. Maybe that is something we can get more information on and publicize it.

Councilman Simmons was asked to please look into this and report back to the board with the information.

MOTION INTO EXECUTIVE SESSION

Councilman Roosa motioned to go into Executive Session at 7:40 p.m. regarding possible litigation and security. Seconded by Councilman Anderson and passed by

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

MOTION OUT OF EXECUTIVE SESSION

Councilman Simmons motioned to come out of Executive Session at 8:10 p.m. Seconded by Councilman Anderson and passed by

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

The first 2016 Budget work session has been set for Thursday, September 24, 2015 at 6:30 p.m. The next Town Board meeting will be held on Wednesday, October 21, 2015

Councilman Roosa motioned to adjourn the meeting at 8:11 p.m. Councilman Roosa seconded the motion. All board members present were in favor of the motion.

Respectfully submitted,

Elaine Mihalik
Town Clerk