

Town Board Meeting
May 10, 2010

At the Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 10th day of May 10, 2010, 7:30 at the Town Hall, the following were present:

Supervisor William Watkins
Councilwoman Catherine Fedler
Councilman Ted Berndt
Councilman Alan Davis
Councilman Frank Ziehm

Others present: Town Clerk Heather Greenawalt, Ashleigh Farrell, Superintendent of Schools Vince Canini, Highway Superintendent of Highways Eric Shaw, Code Enforcement LaVerne Davis, Fran Moon, Henry Peabody, Nancy Meabus, Terry Hamilton, Scott Keller, Dick Battistoni, Dan Schmidt, James Stannard, Daton Stannard, Rani Bass, Jim Buckley, Margaret Rossi

Supervisor Watkins called the meeting to order at 7:30 PM and immediately led in a moment of silent prayer and then led in the Pledge of Allegiance to the Flag.

Resolution #49

Councilwoman Fedler motioned, Seconded by Councilman Davis to approve the minutes of the April 12th Regular Meeting with the following amendments. On page 3 at the top Joe Drisco is spelled wrong it should be Joe Driscoll. On page 7/8 it should be mentioned that the possible qualified applicant sent her application after the deadline. On page 9 at the bottom where it is discussed about the bank accounts it should be noted that Rani Bass did not state that the accounts that were active in December are now closed. On page 9 in Resolution #48 the amount of \$512.21 is wrong it should read \$512.39.

Vote: Aye – 5 Noes – 0

Items Added

1. Councilman Ziehm has a Resolution to be read under New Business.
2. Councilman Berndt would like to add also under New Business that the month of June be made as Volunteer Appreciation month.
3. Sandy Spear from Brownell Lane was present from the public and she said that she would like to discuss the road condition. This was put under the Superintendent of Highways section of the agenda.

Supervisor's Report

The Supervisor reported that he had talked to Mr. Rose about 2 weeks ago he asked about if they had heard anything about the litigation concerning the Brownell Rd Property. Mr. Rose also questioned about paying the bill. The total of the bill is \$4,001.83. A decision also must be made whether the Town will stay with the law firm of Deily, Mooney, & Glastetter, LLP or to change to the Law Firm with Mr. Rose at Tully Rinckey, PLLC. Councilman Davis asked how the bill reached this large of an amount considering the amount that they were quoted when they made the decision to hire Mr. Rose. The Supervisor asked if the Town Board would like to pay the bill now or wait longer. Councilman Ziehm commented that he thought that they should wait another month

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because they don't know what will be paid to who until the judge rules and a decision. Councilman Berndt suggested that the Town Board consider to go into executive session at the end of the meeting to discuss these matters.

Resolution#50

Councilman Ziehm motioned, Seconded by Councilman Davis to table the discussion on the bill and the decision on the lawyer until the end of the meeting.

Vote: Aye – 5 Noes – 0

The Supervisor reported that he and Councilwoman Fedler, Eric Shaw Highway Superintendent, Town of Whitecreek Superintendent of Highway and the Village of Cambridge Superintendent of Highway met with a FEMA representative concerning the South Union Street Bridge. They are waiting for a hydraulics evaluation to see how the water flows through and to determine the effects of the culvert pipe. Councilman Ziehm has concerns about the plans for the bridge and also about whether the Town Board should have reviewed these plans. Supervisor Watkins stated that both himself and Eric Shaw have looked at the plans and spoke with the engineers. The engineer comes with the pipe and helps put everything together. Councilman Ziehms concern was if there is a fee for labor and gravel, concrete sidewalks, etc beyond the cost of half of the 52,000. Eric Shaw stated that we won't know what we need until get involved in the project. The cost of the culvert is \$52,000 and this will be split between the two towns, it is possible that a smaller culvert will fit and the town will save \$5,500. Councilman Berndt questioned what the status was with the Town of Whitecreek. Supervisor Watkins said they would be approving the project at their meeting Tuesday evening the 11th of May. Mr. Knapp is the Flood Plain Management Consultant for FEMA and is overseeing what the towns are doing and directing them towards what they can do, they have requested the water flow test.

The Supervisor reported that the Town Hall will be getting wireless internet, Town Clerk Heather Greenawalt has ordered a MI-FI card through Verizon Wireless for \$42.99 a month, and it's unlimited usage. FedEx delivered the card today. DSL is still being pursued for the Town of Cambridge, Dick Batisstoni and Terry Dwyer are looking in different directions to come up with a solution.

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The Supervisor asked Councilman Davis how he was coming with putting the Truck on the Internet. Councilman Davis stated that he taken pictures but he needed a credit card to create an account for the Town of Cambridge.

Resolution#51

Councilman Davis motioned, Seconded by Councilman Ziehm to obtain a credit card for the town so that it can be used to set an account to put the truck on the internet.

Vote: Aye – 5 Noes – 0

Town Clerk

Town Clerk Heather Greenawalt reported that she received the Verizon Wireless card that the Supervisor had already reported on. She also attended the Town Clerks seminar from April 25th – 28th in Saratoga Springs. Ag & Markets reported at the seminar that they will be doing away with the dog licensing system and it is possible as of December 31, 2010 that the towns will have to take on the responsibility of the dog licensing. This means that it will be the town's responsibility to make the prices for licensing and manage the renewals and the fines and etc.

Planning Board

In the absence of Clerk to the Planning Board Sally Eddy, Town Clerk Heather Greenawalt reported. The Planning Board met, Thursday May 6, with a full board present and 1 member of the public. It was a night of much discussion as to what areas the board should address and how to go about it. The Board passed a resolution with the intent to inform the Town Board that the Planning Board is interested in engaging the services of an attorney, at some point in time, to advise them in their endeavors. The Planning Board is looking for official approval from the Town Board. Chairman Pearson asked each member to write down some definite rules that they would like to see implemented and bring them to the next meeting where they will be discussed and voted upon before being presented to the Town Board.

Highway Department

Eric Shaw Highway Superintendent reported that in the last month they have finished grading roads, drawing and applying stone chips and dust to the roads. With the help of the Town of Whitecreek, they spray patched roads that were in the worst condition. They are helping Whitecreek do their roads now. The oil has been changed in the trucks and the equipment. On Tuesday, May 18th they will be taking their yearly MSHA Training Refresher course. The price will be \$10.00 per person. Eric Shaw took the time to thank everyone that helped pickup the roadsides around the town, it was greatly appreciated.

Sandy Spear from Brownell Rd spoke about her concerns of the water that is causing problems around her house. The Supervisor stated that she had a swamp out front with cattails growing, the concern is with the draining of the cellar it is running down the driveway. Eric Shaw will have to look the situation over and she what her concerns are and what is the responsibility of the town and what is the homeowner's responsibility and possibly even contact Chuck Brownell. Sandy's husband is handicapped and her concern is being able to get him out with out all the water being a problem.

Code Enforcement

LaVerne Davis gave a report on 2009 Code Enforcement.

New Homes-----2
Septic Systems-----4
Storage Buildings-----9

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Certificate of Occupancy-----16
Decks-----2
Alterations-----3
Additions-----3

Miles Traveled-----780

Assessor's Report

In Jeffry Jackson's absence Councilwoman Fedler read the Assessor's Report. The 2010 Town of Cambridge Tentative Assessment Roll was prepared and filed as of May 1, 2010. The current tentative equalization rate is 95.5%, up from 91.0% last year. An increasing equalization rate suggests that recent arms length sales of properties are near or at the current assessed value of the same property.

The tentative total assessed value increased \$345,000 from last year. This number includes increases for new construction as well as reduction of value(s) due to demolition, fire loss and valuation adjustments. This number is subject to change based on actions taken by the Board of Assessment Review (BAR) when they meet June 1, 2010.

Supervisor Watkins did mention that him and Mr. Jackson were to challenge the equalization rate, he stated that his goal was to get the rate to 100%. Many present from the public had questions about the rate and why he was not pursuing a higher rate than 100%. Mr. Watkins commented that there was no mechanism in the process for the rate to be set above 100%. There were also concerns that the value of the town had gone up despite the economic times we are in. Councilwoman Fedler mentioned that these questions needed to be directed to the assessor he could better answer them. The Supervisor mentioned that he would try to get Mr. Jackson to come to the next Board Meeting.

Animal Control

This month resulted in the pickup of one dog, and a few complaints regarding dogs running. The dog was held until available for adoption and then adopted out. The complaints are still pending action from town court. Received NYS Inspection, the report of passing will be forwarded by the state to the town. Rabies exposure still remains an issue in the county.

Resolution #52

Councilman Berndt motioned, Seconded by Supervisor Watkins to accept the Supervisor's monthly report for April 2010.

Vote: Aye – 5 Noes – 0

Superintendent of Cambridge Central School Vince Canini spoke on the School Budget
Superintendent Vince Canini handed out newsletters to anyone that had not received the newsletter in the mail. He explained the budget and that the school is losing State Aid like every other school. Inside the flyer he explained that they tried to show the 3 portions of the budget which are the Administrative, Program, and Capital. The total

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amount of the budget for the 2010-2011 year is 17,057,035.00 this is a drop in \$535,036.00 from last year however still an increase in tax levy of 2.9 percent. He tried to explain that in the Administrative budget portion this is not just the administrators this also includes anything that helps the school to run. The program section is what it actually costs to educate the children of the district, the Capital is the actual expense of maintenance, operation, utilities, bus purchases and debt services. Mr. Canini asked the public if they had any questions for him. Some of the people present in the audience had concerns of the class sizes, the amount of students in the Cambridge Central School has dramatically dropped. People from the public stated that actually the teachers were not being laid off because of the State Aid cut but in fact because of the lack of students. The cutting of teachers and the consolidation of the students into larger classes will hopefully help with these concerns. Other questions that were asked were questions on the break down of the expenses and the equalization rate and many citizens have heard that the Town of Cambridge is paying a higher percentage of the school taxes then other towns. The Superintendent stated yes because of the equalization rate for the Town of Cambridge he tried to explain that each town represents a portion of a piece of the pie, and depending on the equalization rate the town's piece will vary. Everyone was reminded to vote on May 18th.

Communications

Supervisor Watkins and Alan Brown the Supervisor from the Town of Jackson attended the Composting meeting on April 20th trying to get the schools to do more recycling and moving towards composting.

Supervisor Watkins talked to Eric Pearson the Planning Board Chair about two Comprehensive plans from the Town of Fort Ann and Kingsbury. Eric went to the class in Fort Edward and talked to the lawyers there and he is going to come up with something in writing of what direction the Town of Cambridge would like to go in, he will bring it to the Town Board and they will make a decision. Eric would like this lawyer to talk to the Planning Board so they can make some decisions. The public questioned who pays for this attorney, the Supervisor stated that it would be the Town Board and at this moment the Town doesn't have the money. The cost would be \$145 per hour.

Unfinished Business

The Supervisor updated everyone on the town website and that Councilman Berndt would no longer be able to update the website. The Supervisor asked what should be done about this. Councilman Berndt stated that if we are able to send meeting minutes electronically now that Heather Greenawalt has the air card we should be able to do the website without any issues.

The Mitigation Plan is a plan to anticipate something that could happen in the town due washout of culverts, or pond overflow, bridge overflow, bridge problems. In the Mitigation Plan it lists each town and the location where these damages can occur, a resolution must be passed by the town in order to be covered for the five year planning

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cycle: doing so provides access to the various mitigation project grants that SEMO and FEMA provide.

Price of Dump Stickers

Supervisor Watkins proposed that the Town of Cambridge raise the price of the dump stickers from \$1.75 to 1.85 which would be a .10 increase. Councilman Ziehm stated that earlier when they started selling dump stickers it was a service to the community but now prices have gone up and we should charge more.

Resolution #53

Councilman Ziehm motioned, Seconded by Councilman Davis to increase the price of the dump stickers from \$1.75 to \$1.85.

Vote: Aye – 5 Noes – 0

Resolution #54

Councilman Ziehm motioned, Seconded by Councilman Davis to amend the resolution #53 to increase the price of the dump stickers from \$1.75 to \$1.85 and that this is effective as of June 1, 2010.

Vote: Aye – 5 Noes – 0

Councilman Ziehm mentioned that he was approached by Nancy Johnson about the jersey barriers that were put along the roadside on Rt. 59A. She was concerned because things have been dumped behind them, she questioned whether some no dumping signs could be put up, and the county could clean up the stuff that was dumped. Superintendent of Highways Eric Shaw said that he would contact the county about this.

Councilman Ziehm had a resolution that he read in appreciation and recognition of the organization of the Tour of the Battenkill.

Resolution #55

Councilman Berndt motioned,
Seconded by Councilman Davis,

In recognition and appreciation of the distinguished service by
Dieter Drake, Christine Hoffer and Debra Fox
For the organization of the
Tour of the Battenkill.

WHEREAS, Dieter Drake, Christine Hoffer and Debra Fox have always been mindful of our community and have worked to create and improve the Tour of the Battenkill;

WHEREAS, Dieter Drake, Christine Hoffer and Debra Fox have provided outstanding Leadership and guidance to the Tour of the Battenkill;

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WHEREAS, Dieter Drake, Christine Hoffer and Debra Fox have been mindful and Considerate of the local impact of the Tour of the Battenkill;
RESOLVED, that the Town of Cambridge Board fondly acknowledges and extends it's Appreciation to Dieter Drake, Christine Hoffer and Debra Fox and The race committee for their time and service to the Tour of the Battenkill;
RESOLVE FURTHER, that the Town of Cambridge Board members as a whole and individually extend their Thank You to Dieter Drake, Christine Hoffer, and the race committee for the organization of the Tour of the Battenkill.
WE, the undersigned, hereby certify that the Town of Cambridge Board presently at their regular monthly meeting on May 10, 2010 with quorum, adopted the Foregoing Resolution and said Resolution has been duly recorded in the Minutes Book of the Town of Cambridge.

Vote: Aye – 5 Noes – 0

Supervisor Watkins announced that the Buskirk Bridge will be closed as of today May 10, 2010 until May 30, 2010 for repairs on the floor the planks will be taken up and put back down.

Stand-by Generator

Supervisor Watkins mentioned that the Town should have a generator in case of an emergency because public buildings like Town Halls are used for emergency shelters. This should be looked into, a standby generator with an automatic transfer switch, the one that the town has now is not very reliable. A generator with 10,000 kw should run both the highway garage and the Town Hall with no problem. This is something that will be looked into for estimates for down the road.

Two weeks ago the court system had another inspection and was written up for the exit light being out, no outside lighting, and no wire ties on the chairs. However, the Supervisor told them that they were not needed. He explained that we have many organizations that meet here besides just having town court.

Supervisor Watkins told everyone about the shed that was being donated for the youth summer program at Lake Lauderdale which starts on July 7th and goes till the end of August. Usually there are approximately 250-300 kids between the Town of Cambridge, Salem. This shed will be used to store the swimming supplies and etc.

Lanes

The Supervisor was approached by eight more people inquiring about the lanes and why the Town of Cambridge is plowing private driveways. The Supervisor explained to them that this had been going on for years. A letter was presented from Alan Wrigley for the Town Board to look over and be sent out to the land owners, with a copy of the law. Right now the letter will be sent and see what the response is and go from there.

County Report

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The county is pursuing shared services even further and many towns are looking into doing this also. Eric Shaw mentioned that there are already eleven places that Easton and the Town of Cambridge switch off and on. The public mentioned that this is not something that is brand new this has been going on for a long time. Councilman Ziehm asked what would happen down the road when the town takes over the county roads is the county going to pay the town is the county eventually not going to exist. Eric Shaw mentioned back in 1975- 1977 when he started the town maintained the county roads but he doesn't know before then what occurred.

Councilman Berndt mentioned that if we are going to have this air card and the internet usage we should adopt some kind of internet usage policy. He mentioned that the county has a policy that the Town could adopt the next meeting the Town Board will review this policy.

Councilman Berndt proposed also which was talked a little in January was a volunteer appreciation month for Fire, EMS, Hospice, Volunteers anyone that does any volunteer work. This would be the month of June and would recognize their efforts, the local agencies will be contacted to get their rosters and a certificate will be issued. This should cost less than \$100 and also the garden club will be recognized and anyone else that anyone can think of that should be recognized, this will be put in the local paper.

Resolution #56

Councilman Berndt motioned, Seconded by Councilman Davis to make June Volunteer Appreciation month with a budget up to \$100, a database will be created based on rosters from the agencies and print out certificates to be handed out to agency officers next month.

Vote: Aye – 5 Noes – 0

Councilman Berndt mentioned that any business that comes into Warren -Washington County they have to deal with the Industrial Development agency, Washington County LDC, Glens Falls IDA, Warren County Economic Development Council, and at least one other agency yet. The IDA is proposing one stop shopping to get together with all the other agencies and develop something so that when someone picks up the phone and calls they can be sent to the right section. All the information will be on the website, they will be all on the same page and if there is a business that fits in one area it will be sent there.

Mary McCellan hospital was purchased by someone in the Town of Whitecreek the Supervisor had talked to Jeff about seeing if he could do something about their assessment. She is thinking about making a culinary arts school in a portion of the hospital to draw more kids and people to the community. The Supervisor wants them to know that we are backing them hole heartly. They have already reached out to the IDA to see what they can do for them, they are in the very preliminary stages as far as the skilled nursing program being repaired and possibly leased out.

Councilman Davis asked if there was ever any kind of picnic or recognition for the employees of the town. The Supervisor said that he was not aware of anything like that.

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Councilman Davis suggested that we do something the Town of Jackson had done something and he thought maybe he would look into it. It was suggested that a card be signed for Gene on the highway Dept. he has been out for 4 weeks for hernia surgery and it looks like he might be out even longer possible 6 weeks.

Privilege of the Floor

Nancy Maebus has a rather long statement that she would like to read but she will read it next meeting.

Resolution #57

Supervisor Watkins motioned, Seconded by Councilman Davis to go into executive session to discuss the lawyer.

Vote: Aye – 5 Noes – 0

Executive Session entered into at 9:40 PM.

Came out of Executive Session at 10:00 PM.

Resolution #58

Supervisor Watkins motioned, Seconded by Councilman Ziehm to come out of executive session and to reconvene the Regular Meeting.

Vote: Aye – 5 Noes – 0

Resolution #59

Supervisor Watkins motioned, Seconded by Councilman Berndt that Supervisor Watkins will call and renegotiate the bill with the law firm of Deily, Mooney & Glastetter, LLP, and also the payment of the bill will be tabled till the bill is reduced.

Vote: Aye – 5 Noes – 0

Resolution #60

Resolution by Supervisor Watkins,
Seconded by Councilman Davis,

Be it Resolved, that the Town Board of the Town of Cambridge, does hereby authorize the transfer of funds to cover the lease of the new Justice phone line of the amount (\$162.07). The Town Justice contractual contains \$143.68 which means there is a deficit of \$18.39.

Therefore, \$18.39 is being transferred from A1990.4 Contingent (leaving a balance of \$467.39) to the A1110.4 the Justice Contractual.

Vote: Aye – 5 Noes – 0

The Town of Cambridge must accept the Hazard Mitigation Plan which was talked about earlier in the meeting.

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Resolution #61

Supervisor Watkins motioned,
Seconded by Councilman Davis,

WHEREAS, Town of Cambridge, with the assistance from the Washington County All-Hazards Mitigation Plan Task Force, has gathered information and prepared the Washington County All Hazards Mitigation Plan.

WHEREAS, the Washington County All Hazards Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Town of Cambridge is a unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, Town of Cambridge have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Cambridge adopts the Washington County All Hazards Mitigation Plan as this jurisdiction's Natural Mitigation Plan, and resolves to execute the actions in the Plan.

Vote: Aye – 5 Noes – 0

The Town Board made a resolution for the Planning Board of the route they should follow to come up with some rules and regulations.

Resolution #62

Supervisor Watkins motioned, Seconded by Councilman Ziehm recommending that the Planning Board concentrate on Site Plan review and set backs and if legal advice is needed they should consult the Town attorney Alan Wrigley.

Vote: Aye – 5 Noes – 0

The following bills were presented for audit and approved for payment:

| | |
|-------------------|------------|
| General # 81 – 96 | \$9,819.51 |
| Highway # 37 – 45 | \$9,980.72 |

There being no further business before the Board, the meeting was moved and carried to adjournment at 10:40 PM.

Respectfully submitted,

Heather Greenawalt
Town Clerk