

Regular Town Board Meeting
June 11, 2012

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At the Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 11th day of June, 7:00 PM at the Town Hall, the following were present:

Supervisor William Watkins
Councilwoman Catherine Fedler
Councilman Robin McMurray
Councilman Gerald Skiff
Councilman Douglas Ford

Others Present: Town Clerk Heather Greenawalt, Judy Leon, Ashleigh Morris from the Eagle, Town Justice Janet DeCarlo, Ted Berndt, Kim Scott Miller, Ted Berndt, Terry Hamilton, Elton Balch, Rani Bass, Bruce Rolleston, Tony Millington, Bonnie Farrell, Scott Keller Town Attorney, Jim Buckley, Lillian Herrington

Audit of the Bills

Bills were audited prior to the meeting at 7:00 PM.

General	#138 – 155	\$10,540.92
Highway	#56 - 65	\$6,623.88

Supervisor Watkins called the meeting to order immediately after the bills and led in the Pledge of Allegiance to the Flag.

Approving of the Minutes

Resolution #53

Councilman McMurray motioned, Seconded by Councilman Skiff to approve the minutes of the June 11, 2012 meeting as mailed.

Vote: Ayes – 5 Noes – 0

Supervisor's Report

Resolution #54

Councilwoman Fedler motioned, Seconded by Councilman Ford to approve the May 2012 Supervisor's Report.

Vote: Ayes – 5 Noes – 0

Assessor' Report

Supervisor Watkins reported that the assessor reported that he only had a few people for the Grievance Day on June 5, 2012.

Town Clerk

The Town Clerk Heather Greenawalt made the Town Board aware that she had chosen a second deputy, MJ Root. She is asking the Boards permission to appoint her to the position of second deputy.

Resolution #55

Councilwoman Fedler motioned, Seconded by Councilman McMurray to give Town Clerk Heather Greenawalt permission to appointment MJ Root to the 2nd Deputy Town Clerk position.

Regular Town Board Meeting
June 11, 2012

Vote: Ayes – 5 Noes – 0

Town Clerk Heather Greenawalt also made everyone aware that she had a jury summons for June 11, 2012 and was selected for the jury. The deputy clerk is unable to fill in for Tuesday, Wednesday and Thursday therefore the Town Clerk's Office will have to be closed. She requested that the Eagle put this notice in the paper and that a message will be put on the answering machine and the door of the Town Hall.

Town Board

Councilwoman Fedler read a letter from Deily, Mooney & Glastetter, LLP reporting on the Brownell Road Property litigations. The letter stated that it had been nine months since the petitioners had filed a notice of appeal of the decision of the court which dismissed the Article 78 Petition. The appeal is automatically dismissed and the action is now closed and the firm has closed the file.

Councilwoman Fedler thanked Councilman Skiff with the job that he did organizing the parade. She also thanked Bob Hamilton, a Veteran in the Town of Cambridge, who drove the truck in the parade.

Councilman Ford reported that Alan Davis the Highway Superintendent talked to Jim Cole from the Comptroller's Office about the correct procedure for rejecting all bids in purchasing of the truck. It appears that things were not done properly. The board needs to make a resolution rejecting all bids. Then the truck must be put out for bid again and the dates must be June 25th at noon to have the bids to the Town Clerk and the bids will be opened on June 25th at 2:00 PM.

Resolution #56

Councilman Ford motioned, Seconded by Councilman Skiff to reject all bids to the pickup.

Vote : Ayes – 5 Noes – 0

The Supervisor questioned what they were going to do for a truck and do they need dual wheels. Councilman Ford was questioning whether or not the Town Highway Department would be taking on anymore County Roads. The Supervisor said that they would not be doing anymore county roads. In this case the Town would not need to purchase a dual wheel truck.

Resolution #57

Councilman Ford motioned, Seconded by Councilwoman Fedler to rescind the resolution to reject all bids.

Vote: Ayes – 5 Noes – 0

It was decided to go out to bid again for the new truck. The ad will be placed in the paper for two weeks and the deadline to have the bids in has changed to July 5th at 12:00 PM and the date that the committee for the truck will meet to open the bids will be July 6th.

Regular Town Board Meeting
June 11, 2012

Resolution #58

Councilwoman Fedler motioned, Seconded by Councilman Ford to reject all bids and to go out for bid again for a new Truck. The deadline to put in a bid will be July 5th at 6:00 PM and the committee will open the bids on July 6th.

Vote: Ayes – 5 Noes – 0

Councilman Skiff questioned about the minutes from last month where it was discussed about the Village of Cambridge no longer retaining an Animal Control Officer. The Town Clerk Heather Greenawalt referred to the letter that was received from the Village of Cambridge in regards to the Animal Control Officers. This letter states that since the Village falls in the Townships of White Creek and Cambridge these services would be billed to either the Town of White Creek or the Town of Cambridge. It was stated that this was due to the budget constraints and as of June 1, 2012 they will no longer retain an Animal Control Officer. The question was how can the Village make this decision and unilaterally pass it to us. It was suggested that the Town could send the bills back to the Village. It was decided that a letter would be written to the mayor regarding this issue.

Councilman Skiff mentioned that a resident on King Road had contacted him and they would like the speed limit lowered between Duell Hollow and Oak Hill.

Resolution #59

Councilman Skiff motioned, Seconded by Councilwoman Fedler, for Supervisor Watkins to look into lowering the speed limit to 45 MPH between Duell Hollow and Oak Hill.

Vote: Ayes – 5 Noes – 0

Councilman Skiff questioned the Supervisor about the status on Perry Lane. The Supervisor stated that DEC had been contacted and that they believe that they have a solution to the problem and he has also spoke with the homeowner and CVM. Councilman Fedler read the letter that was received from Daniel Demianenko. He was concerned in regards to the mystified oils and coolants that were being released in the air by the Cambridge Valley Machine Shop. Councilwoman Fedler mentioned that last month LaVerne Davis Code Enforcement had reported on this and he had visited the facility.

Councilman Ford commented on the Cambridge Valley Machine situation and he stated that he did not feel that it was the board's responsibility to do the investigating. The Town of Cambridge has very little business left and we do not want to be running business out of the town. However, he did mention that if this is something that is a hazard to ones health then it does need to be taken care of. It was also reported by Councilman Skiff that he had visited Mary McClellan Hospital and they were logging the property. The logger had given him the tour and the property is basically a vacant hospital that has grown up to weeds.

Regular Town Board Meeting
June 11, 2012

Councilman Skiff inquired about the heat exchanger in the Highway Garage that was discussed in last month Highway Report. He was wondering if this was something that the Highway Superintendent would take care of. It was said that the board would have to discuss at next months meeting when the Highway Superintendent was present.

The Town Website was discussed and how the Town may have to weigh the odds and see if it is worth the cost to keep it. The concern was the new law that everything must be posted on the website that is discussed at the meeting. Ted Berndt a resident of the Town said that the web administrator could set up a dialog box so that if a public notice was required the Town Clerk could send it right off the Microsoft Word platform. The concern was how much extra work this would make for the Town Clerk. Another concern was if there was no website how much work and paper would it cost the town to have hard copies available to the public. It was decided to table this discussion till next month so that this could be investigated further.

Highway Report

Heather Greenawalt reported in Highway Superintendent Alan Davis absence. The fulltime Highway men attended MSHA training and all attended a defensive driving class. They have mowed the first pass on all black top roads and now they are mowing back for 2nd pass. They have helped White Creek paving for 11/2 days and have paved 6,900 feet on Turnpike Rd. The cemeteries were mowed before Memorial Day. A large tree that fell in a storm was cleaned up on Stump Church Road. A large culvert was replaced on Edie Rd and a smaller one on King Rd. A section of Dickensen Road was graveled and graded. On Stevenson Road some brush was cut and the highway men where working on ditching. Chuck Watkins went to the Village to grade Division Street.

Suggestion from the public:

Ted Berndt, a resident from the Town, suggested that a cable be put up at the dump site on Vly Summit site because this could be a liability to the Town. A cable has already been put in place on the upper section. Councilman Skiff said that he agrees that the lower section should have a cable also. Councilwoman Fedler mentioned that this would have to be discussed with the Highway Superintendent Alan Davis.

Planning Board Report

Heather Greenawalt Town Clerk read the Planning Board Report. The Planning Board held its regular monthly meeting, Thursday, June 7, 2012, 7:30 PM with 5 members present. Three were from the public, among them was Supervisor Watkins. The following business was transacted:

- 1) Held a public hearing and granted Final Approval to John Weaver two lot minor subdivision at 744 State Route 372. Colleen Sacala acted on behalf of Mr. Weaver as his duly authorized representative.
- 2) Heard a brief report from Eric Pearson, Jerry Moppert and Sally Eddy about a meeting they recently attended at the county for planning officials. The meeting focused on the SEQR process.

Regular Town Board Meeting
June 11, 2012

- 3) Secretary Sally Eddy reported that she researched an inquiry made by attorney Leah Everhart concerning a subdivision that took place between 1987 and February 1991. It was a land locked parcel with a deeded right-of-way and there are some issues now over the right-of-way. Ms. Everhart thought maybe the town's records might have more information concerning the right-of-way. After reviewing all the records, Mrs. Eddy stated that the subdivision never came before the planning board for approval. There are no documents on file.
- 4) Jerry Moppert stated he is in the process of documenting the new construction projects and property sales within the town for the last ten years to determine if any trends are developing. He still needs to gather more information in order to complete it.
- 5) Supervisor Watkins and planning board members had
- 6)
- 7)
- 8) an exchange of ideas about what policies would be most effective in protecting the town from unwanted development along with being acceptable to the town's people as well, i.e. individual town laws vs. zoning. Mr. Watkins stated the Town Board is investigating agri-planning and looking at how to regulate dumps.

Communications

The Town Clerk read a letter from the Hoosac River Watershed Association requesting permission to use some of the Town's roads to have a bicycle race. The 8th annual Hoosac River Ride will take place on Saturday, August 25, 2012 from 9:00 am till noon this is a noncompetitive recreational bike ride.

Resolution #60

Councilwoman Fedler motioned,
Seconded by Councilman Skiff,

The Town Board of the Town of Cambridge gives the Hoosac River Watershed Association permission to use the roads in the Town of Cambridge on the date of August 25, 2012 to have their annual Hoosac River Ride. The roads included in this ride are King Rd., Oak Hill Rd., Center Rd., Turnpike Rd., County Rt 59, Buskirk Covered Bridge.

Vote: Ayes – 5 Noes – 0

The Town Supervisor mentioned that he had received a couple of calls from residents in the Village about the logging that is going on at the Old Mary McClellan Property. The logger that is doing this work is a local person and he is doing everything up to code and he is very environmentally friendly.

Supervisor Watkins also reported that Sheriff Murphy would be coming to one of the board meeting to talk to the public about the liaison program.

Councilman Skiff asked if there was anything resolved on any of the burglaries that had occurred in the Town. It was commented by some that it was possible that one had occurred recently and they were not sure if anything had been resolved.

Violence In the Work Place

The Supervisor questioned the Board on what they had decided about the Violence in the Work Place Policy that was received last month

. Scott Keller, the Town Attorney, mentioned that if the Town had 20 or more employees than they need to put this policy in place. Rani Bass, a resident from the Town, questioned why this policy is required? The Town Attorney stated that the Insurance company requires it for the potential liability. This policy states that violence is not allowed and these are the steps that will be taken if it does occur. It was decided to table the Violence in the Work Place policy till the next months meeting.

Appointment Policy

The Supervisor said that the Appointment policy had been tabled last month. He questioned what the board would like to do with this. He also thanked Mr. Rolleston, a resident from the town, for giving the Town Board his input. The Supervisor stated that the Appointment Policy is now available to the public. The Town Attorney said once the board approves to move forward with this policy it will be put out for public comment. A notice will be put in the paper that next meeting their will be public comment taken on the Appointment Policy. The Town Attorney stated that the Town Board will need to pass a resolution adopting the appointment policy.

Resolution #61

Councilwoman Fedler motioned, Seconded by Councilman Skiff to move forward with the appointment policy.

Vote: Ayes – 5 Noes – 0

Supervisor Watkins also questioned the Town Board what they would like to do about Volunteer month. It was mentioned that the board used to make out certificates for Volunteer month but someone was always being left out. So it was suggested that a resolution be passed and something be put in the paper.

Resolution #62

Councilman Ford motioned, Seconded by Councilman McMurray to publish something in the paper that shows the Town of Cambridge supports the Volunteers and would like to thank them for their time spent.

Vote: Ayes – 5 Noes – 0

Appointment of the Planning Board Member

Interviews

Four residents of the Town of Cambridge had submitted letters of interest for the position. However, only two were present for the interviews.

Councilwoman Fedler said that they would ask that the answers to the questions asked be short and concise. Judy Leon a resident of the Town from 20 Stevenson Rd., was interviewed first. Councilwoman Fedler asked Mrs. Leon what she felt was the purpose of the Planning Board members and why did she think she would be an asset to this board. She answered that the purpose would be for the board to control the progress of

Regular Town Board Meeting
June 11, 2012

the Town. She also mentioned that she has been interested a very long time and at her other Town that she lived she served on the Board of Education. She has attended lots of Planning Board Meetings she has seen how different planning boards work together. It was asked if she thought that she could be open minded on all points of view. She thought that yes, she was a very open minded person. The third question was could she spend time and listen to views. She also stated yes for this answer. The fourth question was do you think it may be necessary for the town to visit the idea of site plan review? Once again, she said yes she would like to see this happen. She said that the possibility should be examined and to see what was involved and what could be done. It was also asked if she was familiar with any of the planning board members and if she had attended any of the meetings. Yes, she had attended some meetings and does not know any of the members personally but she does know of some of them. The discussion was opened up and Ted Berndt, a resident of the town, asked if Mrs. Leon would have a problem if the residents of the Town attended the meeting. Her response was no, she would not have a problem; she welcomes this.

Councilman Ford asked the questions to Mr. Buckley because he is a relation of Councilwoman Fedler.

Jim Buckley, a resident of the Town of Cambridge was interviewed and asked the same questions as Judy Leon. His views on Site Plan Review were that yes the town does need to look at Site Plan Review, which is what the planning board has always done. He said that he would have no problem spending extra time talking with residents. He said that he has attended many meetings. Concerning the purpose of a Planning Board member and why he would be an asset, Mr. Buckley said he has been involved in the Planning Board for quite a while. Things happen in the town and the people on the board work really well together. He said that he is willing to be open minded and listen to all points of view and always has been. He knows many members and he also has attended many meetings. He has no problems having the public attend the meetings.

Both candidates were called into the board room and the board gave there insight to who would be the best candidate. The Supervisor said the reason that site plan review was mentioned was because this is not just where a driveway should go. This involves planning of where the house could be positioned on the property. He stated that this is an agricultural community and people have to understand this when it comes to planning for the town. Councilwoman Fedler abstained from any comments. Councilman Ford said that he heard what he needed to hear and had no comments. Councilman Skiff stated that he thinks that diversification is part of what this town is. He thinks the Planning Board needs a diverse group that can work together. Everyone needs to be on the same page and aware what is going on around them. He mentioned that there are three dairy farmers on the Planning Board now and he is not sure they need another one. Councilman McMurray said that he would take quality over quantity any day. He told the candidates that who ever did not make it tonight should reapply next time. It was a unanimous vote for Judy Leon to take the Planning Board position.

Regular Town Board Meeting
June 11, 2012

Resolution #63

Councilman McMurray motioned, Seconded by Councilman Ford to appoint Judy Leon to the remaining three years of the Planning Board Position.

Vote: Supervisor Watkins – Judy Leon
Councilwoman Fedler – abstained
Councilman Ford – Judy Leon
Councilman Skiff – Judy Leon
Councilman McMurray – Judy Leon

Vote: Ayes – 4 Noes – 0 Abstained – 1

Town Justice Janet DeCarlo gave Judy Leon the oath of office.

New Business

The Town Supervisor mentioned that the Town Board and the Planning Board have been collecting information since the first of the year. This information includes the old comprehensive plan as well as comprehensive plans and Agri-Planning from other Towns. It has been noted that no one has come across anyone that wants zoning. Councilman McMurray spoke with Supervisor Cipperly from the Town of Hoosick and he said to stay away from zoning. It is the worst thing that a town can do. The Supervisor mentioned that the first challenges will be dumps & junk yards. The other thing that will be discussed is that any new construction in the Town will, such as roads and utilities, will be the responsibility of the contractors. The Supervisor said that the first thing that the board wants known is that they would like public intervention. This will not be like last time, the public will be involved. Councilwoman Fedler mentioned that the Town Board would be taking their time in the Planning for the Town and everything would be posted in the paper.

County Report

Supervisor Watkins reported on the Pleasant Valley infirmary which the county is trying to sell. The Board of Supervisors will be voting on Friday. Supervisor Watkins will be voting no. Councilwoman Fedler asked if they ever had negotiations with the employees and asked them what they wanted. The supervisor stated that he believes that they would have negotiations thru the union. A resident of the Town asked if there was an offer that was being entertained at the moment. It was believed that there was an offer and that it had been in the paper for 3.2 million. This would only be for the facility not the land.

Privilege of the Floor

A resident of the Town, Terry Hamilton, asked if there was a final tally of the cost of the Brownell Road Property law suit. Councilwoman Fedler said that she had not received a bill for the final legal fees but it was just under \$7500.

A resident of the Town, Ted Berndt, questioned the Town Board about the building use policy. He mentioned that he made a request in early March to use the Town Hall for the High Speed Internet Committee. He stated that the Supervisor made a request that it be put in writing why he needed the Town Hall and how many people would be attending.

Regular Town Board Meeting
June 11, 2012

Councilman McMurray asked Mr. Berndt why he felt that this request was unreasonable. He stated that before, no one else wanting to use the Town Hall had been asked to do this. There was some further discussion about the Town Hall usage and it was suggested that the board consider a Town Hall Usage policy. It was suggested that there be uniform rules with a policy that is fair and enforced for all. Melissa Stannard, the Deputy Town Clerk, said that an elderly resident from the Town told her that the Town Hall was donated to the town and meant to be used by the community. The Town Justice mentioned that she had some concerns if we had enough liability insurance for people to use the building plus we have thousands of dollars of computer equipment to be considered.

Resolution #64

Councilman Skiff motioned, Seconded by Councilman Ford to adopt a simple Town Hall Usage Form.

Vote: Ayes – 5 Noes – 0

There being no further business before the Board, the meeting was moved and carried to adjournment at 9:15 PM.

Respectfully Submitted,

Heather Greenawalt
Town Clerk/Town of Cambridge