

**Town Board Meeting  
June 14, 2010**

At the Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 14<sup>th</sup> day of June 2010, 7:30 PM at the Town Hall, the following were present:

**Supervisor William Watkins  
Councilman Ted Berndt  
Councilman Alan Davis  
Councilman Frank Ziehm**

**Absent: Councilwoman Catherine Fedler**

**Others present: Town Clerk Heather Greenawalt, Highway Superintendent Eric Shaw, Margaret Shaw Clerk to Supervisor, Town Justice Janet DeCarlo, Town Assessor Jeffrey Jackson, John and Linda Joesph Boy Scout and Girl Scout leader, Ron Hill from the Easton/Greenwich Fire and Rescue, Karen Rogers 4-H Club, Kathy Muller Garden Club, Terry Ziehm, Terry Hamilton, Scott Keller, Nancy Mabeus, Bob Hamilton, Eric Pearson Chairman for the Planning Board, Dick Sutherland, Henry Peabody, Rani Bass, Astrid Davis, Ashleigh Farrell, Jim Buckley, Gloria Collery, Ralph 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.

The Supervisor made everyone aware that the flag out front of the Town Hall was donated by Town Justice Janet DeCarlo, the flag will be put out in morning and taken in evening by Eric Shaw the Highway Superintendent or one of his highway crew.

**Resolution #63**

Councilman Davis motioned, seconded by Councilman Berndt, to approve the minutes from the May 10, 2010 Town Board Meeting with two corrections. The corrections were on page 1 and 3 Sandy Sperry's name was spelled wrong. On page 7 in the resolution of the Tour of the Battenkill in the lower section where it starts as Further Resolved, Debra Foxes name should be added it was left out.

Vote:                   Aye – 4                   Noes – 0

**Update on the Culvert for the South Union Bridge**

The Supervisor updated everyone on the Culvert that is going to be replaced on South Union. Eric Shaw, the Supervisor, Town of Whitecreek Highway Superintendent had meeting and the culvert is ordered and our portion should be able to be done for \$35,000 possibly lower. There is no time frame setup yet for when they are going to start the project. The Supervisor spoke with Sandra Davis the Historian. Both ends of the pipe stone will be laid up so aesthetically it will be the same as before, but it will have more flow. The hydraulic analysis was done and the certification was received. The Supervisor talked to Mr. Spiezo the Mayor of Cambridge and he is on board with this and knows what is going on. 72 hours before the project is started, DEC must be called and the final draft of the analysis given.

Assessor-Jeff Jackson to Present

Mr. Jackson made the public aware that the Town has filed the equalization challenge and the hearing is 27<sup>th</sup> of July at 10:30 AM. Last year the equalization rate was 91% and this year the current rate is 95.5%. The equalization rate is used to set exemption levels such as Star and also the equalization rate is used to set assessments on special franchise properties which are the utility property that you see along the highways. So when the equalization rate goes up this means that the assessments go up to and than more revenue can be collected. If there is a raise in the equalization rate this tends to benefit the town when it comes to county and school taxes. The town is looking to have it changed to 100%. The equalization rate is also used to adjust the agricultural exemptions but by law the agricultural assessment is calculated using the previous year's equalization rate. This year's tentative rate is actually higher than last year's 91%, which Mr. Jackson made everyone aware means that the state is finally acknowledging that the real estate market is flattening out. Rani Bass a resident questioned if this is the case than why can't the rate be set above 100%. Mr. Jackson told her that the state will not recognize anything over 100%. She challenged this stating that she had spoke with someone from the state and they told her that they would not accept a challenge of over 5%. Mr. Jackson stated that if this was true he was surprised and he would have to look into that. Mr. Jackson also wanted to make it known that the town can only set the equalization rate they have no control over the county and school tax apportionment. Supervisor Watkins stated that the Town is "between a rock and a hard place" because the last assessment was done at the height of the market and the town is doing the best that they can. The Supervisor questioned Mr. Jackson whether or not he thought that the town needed to have annual reassessments when the market is flat like this. Mr. Jackson didn't see any reason for annual reassessments. Ralph Rossi a person from the public questioned about returning to a three person elected Assessor team. The board stated that they believe once they switched to a sole assessor they could not go back but they would look into it.

Supervisor's Report

Resolution #64

Councilman Ziehm motioned, Seconded by Councilman Davis to approve the supervisor's report for May 2010.

Vote:                   Aye – 4                   Noes – 0

Recognition of Volunteers

The Cambridge Town Board designated June as Volunteer recognition month at the May meeting. The Supervisor handed out certificates to community organizations that were present such as John and Linda Joseph representatives from Girl Scouts, Boy Scouts, and Cub Scouts. Also present and accepting certificates was Ron Hill the head representative from the Easton Greenwich Fire and EMS. Two other members of the community were Karen Rogers a leader of the town 4-H club, and Kathy Muller a member of the Garden Club who does the flower boxes in front of the Town Hall. There were many other members of the community that were not present that will receive certificates.

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### Town Board

Councilman Berndt reported that the Town of Cambridge High Speed Internet Committee held a meeting on May 24<sup>th</sup> 2010 at the Town Hall at 6:30 PM. Members present included Dick Battistoni, Dr. Bill Figlozzi, Dan Schmidt, Cliff DeCarlo, Council Berndt. The USDA Rural Services Grant was discussed and Ted will contact Howard Kunz at Greenwich USDA. The High Speed Internet Committee is trying to corner Verizon and see what the long-term plans are for the Town of Cambridge. Terry Dwyer will be contacted regarding the fall 2010 budget with Verizon. Dr. Bill Figlozzi will look into potential group or privately funding working with Verizon. Councilman Berndt will contact Rob Schulte with Congressman's Murphy's office regarding USDA and is looking to have a meeting with the Supervisor to see about the possibility of a grant. Dick Battistoni will contact his cousin in Vermont to find out how his community financed Wifi. The Supervisor reported that he also talked with a few people from Verizon and they said they haven't come up with there budget for this year however he did talk to one of the engineers and the Town of Cambridge is going to be one of the first towns to get DSL in this area.

Councilman Berndt on June 2<sup>nd</sup>, attended the Greenwich Citizen's Committee program called 'Up in Smoke. It was about the incinerator and Councilman Berndt represented the town and as an IDA member. The amazing things about this plant are that it heads into the horizon in this last year. The Washington County portion of this plant has been 140 million dollars in tax dollars to pay for this. In the twenty years that we have been sending trash there Washington County trash has only accounted for a years worth of the trash for the burn plant. A number of concerns need to be looked at if this plant is sold, or whatever decisions the counties and solid waste committees decide. Possible that the hurdles will be so high for a private operator that a incinerator will not be able to be run there. There are other options that they are talking about. Selling this plant for 3million dollars is a drop in the bucket compared to what this has cost the two counties.

Councilman Berndt also attended a Buy Local Ag Forum at the Washington County Fairgrounds sponsored by Scott Murphy. This Conference was an opportunity for Congressman Murphy, farmers, consumers, and community leaders to discuss different ideas to help market themselves and to work together to promote their industry and products.

Councilman Berndt also reported that the Town Website has been updated with minutes, town financials, next week the full tax rate should be available on Town website or the counties.

Councilman Davis reported that the Truck has been put on the Internet for a 20 day auction and all bids will be in by the next meeting. The Town now has a credit card and it was used for putting the truck on the internet.

In the absence of Councilwoman Fedler, Town Clerk Heather Greenawalt read her report. Councilwoman Fedler apologized for not attending the meeting but her trip has been planned for 2 years. This month she received a complaint from a community

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member but was advised by the Town Justice Janet DeCarlo that it was a civil matter. While Supervisor Watkins was out of Town, Councilwoman Fedler as the Deputy Supervisor checked in with Highway Superintendent Eric Shaw and Town Clerk Heather Greenawalt.

Town Clerk

None

Code Enforcement

None

Planning Board

In the absence of the Planning Board Clerk Sally Eddy, Heather Greenawalt reported. The Planning Board met on June 3, 2010 with 6 members present and 3 members from the public.

Last month, Chairman Pearson charged each member to come up with suggestions and recommendations they would like to see implemented that they thought would be beneficial in the development of the town. Each suggestion and recommendation was discussed and voted upon. The Planning Board arrived at the following list and, it is the desire of the Planning Board to present the list to the Town Board for their consideration and input.

Recommendations

1. 50 ft. set back from the road for new construction.
2. 50 ft. set back from property lines for new construction.
3. A minimum 50 ft. width for access to lot(s) in subdivision for the purpose of safe passage of emergency vehicles.
4. As a possible deterrent to development, the Town will not take over the maintenance and care of any newly constructed roads.
5. As a subject of interest, a minimum lot size was discussed. However, the Planning Board is unsure if it can be implemented without zoning. It was voted upon to investigate the matter.
6. The Town Board direct Attorney Alan Wrigley to prepare a model "Boundary Line Adjustment Proposal" to present to the Planning Board for the Planning Board's review. This issue has come up over the years when reviewing subdivisions.

Being next month, the board agreed to begin reviewing the current subdivision rules & regulations, page by page, to revise and update if necessary.

Superintendent of Highways

The Highway crew went to Arrowhead to inspect the new truck as per specifications. After deeming all was correct, it was delivered. More spray patching was done after more stone was drawn. The cemeteries were mowed for the Memorial Day holiday. One pass has been mowed on all roadsides and we have now started to mow back. A

couple spots were ditched within the Town. The CHIPS money has been approved and we will be receiving the same amount as last year. The Highway crew and Eric Shaw attended the 8 hour refresher course mandated for MSHA. Highway Superintendent Eric Shaw attended Highway School in Ithaca this past week, he has given the Town Board members a detailed overview of the seminar events.

Communications

Nancy Mabeus read a letter directed towards Councilman Berndt in regards to discussions at previous meetings, she voiced her concerns about how the town is being run.

Unfinished Business

Had discussion of the bill that was received from the office of Deily, Mooney, & Glastetter, LLP concerning the litigations on the Brownell Road Property. The total amount of the bill after the reduction was \$3,451.83 and the amount that the Supervisor was able to get it reduced by was \$550.00. The question was brought up by Councilman Davis that the Town should not pay for any portion billed before February 11, 2010 which was the date that Douglas Rose was hired to represent the Town of Cambridge. A decision was made that a letter will be written by Margaret Shaw, Clerk to the Supervisor, to the firm of Deily, Mooney, & Glastetter, LLP. This letter will state that the Town Board is not authorized to pay anything before this point. Councilman Davis stated that the initial consult of \$264.00 on January 19, 2010 would be acceptable to pay and anything after the date of hire February 11, 2010. The amount that will be paid is \$2547.83. In regards to the new law firm, Tully & Rinckey, the amount owed is \$250.00. The Supervisor spoke with the Deily, Mooney, & Glastetter, LLP and they suggested that the Town of Cambridge not pay the bill from Tully & Rinckey. The Board asked that Margaret Shaw call Tully & Rinckey and find out why we received a bill when no transfer of records has been signed.

Resolution #65

Supervisor Watkins motioned, Seconded by Councilman Berndt  
Be it Resolved, that the Town Board of the Town of Cambridge, must make a budget amendment to establish a new line item, for the purposes of paying the attorney bill of Deily, Mooney, & Glastetter, LLP, Contractual A1420.4.

Vote:                   Aye – 4                   Noes – 0

Resolution #66

Supervisor Watkins motioned, Seconded by Councilman Ziehm  
Be it Resolved, that the Town Board of the Town of Cambridge, will authorize the money be transferred from Contingent A1990.4 (\$2547.83) to fund the new line item, Contractual A1420.4 to pay attorney in Brownell Road litigation.

Vote:                   Aye – 4                   Noes – 0

Resolution #67

Supervisor Watkins motioned, Seconded by Councilman Davis  
Be it Resolved, that the Town Board of the Town of Cambridge, has given Margaret Shaw Clerk to the Supervisor the permission to write a letter to Deily, Mooney, & Glastetter, LLP concerning the discrepancies in the bill that they submitted to the town. The Town of Cambridge feels that they are not responsible for the payment of the portion of the bill that was prior to the authorization of the hire date of Douglas Rose which was February 11, 2010. However, they have decided to pay the initial consult which took place on January 19, 2010 for the amount of \$264.00, and any thing after the February 11, 2010. Margaret will draft a letter and each councilman will approve the letter before Supervisor Watkins signs the letter and sends it with the check for the amount of \$2547.83. In regards to the bill from Tully & Rinckey the Board has authorized Margaret Shaw to call them inquiring about why the Town has been billed.

Vote:                   Aye – 4                   Noes – 0

Approval of the Letters

The letter that was drafted to be sent to the Planning Board in regards to the Site Plan review and Setbacks, and the letter that is to go to the property owners concerning the abandonment of the lanes, these letters were read.

Resolution #68

Councilman Davis motioned, Seconded by Councilman Ziehm to approve and send the letter to the Planning Board.

Vote:                   Aye – 4                   Noes – 0

Resolution #69

Councilman Berndt motioned, Seconded by Councilman Ziehm to approve and send the letter to the property owner and include a copy of the law with the letter of abandonment.

Vote:                   Aye – 4                   Noes – 0

Computer Policy

Councilman Berndt stated that he will obtain the information for the computer usage policy and it can be reviewed next meeting.

Planning Board Letter

There was a question from the public about the letter that is going to be sent to the Planning Board. It was suggested by the public to completely discard this letter and send a new letter to the Planning Board. The controversy was about whether the town would actually want site plan review or not. It was decided to change the letter that

was sent to the Planning Board and to say that the Board reviewed the recommendations and the board is on the right track.

Resolution #70

Supervisor Watkins motioned, Seconded by Councilman Berndt to change the letter to the Planning Board so it reads, The Town Board has reviewed your recommendations and you are doing an excellent job should you need professional advice please seek legal counsel from the Town Attorney Alan Wrigley.

Vote:           Aye – 4                   Noes – 0

County Report

Supervisor Watkins made everyone aware that Mr. Grimmke is no longer the Superintendent for Public Works for the County. With Mr. Grimmke in office he said that the county would not pay the town to take over Rt. 60 they must switch roads. He mentioned that the county would take over Petteys Rd. and Gillis Rd. in exchange for the town taking over Rt. 60. The county will be hiring a new engineer, manager, for the county with a ph Degree. Hopefully the change of administration will be a good thing and the town and the county can come to a conclusion without a road swap.

Councilman Berndt mentioned having a Employee Appreciation Day, the date of July 14<sup>th</sup> was suggested.

Resolution #71

Supervisor Watkins motioned, Seconded by Councilman Davis to have a Employee Appreciation Day on Wednesday, July 14 and invitations will be extended to all elected and appointed officials.

Vote:           Aye – 4                   Noes – 0

Global Underwriters is an insurance company who has contacted the Town to see if they are interested in estimates from their insurance company. The Board gave approval to contact them back and accept a quote for next year.

In order to pay bills transfers were needed.

Resolution #72

Supervisor Watkins motioned, Seconded by Councilman Davis,  
Be it Resolved, that the Town Board of the Town of Cambridge, does hereby authorize the transfer of funds from Contingent A1990.4 (\$278.30) to Unallocated Insurance A1910.4 to insure plow equipment on new truck.

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And Be it Resolved, that the Town Board of the Town of Cambridge also, does hereby authorize the transfer of funds from Contingent A1990.4 (\$1,080.55) to Justice, Contractual A1110.4 to pay: new phone line monthly charge \$28.73, cell phone \$68.82, officer in the court \$33.00, remote training \$150.00, annual license/maintenance fee \$800.00.

Vote:           Aye – 4                   Noes – 0

The Town Board reviewed the Retirement calendars for the purpose of verifying days worked for elected and appointed officials. This is a requirement by the NYS Retirement System so that the Standard Work Day Schedule can be revised, if necessary.

Audit Bills

General #97 – 116	\$13,868.65
Highway #46 – 58	\$172,692.67

There being no further business before the Board, the meeting was moved and carried to adjournment at 11:00 PM.

Respectfully submitted,

Heather Greenawalt  
Town Clerk