

Town Board Meeting
December 13, 2010

Audit of Bills prior to the Meeting at 7:00 PM
General - #207-236 = \$13,907.02
Highway - #128-141 = \$18,610.85

At the Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 13th day of December 2010, 7:30 PM at the Town Hall, the following were present:

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

Others present: Deputy Town Clerk Melissa Stannard, Town Justice Janet DeCarlo, David DeCarlo, Dick Battistoni, Rani Bass, Henry Peabody, Jim Stannard, Terry Hamilton, Eric Wilkins, Jim Buckley, Theresa Scully, Gerald Skiff, Dan Thomas, Scott Keller, Robbie McIntosh, Sue Herrington

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

The Public Hearing for Local Law #1, Dog Control Law, was postponed until December 29, 2010 at 7:00 PM at the Year-End Meeting.

Resolution #122

Councilwoman Fedler motioned, Seconded by Councilman Berndt to approve the minutes of the November 3, 2010 Budget Public Hearing with no corrections and the November 8, 2010 Town Board Meeting with two corrections. The first one being corrected by Deputy Clerk Stannard, the Audit of Bills was inadvertently left out and should read: General #186-#206 = \$3,220.96 and Highway #117-#127 = \$19,673.91. The second correction is on page 4, paragraph 4 under Town Justice Consolidation. Councilman Berndt spoke with Mr. Riley and this is set up for low volume courts who only handle a couple of cases per year, should read couple of cases per month.

Vote: Ayes – 5 Noes – 0

Supervisor's Report

Councilman Berndt brought the attention to the fact that John Ray & Sons charged \$200 per unit service charge to have the furnaces cleaned. There were four separate service call charges and John Ray & Sons would not change the bill. This should be something that is checked into next year before the call is made.

Resolution #123

Councilwoman Fedler motioned, Seconded by Councilman Ziehm to approve the November 2010 Supervisor's Report.

Vote: Ayes – 5 Noes – 0

Town Board

Councilman Berndt reported from the High Speed Internet Committee stating he had nothing formal to report. Verizon is not coming through in rural areas at this point to put money in a new infrastructure. Supervisor Watkins has put a call in to Mr. Dwyer for any new ideas, with the possibility of newly elected Congressman Gibson getting on board. Councilman Berndt will have a High Speed Internet Committee meeting January 3, 2011 to discuss any other ideas on how to get high speed internet to Cambridge. Councilman Berndt asked Justice DeCarlo how the current air card is working. She responded that it is temperamental. Deputy Clerk Stannard reported she spent over two hours trying to get online that day with no success. Councilman Berndt asked permission from the Board to work with Deputy Clerk Stannard looking into other options, either WildBlue or Hughes Net. Resident Scott Keller suggested getting antennae to amplify the Verizon signal off the tower on Willard Mountain.

Town Clerk

Deputy Clerk Stannard reported the new TCS tax collecting computer system has a maintenance fee of \$260.

Planning Board

In the absence of Planning Board Chairman Eric Pearson, Deputy Town Clerk Stannard reported. Over the last year the Planning Board has had only a few sub-divisions come to the Board for approval. We have been reviewing our regulations and expect to have some slight changes to recommend to the Town Board in the future months. We have submitted some items that we would like to have added to our regulations that the Town Board needs to address. The Board has already received these items. They are also included with this report. I have also included the minutes of our last several meetings. As always our meetings are on the first Thursday of the month, and are open for the public to attend.

Supervisor Watkins asked Deputy Town Clerk Stannard to send the changes to Town Attorney Alan Wrigley for legal advisement.

Highway Department

Eric Shaw, Highway Superintendent, reported that in the past month they have cut trees, brush and firewood to burn in the Highway Garage. The Town of White Creek helped them for two days with 5 men and 2 trucks while they were cutting down the largest trees. Two plows were rebuilt in house at a cost of \$764.26 which was for the iron used to replace the worn parts. They cleaned culverts and installed delineator posts where needed for guidance in snow storms. Necessary adjustments and repairs were made to the plow equipment after a few bouts with snow. They cleaned up an old culvert in their dumping area and received \$716 for the sale of the scraps. This went back into the town

highway funds. Mr. Shaw reported the price of a ton of salt is \$61.87. With the cost of diesel fuel rising so will the salt prices.

Fuel Bids

One vendor submitted a bid for the town's 2011 fuel supply. It was opened and read aloud.

John Ray & Sons (over Albany rack price) #2 heating oil \$0.34 over
On-road Diesel \$0.08 over
Kerosene \$0.34 over
Gasoline \$0.08 over

Resolution #124

Motioned by Supervisor Watkins, Seconded by Councilman Davis the Town Board of the Town of Cambridge does hereby award the bid for the town's 2011 fuel supply to John Ray & Sons.

Vote: Ayes – 5 Noes – 0

Councilman Berndt reported he made a site visit to the Vly Summit and Burch Lane property, the site of the former landfill, to find excess garbage, construction debris, bottles and cans. Councilman Berndt is concerned that this leaves the town open to liability. There has been an ongoing issue with keeping the driveway secure. Councilwoman Fedler suggested posted signs to keep people out. Councilman Davis suggested putting a chain across the driveway. Resident Dan Thomas suggested pushing old trees and stumps to block the driveway which would be much simpler than cables and gates.

Code Enforcement

Resolution #125

Councilman Berndt motioned, seconded by Councilman Ziehm to change the 1984 Building Code Enforcement Law which currently states a 5 year limit on Manufactured Housing to a 10 year limit. This is a local law will be turned over to Town Attorney Alan Wrigley.

Vote: Ayes – 5 Noes – 0

Resolution #126

Supervisor Watkins motioned, seconded by Councilman Ziehm that LaVerne Davis hold the position of Administrator to Code Enforcement as well as his current position of Code Enforcement Officer.

Vote: Ayes – 5 Noes - 0

Assessor's Report

There was no report from Assessor Jeffrey Jackson.

Supervisor Watkins reported we are still waiting for one document from the City of Rensselaer that it is approved that Jeffrey Jackson holds the position of Assessor in the Town of Cambridge.

Town Justice

Justice DeCarlo reported she has heard nothing on the JCAP Grant. Justice DeCarlo wrote letters to Supervisor's Alan Brown and Robert Shay on the Justice Court Consolidation. She did not hear from Supervisor Brown. Supervisor Watkins spoke with Supervisor Brown who told the Town of Jackson sees no financial gain in consolidating and was not considering it. Supervisor Watkins received a letter from Supervisor Shay. Deputy Town Clerk Stannard read a letter from Town of White Creek Supervisor Robert Shay stating their town board had discussed at length the merits of the Justice Court Consolidation Program. The Town Board of White Creek feels their current system is the best and serves them well. The decision was to leave the system as is.

Resolution #127

Supervisor Watkins motioned, seconded by Councilman Davis in light of decision from the Town of White Creek the Court Consolidation is a dead issue as you need three contiguous townships to agree on the consolidation.

Vote: Ayes – 4 Noes – 1

Councilman Berndt was the sole no vote.

Communications

Supervisor Watkins spoke with Town of Jackson Supervisor Brown about the solar initiative at the old town dump. They believe it is a good idea, but are a bit intimidated and apprehensive about the cost. They would like time to look at it a little bit more. Councilman Ziehm suggested looking for grants to fund this project. Councilman Berndt explained NY Power Authority were looking for 40 Municipalities to find a private vendor to come in and pay fees to the town for the use of the square footage.

Unfinished Business

Supervisor Watkins reported the town received an invoice from Tully Rinckey with a \$0.00 balance due.

Deputy Town Clerk Stannard read a letter from Village of Cambridge Mayor Mark Spiezio. In response to this letter Supervisor Watkins had phoned DEC to find there is not a William Nieckman in the Warrensburg DEC Office. Supervisor Watkins has spoke with Mr. Tom McLean many times and stated that the Town of Cambridge would not be responsible for taking him out of the flood plain. It is Mr. McLean's responsibility to file the paper to remap his property to take him out of the flood plain. Highway Superintendent Eric Shaw reiterated that Mr. McLean was told this many times. After some discussion Supervisor Watkins reported he will file the FEMA MT-2 paperwork as there will be no cost to the town.

Article 78

Supervisor Watkins reported there will be a hearing at the Washington County Municipal Building on December 23, 2010 at 9:30 AM with Supreme Court Judge to take depositions from everybody involved. Supervisor Watkins stated that Richards and Smith are looking to put the property up for sale at bid. Councilman Ziehm asked and questioned how they can do that. Councilwoman Fedler responded with that is the purpose of the Judge hearing the case. Councilman Berndt responded with the fact that the town has taken the position that it will do whatever the Judge decides. Councilman Berndt asked about the possibility of NYMIR picking-up some of the legal fees. Supervisor Watkins responded that NYMIR has a deductible and at some point as this progresses they will. Councilman Davis asked who will be questioned from the Town of Cambridge. Councilman Fedler said the town lawyer will be the ones giving the depositions. Councilman Ziehm asked where was the lawyer getting his information from with the concern it wasn't hearsay from the Board. Councilwoman Fedler stated all the lawyers involved are to respond to the Petition from the Judge and be in attendance.

Transfers

Resolution #128

Councilman Davis motioned, seconded by Councilman Ziehm to approve the 5 transfers presented by Supervisor Watkins to the Board requested by Budget Officer Margaret Shaw.

Vote: Ayes – 5 Noes – 0

Resolution #129

Councilwoman Fedler motioned, seconded by Councilman Ziehm to approve the following note from Margaret Shaw. Last month a transfer was needed for the A1410.13 Town Clerk, per diem, personal services of \$950.00. It was taken from Supervisor, Personal Services, A1220.1 (\$550) plus Budget Officer, Personal Services, A1340.1 (\$400). Due to my oversight, it was not requested at the meeting. I called the supervisor and each member, with the exception of one who was in the hospital at the time, securing permission to make the transfer. I would like this noted in the minutes for tonight's meeting.

Vote: Ayes – 5 Noes - 0

County Report

Supervisor Watkins reported the County Board of Supervisors passed the 2011 Budget. He would be attending a Supervisors meeting on December 15, 2010 to discuss a report on the sale ability of Pleasant Valley Infirmary, the county owned skilled nursing facility. Town Resident Janet DeCarlo asked Supervisor Watkins to find out why some county employees have been required to take 2 days off without pay and some have not.

Privilege of the Floor

Resident Dan Thomas asked when the town books were to be audited. Supervisor Watkins responded that we are on this list and there are a few towns ahead of us.

Councilman Ziehm questioned Supervisors Watkins vote of no at the County Budget Meeting for the raise in price of the Garbage Stickers. Supervisor Watkins responded that he felt if the problems with the recycle centers were addressed the price would need to be raised in order to keep them open and self sufficient. The recycle centers are receiving a small building to better check stickers on bags and recyclables.

Resolution #130

Councilwoman Fedler motioned, seconded by Councilman Davis to raise the price of the Garbage Stickers to \$2.10 each effective January 1.

Vote: Ayes – 5 Noes – 0

Resident Dan Thomas asked if the Town would be doing any plowing for the County. The only County road within the Town that is slated for this program is County Route 60. Highway Superintendent Eric Shaw is expecting a visit from County Highway Superintendent Wilson to begin implementing this. The State of New York has a set fee for the reimbursement rate. Supervisor Watkins reported the Towns of Salem and Putnam have already started. A discussion ensued as the reason why County trucks have 2 men per truck during the day and only 1 man in the trucks at night. The County has an overtime and shift rate system that allows this, which is union regulated.

There being no further business before the Board, Councilwoman Fedler motioned, seconded by Councilman Ziehm, carried by all to adjourn the meeting at 8:45 PM.

Respectfully submitted,

Melissa Q. Stannard