

At a Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 14th day of December 2009, 7:30 PM, at the Town Hall, the following were present:

Supervisor JoAnn Trinkle
Councilwoman Carol Imhof
Councilman Ted Berndt
Councilman Frank Ziehm
Councilman Joel Nichols

Others present: Town Clerk Sally Eddy, Deputy Town Clerk Heather Trinkle, Code Enforcement Officer LaVerne Davis, Janet DeCarlo, Ashleigh Farrell, Gerald Skiff, William Watkins, Alan Davis, Cassie Fedler, Bob Hamilton, Henry Peabody, Terry Hamilton, Steve Robertson, Jim Buckley, Jr., Gretchen Wilmot, Scott Keller, Marie Buckley, Abdon J. Buckley, Dick Battistoni, Rani Bass, Robert McIntosh, Jennifer Holden

Supervisor Trinkle called the meeting to order and led in the Pledge of Allegiance to the Flag.

Presentation

Supervisor Trinkle introduced Jennifer Holden, an educator for the Council for Prevention of Alcohol and Substance Abuse based in Hudson Falls, NY. Ms. Holden is visiting various boards in the area to create an awareness of the agency. She gave a brief presentation stating the main goal of the Council is to build healthy behaviors in the youth by stressing positive things that kids can do or become involved in, thus resulting in healthier, happier communities. The council does prevention education in schools and other youth organizations/clubs and the council is trying to start a SADD (Students Against Destructive Decisions) Chapter in Cambridge School.

Supervisor Trinkle thanked Ms. Holden for attending the meeting and informing the board about the agency.

Minutes

Councilman Joel Nichols motioned, seconded by Councilman Ted Berndt, to dispense with the reading of the minutes of the November 9, 2009 meeting and to approve them as mailed by the Town Clerk with two additions and one correction. One addition was under Town Board Report, page 2. The following was added:

Councilman Berndt and the high speed internet committee recently met with Jason & Matt Guzzo from Hudson Valley Wireless to do broadband mapping of unserved and underserved areas of the town.

The other addition was that Gerald Moppert's name was omitted from the list of public attendees on page 1.

The correction was under Budget Amendment, page 4, sentence 1, at the top of the page. The words General Fund should be replaced with Highway Fund.

Motion carried by 5 – Ayes and 0 noes.

Items to be Added to Agenda

Under Unfinished Business

- c) Resolution to approve Joe Caron to the Board of Assessment Review (BAR)

Under New Business

- d) Information from Judge Elect Janet DeCarlo about future expenses
- e) Resolution for retirement reporting
- f) Set date for Year-End Meeting
- g) Budget Amendments

Supervisor's Report

1. The monthly financial reports were reviewed and commented upon.
Councilman Ted Berndt motioned, seconded by Councilman Frank Ziehm, to approve the November 2009 General and Highway Financial Reports as presented.
Vote: 5 – Ayes 0 – Noes
2. Received the second mortgage tax check for 2009 in the amount of \$14,768.54
3. Last night one of the highway trucks slid off Duell Hollow Road due to the storm. Hurley's Garage had to be called to pull the truck out. There were no injuries or damages to driver or vehicle.
4. On November 10, 2009 Mary Ellen Hill-Pierce resigned her position as Sole Assessor for the town.
5. Supervisor Trinkle sent a letter to NYS Audit & Control requesting an audit of the Town's books since there will be a change of administration January 1, 2010. They have agreed to the request and will audit the town in the near future. Audit & Control is currently working in the Village of Cambridge.

Town Board Report

Motion by Councilman Ted Berndt

Seconded by Councilman Frank Ziehm

Be It Resolved and Determined, the Town Board of the Town of Cambridge does hereby issue a thank you to Mary Ellen Hill-Pierce for her services as Sole Assessor for the Town of Cambridge.

Vote: 5 – Ayes 0 – Noes

Councilman Berndt commented he spoke with Verizon representative Terry Dwyer concerning DSL for the Town Hall. Mr. Dwyer stated that since the distance from the Town Hall to the DSL source in the Village is greater than 3 miles then the Town Hall is not eligible. A funding effort through Senator Little's office to help pay for town wide DSL implementation has not been successful to date. Mr. Dwyer said that the Town of Cambridge continues to remain a priority for DSL even if the funding does not go through.

Scott Keller, a resident of County Route 60, remarked he has had DSL ever since he moved into the area. He lives farther than 3 miles from the Village and about 2 miles from the Town Hall. He questioned if that info could be used for leverage?

Dick Battistoni, a retired Verizon employee, added some comments concerning DSL.

Councilman Berndt reported he and Councilman Ziehm attended a meeting on December 8 at the Village for a discussion on the impact the 2009 Tour of the Battenkill bicycle race had on the local area. Several complaints were heard from businesses in the Village due to loss of revenue because parking lots were blocked and streets shut down. There was also concern over the infrastructure and public safety. The complaints and concerns were addressed. In 2010, the race will be spread out over two week ends instead of the one week end in 2009.

Village Trustee Steve Robertson commented the Village issued the permits for the race to organizer Deiter Drake. Mr. Robertson confirmed that the complaints and concerns have been addressed.

Councilman Frank Ziehm offered some departing words to out going officials. He thanked JoAnn Trinkle for her dedication and service to the Town of Cambridge. It has been a privilege to serve with her as a councilperson when she first came on the board and, especially, as Supervisor most recently. Under her direction the town has moved forward and the people of the town were well represented. Thank you, JoAnn.

He also thanked Sally Eddy for all the time she has served as Town Clerk. Her dedication to her job reflected in the accuracy of her work, the accurate recording of minutes for town meetings, and her helpfulness toward the residents of the town. Thank you, Sally.

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Carol Imhof and Joel Nichols are also ending their terms on the town board. He thanked them for the time they have all served together.

Planning Board Report

Secretary Sally Eddy stated the Planning Board met December 3 and addressed the following matters:

1. New member Gerald Moppert was administered the Oath of Office and welcomed by the board. His term ends December 31, 2014.
2. Re-approved a subdivision that was originally approved by the board on 5/7/09. The subdivider missed the deadline for filing the map with the County Clerk.
3. Elected Eric Pearson as Chairman and Earl Horton as Vice-Chairman for 2010.

Highway Superintendent's Report

In Superintendent Shaw's absence, Supervisor Trinkle read his report aloud.

1. Brush and dead trees were cut in needed locations.
2. Several places were ditched in anticipation of winter.
3. The snow that we had was dealt with problem free until last night when one of our trucks slid off the road. We were unable to pull him out on our own so Hurley's Garage from Melrose had to be called in to winch the truck out. There were no injuries to the driver or damage to the truck.
4. Routine Maintenance and repairs were performed on trucks and equipment where necessary.

No Code Enforcement Report

Communications

Supervisor Trinkle received a letter from Washington County Soil and Water Conservation Office Director Joe Driscoll stating his office visited CTI-AgriCycle Composting site on Belle Road. An evaluation was done concerning the buffers between the facility and nearby Whipple Brook. The examination resulted in a favorable report. Supervisor Trinkle asked Mr. Driscoll to look at other streams in the town.

Unfinished Business

Eagle Scout Project

Boy Scout Douglas Santeramo from Troop 62, Cambridge, NY, gave a presentation about an Eagle Scout Leadership Project he would like to do at the Turnpike Cemetery, the oldest cemetery in Washington County. He passed out a flyer describing the project and how he plans to accomplish it. After removing problem trees with the help of the highway department, he plans to plant new trees, erect a 20 ft. flag pole near the existing monument and install solar lighting so the flag can fly continuously. He is planning a dedication of the completed project on Memorial Day weekend. Douglas approached the Ondawa-Cambridge Chapter of the DAR first, but they told him he needed approval from the town since the cemetery is located in the town and the town maintains it.

The project was well received by the Town Board as well as the public. After approval is granted by the town and the DAR, an account will be set up by the troop to receive donations to fund the project.

Gerald Skiff remarked it was a great project and he volunteered his time to help.

Resolution by Councilman Joel Nichols
Seconded by Councilwoman Carol Imhof

Be It Resolved and Determined, the Town Board of the Town of Cambridge does hereby give their full support to the Eagle Scout Leadership Project presented by Douglas Santeramo to clean up and refurbish the Turnpike Cemetery for the Ondawa-Cambridge Chapter of the Daughters of the American Revolution.

Was duly put to vote resulting in 5 – Ayes and 0 – Noes

Fuel Bids

Four vendors submitted bids for the town's 2010 fuel supply. They were opened and read aloud.

<u>Bidder</u>	<u>#2 Fuel Oil</u>	<u>Kerosene</u>	<u>Gas</u>	<u>On-Road Diesel</u>
over Albany John Ray & Sons – rack price	\$.34/gal.	\$.34/gal.	\$.08/gal	\$.08/gal.
over Albany Wever Petroleum – rack price	\$. 32	\$.32	\$.22	\$.22
Over Albany Main-Care – rack price	\$. 25	\$.25	\$.25	\$.25
Main-Care - Over Albany rack State Contract	\$.1093	\$.388	\$.230	No Bid
G.A. & Bove & Sons – Fluctuating	\$2.306	\$2.682	\$2.224	\$2.283

Councilman Nichols commented that the town uses more gas and diesel fuel than the other two products and John Ray has the lowest price for gas and diesel.

Motion by Councilman Nichols, seconded by Councilman Berndt

Resolved, that the Town Board of the Town of Cambridge does hereby award the bid for the town's 2010 fuel supply to John Ray & Sons since the company submitted the lowest bid for the two products the town consumes the greatest quantity. (gasoline and diesel).

Vote: 5 – Ayes 0 – Noes

BAR Appointment

Councilman Ziehm motioned, seconded by Councilwoman Imhof, to appoint Joseph Caron to the Board of Assessment Review (BAR) for a term commencing 10/01/09 and ending 09/30/14.

Vote: 5 – Ayes 0 – Noes

New Business

Planning Board Appointment

Motion by Councilman Nichols, seconded by Councilman Berndt

Be It Resolved, that the Town Board of the Town of Cambridge does hereby re-appoint Stuart Ziehm to the Planning Board for a 7 year term commencing 01/01/10 and ending 12/31/16.

Vote: 5 – Ayes 0 – Noes

Sales Tax Payment Resolution

Resolution by Councilman Berndt, Seconded by Councilman Ziehm

RESOLUTION NO. 5 OF 2009

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CAMBRIDGE ELECTING DIRECT
PAYMENT OF WASHINGTON COUNTY SALES AND COMPENSATING USE TAX ALLOCATION

WHEREAS, Washington County imposes sales and compensating use taxes pursuant to the authority of section 1210 of the Tax Law of the State of New York; and

WHEREAS, Washington County has elected to allocate a portion of the net collections from its sales and use taxes to the towns in the county; and

WHEREAS, section 1262(c) of the New York Tax Law authorizes a town to elect to be paid all or a specified part of its share of the county's allocation directly, in lieu of reduction of county taxes and general town taxes levied upon real property in such town; and

WHEREAS, the Town Board now desires to make such election:

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cambridge hereby elects to be paid directly all of its share of Washington County's sales and compensating use tax net collections for calendar year 2011 and thereafter; and

BE IT FURTHER RESOLVED, that, pursuant to such section 1262 (c) of the Tax Law, a copy of this resolution shall immediately be mailed by certified or registered mail to the chief fiscal officer of Washington County and to the Clerk of the Washington County Board of Supervisors before September 1, 2010, for this election to take place as of January 1, 2011; and

BE IT FURTHER RESOLVED, that this resolution shall remain in effect until rescinded by the Town of Cambridge Town Board in accordance with the notice of provisions of such section 1262 (c) of the Tax Law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Supervisor JoAnn Trinkle - Aye
Councilman Ted Berndt - Aye
Councilman Joel Nichols - Aye

Councilwoman Carol Imhof - Aye
Councilman Frank Ziehm - Aye

Advertise Sole Assessor Position

Motion by Councilman Ziehm, Seconded by Councilwoman Imhof

Resolved, the Town Board of the Town of Cambridge does hereby accept, with regret, the resignation of Sole Assessor Mary Ellen Hill-Pierce submitted November 10, 2009, effective immediately.

Vote: 5 - Ayes 0 - Noes

Supervisor Trinkle remarked that the town can advertise the position and hold a special meeting by the end of the year to appoint a new assessor or the board can wait until the January 14, 2010 meeting before any action is taken.

Councilman Berndt motioned, seconded by Councilman Ziehm, to advertise the vacancy in the Sole Assessor's Office and request that resumes be submitted by January 14, 2010.

Councilman Berndt motioned, seconded by Councilman Nichols, to amend the motion to include a date be set to interview the candidates at the January 14, 2010 meeting.

Vote was 5 – ayes and 0 – noes.

The original motion with the amendment was put to vote which resulted in 5 – Ayes and 0 noes.

Town Justice Request

Judge elect Janet DeCarlo stated that as of January 15, 2010 all motor vehicle tickets issued by the NYS Police must be e-filed. In order to do that, the court will have to be automated. There already is a new computer that has never been out of the box that Judge Armet gained through a state funded grant. However, she will need the SEI Court Room Program and she asked the town to approve a salary of \$1200 for a court clerk. Judge DeCarlo stated she will give \$500 from her salary toward the clerk and asked the town to supply the remaining \$700. The board told her that they could not appoint a new court clerk until she is in office and they felt it was a decision that the new town board should be making.

New Reporting for Retirement

New regulations have been adopted by the State Comptroller's Office for retirement reporting. Previously, it was based on a 30 day record. Now, it's a consecutive 3 month record.

RESOLUTION #6

Resolution by Councilman Nichols

Seconded by Councilman Ziehm

Resolved that the Standard Work Day for the Town of Cambridge elected and appointed officials will be as follows, based on a 6 hour work day:

Supervisor	25 hrs/month	2 year term
Deputy Supervisor	0	appointed/yearly
Clerk to Supervisor	56 hrs/month	appointed/yearly
Town Clerk	10 days/Bi-weekly PR	2 year term
Deputy Town Clerk	per diem	appointed/yearly
Town Board	0	4 year term/2 members every 2 years
Assessor	2 days/Bi-weekly payroll	appointed/6 year term
Justice	0	4 year term
Clerk to Justice	0	appointed/yearly
Clerk to Planning Board	3 days/month	appointed/yearly
Planning Board Members	0	appointed to 7 yr. term
Fire & Bldg. Code Inspector	0	appointed/yearly
Historian	1 day/month	appointed/yearly
Hwy. Supt.(based on 8 hr day)	10 day/Bi-weekly PR	2 year term

Upon completion of the 3 consecutive month calendar by employees, this schedule will be revisited and amended, or revised, if necessary.

Was duly put to vote and resulted in 5 –Ayes and 0 – Noes.

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Year-End Meeting

The board set the date of December 31, 2009, 2:00 PM for the town's year-end meeting.

Budget Transfer

Councilman Berndt motioned, seconded by Councilman Ziehm, to transfer \$1330.92 from Contingent A1990.0 to Justice Contractual A1110.4 to cover expenses incurred (\$1425.92) by Justice Elect for schooling, meals and mileage.

Vote: 5 – Ayes 0 – Noes

County Report

Supervisor Trinkle stated the county been cutting the 2010 budget. The final figure resulted in a 3.54 % increase. Employees and hours have been cut, there have been no pay increases and a mandatory 2 day furlough for all employees has been instituted. Funding for Cornell Co-operative Extension was cut only \$20,000 and Soil & Water Conservation was put back to their original amount.

Supervisor JoAnn Trinkle, who conducted her last town board meeting tonight, took the opportunity to say good-bye and spoke individually to each board member. She thanked Councilwoman Carol Imhof and Councilman Joel Nichols, who are stepping down from their posts, for their years of service and assistance. To Councilman Ted Berndt and Councilman Frank Ziehm, who are remaining on the board, she commented it's their job to keep the ship afloat and she has the faith that they can do it with the challenges that lie ahead. Town Clerk Sally Eddy, who has served as Clerk since 1986, is retiring. Supervisor Trinkle issued a resolution honoring Clerk Eddy for her many years of exemplary professional service to the Town of Cambridge. The resolution received a unanimous second.

Privilege of the Floor

Supervisor Elect William Watkins remarked that after the first of the year the Town Hall will get Verizon's DSL internet service.

Mr. Watkins told the board that proceedings have started to sue the town over the Brownell Road property.

Robert McIntosh stated his appreciation to the town board for how they have supported Highway Superintendent Eric Shaw and his crew and hoped the future town board will do the same.

Gretchen Wilmot stated her appreciation to the town board for their time and for listening to the public. She is proud to be a member of this community.

Councilman Ziehm asked Supervisor Elect Watkins if he's been going ahead and hiring people to work in the highway department?

Mr. Watkins responded that people living in the town should be hired first not people outside the town. He asked Superintendent Shaw if he had a list of people to call in an emergency?

Gretchen Wilmot commented she wants qualified people doing the job and not necessarily hired just because they live in the town. There is a command way of doing things.

Audit Bills

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

General # 200 – 227 \$13,039.84

Highway #144 – 156 \$15,882.81

There being no further business before the board, the meeting was moved and carried to adjournment.

Respectfully submitted,

Sally B Eddy

Sally B Eddy

Town Clerk