

Town Board Minutes
January 12, 2009

At the 2009 Organizational and Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 12th day of January 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, Code Enforcement Officer LaVerne Davis, Lou Imhof, Meaghan Wilkins, Attorney Alan Wrigley, and approximately 25 members of the public.

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

Minutes

Councilman Nichols motioned, seconded by Councilwoman Imhof, to dispense with the reading of the minutes of the December 8, 2008 meeting and approve them as mailed by the Town Clerk.

Vote: 5 – Ayes 0 – Noes

Public Hearings

At 7:31 PM, Supervisor Trinkle opened the public hearing for the consideration of increasing the Senior Citizen Low Income Exemption from Real Property taxes. A sliding scale provision with a base of \$16,000 (50% reduction) to a ceiling of \$24,400(5% reduction) is being proposed. There were no comments from the public. Hearing closed at 7:35 PM.

At 7:35 PM Supervisor Trinkle opened the public hearing for the consideration of Local Law #1 of the Year 2009 to increase the Alternative Veteran's Exemption from \$80,000 to \$120,000.

John Imhof urged the board to pass the increase being proposed and to seriously consider adopting the full amount allowable by law which is \$240,000. He remarked that it's not just the money, it's a way for a community to recognize the sacrifices of the military currently being made as well as those sacrifices made in the past. There were no further comments. No one spoke against the proposed local law. Hearing closed at 7:37 PM.

Supervisor's Report

1. The monthly general and highway financial reports were reviewed and commented upon.
Motion by Councilman Ziehm, Seconded by Councilman Nichols
Be it Resolved, that the Cambridge Town Board does hereby approve the General and Highway Financial Reports for the month of December 2008.
Vote: 5 – Ayes 0 - Noes
2. Received a letter from NYMIR informing the town that the insurance company is going to return back to the town 75% of the initial investment made by the town when the town joined the company. The amount is expected to be \$856 per year for the next three years.
3. On Saturday, Jan. 10 she attended, along with her husband Carl, the Cambridge Valley Rescue Squad's awards banquet. She commented that Ted Berndt, a squad member and a Town Board member, received many citations.
4. Announced that the annual bicycle race, organized by Dieter Drake, will be held in Cambridge this year on April 18 and 19. In 2008, it began and ended in Salem. This year it will begin and end in Cambridge. Volunteers are being sought to help with the event.

Town Council

Councilman Berndt stated he was recently at Verizon's Office of Operations in Glens Falls and was informed that they are awaiting for the funds to be released from Senator Little's Office before moving ahead with the implementation of DSL in the 677 telephone exchange.

Councilman Berndt stated that the Village of Cambridge wants the Town to sign a formal shared services agreement in connection with the use of the Village's web site.

Councilman Berndt suggested setting aside April 11, 2009 as a town wide clean up date. He thought it would be a good idea to pick up garbage and debris just prior to the bicycle race. He offered to furnish refreshments at the Town Hall.

Town Clerk

Town Clerk Sally Eddy reported she met with George Covell, a recruiting assistant from the US Census Office. Mr. Covell will be in attendance at the Town Hall on the first and third Tuesdays of the month to administer an examination to people who are interested in becoming a census worker. The exam is given at 10:00 AM and 2:00 PM.

Highway Superintendent

1. For the past month, as everyone knows, we have dealt with several ice and snow storms.
2. We've had minor break downs which were fixed in house as well as the regular maintenance done on all vehicles.
3. I met with FEMA and SEMO two weeks ago and it is possible we may receive some financial relief for the salt and sand used during the ice storms as well as for the cleanup from the storms.

The Board commended the highway crew for the excellent job of caring for the roads.

No Code Enforcement Report

Assessor's Report – Jeffrey Jackson

1. Renewal applications for the enhanced STAR exemption and the senior citizens exemption were processed and mailed out. In addition, those residents that had signed up for the enhanced STAR income verification program were notified if they satisfied the 2007 income level to continue to receive the exemption on this year's assessment roll.
2. Renewal applications for the agricultural exemption will be mailed out this week.
3. Deed transfers recorded during the month of November 2008 were received and have been keyed to the file. New property owners that may be eligible for the STAR exemption were notified via mail of their potential eligibility.
4. Meeting with residents continue in an attempt to address questions/concerns they may have for this office. Their patience and understanding has been greatly appreciated. As a result, constituent relations are considered good during the report period.

Supervisor Trinkle stated that Mr. Jackson has agreed to stay on thru January 31, 2009 until the town appoints a new assessor to fill the vacancy created by his resignation.

No Communications

Unfinished Business

2009 ORGANIZATIONAL RESOLUTION

Resolution by Councilwoman Imhof
Seconded by Councilman Ziehm

Be It Resolved, the following salaries and expenses may be paid to the Town of Cambridge Officials for the year 2009:

<u>OFFICIAL</u>	<u>SALARY</u>	<u>PAYABLE</u>	<u>EXPENSES</u>
Supervisor	\$ 2800	Quarterly	\$ 800
Deputy Supervisor	250	Annually	
Clerk to the Supervisor	6665	Quarterly	
Supt. Of Highways	39,800	Bi-weekly	1500
Town Justice	800	Quarterly	500
Clerk to the Justice	2700	Quarterly	
Councilpersons(4) \$850 ea	3400	Quarterly	450
Town Clerk	17,420	Bi-weekly	4400
Deputy Town Clerk & Clerk per diem	1,248	\$8.00 hr. per diem	
Sole Assessor	17,590	Bi-weekly	750
Board of Review 3 @\$100ea	300	Annually	
Planning Board Clerk	1750	Quarterly	500
Registrar Of Vital Statistics	100	Semi-annually	
Dog Warden	1800	Monthly	600
Animal Control Officer	300	\$15 per call	200
Health Officer	300	Semi-annually	
Budget Officer	1100	Quarterly	
Code Enforcement Officer	8435	Monthly	900
Deputy Code Enf. Officer			
Historian	250	Annually	50
Dog Damage Adjuster	\$15 per call	Per Call	

Further Resolved, that each Planning Board member shall be paid \$20.00 for each meeting attended, and the Acting Chairman at such meeting of the Planning Board shall be paid \$25.00 for each meeting chaired, and be it

Further Resolved, that the officials of the town, using their own vehicles on official town business, may be reimbursed at the rate of \$.50 per mile, and be it

Further Resolved, the voting machine custodians shall be paid \$.50 per mile for any schooling attended and mileage incurred as a result of securing voting machine supplies.

Be It Further Resolved, that the hourly wage rates in the Highway Department be: \$15.22 for working foreman; \$14.88 for heavy machine equipment operators (HEO); machine equipment operators (MEO)

\$14.54; for year-round part-time MEO \$11.33; \$8.00 for part-time laborer; part-time mechanic \$8.50, and be it

Further Resolved, that the Supervisor is hereby authorized to use unexpended balances in all the funds for expenses in 2009, and be it

Further Resolved, that the Town Board appoints D. Alan Wrigley on a per diem basis as Counsel to the Town as required by the Board, and be it

Further Resolved, that the voting premises for District I will continue to be the Town Hall, County Route 59; and the voting premises for District 2 will be the town Highway Garage

Further Resolved, that Carol Imhof shall be appointed Deputy Supervisor for 2009 by Supervisor Trinkle, and be it

Further Resolved, that the Town Board meetings will be held on the second Monday of the month at the Board Room in the Town Hall at 7:30 PM unless changed by the call of the Supervisor, and be it

Further Resolved, that the power and light bills and the telephone bills be paid without prior audit, and be it

Further Resolved, that the following Town Officials be and are hereby appointed for the year 2009:

- Clerk to the Planning Board.....Sally Beelen Eddy
- Sole Assessor.....
- Historian..... Sandra Davis
- Registrar of Vital Statistics..... Sally Beelen Eddy
- Budget Officer.....JoAnn Trinkle
- Clerk to the Supervisor..... Margaret Shaw
- Clerk per diem to Supervisor.....
- Deputy Town Clerk, Registrar, Tax Collector.....Jean K. Korb
- Code Enforcement Officer..... H. LaVerne Davis
- Dpty. Code Enforcement Officer.....
- Health Officer..... Dr. Paul Byron
- Dog Warden & Animal Control..... Edward Holland
- Assistant Dog Warden/Animal Control..... Nancy Quell
- Dog Damage Adjuster..... Frank Ziehm

Further Resolved, that the Eagle is hereby designated the official newspaper of the Town of Cambridge, and the Glens Falls National Bank and Trust, Cambridge, NY, and the Evergreen Bank of Glens Falls, NY (Greenwich, NY Branch) are hereby designated as the official depositories of town funds for the year 2009, and be it

Further Resolved, that there shall be no one designated to attend the 2009 Annual Meeting of the Association of Towns due to fiscal restraints, and be it

Further Resolved, that the Town Board does authorize the Superintendent of Highways to advertise for bid: culvert pipe, oil and stone, and be it

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Further Resolved, that the Town Board does hereby authorize the Superintendent of Highways to purchase equipment, tools and implements without prior approval of this Board in the amount not to exceed \$1,000 for any one item for the year 2009, and be it

Further Resolved, that the price paid for gravel purchased in 2009 be not more than \$6.00 per yard, and the price for sand be not more than \$6.00 per yard.

Further Resolved, that the Supervisor be authorized to make application to the NY State Youth Commission for approval of a recreational project in accordance with the laws of the State of New York and the Rules and Regulations of the Youth Commission, and be it

Further Resolved, that this Town Board authorizes the acceptance of claimant's certifications on a voucher form approved by the NY State Department of Audit & Control

Further Resolved, that this Town Board authorizes the acceptance of claimant's certifications on a voucher form approved by the NY State Department of Audit & Control for 2009.

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

Brownell Road Property

Town Attorney Alan Wrigley was present, at the request of Supervisor Trinkle, to explain the Brownell Rd. property matter that's been the topic of discussion by the public since October 2008. The 3/8 acre piece of land was discovered as the result of a survey done in 2006 for a subdivision on Meeting House and Brownell Roads. At that time, the owner of the small tract was unknown. In September 2008 the Town Board signed a Quit Claim Deed to the parcel. Audrey Hall wanted to sell the property and there was not a clear title. The Town, under the advice of Attorney Alan Wrigley, signed a Quit Claim Deed releasing any interest the town may have had because a portion of the road was rerouted in 1939 and, now, the town has no use of the old road bed or town right of way in relation to the old road bed.

Mr. Wrigley reiterated that the title was so clouded that it was impossible to determine who owned it. The title company wanted it cleared up. Consequently, the town signed off in order for Ms. Hall to sell the property.

However, some residents stated the town owned the land and should have sold it publicly rather than releasing it to Audrey Hall to sell privately, contending the Town could have had the money. They said Ms. Hall did not have any right to the parcel but rather the adjoining property owner did. They said it was an illegal action on part of the town. Those residents said the town purchased the 3/8 acre parcel from Leo O'Donnell in 1939 to redirect the road and there is a deed on file in the County Clerk's Office verifying town ownership. Audrey Hall purchased the O'Donnell farm in 1967 of which this piece had been a part of. After research by the county tax mapping department, it was determined that she was the owner of the piece of land in question.

Adjoining property owner Dan Smith stated he researched the title of the parcel in question with the County Real Property Tax Office and he was told he was not the owner. He did say that he was going to get legal counsel and look into it again.

Unsatisfied with what he was hearing, Resident William Watkins stated he was going to contact the Attorney General's office about the matter.

Abandonment of Kottler Lane

On December 11, 2008 the Town received a request from Dr. and Mrs. George F. Heinrich, new owner of the former Carl and Gabriella Kottler property (tax map #263.-1-20), to remove Kottler Lane from the town highway map in order for it to become a private way.

ORDER

By order of the undersigned Highway Superintendent of the Town of Cambridge, and pursuant to the authority granted to me by Section 207 of the Highway Law of the State of New York, I do hereby declare that all of Kottler Lane located off Greene Road, is hereby unnecessary for highway purposes and such highway is hereby discontinued and abandoned for public purposes. Attached hereto, and made part of this Order is the original request by Dr. & Mrs. George F. Heinrich, the property owners whose real property surrounds the entire portion of the highway being discontinued. Also attached hereto is a portion of tax map # 263 which depicts the portion of the highway being abandoned and discontinued.

I hereby request, in accordance with the provisions of Section 207 of the Highway Law, that this Order be filed and entered in the Office of the Clerk of the Town.

Date: January 12, 2009

Eric M. Shaw, Highway Superintendent, Town of Cambridge

New Business

Approval to Spend Highway Funds

Resolution by Councilman Frank Ziehm

Seconded by Councilman Ted Berndt

Whereas, pursuant to the provisions of Section 284 of the Highway Law, we, the Town Board of the Town of Cambridge, agree that moneys levied and collected for the repair and improvements of highways, and received from the state for the repair and improvement of highways, shall be expanded.

Now, Therefore, be it Resolved, that the sum of \$85,000.00 may be expended for general repairs upon 64.04 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

Vote: 5 – Ayes 0 – Noes

Senior Citizen Exemption

Resolution by Councilwoman Carol Imhof

Seconded by Councilman Joel Nichols

TITLE: To Provide for Tax Exemptions for Persons 65 Years of Age and Older

Resolved, that pursuant to the provisions of Real Property Tax Law Section 467, that property owned by persons 65 years of age or older within the Town of Cambridge is hereby exempted from taxation by the Town of Cambridge pursuant to the following schedule:

<u>Annual Income</u>	<u>Percentage Assessment Valuation Exempt from Taxation</u>
Up to \$16,000	50%
16,001 – 17,000	45%
17,001 – 18,000	40%
18,001 - 19,000	35%
19,001 – 19,900	30%
19,901 – 20,800	25%
20,801 - 21,700	20%
21,701 - 22,600	15%
22,601 – 23,500	10%
23,501 – 24,400	5%

Was duly put to vote and resulted in 5- ayes and 0 – No.

Veterans Exemption

Resolution by Councilman Frank Ziehm

Seconded by Councilman Ted Berndt

Title: Local Law #1 of the Year 2009

Section 1. PURPOSE AND INTENT

A local law providing for the maximum exemption allowable for the Alternative Veteran's Exemption from Real Property Taxation.

Section 2. Pursuant to the provisions of subdivision 2(d) of Section 458-a of the Real Property Tax Law of the State of New York, the maximum veterans exemption from real property taxes allowable pursuant to Section of 458-a of the Real Property Tax Law is established as follows:

a. Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent (15%) of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of eighteen thousand dollars (\$18,000) or the product of eighteen thousand dollars (\$18,000) multiplied by the latest state equalization rate for the Town of Cambridge.

b. In addition to the exemption provided by paragraph (a) of this subdivision, where the veteran served in a combat theater or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, qualifying residential real property also shall be exempt from taxation to the extent of ten percent (10%) of the assessed value of such real property; provided, however, that such exemption shall not exceed the lesser of twelve thousand dollars (\$12,000) or the product of twelve thousand dollars (\$12,000) multiplied by the latest state equalization rate for the Town of Cambridge.

c. In addition to the exemptions provided by paragraphs (a) and (b) of this subdivision, where the veteran received compensation rating from the United States Veterans Administration because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent (50%) of the veteran's disability rating, provided, however, that such shall not exceed the lesser of sixty thousand dollars (\$60,000) or the product of sixty thousand dollars (\$60,000) multiplied by the latest state equalization rate for the Town of Cambridge.

Section 3. EFFECT ON EXISTING LOCAL LAW

This law shall supersede any prior local law involving the Alternative Veteran's Exemption.

Section 4. EFFECTIVE DATE

This Local Law shall take effect upon filing with the Secretary of State of the State of New York.

Was duly put to vote and resulted in 5 – Ayes and 0 – Noes on January 12, 2009.

Sole Assessor Applications

Two resumes were received from individuals applying to fill the vacancy created by the resignation of Sole Assessor Jeffrey Jackson. They were from Anthony Rice, Sole Assessor from the Town of Hoosick and Mary

Ellen Hill-Pierce, Sole Assessor from the Towns of Fort Ann and White Hall as well as the Town of Corinth in Saratoga County. The resumes of both applicants were briefly reviewed and the Board set a date of Saturday, January 17, 2009, beginning at 9:00 AM to interview the candidates at the Town Hall.

Planning Board Appointment

Councilwoman Carol Imhof motioned, Seconded by Councilman Joel Nichols, to reappoint Mark Rogers to a seven year term on the Planning board commencing January 1, 2009 and ending December 31, 2015.

Vote: 5 – Ayes 0 – Noes

Privilege of the Floor

Cassie Fedler asked if Highway Supt. Shaw has submitted a revised schedule projecting the future purchases of vehicles and equipment? Supervisor Trinkle responded he has not.

William Watkins accused Highway Supt. Shaw of fixing bids by saying the specs for certain equipment were written in such a fashion giving only one person the opportunity to bid. He added the town needs more checks and balances. Supt. Shaw was not present to respond.

County Report

Supervisor Trinkle stated that the County has restored partial funding to its two county owned parks. Each has been allotted \$14,500 which will allow them to be open on weekends. She said the county is hoping the surrounding communities can come up with ways to help fund the parks to keep them open more hours.

Cooperative Extension's budget was originally cut in half from \$500,000 to \$250,000. It has been restored to \$325,000. Terry Ziehm, a member of the Extension Board, commented that the organization is trying to keep a many programs as possible. They are reevaluating what programs are the most valuable and beneficial.

Supervisor Trinkle informed the board of the various county committees that she has been appointed to serve on in 2009. She added she is also a member of an ad hoc committee that is investigating county wide assessing. She stated the feed back has been that the towns do not want the local assessor(s) to leave, but a county wide reval seems to be favorably supported. Every town being at 100% market value would provide uniformity and equality.

In addition, she stated she is an ad hoc member to the Employee's Benefits Committee and the Committee on Mental Health Services.

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

General # 1 – 9 \$1380.38

Highway # 1 – 6 \$6492.55

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

Respectfully submitted,

Sally B. Eddy
Town Clerk

