

Town Board Minutes
April 14, 2008

At a Regular meeting of the Town Board of the Town of Cambridge, duly called and held the 14th day of April 2008, 7:30 PM at the Town Hall, the following were present:

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

Others present: Town Clerk Sally Eddy, Highway Supt. Eric Shaw, Code Enforcement Officer LaVerne Davis, Lou Imhof, Meaghan Wilkins, Howard Brown, Dan Thomas, Norm Scribner, Jim Buckley, Dick Battistoni, Alex Bass, Rani Kronick, Alice Jackson, Bob Hudson, Ben Yurschak

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

Minutes

Councilwoman Carol Imhof motioned, seconded by Councilman Joel Nichols, to approve the minutes of the March 10, 2008 meeting as mailed by the Town Clerk with no additions or corrections.

Vote: 5 – Ayes 0 – Noes

Items to be Added to Agenda

Unfinished Business - b) sales tax money
New Business – b) Kyer Resolution
c) Budget Amendment

Supervisor's Report

1. The monthly financial reports were reviewed and commented upon. Bookkeeper Margaret Shaw also provided the first quarterly budget report for the year.
Councilman Ziehm motioned, seconded by Councilman Berndt, to approve the March general and highway financial reports as well as the quarterly budget report.
Vote: 5 – Ayes 0 – Noes
2. Supervisor Trinkle and Town Clerk Sally Eddy have been working on the census confirming addresses, adding new ones and deleting ones that don't exist. The assignment should be completed in about a week and all information will be returned to the census bureau.
3. The Tour of the Battenkill cycling race will take place April 19 beginning and ending in Salem, NY and following a course through southern Washington County. It is the largest single-day road race in the US.
4. On March 19 there was a joint meeting at the Town Hall of the Town Board, Comprehensive Plan Committee and the Planning Board to review and comment on the proposed Comprehensive Plan.

No Town Board Report

Town Clerk

1. Returned the unpaid 2008 taxes to the Washington County Treasurer on April 4. The unpaid amount was \$262,090.06 representing 103 parcels. In 2007, 104 parcels were returned which amounted to \$258,759.80.

2. Received a Radon display kit from Washington County Public Health and Washington County Cooperative Extension. Applications are available for the public to order the kits.
3. The conservation licensing program that is being converted to an internet based system is progressing at a slower pace that anticipated. The clerks that opted to use their town's computer as opposed to the DEC furnished computer are being converted first. The others will follow.

Planning Board

Secretary Sally Eddy stated the Planning Board met April 3 and addressed two matters:

1. Granted sketch plan approval to Allen Bailey for a 2 -3 acre subdivision containing his house on Gannon Road. Mr. Bailey will retain the house parcel and convey the remaining land to a family member. Mr. Bailey was directed to proceed with the survey.
2. Brett Smith, who owns 32.498 acres jointly with his brother Kenneth, on County Route 60, submitted a sketch plan to subdivide the property approximately in half. Brett wants to eventually build a house on his portion. The sketch plan was approved and Mr. Smith was directed to proceed with the survey.
3. The proposed Comprehensive Plan was further discussed by the board.

Highway Superintendent

1. We have been sweeping roads and intersections and should finish within the next week.
2. The roads have all been graded at least once and we have also drawn 870 yards of gravel
3. We've picked garbage on a few roadsides. I'd like to say thank you to whoever had already cleaned the roadsides along the Turnpike by the time we got there.
4. Some cold patching has been done but I'm waiting for the hot mix plant to open before we do a thorough job of patching.
5. The water pump on the grader stopped working this past week. We started removing the necessary shields and hoods to expose the pump when I realized changing the pump was, without the right tools, beyond our means. Southworth-Milton was called in to make the repair.
6. We have been cleaning up our winter equipment and are in the process of painting them for storage throughout the summer months.
7. In the month of March we used 481 gallons of diesel fuel.

No Code Enforcement Report

Assessor's Report

Assessor Jeffrey Jackson's report was read aloud by the Town Clerk.

1. Data collection and valuation of new construction was performed. Values for new construction were based on the condition of the property as of March 1, 2008 (taxable status date). Values were based on the town wide standard of July 2006.
2. Additional assessment adjustments have been made on various parcels to account for 2007 opinions that could not be supported by our sales file. These changes include assessment increases as well as decreases.
3. Constituent relations are considered good during the report period, despite the fact that I've been in the field doing field work on most Saturdays.
4. It should be noted that until the Town does it next update/reassessment, all value opinions will be based on the July 2006 valuation date. This is done to maintain fairness and equity amongst all real property in the Town of Cambridge.

Communications

1. Received a letter from Governor Paterson's office acknowledging the receipt of the resolution to restore CHIPS funding.

Unfinished Business

Internet Committee Update - Councilman Ted Berndt, chairman of the internet committee, stated there has been correspondence with Verizon concerning bringing DSL to the town. The committee is waiting for a response from Verizon to confirm or deny the project and, if confirmed, the time frame involved for completion. Mr. Berndt stated the committee discussed doing a mail survey of residents to discern how many would be interested in subscribing to DSL but realized it would cost about \$400. Instead, committee members will go door to door with a petition letter for residents to sign.

Sales Tax Money – The town will be receiving \$33,149.18 in sales tax money from the county in 2008 paid quarterly. The first check has been received in the amount of \$8287.29. Supervisor Trinkle stated she would like to divide the money between DA highway to cover the cost of salt, sand and fuel and the general fund to help lower taxes and monitor the landfill.

Motion by Councilman Ziehm, seconded by Councilwoman Imhof

Resolved, that the Town Board of the Town of Cambridge does hereby approve depositing \$10,000 of the 2008 sales tax money in the DA Highway Account to cover any deficiencies in the cost of fuel, sand and salt, if need be; and \$23,149.18 in the General Fund to be used to help lower the 2009 taxes and assist in the cost of monitoring the landfill, if needed.

Vote: 5 – Ayes 0 – Noes

New Business

Road Side Clean-up – Residents who clean up along the town roadsides may leave the filled garbage bags along the roads and the highway department will pick them up. They may call either the Highway Supt. or the Town Clerk to leave the name of the road where the bag(s) is/are located.

Kyer Resolution - Super. Trinkle received notice from Attorney Alan Wrigley that the Washington County Supreme Court has granted an assessment reduction to Francis T. Kyer II and Susan L. Kyer residing at 2 Perry Lane. The Board has to approve the reduction before the Kyers can receive a refund of taxes already paid on the higher assessment.

Resolution by Councilwoman Imhof
Seconded by Councilman Joel Nichols

RESOLVED, that the current tax certiorari litigation commenced by Francis T. Kyer II and Susan L. Kyer challenging the 2007 – 2008 assessment for tax map parcel # 255.-3-12 is hereby resolved such that the total assessed value for the parcel be reduced from \$236,200.00 to \$200,000.00, and that any refunds on taxes already paid to the Town of Cambridge based on the higher assessment will be paid to Francis T. Kyer II and Susan L. Kyer following the entry on an Order signed by Hon. David M. Krogmann, Justice of the Supreme Court of Washington County, approving the reduction to \$200,000.00.

Vote: Supervisor Trinkle – Aye
 Councilman Nichols – Aye
 Councilman Berndt – Aye

Councilwoman Imhof – Aye
Councilman Ziehm – Aye

Budget Transfer – Councilman Nichols motioned, seconded by Councilman Berndt, to approve the budget transfer of \$501.59 from B1990.0 Contingent to B8025.4 Comprehensive Plan Contractual to pay the bill from Chazen Environmental Services.

Vote: 5 – Ayes 0 – Noes

Privilege of the Floor

Internet Service – Bob Hudson, a resident of Vly Summit Road, inquired if he would be able to get DSL if the town successfully acquires it since he has a 692 exchange. He has heard that only 677 numbers will be able to hook up to it. Councilman Berndt said that it is his goal that all residents of the town have access to it and told Mr. Hudson that there is a possibility for connection if Verizon runs a line from Greenwich to the Vly Summit area. Mr. Berndt stated another internet option is PC broad ban cards. Mr. Berndt commented that Time Warner cable is currently very expensive and Hudson Valley Wireless is available only to you if you can see the tower on Willard Mountain.

Supervisor Trinkle remarked she is waiting for a letter from Senator Little's office outlining what the state is doing to bring broad ban to rural New York.

Junk Yards – Resident Dan Thomas asked what does the town constitute as a junk yard? He was making reference to an auto repair shop on County Rt. 74 which is next door to the property where his daughter and son-in-law live. He questioned the number of unlicensed vehicles on the property. Code Enforcement Officer LaVerne Davis responded according to NYS law there can be no more than two unlicensed vehicles on a property. Mr. Thomas asked if the town was responsible for how the owner of the business disposed of automotive fluids and paint. He stated his daughter is going to have the water tested and if it's contaminated is the town going to pay to have it corrected? Another concern is the danger imposed by the cars that are parked along County Route 74.

Code Enforcement Officer LaVerne Davis has visited the site and the owner of the property has stated she is going to clean up the property. (The owner of the property and the owner of the business are two separate people.) Supervisor Trinkle commented she sent a letter to the property owner and received the same response as Mr. Davis. She also has been in contact with NYS Department of Motor Vehicles and found no confirmation that the business was registered. Supervisor Trinkle remarked that the town has no laws in force governing junk yards.

Councilman Berndt commented that if we are going to apply the law to one then we have to apply it to other town residents who are violating the state's junk car law.

Councilman Ziehm recommended we send letters to all the others, too.

Councilman Berndt stated we don't like to stick our nose in our neighbor's business but when the health, welfare and safety of others is effected then we have to step in.

Supervisor Trinkle will do more investigating into the matter.

County Report

As a result of HAVA (Help America Vote Act) the county is required to purchase new voting machines for each town. Supervisor Trinkle recently had the opportunity to view the machines. The handicap accessibility portion of HAVA has been addressed first. There will be new machines at each polling site for handicap use for the 2008 September Primary and the 2008 November General Election. In 2009 there will be new machines for all voters.

Comprehensive Plan

Supervisor Trinkle stated that County Planner Chris DeBolt met with the Comprehensive Plan Committee on April 10 to review and discuss the plan with them. Dan Thomas stated he attended the meeting along with three other farmers, Howard Brown, Jim Buckley and Norm Scribner. Mr. Thomas said that the members of the committee do not want to listen to what the farmers have to say. The farming community is against the section

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regulating the subdivision of land because of its restrictiveness. They insisted that the committee will not listen nor will they change their mind.

Mr. Buckley remarked that the plan, as proposed, is going to destroy good agricultural land and the possibility of selling development rights. Farmers are devoted to farming. If they weren't, they would have left the area.

Dan Thomas stated we want a future for our families. The land is our retirement.

Howard Brown stated the committee has no factual backing of the plan. They need to consider the future of the town and the future of families. The farmers want to be left alone. They are devoted to their cause.

Resident Alex Bass commented that the plan is more geared to preserve open space and not necessarily agricultural land. However, the results of the survey mailed to town residents, revealed that 80% of the respondents wanted agriculture to be the dominate land use. He also went on to say that the Town Board and Planning Board could regulate subdivisions without a comprehensive plan.

The farmers asked each individual board member how they will vote concerning adopting the plan. Councilman Frank Ziehm stated he will not vote for it as it stands. He is waiting for a copy of a plan from another area to see how that municipality addressed the same issue. He added that, in his opinion, we should be able to give family members some land.

Councilwoman Carol Imhof stated she was upset with the subdivision section of the plan. She will not pass it as it is. She attended a Planning Board meeting and was impressed with how they handled the subdivision before them. They are doing a good job. However, she did add that with a comprehensive plan in place the town would be eligible to apply for certain grants that otherwise it could not.

Councilman Joel Nichols will not pass it as it now stands. He would like to see multiple options; not just one way.

Councilman Ted Berndt wants to see more research from other areas that could be used to make a workable plan and he would like to see the farmers satisfied with the document before he passes it.

Supervisor Trinkle will not vote for it as it currently stands.

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

General #59 – 81	\$15,459.11
Highway # 35 – 51	\$11,171.53

There being no further business before the board, the meeting was moved and carried to agreement at 9:30 PM.

Respectfully submitted,

Sally Beelen Eddy
Town Clerk