

Town Board Minutes
June 9, 2008

At a Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 9th day of June 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, Bruce Rolleston, Jim Buckley, Stuart Ziehm, Debbie Ryan, Meaghan Wilkins, Alex Bass, Rani Kronick, Andy Pate, Paul Gruber

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

Minutes

Councilman Ziehm motioned, seconded by Councilwoman Imhof, to approve the minutes of the May 12, 2008 Town Board meeting as mailed by the Town Clerk with no additions or corrections.

Vote: 5 – Ayes 0 – Noes

Items to be Added to Agenda

Under New Business

- b. Sales Tax Resolution
- c. Approval of Phoenix Labs to test wells at old landfill
- d. Placement of money in budget that was received for sale of scrap iron

Supervisor's Report

1. The monthly financial reports were reviewed and commented upon.
Councilwoman Imhof motioned, seconded by Councilman Nichols, to approve the general and highway financial reports for the month of May 2008.
Vote: 5 – Ayes 0 – Noes
2. Received the first mortgage tax check for 2008 in the amount of \$14,533. It's down considerably from 2007 which was \$27,535.
3. Received a notice from ORPS that the town's assessment roll is at 100%
4. Received a press release from Washington County Real Property Tax Office that assessments and geographical information are now available on the internet. The project was funded by grant money from New York State in the amount of \$175,000.
5. Announced there will be a class at the county on Thursday, June 12 from 1PM – 4 PM at the

county building for town officials concerning Realty Subdivisions. Presentations will be given from representatives from the county's Real Property Tax Office, County Clerk's Office, County Public Health Department, the county's Attorney's Office and county's Planning and Community Development Office. Planning board members can receive three hours of training credit to help fulfill the yearly requirement of 4 hours of continuing education.

Town Board Report

Councilman Berndt commented that 105 households have signed up for high speed internet service. Next week is the signup deadline. Mr. Berndt stated that the high speed internet committee would like the Town Board to support a letter the committee is drafting to send to Verizon's vice president of operations asking Verizon to upgrade the equipment that's already in place in at least two locations in the town. Mr. Mooney, an official from Cambridge Central School, will also be sending a letter to Verizon stressing how important it is for students to have accessibility to high speed internet service.

Councilman Ted Berndt motioned, seconded by Councilwoman Carol Imhof, to authorize the Town Board to support a letter drafted by the high speed internet committee to Verizon urging them to upgrade the equipment that's already in place to make high speed internet available to the town.

Vote: 5 – Ayes 0 – Noes

Mr. Berndt also reported on a trip he took with several others on May 28 to South Burlington, VT, located in Chittenden County, to observe the operations of a solid waste program. He visited four different plants. One site hand sorted all recyclables, another facility handled hazardous waste, another was privately owned and another was operated by Casale, a commercial waste hauling company. Chittenden County has been successful in working with private and commercial haulers to integrate their collections into the overall solid waste program.

Councilwoman Imhof reported that on May 28 she and Councilman Berndt attended the Washington County Local Development Corporation meeting. Councilwoman Imhof stated there were many good ideas expressed particularly the idea of consolidating with other local groups when applying for grant funding.

On June 12, Councilwoman Imhof and Councilman Berndt will be attending the training class at the county focusing on Realty Subdivisions.

Planning Board Report

Secretary Sally Eddy reported the Planning Board met June 5 and addressed the following business:

1. An application and survey map was submitted for a minor subdivision of the Estate of James J. Murphy located on King Road by David R. Slade, Sr., Executor. The property consists of 124.6 acres split by King Road. The proposal is to divide the property into two sections using King Road as the dividing factor; 49.96 acres lay to the east and 74.64 acres to the west. Preliminary approval was granted and a public hearing will be held at the July 3 meeting.
2. Received an application and survey map from Ronald Russo for a four parcel minor subdivision on Wright Road for the former property of Anthony and Muriel Russo. Total acreage is 104.8. Lot #1 lies south of Wright Road, contains a pond and consists of 40.33 acres; Lots #2, #3 and #4

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lie north of the road and consist of 27.51 acres, 8.01 acres and 28.95 acres respectively. Preliminary approvals was granted and a public hearing will be held at he July 3 meeting.

3. David & Janet DeCarlo own a 1.2 acre parcel on Cambridge-Battenville Road containing their house and another small building which they rent that was originally an old school house that later became a church. The DeCarlos presented a sketch plan to subdivide the old church on a tract of land measuring 80'(frontage) x 200' x 80' x 246'. They have an interested buyer. The well that supplies both residences is currently located in the old church. The DeCarlos will have to drill a new well for their use. The Planning Board was concerned about adequate distance between wells and septic systems given the small size of the lot. No decision was made pending an on site inspection by Code Enforcement Officer LaVerne Davis.

Highway Superintendent's Report

1. We replaced numerous culverts.
2. The cemeteries were mowed for the Memorial Day holiday.
3. All roadsides have had one pass mowed. We are now starting to mow all the roads back further.
4. The old iron and culverts were cleaned up and we received \$2,701 to put into the highway fund.
5. The radiator for Truck #4 was re-cored at a cost of \$1,287.
6. The concrete pad in front of the Town Hall was replaced.
7. We used 356.5 gallons of diesel during the month of May. The cost was \$1,490.30.
8. The entire crew will be taking the mandated 8 hour refresher course for MSHA tomorrow.

Superintendent Shaw reported that Highway School, which he attended on June 1, 2, 3 in Ithaca, was beneficial. He commented he was refreshed in areas that he was familiar with and learned several new things some of which he related to the board.

Code Enforcement Report

Officer LaVerne Davis stated that an uninhabitable mobile home located on State Route 372 in Coila is being dismantled and removed from the site by the owner who lives in Granville.

Assessor's Report

Assessor Jeffry Jackson was not present, therefore, his written report was read aloud by the Town Clerk.

1. In anticipation of filing the 2008 Tentative Assessment Roll on or before May 1, 2008, fifty nine change of assessment notices were mailed out. The notices set forth the 2008 tentative assessed value for the respective properties as well as informed property owner(s) of the availability to review this information with the Assessor or the Board of Assessment Review (BAR) at their meeting in June.
2. The NYS Office of Real Property Services certified an equalization rate of 100% for the 2008 tentative roll. An equalization rate of 100% will insure that property owners, currently receiving various exemptions, will continue to receive the maximum benefit amount.
3. New STAR exemption levels, which are set by the State, have been received and incorporated on our assessment roll file.

No Communications

Unfinished Business

Time Warner Cable Public Hearing

Supervisor Trinkle commented there are 41 customers in the town, outside the Village, that subscribe to Time Warner.

Councilman Joel Nichols motioned, seconded by Councilwoman Carol Imhof, to set a public hearing for July 14, 2008, 7:30 PM, to renew the contract between Time Warner Cable and the Town of Cambridge.

Vote: 5 – Ayes 0 – Noes

Councilman Ted Berndt suggested asking the cable company to extend their service further south on County Route 60 (North Road) since some of the residents are already being serviced. It would not only bring cable TV but internet hook-up as well.

Planning Board Interview

Two residents, Jim Buckley and Stuart Ziehm, expressed interest in serving on the Planning Board to fill the vacancy created by the resignation of Ave Gillis. Both are farmers and have lived in Cambridge all their lives or a greater part thereof.

The board interviewed each candidate individually. Both were asked basically the same questions: Why do you want to serve? Are you in favor of site plan review? Will the Planning Board be able to work with Comprehensive Plan as it now stands? Are you willing to work with controversial issues such as revising subdivision regs? Do you have the time to commit? Will you get the necessary yearly training?

Mr. Buckley handed out a resume. He commented he thought the Planning Board was doing an excellent job and he wants to keep things going the way they are. He understands the issues they deal with since he has been before the Planning Board himself. He favors site plan review, however, each situation needs to be looked at individually. He did not feel the Planning Board could work with the Comprehensive Plan as it is currently written, the subdivision section needs to be adjusted. He stated he has the time to commit to the Planning Board because he has a vested interest since farming is his livelihood and planning board decisions could directly effect him. He confirmed that he would get the required yearly training.

Stuart Ziehm, son of Councilman Frank Ziehm, stated he wanted to serve in order to give back to the community. The decisions the Planning Board makes will effect the family business. He was unfamiliar with site plan review but, after Supervisor Trinkle explained it, he agreed with it. He stated he felt the Comprehensive Plan needs to be more unified with the Planning Board. He feels his first step is to become familiar with the Planning Board and then move onto the Comprehensive Plan. He confirmed he is willing to deal with controversial issues like revising the subdivision regs. He stated he has the time to commit to the Planning Board and is willing to get the required training as long as it's useful information.

Supervisor Trinkle thanked both men for their interest in serving on the Planning Board and for coming to be interviewed tonight. The board made a decision later on in the meeting.

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New Business

Supervisor Trinkle received an e-mail from Maria Trabka of the Agricultural Stewardship Association (ASA) apprising her of the proposal to include the Hoosick River Corridor in the NYS Open Space Plan this year. The Open Space Plan is a long list of sites throughout the state that have been designated as conservation priorities. The Plan is updated every three years. Inclusion of a site in the Plan makes it eligible to receive state funding for land conservation through the Environmental Protection Fund. Conservation of quality agricultural lands throughout Washington County is already included in the Plan, making them eligible for state funding. The additional distinction of being in the Hoosick River will give Cambridge projects bonus points when ASA seeks Purchase of Development Rights (PDR) funding for farmland easements or for transaction costs or for farmer outreach efforts. To be included in the Plan, the Towns of Cambridge and White Creek have to concur.

Motion by Councilman Ziehm
Seconded by Councilwoman Imhof

RESOLVED, the Town Board of the Town of Cambridge does hereby support the inclusion of the Hoosick River Corridor in the 2008 version of the NYS Open Space Plan.

Vote: 5 – Ayes 0 – Noes

Sales Tax Money

Supervisor Trinkle stated the county has again agreed to allocate one million dollars of net collections from the county's sales and compensation use taxes to the towns and villages in the county for the period beginning January 1, 2009 through December 31, 2010. The towns and villages must decide if they want their portion of the money paid directly to them or have it applied to offset their share of the county taxes. In 2008, Cambridge will get approximately \$32,000.

Resolution by Councilman Nichols
Seconded by Councilwoman Imhof

**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 sales and compensating use tax net collections, for the calendar year 2009 "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 Washington County Board of Supervisors before September 30, 2008, for this election to take effect January 1, 2009; and

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

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

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

Phoenix Labs

Washington County awarded the bid to Phoenix Labs to perform state mandated tests and monitoring of wells located at land fills around the county. The Village of Cambridge owns the local landfill, however, the Towns of Jackson, Cambridge and White Creek share the expenses: 31% Jackson and Cambridge; 38% White Creek. The Village wants an official resolution supporting Phoenix Labs.

Resolution by Councilman Frank Ziehm

Seconded by Councilman Joel Nichols

RESOLVED, that the Town Board of the Town of Cambridge goes on record supporting the testing and monitoring of the wells at the old Cambridge landfill by Phoenix Labs and, furthermore, agrees to pay their share of 31% of the costs associated with the testing.

Vote: 5 – Ayes 0 – Noes

Scrap Iron

Superintendent Eric Shaw has gathered up and sold old culverts and scrap iron items. He received \$2701.00 for the town and has decided to use it to help pay for the rising cost of fuel.

Councilman Ted Berndt motioned, seconded by Councilwoman Carol Imhof, to put the \$2701.00 received for the sale of old culverts and scrap iron into highway account DB5110.4 to help offset the costs of fuel prices.

Vote: 5 – Ayes 0 – Noes

Privilege of the Floor

Resident Bruce Rolleston expressed concern about the nature of the materials being delivered to the CTI Agri-Cycle Composting site located on Belle Road. He also stated the truck traffic has been increasing. Supervisor Trinkle stated she periodically calls DEC and has been assured that CTI has all its permits and is abiding by the rules. The water routinely gets tested, too. Supervisor Trinkle agreed to call DEC again. Councilman Frank Ziehm stated he has visited the facility and the books are open to inspection. All deliveries are logged. He suggested Mr. Rolleston visit the site himself.

Councilman Ted Berndt suggested Supervisor Trinkle get copies of the report from DEC to have on file and also report to DEC that the truck traffic seems to have increased.

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Open Meetings Law

Resident Rani Bass commented about the Open Meetings Law in relation to the Comprehensive Plan Committee. Since the committee was originally formed as a “special board”, it is required, by law, to advertise notice of meetings in the local newspaper and post the notice in one public place 72 hours prior to any meeting that is scheduled at least one week in advance. As a result of this not being routinely done, people have not had an opportunity to be involved in the committee’s work. She asked that the Town Board correct the issue about proper meeting notification.

Burlington Trip

Resident Andrew Pate reported about the trip he took, along with Councilman Berndt, to Burlington, VT to visit solid waste handling sites. Overall, they both thought Washington County facilities were better. However, one aspect they appreciated was the successful partnership that’s been created with garbage haulers which keeps the waste from leaving the county. The haulers dump for a reasonable fee. Recycling is encouraged and is in high compliance. Mr. Pate and Mr. Berndt remarked that Washington County has great potential to work with garbage haulers and take control of the solid waste being generated by keeping it from leaving the county. Supervisor Trinkle stated that the county passed a “flow control” law in the past only to have it declared illegal in New York State. She said the county is looking at all avenues to improve the solid waste program.

Vote for Planning Board Member

Councilman Ziehm abstained from voting since his son is a candidate. Discussion ensued. Councilman Nichols commented that Mr. Buckley is more experienced, however, having the time to serve concerned the Councilman since Mr. Buckley made an earlier statement about wanting to impose a moratorium until January 2009 on completion of the Comprehensive Plan since he, as a farmer, is so busy this time of year.

Councilwoman Imhof remarked both are knowledgeable, but felt Stuart Ziehm will work better with the Planning Board.

Councilman Berndt stated both are qualified and will work well with the planning Board. However, he didn’t think Mr. Buckley will work with the controversial issue of revising the subdivision regulations.

Supervisor Trinkle motioned, seconded by Councilman Nichols, to appoint Stuart Ziehm as a member of the planning board to fill out the unexpired term of Ave Maria Gillis which will end December 31, 2009.

Vote: 5 – Ayes 0 – Noes

Councilman Frank Ziehm commented that his son Stuart is committed and will give 100%. He is involved in several organizations.

Informing the Public of Meetings

Councilman Ted Berndt suggested the board discuss the idea of a town calendar as a means of informing the public of meeting dates. He stated the village is going out to bid to develop a web site. Perhaps the town could get a page on their site.

County Report

1. Supervisor Trinkle let it be known that the county has a three phase, 408 volt 1999 diesel generator for sale.
2. The new optical scanner voting machines will be in place this fall for the November election.

Audit Bills

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

General # 95 – 113 \$3144.92

Highway #61 -78 \$145,936.18

There being no further business before the board, the meeting was moved and carried to adjournment at 9:20 PM.

Respectfully submitted,

Sally Beelen Eddy
Town Clerk