

Town of Cambridge /Town Board Meeting  
August 8, 2011

At the Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 8<sup>th</sup> day of August, at 7:30PM at the Town Hall, the following were present:

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

Others Present: Heather Greenawalt Town Clerk, Sue Herrington, Astrid Davis, Rani Bass, Bob Hamilton, Henry Peabody, Nancy Maebus, Town Justice Janet DeCarlo, David DeCarlo, Terry Hamilton, Jim Buckley Jr., Dick Bastistoni, Marie Drost, Gerald Skiff, Holly McMurray, Robin McMurray, Ashleigh Farrell, Robbie McIntosh, Becca Fedler, Mary Beth Dillard

Bills audited prior to meeting at 7:00 PM

General	#163 – 187	\$22,125.81
Highway	#86 – 101	\$10,877.28

Before the Board Meeting started at 7:20 PM the auction that was advertised in the Eagle started and the sealed bids were opened. The 25 metal chairs went to Charlie Peabody for the amount of \$150.00 and the 26 Wooden Chairs went to Karen Drost for the amount of \$3.53 each, and 2 of the Captain chairs for the amount of \$20.00 each. The Supervisor mentioned that there were other things that would be up for auction and would either be put on auctions international or in the Eagle and the sealed bids would be accepted.

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

Resolution#63

Councilman Berndt motioned, Seconded by Councilman Davis to approve the minutes from the meeting of July 11, 2011 with one correction at the top of page one where it list all the Board members present it should be councilwoman Fedler not councilman Fedler.

Vote:                   Ayes – 5                   Noes – 0

Resolution#64

Councilman Berndt motioned, Seconded by Councilman Ziehm to approve the Supervisor's report from July.

Vote:                   Ayes – 5                   Noes – 0

The Town Supervisor thanked Town Justice Janet DeCarlo for getting the Jcap Grant and the improvements that have been done. The audience gave her an round of applause.

The Supervisor reported the results from auctions International which were as follows the Tractor brought \$5650.00 and the generator brought \$417.00 and the Oil Tanks brought

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\$35.00 each. Councilman Davis questioned where the money would be deposited?  
Councilman Ziehm stated that the money should be put back in the Equipment Fund.

Resolution#65

Councilman Berndt motioned, Seconded by Councilman Ziehm to deposit the money from the auction in the Equipment Fund.

Vote:           Ayes – 5                   Noes – 0

Resolution#66

Councilman Berndt motioned, Seconded by Councilwoman Fedler to amend Resolution #65 that the Equipment be deposited in the Highway Equipment Reserve Fund.

Vote:           Ayes – 5                   Noes – 0

Assessor

None

Town Clerk

The Copying Machine is getting very old and not copying as well, so the Town Clerk talked to the Supervisor and to Margaret Shaw the Clerk to the Supervisor it was suggested that possibly this be budgeted for 2012. So the Town Clerk looked into a estimate for a copier similar to the one that we have. The copier that the Town has now was purchased in 2001 and the Town paid \$1100.00 for it, this came with the cabinet and also a service plan that was renewed yearly for \$200.00. The estimate that was given to the Town Clerk was for \$1100.00 the new copier would fit on the old cabinet. When the copier was purchase before this expense came out of the Town Clerks equipment fund. It was suggested that this be put in the budget to come out of the Town Hall Funds because this copier is used not only by the Town Clerk but by the Town Assessor, Town Supervisor and also the public for copies. The old copier has been checked and cleaned under the service plan and new toner has been ordered.

The Town Clerk also reported that on Monday, August 15, 2011 the Hunting Licenses for 2011 – 2012 will go on sale. The Supervisor explained that because we still have dial up don't all come at once. The Town Clerk requested that you could all come at once just be patient.

Town Board

Councilwoman Fedler mentioned that the Town Website has not been updated because of the problems that we have had with the Verizon wireless card.

Councilwoman Fedler reported that the Construction is almost done and Wednesday or Thursday they are hoping to finish the rail that is to go in front of the Judges Bench. There are a few other odds and ends such as motion light and smoke detectors that need to be put in and everything is still well within budget. Money that is left over from the Jcap money the Town Justice will decide how to us it. She can use it to make more improvements in the building or she can roll it over into the Justice budget for supplies.

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Councilwoman Fedler reported on the Brownell Road property the letter that she received from the lawyer states that he has enclosed a copy of the decision and the order of Justice Krogmann. The motion was granted to reargue and further determine that the Article 78 Petition of Mary Ann Richard and Daniel Smith is time bared under New York Law. Mary Ann Richard and Daniel Smith has approximately 10 days to 2 weeks to appeal this decision. A Final letter will be received whether or not they have appealed and it will be approximately \$60-\$100 for final costs. Till this point the Town has spent \$7,477.25 after the bills that they paid this evening. The documents are available to foil if anyone is interested.

Councilwoman Fedler stated that once the building is done Town Justice Janet DeCarlo will give everyone itemized reports of the money spent for the Jcap Grant.

At the previous meeting it was discussed what to do with the Highway Superintendents Salary the Councilwoman Fedler spoke with the Association of Towns today and they said that you can't set a new Salary before the budget because it is part of the public hearing notice. However she did state that it would be decided before election time which would let the candidate know what it would be. She doesn't believe that the salary should be left the same because Eric Shaw had 36 years in and the new candidate would not have the same experience.

Councilman Berndt stated that he had calls from several citizens from the Town questioning the Veterans exemptions. These people are hoping that he board will consider raising the Veterans exemptions to \$80,000 this would be a similar level to what Jackson and the Town of Whitecreek are at. Councilman Berndt is asking the Board to consider this over the next couple months for the budget.

On August 25<sup>th</sup> the New York State Comptroller's Office has a Local Government Leadership Class in Plattsburg focusing on the Tax Cap and how it will effect local Government. Councilman Berndt will be attending and has offered a ride to anyone that would also like to attend.

Councilman Berndt also handed out the Budget Planning Toolbox sheet for the up coming budget and mentioned the timeline that should be followed. Also the letter that was sent out last Fall to the non profits and government agencies, Councilman Berndt hopes that this year we ask for the current budget and the projected budget for 2012. He also asked this year now that the budget is computerized that the board consider having it up on screen so that everyone can see the changes.

#### Planning Board

In Sally Eddy's absence Heather Greenawalt Town Clerk reported, the Planning Board held their regular monthly meeting on Thursday, August 4, 2011, 7:30 PM at the Town Hall with a full board present. They addressed one item of business. Stuart Ziehm submitted a survey map for a minor subdivision on behalf of James & Viola Gray. The Grays own 43.6 acres on Morris Road, majority of which is agricultural. Mr. & Mrs. Gray are proposing to subdivide off a 1.07 acre lot containing their house to keep

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for themselves and sell the remaining 42.19 acres to Tiashoke Farms for agricultural purposes.

Preliminary Approval was unanimously granted with Stuart Ziehm abstaining. A public hearing on the application will be held at the September 8, 2011.

The September meeting has been moved to the second Thursday, September 8 due to conflicts of several board members.

#### Superintendent of Highways

Supervisor Watkins abstained from the vote on the appointment of the Superintendent of Highways. Councilwoman Fedler stated that the board needed to make a decision of who to appoint from August 9<sup>th</sup> until the end of the year. Councilwoman Fedler put the name of Chuck Watkins out there on the floor.

#### Resolution#67

Councilwoman Fedler motioned, Seconded by Councilman Berndt to appoint Chuck Watkins as the Highway Superintendent starting on August 9, 2011 until December 31, 2011 and also the old position is available to him after the appointment. The pay rate will be at \$19.00 per hour plus overtime.

Vote:                   Ayes – 5                   Noes – 0

Supervisor Watkins reported that the Highway Department has been hauling sand for the winter and ditching and some other small jobs.

#### Code Enforcement

None

#### Communications

Supervisor Watkins received a call from Alan Wrigley the Town Lawyer and said that the people that own the Mary McClellan Hospital would be challenging the assessment. Mr. Wrigley had said that he would not give in on this because the Village has it assessed for more than the Town. They are challenging at the state level again.

A Letter was read by Councilwoman Fedler from the Warren, Washington County funded by the NYS Department of Health they had mentioned that it influences Health in the community if the roads and the streets redesigned and maintained to attract pedestrians. They are extending an invitation to any of the municipalities in Warren and Washington County that want to participate in this they will get complete free street assessments. Councilwoman Fedler stated that she doesn't think that this really applies to us because we are not a Village.

#### Unfinished Business

Supervisor Watkins reported that he had a meeting on Thursday the 4<sup>th</sup> of August with the New York State Department of Motor Vehicle Safety Division. The meet about the

Property on County Route 74, the gentleman has never been in compliance with the NYS Business Law, he has never been licensed. Right now the gentleman is in foreclosure and they will be back to reinspect the area. The gentleman from the state said that the owner has an illegal junk yard and that this will be pursued by the state that this has nothing to do with the town. This is actually a felony at the state level.

Councilman Berndt had asked if it was possible to get a recycler to work with to clean up the area. The supervisor stated that Brownells were over there and the gentleman is still reluctant to work with them. Councilman Berndt stated that he believes that in 2008 that DMV came in and he was in compliance at the time, and the site was inspected at this time.

The Supervisor also made everyone aware that any kind of business that comes into the town has to have approval from the Town Board. The Town must have a letter of recognition that the business has moved into the town. Councilman Berndt questioned even a home business. DMV did send a letter that was from Sally Beelan that the Town did recognize this business. The Supervisor said that they were referring to a commercial business not a home based business.

#### New Business

There will be another sale of the excess inventory left in the Town Hall. There are six tables and 20 straight back chairs, Captain chairs, couple small stands and a few other small things. This will be put in the Eagle as a Town auction again with sealed bids. The 20 straight back chairs will be put on the auctions international.

Councilwoman Fedler brought up the topic of refinishing the floors in the front lobby and the Town Clerk office and the Assessor's office. The Supervisor mentioned that the gentleman that did the floors in the courtroom would do the rest of the floors for \$1500.00, this can be done over labor day weekend. The money will either come from the Town Hall Reserve Fund or the left over money from the JCap Grant.

#### Resolution #68

Councilwoman Fedler motioned, Seconded by Councilman Davis to refinish the floors in the lobby and the Town Clerk office and the Assessor's office with the money being used from either the Town Hall Reserve Fund or money left over from the Jcap Grant.

Vote:                   Ayes – 5                   Noes – 0

Councilwoman Fedler mentioned possibility that down the road another Jcap Grant could be applied for to restore the vault which has Town Justice records in the archives. Supervisor Watkins asked Town Justice Janet DeCarlo if they would consider in the grant insulating the Town Hall? She stated that they would take anything under advisement. However, the Town Justice did make everyone aware that if she was to apply for another Jcap Grant that she would only do so with the assurance that she would not have the problems that she did before. She stated that she is very hesitant, but if she can be assured that there will be no bickering or name calling than she will apply. Supervisor Watkins stated that we learn by our mistakes and let's move forward. Councilman Davis stated that he did not have a problem moving forward with the Jcap Grant he stated

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that a lot of the previous problems were simple questions. Councilman Davis stated once everything was gotten out it was fine that it's called communication. Councilman Berndt told Supervisor Watkins that the Town Board has the power of the purse he stated that they have a responsibility to ask questions. He states that this is part of their job. Councilwoman Fedler says being the Town Board member that brought this up strictly not to go backwards, she wants to know if they are interested in having Town Justice Janet DeCarlo do the work to apply for another Jcap Grant to have some work done on the archives. The Town Justice Janet DeCarlo rescinded the offer for the Grant.

The Town Justice states that she wants to clarify one thing that Councilman Davis said he stated that everything was just questions, however had they been just questions that would have been just fine. The Town Justice states that she had been investigated by the BCI from someone on the Board that wanted her charged criminally, that is not just questions. Supervisor Watkins stated that this is the end of it the bickering must stop and the discussion of the Jcap Grant is done.

It was requested by Marie Drost a citizen of the Town that this be recorded in the minutes that Councilman Berndt held up a sign in the meeting that said NUTS on it. She states that it is inappropriate for a councilman to do and that it should be put in the minutes. Gerald Skiff another citizen requested that the Town Supervisor asked for Councilman Berndt's resignation. Councilwoman Fedler stated that officially they can not ask for his resignation the only way that it can be changed is in November during Election and how everyone votes.

#### County Report

County recycling committee is doing an excellent job and the county has decided that in Greenwich the recycling center will be open on Monday and Wednesday now to make this a more feasible program.

#### Privilege of the Floor

Marie Drost mentioned the wonderful write up in the post star about the renovations, this was done on July 23<sup>rd</sup>. She went on to read an email from Ted Berndt that was written on July 23<sup>rd</sup> also this was written to Town Justice DeCarlo's personal email address requesting that all documentation be made available that pertains to the Jcap Grant available for his viewing with the Town Clerk on Thursday, July 29<sup>th</sup>. This was not a Thursday she stated. Marie Drost is requesting because of the issues that have taken place that if there are any questions or problems with the Jcap Grant to be done as a board thru Supervisor Watkins. She doesn't believe that anyone should be writing to the Town Justice at her personal email address there is a court address. She also requested that Councilman Berndt refrain from any emails to the Town Justice.

David DeCarlo mentioned that Town Justice Janet DeCarlo and the Town Clerk did not answer to Councilman Berndt.

Councilman Berndt responded back that the Town Clerk serves as the Clerk to the Board and he must obtain information thru her. He also mentions that he can look at

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any information that he chooses to look at and he doesn't need anyone's permission. Councilman Davis also states that so can anyone else in this room. Councilwoman Fedler breaks in and says that it is time to end the conversation on the Jcap Grant.

There being no further business before the board, the meeting was moved and carried to adjournment at 8:10 PM.

Addendum (Transfer forgotten at the Board Meeting)

The Transfer was forgotten at the Board Meeting so Margaret Shaw Clerk to the Supervisor called the Board members to approve the transfer to pay the bill.

Resolution #69

A transfer was made from Contingent A1990.4 to A1420.4 the Attorney, Contractual in the amount of \$21.50 to pay the Lawyer bill for the Brownell Road Property Litigation.

Board Members approved the Transfer:      Supervisor Watkins – Aye  
   Councilwoman Fedler – Aye  
   Councilman Davis – Aye

Respectfully Yours,

Heather Greenawalt  
Town Clerk