

Town Board Meeting  
March 14, 2011

At the Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 14<sup>th</sup> of March 2011, 7:30 PM 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, Scott Keller, Rani Bass, Bob Hamilton, Town Justice Janet DeCarlo, David DeCarlo, Henry Peabody, Colleen McDonald (Cambridge Central School Presentation), Terry Whitney, Sally Whitney, LaVerne Davis, Earl Horton, Donna Horton, Gerald Skiff, Al Bailey, Roger Holcomb, Ashleigh Farrell, Astrid Davis, Jimmy Stannard, Kate Madison, Beth Coats, Terry Hamilton, Danny Thomas

Bills were audited prior to the meeting at 7:00 PM

General	#42 – 61	\$26,221.92
Highway	#18 – 29	\$10,209.59

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

Resolution #21

Councilman Berndt motioned, Seconded by Councilman Ziehm to approve the minutes from the February 14, 2011 Town Board Meeting.

Vote:           Ayes – 5                   Noe – 0

Resolution #22

Councilman Ziehm motioned, Seconded by Councilwoman Fedler to approve the Supervisor Report from February 2011.

Vote:           Ayes – 5                   Noe – 0

Councilman Berndt questioned if we were up to date as far as billing on the Article 78 lawsuit. Supervisor Watkins stated that the Councilman would have to ask Councilwoman Fedler or Councilman Davis. They both responded that no there was no conversation for the February 14<sup>th</sup> but they were pretty close.

Cambridge Central School Presentation

Colleen McDonald was present and gave a presentation on the Cambridge Central School proposed building project she is a member of the building committee and has taught at Cambridge Central School for 24 years. Also present were Kate Madison, Roger Holcomb, Beth Coats also members of the Building Committee. She started with a power point presentation that was put together by the Building Committee when they came together to review the 5 year plan. When they reviewed this five year plan they

Town Board Meeting  
March 14, 2011

found things lacking in the school and for their needs. The things that were lacking were in Safety, Health and Infrastructure. The Building Committee has been meeting since August of 2010 and coming up with ways to best fix the school and offer our children what we would like to see. She explained that this project addressed Safety, Educational, and Efficiency in this Proposal. Colleen McDonald went on to explain what needs to be done such as in the Safety issues the sidewalks, parking lots, driveways, and pathways and Create controlled Elementary and High School entrance lobbies and Gymnasium Flooring and bleachers, cracked and broken pavements, reconstruct elementary playground, remove and update the cubbies and provide new metal lockers. Educational proposals included reconstructing the Auditorium and the Stage, and to Modernize the out-of-date Elementary and High School Libraries. The Efficiency Proposals includes Repair leaking Skylights in Gymnasium and Art Room, Reconstruct the Nurse's Office, Reconfigure the Kitchen Area, Upgrade obsolete ventilation systems, Replace original (1949) remaining single pane windows not covered in current EXCEL project & glass block, Replace outdated domestic hot water tank, Remove outdoor maintenance building to accommodate expanded parking, Update locker rooms and construct new Gymnasium storage.

Many people from the town were present and had questions about whether or not now was the best time for this project. Also in question was how much the taxes would go up. Councilman Davis stated that with the project the taxes would go up 5% and with the budget that would probably be another increase of 5%. The question also was what if we don't get the 79.5% from the state than what happens. Colleen McDonald stated that if they did not get the 79.5% and this passed than they would not go forward.

#### Assessor

The Supervisor reported that we should be hearing from the Civil Service some time next month in regards of the waiver from for Jeffry Jackson.

#### Town Clerk

Town Clerk Heather Greenawalt reported that there had been some requests from the townspeople to have a drop box or slot, so that exemptions and other town mail could be dropped off when the office is closed. Heather Greenawalt also made everyone aware that the office hours on Thursday would be changed from 1:00-7:00PM to 12:00-6:00PM effective as of April 7<sup>th</sup> all other office hours will remain the same.

#### Town Board

The Supervisor questioned Councilman Davis whether or not he had anything to report with the generator. The Supervisor reported that he had a OGS bid from the state for \$4,207, this generator is 14KW with an automatic transfer switch on it, this is the installed price. Councilman Davis stated that this is a good deal.

Supervisor Watkins questioned if they would like to make a motion to buy it or what they wanted to do. Rani Bass asked the Supervisor to explain what the generator would be used for, he explained that if the power went off than this would run both facilities the Town Hall and the Garage. The Supervisor stated that the one that they have now there is problems with it. It was also stated by Councilwoman Fedler that the Town Hall is supposed to be an emergency facility. Councilman Davis said this generator would have an automatic stand by so it will come on as soon as the power goes off. Councilman

Town Board Meeting  
March 14, 2011

Berndt questioned if we had a generator that works this month, is it possible to look at this next month.

Resolution #23

Councilman Berndt motioned, seconded by Councilman Ziehm to look at the possibility of this purchase of a generator next month.

Vote:                   Ayes – 5                   Noe – 0

Councilman Berndt reported that he attended the meeting on February 17, 2011 on the Global Foundries that was at the Century House in Renneselar County, Travis Bullard the Spokesman for Global Foundries gave a presentation. Councilman Berndt stated that they are going great guns the facility is about 40% done and there is about 1,200 construction workers there and when all said and done it could be about 3,000 to 5,000 jobs created. The local impact could be great and Councilman Berndt stated that he thinks that the Board should take this into consideration when it comes to planning budget. Councilman Berndt stated that he had drawn up a draft of the Appointment of the Policies and Procedures for the Planning Board which can be considered next month, he will send copies to the Town Board members.

The Supervisor questioned the bill for the Town Website and Councilman Berndt said that the bill was for Domain name and web hosting and it comes to approximately \$105.00 per year.

Councilman Ziehm had some questions about the Cleanup day that was supposed to be done for the Town. The supervisor said that this would be done the weekend after the Bicycle race. Councilman Berndt said that in the past that Contractor bags were made available and that coffee and donuts were also supplied, he questioned whether or not this would be done this time.

Resolution #24

Councilman Berndt motioned, seconded by Supervisor Watkins to get contractor bags for clean up day and to have coffee and donuts made available with the limit of \$50.00 budgeted.

Vote:                   Ayes – 5                   Noe – 0

Councilwoman Fedler wanted to review from last month about the lawyer and the litigations on the Brownell Road Property. She wanted to give a quick overview about the case to update everyone. In the January meeting it was voted that Councilwoman Fedler and Councilman Davis took over as contacts on the case. Councilwoman Fedler after the January meeting contacted the lawyer the very next morning to let him know that he would only be in contact with Councilwoman Fedler and Councilman Davis. At this point there was no new information about the case. At the February 14<sup>th</sup> meeting it had been recommended by the lawyer that the Town Board go into executive session to talk about how to proceed with the case. With the recommendation of the lawyer that the Town Board join the appeal, the Town Board passed the Resolution to join the appeal. The time frame is according to the lawyer they have 60 days and it could be as long as 9

Town Board Meeting  
March 14, 2011

months to prepare the appeal, after that time the opponents have another 30 days to prepare their counter and after that a court date will be scheduled within 8 weeks of that. Then there is another 6-8 weeks before a decision is even rendered. Councilwoman Fedler stated so when this is not discussed it is because they don't have any information on the case, and it is going to be a long time before they have a decision on the case. When the case is over and if the Town loses than the Town is at the same place they started.

Sally Whitney the owner of the parcel that the dispute is about was present at the meeting and questioned what happens now that Smith/Richard don't want the parcel what is being gained here? It was stated that now Smith/Richard want the Town to have the parcel back. Councilwoman Fedler stated that the Whitney's should contact their lawyer to find this out, the Board can not answer these questions. Councilman Berndt questioned whether the board wanted to go into executive session to discuss the letter from Kathleen Betjemann. Then it was decided to read the letter into the public record, it was decided to read the letter later in the meeting.

#### Town Justice

Town Justice Janet DeCarlo was asked to be put on the agenda this month because she had three items that need to be brought before the board. The first is a report from the monies that were collected from last year. This report included \$3409.80 returned to the town and \$614.00 for the last quarter which makes a grand total of \$4023.80 for year of 2010. The second thing was a draft of a law that needs to be changed this is Local Law #1 this pertains to dogs and was written and approved in 1990. The Town Justice has made some suggestions and changes that need to be made, these amendments need to be addressed by Mr. Wrigley. The third and final thing is that March 2, 2011 the Town Justice was notified by a letter that the Town of Cambridge had received a Jcap Grant in the amount of \$29,394.58. There are two contractors that bid on the job and the Town Justice also contacted a third one Alexander & Wilson however they were not interested. Out of the two contractors one had the bid in late so the contract was awarded to the one that was on time which was Michael Oswald. The money will be sent to Mr. Watkins around the 31<sup>st</sup> of March and the work will start sometime in April.

Some of the Town Board members had questions of how this money will be spent and whether or not this job has to go out for public bid. The Supervisor stated that he would contact Alan Wrigley the Town Lawyer for the legalities of everything. Councilman Davis also asked if the Town Board had to approve the Grant the Town Justice stated that the Board had already done this by signing off on the Resolution that she used to apply for the Grant. The Town Justice said she followed all of the procedures that she needed to apply for the Grant and pictures were taken and also two officers were present from the Court Administration these security officers made recommendations. The Town Justice stated that she called Contractors and only two were willing to come and look at this project. Councilman Ziehm thought that the board has only approved to apply for the Grant and then the Board would look at what had to be done when the grant was received. The Town Justice stated that was not how it was to be done that the list of things that were to be done were received when the Mr. Reily meet with the Supervisor and Deputy Supervisor and the Town Justice. The letter that the Town Justice has states where the money is to be used for example \$18,750.00 goes to construction, \$799.58

Town Board Meeting  
March 14, 2011

goes to furniture, other things are broken down as to where the money is to go and this comes with the Grant. The Councilman Ziehm commented that he had four phone calls today about that the Town of Cambridge and this Grant. The Town Board had concerns because the article was in the paper before they were made aware of the Grant.

Councilman Berndt stated that it was his understanding that this resolution was a letter of support and had requested to see the resolution that was signed. He also further stated that they did not have to time to review this it was given to them with six days to approve. He was not sure that this is in compliance with general municipal law, the Councilman Berndt has called Mr. Wrigley the Town Lawyer and he will look into this. He states that \$30,000 is a lot of money and the situation has changed since this grant has been put in, there are thousands of New York State employees that have been laid off.

Town Justice stated that she would be glad to withdraw the grant, she states that everything that will be done will enhance the Town Hall for the Town of Cambridge, but if the Board wants her to send the money back she will do so. Councilwoman Fedler stated that her only concern was that the right procedures be taken for the Town to accept the money, she went on to congratulate Janet DeCarlo the Town Justice on receiving the Grant. The Board decided to accept the Grant and to have Mr. Wrigley the Town Lawyer make sure the correct procedures are being followed.

Resolution #25

Councilwoman Fedler motioned, seconded by Supervisor Watkins for Town Justice Janet DeCarlo to proceed pending the Supervisors discussion with Alan Wrigley the Town Lawyer that everything is legal.

Vote:                   Ayes - 5                   Noe - 0

Planning Board

In Sally Eddy's absence Heather Greenawalt Town Clerk read the Planning Board report. The Planning Board met March 3, 2011 with 6 members present and one person from the public.

Jerry Moppert gave an update about the Global Foundries Plant in Malta. He stated he is trying to arrange a tour of the plant for local groups such as the Planning Board and Town Board. He is also trying to get a speaker to come to the area.

He has spoke to the Chambers of Commerce in Cambridge, Greenwich and Salem and asked if they could develop some type of program to inform the public about Global Foundaries. He would also like to invite someone from Saratoga County who has been involved in the planning process to speak. He said Global Foundries will hold a public meeting in April to update the progress that has been made. The date of the meeting has not yet been established.

Gerald Skiff presented a sketch plan for a one parcel minor subdivision of his late mother's property which he currently owns on South Road. He is proposing to subdivide out the house with approximately one acre and retain the remaining acreage for himself. The sketch plan met approval and Mr.Skiff was directed to proceed with survey.

Superintendent of Highways

In Highway Superintendent Eric Shaw's absence, Heather Greenawalt Town Clerk read his report.

Town Board Meeting  
March 14, 2011

The Highway Department spent the month dealing with a number of snow and ice storms. The majority of the time was spent opening up culverts and ditches in preparation of an eventual thaw which came this past week. They made it through the thaw with only 1 minor washout on Kenyon Road. Stump Church Road had to be closed due to flooding by the bridge near Archdale.

This month's breakdowns included:

Spreader chain on the '94 broke but had a new one on hand for replacement.

Two hydraulic hoses had to be replaced on the '94, one on the '98, one on the grader and one on the loader.

Replacement was made on the pick-up of some brake lines that had rusted apart. A new manifold and gaskets also had to be installed on the pick-up.

Time was spent after each storm washing and greasing the trucks as well as checking for any potential problems.

#### Code Enforcement

None

#### High Speed Internet committee

Councilman Berndt stated that he spoke with Terry Dwyer. Since last month's meeting when they had decided that Councilman Berndt and the Supervisor would possibly meet with Terry Dwyer. The letter that the committee sent caused some conflict because the mention that people in the Town were given DSL and others weren't. Councilman Berndt questioned the Supervisor whether or not he had spoken to Betty Little about the Grant for the Town. The Supervisor stated that he had gotten \$20,000 for the Town of Cambridge and he stated that he spoke with Sam Caldwell and he is going to do the engineering in Center Cambridge this would include the Town Hall and 684 residents in that area. However this is not cut in stone, this has to go through the engineering department and it has to be approved.

#### Communications

A letter was read by the Town Clerk Heather Greenawalt to be put in the record. This letter was written by Kathleen M. Betjemann and Laura P. Leschik it was pertaining to the Brownell Road property and the controversy about the property and the law suit that is currently going on. The letter goes on to say that in the end where will the Town be all the tax payers money that has been or that will be spent. The writers question what is trying to be accomplished here.

#### Unfinished Business

The Supervisor said that he had talked to Mr. Wrigley about the lanes and the setbacks and he is working on it.

#### New Business

Cambridge is having its 250<sup>th</sup> Cambridge Charter Celebration he has a meeting on the March 22<sup>nd</sup> about this, this involves the Town of Cambridge, Whitecreek and Jackson. This meeting will be about what they plan on doing for the celebration.

Town Board Meeting  
March 14, 2011

Privilege of the Floor

Scott Keller a citizen of the Town addressed to the Board about how last month it was discussed about the requirements for being appointed to the Planning Board. It was mentioned of a court case that said the only requirement was you had to be an elector of the town. Scott Keller stated that his thought was that it would be good to have a requirement that whoever apply for this position be a property owner in the Town of Cambridge. Mr. Keller also requested that he be given the site where he can read the court case. Councilman Berndt stated that he would email this to him but he said that he did not say it applied to electors only elected officials. Councilman Berndt has a policy or draft that he wrote for Appointment of the Planning Board and he will send this to other Board members and this can be discussed at the next meeting. Supervisor Watkins will talk to Mr. Wrigley about whether or not you can put in a requirement that the a person applying for the position of the Planning Board must be a land owner. Councilman Ziehm suggested some requirements for the Planning Board appointment, the following were advertise in the paper and on the internet 30 days prior, except all applications before the deadline, and the Town Board will interview the applicants in front of the public. After this the board will consider the applications and the person applying must be a resident of the town.

Resolution #26

Councilwoman Fedler motioned, Seconded by Councilman Davis to transfer funds from contingent A1990.4 to the Attorney, contractual A1420.4 in the amount of \$555.20.

Vote:           Ayes – 5                   Noe – 0

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

Respectfully submitted,

Heather Greenawalt  
Town Clerk