

Town Board Meeting  
May 9, 2011

At the Regular Meeting of the Town Board of the Town of Cambridge, duly called and held the 9<sup>th</sup> of May, 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, Eric Shaw Highway Superintendent, LaVerne Davis Code Enforcement, Margaret Shaw Clerk to the Supervisor, Rob McMurray, Holly McMurray, Astrid Davis, Dick Sutherland, Bob Hamilton, Rani Bass, Dick Battistoni, Sally Whitney, Terry Whitney, Henry Peabody, Eric Wilkins from the Eagle, Terry Hamilton, Scott Keller, Alan Wrigley the Town Attorney, Bruce Rolleston

Bills audited prior to the meeting at 7:00 PM

General	#85 – 109	\$12,537.15
Highway	#44 – 57	\$11,348.28

Resolution#36

Councilman Ziehm motioned, Seconded by Councilman Berndt to approve the minutes from the April 11, 2011 meeting with the following correction on page 2 where it says Supervisor Watkins says a resolution must be passed and a Public Notice must be put in the paper and a Public Hearing must be held to let the people know what the Town Board is planning on doing. This is incorrect Heather Greenawalt Town Clerk has called Audit and Control and they said that a Public Hearing is not necessary or a public notice however a public notice was put in the paper by the Town Clerk. Audit and Control said that the only thing that needs to be done is a resolution must be passed.

Vote:                   Ayes – 5                   Noes - 0

Resolution#37

Councilman Berndt motioned, Seconded by Councilwoman Fedler to approve the Supervisor's report for the month of April 2011.

Vote:                   Ayes – 5                   Noes – 0

Alan Wrigley the Town Attorney was present at the meeting to discuss with the Town Board in Executive Session the parcel of the Old Mary McClellan Hospital the litigating of the change of the assessment. The owners have made an offer to settle and Jeff Jackson the Assessor has made a counter proposal that Alan Wrigley would like to explain.

Resolution#38

Councilman Berndt motioned, Seconded by Councilwoman Fedler to enter into Executive Session.

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Vote:           Ayes – 5                   Noes – 0  
Entered into executive session at 7:35.

Resolution#39

Councilman Berdnt motioned, Seconded by Councilman Ziehm to exit executive session.

Vote:           Ayes – 5                   Noes – 0

Resolution#40

Councilwoman Fedler motioned, Seconded by Councilman Ziehm for the Town Board to authorize the Town Attorney Alan Wrigley to proceed with the counter offer.

Vote:           Ayes – 5                   Noes – 0

Marie Buckley

Marie Buckley was present and did a presentation about cancer and the study that is being done that is called the CPS-3. This is a study called Cancer Prevention Study-3, it is a movement for more birthdays and a fight back against cancer by enrolling in the new research study. The enrollment date of the study is Friday, June 10<sup>th</sup> from 6 – 10 PM at the Greenwich High School. In order to participate you must meet the criteria which are willing to make a long term commitment to the study, which includes periodic follow-up surveys at home, have to be between the age of 30 – 65 years old, and have never been diagnosed with cancer ( not including basal or squamous cell skin cancer). Marie went on to explain what the participant has to do which is: read and sign an informed consent form, complete a brief written survey, provide a waist measurement, give a small blood sample(similar to a doctor's visit – 7 teaspoons total). The blood sample will be drawn by trained, certified phlebotomist. The second step takes place at home where you complete a survey, and they will continue to mail follow up surveys every few years. Anyone interested should attend the enrollment on June 10<sup>th</sup>.

Town Clerk

None

Town Board

Councilman Davis and Councilwoman Fedler met and went over the surplus things or excess property in the Town Hall. This includes: Big Copier, Tan 2 drawer filing cabinet, 4 drawer filing cabinet, 10 maple captain chairs in the backroom, 20 more wooden chairs used for the board meetings, printer, 4 antique wooden chairs in the closet, old tripod, 28 wooden folding chairs, 25 metal folding chairs, 6 old folding tables. Eric had a couple of items in the shop which included generator, old 1981 John Deere Tractor, and the oil drums with the pumps.

Resolution #41

Councilman Davis motioned, Seconded by Councilman Ziehm to put on the Auction International these excess/surplus property that were mentioned above with a minimum bid of \$5,000 on the tractor.

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Roll Call Vote:            Councilman Davis – Aye  
                                 Councilman Berndt – Aye  
                                 Councilman Ziehm – Aye  
                                 Councilwoman Fedler – Aye  
                                 Supervisor William Watkins – Aye

Vote:                    Ayes – 5                    Noes – 0

Councilman Davis stated that he has been following the School Building Project and they are coming back with a vote in the end of June. The project is now estimated to cost \$8 million instead of 18 million, some people may say that these things don't need to be done but there are things that must be done. They have put the library as something that is not a must have. Right now have almost 80 percent state aid.

Councilman Berndt reported on the Global Foundries meeting that he attended on April 26<sup>th</sup> in Malta with Gerald Moppert, Mr. Rogers, and Eric Pearson Planning Board Chair. Councilman Berndt reported about the progress they have made under construction and they are going to start moving tools into the factory in June. The original hires, about 200 people, would be coming back from Germany will be starting and will be eventually about 1500 employees. There will be an open House in July and if there are any questions you can call or go online.

Councilman Berndt said that last year the Board did Volunteer appreciation month in June, he was wondering if the board still wanted to do this.

Resolution #42

Councilman Berndt motioned, Seconded by Supervisor Watkins to make June Volunteer appreciation month including the same agencies as last year with a budget of \$50.00.

Vote:                    Ayes – 5                    Noes – 0

Councilwoman Fedler stated that June 7<sup>th</sup> was grievance day between the hours of 4:00 to 8:00 PM.

Planning Board

In the absence of Clerk to the Planning Board Sally Eddy, Heather Greenawalt the Town Clerk read the report. The Planning Board met, Thursday, May 5, 2011 with a full board present and 2 people from the public.

Business addressed:

1. Held a public hearing and granted Final Approval to Walter Korb Jr and Jean Korb for a 1 parcel minor subdivision of 9.1 acres on Conley Road. The parcel will be conveyed to their son, Barry Korb.
2. Granted Preliminary Approval to the minor subdivision application of Lonny & Katherine Berney. The Berney's own 259.34 acres on South Cambridge Rd.

that forms the boundary to the property. The land in the proposed subdivision is currently being farmed by Cliff Wilbur and will continue under agricultural usage. The remaining land (182.69 acres), which contains the house, will be sold. A public hearing will be held at the June meeting.

3. Received notification of a training school for planning board members on June 9, 2011 at the county building. School is free of charge. All members showed an interest in attending.
4. A brief report was given by members who attended the Global Foundries quarterly public meeting in Malta, NY on April 26<sup>th</sup>.

#### Superintendent of Highways

The Highway crew drew gravel and graded the roads for the second time. Trees were cut on the Turnpike, English and Cobble Roads. The sweeping of the roads was finished. Culverts were replaced on Oak Hill Road and King Road.

After a great deal of thought and prayer, Eric Shaw Highway Superintendent has decided to retire on July 31<sup>st</sup>. He thanked the Town Board and all the people of the Town who have allowed him to work and serve the Town for the past 36 1/2 years. He especially wanted to thank the men who have worked with him; he said he has been fortunate to have such a good crew. He will miss each one of them.

Councilman Davis and Supervisor Watkins commended Eric Shaw Highway Superintendent on his great job and told him how much he would be missed.

Lastly, Eric Shaw suggested, that in the best interest of the Town, now is the time to purchase a new tractor from Capital Tractor. He has investigated the prices and he can acquire a tractor for a price of \$41,000 minus \$10,000 for the trade in of our 5200 John Deere. He thinks that the Board should consider this. With the Tractor that they have now it has 9,000 hours and needs \$3,000 worth of tires and \$2,000 worth of air conditioning. Eric has talked to New Holland out in Buffalo and they are a 6 – 8 month delivery, Capital Tractor says they can get one in 90 days.

#### Resolution #43

Supervisor Watkins motioned, Seconded by Councilman Ziehm to purchase a new tractor from Capital Tractor for the Highway Department.

Roll Call Vote:            Councilman Davis – Aye  
                                 Councilman Berndt – Aye  
                                 Councilman Ziehm – Aye  
                                 Councilwoman Fedler – Aye  
                                 Supervisor Watkins – Aye

Vote:                      Ayes – 5                      Noes – 0

#### Code Enforcement

The LeBarron place in Coila that was ordered a remedy of violation; the matter has been taken care of. LaVerne Davis stated that things seem to be better.

High Speed Internet Committee

Councilman Berndt reported on May 16th there will be a High Speed Internet meeting per Mr. Schmitt's suggestion about broadband mapping for the unserved and underserved. April 24<sup>th</sup> there was a meeting with Tori Riley from the WCLDC on the broadband mapping. Dan Schmitt reported that he had continuously been trying every month to get DSL through Verizon, to his surprise the month of April the answer was yes. So the process was started in the middle of April and they had an anticipated turn on date, which was April 25<sup>th</sup> and when that passed they moved it to an order of resolution team and they came up with the date of May 6<sup>th</sup>. Still at this point they haven't accomplished it and now they are saying that the lines are at a disrepair state. Right now it is being left open ended that someone is working on repairing the lines. The order of resolution team is only a little more informed than us. Neighbors of Dan Schmitt have the DSL and he still has yet to be able to receive it.

Communications

The Hoosic Watershed Association will be holding the 7<sup>th</sup> Annual Hoosic River Ride, which is a bicycle race that will take place through parts of the Town of Cambridge. They have written requesting approval to have the race and include the following roads listed below that are in the Town of Cambridge.

Resolution #44

Motion by Councilman Berndt,

Seconded by Councilman Ziehm,

Be It Resolved that the Town of Cambridge supports the 7<sup>th</sup> Annual Hoosic River Ride which will take place on Saturday, August 20, 2011, from 9:00 am to noon. This race will involve the following roads in the Town of Cambridge: Turnpike, Oak Hill, King, County Route 59, and the Buskirk Covered Bridge.

Vote:                   Ayes – 5                   Noes – 0

Councilwoman Fedler read a letter from a Bob Farrell who has for twenty – five years researched “The Washington County Regiment”, the 123ed New York Volunteers and he is a former county resident. He is writing requesting an ounce of soil from the town. There has been a 9 foot obelisk erected on the battlefield of Bentonville, North Carolina on land owned by a former New York State resident. This land was trod upon by the Washington County Regiment, so Mr. Farrell is requesting soil from each township so that he can place it at the base of the statue and honor the Regiment. Supervisor Watkins stated that he would send the dirt.

Unfinished Business

JCap Grant

Supervisor Watkins reported that everything was all set with the prevailing wage he had spoke with Mr. Oswald.

Resolution #45

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Councilwoman Fedler motioned,  
Seconded by Councilman Davis,

Be It Resolved that the Town Board of the Town of Cambridge decided to move forward with the JCap Grant and to start the construction on the court room.

Roll Call Vote:	Councilman Davis – Aye
	Councilman Berndt – Noe
	Councilman Ziehm - Aye
	Councilwoman Fedler – Aye
	Supervisor Watkins – Aye

Ayes – 4	Noes – 1
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Councilwoman Fedler mentioned that some changes may be made in the way the front of the court room is in the plans. There is a concern about the space, so the desk for the clerk to the Justice may be moved over to the right side and the other side may be used for storage. The concern is the door. The town may have to pickup the expense of the door. However it is thought that there may be extra money in the grant. This will have to be discussed more.

#### Appointment Policy

Councilman Berndt suggested that the appointment policy that he handed out to the Board members be approved with the agreement that the Town Attorney would clean up the language.

Supervisor Watkins stated that there was nothing in the policy where it mentioned the qualifications that were required in order to apply for this position. What is needed: residency, resume, what are the requirements? Councilman Berndt asked the Town Board what they wanted. Councilman Davis stated that it would be up to the Board to make the final decision any way because they would be interviewing the candidates. The Board stated that you must be a citizen of the Town of Cambridge. As far as the time frame how long should they be in the town? This was questioned whether or not you could put a time frame of how long you had to live in the town. Alan Wrigley the Town Lawyer stated that he would look into this. What is being done here states Councilman Davis is the Board is trying to make it so that when a position comes open the person already in the position is not automatically reappointed again. The person has to reapply and this gives other people a chance.

#### Resolution #46

Councilman Berndt motioned, Seconded by Councilman Ziehm to accept the appointment policy with Attorney review and cleanup language on some of the tense and other things that Mr. Keller pointed out.

Roll Call Vote:	Councilman Davis – Aye
	Councilman Berndt – Aye
	Councilman Ziehm – Aye
	Councilwoman Fedler – Noe

Supervisor Watkins – Noe

Vote:           Aye – 3                   Noe – 2

Rani Bass a citizen from the town suggested that also it be put in the policy 30 day requirement to have a legal notice in the paper because not everyone reads the bulletin board on the Town Hall. Councilman Davis said that he agreed with this, some way the public needed to be notified.

Councilman Berndt asked if that meant that they would modify the resolution with the suggestion of the 30 days.

New Business

Town Clerk Heather Greenawalt reported on the new electronic reporting of the Town Justice reports. The Town Justice used to file the reports manually and send a check for the money collected and now that everything is recorded electronically the money is given directly to Margaret Shaw the Clerk to the Supervisor. When the Comptrollers office sends the bill, then Margaret writes them a check and the money that stays with the town is always with the town. With the manual recording the money was a long time in coming back to the town now it is never leaves the town. This way is much faster.

Councilman Ziehm asked what the protocol was with Eric Shaw the Highway Superintendents retirement. When do they have to appoint a new Superintendent of highway? He also questioned whether or not the Deputy Highway Superintendent was interested in the position. Eric Shaw said that he says no but if the Board asks him maybe he will. Councilwoman Fedler stated that the Board will decide when it comes to money for the Highway Superintendent.

County Report

Supervisor Watkins reported that with the dump stickers there is 10% being lost because stickers are not being put on garbage. The recycling committee is trying to work on fixing this.

Mr. Wilson from the County is working on blacktopping with the towns. The county is trying to get the pool bigger so that it will be cheaper and to also consolidate the work. They are also looking at an insurance pool.

Privilege of the Floor

Scott Keller a citizen from the town, had questioned last month about the barns that had collapsed over the winter whether or not the town had the right to ask that they be cleaned up. Mr. Keller stated that he had spoke briefly with LaVarne Code Enforcement and he thought that it was the counties responsibility. The concern is that a barn is leaning toward Rt. 59 and that it will cause an accident. It is understood that right now there is nothing in writing that states the Town can do anything about this situation except send a letter, the rest might be the Counties responsibility. The Supervisor asked

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Alan Wrigley what he thought about this and whose responsibility it was. He thought that it should be the counties responsibility. However, he said that he would check into this.

Transfer of Funds

It was requested by Margaret Shaw Clerk to the Supervisor that a transfer of funds be made in order to pay the bill for the Brownell Road Litigations

Resolution #47

Councilwoman Fedler motioned, Seconded by Councilman Davis to transfer \$1,786.22 from A1990.4 Contingent to A1420.4 Attorney Contractual to cover the Brownell Road litigation fees.

Roll Call Vote:            Councilman Davis – Aye  
                                 Councilman Berndt – Noe  
                                 Councilman Ziehm – Aye  
                                 Councilwoman Fedler – Aye  
                                 Supervisor Watkins – Aye

Vote:                    Ayes – 4                    Noe – 1

Councilman Berndt asked Supervisor Watkins if he had an update on the site visit that was done by County Soil and Water at TCI Agricycle. Supervisor Watkins stated that he received a verbal message but nothing in writing.

There being no further business before the board, the meeting was moved and carried to adjournment at 8:40 PM.

Respectfully yours,

Heather Greenawalt  
Town Clerk