

May 17th, 2010
Regular Meeting
Petersburgh Town Board

The regular meeting of the Petersburgh Town Board was held on May 17th, 2010 at 7:00PM at the Petersburgh Town Hall, 65 Main Street, Petersburgh, New York.

Present: Supervisor Peter Schaaphok
Councilman William Seel
Councilman Richard Snyder
Councilwoman Amy Manchester
Highway Superintendent Raymond Harrison
Town Clerk Callie Crisp
DCO Lynne Torello-Burns
Town Attorney Kevin Engel

Absent: Councilman Raymond Broadwell

Guests: Emily Harrison, D.J. Lingener, Joe Cannato, Sharon Hodges, Dennis Smith
Press: Alex Brooks

Following the Pledge of Allegiance the Supervisor called the meeting to order at 7:01 PM.

Resolution #37
Audit of Bills

On motion of Councilwoman Manchester, the following resolution was adopted. Be it resolved that the bills be paid as listed on abstract #5/10 in the following amounts:

General Fund # 72-93	\$ 52,531.43
Light District # SL1- SL2	\$ 634.00
Highway Fund # 76-91	\$ 14,333.24
Water District # 21-25	\$ 1,315.73
Library Fund # 20-25	\$ 3,405.74

Councilman Seel seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilman William Seel	Aye
Councilwoman Manchester	Aye
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

Resolution # 38
Approval of Minutes

On Motion of Councilman Snyder the following resolution was adopted. Be it resolved that the minutes from the public hearing and regular meeting April 19th, 2010 be approved as presented. Councilman seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilman William Seel	Aye
Councilwoman Manchester	Aye
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted. The Supervisor stated that there was no need to approve the minutes from the Special Meeting with the Water District Patrons.

REPORTS

- Highway Superintendent Raymond Harrison: Announced that the highway crew received \$695.00 from junk for the Town. Hwg. Superintendent Harrison also reported borrowing the Town's loader for the purpose of cleaning up his property, which was requested by the Town's COE. The Highway crew has been working on ditches and coverts, and currently the Grad-all is at Giddeons' being rebuilt.
- DCO Lynne Torello-Burns: Presented the monthly report to the Board, which consisted of one phone call and follow-up.
- Supervisor: Discussed an issue brought to his attention by Dave Green, concerning the historical sign on Indian Massacre Road. The sign had somehow been snapped in two, and the Highway crew took it to Zwack's to be repaired.
 - The Supervisor presented his monthly report, showing receipts \$35,355.42, disbursements \$96,040.75, leaving a balance on hand as of March 15th, 2010 of \$598,526.36. This report is on file in the Town Clerk's office.
 - Supervisor Schaaphok brought up the issue with well #2's pump being set for a 10 HP hook-up instead of a 5 HP. Doug Clark, of Clark Engineering, has been asked to assess the problem. Mr. Clark has no conclusive answers yet, but assures the Town that the pump is protected.
 - The Veteran's Hall recently had an issue with their heating system. The cause of the problem is unclear, however Architect Dave Sadowsky has speculated that the ductwork in the floor may have collapsed due to the concrete work. A new register was installed in the wall to provide a new heat source.

NEW BUSINESS

- Dog Control Law: The Board reviewed a sample law obtained from the Department of Agriculture and Markets. Revisions to Sections 53 and 9a were discussed. The law will be prepared by the Town Clerk and submitted for review by the Town's attorney, Kevin Engel. The Board agreed on a Public Hearing of the law to take place at 6:30 before the June Regular Meeting.
- Emergency Medical Services: Dennis Smith was present to speak to the Board about a possible solution to the lack of paramedics in Eastern Rensselaer County. The Sheriffs have proposed an ALS intercept service based on Albany County. This service provides for the dispatch of paramedics through the Sheriffs, resulting in a faster response time. This program costs an estimated \$1.3 million dollars, to be split between the Towns that sign up. Although the price to participate depends on the number of Towns included, this program may be unreasonable for small Towns such as Petersburg. Mr. Smith asked the Board to keep the program in mind despite its large estimated cost.
- Local Law # 2 of 1986: The Town Board recently met with the patrons of the Water District to discuss issues regarding the Town's water system. The residents agreed to a raise in the water usage rate, and a charge for non-metered units. In order to make these changes effective, Local Law # 2 of 1986- relating to the imposition, charge, and consumption of water, will need to be revised. The Supervisor also stated the need to raise the fixed rate in order to keep the Water District afloat. The proposed revisions are as follows:
 - Be it resolved that the Town Board revise Section 1, Paragraphs 2a and 2b of Local Law # 2 of 1986, to change the fixed rate to \$280 per unit per year, and to set the water usage rate at \$2.00 per 1,000 gallons of water effective July 1st, 2010.
 - On or after July 1st, 2010, all units without a meter or with non-working meters will be charged \$250.00 per 6-month period.

After a discussion about the proposed changes, Attorney Kevin Engel stated the requirement for a Public Hearing before the revisions can be made. Due to the upcoming billing period in July, the changes will need to be approved in a timely manner. It was decided to consult the Association of Towns to determine whether a law could be amended through a resolution, without a Public Hearing. Once this is determined, the required steps will be taken to change to Water District rates. The Board then discussed adding the confirmation of meter readings once a year to the law.

- DEC in-ground tank bid: Highway Superintendent Raymond Harrison presented the Board with a model list of specs provided by Northeast Petroleum Technologies, Inc. Attorney Kevin Engel suggested that the specs be reviewed by the County Engineer before being put out to bid.
- Official undertaking: Town Clerk Callie Crisp spoke attending the NYS Town Clerk's Association Conference, where she learned of the requirement of an official undertaking. According to Town Law 25, every

Town Clerk is required to execute and file an official undertaking conditioned on the faithful performance of all municipal officers who regularly handle money of behalf of the Town.

- The following resolution is based upon the Town of Petersburg's Commercial Policy Common Declaration, policy No. B 6031064, issued by Selective Insurance Company of America through Rose and Kiernan Insurance Company, valid from October 14th, 2009-October 14th, 2010. This policy includes a Faithful Performance of Duty Coverage for Governmental Employees, in the amount of \$5,000.00 per general employee theft, \$20,000.00 for the Supervisor, Highway Superintendent, and Town Clerk, and \$250,000.00 for the Tax Collector.

Resolution # 39 **Official Undertaking of Municipal Officers**

WHEREAS Peter Schaaphok, of the Town of Petersburg, County of Rensselaer, New York, has been elected to the Office of Supervisor of the Town of Petersburg, and

WHEREAS Callie Crisp, of the Town of Petersburg, County of Rensselaer, New York, has been elected to the Office of Town Clerk of the Town of Petersburg, and

WHEREAS Emily Harrison, of the Town of Petersburg, County of Rensselaer, New York, has been elected to the Office of Town Tax Collector of the Town of Petersburg, and

WHEREAS Robert Sears, of the Town of Petersburg, County of Rensselaer, New York, has been elected to the Office of Town Justice of the Town of Petersburg, and

WHEREAS Paul Montgomery, of the Town of Petersburg, County of Rensselaer, New York, has been elected to the Office of Town Justice of the Town of Petersburg, and

WHEREAS Raymond Harrison, of the Town of Petersburg, County of Rensselaer, New York, has been elected to the Office of Superintendent of Highways of the Town of Petersburg, and

NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Petersburg that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

- This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including and special district funds, belonging to the Town and coming into his hands as such Supervisor; and
- This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

- This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and
- This undertaking of the Town Justices is further conditioned that they will well and truly keep, pay over and account for all moneys and property coming into their hands as such Town Justice; and

The Town does and shall maintain insurance coverage, presently with issued by Selective Insurance Company of America through Rose and Kiernan Insurance Company, in the sum of \$568.00 for the Tax Collector, Supervisor, Town Clerk, and Town Justices to indemnify against losses through the failure of the officers, clerks, and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks, and employees covered thereunder.

The resolution has been signed by all aforementioned parties, and is on file in the Town Clerk's office. On motion of Councilman Snyder, be it resolved that this resolution be adopted. Councilman Seel seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilman William Seel	Aye
Councilwoman Manchester	Aye
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

Resolution # 40
Approval of Re-evaluation

On motion of Councilman Snyder, the following resolution was adopted. Be it resolved that the Town Board authorizes Assessor Craig Surprise to perform a property re-evaluation for the year 2012. Councilman Seel seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilman William Seel	Aye
Councilwoman Manchester	Aye
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

PUBLIC ADDRESS

DCCO Lynne Torello-Burns: Spoke about her research on dog license tags in preparation for the end of Agriculture and Market's Dog Licensing program. This may occur as soon as July of this year. The Department of Agriculture and Markets will be dispersing all licensing information to the Towns in December, and all information obtained on licensing from that point would be the responsibility of the Town Clerk. This began discussion on options for Dog Licensing software programs. Town Clerk Callie Crisp spoke about a company she was looking into that would allow access to the current main database from Agriculture and Markets, and to other Towns as well. This program may be obtainable from Lynne's kennel as well as the Town Hall. More research will be done to determine the most efficient, yet affordable, licensing program.

D.J. Lingener: Addressed the Board regarding Highway Superintendent Harrison using the Town's loader for personal use. He reported viewing Harrison and Dave Therber on April 22nd loading old farm equipment and other various junk items onto the Town's loader. Highway Superintendent Harrison agreed to using the loader but disputed the alleged times accused. Harrison stated that the revenue acquired from the junk was turned over to the Town. The Board responded that the matter would be discussed in Executive Session.

Resolution # 41 Move into Executive Session

On motion of Councilwoman Manchester, the following resolution was adopted. Be it resolved that the Board moves into Executive Session at 8:46 PM. Councilman Seel seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilman William Seel	Aye
Councilwoman Manchester	Aye
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

Resolution # 42 Return from Executive Session

On motion of Councilman Snyder, the following resolution was adopted. Be it resolved that the Board returns from Executive Session at 9:31 PM. Councilman Seel seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilman William Seel	Aye

Councilwoman Manchester	Aye
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

With no further business, the meeting was adjourned in memory of Hilda Allen at 9:36 PM.

Callie Crisp, Town Clerk