

October 18th, 2010
Regular Meeting
Petersburgh Town Board

The regular meeting of the Petersburgh Town Board was held on October 18th, 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
Town Attorney Kevin Engel
Planning Board Chairman David Miller
Bookkeeper Charles Guntner
Absent: Councilman Raymond Broadwell

Guests: Emily Harrison, Terry Neaton, Susan Daby, Jillian Daby, Joan Buzerak, Michael Buzerak, Margaret Weinland, Marian Wise, Duane Nealon, Sharon Hodges, Cecelia Guntner
Press: Alex Brooks, The Eastwick Press

Following the Pledge of Allegiance, Supervisor Schaaphok called the meeting to order at 7:04 PM.

Resolution #76
Audit of Bills

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

General Fund # 216-239	\$7,433.40
Light District # SL1- SL2	\$ 634.24
Highway Fund # 171-197	\$ 16,452.88
Water District # 45-51	\$ 3,822.75
Library Fund # L70-L79	\$ 5,747.71

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 #77

Approval of Minutes

On motion of Councilwoman Manchester, the following resolution was adopted. Be it resolved that the minutes from the Regular Meeting on September 20th, 2010 and the minutes from the Budget Workshop/Special Meeting October 4th, 2010 be approved as presented. Councilman Snyder 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.

REPORTS

- Highway Superintendent Raymond Harrison: The Highway Crew has been busy working to widen Johnny Cake Hill Road. The bridges on Lewis Hollow Road and Prossor Hollow Road have been completed. Preparing for the oncoming winter is also a task at hand, and Superintendent Harrison reported that the Town Park has been closed for the winter.
- Supervisor Peter Schaaphok: Presented the Supervisor's monthly report to the Board. It showed receipts \$68,896.93, disbursements \$92,451.75, leaving a balance on hand as of October 18th, 2010 of \$404,786.63. This report is on file in the Town Clerk's office.
 - Supervisor Schaaphok informed the Board about a Hazard Mitigation Plan formed by Rensselaer County. Timothy Church, of the Petersburg Planning Board, has attended the meeting as a representative from the Town of Petersburg, and has helped to complete the paperwork required from the County. This project will provide eligibility to municipalities for hazard mitigation project grants from the Federal Emergency Management Agency (FEMA). The grants can be used for projects to reduce the impacts of many types of natural hazards.

OLD BUSINESS

- 2011 Tentative Budget: Supervisor Schaaphok began the budget discussion by stating that the expenditure for State Retirement went up, as well as the previous figure for Mortgage Tax. A few adjustments were made to keep the tax increase within reason. The extra \$30,000 in the Highway fund has been

removed, and the Water District appropriation line was corrected. Everything else is as it was at the Workshop.

Changes to be made:

- Light District Appropriations will be adjusted
- Water District Summary to be fixed (to reflect adjusted appropriations)
- Board Member William Seel questioned whether the Supervisor's fund should be increased 'just incase,' as the fund has been lowered to \$1.00. Supervisor Schaaphok replied that he is willing to do the job for \$1 in order to keep the tax increases down. A discussion took place on whether to increase the contingency budget to cover this fund.
- The building fund has been increased to cover the additional park maintenance
- The garbage fund has stayed the same- Berlin has not yet established the final amount, however it is expected to remain the same
- Dog Control Officer's salary has increased 16%
- The Rescue Squad budget has increased 30%, to cover the payments for the new ambulance
- At this point in time, taxes stand to be raised \$9,000 (2%)
- \$598,718 was raised in re-levied taxes last year, this year it is estimated to be \$598,607
- The medical insurance in both Highway and General has increased, due to a rising premium
- Although the Highway Crew has been down a member, one may be added over the winter for snow removal; leaving the budget the same

A Budget Workshop was scheduled for next Monday, October 25th, 2010 at 7:00 PM at the Petersburg Town Hall, 65 Main Street, Petersburg, NY.

- Highway Dump Truck Purchase: The replacement of the 1991 dump truck was the next topic discussed. The total of the new truck, complete with a new computer-controlled sander and plow, will be \$142,692.00. The two options explored for financing were as follows:
 - Bond: lower interest rate, but \$4,482 in fees; no bid process required, total cost for loan would be \$12,547.00
Total for truck purchase: \$155,535.00
 - State Contract: (through Navistar) would require less paperwork, but would require a public hearing and bid procedures,
Total for truck purchase: \$155,490.00

Both loans would have fixed 5-year rates. The state contract is about to expire, and will cost more money next year. The current 1991 dump truck will be sold once it has been replaced.

Resolution #78

Approval of Dump Truck Purchase through State Contract

On motion of Councilman Seel, the following resolution was adopted. Be it resolved that the Town of Petersburg will purchase a 2011 International Model

7500 Ford Dump Truck through Navistar State Contract. Councilman Snyder 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.

- Other Highway Truck Purchase: The Town's 2000 Chevrolet pickup truck requires over \$5,000.00 worth of work, and Highway Superintendent Harrison believes that replacing it would be more viable. The current Highway budget still has \$18,000.00 remaining, and a transfer of funds could cover this purchase. Councilman Seel was not in favor of buying another truck, and a discussion took place about whether to repair or replace. It was decided that the purchase of a new truck might be more economic in the long run.

Resolution #79

Approval of Pickup Truck Purchase

On motion of Councilwoman Manchester, the following resolution was adopted. Be it resolved that the Town of Petersburg will purchase Councilman Snyder seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilman William Seel	No
Councilwoman Manchester	Aye
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

New Business

- Fairpoint Communications: Supervisor Schaaphok brought to the attention of the Board an issue with Fairpoint Communication's phone service. For some time there has been a poor quality of connection during calls between 658(Petersburgh) and 686(North Petersburg). Problems include a long pause before connection, static, delays between responses, and the like. Although Fairpoint has been informed of these issues, to date the problem has not been addressed. Supervisor Schaaphok requested consensus from the Board to write a letter to Fairpoint addressing these issues, and the Board agreed.

- Annual Ice and Snow Agreement with Rensselaer County: was presented to the Board for approval. Councilman Seel stated that he was not in favor of the agreement, and cited the Hill Hollow sanding issues. The largest benefit of the contract is the salt that is provided to the Town, and a discussion took place to consider these factors. It was decided that the agreement with Rensselaer County was in the Town's best interest.
- Subdivision Moratorium: Planning Board Chairman David Miller was present to address the Board in regard to the requested moratorium on subdivisions in the Town. The current Subdivision Regulations are now 37 years old, and Mr. Miller stated that at least one year would be required to rewrite the regulations. He reported that the original law was modeled after a sample from the Association of Towns, and was never formally reviewed legally or by a civil engineer. According to Mr. Miller, right now the Town is "100% exposed to commercial development." Because this issue relates to the Site Plan Review Law, and not the Subdivision Regulations, two separate moratoriums have been requested. He stated that an exemption could be made to allow simple one-family subdivisions to continue, and spoke of two possible subdivisions of these specifications in process. Mr. Miller stated that the length on the moratorium would depend on the extent of the revision process, and asked the Board for their views. The Board requested more information before a decision could be made. Mr. Miller was informed that the subdivision moratorium would be discussed, but the Site Plan Review was a Town Law and therefore to be revised by the Town Board. Both revision processes will continue, and the matter was tabled. Mr. Miller then left the meeting prior to Public Address.

Public Address

- Duane Nealon: addressed the Board with concerns about the Planning Board. Mr. Nealon immediately stated that the moratorium was unnecessary due to the fact that the Planning Board did not meet for a period of several months; information he obtained through Planning Board minutes from a recent FOIL request. Mr. Nealon expressed his dismay at the current proceedings of the Planning Board, and accused its members of lacking the training required by a Town Law passed in 2007. Mr. Nealon then presented the Town Clerk with a FOIL request for proof of training and appointment records for all current Planning Board members, stating that the appointments should not have been made without training verification.
- Marian Wise: continued the discussion about the Planning Board. Ms. Wise inquired if the Town Board had talked any action in response to the missing Planning Board documents, revealed by her and Mr. Nealon's last FOIL request. When Supervisor Schaaphok responded that the budget was the only matter recently discussed, Ms. Wise stated the need for more efficient procedures of managing the Planning Board. Ms. Wise spoke of the liability of verbal transactions replacing written records, and the general lack of procedure within the Planning Board.

- Michael and Joan Buzerak: were present to inform the Board of their experience with the Planning Board. The Buzeraks first became familiar with the Planning Board due to a subdivision of their property in 1988. Mrs. Buzerak stated that although they previously appealed to the Town to assume ownership on the road, due to a number of issues, but no action was ever taken. A road maintenance agreement between the parcel's homeowners had been established, but the problem was never solved. The Buzeraks stated that numerous times they had requested information from the Planning Board, only to be denied. A recent County Court case between the Buzeraks and the homeowners, the judge upheld the road declaration and ordered the homeowners to maintain the road. The Buzeraks were also involved in a Petersburg Town Court case previously this year against the Planning Board, and Mrs. Buzerak stated that the Planning Board had made "slandorous accusations" against them and handled the situation poorly.
- Margaret Weinland: appealed to the Town Board about the current Planning Board status. Ms. Weinland stated that although she was interested in forming a road agreement through a subdivision with the Buzerak's property, she was hesitant to proceed due to the past and present state of the Planning Board proceedings. Ms. Weinland spoke about various issues such as informal conductivity, impartial views of members, and poor record keeping. Ms. Weinland then requested that the Town Board take the initiative to begin actively overseeing every aspect of the Planning Board.

The residents who spoke during Public Address then became heated, and began calling for the replacement of the current Planning Board members. Town Attorney Kevin Engel stated that it was inappropriate to discuss the termination of members, as it presented ethical conflicts. Supervisor Schaaphok thanked the public for their comments, and closed the Public Address portion of the meeting.

On motion of Councilman Seel, seconded by Councilman Snyder, the meeting was adjourned at 9:21 PM.

Respectfully Submitted,

Callie Crisp, Town Clerk