

**Town of Knox
Regular Meeting
January 12, 2016**

PRESENT: Supervisor Lefkaditis
Councilwoman Pokorny
Councilman Kuck
Councilman Barber
Councilman Barcomb

ALSO: Town Attorney Dorfman
Town Clerk Murphy
Highway Superintendent Salisbury

The meeting was called to order at 7:30 p.m. with the Pledge of Allegiance to the Flag.

RESOLUTION # 17-2016 - APPROVAL OF MONTHLY MINUTES

On motion of Councilman Kuck, seconded by Councilman Barber, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED that the minutes of the 1/1/16 Organization Meeting and 12/8/16 December meeting be approved.

RESOLUTION # 18-2016 - APPROVAL OF MONTHLY REPORTS

On motion of Councilman Barcomb, seconded by Councilman Kuck, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED that the Reports of the Town Clerk and the Town Supervisor for the Month of December 2015 be approved.

OLD BUSINESS:

4a. Supervisor Lefkaditis discussed the FEMA highway “alternative project” money to be used to purchase equipment for the highway garage. An extension has to be made by January 31, 2016 to secure funding for the following equipment: backhoe, excavator, trailer, roller and tractor/mower. Once extension is filed, Supervisor Lefkaditis would like to meet with Town Attorney Dorfman to make sure that all documentation is done to ensure that all government funding is secure. The town will have to take a Bond Anticipation Note (BAN) to purchase the equipment and then will be reimbursed by the government funding through FEMA. The timeline will be decided on when equipment is available and will take approximately 6-9 months for reimbursement.

Highway Superintendent Salisbury explained that he has found a new company to purchase the tractor with boom mower that is not on state contract therefore must go out to bid.

Supervisor Lefkaditis set a special meeting for Thursday, January 21, 2016 at 5pm for the consideration of an RFP for the purchase of equipment for the highway department.

Supervisor Lefkaditis, Attorney Dorfman and Superintendent Salisbury will meet to secure the FEMA money and set up the BAN.

4b. Supervisor Lefkaditis discussed the blight conditions of vacant properties in town. Currently the town is trying to deal with this through the Solid Waste Management Plan for the town which has strong language for fines but needs to go further for clean-up. Supervisor Lefkaditis requested that the planning board work in haste to produce language to pursue blight properties in town with the legal assistance of Town Attorney Dorfman.

RESOLUTION # 19-2016 –TO AUTHORIZE PLANNING BOARD TO CREATE LANGUAGE TO PURSUE BLIGHT PROPERTIES IN KNOX, WITH ASSISTANCE FROM TOWN ATTORNEY DORFMAN

On motion of Supervisor Lefkaditis, seconded by Councilman Barcomb, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to authorize the Planning Board to create language to pursue blight properties in Knox, with assistance from Attorney Dorfman.

4c. Supervisor Lefkaditis thanked Nick Viscio and Councilwoman Pokorny for their work on the code of conduct policy to cover employees and public meetings.

Town Attorney Dorfman stated that some edits would need to be made to the language involving elected officials, however as it applies to the public it is a very good policy.

RESOLUTION # 20-2016 –TO ACCEPT CODE OF CONDUCT POLICY FOR PUBLIC MEETINGS WITH EDITS.

On motion of Councilwoman Pokorny, seconded by Councilman Barcomb, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to accept the Code of Conduct Policy for Public Meetings with edits.

***TOWN OF KNOX
CODE OF CONDUCT AND POLICY FOR PUBLIC MEETINGS***

PURPOSE

The purpose of this policy is to establish rules of decorum for meetings held by the Town of Knox, including meetings of the Town Council and Town Boards, Commissions and Committees. The policy is intended to facilitate the conduct of public meetings in an open and orderly manner and in an environment safe and comfortable for all persons in attendance. Further, the policy intends to prevent conduct which coerces, harasses, intimidates or discourages any member of the public from participating in public forums.

SCOPE OF APPLICATION

This policy applies to all persons attending public meetings.

POLICY

The Code of Conduct and Policy for Public Meetings is intended to promote open meetings that welcome discussion of public policy during meetings of the Town Council, and Town Boards, Commissions, Committees and Workshops in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum

- a) All persons in attendance will refrain from behavior which will disrupt the public meeting. This will include making loud noises, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.*
- b) All persons in attendance will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.*
- c) All persons in attendance will refrain from using cellular phones and/or pagers while the meeting is in session.*
- d) All persons in attendance will refrain from engaging in any actions that result in or promote damage to public property.*
- e) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.*

2. Prohibited Objects and Materials

- a) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. Town staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons.*

3. Addressing the Board/Committee

- a) If you are able, please make your comments from the podium at the front of the room. If you are unable to do so, you may address the Board/Committee from your seat with permission; however, please speak loudly so that the Board/Committee can hear you.*
- b) Provide your name and address at the beginning of your remarks.*
- c) Meeting attendees are usually given three (3) minutes to speak on any agenda item and/or during open forum; the time limit is at the discretion of the Chair of the meeting and may be limited when appropriate.*
- d) Speakers should discuss topics related to Town business on the agenda, unless they are speaking during open forum.*
- e) Persons wishing to address the Board/Committee on any item other than the matter scheduled, please raise your hand when the Chair asks for citizen comments during an announced open, or public forum.*
- f) Speakers' comments should be addressed to the full body. Requests to engage the Supervisor, Council Members, Board or Committee Members or Staff in conversation will not be honored. Abusive language and personal attacks will not be tolerated.*
- g) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects relevant to the presentation.*
- h) If an individual wishes to submit written information, he or she may give it to the Town Clerk or other administrative staff at the meeting.*
- i) If an individual wishes to return to the podium to make additional comments beyond their initial allotment, this may be granted at the discretion of the Chair of the meeting.*

j) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct and Policy that is deemed to disturb, disrupt or impede the orderly conduct of the meeting will result in an individual's loss of privilege to continue participating in the proceedings, removal from the meeting and/or possible arrest.

Adopted January 12, 2016

4d. Time Warner Broadband Initiative – Knox is excluded from the initiative because we are already in a contract with Time Warner. Supervisor Lefkaditis is working with Time Warner as well as the Town of Berne to see if there is a way to bring more service to some of the roads in town.

Planning Board Chairman Robert Price offered that perhaps the Time Warner maps could be overlaid on the Town map to get a clearer idea of who is not covered currently. Supervisor Lefkaditis asked that the Planning Board work on putting together this map for submission to Time Warner.

NEW BUSINESS:

Senior Services: Charlotte Fuss listed the active programs currently being held for seniors including the meal program, shopping bus, senior day care, diet club, legal aid, HEAP, flu shot workshop, and farmers market vouchers. Moving forward Charlotte would like to see a monthly senior social or craft club; bus trips with the youth council and a senior picnic in the summer. She is working on tax services for seniors being available at the Town Hall, but is still looking for a volunteer for that. Charlotte thanked Travis Stevens and Albany County for the \$300.00 voucher for the senior bus as well as the NYS Senior Action Council for the \$200.00 voucher and the Albany County Department of Aging for their support and ideas.

Youth Council: Maryellen Gillis spoke about the energetic and productive so far that have created the Missions statement, core beliefs and draft by-laws that need review and input at this point. Maryellen recommended that a secretary/treasurer be established for the group going forward. A code of conduct policy for behavior at events is being worked on as well. Maryellen reviewed the proposed calendar of events for 2016:

- January 30th (February 6th – Alternative Date) – Winterfest, co-sponsored with Berne Youth Council, as well as a March tubing event and April skating event.
- Memorial Day – complimentary activities
- June – Great Knox Camp Out with lots of family activities in the town park
- July - Knox Summer Program, working with Berne to offer program the week before or after their program.
- August 20th – Knox Summerfest
- September-October – Youth Soccer Program
- October – Halloween “Trunk or Treat” event

Maryellen would like to establish a Knox Playground Improvement Plan Committee to act as a “think-tank” of ideas to revitalize the park with a multi-age, multi-purpose area with programs. Grants, donations and support will need to be researched.

Town Attorney Dorfman stated that he will review the bylaws and report back to be added to a future agenda.

Planning Board: Robert Price discussed the need to fill the open positions on the board to continue to conduct business. The Town Board discussed the process of reviewing candidates and decided to schedule a special meeting to be held on Thursday, February 4th from 6:30pm-8:30pm for the purpose of reviewing candidates for the open positions of the Knox Planning Board and Zoning Board of Appeals.

Solid Waste Management: Councilman Kuck and Councilwoman Pokorny attended a Solid Waste Management meeting to address the crumbling process of recycling electronic waste. They stated that other municipalities are passing temporary moratoriums on e-waste recycling until a new vendor can be found to take this kind of waste. Currently Maven Technologies was providing this recycling service for Knox but have stopped this service. Working with the Town of Bethlehem Recycling Program Director a joint RFP has been sent out for a recycling vendor. In the meantime a temporary moratorium should be considered until the RFP comes in.

Supervisor Lefkaditis state that this needs to be a priority and that flyers need to be distributed immediately as well as info put out on the website to get the word out about the temporary moratorium.

Councilwoman Pokorny requested that a resolution be passed to make changes for responsible recycling and presented the following resolution:

A RESOLUTION SUBMITTED BY The Town of Knox

Re: SUPPORT OF LEGISLATION TO AMEND THE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT

WHEREAS, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) were to assist local governments with managing the fast growing end-of-life electronics waste stream by relying on electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs, and;

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but unfortunately the collection infrastructure is rapidly shrinking as governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs), and;

WHEREAS, the consequence, specifically following the January 2015 Statewide Electronics Disposal Ban, is significant as a growing number of municipalities such as the Town of Knox are faced with bearing more of the financial responsibility for continued e-scrap collection in their communities, and;

WHEREAS, the Act requires and the state relies on electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state, and; WHEREAS, once manufacturers meet their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their programs, thus shifting management costs to unsuspecting and cash strapped local governments, and; WHEREAS, the issue is exacerbated by the fact that electronics currently sold today are much lighter than the obsolete CRT devices that make up about 70% of the weight of e-scrap generated, which are very cost intensive to reasonably manage. As a result, many local governments across the state have grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities such as the Town of Knox that do not benefit from retail collectors or economies of scale. NOW, THEREFORE BE IT RESOLVED, the Town of Knox urges the NYSDEC and policy makers to adopt the following Proposed Statutory Changes to the Act to provide for year round, convenient, no-cost collection of electronics, consistent with the Act's original legislative intent, and thereby stabilize and improve New York's electronics recycling system.

1. Strengthen the Performance Goals

- 1.1 Eliminate Business-to-Business material from the performance standard formula.
- 1.2 Direct the Department of Environmental Conservation (DEC) to set performance requirements based on two years prior data to the subject year.

2. Strengthen the Convenience Standards

- 2.1 Clarify that manufacturers are required to provide year-round, consistent support for collection sites included in their plans, regardless of whether their performance target has been met.
- 2.2 Clarify that the convenience requirements for a geographic area shall be considered achieved if one manufacturer provides year-round support for collection that meets the requirements, provided that the collection site does not charge consumers a fee, or limit types of incoming e-scrap without providing other free collection accommodations for any e-scrap for which limitations are imposed.
- 2.3 Establish in any county of 60,000 people or less, five (5) collection events per year can be considered to meet the convenience requirements.
- 2.4 Set a standard for items that weigh greater than 20 pounds that mail back programs alone do not constitute convenient collection from consumers.
- 2.5 Clarify that manufacturers are required to report to DEC when collection sites included in their electronic waste acceptance program (as provided in annual reports) cease collections or begin to charge for any CED as "material changes" to their programs.

3. Strengthen the Obligation to Provide Free Collection

- 3.1 Include provisions prohibiting manufacturers or their representatives from charging municipalities for e-scrap management.
- 3.2 Allow recyclers to petition DEC for mediation/arbitration if manufacturers do not cover the full cost of recycling.

4. Strengthen Public Outreach and Reporting Requirements

- 4.1 Delineate clear responsibilities for outreach and education including that manufacturers be required to implement outreach and educational programs, in collaboration with their collection partners, and in cooperation with the DEC; such programs should be submitted to DEC for approval as a part of the annual reporting process.
- 4.2 Require that manufacturer annual reports provide the same information from out-of-state recyclers managing materials collected in New York as required from in-state recyclers.
- 4.3 Require e-scrap recyclers operating in the state to obtain third party certifications.

and;

BE IT FURTHER RESOLVED, that a copy of this Resolution and a letter signed by the Supervisor of the Town of Knox be sent to Senator George Amedore, Assemblymember Angelo Santabarbara, Governor Andrew Cuomo and NYSDEC Acting Commissioner Basil Seggos.

RESOLUTION # 21-2016 –TO ACCEPT RESPONSIBLE RECYLING RESOLUTION AS PRESENTED.

On motion of Councilwoman Pokorny, seconded by Councilman Barcomb, the following resolution was ADOPTED AYES 5 NAYS 0
RESOLVED to accept the Responsible Recycling Resolution as presented.

RESOLUTION # 22-2016 –TO IMMEDIATELY ENACT TEMPORARY MORATORIUM ON ACCEPTING E-WASTE EFFECTIVE CLOSE OF BUSINESS ON SATURDAY, JANUARY 16, 2016.

On motion of Councilman Barber, seconded by Supervisor Lefkaditis, the following resolution was ADOPTED AYES 5 NAYS 0
RESOLVED to immediately enact a temporary moratorium on accepting e-waste effective close of business on Saturday, January 16, 2016.

Interoffice Emails: Supervisor Lefkaditis explained that the current system of emails needs to be changed and asked for permission to look into updating this system along with Town Clerk Murphy.

Office Supplies: Town Clerk Murphy will be establishing an account with W.B. Mason to buy supplies on State Contract. An ordering system will be established and Town Clerk Murphy will be the point of contact for supply orders.

Office Descriptions: Councilwoman Pokorny is working on creating office descriptions and FAQs for each department to be published on the website to help inform residents of what everyone does.

Electronic Sign: Supervisor Lefkaditis is in preliminary talks with the Fire Department to share a new electronic sign to be used by both the town and fire department to notify residents of upcoming events and important information. Lefkaditis will be looking for funding for county and state officials to cover to cost of the sign.

Disposition of Equipment: Supervisor Lefkaditis was looking for permission to dispose of old telephone equipment that has been stored in the mechanical room.

RESOLUTION # 23-2016 – PERMISSION FOR SUPERVISOR LEFKADITIS TO DISPOSE OF OLD TELEPHONE EQUIPMENT FROM TOWN HALL.

On motion of Supervisor Lefkaditis, seconded by Councilman Barber, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to give permission to Supervisor Lefkaditis to dispose of old telephone equipment from Town Hall.

RESOLUTION #24-2016 – TOWN BOARD TO ACCEPT THE TRAILER COURT APPLICATIONS FOR KNOXVILLE PARK

On motion of Councilman Barber, seconded by Councilman Kuck, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to accept the Trailer Court Applications for 2016 for Knoxville Park.

RESOLUTION #25-2016 – PERMISSION FOR SUPERVISOR LEFKADITIS TO INSTALL HOOKS IN CEILING OF LARGE MEETING ROOM TO HANG SCREEN AND PROJECT BOARD AGENDA DURING MONTHLY BOARD MEETINGS.

On motion of Councilman Barcomb, seconded by Supervisor Lefkaditis, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to give permission to Supervisor Lefkaditis to install hooks in ceiling of large meeting room to hang screen and project board agenda during monthly board meetings.

RESOLUTION # 26-2016 - PAYMENT OF BILLS

On motion of Councilwoman Pokorny, seconded by Councilman Barber, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED that the Bills be paid on General Abstract #13 of the General Fund, covering claims #427-439 & 457-458 and of the Highway Fund, covering claims #440-456 for the year 2015 and on General Abstract #001 of the General Fund, covering claim #1-5 & 7 and of the Highway Fund, covering claims #6 for the year 2016.

RESOLUTION # 27-2016 - APPROVAL OF MONTHLY REPORTS

On motion of Councilman Barcomb, seconded by Councilman Kuck, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED that the Reports of the Town Clerk and the Town Supervisor for the Month of December 2015 be approved.

Councilwoman Pokorny read a letter received from National Grid discussing the benefits of converting lighting to LED technology. This could potentially save money for tax payers in the lighting district.

Public Comment:

Kevin Kush – Bell Road: Asked about Public Access Channel 17

Town Clerk Murphy explained that the equipment provided to operate the service has not worked for years and doesn't seem to be a priority for Time Warner to fix it.

Pat Walters: Suggest that a small sign be installed at the Transfer Station for town

announcements as well for those residents who don't drive by the town hall regularly to see the newly installed sign.

With no further business, on a motion of Councilman Barcomb, seconded by Councilwoman Pokorny, the meeting was adjourned before going into Executive Session, not to reconvene, at 10:21 p.m. Carried unanimously.

Respectfully Submitted,
January 26, 2016

Tara L. Murphy