

**Town of Knox
Regular Meeting
July 7, 2015**

PRESENT: Supervisor Hammond
Councilwoman Pokorny
Councilman Viscio
Councilman Decker
Councilman Barber

ALSO: Town Attorney Dorfman
Town Clerk Murphy
Highway Superintendent Salisbury

The meeting was called to order at 7:24 p.m. with the Pledge of Allegiance to the Flag.

Supervisor Hammond announced that he would like to suspend the regular town board meeting to hold the advertised Public Hearing.

RESOLUTION #67-2015 – SUSPEND REGULAR TOWN BOARD MEETING FOR SCHEDULED PUBLIC HEARING

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

RESOLVED to suspend the regular Town Board meeting for the scheduled Public Hearing.

Supervisor Hammond explained the purpose of holding the Public Hearing as part of the process of requesting a town-wide speed limit of 35 miles per hour, unless otherwise posted.

Town Attorney Dorfman proceeded to explain the process starting with the Public Hearing. Then the Town of Knox must make a request to the Superintendent of Highways of the County of Albany with a final request being sent to the NYS DOT for final decision. Other towns are not required to go through this process, however due to the smaller size of the Town of Knox we are required to follow these steps.

Councilman Viscio stated that there are some concerns of what effect a speed limit reduction will have on weight limits and reassured residents that this is strictly about speed on town roads not implementing weight limits.

Supervisor Hammond opened the floor for public comment:

Resident Sue Schanz stated that she heard about the public hearing, she does not subscribe to paper so did not see it there. Her concern is that this speed limit proposal will lead to a proposed weight limit as well.

Town Attorney Dorfman replied that a weight limit can be applied at any time and is not related to the speed limit.

Sue Schanz continued that a weight limit would affect all farmers in town as well as snowplows and school buses and asked if he was positive that they are not related.

Attorney Dorfman replied that it is an independent process that the town has to go through to set speed and weight limit.

Sue Schanz continued that she was surprised to see a weight limit posted on Seabury Road as well as a new 35 MPH sign on Street Road.

Attorney Dorfman responded that the same reason she has come forward with concerns; others have come forward and expressed concerns about speed and damage to roads, etc. The town has actually applied for speed reductions on individual roads in the past and have been denied by NYSDOT. Bottom line, the two issues (speed and weight) are not related.

Councilman Viscio reminded residents that this is a Public Hearing to discuss a town wide speed limit because of concerns from citizens and that this is a part of the request process to NYSDOT; some go through, some do not.

Resident (name not given) asked if the process is the same for increasing the speed limit, claiming that the speed limit used to be 35mph on their road and is now 45mph.

Hwy Superintendent Salisbury responded that if the speed was changed it was done by the State, not the Town.

Residents Karen & Peter Polukort suggested that rather than a blanket speed limit, perhaps the town should evaluate each road separately. Adding that they opposed the town wide speed limit and believe it would lead to a Knox police force that would cost tax payers more money. Suggesting instead that roads no longer be paved and turned back into dirt or gravel roads, or turn roads into one lane roads.

Residents Rebecca and Robert Stock commented that the problem is people are traveling a 60mph cutting farmers off driving tractors around...no common sense anymore.

Resident Duane Quinn of Seabury Road explained that his family has had 2 accidents on Seabury Road because of commercial traffic traveling too fast for the town road. Against blanket speed limit but in favor of 35mph speed limit on Seabury Road.

Resident June Spring added that cars fly through the stop sign at the bottom of Seabury Road and asked if a Stop-Gate could be placed there forcing people to stop. It's the driver that is the problem.

Resident and Dairy Farmer, Paul Keppler commented that his milk trucks go up and down Seabury Road and that if the tractor trailers can't get in to get milk delivery then he's out of business.

Hwy Superintendent Salisbury responded that weight limits can't stop Agriculture, we can't tell you that you can't do your local business.

Paul Keppler responded that he doesn't care about the speed limit his concern is over weight limits,

no roads should have it and he doesn't want to see it on any roads.

Resident Vasilios Lefkaditis commented that local delivery only applies to the road that it is on.

Resident Inez Keppler responded that speed limits are a waste of money.

Resident Earl Barcomb commented that he agrees on the weight limit issue but as a farmer with barns on one side of property and his house on the other he is in favor of a lower speed limit. 55mph past his house right now is crazy and the roads are kept in such great shape that it isn't difficult for residents to travel at these faster speeds.

Paul Keppler asked if the town board could guarantee no weight limits would be imposed on town roads.

Supervisor Hammond responded that there is no guarantee; they don't want to impose a weight limit unless it is absolutely necessary.

Attorney Dorfman referenced the recent temporary weight limit on Seabury Road explaining that Hwy Superintendent Salisbury is the most knowledgeable about this and that it was his suggestion/recommendation by due to damage to the road.

Supervisor Hammond added that he and Salisbury have a good working relationship involving regular conversations about roadway concerns and needs. No one acts independently here it is always discussed.

Hwy Superintendent Salisbury stated that the town has a fortune invested in the paved roads in town, so there is more to lose with paved roads. Damage is more expensive than maintenance on gravel or dirt roads so it is important to preserve the roads that have been paved to prevent expensive repairs.

Supervisor Hammond commented that the Board must act in a prudent fashion as well as drivers need to act in a prudent fashion and drive safely. He thanked all who came to comment and reviewed what would be covered in the regular meeting.

Resident Travis Stevens asked if a town employee was going around town taking photos of property, and if so residents should be notified of this.

Supervisor Hammond responded that the Town Data Collector is required by NYS to have photos of properties and so is going around taking photos.

Senior Coordinator Charlotte Fuss announced that she received farm vouchers to be used by Seniors 60+ years old to be used at local farmers markets.

Supervisor Hammond and the Board thanked Charlotte for all of her hard work for the Seniors in Knox.

RESOLUTION #68-2015 – RETURN TO REGULAR TOWN BOARD MEETING

On motion of Councilman Decker, seconded by Councilman Barber, the following resolution was ADOPTED AYES 5 NAYS 0
RESOLVED to return to the regular Town Board meeting.

Councilman Viscio reviewed that two new positions were established by the board; 1. Senior Coordinator – Charlotte Fuss, and 2. Youth Services Coordinator. The board has reviewed applications that were received and have decided to appoint Maryellen Gillis as the new Knox Youth Services Coordinator. Maryellen has made her career in youth services as an Elementary Education Administrator in Schoharie in addition to her time teaching at BKW.

RESOLUTION #69-2015 – APPOINT MARYELLEN GILLIS AS YOUTH SERVICES COORDINATOR FOR THE TOWN OF KNOX

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

RESOLVED to appoint Maryellen Gillis a Youth Services Coordinator for the Town of Knox.

Councilwoman Pokorny reviewed a sample resolution and discussed the DEC's Climate Smart Community program. Climate Smart Communities is a network of New York communities engaged in reducing greenhouse gas emissions and improving climate resilience. The program is free and would not have cost the town any money. Councilwoman Pokorny believes this would be an appropriate program for the town to be involved in because of interest in solar and it's potential to help with that process. The benefits of the program would be the increase energy independence and show leadership in green energy.

Councilwoman Pokorny read the following sample resolution:

WHEREAS, the Town of Knox (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Town of Knox, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

1. Pledge to be a Climate Smart Community.
2. Set goals, inventory emissions, plan for climate action.
3. Decrease community energy use.
4. Increase community use of renewable energy.
5. Realize benefits of recycling and other climate-smart solid waste management practices.
6. Reduce greenhouse gas emissions through use of climate-smart land-use tools.
7. Enhance community resilience and prepare for the effects of climate change.
8. Support development of a green innovation economy.
9. Inform and inspire the public.
10. Commit to an evolving process of climate action.

The board discussed the proposed program with some reservations and decided it would be best to forward this information to the CAC for review and give them an opportunity for comment.

Councilwoman Pokorny discussed the Comprehensive Plan Update and explained that it is at a point to schedule a meeting to review what has been put together and clean up what will be handed over to Nan Stolzenburg for further review.

The board scheduled two meetings to clean up and make presentable for review. Supervisor Hammond suggested 2 weeks out to review

Vasilios Lefkaditis asked if this meeting would be open to the Comp Plan group for review of the 1st draft and asked who would be putting this draft together.

Councilwoman Pokorny explained that it was the Comp Plan group meetings that brought all of this information together. Everyone who participated in the workshops will be notified of the next review meeting date and will be sent a draft of the material to be reviewed. The Town Board will then review that data and prepare a second draft for further review. The board discussed setting the first meeting for August 4th at 7pm. Due to scheduling conflicts, that date was changed to August 10.

Supervisor Hammond discussed the need to advertise for Transfer Station Attendant.

RESOLUTION #70-2015 – AUTHORIZE TOWN CLERK TO ADVERTISE FOR THE POSITION OF TRANSFER STATION ATTENDANT

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

RESOLVED to authorize Town Clerk to advertise for the position of Transfer Station Attendant.

Supervisor Hammond commented that the lines in the parking lot of the Town Hall are very faint and should probably be re-done. Hwy Superintendent Salisbury commented that the cracks could be repaired first with a seal.

Councilman Barber stated that the Historical Society would like to use archival boxes that are down in the Records room as well as hang a plastic rack for more information to be hung up in the Town Hall along with the historical displays.

Supervisor Hammond said both sound fine.

RESOLUTION #71-2015 – ENTER INTO EXECUTIVE SESSION AT 8:51PM

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

RESOLVED to enter into Executive Session at 8:51pm to discuss personnel issues.

RESOLUTION #72-2015 – RETURN TO GENERAL SESSION AT 9:48PM

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

RESOLVED to return to general session at 9:48pm

RESOLUTION # 73-2015 - PAYMENT OF BILLS

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

RESOLVED that the Bills be paid on General Abstract #007 of the General Fund, covering claims #173-192 + 209 in the amount of \$30,329.57 and of the Highway Fund, covering claims #193-208 in the amount of \$88,308.93 for the year 2015.

RESOLUTION # 74-2015 - APPROVAL OF MONTHLY REPORTS

On motion of Councilman Barber, seconded by Councilwoman Pokorny, 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 June 2015 be approved.

RESOLUTION # 75-2015 - APPROVAL OF MINUTES

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

RESOLVED that the minutes of the June 2015 meeting be approved.

Supervisor Hammond stated that the Public Hearing was completed and recommended to the Board that they continue the process and send the request to NYSDOT for review and see what they come back with.

Read Resolution into record:

ORDINANCE DIRECTING THE KNOX TOWN SUPERVISOR PURSUANT TO VEHICLE AND TRAFFIC LAW SECTION 1622 TO DELIVER THIS ORDINANCE TO THE SUPERINTENDENT OF HIGHWAYS OF THE COUNTY OF ALBANY FOR PURPOSES OF ESTABLISHING A KNOX TOWN SPEED LIMIT OF 35 MILES PER HOUR ON ALL KNOX TOWN ROADS

WHEREAS, The Town Clerk of the Town of Knox caused to publish a Notice of Public Hearing relative to a proposed ordinance setting a Knox Town Speed limit of 35 Miles Per Hour on all Town roads pursuant to Section 130 of the Town Law of the State of New York and Vehicle and Traffic Law section 1622; and

WHEREAS, A public hearing was held on July 14, 2015 at 7:30 p.m. at which time Knox residents and other interested persons provided comments and recommendations; and WHEREAS, that following said public hearing, the Knox Town Board having given this matter due consideration; and

WHEREAS, pursuant to Vehicle and Traffic Law section 1622 the County of Albany Superintendent of Highways must present a request to the New York State Department of Transportation to set a maximum speed limit on Town Roads, including the Town roads of the Town of Knox,

NOW THEREFORE BE IT RESOLVED, that the Town of Knox. By this Ordinance, hereby directs the Knox Town Supervisor pursuant to Vehicle and Traffic Law section 1622 and pursuant to Section 130 of the Town Law of the State of New York to deliver this ordinance to the Superintendent of Highways of the County of Albany for purposes of establishing a Knox Town Speed Limit of 35 miles per hour on all Knox Town Roads.

RESOLUTION # 76-2015 – ORDINANCE DIRECTING THE KNOX TOWN SUPERVISOR PURSUANT TO VEHICLE AND TRAFFIC LAW SECTION 1622 TO DELIVER THIS ORDINANCE TO THE SUPERINTENDENT OF HIGHWAYS OF THE COUNTY OF ALBANY FOR PURPOSES OF ESTABLISHING A KNOX TOWN SPEED LIMIT OF 35 MILES PER HOUR ON ALL KNOX TOWN ROADS.

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

RESOLVED that ordinance be delivered to the Superintendent of Highways of the County of Albany for purposes of establishing a Knox town speed limit of 35 miles per hour on all Knox town roads.

With no further business, on a motion of Councilman Viscio, seconded by Councilwoman Pokorny, the meeting was adjourned at 10:12p.m. Carried unanimously.

Respectfully Submitted,
July 28, 2015

Tara Murphy