



Knox Town Board Minutes

October 8, 2019

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The meeting was called to order at 7:04 pm by Supervisor Lefkaditis followed by the Pledge of Allegiance.

Present on this date:

- Supervisor Lefkaditis
- Councilman Barber
- Councilman Barcomb
- Councilman Pritchard
- Councilman Saddlemire
- Town Clerk Traci Schanz
- Highway Superintendent Matthew Schanz
- Attorney Javid Afzali

RESOLUTION 146-2019 - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to suspend the public meeting of October 8, 2019 to reconvene the public hearing on proposed local law 3 of 2019 regarding the proposed MRD district near the intersection of 156/157. The motion carried unanimously.

RESOLVED: to suspend the public meeting of October 8, 2019 to reconvene the public hearing on proposed local law 3 of 2019 regarding proposed MRD district near the intersection of 156/157.

MRD PUBLIC HEARING COMMENTS

B. McAuliffe – began to question Attorney Afzali regarding last month's meeting and was asked by Supervisor Lefkaditis to keep her comments to the MRD only and the MRD would be addressed today.

RESOLUTION 147-2019 - A motion was made by Councilman Saddlemire seconded by Councilman Barcomb to suspend the public hearing on the proposed Local Law 3 of 2019 and reconvene the public meeting of October 8, 2019.

RESOLVED: to suspend the public hearing on the proposed Local Law 3 of 2019 and reconvene the public meeting of October 8, 2019.

RESOLUTION 148-2019 - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to close the public hearing on the proposed Local Law 3 of 2019 and reconvene the public meeting of October 8, 2019.

RESOLVED: to close the public hearing on the proposed Local Law 3 of 2019 and reconvene the public meeting of October 8, 2019.

RESOLUTION 149-2019 - A motion was made by Councilman Pritchard seconded by Councilman Barber to open the public hearing on Hog Farming. This motion carried unanimously.

RESOLVED: to open the public hearing on Hog Farming.

Gary Kleppel, chair of the Agricultural Advisory Committee, presented a slide show created by the Agricultural Advisory Committee regarding agriculture in the Town of Knox. He also read a prepared statement to the Board in support of the amendment to the Zoning Law. The written form of the presentation is attached at the end of these minutes.

HOG FARMING PUBLIC HEARING COMMENTS

B. Price – would like a fence regulation put into the zoning, to be 20’ from the edge of the road when it pertains to a new installation, not for existing fences.

B. McAulliffe – asked if participation in the AAC is mandatory for anyone in town. The answer is no. She then asked how does the town ensure the established history of taking care of their animals, land and neighbors? She also reiterated a question from a previous meeting regarding using the knowledge of residents and Board members to help establish proper land use and feeding of animals.

J. Rockwood – stated he is a member of the AAC and moved here about a year and a half ago and approximately 6 months ago found out he was raising hogs illegally, albeit without complaints from neighbors. He stated there are many different ways to raise animals, and many guidelines provided by the County, State and Federal government, and doesn’t feel the Town has anything to worry about because of the guidelines already established. He currently farms approximately 400-500 acres and sees 6-7 customers at the Board meeting this evening.

B. McAulliffe – she appreciates Josh’s statements, but they are not specific to what any specific area can manage, comparing acreage between Knox, Bethlehem or Western Cattaraugus county. She feels it’s important to note that she is saying we should be sharing our expertise for what we already know this area and this land can support.

Councilman Saddlemire – it’s important to know that each situation is different, and one guideline will not fit all situations. He stated there is not one rule that fits all. The committee spoke about resources available to residents/farmers from USDA, DEC, The Farm Service Agency and Cornell Cooperative Extensive, as well as incentives to be involved with programs which allows his access to information and services provided by agencies such as grants for funding for fencing, water management practices, field management, strip and contour farming. There is much more available if guidelines are followed. He states the committee is not regulatory, but advisory, so it is not within the realm of their responsibility to create regulations.

G. Kleppel – stated someone was at his farm to check into his farm and started to work with him on a grazing plan, and if he meets their guidelines, he will have access to funding to do things on his farm. Each farm is looked at individually and not one size fits all. The committee is putting together guidelines for farmers to guide them to applicable programs to allow agencies to come in and look at our farms and in return help farmers with management plans.

RESOLUTION 150-2019 - A motion was made by Councilman Barber seconded by Supervisor Lefkaditis to suspend the public hearing on Local Law 4, Hog Farming and reconvene the public meeting of October 8, 2019. This motion carried unanimously.

RESOLVED: to suspend the public hearing on Local Law 4, Hog Farming and reconvene the public meeting of October 8, 2019.

A discussion and review of the tentative budget for 2020 was held. Later in the evening a budget workshop will be scheduled, and the budget will be discussed in more detail.

Presentations:

Youth Council- Dennis Cyr asked about the installation of the ice-skating rink for Winterfest. Supervisor Lefkaditis stated Highway Superintendent Schanz had a good idea and asked him to explain. Mr. Schanz explained they could flood the basketball court by framing it with 2x4's, parking already exists, and the fire company has approved the donation of water. The town will try this for this year, and if it seems to be a big attraction, they will then consider something more permanent.

Minute Approvals:

RESOLUTION 151-2019 - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to approve the minutes from the September 10, 2019 meeting. The motion carried unanimously.

RESOLVED: to approve the minutes from September 10, 2019 meeting.

Highway / Transfer Station:

Highway Superintendent Matthew Schanz asked the Board to pay Milton Cat for the new grader. He also stated the town needs a new pressure washer. The town has not had one for approximately a year and a half. He provided the Board with 2 quotes for 2 different models, each with a one-year warranty.

RESOLUTION 152-2019 - A motion was made by Councilman Saddlemire seconded by Councilman Barber to authorize the Supervisor to pay Milton Cat in the amount of \$238,000.00 for the new grader. The motion carried unanimously.

RESOLVED: to authorize the Supervisor to pay Milton Cat in the amount of \$238,000.00 for the new grader.

RESOLUTION 153-2019 - A motion was made by Councilman Saddlemire seconded by Councilman Barber to authorize the purchase of a pressure washer from VanBuren in the amount of \$3400.00 The motion carried unanimously.

RESOLVED: to authorize the purchase of a pressure washer from VanBuren in the amount of \$3,400.00

Old Business:

RFP/Walking path update – Supervisor Lefkaditis stated the paving was completed at the Transfer Station as a joint effort between the highway employees and the contractor completing the paving. Supervisor Lefkaditis asked Attorney Afzali if the same thing could be done in the park for the walking path since no RFP's were submitted. Attorney Afzali stated the policy for procurement should be followed. Three proposals must be received.

CCA Agreement - The Board agrees there is no harm in moving forward, it is non-binding. They will move forward and re-visit it as the proposals and bids come in from the managers.

RESOLUTION 154-2019 - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to authorize the Supervisor to execute the CCA agreement with MEGA. The motion carried unanimously.

RESOLVED: to authorize the Supervisor to execute the CCA agreement with MEGA.

Camera update- Joan Adriance spoke with her IT guy at work and stated that you cannot have a camera with a split the screen all at one time. A web cam is suggested to record the meetings.

Parking lot striping – Councilman Barber has not been able to get in contact with Hannan's. He stated he has call 4 times and no one has returned his call.

New Business:

A budget workshop meeting will be scheduled via email amongst the Board and when it is decided upon, the date will be posted on the website.

Supervisor Lefkaditis has been working with local legislators Chris Smith and Travis Stevens. He stated they are a pleasure to work with as they are only a phone call or text away and they both were very helpful. The intersection between Knox Cave Road and Pleasant Valley Road now has “stop ahead” on the road and additional stop signs.

The Supervisor reports that the basement in the town hall remains dry after the damming was completed last month.

A discussion was held regarding hog farming. The next steps involve completing SEQR documentation, preparing a submission to the Albany County Planning Board, give them the appropriate amount of days to provide a recommendation, schedule a final public hearing and vote on local law. Notice to adjoining towns must also be given to the clerks of the neighboring towns. Part I will be done by Gary Kleppel, and the Board will complete Part II.

Part II of the SEQR for Home Occupation was completed this evening by the Board.

RESOLUTION 155-2019 - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis that the Town Board issue a negative declaration on the proposed amendments to the Zoning Ordinance regarding Home Occupation. The motion carried unanimously.

RESOLVED: that the Town Board issue a negative declaration on the proposed amendments to the Zoning Ordinance regarding Home Occupation.

Before the vote took place on Local Law 3, Attorney Afzali clarified that the law number will be assigned once it is passed. The numbers were assigned only to keep continuity throughout the monthly agendas.

Public Comment MRD

Supervisor Lefkaditis suggested the Board start with concerns regarding the MRD.

Mrs. McAuliffe voiced her concerns that this has been going on for a while now and would just like the vote to take place.

Councilman Saddlemire made a statement regarding businesses affecting the quality of life of residents in the Town. He listed several businesses in town including the Mountain Woodshop, Mae's Greenhouse, Armstrong Lumber, The Highlands, Township Tavern, Foxenkill, The Knox Market, The Octagon Barn, Altamont Sprayweld, Mikel's or Pritchard Enterprises, Stevens or Long Oil, Cornerstone Heating, Groomingtales, Flower Alley, Trainers Bait Shop, Vogel Disposal, MPR, Roberts Excavating, Pullium Sawmill, VanEtten Farms, Cloud Nine, Wolfe's Christmas Tree Farm, West Wind Farm, Malachi Farms, Longfield Farm. He stated these are all businesses within the town, and he does not see how they are any detriment to the town. He has been in favor of the business district in this area, and sates that the traffic and geology concerned him but thought it could be worked out by the Board. After a few meetings on this topic he realized some alliances has been made, lines had been drawn and any chance to negotiate and come to a solution in this area had vanished. The Board, he feels, extended an olive branch to change the Zoning to an MRD and allowing residents to remove their property. He stated, during all of this there have been innuendos that the Board members had something to gain or there was a monetary incentive, which he finds offensive and is not his intent. The intent of this proposal was to find a solution and work with everybody and hopefully move forward for the future of Knox. Supervisor Lefkaditis stated this was very well said and that Councilman Saddlemire had mentioned many of the points he himself was going to mention.

B. McAuliffe stated she appreciates what Councilman Saddlemire mentioned except she feels no olive branch was extended and had there been it would have been in the form of an explanation of why this area and she was repeatedly told she was owed no explanation. Supervisor Lefkaditis stated this wasn't true and that everything would be addressed the day of the vote and it is being addressed tonight. Councilman Saddlemire stated he did not want a response; he was only stating his feelings on the matter. She sated she did not feel a rezone was necessary and it would affect her property.

Attorney Afzali reminded the Board that the public comment was closed, but Supervisor Lefkaditis said he was willing to listen to a few brief comments.

D. Roether thanked Councilman Saddlemire for pointing out all of the local business we have. He stated this is about local character, community well-being. He would like local teenagers to have more opportunities and to have more opportunities for small businesses to operate. The biggest concern he has heard of has been the environment. There are many layers of protection for this. He stated he is a Board member of the Albany County Industrial Development Agency where they create jobs in Albany county. He stated there are opportunities in Knox, but nothing has taken place here. He believes the MRD can be done. If the vote is no, then he would like to know what the Boards' plan is for the Future of Knox. Councilman Barcomb stated he would like to complete the comprehensive plan and get it going. The last one completed was done in 1995.

Supervisor Lefkaditis stated we have a comprehensive plan, but it is ignored when we talk about hog farming, when we talk about home occupation and is a political convenient excuse. He stated there has been hypocrisy, fear mongering and lies throughout the process. He stated residents are calling for it. He continued to state that there are oversights (site plan review, DEC, DOH, DOT etc.) and Mr. Barcomb has relied on these from time to time. The Supervisor went on to explain two projects he is working on with infrastructure issues. This area in Knox does not lend itself to large business, it only legitimizes the existing business, and gives more opportunity to residents. There are more aggressive uses permitted now than with the MRD. The supervisor visited all business currently located and they are all for it. He provided data from the most recent survey, minutes from Albany County Planning Board referencing this area in our comp plan as a business district, as well as from 2019 where the ACPB was misled by local residents which he believes influenced their decision. He provided many examples of successful businesses sitting on karst topography, asking Mrs. Pokorny for any advice because her Octagon Barn is on karst topography with sometimes up to 90 people. She stated she'd be happy to provide the information she provided the building department when building. He reviewed what is allowed and what isn't allowed in the MRD. He stated the MRD solves a great deal of the environmental concerns or potential concerns that currently exist. It allows our small businesses to grow, the lack of infrastructure is a safety measure. He stated all of the concerns voiced are valid, but they can be mitigated and some just don't make sense. There are many examples of proven track records that when done properly can be successful. The opportunity exists to grow Knox a little bit and he believes we should take the opportunity.

C. Gufstafson-pointed out that the MRD allows for a four-story building and is something that will change our landscape

RESOLUTION 156-2019 - A motion was made by Councilman Barcomb, seconded by Supervisor Lefkaditis to act upon the proposed MRD law of 2019. A roll-call vote was taken. The motion fails.

Supervisor Vasilios Lefkaditis	YEA
Councilman Dennis Barber	NAY
Councilman Earl Barcomb	NAY
Councilman Karl Pritchard	YEA
Councilman Kenneth Saddlemire	YEA

RESOLUTION 157-2019 - A motion was made by Councilman Saddlemire seconded by Councilman Pritchard to accept the Supervisor and the Clerk reports as presented. The motion carried unanimously.

RESOLVED: to accept the Supervisor and the Clerk reports as presented.

RESOLUTION 158-2019 - A motion was made by Councilman Barber seconded by Councilman Pritchard to authorize the Supervisor to pay the bills. The motion carried unanimously.

RESOLVED: to authorize the Supervisor to pay the bills.

Councilman Barber informed the Board that Matt Schanz liked the bus that the town was going to bid on, but the school district has pulled it from the auction to keep for themselves. There is no other option/bus to bid on at this time.

Councilman Barber asked the status of scheduling sexual harassment training. Attorney Afzali will provide dates his office is available to provide the training.

Public Comment

J. Adriance – asked if Board had sent in the Christmas tree form/donation. The clerk said she had sent it to MaryEllen Gillis. She also stated there is a Trunk and Treat at BKW on Halloween night from 6-8pm. She read a statement regarding the solid waste management and construction debris. She informed the Board of an incident that took place at the Transfer Station, involving plaster and lathe being placed into the dumpster by a resident. She would like clarification regarding the sign that reads “No Construction Debris”. Does it matter if its plaster and lathe vs. sheetrock and other construction debris? She stated inconsistent rules and/or definitions places taxpayers at the mercy of the attendant and the attendant at the mercy of whomever is making the rules that day. She would like the board to review the law definition of construction debris and decide if it stands as written or if it may need to be changed. She would like to know if no construction debris means none at all or if a little is accepted. This topic will be placed on the budget workshop agenda taking place in a couple of weeks.

C. Gufstafson – stated she comes to meetings to gain some perspective, stating she has never really been involved in politics before, and believes the Board is doing a great job saving money. She believes the local paper reports the meetings accurately. She stated she was astonished to read that someone demanded that people sit down. She commends people who are brave enough to stand up and speak, including the vocal members of our small town asking about financial reports, issues regarding the MRD and the firing of Transfer Station employees. She wants people to realize that questioning the Board is her right and responsibility as an American citizen and is necessary to make an informed decision when voting. She stated this is a democracy and she will not sit down.

RESOLUTION 159-2019 - A motion was made by Councilman Barcomb seconded by Councilman Barber to adjourn to executive session to discuss personnel, not to reconvene into public. The motion carried unanimously.

RESOLVED: to adjourn to executive session to discuss personnel, not to reconvene into public.

Respectfully submitted,

Traci Schanz

Knox Town Clerk