



# Knox Town Board Minutes

September 10, 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 (arrived 7:09 pm)
- Town Clerk Traci Schanz
- Deputy Highway Superintendent Matthew Schanz

Absent on this date:

- Highway Superintendent Salisbury
- Attorney Javid Afzali

**RESOLUTION 128-2019** - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to suspend the public meeting of September 9, 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 with a 4:0 vote as Councilman Saddlemire had not yet arrived.

**RESOLVED:** to suspend the public meeting of September 9, 2019 to reconvene the public hearing on proposed local law 3 of 2019 regarding proposed MRD district near the intersection of 156/157.

#### **PUBLIC HEARING COMMENTS**

Jim Beeble - asked why an issue of this magnitude could not be put on the ballot for the Knox residents to decide, not just the Board. He stated he would like to list some of the negatives of the zoning change (against recommendation of the Albany County Planning Board, the chance of this affecting Knox and Altamont's water supply, increase in traffic, no monetary gain for BKW school district, no one will give a reason for the zoning change) for these reasons he is against the zoning changes.

B. McAuliffe – question if Board was unprepared to counter statements from the last public hearing. Supervisor Lefkaditis stated we are not.

**RESOLUTION 129-2019** - A motion was made by Councilman Barcomb seconded by Councilman Barber to close public hearing on proposed local law 3 of 2019.

After the motion was made by Councilman Barcomb, there was a brief discussion and clarification made that Councilman Barcomb did indeed want to close the public hearing and have Board members vote. Supervisor

Lefkaditis stated he would like to keep it open until Attorney Afzali returns from Israel on business and could be present. Supervisor Lefkaditis stated he would like to make sure that I's were dotted, and T's crossed. Councilman Barcomb stated he spoke with Attorney Afzali earlier today and stated he was told by Attorney Afzali that he had no concerns with the Board moving forward tonight in his absence. Supervisor Lefkaditis stated he also asked Attorney Afzali if it would be smart to move forward without him present and was advised not to by the Attorney.

Councilman Saddlemire arrived and was brought up to speed regarding the motion on the floor at the time of his arrival. Supervisor Lefkaditis explain that by closing the public meeting the Board could formally vote, and if the meeting was suspended it could be carried into the next month when the town attorney would be present to properly present the Board, and then vote in October. Councilman Barcomb reiterated the conversation he stated he had with the Attorney, who Councilman Barcomb stated he did not advise the Board to hold off on voting.

A roll-call vote was taken:

Councilman Barber -	YEA
Councilman Barcomb -	YEA
Councilman Pritchard -	NAY
Supervisor Lefkaditis -	NAY
Councilman Saddlemire -	NAY

The motion failed with a 3:2 final vote.

**RESOLUTION 130-2019** - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to suspend the public hearing on the proposed Local Law 3 of 2019 and reconvene the public meeting of September 10, 2019. A roll-call vote was taken:

Councilman Barber -	NAY
Councilman Barcomb -	NAY
Councilman Pritchard -	YEA
Supervisor Lefkaditis -	YEA
Councilman Saddlemire -	YEA

**RESOLVED:** to suspend the public hearing on the proposed Local Law 3 of 2019 and reconvene the public meeting of September 10, 2019.

The motion passed with 3:2 final vote.

#### **Presentations:**

Robert Scardamalia – Census Bureau - Mr. Scardamalia provided a presentation regarding the 2020 Census. He stated participation in the Census is mandatory, (people may respond online, by mail or by phone) privacy is protected, and the data collected is available on their website. ([www.census.gov](http://www.census.gov)) The power point he provided to the Board can be found in the Clerk's office.

Knox Youth Council – Swim Program – Molly Tiffany, Sarah Tiffany, Cindy Mosbey and Bill Dergasettis and Anna Lefkaditis (unable to be here this evening) and Colin Thomas (unable to be here this evening) who ran the website portion/registration page. The program was held at Camp Lovejoy, made possible by Maria Santore, and had a successful turnout with all sessions being filled, serving 69 children in total with a diverse curriculum. The program will take place again in 2020 on July 14<sup>th</sup>. The team presented a slide show of the swim camp. Supervisor Lefkaditis thanked the team for spending some of their own monies on the program even though he wanted them to get reimbursed, they refused. Supervisor Lefkadits plans on budgeting money for the program next year. The team received a round of applause from the Board and audience members alike.

Katy Vescio – MEGA (Municipal Electric & Gas Alliance) Ms. Vescio provided a presentation regarding CCA (Community Choice Aggregation). She highlighted seven steps to the program:

1. Choose MEGA or CCA administrator

2. Educate the public
3. Adopt local law to authorize CCA
4. Competitive bid for energy supply
5. Select low-bid supplier and educate the public
6. Citizens can opt-out
7. Savings begin

Copies of the pamphlet provided to Board Members this evening are available at the Clerk's office. Information and questions should be directed to [www.megacca.org](http://www.megacca.org) or 518-533-5399.

Community Room Update – The community room floor is complete and ready for use. The room is booked for a dance for adults with disabilities, and the Robotics Team will be using it every Monday.

Supervisor Lefkaditis thanked Mr. Wiler for the great job he did. Supervisor Lefkaditis will follow up with Ray Hand about providing a community book room.

**Liaison Reports – None**

**Minute Approvals:**

**RESOLUTION 131-2019** - A motion was made by Councilman Pritchard seconded by Councilman Saddlemire to approve the minutes from the August 13, 2019 meeting. The motion carried unanimously.

**RESOLVED:** to approve the minutes from the August 13, 2019 meeting.

**Highway / Transfer Station:**

Highway Superintendent Gary Salisbury has retired as of August 27, 2019, after 32 years of service. Supervisor Lefkaditis stated that the Town would not have moved forward as much as it has in the past several years if Gary had not been here. The communication, cooperation and relationship between Gary and the Board has been excellent. Supervisor Lefkaditis will miss him very much. Matthew Schanz has been the deputy highway superintendent for many years and will continue this role. Supervisor Lefkaditis stated he is easy to work with and very knowledgeable and is excited to work with him in the interim.

**RESOLUTION 132-2019** - A motion was made by Supervisor Lefkaditis seconded by Councilman Saddlemire to increase Mr. Schanz' pay equal to the highway superintendents pay and stipend affective August 28, 2019. The motion carried unanimously.

**RESOLVED:** to increase Mr. Schanz' pay equal to the highway superintendents pay and stipend affective August 28, 2019.

Mr. Schanz reports that a new grader will be delivered next Monday or Tuesday.

**RESOLUTION 133-2019** - A motion was made by Supervisor Lefkaditis seconded by Councilman Saddlemire in the form of a correction to RESOLUTION 132 to increase Mr. Schanz' pay from hourly to salary, equal to the highway superintendents pay and stipend, affective August 28, 2019. The motion carried unanimously.

**RESOLVED:** to increase Mr. Schanz' pay from hourly to salary, equal to the highway superintendents pay and stipend, affective August 28, 2019.

Councilman Barber submitted a Code of Conduct for the transfer station. A brief discussion followed, regarding behavior of town employees, residents and current code of conduct. Excerpts from the Code submitted this evening will be made into a sign and posted at the Transfer Station.

Recycling at the Transfer Station was discussed again, and Mr. Schanz explained where plastics, glass, and cardboard can go, clarifying the process for residents.

**Old Business:**

Walking path update – Supervisor Lefkaditis stated the RFP was put out for the paving of the walking path, and no RFP's were received. Supervisor Lefkaditis stated there are two local contractors who would like to place bids. Attorney Afzali is researching what the process is after you do not receive RFP's.

CC Cameras – no update from Mrs. Adriance. Supervisor Lefkaditis asked if anyone would be willing to take this on or work with her. Councilman Barber suggested asking Mackenzie Hemstead. Supervisor Lefkaditis will follow up with Mackenzie.

Parking lot striping – Hannan's has not gotten back to Councilman Barber regarding the correct pricing for striping and sealing. Councilman Barber will continue to call and see if he can get answers and clarification for sealing and striping prices.

Hog Farming update – Gary Kleppel, AAC Chair, provided advice to the Town Board regarding recommendations for changes to the definition of Swine Farm, as well as changes to the tabulation table, with the overall impact of the changes meaning that hogs will be treated as any other livestock in our town.

**RESOLUTION 134-2019** - A motion was made by Supervisor Lefkaditis seconded by Councilman Barcomb to schedule a public hearing for October 8, 2019 at 7:00 pm, and properly advertise the same, on the proposed amendment presented by the Agricultural Advisory Committee regarding hog farming in the town of Knox. The motion carried unanimously.

**RESOLVED:** to schedule a public hearing for October 8, 2019 at 7:00 pm, and properly advertise the same, on the proposed amendment presented by the Agricultural Advisory Committee regarding hog farming in the town of Knox.

Health Insurance for highway retirees –A brief discussion was held regarding the wording of health insurance for highway employees. Supervisor Lefkaditis spoke with Attorney Afzali and would like it referenced in these minutes that on advice from council, the Highway Superintendent, for the purposes of health insurance retirement is considered an employee.

**New Business:**

Hudson Valley Wireless lease and service agreement – Supervisor Lefkaditis thanked ECS for working out the differences with the Broadband Committee. He thanked committee members Vikki Vattimo, Duane Rockinstyre, and Brian Cole.

**RESOLUTION 135-2019** - A motion was made by Supervisor Lefkaditis seconded by Councilman Barcomb to approve the lease between Hudson Valley Wireless, ECS and the Town of Knox, the first amendment to the site manager agreement between the Town of Knox and ECS and the subscription agreement between Hudson Valley Wireless and the Town of Knox, pending attorney review. The motion carried unanimously.

**RESOLVED:** to approve the lease between Hudson Valley Wireless, ECS and the Town of Knox, the first amendment to the site manager agreement between the Town of Knox and ECS and the subscription agreement between Hudson Valley Wireless and the Town of Knox, pending attorney review.

Intersection at Pleasant Valley and Knox Cave Roads – efforts have been put in motion to improve the intersection.

**RESOLUTION 136-2019** - A motion was made by Councilman Barber, seconded by Councilman Barcomb to petition the county through our two legislators, to review and offer suggestions to increase safety at the intersection of Pleasant Valley Road and Knox Cave Road. The motion carried unanimously.

**RESOLVED:** to petition the county through our two legislators, to review and offer suggestions to increase safety at the intersection of Pleasant Valley Road and Knox Cave Road.

**RESOLUTION 137-2019** - A motion was made by Councilman Barcomb seconded by Councilman Barber regarding home rule and reads as follows:

**Resolution of the Town of Knox in Support of Home Rule over Town Wide Speed Limits**

**WHEREAS,** at a properly advertised and dually authorized meeting of the Knox Town board held on September 10, 2019 at 7:00 PM at the Knox Town Hall,, a discussion took place amongst the Town Board Members and residents regarding the desire for the Knox Town Board to ascertain home rule over setting speed limits on town roads within the Town of Knox; and

**WHEREAS,** the Board held open discussions regarding notifying local elected officials, specifically Senator George Amedore and Assemblyman Angelo Santabarbara, of the Board final resolution on the aforementioned discussion;

**NOW, THEREFORE LET IT BE RESOLVED,** that the Town of Knox request the support of Senator Amedore and Assemblyman Santabarbara in pursuing a law that would “grant home rule over speed limits on town roads within the Town of Knox”

**Motion Made by:** Councilman Barcomb

**Seconded by:** Councilman Barber

**Councilman/Supervisor:**

**Supervisor Vasilios Lefkaditis**

**Councilman Dennis Barber**

**Councilman Earl Barcomb**

**Councilman Karl Pritchard**

**Councilman Kenneth Saddlemire**

**Vote:**

**NAY**

**YEA**

**YEA**

**YEA**

**YEA**

The vote passed 4:1 with Supervisor Lefkaditis voting NAY.

**RESOLVED:** that the Town of Knox request the support of Senator Amedore and Assemblyman Santabarbara in pursuing a law that would “grant home rule over speed limits on town roads within the Town of Knox”

Volunteer appreciation pic-nic - Scheduled for October 19, 2019 from 11:00-1:00

Water in basement – Highway department added a berm to help run water away from the building, and there is a gutter that needs to be repaired to deflect the water

Act on proposed local law 3 of 2019 – this will take place in October, and Supervisor Lefkaditis will ask that someone stand in for Attorney Afzali (if he is unable to make the meeting) so the vote can take place.

**RESOLUTION 138-2019** - A motion was made by Councilman Pritchard, seconded by Supervisor Lefkaditis, to accept the resignation of Highway Superintendent Gary Salisbury in the form of retirement and with regret, effective August 27, 2019. The motion carried unanimously.

**RESOLVED:** to accept the resignation of Highway Superintendent Gary Salisbury in the form of retirement and with regret, effective August 27, 2019.

**RESOLUTION 139-2019** - A motion was made by Supervisor Lefkaditis, seconded by Councilman Pritchard, to appoint Matthew Schanz as Deputy Supervisor. The motion carried unanimously.

**RESOLVED:** to appoint Matthew Schanz as Deputy Supervisor.

**Finance:**

**RESOLUTION 140-2019** - A motion was made by Councilman Saddlemire seconded by Supervisor Lefkaditis to make the Bond payment of \$83,520.00. The motion carried unanimously.

**RESOLVED:** to make the Bond payment of \$83,520.00.

**RESOLUTION 141-2019** - A motion was made by Councilman Barber seconded by Councilman Barcomb to authorize expenditure not to exceed \$500.00 for mandatory Building and Zoning Administrator training for Richard Loucks. The motion carried unanimously.

**RESOLVED:** to authorize expenditure not to exceed \$500.00 for mandatory Building and Zoning training for Richard Loucks.

**RESOLUTION 142-2019** - A motion was made by Councilman Barcomb 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 143-2019** - A motion was made by Councilman Barber seconded by Councilman Barcomb 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 Guilderland CSD is accepting bids soon for buses and would like to know if the board is interested in placing a bid to try and get a bus to replace the senior van.

**RESOLUTION 144-2019** - A motion was made by Supervisor Lefkaditis seconded by Councilman Barcomb to authorize up to \$1000.00 be spent on a senior van, good until September 19<sup>th</sup>. The motion carried unanimously.

**RESOLVED:** to authorize up to \$1000.00 be spent on a senior van, good until September 19<sup>th</sup>.

**Public Comment**

B.McAuliffe – thanked the Board for reinstating Dick and Joe at the Transfer Station and is sorry Mark was not reinstated.

- Stated she has not forgotten to email the Supervisor her previous questions and will send it soon.

A.Pokorny – inquired about the mailing of the newsletter, stating she has not yet received one. Supervisor Lefkaditis stated they have been mailed and will update the list, not sure why some people have not received them.

J. Adriance – asked if Board would be donating money for a Christmas tree from the Helderberg Family and Community Organization.

-She also stated there have been chairs missing from the plastics area where Joe works. She is not asking for anyone to sit and look through days of video but would like the Supervisor to speak with the highway and transfer station employees to see if anyone knows about the situation.

- Thanked Gary Salisbury for his many years of service to the town, stating he did an excellent job and was a great highway superintendent.

P. Sciliopoti – does the Town have a mechanism to reign in threatening behavior at meetings. Supervisor Lefkaditis will look into the Code of Conduct and see if it also pertains to residents and will get back to everyone.

T. Fisher – read in part from the NYS Labor Standards regarding retaliation against workers. The printout he read from is on file in the clerk's office.

**RESOLUTION 145-2019** - A motion was made by Councilman Barcomb seconded by Councilman Saddlemire to adjourn into executive session to discuss personnel, not to reconvene into public session. The motion carried unanimously.

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

Respectfully Submitted,

Traci Schanz  
Knox Town Clerk