



# Knox Town Board Minutes

*August 14, 2018*

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The meeting was called to order at 7:05 pm, followed by the Pledge of Allegiance to the Flag.

Present on this date:

- Supervisor Lefkaditis
- Councilman Barber
- Councilman Barcomb
- Councilman Pritchard
- Councilman Saddlemire
- Superintendent of Highways Gary Salisbury
- Town Attorney Javid Afzali
- Town Clerk Traci Schanz

The meeting began with guest speaker James Gaughn. He spoke to the Board and public regarding information from the Weatherization Program to make homes more efficient as well as other information from the Albany Community Action Partnership. The link will be added as a “useful link” on the town website.

The next topic of discussion was regarding the first Volunteer Appreciation Dinner/BBQ for all of those who help within the community. The Dinner/BBQ is scheduled for September 22<sup>nd</sup>.

Joan Adriance spoke regarding the flu clinic. People need to register in advance, with a minimum of 24 people required. There will be a few extras for walk-ins. There will be a cost for those who don't have insurance. The event will be posted on the community sign, Facebook, Town website as well as the Enterprise once times and costs are set.

Liason reports were discussed. Supervisor Lefkaditis attended the Planning Board meeting. The Board is currently discussing the topic of home occupation. No other meetings were attended by other town board meetings. Supervisor Lefkaditis informed everyone that there are 2 public hearings set for the ZBA on 8/23/2018 for area variances.

**RESOLUTION 156-2018** – A motion was made by Councilman Pritchard and seconded by Councilman Saddlemire to approve the minutes from the 7/10/2018 meeting as well as the minutes from the special meeting held on 7/17/2018. The motion carried unanimously.

**RESOLVED:** to approve the minutes from the 7/10/2018 meeting as well as the minutes from the special meeting held on 7/17/2018.

A discussion was held regarding the proposed MRD at the intersection of routes 156&157 to recap where the Town is in the process of the application.

**RESOLUTION 157-2018** – A motion was made by Supervisor Lefkaditis, seconded by Councilman Pritchard to authorize the town attorney to forward the complete MRD application to the Albany County Planning Board as well as the Knox Planning Board. The motion carried with 4 YEA votes and 1 NAY vote, with Councilman Barcomb voting nay.

**RESOLVED:** to authorize the town attorney to forward the complete MRD application to the Albany County Planning Board as well as the Knox Planning Board.

Mrs. McCaulliffe would like to register her objection to the Board going to this step before making public the map and proposal. She believes it to be premature and rushed as opposed to letting the public see what is being presented to the ACPB and KPB.

Supervisor Lefkaditis will post everything to the website as soon as it is finalized.

The Highway Superintendent did not have any new items to report on. Councilman Barber asked a question regarding the large stones at the Transfer Station being removed, stating he had received a few phone calls from residents wondering where the stones went. Some of the stones had been damaged, and then removed and placed at the Town Garage. Bob Price asked Superintendent Salisbury about a “Welcome to Knox” sign of route 146. It was determined by public comment that signs do exist on both routes 156&146. Superintendent Salisbury stated there are guidelines regarding signs between the county, state and town.

A discussion was held regarding the Transfer Station SOP. Supervisor Lefkaditis has not had a chance to update the information regarding the notes taken at the special meeting. This will take place at the next Town Board Meeting. Supervisor Lefkaditis stated he received a phone call from Mr. Curtis who picks up the garbage at the trailer park. The Board discussed if this would be considered commercial waste. Mrs. Adriance stated she read the solid waste law and it states commercial waste requires a permit. The town attorney will look into the laws previously filed by the Town regarding commercial dumping with or without a permit as well as construction debris and if these laws were filed with the Department of State.

Jean Gagnon spoke regarding the importance of recycling. She said she had been told items will no longer be allowed to be left alongside the dumpster for someone else to take if needed. Supervisor Lefkaditis clarified that the items can be left, but at the end of the day any remaining items would have to be thrown away. She stated it was a shame that medical equipment would be thrown away. Mr. Akroyd spoke regarding the liabilities of collecting medical equipment donations and the liability when passing it on to someone else. Jean Gagnon stated she would look into any charitable organizations that would accept it.

Joan Adriance spoke regarding the SOP’s and concerns at the transfer station. Her letter is attached at the end of these minutes.

Jean Gagnon spoke regarding the transfer station and reminded the Board that in previous meeting minutes the board had thanked the transfer station workers for their hard work but as of late didn’t believe the transfer station workers were being appreciated as much as they should be.

Supervisor Lefkaditis stated all transfer station workers were invited to the 7/17/18 meeting as well as previous discussions, but none of them wanted to participate. He stated he will ask them again and invite them to participate in future conversations.

There was a discussion held regarding Household Hazardous Waste day. The Town of Berne has approached the Town of Knox to participate. The cost for this year will increase by \$8000.00. The Board discussed posting signs at the transfer stations, and on the town website to educate the town residents as to what Household Hazardous Waste is. A discussion was held regarding the creation of a line item in the next budget year. It was decided that Knox will not participate this year. Supervisor Lefkaditis will notify the Town of Berne to let them know.

There was a discussion regarding a cemetery on Quay Road. Supervisor Lefkaditis received a phone call from a neighbor whose property adjoins the cemetery. This neighbor would like to know who is responsible for maintaining it. Supervisor Lefkaditis left a message for the assessor inquiring who owned the cemetery. The town attorney and Supervisor Lefkaditis will check into who owns it and who is responsible for maintaining it.

**RESOLUTION 158-2018** – A motion was made by Councilman Barber, seconded by Councilman Barcomb to advertise on the website and Facebook, the positions as presented on the agenda:

- (3) ZBA Members
- (1) Planning Board Member
- (1) Board of Assessment Review Member
- (4) Conservation Advisory council Members
- (1) Real Property Assessor
- (2) Board of Ethics Review Members
- (2) Broadband Committee Members
- (1) Dog Control Officer

The motion carried unanimously.

**RESOLVED:** to advertise on the website and Facebook, the positions as presented on the agenda:

- (3) ZBA Members
- (1) Planning Board Member
- (1) Board of Assessment Review Member
- (4) Conservation Advisory council Members
- (1) Real Property Assessor
- (2) Board of Ethics Review Members
- (2) Broadband Committee Members
- (1) Dog Control Officer

Supervisor Lefkaditis will write a letter to the editor of The Enterprise from the Board, for all positions being posted on social media. A draft will be sent to the Board for approval before being advertised.

**RESOLUTION 159-2018** – A motion was made by Councilman Barber, seconded by Councilman Barber to remove Kristian Schneider from the alternate position and appoint him to the ZBA with a term ending 12/31/2021. The motion carried unanimously.

**RESOLVED:** to remove Kristian Schneider from the alternate position and appoint him to the ZBA with a term ending 12/31/2021.

**RESOLUTION 160-2018** – A motion was made by Councilman Pritchard, seconded by Supervisor Lefkaditis, to change the employment status of Kevin Delligan from part time to full time effective 8/20/2018. The motion carried unanimously.

**RESOLVED:** to change the employment status of Kevin Delligan from part time to full time effective 8/20/2018.

Doug Roether, ZBA chair, spoke briefly regarding the need for extra resources/hours, lap top, desk, phone, miscellaneous office supplies, the need of e-forms, on-line payments etc. to try and streamline the ZBA process. He also requested office space to possibly share with the Planning Board. After submitting a proposal to the Board, a resolution was made.

**RESOLUTION 161-2018** – A motion was made by councilman Barber, seconded by Supervisor Lefkaditis not to exceed \$1000.00 for the purchase of a lap top and appropriate software for the ZBA . The motion carried unanimously.

**RESOLVED:** not to exceed \$1000.00 for the purchase of a lap top and appropriate software for the ZBA .

**RESOLUTION 162-2018** – A motion was made by Councilman Pritchard, seconded by Councilman Saddlemire to approve the Supervisor and Clerk reports as presented. The motion carried unanimously.

**RESOLVED:** to approve the Supervisor and Clerk reports as presented.

**RESOLUTION 163-2018** – A motion was made by Councilman Saddlemire, seconded by Supervisor Lefkaditis to authorize the Supervisor to pay the bills from Abstract 8 for the general and highway account vouchers. This motion carried unanimously.

**RESOLVED:** to authorize the Supervisor to pay the bills from Abstract 8,2018

Councilman Barber discussed looking into a storage shed for the transfer station as well as the port-a-john needing repair. Councilman Barber will look into prices for a storage shed, and Supervisor Lefkaditis will contact the port-a-john company.

Supervisor Lefkaditis read a letter from Kevin Cush regarding the positive encounters he has had with the employees at the transfer station. A copy was placed in each employees personnel file.

#### **Public Comment**

Mr. Hemstead acknowledged the highway department and what a great job they all do.

Mrs. Andriance thanked the highway department for the great job they did on Zimmer Road. She also stated there is no contact information for individual board members as well as a general email for all Board members. She also reminded the Board that the minutes were not available when she looked on line and would like to know why the agendas are not posted with the minutes.

Doug Roether asked that the Albany County Industrial Development Agency be added to the “useful links” portion of the Town website. Doug was recently sworn in as a member.

**RESOLUTION 164-2018** - A motion was made by Councilman Barcomb, seconded by Supervisor Lefkaditis to adjourn into executive session to discuss personnel matters, not to reconvene for public session and was unanimously approved.

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

Respectfully Submitted,

Traci Schanz  
Knox Town Clerk  
August 25, 2018

**Letter written and read to Board by Joan Adriance:**

Good evening. I have a couple of questions and comments for the board.

I recently wanted to send an email to the full board, but when I looked on the town's website, there is no contact information available for either Karl or Ken – no phone number, no email, nothing. When I clicked on the 'Contact Us' link on the website, it presents only the Supervisor's and Clerk's contact information. I had to search the site to find how to contact the town board. Back in April, I asked if there was a 'town board' email address that would allow residents to send an email to all of the board members at once. The April minutes reflect that it would be created...but I don't think that it has been done yet. Do you know when that may be available? When it has been created, will you please put it on the 'Contact Us' link?

Minutes/Agendas:

**Section §106 of the Open Meetings Law regarding Minutes.**

2. Minutes shall be taken at executive sessions of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the freedom of information law as added by article six of this chapter.
3. Minutes of meetings of all public bodies shall be available to the public in accordance with the provisions of the freedom of information law within two weeks from the date of such meeting except that minutes taken pursuant to subdivision two hereof shall be available to the public within one week from the date of the executive session.

As of yesterday, the minutes from the July meeting were not yet posted to the town's website. I had to contact someone to request that they be made available. I am also unable to find agendas from past meetings anywhere on the website – is there any reason why they are not posted?

### **I would like to address the agenda item for the transfer station SOP**

The May meeting minutes state that the SOP would be discussed at the June meeting and that Councilmen Barber and Pritchard would meet with the workers. Although Dennis has regularly visited the guys and talked with them, there has been no 'meeting'.

The June minutes state that a discussion was held regarding a third dumpster at the transfer station. Superintendent Salisbury noted that there are issues with time and manpower to get an extra dumpster down to Albany. I would like to remind the board, again, that all of the transfer station workers have CDL licenses and would be available at any time to take the dumpsters to Albany – I do not understand why this suggestion is continually ignored. The minutes also reflected concerns about commercial dumping and people making several trips a day. The town's solid waste management law addresses commercial dumping, as well as special permits for companies that collect waste and then want to dispose of it at the transfer station. Has the board reviewed that law and had discussions about how to enforce it? Having a plan to do so would address this issue and give the transfer station attendants the authority to turn away anyone not in compliance.

The July minutes again reflect a 'brief discussion' regarding the SOP for the transfer station, about the same subjects as the previous month as well as the issuance of new permits and/or a fob system.

Recently the town highway department workers went to the transfer station and removed everything that was on the ground, including personal items belonging to the workers, and threw them away. When the guys asked about that, the response was – “nothing is to be on the ground, it looks like (insert some swear words) – the highway guys have been instructed to throw everything away.” Not once has any one of the workers heard from a resident that the place looks like “insert swear words”. I would like to remind the board that the transfer station workers do not report to the highway department, nor to the town supervisor. Neither entity has the authority to instruct the workers what to do, take disciplinary action against them or dispose of any items at the transfer station of their own accord. The transfer station workers report to the full town board and any new ‘rules’ must be approved by board majority before they can be implemented or enforced.

Finally, when was the July 17<sup>th</sup> special meeting actually scheduled? I do not see in the minutes from last month’s meeting, on the 10<sup>th</sup>, any notes that a meeting was discussed or tentatively scheduled. I also do not find the agenda for that meeting on the town’s website. When the meeting minutes were posted yesterday, they show that there was a great deal of conversation regarding the transfer station and the SOP.

Were the transfer station workers notified of this special meeting? Although there is no legal obligation to do so, it seems that if a special meeting was held to discuss the SOP, it would have been appropriate to invite them so as to include their feedback and questions with regards to the items that are listed in the meeting minutes. Given that only one of the members of the board that attended that meeting actually uses the transfer station on a regular basis, I’m not sure how you all can decide what’s best without the workers’ input/feedback. There are many great suggestions listed in the minutes, however, enforcement needs to be discussed prior to implementing them. The issues will not go away just because rules are created...there has to be a commitment from the town board to be actively involved with education and enforcement – that means a presence at the transfer station for a period of time to address resident concerns/questions. I’d also like to point out that while your listed concerns are all valid (and some already addressed within the town law), it seems that your focus is on the amount of trash coming to the transfer station,

people coming more than once, things left on the ground and things like that while the workers would like you to be more concerned about their health and safety. Mark was recently burned when some sort of liquid squirted from a plastic container when he was crushing the plastic – and there was no water for him to wash his hands with. Dick was emptying a plastic bag of cardboard and three hypodermic needles spilled out onto the floor. They went a week with no water to drink or for the wash station – these are the things that need to be addressed immediately, not the fact that they leave something leaning against the wall once the transfer station closes. I certainly trust that no action will be taken tonight on the SOP agenda item without reviewing it with the transfer station attendants first.