



# Knox Town Board Minutes

*July 9, 2019*

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The meeting was called to order at 7:06 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
- Attorney Javid Afzali

Absent on this date:

- Highway Superintendent Salisbury

**RESOLUTION 108-2019** - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to suspend the public meeting of July 9, 2019 to reconvene the public hearing on proposed local law 2 of 2019 definition of Home Occupation as described in the Town of Knox Zoning Ordinance. The motion carried unanimously.

**RESOLVED:** to suspend the public meeting of July 9, 2019 to reconvene the public hearing on proposed local law 2 of 2019 definition of Home Occupation as described in the Town of Knox Zoning Ordinance.

B. McAuliffe asked if the clarification provided to Councilman Saddlemire at the last meeting, regarding family members vs. people who were not residents of the property, was clarified enough for him and if he was comfortable with the answer. He stated it was his misunderstanding of the way it was written.

**RESOLUTION 109-2019** - A motion was made by Councilman Barber seconded by Councilman Barcomb to suspend the public hearing on proposed local law 2 of 2019 and reconvene the public meeting of July 9, 2019. The motion carried unanimously.

**RESOLVED:** to suspend the public hearing on proposed local law 2 of 2019 and reconvene the public meeting of July 9, 2019.

B. McAuliffe- asked questions regarding error in agenda, and clarification on date of public hearing for MRD. She believed it was going to be this evening and both the Supervisor and Councilman Barcomb stated the Board had agreed to schedule it for August, with a discussion coming up later in the evening.

Supervisor Lefkaditis thanked the Pucker Street Fair Committee consisting of Dennis Barber, Sue Von Hugg, Anna Lefkaditis, Rose Pritchard, Dennis Cyr, Patty Hagerott, Diane Champion. He stated the committee did a fantastic job with the help of many other volunteers. Dennis Barber will provide the Supervisor with a list of volunteers so he may send them letters to satisfy Honor Society requirements of some of the younger volunteers.

### **Presentations:**

**Liaison Reports** - Councilman Pritchard attended the recycling meeting in Albany. There is an effort in place to try and schedule a date for a Hazardous Waste Day. There was a conversation held at the meeting regarding charging by the pound or bag of garbage and how some towns are participating in this method to help offset the cost of recycling. He stated the solid waste agreement has not yet reached Megan Ruby. The Supervisor will look into it as it is typically emailed. He stated a new law is being implemented for the ability for towns and residents to return paint to stores in quantities no larger than 5 gallons.

J. Adriance- stated her concerns with items alongside the hopper at the Transfer Station being thrown away too quickly. She is concerned that many people are missing out on opportunities for items to help their families out because rather than waiting until the end of the day, items are being thrown out as soon as they are left. Supervisor Lefkaditis stated this should not be happening as the policy hasn't changed and he will look into it.

**Ag Advisory Committee swine discussion** – Gary Kleppel stated at a recent AAC meeting, a few residents have stated they would like to raise pigs. He stated pork is one of the most important meats to the United States, but Knox is not alone in not allowing pigs, even in the Ag District without a special use permit. The Ag Committee will be asking the Board to consider changing the zoning ordinance to put swine into the same category as all other livestock. The AAC is committed to making sure agriculture is done right in this town. Councilman Saddlemire cautioned the audience about programs already in place and not to overreact. Supervisor Lefkaditis suggested touching base again in August to discuss a referral to the Board to consider the changes the AAC would like to make, with the potential of having a public hearing in September or October. Mr. Kleppel thanked Councilman Barcomb for initiating the resolution to start this committee. He thanked Councilman Saddlemire as well for being so easy to work with, and for teaching him something new to make him a better farmer each time they talk. He also thanked Clerk Schanz for helping with the website design and page layout.

### **Minute Approvals:**

**RESOLUTION 110-2019** - A motion was made by Councilman Pritchard seconded by Councilman Saddlemire to approve the minutes from the June 11, 2019 meeting as well as the minutes from the special meeting held on June 20, 2019. The motion carried unanimously.

**RESOLVED**: to approve the minutes from the June 11, 2019 meeting as well as the minutes from the special meeting held on June 20, 2019.

**Highway / Transfer Station:**

Supervisor Lefkaditis stated Superintendent Salisbury has another municipality interested in purchasing the 1997 Champion Grader.

**RESOLUTION 111-2019** - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to authorize the Highway Superintendent to sell the 1997 Champion Grader at the greater of \$15,000.00 or fair market value. The motion carried unanimously.

**RESOLVED**: to authorize the Highway Superintendent to sell the 1997 Champion Grader at the greater of \$15,000.00 or fair market value.

Due to the absence of Superintendent Salisbury there was no Superintendent report.

**Old Business:**

Blight law – a discussion was held regarding follow up questions and answers from a previous discussion on the blight law.

Question 1 – what is considered proper service? Per Attorney Afzali the letter needs to be mailed certified and affixed to the property and to be sure that the mailing address matches the address where the county tax is billed to.

Question 2 – who is responsible for hiring and overseeing any work to be done on vacant properties? Per Attorney Afzali, the Town should create a list of contractors to choose from for abatement purposes, and should consider having an RFP in place if any services are in excess of \$35, 000.00

Question 3 – how to avoid favoritism in contractors. Per Attorney Afzali just go through the list and choose whoever is available since the prices will already be known.

Question 4 – who provides the itemization of repairs needed? Per Attorney Afzali the Building Inspector will do an initial report and provide an itemized list of items to be addressed which will then be given to the Supervisor who will then share it with the Board.

Question 5 – Does abatement work require Town Board resolution/court order. Per Attorney Afzali the Town has to approve funds to be used for abatement work. The Board approves the funding, not necessarily what work is need as this is determined by the Building Inspector, subject to appeal by the ZBA

Question 6- If there is an emergency situation is it treated differently than other blight conditions? Per Attorney Afzali under State Law the Building Inspector has inherent powers to address buildings in emergency situations. The Building Inspector will speak with the Attorney on a case by case basis to see what he can and cannot do in these types of situations. Attorney Afzali will send examples of unsafe building law.

Councilman Barcomb asked if there is a record keeping/procedure in place with the Building Inspector to keep track of blighted properties. This will be kept in the Clerk's office. This discussion brought back the concerns over the fragmented record keeping currently in place at the Town Hall. It was mentioned that grants are available for this type of situation, and this is a big job to tackle and more conversations will take place regarding the issue.

Town mower update – Supervisor Lefkaditis reports that the mower is running great. The highway crew put a few hundred dollars into it, blew out the lines, changed the tank, new filters, etc, and it is now running great.

Update on CC cameras for Town meeting – Councilman Barber passed out information on CC cameras with the cost, and capabilities of the system. Attorney Afzali advised the Board to be sure to follow the records retention policy and keep a hard copy at all times. He stated some municipalities have their own You Tube page and the recordings remain posted with access through a cloud platform and this will make FOIL responses easier as well.

Parking lot striping update – Councilman Barber reported out figures from Dennis Houlahan for restriping the parking lot. To re-stripe what we have the cost would be \$450.00. If the lot is resealed and then striped it would be \$650.00. He is waiting for Pat Hannan to provide him with an estimate for seal coating.

**New Business:**

Act on proposed local law 2 of 2019 Home Occupation – A discussion was held regarding the Planning Board’s referral definition of Home Occupation. The Board agreed on the surface that the proposed referral is a good start, and it provides opportunity for small businesses within the town, however there are residents operating small businesses outside of the ordinance without special use permits. Three suggested changes were made to the referral. Doug Roether, Chairman of the ZBA stated his belief was 2 employees was limiting to a business owner. The Board explained that a use variance was always an option for residents to expand their business. SEQR needs to be completed to include the new language/changes and it is the responsibility of the Board to complete Part 1 and 2. Councilman Barcomb will complete Part 2, Supervisor Lefkaditis will modify Part 1 with the changes. This will be pushed off until August. Attorney Afzali suggested the Board consider looking into the possibility of this being subject to GML 239M (County Referral), and states to play it safe, complete it and send it to the County Planning Board.

The proposed changes are: Article 20 section II, there will be a “.” after the word “use” in the last sentence. In addition, after the word “dwelling” there will be “or accessory structure”. In section 50A,1b the words “accessory buildings” will be removed from the Planning Board’s definition.

**RESOLUTION 112-2019** - A motion was made by Councilman Barcomb seconded by Councilman Pritchard to advertise for the proposed MRD public hearing to be held on August 13, 2019 at 7:00 pm at the Knox Town Hall. The motion carried unanimously.

**RESOLVED:** to advertise for the proposed MRD public hearing to be held on August 13, 2019 at 7:00 pm at the Knox Town Hall.

Attorney Afzali stated that a super majority vote of the Board is needed due to the advisory opinion from Albany County and protest petitions have the same effect. He also clarified that although notification to property owners and surrounding landowners regarding the public hearing on the proposed MRD is not necessary as it has already completed it is a good idea to notify them again as this is a decision-making hearing. The Board agreed to do so.

Personnel matters - The Supervisor reports there have been repeat offenders at the Transfer Station who have been verbally abusive to our employees. Attorney Afzali stated the Town needs clearly delineated rules for verbal abuse, expected behavior, etc. Due process would be built into the Board making decisions regarding the behavior and consequences. Councilman Barber will attempt to make a list of common-sense rules for the Board to review.

**Finance:**

Banking – The handler of the Section 8 funds would like to change banks from Key Bank to Pioneer Bank due to increasing fees at Key Bank.

**RESOLUTION 113-2019** - A motion was made by Councilman Pritchard seconded by Supervisor Lefkaditis to designate Pioneer Bank as an approved depository of Town funds. The motion carried unanimously.

**RESOLVED:** to designate Pioneer Bank as an approved depository of Town funds.

Councilman Barcomb asked for an explanation of overdraft fees charged by Key Bank. Supervisor Lefkaditis explained there were charges on accounts with small amounts of monies as well as charges on accounts after the accounts were zeroed out. Supervisor Lefkaditis explained that the overdraft fees were a direct result of excessive and random fees charged by Key bank that he felt were abusive and refused to pay. After threatening to file a complaint to the Office of Comptroller of Currency, Key bank refunded the fees and the overdraft condition was cured. Diane Champion, Tax Collector, also explained that the fees from Key Bank were unexplainable and increasingly random. Supervisor Lefkaditis stated that last year, Key Bank changed the Town approximately \$4,500.00 in fees and by moving the Town money to Bank of Greene County and not paying any fees, there is approximately \$8,000-\$9,000 earned in interest, which is approximately a \$13,000.00 saving to the taxpayers.

Transfer of monies – Transfer monies for 2018 from the contingency account A1990.4 to A1110.11 (\$911.03), A1110.4 (\$388.01), A1220.11 (\$1,516.30), A1220.41 (\$4,349.48), A1460.4 (\$824.00), A1620.4 (\$915.22), A5010.4(\$10.00), A8810.4 (\$483.10), A9060.8 (\$2,064.11).

**RESOLUTION 114-2019** - A motion was made by Councilman Barber seconded by Councilman Saddlemire to approve the journals as presented above. The motion carried unanimously.

**RESOLVED:** to approve the journals as presented above.

Accept Supervisor and Clerk reports – The Supervisor report will be presented next month as the Bookkeeper accidentally took the reports home with her.

**RESOLUTION 115-2019** - A motion was made by Councilman Barber seconded by Councilman Barber to accept the clerks report as presented. The motion carried unanimously.

**RESOLVED:** to accept the Clerk's report as presented.

Authorize Supervisor to pay bills –

**RESOLUTION 116-2019** - A motion was made by Councilman Saddlemire seconded by Councilman Barber to authorize the Supervisor to pay the bills. The motion carried unanimously.

**RESOLVED:** to authorize the Supervisor to pay the bills.

## Public Comment

A.Pokorny – asked for an update on the NYCERTA grant. Councilman Saddlemire is scheduling a meeting with the engineer and will complete two more items on the workforce sheet. Projects being considered are solarizing the town hall and upgrades to the highway garage for insulation.

B.McAuliffe – asked several questions regarding the 2017 AUD filing (state aid/records management, state aid/youth programs, chips money decrease, FEMA funds, property tax decrease, Clerk fees decrease, changes in personal services vc contractual, contractual expenses for law, youth program contractual expenses, Bond and Band from 2016, changes in 2016/2017 total fund equity. Supervisor Lefkaditis wrote them down and will get back to her.

J.Adriance – will email the Supervisor a list of PCP for CDPHP, but is not all encompassing for all insurance plans. People should check with their own insurance companies to see who participates.

Councilman Barber stated he has the stickers for the Town trucks. He also asked where we are in the process of completing the sexual harassment training. Attorney Afzali's firm offers the training on-line or live training with everyone together. Councilman Barber will look into available dates and get back to Attorney Afzali.

**RESOLUTION 117-2019** - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to adjourn the meeting. The motion carried unanimously.

**RESOLVED:** to adjourn the meeting.

Respectfully Submitted,

Traci Schanz  
Knox Town Clerk