



# Knox Town Board Minutes

*August 13, 2019*

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

A moment of silence was held for Pauline Williman, who was a large contributor to our community. She began the Patroon Land Foundation, donated land, and was an integral part of the Regional Food Bank. She was part of the legislature and active in our church community. Pauline was the Aunt of Superintendent Salisbury, and thus his absence this evening.

Present on this date:

- Supervisor Lefkaditis
- Councilman Barber (arrived approximately 7:15)
- Councilman Barcomb (arrived approximately 7:30)
- Councilman Pritchard
- Councilman Saddlemire
- Town Clerk Traci Schanz
- Attorney Javid Afzali

Absent on this date:

- Highway Superintendent Salisbury

**RESOLUTION 118-2019** - A motion was made by Councilman Pritchard seconded by Supervisor Lefkaditis to suspend the public meeting of August 13, 2019 to convene the public hearing on proposed local law 3 of 2019 regarding proposed MRD district near the intersection of 156/157. The motion carried unanimously with a vote of 3:0 as Councilman Barber and Councilman Barcomb had not yet arrived.

**RESOLVED**: to suspend the public meeting of August 13, 2019 to convene the public hearing on proposed local law 3 of 2019 regarding proposed MRD district near the intersection of 156/157.

## **PUBLIC HEARING COMMENTS**

B. McAuliffe - asked if the Board was aware that the BKW school district will derive no benefit from MRD in the proposed district because all the school taxes in this area go directly to the Guilderland CSD. She would like to know who would be benefitting and would it be better to benefit BKW. She would like to know why the rezone is necessary in light of the home occupation proposed changes with any home

occupation allowed in any district. She would like to know what the Towns' liability insurance amounts are, what are the max payouts per claim. She has concerns regarding previous laws passed, short cuts, enforcement of laws, sufficient management required for an MRD, and believes this to be textbook spot zoning and has concerns about taking the word of the Board or anyone on the Board who has shown indifference in business dealings with impacts on neighbors and residents of the community and is concerned that the blight law is a potential grab for personal interest and there is a track record of neighbors and adjoining properties are not given due process considerations.

R. Pokorny read a portion of the minutes from the Albany County Planning Board dated 4/19/2018: The Albany County Planning Board advises the Town of Knox to:

1. Update the Town's comprehensive plan before rezoning or amending the zoning code to ensure that proposed land use and development regulations are consistent with community goals.
2. Consider the feasibility for the provision of necessary public infrastructure and services should a business or commercial district be proposed.
3. Contact the New York State Department of Agriculture and Markets in advance of enacting the rezoning to assess any restrictions to farming or farm operations in an agricultural district. The Department of Agriculture and Markets will provide an informal, non-binding response to such inquiries. which listed recommendations before zoning for the MRD.

A. Pokorny read a statement regarding inadequate planning and rezoning in regards to business development. She stated she has not seen responsible economic development efforts in the past several years. She stated being pro-business takes work, coordination with local business and residents, to plan strategies, possibly partnering with tourism groups, making signs, and planning events to promote the area. She believes simple zoning changes are not the answer and says no to the proposed MRD.

J. Adriance asked if questions would be answered, Supervisor Lefkaditis stated questions would not be answered, that this was for public comment and the Board is listening.

P. Scilipoti stated he is opposed to the MRD changes. He stated people live here for the peace and quiet and privacy and we should be careful of what we do in the future. He would like to find a way to make business work with the current zoning. He states he has a mistrust development, stating it is not always in the best interest of the community.

J. Gagnon stated that the planning board originally voted against this proposal. As a former Town Justice she states there have been several accidents in this area, and this would bring an increase of traffic and curb cuts. She is concerned about keeping water clean and keep and healthy. She does not know why this MRD is being pushed for and does not feel this has been answered effectively. For these reasons and many others, she opposes the rezoning of this area.

**RESOLUTION 119-2019** - A motion was made by Supervisor Lefkaditis seconded by Councilman Pritchard to suspend the public hearing on proposed local law 3 of 2019 and reconvene public meeting of August 13, 2019. The motion carried unanimously, 4:0, as Councilman Barber had not yet arrived.

**RESOLVED**: to suspend the public hearing on proposed local law 3 of 2019 and reconvene public meeting of August 13, 2019.

**Presentations:**

**Liaison Reports** – None

**Community room update:** – Mr. Wiler will be completing the baseboard this week. Supervisor Lefkaditis suggested talking about the possibility putting in a community library as suggested by Mr. Hand a while back. This will be added to next months agenda. Clerk Schanz stated there is a resident who would like to begin using the community room this Fall for monthly dances for people with disabilities.

**Minute Approvals:**

**RESOLUTION 120-2019** - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to approve the minutes from the July 9, 2019 meeting. The motion carried unanimously, 4:0.

**RESOLVED:** to approve the minutes from the July 9, 2019 meeting.

**Highway / Transfer Station:**

No Superintendent report

Single stream recycling pricing has increased again. The current price is \$88.45/ton. This will most likely continue to rise. Mrs. McAuliffe asked for clarification regarding the disposal of plastics. Supervisor Lefkadits will post something on Facebook regarding plastics and cardboard. Mrs. Gagnon asked if used oil was accepted or if there was a fee for it. Supervisor Lefkadits clarified that although used oil was accepted many years ago, it is no longer accepted at the Transfer Station.

Councilman Barcomb asked for clarification regarding metal fencing disposal at the Transfer Station. Supervisor Lefkaditis stated chain link fencing used to jam the machines, but now Tri-City Recycling is able to handle it. Councilman Barcomb stated there is a sign at the Transfer Station that states it is not acceptable, Supervisor Lefkaditis said it should be removed.

Councilman Barber continues to work on the rules of conduct at the Transfer Station, and this will be moved to the September agenda.

**Old Business:**

Blight law update – Councilman Barcomb and Supervisor Lefkaditis have both spoken with Dan Sherman, the Building Inspector and things are just about complete. All steps are in order, and the last of the forms have been completed. Mr. Sherman has to contact Attorney Afzali to formalize enforcement procedures. Supervisor Lefkaditis will email forms to Board members and Justices to keep them up to date.

Walking path update – Supervisor Lefkaditis would like to RFP for the paved walking path.

**RESOLUTION 121-2019** - A motion was made by Supervisor Lefkaditis seconded by Councilman Barcomb to appropriately advertise a Request for Proposal to pave the walking path 4'wide x 1 mile long upon the RFP being ready for publication. The motion carried unanimously.

**RESOLVED:** to appropriately advertise a Request for Proposal to pave the walking path 4'wide x 1 mile long upon the RFP being ready for publication.

CC cameras for Town meetings – no update, as Mrs. Adriance was unable to contact her IT person, possibly next month

Parking lot striping update – Councilman Barber received a quote for \$2462.00 to sealcoat the parking lot from Hannon’s, and \$650.00 for striping it from Dennis Houlahan, including the 4 spots below the Town Hall. The quote states “existing layout”, which is not wanted. Councilman Barber will look into the quote with Hannon’s and clarify it. This item will be put on the September agenda.

Hog Farming amendment/public hearing update – Councilman Saddlemire would like the AAC to inform the Board of what they would like to see, and then schedule a public hearing. This item will be added to the September agenda.

**New Business:**

Act on proposed local law 3 of 2019 (MRD) – Supervisor Lefkadits asked the Board members if they wanted to speak first or if they had any comments. None of the Board members responded. Supervisor Lefkaditis then suggested that a few comments raised questions that he would like time to think about and get back to people on. This item will be added to the September agenda.

Guilderland Fire Department will be hosting an event on September 21<sup>st</sup> and is requesting a donation in the form of a half page ad to the Woodward Strong Foundation. Councilman Barber will write the ad, using the Town Seal and a donation will be made.

**RESOLUTION 122-2019** - A motion was made by Councilman Barber seconded by Councilman Barcomb to donate \$100.00 to the Woodward Strong Foundation on behalf of the Town of Knox. The motion carried unanimously.

**RESOLVED:** to donate \$100.00 to the Woodward Strong Foundation on behalf of the Town of Knox.

**Finance:**

**RESOLUTION 123-2019** - A motion was made by Councilman Pritchard seconded by Councilman Barber to increase DA3501 from \$102,000.00 to \$137,431.45. The motion carried unanimously.

**RESOLVED:** to increase DA3501 from \$102,000.00 to \$137,431.45.

**RESOLUTION 124-2019** - A motion was made by Councilman Pritchard seconded by Councilman Barcomb to increase DA5112.41 from \$102,000.00 to \$137,431.45. The motion carried unanimously.

**RESOLVED:** to increase DA5112.41 from \$102,000.00 to \$137,431.45.

**RESOLUTION 125-2019** - A motion was made by Councilman Pritchard 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 Saddlemire had one question regarding the invoice from Evolution Recycling that included data wiping. Supervisor Lefkaditis will clarify the terminology with the recycling company.

**RESOLUTION 126-2019** - A motion was made by Councilman Barcomb seconded by Councilman Barber to accept the Supervisor reports from June and July and the Clerk's report from July as presented. The motion carried unanimously.

**RESOLVED**: to accept the Supervisor reports from June and July and the Clerk's report from July as presented.

#### **Public Comment**

A.Pokorny – asked for an update on the Community Choice Aggregation . Supervisor Lefkaditis stated he has spoken with Louise several times. She will be here this Friday if anyone is interested in joining, to let him know. They are working on customizing the agreement. A presentation will be held at the September meeting. She also asked about the Berne medical facility. Supervisor Lefkaditis stated Jill Martin is proceeding with licensure and is expected to open December 1<sup>st</sup>. He will make a public service announcement on facebook. She also asked for an update on the audit. Supervisor Lefkaditis stated he personally has not heard from the auditor.

B.McAuliffe – asked for follow up from her questions from the last meeting. Supervisor Lefkaditis apologized, stating he thought he had answered all of them publicly at the last Board meeting. Per his request, Mrs. McAuliffe will email the Supervisor with questions he missed.

J. Gagnon- asked for an update on sexual harassment training. Supervisor Lefkaditis stated it is in the process of being scheduled.

Councilman Barber would like an update on the Quay Road cemetery. It needs to be cleaned and maintained. Supervisor Lefkaditis will follow up on the emails that took place over a year or two ago. Mr. Barber stated he watched a TV show regarding metal detecting in cemeteries and wanted to know what the Board thought about legislation for no metal detecting in cemeteries. After a brief discussion the Board decided that it would be best to look into posting signs. Councilman Barber will gather information and get back to the Board next month.

J. Adriance – inquired about the chain of command at the Transfer Station and what safeguards are in place for employees who feel they are working in a hostile environment or fear retaliation. She states she raised these questions to ensure everyone understands chain of command and that it is followed. She states it seems like there are no safeguards in place to protect them.

Councilman Barcomb raised a question regarding square footage for home occupation. Attorney Afzali explains this is something that comes out of the SECQR process. Supervisor Lefkaditis believes this is covered by the percentages and density schedules within the zoning ordinance.

**RESOLUTION 127-2019** - A motion was made by Councilman Barcomb seconded by Supervisor Lefkaditis to adjourn into executive session to discuss litigation and personnel, not to reconvene into public session. The motion carried unanimously.

**RESOLVED**: to discuss litigation and personnel, not to reconvene into public session.

Respectfully Submitted,

Traci Schanz  
Knox Town Clerk