



# Knox Town Board Minutes

*May 9, 2023*

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The meeting was called to order at 7:00 pm by Supervisor Pokorny, followed by the Pledge of Allegiance.

Present on this date:

- Supervisor Pokorny
- Councilman Cyr
- Councilman Saddlemire
- Councilwoman Springer
- Councilman Pritchard
- Town Clerk Schanz

Absent on this date:

- Highway Superintendent Schanz

## **Presentations:**

The meeting began with Supervisor Pokorny acknowledging members of the Little League and reading out loud, a letter submitted by the League President, Kyle Bates. The letter is included below.

Kyle Bates

Berne Knox Westerlo Little League President

109 Beebe Road Berne, NY 12023

May 8, 2021

Knox Town Board & Supervisor:

I wanted to take the time and present some of the challenges that the lack of a concession stand is having on the Berne Knox Westerlo Little League's 2023 Spring season, as well as our schedule Opening Day Celebrations on Saturday May 13th. As of now, the Town of Knox Park does not have an operable concession stand. This will be the second season without a concession stand at the Knox Town Park. The previous structure was torn down and demolished by the Town of Knox, not Little League. Please note that the BKW Little League played no part in this demolition, nor did we purchase the new building. We merely sell concessions out of the stand that is owned by the Town of Knox. It is our understanding that this new building was installed so that the Town of Knox can rent it out to residents for commercial use. As of now, the structure has been legally advised to cease and desist all operations. This is a notice served upon the structure itself, not Little League operations. Again, this building is owned by the Town of Knox, not the BKW Little League. At this time, with Opening Day scheduled at the Town of Knox Park, we will be required to operate all food and concessions outside, under the pavilion. While this is not ideal, unfortunately it is our only option. With 9 games and 18 teams playing on Opening Day, we can't simply move it to another field. We also like to rotate the location, with last year being in Berne, and next year being in Westerlo. We also have vendors setup that have been approved and insured for operation at the Knox Park, moving the event is simply not possible this late in the game. Please also

note that the Little League was under the impression that the concession stand would be ready, as the building has been there for a year. Concession stand sales are vital to the operation of Little League. The average game brings in \$200 in sales, with a 100% markup on product, that provides the league with \$100 in profit, per game. For games with an umpire, we have a \$65 cost, leaving us \$35. With \$85 in registration, \$15 covers insurance for each player. Uniform costs, which have gone up substantially in recent years, are \$40 per player for hat and shirt, that leaves the league with \$30 per player. Thanks to our team sponsors, this helps cover more than half of our uniform costs, leaving the league with some money for operations. Our operations costs include equipment, field maintenance, porta potty rentals, concession stand equipment, clinics, Camp Pinnacle rental, and many other various costs. It all adds up. Additionally, the lack of a concession stand in the Fall season of 2022 had a financial impact. With the Knox Town Park being our "home field" due to having lights, and early darkness in the fall, the 24 games that we held in the fall came at a total cost of \$1,560 due to umpire costs. None of this was offset with concession stand sales. We are grateful for the Town of Knox for paying the electric bill for use of the field lights. However, our use of the field lights in minimal, as we only 1 have game in the Spring season that will be utilizing them, and we only use them for 6 weeks out of the year, for 2 hours at a time. Again, we are thankful for this allowance, and it has not gone unnoticed or unappreciated. After Opening Day, the BKW Little League will not be able to operate the Knox Concession stand due to the cease and desist. We will not be asking parents to drag out BBQ grills, setup tables for all the candy and food, fill coolers, and then tear down and pack up, each game. We have 14 games scheduled at Knox, all costing us \$65 in umpire fees. That's a total of \$914 with no concession to help offset the cost. Please also note, that except for mowing the field, all of the field maintenance at the Town of Knox ball field is maintained by the BKW Little League. This includes newly installed bases on the field. This was at a cost of \$600, the Town did not provide this funding. The Little League also purchased clay bricks for the pitcher's mound and batter's boxes. This benefits anyone who uses the field, at a cost of \$1,200, none of which was covered by the Town of Knox. Just in the last 3 weeks, the BKW Little League provided \$2,000 worth of field material that will be at the benefit of the Town of Knox, free of cost and labor. The BKW Little League also covers the cost of a porta potty at the Knox Town Park, a cost of \$130 per month, none of which the Town of Knox covers. The porta potty also requires additional cleanings due to heavy use by park visitors, at a cost of \$150 every other week, again, at the cost of Little League. However, Town of Knox Park visitors certainly use this, at the Little League's expense. It is our understanding that park users must hike up to the Town Hall and use the lower bathrooms. Again, understandable giving the construction of a new concession stand with bathrooms, however, we are entering a 2nd year with a structure that is just sitting there. The BKW Little League also has expenses at 3 other fields that we maintain. I bring all of this up to drive home the point of how important concession stand sales are to our operations. Thankfully we have generous sponsors to help cover all of these costs. We are not looking for the Town of Knox to reimburse us, we're just looking to explain the frustration and financial impact that this burden has been placed upon the Little League. I'd also like to point out that these volunteers, while many are Knox residents, many are not. They are community members and businesses who simply put the kids first, helping us build this incredible youth program. The BKW Little League is the largest youth program not only in the Town of Knox, but the entire BKW School District. Our 160 players represent more than half of the elementary school population. We are simply asking you to consider the financial impact that this is having on your largest youth community program, and for you to offer up some communication and transparency on the progress of the new concession stand. Please advise the Little League on the plan to reinstate the concession stand and if there is any solution that the Little League can offer up to help finalize the construction. We are all in this together.

Thank you for your time,  
Kyle Bates BKW Little League President

**Erica Bates, Robert Alteri, Cathy West, Tim Gerard and Kyle Britton** all spoke on behalf of the League regarding the current state of the new building at the pavilion, it's lack of completion, concerns over the Stop Work order that was posted on the building one week prior to opening day, frustrations with lack of communication between Board members and the League, as well as the effects the incomplete building has on the fundraising that the League does through use of the building. Suggestions were made on how to move forward and other people in the town had also offered assistance (electrical, stamped plans, construction, etc.) to complete the building.

Councilman Cyr stated he spoke with Kyle Bates prior to tonight's meeting, telling him to submit the bills associated with costs of the field maintenance for the Town to pay.

Supervisor Pokorny read his statement to the public in response to the League concerns. The statement is included below.

It is regrettable that the replacement of the park concession stand has taken so long to complete, and it is unfortunate that the BKW Little League has been inconvenienced, and that the little league fund raising has been impacted by the delay. Certainly the town should have been able to move the project along more quickly, and there may be people and problems to identify that are responsible, but instead of pointing fingers, I would like to plan the path ahead, and make that path known and visible to everyone affected, so that we can avoid further disappointment.

To clarify the restrictions with the building, as I understand it, the building can be used for storage, including a freezer and refrigerator. The little league can dispense food and other items outside the building in the pavilion, but the public may not enter the building until we have a CO.

As a possible compensation to the little league, I would like to propose that the town fund a port-a-john for the season outside the concession stand, or until the restroom in the concession stand is completed.

I would like to add an additional note. I spent time with Dennis Cyr and Rich Nolan of Nolan Engineering this morning, looking at the concession stand and providing Rich with the information he would need to create the engineer stamped plans we need. I am impressed with the effort and thought which Dennis has put into this project. I think it's important that we recognize Dennis's effort.

The path forward then, as I see it, in the most abbreviated terms is:

1. Provide engineer stamped plans for our building department. Two weeks
2. Building department issues building permit. A day
3. Work is completed except bathroom Two weeks
4. Temporary CO is issued for use of building except bathroom A day
5. Bathroom is completed 4 weeks
6. Full CO is issued A day

**RESOLUTION 089-2023** A motion was made by Councilman Saddlemire seconded by Supervisor Pokorny to pay for the porta john, including one handicapped accessible, for use on opening day of little league 5/13/2023 and one regular porta john for the remainder of the year. This motion carried unanimously.

**RESOLVED:** to pay for the porta john , including one handicapped accessible, for use on opening day of little league 5/13/2023 and one regular port-o-john for the remainder of the year.

Councilwoman Springer informed the League that the Board does their budgeting in the Fall, and if they had concerns directly related to the League to be sure to let the Board know as there are funds available through the Youth Programs part of the budget. She stated she was very sad to read the statements and hear the comments going around that the Board doesn't care about the League, and that as a former coach and League Board member is just isn't true, The Knox Town Board does care about the League, and recognizes that children are our future.

**Michael Uvegas** spoke, stating his concerns regarding the speed limit on Church Road. He submitted a petition several weeks ago, and would like the speed limit reduced from 55mph to 35mph.

**RESOLUTION 090-2023** A motion was made by Supervisor Pokorny seconded by Councilman Cyr to accept the request of the speed limit reduction on Church Road and pass it on to County Superintendent to sign. This motion carried unanimously.

**RESOLVED:** to accept the request of the speed limit reduction on Church Road and pass it on to County Superintendent to sign.

**Dawn, from Kenneth's Army** informed the Board and public that the 9<sup>th</sup> Annual Kenneth's Ride would take place on June 3<sup>rd</sup> at the Berne Town Park. She explained that the fundraiser supports a \$ 1500.00 Scholarship, provides Thanksgiving Dinners, supports an underprivileged student attending BKW from start to finish with school supplies, clothing etc.

**Mike Vincent** addressed the Board regarding affordable senior housing. A project that he and Linda Carmen first began 20 years ago, has not had huge movement, but wanted to know if the Board supports this. He has asked for a grant writer through the Town of Berne to see what, if any, funds are available. There are a number of things to consider, including level of care, # of units, one level vs two, storage/garages and making things affordable to name a few.

Councilman Cyr stated that last months meeting minutes paint him in a bad light which is not the case. He stated everything done with the concession stand has been done with good intentions. He stated he did not get a demolition permit and takes the heat for it. He stated he did submit plans for the shed, arial views, holding tank and floor plans. When the floor plan was submitted he was told he needed ADA plans, that he thought was only for the bathroom but did not realize they had to be engineer stamped plans for the entire building including bathroom and kitchen. He struggled to find anyone who could provide affordable plans. Councilman Cyr dug the trench so that the electric could be run and was inspected to run the lights for the ball field. Just recently an engineer came to see the building. He stated he did not have any support from the Board except for Ken Saddlemire a month ago with a suggestion of an engineer and very recently the Supervisor. He recently ran the wires to the batting box. He informed the League that they could put a table inside to serve candy, use the refrigerators, but could not cook in the building.

Building and Zoning Administrator, Dan Sherman spoke to explain the reason for the cease and desist order. The reason it happened now, and not a year ago, is because the building has been empty for a year. People gave the League permission to use the building, knowing they had no permits or CO for the building. This action and use of the building is what lead to the cease and desist. He stated he had tried to push the project along while waiting for the proper documents but had no choice but to place the order. He feels if hadn't done it, this meeting and people coming forward to help wouldn't have happened and it is unfortunate that it had to come to this, but now, once he receives the required documents, he will expedite the process. He stated he spoke with Steve Meyers as well, and will work with him. Kyle Britton questioned who placed the order and requested something in writing with the provisions written on it to provide to Little League International. Mr. Sherman explained the building is a municipal building, owned and operated by the town and will not be usable until the permit is in place and a CO issued and he will not put anything in writing as the order stands as is, and it has been addressed by him to the Board. Mr. Britton stated Mr. Sherman should remove the order, let opening day happen and then put the order back on the following weekend. Mr. Sherman had to leave for another meeting and the Board continued to discuss the next steps to keep moving forward with this project.

Supervisor Pokorny asked Councilman Cyr if he had reservations about approving the meeting minutes from April and if he would like to communicate those directly to the Clerk. The Clerk clarified that the minutes were sent out in draft form and asked for any corrections needed by the Board. Councilman Cyr emailed the Clerk stating he had questions, the Clerk offered the recording to the Councilman to listen to, the Councilman said no, not to change Aprils minutes and that he would make his comments at

the May meeting. The Clerk once again offered the recording and to make changes this evening and Councilman Cyr said no, to include his comments (listed above) in the minutes from tonight's meeting.

**RESOLUTION 091-2023** A motion was made by Supervisor Pokorny seconded by Councilman Saddlemire to approve the minutes from the April 2023 meeting as presented. This motion carried unanimously.

**RESOLVED:** to approve the minutes from the April 2023 meeting as presented.

The Clerk spoke on behalf of Arlan Wright and his request to put up a fundraising table at the Memorial Day parade for his Eagle Scout project, stating she would ask the fire company and commissioners on his behalf, as well as asking Councilwoman Spring, Fair Committee Chair about a table at the fair.

Councilwoman Springer states this is absolutely ok to do at the fair. The Clerk will get back to the Board and Arlan about the parade.

The discussion regarding GPS systems will be postponed until next month.

There was a brief discussion regarding the Supervisors reservations about the cost of the new key fab system as does Councilman Cyr. This was voted on and passed at the April 2023 meeting. All Board members want the building to be secure and have concerns about how many hard keys have been made and given out to those who shouldn't have them. The contract was provided and was exactly as it was presented at the Board. This project will remain as approved at the last meeting.

**RESOLUTION 092-2023** A motion was made by Supervisor Pokorny seconded by Councilman Pritchard to issue a half down payment to David Bhan for materials needed for the new key fab system. This motion carried unanimously.

**RESOLVED:** to issue a half down payment to David Bhan for materials needed for the new key fab system.

Supervisor Pokorny states the permit has been issued for the Sun Common project.

There was a meeting held with David from Falcon Roofing and Contracting for the Highway Garage Roof as well as the Transfer Station rebuild. He has submitted a proposal for a 5 bay, T-shaped building to accommodate the compactors, garbage truck and backhoe as well as the concrete work, but not to include sheetrock, bathrooms and interior walls. Nolan Engineering will also submit a proposal for this project but currently has submitted a \$35,000.00 estimate for plans only.

Supervisor Pokorny states he and the bookkeeper have been working on the AUD 2020 and 2021.

Supervisor Pokorny reports that the town attorney has not responded to him yet about the school bus fines.

The Sexual Harassment training link has been sent to everyone to take when then can.

The Supervisor has received an application from John Bonnano for the Assessor position. He had questions about a laptop, paid training, milage, office hours and being paid through a 1099 with a federal tax id. The Supervisor will check with the town attorney to see if this is acceptable and vote on this next month.

**RESOLUTION 093-2023** A motion was made by Councilman Cyr seconded by Councilman Pritchard to accept the resignation from Tiffiny Snyder as Planning Board recording secretary affective 5/15/2023. This motion carried unanimously.

**RESOLVED:** to accept the resignation from Tiffiny Snyder as Planning Board recording secretary affective 5/15/2023.

**RESOLUTION 094-2023** A motion was made by Councilman Cyr seconded by Councilwoman Springer to approve from Tiffiny Snyder as Zoning Board of Appeals recording secretary affective 5/16/2023. This motion carried unanimously.

**RESOLVED:** to approve from Tiffiny Snyder as Zoning Board of Appeals recording secretary affective 5/16/2023.

Councilwoman Springer states the Pucker Street Fair is moving forward with planning. The committee is currently working on organizing a car show and advertising.

**RESOLUTION 095-2023** A motion was made by Supervisor Pokorny seconded by Councilman Saddlemire to pay \$300.00 to Nolan Engineering PLLC for the onsite consultation at the Transfer Station that took place today 5/9/2023 from line item A1640.41. This motion carried unanimously.

**RESOLVED:** to pay \$300.00 to Nolan Engineering PLLC for the onsite consultation at the Transfer Station that took place today 5/9/2023 from line item A1640.41.

**RESOLUTION 096-2023** A motion was made by Supervisor Pokorny seconded by Councilman Saddlemire to pay Richard Grant for electrical work completed at the Transfer Station in the amount \$10,459.87 from line item A1640.41. This motion carried unanimously.

**RESOLVED:** to pay Richard Grant for electrical work completed at the Transfer Station in the amount of \$10,459.87 from line item A1640.41.

**RESOLUTION 097-2023** - A motion was made by Supervisor Pokorny seconded by Councilman Pritchard to authorize the Supervisor to pay the bills from Abstract #005 including voucher #'s 103-121,136-138 in the General Account, totaling \$12,795.74 and voucher #'s 122-135 in the Highway Fund, totaling \$23,918.93. This motion carried unanimously.

**RESOLVED:** to authorize the Supervisor to pay the bills from Abstract #005 including voucher #'s 103-121,136-138 in the General Account, totaling \$12,795.74 and voucher #'s 122-135 in the Highway Fund, totaling \$23,918.93.

**RESOLUTION 098-2023** - A motion was made by Councilwoman Springer seconded by Councilman Pritchard to adjourn the meeting. This motion carried unanimously.

**RESOLVED:** adjourn the meeting.

Respectfully submitted,

*Traci Schanz*

Traci Schanz  
Knox Town Clerk