

**Town of Knox
Regular Meeting
May 9, 2017**

PRESENT: Supervisor Lefkaditis
Councilwoman Pokorny
Councilman Hanley
Councilman Barber
Councilman Barcomb

ALSO: Town Attorney Dorfman
Town Clerk Murphy
Highway Superintendent Salisbury

The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance to the Flag.

RESOLUTION # 70-2017 – APPROVE TO CONSENT AGENDA AND MINUTES FROM 4.11.17 and SPECIAL WORKSHOP ON 5.1.17.

On motion of Councilman Barcomb, seconded by Councilman Hanley, the following resolution was carried unanimously.

RESOLVED to approve to consent agenda and minutes from 4.11.17 meeting and Special Workshop on 5.1.17

4. Presentations:

- a. Peter Newkirk from the Capital Region Furniture Bank proposed a recycling program where gently used furniture brought to the transfer station could be set aside for his organization to come pick up (at a designated time). The groups' mission is to provide furniture to individuals and families moving out of homelessness and fleeing domestic violence and countless others struggling to make ends meet. Councilman Barcomb suggested talking with the transfer station employees to see how they could make this work and advertise in the upcoming newsletter to see if residents are interested in donating. Councilman Barcomb and Councilwoman Pokorny volunteered to take this task on get it set up.
- b. Jim Ader from the Albany County Veterans Affairs office addressed the board to ask for assistance in reaching out the veterans of Knox to make them aware of all of the services available to them including compensation benefits. There are 20,000 veterans in Albany County and less than 2,000 have been identified. The board suggested adding an article in the upcoming newsletter as well.
- c. Liason Reports:
 - a. Planning Board working on the Solar 2.0 Public Hearing coming up on 5/11/17 as well as a minor subdivision project.
 - b. CAC – applied for a DEC grant for technical assistance for natural resource inventory but did not receive the grant. Some assistance may still be available for technical assistance.
 - c. ZBA – No businesses before board so no meeting was held.
 - d. Historical Society – presenting a program called Knox Farming – Past, Present and Future on June 17, 2017 from 2-4pm.

- e. KYC – Park Plan Committee is holding a public hearing on May 17th at 6pm to get feedback from the community on the future park plan.

5. Highway:

- a. FEMA - waiting on final check; once that comes it will be closed out.
- b. The Board has to act on the purchase of a 2017 CAT Payloader for \$1.00 and trade in of CAT Payloader (serial # KTG00532), a previously arranged agreement with CAT.

RESOLUTION # 71-2017 – AUTHORIZE PURCHASE OF 2017 CAT PAYLOADER FOR \$1.00 AND TRADE IN OF CAT PAYLOADER SERIAL # KTG00532.

On motion of Councilman Barcomb, seconded by Councilman Hanley, the following resolution was carried unanimously.

RESOLVED to authorize purchase of 2017 CAT Payloader for \$1.00 and trade in of CAT Payloader, Serial # KTG00532.

- c. The board acted on the authorization for Highway Superintendent Salisbury to attend the annual Highway School. Registration = \$110 + Hotel = \$240, for a total of \$360.00.

RESOLUTION # 72-2017 – AUTHORIZE HIGHWAY SUPERINTENDENT GARY SALISBURY TO ATTEND HIGHWAY SCHOOL IN THE AMOUNT OF \$360.00.

On motion of Councilman Barber, seconded by Councilman Barcomb, the following resolution was carried unanimously.

RESOLVED to authorize Highway Superintendent Gary Salisbury to attend Highway School (Registration = \$110 + Hotel = \$240) for a total of \$360.00.

Hwy Superintendent Salisbury stated that we are still waiting on the 3rd container for the transfer station. Have not heard from the supplier yet but the one container is getting rough. Councilman Barcomb suggested getting a quote for an additional container. Salisbury will check on sizes and pricing options for next meeting.

- d. The board discussed the possible idea of a Girl Scout building a new sign for the Highway Garage as part of a Silver Award, however after checking for approval the project would not qualify. Councilman Barcomb suggested checking with the Boy Scouts to see if this would qualify for one of their projects. Hwy Superintendent Salisbury stated that the sign needs to be replaced and a replacement should be considered.

6. Old Business:

- a. The board requested holding this item for next meeting due to concerns over the facilities and building use policy.
- b. Councilman Barber stated that 3 t-shirts and a safety vest are coming for the Knox Dog Control Officer to wear during official town business.
- c. Amnesty Program – Supervisor Lefkaditis stated that this program idea came from comments about a possible town business directory to avoid technically illegal businesses in the town. Several board members questioned why the program was needed. Supervisor Lefkaditis stated the example of Mae’s Greenhouse as a retail business in a residential area as

a perfect example of why an Amnesty Program is needed. Councilman Barcomb stated that this business falls under the agricultural business, therefore is allowed. Supervisor Lefkaditis responded that that isn't the case since it's in a residential district. Councilman Barcomb stated that the 6 month rule for a pre-existing business is something that should be reviewed and changed instead.

Resident Ed Ackroyd cited the Octagon Barn as another example. Councilwoman Pokorny stated that she had applied for a special use permit with the ZBA but was told she did not need one because they classified the Octagon Barn as a Community Building (Article IV, Sec 42). Supervisor Lefkaditis stated that Community Building is not defined in the Zoning Ordinance (ZO). Councilwoman Pokorny stated that a definition was needed then.

PB Chairman Bob Price responded that the Highlands Restaurant and the Octagon Barn are completely different entities and fall under different regulations. Supervisor Lefkaditis stated that an Amnesty Program would allow people to grow their businesses further and remove any cloud of any kind; a unique situation with a ZO with holes in it, this is solution. Councilman Barcomb responded that the ZO is a work in progress and changes are made when needed. Not supporting the Amnesty Program doesn't mean the board does not support business.

Councilwoman Pokorny responded that the Octagon Barn is a legitimate business and to imply anything else is wrong.

- d. Proposed Business Districts – The board reviewed the proposed lots. Councilman Barcomb proposed holding a separate Public Hearing for each proposed Business District and suggested starting with the 156/157 district because the board has received feedback from the PB and CAC and public input is now needed. A way to get input from the people in that area is needed as well as helping them understand the changes.

Supervisor Lefkaditis stated that sending a letter similar to what was sent to the residents in the Lighting District informing of the upcoming public hearing would be appropriate. Councilwoman Pokorny suggested a questionnaire be sent out to residents potentially affected by these changes. *Supervisor Lefkaditis expressed concern that the suggested questions were loaded and bias looking for a "no" answer from residents. Councilwoman Pokorny responded, "this is a different survey." I did send a draft a while ago that had questions that were loaded, I agree." Supervisor Lefkaditis asked, "you admit it?" Councilwoman Pokorny responded, "I do...I mean I wasn't trying to get "no" answers but they were bias." Supervisor Lefkaditis responded, "I appreciate you admitting that."*

Town Attorney Dorfman stated that the more that is sent out becomes more susceptible to criticism and suggested the board rely on the interest of residents to come. Including options of ways to respond to the board if unable to attend would be appropriate. Councilman Barcomb suggested including the chart from the Z.O. The board agreed to send out a notice of public hearing with options to respond to the board to the property owners identified in the potential business district.

Councilman Hanley stated that he would like have the previous input from the PB and CAC to review and suggested that the same input be given for the other proposed business districts.

Supervisor Lefkaditis read the following resolution and made a motion to authorize the

advertising of a Public Hearing on June 12, 2017.

RESOLUTION

WHEREAS, pursuant to Sections 264 and 265 of the Town Law, the Town of Knox wants to consider an amendment to the Town of Knox Zoning Ordinance to provide for the establishment certain Business Districts in the Town of Knox; and

WHEREAS, pursuant to the Town Law of the State of New York, a Public Hearing must be held before any amendment to the Zoning Ordinance can be adopted; and

WHEREAS, the Knox Town Board is extremely interested in receiving input from the residents of the Town of Knox regarding the proposed changes to the Zoning Ordinance;

NOW, THEREFORE BE IT

RESOLVED, that the Town Clerk is hereby designated to publish in the Altamont Enterprise, the attached Notice of Public Hearing; and it is further

RESOLVED, that a public hearing on the proposed changes to the Zoning Ordinance of the Town of Knox be held on June 12, 2017, at 6p.m. at the

Town Hall to consider the following amendments to the Zoning Ordinance of the Town of Knox:

- A. Article III, Section 3 1 -Business District (B 1) shall be renamed Business Districts.*
- B. The definition of Building District I(BI) shall not be affected by this proposed amendment.*
- C. A new Business District 2 (B2) shall be created and shall include the following tax parcels:*

47	1	15	36 Witter Rd	12009
47	1	16	40 Witter Rd	12009
47	1	17	44 Witter Rd	12009
47	1	29	1676 Berne Altamont	12009
47	1	30	1670 Berne Altamont	12009
58	1	2.11	1764 Berne Altamont	12009
58	1	2.12	1688 Berne Altamont	12009
58	1	2.2	n/a Pleasant Valley Rd.	
58	1	3	1688 Berne Altamont	12009
58	1	4.1	n/a Pleasant Valley Rd.	
58	1	4.2	25 Pleasant Valley Rd.	12009
58	1	5	1953 Thompson Lake Rd	12009
58	2	1.2	1627 Berne Altamont	12009
58	2	2.11	1653 Berne Altamont	12009
58	2	2.12	n/a Thompson Lake Rd	
58	2	2.3	1930 Thompson Lake Rd	12009
58	2	2.41	n/a Berne Altamont Rd	
58	2	2.5	1641 Berne Altamont	12009

RESOLUTION # 73-2017 – APPROVE ADVERTISING OF PUBLIC HEARING ON 6/12/2017 at 6:00 PM TO DISCUSS THE ESTABLISHMENT OF A NEW BUSINESS DISTRICT 2 (B2) (RT. 156/157).

On motion of Supervisor Lefkaditis, seconded by Councilman Barber, the following resolution was carried unanimously.

RESOLVED to approve advertising of Public Hearing on 6/12/2017 at 6:00 pm to discuss the establishment of a new Business District 2 (B2) (Rt. 156/157).

- e. Town Wide clean Up Day – Due to schedule conflicts the board moved the date to October 1st. More information will be posted to web and in the newsletter.
- f. Pucker Street Fair – Councilwoman Pokorny spoke with the Knox Youth Council about having them make the banner for the upcoming fair. The board extended a budget of no more than \$350.00 for supplies and materials.
- g. Bob Price stated that the Highway Garage water sample test results were back and the hardness of the water was off the charts. The water is mostly iron which is leading to the smell and causing the film on everything and should be fixed right away. The board discussed looking into filtration options and getting the water situation fixed. Supervisor Lefkaditis will contact Culligan to see what options they have.

8. New Business:

- a. Solar 2.0 PILOT Program – Meeting to be set up with Supervisor Lefkaditis, Town Attorney Dorfman, Town Assessor Pokorny and Solar 2.0 to discuss PILOT (Payments in Lieu of Taxes) Program.

9. Personnel:

- a. The board accepted the resignation letter from Glenn Hebert for the position of Assistant Building Inspector, effective April 20, 2017.

RESOLUTION # 74-2017 – ACCEPT THE RESIGNATION OF ASSISTANT BUILDING INSPECTOR GLENN HEBERT EFFECTIVE APRIL 20, 2017.

On motion of Councilman Barber, seconded by Councilman Barcomb, the following resolution was carried unanimously.

RESOLVED to accept the resignation of Assistant Building Inspector Glenn Hebert effective April, 20, 2017.

The board requested that Building Inspector Dan Sherman suggest someone who could act in the interm. He suggested Richard Loucks. Town Attorney Dorfman stated the he cannot give any advice until he is approved by Civil Service and has certification. Dan Sherman responded that he has up to 1 year to complete the schooling. Dorfman will look into the specifics of the restrictions set by the State and report back to the board.

RESOLUTION # 75-2017 – APPOINT RICHARD LOUCKS TO THE POSITION OF ASSISTANT TO THE BUILDING INSPECTOR TO BE PAID AT SAME RATE AS ASSISTANT BUILDING INSPECTOR AT A PRORATE AMOUNT.

On motion of Councilman Barcomb, seconded by Supervisor Lefkaditis, the following resolution was carried unanimously.

RESOLVED to appoint Richard Loucks to the position of assistant to the building inspector to be paid at same rate as assistant building inspector at a prorate amount.

Supervisor Lefkaditis stated that he spoke with National Grid about the LED conversion of the street lights and they are ready to go. Money should be sent and agreement will follow.

Councilwoman Pokorny reported that there is still no news on Building Inspector training to complete the 4th action item. There were 4 grants at \$100,000 and 10 grants available at \$50,000 so the town still stands a chance at receiving something.

Councilman Pokorny asked to meet with Supervisor Lefkaditis to review vouchers of energy use for 2017 to finish the energy use report.

Councilwoman Pokorny stated that the Transfer Station Standard Operation Procedures document needs review. Town Attorney Dorfman to review.

Councilwoman Pokorny discussed the idea of installing acoustic tiles in the basement meeting room to allow for more use of the room. Supervisor Lefkaditis stated that he wouldn't put money into that. Councilman Barcomb stated that the room is not being used because of the acoustic problem. Councilman Barber stated that the town should be holding more meetings in that room.

Councilwoman Pokorny discussed the cost of the rabies vaccines required for the Town of Knox Rabies Clinic on July 22, 2017. Fifty (50) single doses will cost \$120 and a ten (10) dose vial for \$25.95 plus shipping.

RESOLUTION # 76-2017 - AUTHORIZE THE PURCHASE OF 50 SINGLE DOSE RABIES VACCINES AT \$120.00 AND A 10 DOSE VIAL FOR \$25.95 PLUS SHIPPING AND AUTHORIZE DR. THERESA TOMMELL TO VACCINATE DOGS ON JULY 22, 2017.

On motion of Supervisor Lefkaditis, seconded by Councilwoman Pokorny, the following resolution was carried unanimously.

RESOLVED to authorize the purchase of 50 single dose rabies vaccines at \$120.00 and a 10 dose vial for \$25.95 plus shipping and authorize Dr. Theresa Tommell to vaccinate dogs on July 22, 2017.

Supervisor Lefkaditis signed authorization letter for Dr. Theresa Tommell to vaccinate dogs on July 22, 2017.

The board announced that the cost for the rabies clinic on July 22 would be \$0 for Knox residents, if they also license their dog, and \$8 for non-residents.

RESOLUTION # 77-2017 - APPROVAL OF MONTHLY REPORTS

On motion of Councilwoman Barcomb, seconded by Councilman Hanley, the following resolution was ADOPTED unanimously.

RESOLVED that the Reports of the Town Clerk and Town Supervisor for the Month of April 2017 be approved.

RESOLUTION 78-2017 - PAYMENT OF BILLS

On motion of Councilman Hanley, seconded by Councilman Barcomb, the following resolution was ADOPTED unanimously.

RESOLVED that the Bills be paid on General Abstract #5-2017 of the General Fund, covering claims #97-111 in the amount of: \$8,277.31 and of the Highway Fund, covering claims #112-125 in the amount of: \$12,595.01 for the year 2017.

RESOLUTION #79-2017 - TOWN BOARD TO ACCEPT THE TRAILER COURT APPLICATION FOR GREEN ACRES TRAILER PARK FOR 2017

On motion of Supervisor Lefkaditis, seconded by, Councilman Barcomb, the following resolution was ADOPTED unanimously.

RESOLVED to accept the trailer court application for Green Acres Trailer Park for 2017.

11. Public Discussion:

Resident Laura Pasquini read a statement discussing her disappointment in the politics being played by the board, requesting that the board work together and compromise after 10 years of no "no" votes it's time to put the town first.

Resident Linda Carmen addressed the board to criticize the use of cellphones by those in the audience as well as the board during the board meeting. Councilman Hanley responded that he only uses his phone to check the calendar for scheduling events and meetings. Carmen continued that many board members have too many obligations and need to consider this when running for office. She also asked who was meeting with the highway department for the garage committee to which Councilwoman Pokorny responded that she and Councilman Barber have been meeting with them. Carmen responded that the building needs to be demolished and build a new one.

Planning Board member Travis O'Donnell stated that he is a relatively new person to town and appreciates the opportunity to get involved and commended the board for making such opportunities available.

Resident Dana Sherman spoke about the car accident on Rt. 156 that caused over 500 residents to lose power. The Knox volunteer fire department was responsible for securing the accident scene and redirecting traffic. The generator failed at the Town Hall that evening so the driver could not be arraigned for driving under the influence.

With no further business, on a motion of Councilman Barcomb, seconded by Councilman Hanley, the meeting was adjourned before going into Executive Session, not to reconvene, at 9:33 p.m. Carried unanimously.

Respectfully Submitted,
May 24, 2017
Tara L. Murphy