

**Town of Knox  
Regular Meeting  
March 12, 2013**

**PRESENT:** Supervisor Hammond  
Councilwoman Pokorny  
Councilman Barber  
Councilman Decker  
Councilman Viscio

**ALSO:** Town Attorney Dorfman  
Town Clerk Swain  
Highway Superintendent Salisbury

The meeting was called to order at 7:25 p.m. with the Pledge of Allegiance to the Flag.

Eric and Karen Cook, residence of Old Stage Road; addressed the board regarding a speed limit reduction on Old Stage Road. The town will have to petition the county to conduct a study. Currently, there are no speed limit signs on that road.

The American Red Cross will be holding a Blood Drive on Saturday, March 30<sup>th</sup> from 8:00am to 1:00pm.

**RESOLUTION #32 - AUTHORIZE THE PAYMENT OF SNOWMOBILE GRANT  
AWARD OF \$2,264.50 TO FRONTIER SNOWMOBILE CLUB**

On motion of Councilman Barber, seconded by Councilman Decker, the following resolution was ADOPTED      AYES 5      NAYS 0

RESOLVED to authorize payment of snowmobile grant award of \$2,264.50 to Frontier Snowmobile Club.

Supervisor Hammond announced the appointment of Linda Quay as Marriage Officer. She has asked to be appointed to that position. The town may appoint up to four (4) marriage officers. The justices do not apply to that four.

Whereas, pursuant to Article 3, section 11 of the New York State Domestic Relations Law, the Governing Body of any village, town or city may appoint one or more marriage officers who shall have the authority to solemnize a marriage within the territorial jurisdiction of such municipality and which marriage shall be valid if performed in accordance with other provisions of law; and

Whereas, Linda Quay, a resident of the Town of Knox, has requested the Town Board to appoint her to the position of Marriage Officer;

**IT IS RESOLVED AS FOLLOWS:**

1. The Town Board of the Town of Knox appoints Linda Quay, as a Town of Knox Marriage

Officer for the period of four(4) years or until such time as her appointment is withdrawn pursuant to Domestic Relations Law 11-c, whichever occurs first.

2. The Marriage Officer shall receive no salary or wage. She is authorized to accept and keep up to seventy-five (\$75.00) dollars for each marriage that she officiates, to be paid by or on behalf of the persons married.

3. The Marriage Officer may solemnize marriages within the territorial jurisdiction of the Town of Knox only.

**RESOLUTION #33 - AUTHORIZE THE APPOINTMENT OF LINDA QUAY AS MARRIAGE OFFICER**

On motion of Councilman Viscio, seconded by Councilwoman Pokorny, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to appoint Linda Quay as Marriage Officer for a period of four (4) years.

Supervisor Hammond reported that he has spoke with a representative from American Power & Gas, a supplier of National Grid. Councilman Decker has researched and would like to refer this to the town attorney for review.

Supervisor Hammond reported on the open position left by Councilwoman Pokorny on the Zoning Board. He spoke with Jay Baumstein, and he would like to fulfill that vacancy.

**RESOLUTION #34 - APPOINT JAY BAUMSTEIN TO THE ZONING BOARD OF APPEALS**

On motion of Councilwoman Pokorny, seconded by Councilman Decker, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to appoint Jay Baumstein to the Zoning Board of Appeals for the remainder of Councilwoman Pokorny's term, December 31, 2017.

**RESOLUTION #35 - AUTHORIZE DOG CONTROL OFFICER, LOUIS SADDLEMIRE TO ATTEND DCO CONFERENCE, HOSTED BY TOWN OF GUILDERLAND BY THE NYS DEPT. OF AGRICULTURE AND MARKETS**

On motion of Councilman Viscio, seconded by Councilwoman Pokorny, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to authorize DCO Louis Saddlemire to attend DCO conference, \$50.00 registration fee.

Town Attorney Dorfman reported that progress on the employee handbook is continuing. The sexual harassment policy needs to be inserted. Will present at next month's meeting.

**RESOLUTION #36 - APPROVE TRAILER COURT PERMIT APPLICATIONS FOR 2013**

On motion of Councilman Barber, seconded by Councilman Decker, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to approve Trailer Court Permit applications for Kountry Knolls and Green Acres; both applications are complete with NYS Health Department Inspection and appropriate funds.

Councilwoman Pokorny presented the board with an outline of a drafted checklist of tasks for the revision of the Comprehensive Plan; using local talent with a responsible time frame to complete the project. The list can be used as a project plan and piece together other town plans along with Nan Stolzenburg's recommendations. Not many residents have volunteered for this project; maybe the town board could be involved in the project and call on others to help. The outline is a six step process. Public visioning and planning would be resident involvement, such as interviews, phone interviews, surveys, free online surveys. The process on the revision should take about a year to complete.

**RESOLUTION #37 - ADOPT THE SIX STEP PROCESS AND USE TO DEVELOP ANY ACTION ON THE REVISION OF THE TOWN OF KNOX COMPREHENSIVE PLAN**

On motion of Councilman Decker, seconded by Councilman Viscio, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to adopt the Six Step Process. (See attached)

Supervisor Hammond, Councilwoman Pokorny and Robert Price to discuss the first step of the Six Step process.

**RESOLUTION # 38 - APPROVAL OF MINUTES**

On motion of Councilman Barber, seconded by Councilwoman Pokorny, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED that the minutes of the February 11, Special Meeting and the February 12 regular town board meeting be approved.

Highway Superintendent Salisbury reported on an issue on Dutch Settlement Road. Guardrail issue, large trucks cannot maneuver the corner. Since Hurricane Irene the bank is eroding, and cannot start project until the permit from DEC is received. Watching the road closely. Would like to put a lower weight limit on that road until the work is complete. Recommends a four ton weight limit and maybe raising to six or eight ton after work is complete. Plans on starting the guardrails on Thursday. Received permit to start work on Hill and Dale Road, damaged by Hurricane Irene.

**RESOLUTION # 39 - APPROVAL OF MONTHLY REPORTS**

On motion of Councilman Barber, seconded by Councilman Decker, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED that the Reports of the Town Clerk and the Town Supervisor for the Month of February 2013 be approved.

**RESOLUTION #40 - PAYMENT OF BILLS**

On motion of Councilman Viscio, seconded by Councilwoman Pokorny, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED that the Bills be paid on General Abstract # 3 of the General Fund, covering claims #43-57 and of the Highway Fund, covering claims # 33-42 & 58 for the year 2013.

Town of Berne Supervisor has asked if the Town of Knox would participate in the Hazardous Waste Collection Day again this year. Supervisor Hammond still has not received funds from the grant last year. He would like to hold off on this until the money is received.

Andrew Freihofer reported that the Planning Board is putting the Wind Draft Ordinance into the Zoning Ordinance. He asked what the WECS has to do with mining. Changes in the zoning ordinance are marked in red font and mining being one of the changes. Town Board unable to answer that, Robert Price suggested asking that question at the Planning Board meeting.

Vasilios Lefkaditis stated that the Zoning Ordinance states having a Business District, but no district exists within the town. Does the town plan on creating one?

Mr. Lefkaditis also reported on the legal issues with Zoning Board of Appeals. NYS Department of Agriculture and Markets has sided with Mr. Lefkaditis and overturned the Zoning Board of Appeals decision. Town Board will have to sue NYS Department of Ag. & Mkts, if the town board defends the Zoning Board of Appeals decision. NYS Department of Ag. & Mkts has contacted the town, and Zoning Board of Appeals had 30 days to respond and file with the Town Clerk. No such documents have been filed with the Town Clerk from the ZBA. Mr. Lefkaditis will not raise the issue of late filing if an extension is granted. Town Attorney Dorfman stated that the 90 day extension is approaching and extra time is needed, he is granted Mr. Lefkaditis an extension of 30 days.

**RESOLUTION # 41 - AUTHORIZE HIGHWAY SUPERINTENDENT TO POST WEIGHT LIMIT ON DUTCH SETTLEMENT ROAD MAX FOUR TON EFFECTIVE IMMEDIATELY**

On motion of Councilman Viscio, seconded by Councilwoman Pokorny, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to authorize Highway Superintendent Salisbury to post weight limit of four ton on Dutch Settlement Road due to the condition of the road.

Town Clerk Swain reported to the board that the Daisy Troop that uses the Town Hall for their meetings would like to do a community event as a thank you for the use of the room. Whether planting flowers or to clean up the park. Supervisor Hammond stated that would be great.

**RESOLUTION #42 - AUTHORIZE TOWN ATTORNEY DORFMAN TO PROVIDE NOTICE OF PUBLIC HEARING TO ESTABLISH WEIGHT LIMIT ON DUTCH SETTLEMENT ROAD PURSUANT TO SECTION 130, SUBDIVISION 7 OF THE TOWN LAW**

On motion of Councilman Decker, seconded by Councilman Viscio, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to authorize the town attorney to provide Notice of Public Hearing to the Town Clerk to establish weight limit on Dutch Settlement Road.

**NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE is hereby given that pursuant to Town Law section 130(7) the Town Board of the Town of Knox, will hold a public hearing on April 9, 2013 at 7:30 pm on establishing a maximum weight limit for motor vehicles traveling on Dutch Settlement Road, a Town road, at which time all persons interested will be heard.

Dated: Knox, New York  
March 13, 2013

With no further business, on a motion of Councilman Viscio, seconded by Councilman Barber, the meeting was adjourned at 8:45p.m. Carried unanimously.

Respectfully Submitted,  
March 20, 2013

Kimberly D. Swain