

**Town of Knox
Regular Meeting
June 9, 2009**

PRESENT: Supervisor Hammond
Councilwoman Gage
Councilwoman Nagengast
Councilman Decker
Councilman Viscio

ALSO: Town Clerk Swain
Highway Superintendent Salisbury
Town Attorney Dorfman

The meeting was called to order at 7:30 p.m. with the Pledge of Allegiance to the Flag.

RESOLUTION # 68 - APPROVAL OF MINUTES

On motion of Councilwoman Gage, seconded by Councilman Decker, the following resolution was ADOPTED AYES 5 NAYS 0
RESOLVED that the minutes of the May 12, 2009 meeting were approved.

RESOLUTION # 69 - APPROVAL OF MONTHLY REPORTS

On motion of Councilman Decker, seconded by Councilwoman Nagengast, the following resolution was ADOPTED AYES 5 NAYS 0
RESOLVED that the Reports of the Supervisor and Town Clerk for the Month of May 2009 be approved.

RESOLUTION # 70 - PAYMENT OF BILLS

On motion of Councilwoman Gage, seconded by Councilman Viscio, the following resolution was ADOPTED AYES 5 NAYS 0
RESOLVED that the Bills be paid on General Abstract #006 of the General Fund, covering claims # 181-209 and of the Highway Fund, covering claims # 170-180 & 210 for the year 2009.

RESOLUTION #71 - SUSPEND REGULAR BOARD MEETING TO ENTER INTO PUBLIC HEARING

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

RESOLUTION # 72 - ADOPT LOCAL LAW NO. 1 OF 2009 ENTITLED "MANDATORY RECYCLING", AMENDMENT TO THE TOWN OF KNOX LOCAL LAW NO. 3 OF 1992

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

RESOLVED to adopt Local Law No. 1 of 2009 entitled “Mandatory Recycling”, All commercial, industrial and institutional establishments within an area of the Town shall source separate and arrange for the collection of recycling of newspapers and other designated recyclables.

Amendment to the Town of Knox Local Law No. 3 of the year 1992 provides that Article III, entitled Mandatory Recycling, section 01-21 be amended to include the following language, to wit: All commercial, industrial and institutional establishments within an area of the Town shall source separate and arrange for the collection of recycling of newspapers and other designated recyclables.

Within 10 days after the adoption of this resolution by the Town Board, the Town Clerk shall, as set forth in Town Law § 90, post and publish a notice which shall set forth the date of the adoption of this resolution and contain an abstract of this resolution, concisely stating the purpose and effect thereof. Such notice shall specify that such resolution was adopted subject to a permissive referendum.

This resolution shall take effect immediately, unless a referendum is requested, in which event it shall take effect, if approved at such referendum, upon such approval.

This resolution is adopted subject to a permissive referendum pursuant to Town Law § 64(2).

RESOLUTION # 73 -CLOSE PUBLIC HEARING AND RESUME TOWN BOARD MEETING

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

RESOLVED to close public hearing and resume regular Town Board meeting.

Amy Pokorny addressed the Town Board on behalf of the members of Helderberg Community Energy (HCE) to create an ordinance that regulates the placement of commercial wind turbines in the Town of Knox. Supervisor Hammond announced that the moratorium that was set in place in 2006 has since expired. After the placement of the Met Tower, the data that was being collected was supposed to be given to the Town Board, which the board has not seen any data of any kind. Attorney Dorfman would like to make a few phone calls and report to the board at the next town board meeting.

RESOLUTION #74 - TOWN ATTORNEY TO RESEARCH BEFORE ANY OTHER CONSIDERATION IS MADE REGARDING THE ORDINANCE OF WIND TURBINES

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

RESOLVED that the Town Attorney research before any other consideration is made regarding the ordinance of wind turbines.

Charlie Sacco inserted dates into the bids for the Town Hall Renovation. The advertisement for the bids will go into the Altamont Enterprise on the June 25th edition. All bids shall be received on July 29th, a pre-bid conference will be held on July 21st, and all bids will be opened on August 11th.

RESOLUTION # 75 - ADOPTION OF PERMISSIVE REFERENDUM FOR ADDITION TO TOWN HALL NOT TO EXCEED ON MILLION SIX HUNDRED FIFTY THOUSAND DOLLARS (\$1,650,000.00)

On motion of Councilwoman Nagengast, seconded by Councilwoman Gage, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVED to adopt the permissive referendum for Town Hall Addition.

WHEREAS, the Knox Town Board has previously sought the services and input from a committee made up on of Town of Knox residents to review the needs of the Town with respect to the current size and layout of the Knox Town Hall and its current and future ability to meet these needs; and

WHEREAS, the Town of Knox has retained the services of an Architect who has worked in concert with the committee to identify and make recommendations regarding the enlargement and improvements to the Knox Town Hall; and

WHEREAS, the committee and the Architect having appeared before the Knox Town Board on several occasions to provide their finding and recommendations resulting in a proposed final plan; and

WHEREAS, the proposed Town of Knox building addition will provide the necessary space and configuration to meet the present and future needs of the Town of Knox to provide the needs of the Town Offices and Town Residents; and

WHEREAS, the cost of said additions to the Knox Town Hall, including architectural and engineering services, was previously estimated to not exceed one million three hundred sixty five thousand dollars (\$1, 365,000) which amount was to be financed through the sale of bonds with a proposed maturity greater than five (5) years; and

WHEREAS, the Town of Knox has now been advised by the subject Architects and has now determined the cost of said additions to the Knox Town Hall, including architectural and engineering services, will be at a greater cost than previously estimated and that said cost is now not to exceed on million six hundred fifty thousand dollars (\$1,650,000.00) which amount will be financed through the sale of bonds with a proposed maturity greater than five (5) years

WHEREAS, Town Law § 81 and 220 and Local Finance Law § 35.00 and 11.00 requires that the Towns financing method through the sale of bonds with a proposed maturity greater than five (5) years is subject to a permissive referendum under Town Law §§ 90 and 91;

NOW, THEREFOR, BE IT RESOLVED AND DETERMINED THAT, pursuant to the provisions of Town Law § 81 and 220 and Local Finance Law § 35.00 and 11.00 that the Towns financing method through the sale of bonds with a proposed maturity greater than five (5) years is approved, subject to a permissive referendum; and

BE IT FURTHER RESOLVED THAT, pursuant to Town Law §§90 and 91, that within ten (10) days form the date of this resolution, the Town Clerk, in a manner as provided for a notice of a

special election, shall post and publish a notice which shall set forth the date of adoption of the resolution, shall contain an abstract of such resolution concisely setting forth the date of adoption of the resolution, shall contain an abstract of such resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to a permissive referendum; and shall publish such notice in the Altamont Enterprise, a newspaper published in the County having general circulation in the Town, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town, a copy of such notice within ten (10) days after the date of the adoption of this resolution.

Supervisor Hammond announced two refunds coming back to the Town for the Town's insurance policy.

RESOLUTION # 76 - AUTHORIZE SUPERVISOR HAMMOND TO CHANGE TELEPHONE PROVIDERS FROM AT& T AND VERIZON TO TIME WARNER CABLE

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

RESOLVED to authorize Supervisor Hammond to change providers from AT&T and Verizon to Time Warner Cable.

Highway Superintendent Salisbury reported he is waiting final approval for FEMA, had the overhead doors to the Town Garage fixed. He signed a contract to save 10% on preventative maintenance, which is no cost to the Town.

Councilwoman Nagengast reported to the board that the Knox Youth Soccer Program has grown considerably, and that the Soccer Program will be held at the Berne Knox Westerlo School.

Robert Price reported that there is a Seminar in July at the Albany Law School for Planning Board Members and the Minutes Recorder, the cost is \$70.00 per person.

On motion of Councilman Viscio, seconded by Councilman Decker, the meeting was adjourned at 9:32 p.m. Carried unanimously.

Respectfully Submitted,
June 23, 2009

Kimberly D. Swain