

**Town of Knox
Regular Meeting
August 9, 2011**

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

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.

Open discussion regarding last month's public hearing on full cut off lighting.

Amy Pokorny distributed a statement to board members concerning reasons to pass this ordinance. Dark skies are a valuable resource. Preserve the rural character of the town. Dark sky preservation is a regional issue.

Russ Pokorny added that this change will not take away values. This would educate people. Ed Ackroyd asked how you really enforce this law. What about flag poles?

Town Attorney Dorfman responded that residents will not be able to obtain their Certificate of Occupancy without full cut off lighting.

Councilman Stevens commented on the wattage of lights. Educate people first; minimize lighting before passing a law like this.

Wendy Barcomb agrees with educating is a great step, and the law will tell residents that the town believes in this.

Mike Swain voiced his opinion, stating he thinks it's a wasteful law. It's taking the personal choice away from people, which lights they can or can not use.

Councilman Viscio has heard comments about this issue for a long time because of the Comprehensive Plan to preserve our town. Education is an important step; right now the planning board is advocating this. There are regulations that need to be met to get a Certificate of Occupancy; this would not be a property right issue.

Councilwoman Gage responded as to another piece of legislation that is not being enforced. The planning and zoning board should educate and suggest full cut off lighting, as a Town, we shouldn't tell them.

Supervisor Hammond read the resolution, as follows:

WHEREAS, pursuant to Sections 264 and 265 of the Town Law, the Knox Town Board is considering an amendment to the Town of Knox Zoning Ordinance, addressing exterior lighting fixtures to be used in new construction; and

WHEREAS, the Knox Town Board conducted a public hearing, after due notice, on July 12, 2011 at 7:30

p.m. at the Town Hall, Knox, New York ; and

NOW, THEREFORE BE IT

RESOLVED, That the Town of Knox Zoning Ordinance is hereby amended as follows:

1. Under Article V, Section A3, Activity Standards, a new paragraph “f” shall be added:

f. **All** outdoor lighting fixtures used in new construction in the Town of Knox shall be full cut-off lighting fixtures.

4. Under Article II, the following term and definition is to be added:

FULL CUT-OFF LIGHTING FIXTURE: A lighting fixture from which no light output is emitted at or above a horizontal plane drawn through the bottom of the lighting fixture.

RESOLUTION #92 – AMEND ZONING ORDINANCE FOR FULL CUT OFF LIGHTING FIXTURES ON NEW CONSTRUCTION, WITH EXEMPTION TO THE LIGHTING OF THE AMERICAN FLAG

On motion of Councilman Viscio, seconded by Councilwoman Nagengast, the following resolution was ADOPTED AYES 3 NAYS 2(Gage & Stevens)

RESOLVED that the Town of Knox Zoning Ordinance is hereby amended as follows:

1. Under Article V, Section A3, Activity Standards, a new paragraph “f” shall be added:

f. **All** outdoor lighting fixtures used in new construction in the Town of Knox shall be full cut-off lighting fixtures.

4. Under Article II, the following term and definition is to be added:

FULL CUT-OFF LIGHTING FIXTURE: A lighting fixture from which no light output is emitted at or above a horizontal plane drawn through the bottom of the lighting fixture.

RESOLUTION #93 – AUTHORIZE SUPERVISOR HAMMOND TO ACT UPON THE BOND ANTICIPATION NOTE

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

RESOLVED to authorize supervisor to make payment of \$160,000.00 and \$20,101.66 interest to Key Bank.

Dormitory Authority has sent signed documents to apply for the \$80,000.00 grant to cover the roofing on the new town hall. \$125,000.00 was awarded to the town; \$45,000.00 will go toward the paving of the back parking area.

RESOLUTION #94 – AUTHORIZE ADVERTISEMENT FOR PAVING THE BACK PARKING LOT FOR BID OPENING AT THE SEPTEMBER BOARD MEETING

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

RESOLVED to authorize the advertisement for paving bids for the back parking lot.

RESOLUTION #95 – AUTHORIZE SUPERVISOR TO APPLY FOR \$80,000.00 FROM DORMATORY AUTHORITY FOR THE GRANT TO OFF SET THE COST OF THE ROOF

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

RESOLVED to authorize supervisor to apply for \$80,000.00 from grant to off set the cost of the new town hall roof.
Town Attorney Dorfman reviewed the contract between the town and Extreme Tile and Contracting. Will have to contact the contractor.

RESOLUTION #96 - APPROVAL OF MINUTES

On motion of Councilman Viscio, seconded by Councilman Stevens, the following resolution was ADOPTED AYES 4 NAYS 0

(Councilwoman Nagengast abstained from the vote as she wasn't present at July's meeting)

RESOLVED that the minutes of the July 2011 meeting were approved.

RESOLUTION #97 - APPROVAL OF TOWN CLERK'S MONTHLY REPORT

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

RESOLVED that the reports of the Town Clerk for the Month of July 2011 were approved.

RESOLUTION #98 - APPROVAL OF SUPERVISOR'S MONTHLY REPORT

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

RESOLVED that the reports of the Supervisor for the Month of July 2011 were approved.

RESOLUTION #99 - 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 #008, covering claims #233-250 and Highway Abstract #008, covering claims #219-232 & 251 for the year 2010.

Highway Superintendent Salisbury presented the board with an updated 284 Agreement. Salisbury reported that the 20 yard container at the Transfer Station has been patched, but is beyond repair. He is waiting for a quote from CEJJ.

RESOLUTION #100 – AUTHORIZE HIGHWAY SUPERINTENDENT SALISBURY TO PURCHASE A 20 YARD OPEN TOP ROLL OFF CONTAINER, NOT TO EXCEED \$5,000.00

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

RESOLVED to authorize Highway Superintendent Salisbury to purchase a 20 yd open top roll off container, not to exceed \$5,000.00.

Supervisor Hammond reported that the town has received the 2nd quarter sales tax of \$197,618.66, which is about \$1,000.00 less than last year.

Budget workshops will be held in late September and early October.
\$10,000.00 was deposited into the general fund, from the cell tower.
Councilwoman Nagengast reported the Youth Soccer Program will be held the second week in September. The program will be held at the soccer fields at Berne Knox Westerlo School. Will need a Certificate of Insurance for the school.

Councilman Viscio reported he has installed the overhead projector.

RESOLUTION #101 – AUTHORIZE COUNCILMAN VISCIO TO PURCHASE LARGE OVERHEAD PROJECTOR SCREEN, NOT TO EXCEED \$600.00

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

RESOLVED to authorize Councilman Viscio to purchase projector screen, not to exceed \$600.00.

Councilman Stevens asked Town Attorney Dorfman for clarification regarding the records. Section 30 of the town law states that the town clerk is responsible for records.

Councilman Stevens asked Town Attorney Dorfman regarding political signs outside town's ordinance, will review and report back.

Ed Ackroyd questioned the Zoning Board Minutes, and why those minutes are not on the town's website.

On motion of Councilman Viscio, seconded by Councilwoman Gage, the meeting was adjourned at 9:01p.m. Carried unanimously.

Respectfully Submitted,
August 22, 2011

Kimberly D. Swain

