

TOWN OF PRINCETOWN  
165 PRINCETOWN PLAZA  
SCHENECTADY, NEW YORK 12306

**Town Board Meeting August 9, 2011**

Members Present: Councilmember Edwards  
Councilmember Esposito  
Councilmember Gray  
Councilmember Myers  
Supervisor Whiteley  
Also present: Attorney P. Trimarchi, see sign-in sheet

PUBLIC HEARING #1 BEGAN @ 7:02

TOWN OF PRINCETOWN  
PUBLIC NOTICE  
REVISION OF DOG LAW (#2 OF 2010)

Public hearing #1

PLEASE TAKE NOTICE the Princetown Town Board will hold a Public Hearing on Tuesday August 9, 2011 to hear all those who would like to comment on the proposed revision of Local Law #2 of 2010, "Dog Control Ordinance of the Town of Princetown", §7C. 1 & 2 (impound fees). The Public hearing will begin @ 7:00 PM at the Princetown Town Hall, 165 Princetown Plaza Schenectady, NY 12306. Copies of the proposed changes can be obtained at the Town Clerk's office. Written comments may be submitted to the Town Clerk prior to the scheduled hearing.

PUBLIC COMMENT:

- ☐ • Mary Sue Reed (Darrow Rd.) - asked why the Board is proposing a reduction in the impound fee (?). Supervisor Whiteley said the Board felt the current fees were excessive.
- ☐ • Supervisor Whiteley - suggested an addition to the Law regarding Legal fees incurred by the Town. The Board discussed and was in agreement that someone found in violation of this Local Law should be liable for any Town legal fees incurred during the prosecution or settlement of the matter. Attorney Trimarchi will formulate wording for review by the Board.

PUBLIC HEARING #1 ENDED @ 7:05  
PUBLIC HEARING #2 BEGAN @ 7:05

TOWN OF PRINCETOWN  
PUBLIC NOTICE  
"WATER PURVEYOR LAW"

Public hearing #2

PLEASE TAKE NOTICE the Princetown Town Board will hold Public Hearing #2 ", immediately following Public Hearing #1, @ the Princetown Town Hall, 165 Princetown Plaza, Schenectady NY 12306 on August 9, 2011 to hear all those who would like to comment on the proposal "Water Purveyor Law". Copies of the proposed Law can be obtained at the Town Clerk's office. Written comments may be submitted to the Town Clerk prior to the scheduled hearing. The regular Town Board meeting will be held after this public hearing.

PUBLIC COMMENT:

- ☐ • Supervisor Whiteley clarified that the proposed Purveyor Law regulates only Water overlay #1 not 2, 3, and 4 overlays. Due to this correction this Public Hearing will remain open until 9/13/2011.

- ❑ • Mary Sue Reed (Darrow Rd.) - questioned the five year window for current non-conforming purveyor to obtain an SUP, "Purveyor" should include anyone using in excess of 1,000 gals, limiting hydro-fracking should be included, SUP should be granted by P.B. not Town Board.
- ❑ • Frank Reed (Darrow Rd.) - (read written comments from P. Bishop) Purveyor should be excluded from W1, for protection of well fields this proposed Law should include W's 1,2,3, and 4, for regulation of purveyor the entire Town should be included, SUP should be w/in jurisdiction of the P.B., 10 NYCRR should be published and requirement for SUP for all non-conforming purveyors must be obtained w/in one year.

PUBLIC HEARING #2 ENDED @ 7:14

Communications:

07/13/2011 NYS Office on Open Government  
 07/14/2011 Wells Communication quotes for radio system upgrade (Water Dept.)  
 07/20/2011 NYMIR Letter re: distribution installment  
 07/20/2011 D. Marciniak to K. Garewal re: property violation  
 07/22/2011 K. Garewal to D. Marciniak re: 7/20/2011 violation letter  
 07/25/2011 Governor Cuomo to Supervisor Whiteley re: Regional Economic Development

Councils:

07/29/2011 NYS DOT to Superintendent Maura re: CHIPS  
 07/29/2011 D. Marciniak to M. & B. Hayden re: violation of ZBA resolution dated 3/1/2010.  
 08/01/2011 S. Scott (Duanesburg P.B. chair) to T.B. & Zoning Chair re: training workshop  
 08/02/2011 Supervisor Whiteley to Co. Public Works (J. Ryan) re: c/o resident; excessive speed on Darrow Road  
 08/04/2011 J. Ryan (Co. Highway) to Supervisor Whiteley re: T.B. resolution for request of NYS DOT study of vehicle speed on Darrow Road

Reports:

06/2011 CEO/Building Inspector  
 07/2011 CEO/Building Inspector  
 07/2011 Water Commissioner

Public Comment:

TOWN BOARD MEETING PUBLIC COMMENT GUIDELINES

*The Town Board will hold an opportunity at the regular monthly meeting (2<sup>nd</sup> Tuesday of every month) for the public to share comments or concerns with the T.B. regarding items scheduled for discussion on the agenda. Each individual will be given one opportunity and three minutes during Public Comment. The person shall state his/her first and last name and address for the record. The public comment opportunity is to be used to make comments to the entire T.B. for their consideration. The purpose of public comment is not to afford an opportunity for back and forth dialogue. In addition the T.B. will hold an opportunity at the end of each monthly meeting for the Public to share comments or concerns with the Town Board on any topic. Each person will be given three minutes. The purpose of this public comment time is not to afford back and forth dialog. There will be time at the end of every meeting for Board members to address comments, questions or concerns residents may have raised if they so choose.*

COMMENTS:

MINUTES:

## RESOLUTION #11-110

UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER EDWARDS IT IS HEREBY RESOLVED

That meeting minutes from July 12, 2011 be accepted as amended (Resolution # 11-93 should total \$27,352.42 not \$27, 342.92).

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

- ☐ • Meeting minutes from special meetings held on July 5, 2011 and July 9, 2011 were accepted at the July 12, 2011 meeting.

### OLD BUSINESS:

Town Hall:

- ☐ • G. Mead is obtaining quotes for Blackout shades on the meeting room windows. The Office of Court Administration as well as the Town's insurance carrier (NYMIR) is requesting, as a matter of safety, that the windows be covered so as to block any silhouetting of people sitting at the front of the room (ie. Judge, T.B. members).

Trooper Barracks:

- ☐ • Discussed three quotes obtained for upgrade/repair of 4 bathrooms (per NYS - Princetown contract). Quotes are \$13, 850, \$16, 790 and \$11,660 (per specs from G. Mead). G. Mead suggests hiring Berschwinger Brothers Contractors for a cost not to exceed \$12,500 (original quote of \$11,660, add a power flush toilet and allow for any increase in materials as quote was given over 6 wks. ago).

Highway:

Water Department:

- ☐ • Numerous leaks were repaired during the past month.
- ☐ • Communications have failed on the system during the last six weeks and have been run manually (24/7). Communications has been an issue since the system went on line in 2001 due to the topography in the area. G. Mead did investigate installing a tower but could not locate a workable site. This problem has been discussed for several years and the best solution is to upgrade the radios, increasing frequency from 5 watts to 25 watts.

Code Enforcement:

- ☐ • Permits are down this year from the 2010 year.
- ☐ • During the past week and a half D. Marciniak had three pools w/no building permit applications (which involves both State and Town Law)
- ☐ • C/O have increased this year from 8 in 2010 to 18 so far this year.

DCO:

### NEW BUSINESS:

GENERAL FUND CLAIMS RESOLUTION #11-111

UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER EDWARDS IT IS HEREBY RESOLVED

that the Town Board approves claim # 168 to claim #194 in the amount of \$ 34,117.76.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

WATER FUND CLAIMS RESOLUTION #11-112

UPON THE MOTION OF COUNCILMEMBER EDWARDS AND SECONDED BY COUNCILMEMBER MYERS IT IS HEREBY RESOLVED

that the Town Board approves claim # 72 to claim # 86 in the amount of \$4,192.64.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

TRANSFER OF HIGHWAY FUNDS RESOLUTION #11-113

UPON THE MOTION OF COUNCILMEMBER GRAY AND SECONDED BY COUNCILMEMBER EDWARDS IT IS HEREBY RESOLVED

That the Town Board approves the transfer of \$ 2,500 from 99019.1 (Interfund Transfer Highway Fund) to 5031.3 (Interfund transfer Highway)

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

HIGHWAY FUND CLAIM RESOLUTION #11-114

UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER GRAY IT IS HEREBY RESOLVED

That the Town Board approves voucher # 4 in the amount of \$ 2,500.00 for payment to Gorman Brothers for crack seal of Willow Run (per NYS contract).

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

TOWN BOARD MEETING VIDEO APPROVAL (7/12/2011) RESOLUTION #11-115

UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER EDWARDS IT IS HEREBY RESOLVED

That the Town Board approve the video/audio tape recording of the July 12, 2011 Town Board meeting.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

REQUEST FOR STUDY OF VEHICLE SPEED ON DARROW ROAD (CO. HIGHWAY #110) RESOLUTION #11-116

UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER ESPOSITO IT IS HEREBY RESOLVED

That the Town Board requests a study by NYS DOT for the purpose of speed reduction on Darrow Road.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

UPGRADE OF FOUR (4) BATHROOMS @ TROOPER BARRACKS (PER LEASE CONTRACT) RESOLUTION #11-117

UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER GRAY IT IS HEREBY RESOLVED

That the T.B. hires Berschwinger Brothers Contractors at a cost not to exceed \$12,500.00 per specifications determined by G. Mead, to perform bathroom upgrades at the Trooper barracks in accordance with the contract between the Town of Princetown and State of New York.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

PURCHASE OF UPGRADED RADIOS FOR THE WATER DEPARTMENT RESOLUTION #11-118  
UPON THE MOTION OF COUNCILMEMBER GRAY AND SECONDED BY COUNCILMEMBER EDWARDS IT IS HEREBY RESOLVED

That the Town Board approves the replacement of 5 watt radios to 25 watt radios, from Wells Communications, for a cost not to exceed \$4,382.16, to alleviate the intermittent communications issue.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

Public Comment: (as stated above)

- ☐ • Norm Miller (Skyline Dr.) commented on what he feels to be inaccuracies in the reporting of Legal fees in 2010.
- ☐ • Mary Sue Reed (Darrow Rd.) commented on attending the Comprehensive Plan Merging Committee meeting on 8/2/2011. M. Reed expressed her dissatisfaction w/the committee and requested the T.B. meet w/Planner Stolzenberg.
- ☐ • Gino Santabarbara (Town Planner & Chair of the Comp. Plan Merging Committee) - said that much of the proposed Comp. Plan wording came from Steve Fenney (Schenectady Co. Planning) originally. G. Santabarbara also said the current Comprehensive Plan is an excellent document that just needed updating; he thanked the members of the Merging committee for all their work and will present the new document to the T.B. in the near future.

Councilmember Concerns:

- ☐ • Councilmember Esposito asked about a dog situation on Scotch Ridge Rd. Supervisor Whiteley said the Board will be discussing the matter during Executive session.
- ☐ • Supervisor Whiteley - expressed her appreciation to Clyde King, grounds keeper, who is doing a wonderful job maintaining the grounds at T.H. as well as the Trooper Barracks
- ☐ • Supervisor Whiteley - announced a 9-11 Memorial Event on Sunday 9/11/2011, hosted by the Princetown Civic Committee. Law enforcement, fire departments, local Churches, County and State Legislators, all Princetown residents, etc. have been invited. Doug Thorpe, who installed message boards on 9/13/2001, which have been saved by the Town, will re-erect the Boards. Legislator A. Santabarbara will be the Master of Ceremony. Also, the Civic Committee has installed a 9-11 memorial at the entrance to the T.H. parking lot.

Discussion:

none

EXECUTIVE SESSION RESOLUTION #11-119  
UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER EDWARDS IT IS HEREBY RESOLVED

that the Town Board enters into Executive Session upon the request of CEO D. Marciniak regarding code enforcement issues, violations and legal intervention also regarding a legal issue involving the DCO @ 7:51 PM.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

EXIT EXECUTIVE SESSION RESOLUTION #11-120

UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER EDWARDS IT IS HEREBY RESOLVED

that the Town Board exits from Executive session @ 8:33.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

RETAIN THE FIRM OF WHITEMAN, OSTERMAN & HANNA; HAYDEN ZBA VIOLATION RESOLUTION #11-121

UPON THE MOTION OF COUNCILMEMBER EDWARDS AND SECONDED BY COUNCILMEMBER ESPOSITO IT IS HEREBY RESOLVED

That the Town Board retains the services of the Law Firm of Whiteman, Osterman & Hanna to assist the Town's CEO in the matter of the Hayden ZBA variance violations (variance dated 3/1/2010).

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

RETAIN THE FIRM OF WHITEMAN, OSTERMAN & HANNA IN THE MATTER OF GAREWAL; PRINCETOWN ZONING AND NYS BUILDING CODE VIOLATIONS RESOLUTION #11-122

UPON THE MOTION OF COUNCILMEMBER MYERS AND SECONDED BY COUNCILMEMBER EDWARDS IT IS HEREBY RESOLVED

That the Town Board retains the services of the Law Firm of Whiteman, Osterman & Hanna to assist the Town's CEO in the matter of K. Garewal, Princetown Zoning and New York State Building Code violations.

ROLL CALL: 5 AYES SAID RESOLUTION DULY ADOPTED

The meeting was adjourned @ 8:45 PM

Respectfully Submitted,  
Carol McClaine  
Town Clerk