

**Public Hearing
Local Law #1**

*“To Repeal Local Law #1 of 1970 and Local Law #1 of 1999
as Obsolete Code of Ethics”*

The Town Board of the Town of Stuyvesant held a Public Hearing on Thursday, February 9, 2012 at 6:30pm at the Stuyvesant Town Hall. In attendance were Supervisor Ron Knott, Councilman Tom Burrall, Councilman Brian Chittenden, Councilman Edward Scott, Councilwoman Kelley Williams, Highway Superintendent Bernie Kowalski and Town Clerk Melissa Naegeli.

Supervisor Ron Knott opened the Public Hearing and asked the Town Clerk to read the notice as published in the newspaper.

**PUBLIC NOTICE
TOWN OF STUYVESANT
Public Hearing
Proposed Local Law #1-2012
Repealing Town Ethics Laws dated 1970 and 1999**

PLEASE TAKE NOTICE that the Town Board of the Town of Stuyvesant will hold a Public Hearing for the purpose of taking public comment on the Proposed Local Law #1 repealing the Town Ethics Laws dated 1970 and 1999. The Hearing will take place on Thursday, February 9, 2012 at 6:30pm at the Stuyvesant Town Hall. The Town Hall is located at 5 Sunset Drive, Stuyvesant, New York 12173.

Supervisor Knott then gave an overview of the repeal of the two local laws on the books from 1970 and 1999. He explained that he hadn't heard of anytime that the Ethics Board had been convened since the 1970 law. He also said there were questions whether or not the 1999 law was ever filed with the NYS Secretary of State's Office. He added that if the Board voted to repeal the laws following the Public Hearing, a proposed resolution had been prepared that would adopt the County Ethics Policy and thereby allow the Town to utilize the County Board of Ethics when necessary.

Supervisor Knott then opened the floor for comments and questions.

Lee Jamison said that she had never heard of anyone being on the Ethics Board referenced in the laws of 1970 and 1999. She added that she hoped this wasn't a sham but a real process. She added that she had a problem with the procedures and that the County Board of Ethics didn't have to take complaints from the public. She also didn't like that the decisions of the Board could be kept confidential and felt they should be public information.

Willard Dreisbach said he had been appointed to the first Ethics Board following the adoption of the 1970 Law. He said the Board had never had to convene.

Martin Roby commented that he agreed with Lee Jamison and that the residents should be able to go to the Board.

Christian Sweningson commented that the idea of efficiency was a good one. He asked if nothing had been brought to the Town Ethics Board or was it a matter of confidentiality that no one knows.

Mike Naegeli asked if there was any records of the County Ethics Board hearing complaints from other than government officials.

Supervisor Knott said he understood the general concerns of the speakers regarding the public being allowed to go to the Ethics Board. He added that NYS doesn't empower any Town to convene a Board of Ethics to take complaints from the public. Supervisor Knott said the confidentiality of proceedings is in place to protect employees during interagency procedures. He added that he understood that a lot of frustration comes from not understanding the process.

Martin Roby asked what the goal of repealing the old laws and adopting the County Policy would be.

Supervisor Knott said that the goals remain the same as were stated in the original (1970) Local Law. The public needs to be protected from bad decisions regarding contract awards. Supervisor Knott read from a model Ethics Policy prepared by NYS that Ethics Policies are also established to protect innocent public officials from unwarranted claims of unethical or criminal behavior.

Will Pflaum asked what section of Law Supervisor Knott was reading from.

Tal Rappleyea explained that it was a sample policy downloaded from the NYS Comptroller's Office website. He said that the model references General Municipal Law Article 18.

Martin Roby asked if the State limited what the Ethics Board can do.

Supervisor Knot replied that the Boards are prohibited from taking complaints.

Martin Roby asked about home rule and couldn't the Town override the State Law.

Tal Rappleyea explained that home rule only applied if it didn't violate State Laws.

Lee Jamison said there was a difference between legal and ethical. She referenced a case that had been in the local newspaper a few years ago and said that while the Board of Ethics said the behavior described was unethical, she didn't believe the person in question was ever brought before the Board.

Supervisor Knott said that due to confidentiality rules, how would anyone know for sure.

Christian Sweningson said that the advisory aspect of an Ethics Board would be helpful for people who don't understand the process. He added that it was helpful

at a previous meeting when Supervisor Knott provided examples from different cases.

Councilman Chittenden said that he had attended training over the weekend and had attended a seminar on Ethics. He told Mr. Sweningson that he asked the same question to the presenter regarding the public being allowed to go straight to the Ethics Board. Councilman Chittenden said the answer was that as a Board Member it was his responsibility to police the other Board Members. If a member of the public had a complaint about someone they should go to their elected official and make that complaint. If the complaint wasn't handled properly, the elected official wouldn't be re-elected.

A motion to close the Public Hearing was made by Councilman Ed Scott and seconded by Councilman Brian Chittenden. The Hearing was closed at 7:00pm.

The Town Board of the Town of Stuyvesant held their monthly business meeting on Thursday, February 9, 2012 at 7:00pm at the Town Hall. In attendance were Supervisor Ron Knott, Councilman Tom Burrall, Councilman Brian Chittenden, Councilman Ed Scott, Councilwoman Kelley Williams, Highway Superintendent Bernie Kowalski, Town Clerk Melissa and Attorney for the Town Tal Rappleyea, Esq.

Supervisor Knott called the meeting to order at 7:05pm and opened the meeting with the Pledge of Allegiance.

A motion to approve the minutes from the previous meeting was made by Councilman Edward Scott and seconded by Councilwoman Kelley Williams. The motion was passed by unanimous vote.

A motion to approve the bills was made by Councilman Edward Scott and seconded by Councilwoman Kelley Williams. The motion was passed by unanimous vote.

Correspondence

Supervisor Knott read a letter from CLC regarding the annual fly-over of Ken Hummel Memorial Park.

Supervisor Knott announced that he has established an email address for official correspondence to the Supervisor. The address is stuysupe@fairpoint.net. He reminded everyone that the Town Clerk's email address is stuy@fairpoint.net. Supervisor Knott also announced that he will be in the office on Wednesdays and Saturdays.

Old Business

Capital Project Update –

The first payment for the Salt Shed project has been made and some minor change orders had been approved. Highway Superintendent Kowalski verified that the trusses and poles were scheduled to be delivered on Friday or Monday.

Supervisor Knott, Councilman Scott and Highway Superintendent Kowalski met with Ray Jurkowski, of Morris Associates (Town Engineer) to review the plans for the highway garage renovations. The packages are ready to go out for bid. The plans will be available at Morris Associates and a copy will be in the Clerk's Office for review.

CSX Bridge / Schoolhouse Road –

Supervisor Knott, Highway Superintendent Kowalski and Attorney for the Town Tal Rappleyea met with a representative from CSX at Congressman Gibson's Office. They proposed to CSX a plan that would include CSX giving the town the old railroad bed and removing the bridge. The Town could build a road that would connect to State Route 9J and eliminate the need for a bridge crossing. Supervisor Knott said the CSX representative seemed to like the proposal and said he would bring it back to CSX. They are currently reviewing the proposal.

Town Clerk/Tax Collector

Melissa Naegeli gave the monthly report for the Town Clerk's Office – that report is available in her office. She also reported that the taxes have been 74% collected.

Melissa Naegeli reminded the Board and audience that she had been asked in January to start reporting on the number of FOIL requests that she is handling each month and the status of those requests. She told everyone that she had prepared the extensive report and had distributed it to the Board members. She said that because her handling of FOIL Requests was now a matter of a new litigation that had just been served the night before, that she didn't feel it would be appropriate to report on them publicly. The FOIL report is available in her office.

Assessor's Office

Cathy Knott reminded everyone that there are only 20 days left to get exemptions into the Assessor's Office.

ZEO/Building Inspector

Gerry Ennis reported that it was a pretty slow time of year and that he had been working on annual reports. He added that he had highlighted some wording in the Town Zoning Law that the Board should look over and consider changing.

Railroad Station Restoration Committee

Marilyn Burch reported that the Committee had met and had come up with a schedule of events for the summer season at the Station:

May 11 th	Rhubarb Festival
June 8 th	Strawberry Festival
August 10 th	Corn Festival
Sept. 7 th	Taste of Buffalo

Mrs. Burch added that she is in contact with various guest speakers and will report on that in the future.

Marilyn reported that there were a group of volunteers that had been meeting at the railroad station every Friday morning to do renovation work. She said that all but 2 of the windows are repaired and fully operational, that all 5 doors were working, that there were electric lights in the mechanical room and that Supervisor Knott had delivered sheetrock and that would be going up.

The volunteers are Cal Burch, Richard Anderson, Richard Moran, and Fritz Platt.

Recreation Committee

Councilwoman Kelley Williams reported that the Committee had met on Feb. 4th and that they had discussed different types of fencing options for the playgrounds. They are getting prices and will report to the Board.

The Owl Walk was held on the evening on February 4th at the Ken Hummel Memorial Park. Lee Jamison reported that there were approximately 20 people in

attendance and that Kathy Schneider led the group. They called out to the owls, had a bonfire and s'mores at the end of the evening.

Supervisor Knott told Councilwoman Williams that he had a contact at the County for her to talk to about reimbursement for the summer recreation program.

Environmental Management Council

Kathy Schneider reported that the GIS Grant was with the County Board of Supervisors for review and had to be approved. She said if the Grant was approved, training would be scheduled for the Spring and that each Town could send a representative.

Kathy also reported that there was a workshop scheduled for March 17th at the Columbia Greene Community College. It was being put on by the Columbia Land Conservancy in conjunction with the EMC and would be for local officials to understand what they should know about environmental management. She will notify the Board when more information becomes available.

Highway Department

Superintendent Kowalski requested permission to purchase a new plow truck. He reported that the Town would sell the 1999 truck and keep the 1995. With being able to piggyback on the County bid for the truck, money from FEMA and money from the Highway unexpended fund balance, no money would have to be borrowed. He said that the body would have to be bid separately but thought the total cost would be approximately \$170,000 for a single axle truck. He would use the plow and wing from the existing equipment.

Councilman Scott asked about the funding from FEMA. Bernie replied that he expected to only have to take \$20-\$30,000 from the unexpended funds.

Councilman Scott made a motion to allow Highway Superintendent Kowalski to bid on and purchase a new plow truck. The motion was seconded by Councilman Brian Chittenden and was passed by unanimous vote.

Planning & Zoning Boards

Shirley Narzynski reported that the Planning Board welcomed a new alternate member – Tom Capadona. She also reported that the Public Hearing for Beaulieu had been held over to the February 27th meeting.

Town Hall Committee

Councilman Edward Scott reported that he had been painting the hallways. He said he was going to paint the Sheriff's Office then work on the kitchen. He said in the Spring he would begin working on the trim of the building.

Councilman Tom Burrall reported that the new flag in front of the Town Hall had been given to him by Congressman Chris Gibson and that it had flown over the U.S. Capitol building.

Historian

No report.

Dog Control Officer

Supervisor Knott explained that Wes Powell had been detained in New Lebanon and that he had wanted to present to the Board the idea of contracting with another shelter. He will make that presentation at the March meeting.

Website Committee

Councilman Tom Burrall reported that he had reviewing websites of neighboring towns to get an idea of what's out there. He said he is shopping around for prices and is still looking for volunteers.

Town Clerk Melissa Naegeli suggested to Councilman Burrall that he contact BAS for prices. She said they do her Town Clerk program and Tax Collector program and that they offer web design, management, and IT Services in addition to other programs for other offices within the Town Government. Gerry Ennis reminded the Board that BAS had come to the Town with a proposal for linking the Building Department and Assessor's Office a few years ago. He asked the Board if they could come back and present again to the new Board members and if they would consider their options. Supervisor Knott asked Melissa Naegeli to contact BAS and get something scheduled.

Lee Jamison asked if Melissa Naegeli had direct access yet to be able to update the website. Supervisor Knott explained that that is one of the goals of a new website.

County Government

Supervisor Knott reported that Katherine Schneider's 2 year term would expire in March and asked the Board if they would like to reappoint her as the Town's Representative to the County's Environmental Management Council. A motion to reappoint her for another 2 year term was made by Councilman Edward Scott and seconded by Councilman Brian Chittenden. The motion was passed by unanimous vote.

Supervisor Knott said the Town had to appoint someone to the Columbia County Traffic Safety Board. He said that in the past it was Frank Sacco but due to ill health he wouldn't be able to do it anymore. After asking for suggestions, Supervisor Knott presented Steve Montie to the Board for consideration. A motion was made by Councilman Brian Chittenden to appoint Steve Montie to the Columbia County Traffic Safety Board. The motion was seconded by Councilman Edward Scott and was passed by unanimous vote.

New Business

Sandbar Sign –

Councilman Edward Scott reported that he had designed a new sign for the sandbar as was requested by the owners of the property, Allied Healthcare. Supervisor Knott reported that he had shown Councilman Scott's proposal to the owners and they approved the sign. Councilman Scott said the wood from the sign that was replaced on Route 9 could be used and would save a lot of money. He said the sign would cost \$224. A motion was made by Councilman Brian

Chittenden to have the sign made and it was seconded by Councilwoman Kelley Williams. The motion was passed by unanimous vote.

Highway Superintendent suggested that they wait to install the sign until the work is completed on moving the access road. Councilman Scott said it would be easy to move the sign and that the owners wanted the sign up.

Local Law #1 –

A motion to adopt Local Law #1-2012 “To repeal Local Law #1 of 1970 and Local Law #1 of 1999 as Obsolete Codes of Ethics” was made by Councilman Brian Chittenden. The motion was seconded by Councilman Edward Scott. The Law was adopted by unanimous vote.

Supervisor Knott asked Melissa Naegeli to read the proposed Resolution:

RESOLUTION
TOWN OF STUYVESANT TOWN BOARD
February 9, 2012

WHEREAS, the Town Board of the Town of Stuyvesant previously adopted a Code of Ethics by local law, several years ago, which has been repealed by a further local law contemporaneously herewith, and

WHEREAS, the Town Board of the Town of Stuyvesant desires to have an up-to-date Town Ethics Code which is compliant with all requirements of the laws of the State of New York and has determined that the County of Columbia Ethics Code, as amended and attached hereto is entirely compliant with the laws of the State of New York.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Stuyvesant Town Board hereby resolves that the Code of Ethics of the County of Columbia, including the Board of Ethics established therein, as amended and attached hereto shall be and hereby is adopted by the Town of Stuyvesant and shall serve as the Code of Ethics for the Town of Stuyvesant.

<i>Town Board Members</i>	<i>Aye</i>	<i>Nay</i>	<i>Absent</i>
<i>Ronald Knott</i>	<i>X</i>		
<i>Kelli Williams</i>	<i>X</i>		
<i>Brian Chittenden</i>	<i>X</i>		
<i>Edward Scott</i>	<i>X</i>		
<i>Thomas Burrall</i>	<i>X</i>		

Dated: February 9, 2012

Town Clerk Melissa Naegeli read the resolution and a roll call vote was taken. The Resolution was passed by unanimous vote.

Newton Hook Access –

Supervisor Knott reported that he had been in contact with the NYS DOT regarding the crossing at Ice House Road. They confirmed that the project was on schedule for construction in the 3rd Quarter of this year. Supervisor Knott also spoke with DEC and they confirmed that the \$250,000 GE money is earmarked for work at the end of Ice House Road after the crossing has

been repaired and improved. They are currently working on drawings for plans of a park and will come to a Board Meeting within the next few months to make a public presentation.

Supervisor's Report

County Gov't Committee

Supervisor Knott reported that Holly Tanner had told the County Board of Supervisors that she and other State County Clerks are working to get 4% of all internet registration sales. Currently, the Counties get 12% of sales made at their counters and none from online sales. The proposal is part of the Governor's proposed budget and the Clerks are working to have it kept in.

Economic Development Committee

The committee will meet at the airport and are scheduled to meet next at the Soil and Water Office. They will be reviewing a draft Farmland and Agricultural Protection Plan.

Public Works

A decision has been made to not purchase the old Walmart Building to house the DSS. There is a proposal being reviewed to purchase the building that houses the offices currently.

The courthouse renovations will be going to bonding in March.

Public Comments

Martin Roby – Questions regarding what documents are public during litigation. Tal Rappleyea said he hasn't researched the question but that attorney/client communications would be privileged.

Lee Jamison – Question whether Melissa Naegeli would be able to continue to be the FOIL Officer in light of a new litigation. Supervisor Knott said yes, Melissa Naegeli will remain the FOIL Officer and that the lawsuit will not impact her performance of the job.

Lee Jamison – Question regarding the locked bathroom doors in the Mental Health building during an after-hours meeting. Supervisor Knott reported that there were concerns of safety and that the layout of offices in the building were being rearranged and that should mitigate the problems.

Lee Jamison – Question about the tree being cut down at Overlook Park in Stuyvesant Falls. She said no one knew who did it. Highway Superintendent Bernie Kowalski said the County cut the tree down. If they felt the tree would fall in the road they had the right to cut it down. He directed her to contact the County Highway Department with any additional questions.

Christian Sweningson – Question as to what the procedure would be for contacting the County with a question. Supervisor Knott said he would contact the County Highway Department and ask them and report back.

**Town of Stuyvesant
Town Board Meeting Minutes**

February 9, 2012

Lee Jamison – Asked Supervisor Knott about a meeting he had with the representatives from the Swyer Preserve. Supervisor Knott said he had met with them. They said they wanted the Town to take over the maintenance of the walkway. Supervisor Knott said that the Board could try to find volunteers but that we would not commit money to the work. Supervisor Knott spoke with Sean Cummings who said that they could try to help but that the Trails Committee has a lot of trails in town that they are responsible for and didn't think they could responsible for the Swyer Preserve.

Kathy Schneider – Asked that since the Nature Conservancy got a tax break for maintaining the trail should they have to preserve public access. Councilman Knott said they are not required to maintain the trail.

Lee Jamison – Asked who Supervisor Knott had met with – Nature Conservancy or Swyer Foundation. Supervisor Knott said he met with the Nature Conservancy.

Supervisor Knott reminded everyone that Sean Cummings had presented the idea of a 501c3 corporation to the Board and had reported that the OSI would maintain the fund for an 8% fee. Supervisor Knott reported that he had spoken with Ken Flood from the County Economic Development Committee and that they can do the same services for only 5% of the fund. Further investigation will be done.

Christian Sweningson – thanked Supervisor Knott for his work and ideas on the CSX Bridge issue.

A motion to adjourn the meeting was made by Councilman Edward Scott and was seconded by Councilman Brian Chittenden. The motion was passed by unanimous vote and the meeting adjourned at 8:02pm.

Recorded this 9th day of February 2012

Approved this 8th day of March 2012

_____ Supervisor Knott	_____ Town Clerk – Melissa Naegeli
_____ Councilperson	_____ Councilperson
_____ Councilperson	_____ Councilperson

**Town of Stuyvesant
Town Board Meeting Minutes**

February 9, 2012

CLAIM	VENDOR NAME	ACCT #	GENERAL	HWAY	CAPITAL
17	National Grid (\$2059.19)	5182.4	1,679.13		
		5132.4	380.06		
18	Fairpoint Communications (439.23)	1620.4	255.79		
		5132.4	183.44		
19	Rainbow Distributors (26.00)	1620.4	14.00		
		5132.4	12.00		
20	Mario's Home Center	1620.4	65.28		
		5132.4	78.09		
21	Col Co Treasurer (5722.32)	9060.8	1,306.07	4,416.25	
22	Staples (211.35)	1620.4	50.66		
		1010.4	13.49		
		1220.4	8.62		
		1410.4	138.58		
23	Col Co Sheriff's Office	1110.4	243.49		
24	Johnson Newspaper (78.40)	1010.4	21.27		
		1410.4	40.79		
		8020.4	16.34		
25	Xerox Corp	1410.4	287.43		
26	NYS Town Clerk's Assoc	1410.4	160.00		
27	The Saratoga Hilton	1410.4	724.62		
28	Tal Rappleyea, Esq.	1420.4	1,406.25		
29	Gerald Ennis	3620.4	639.96		
30	NexTel Partners	5010.4	63.03		
31	Desposito's Utilities	5110.4		1,000.00	
32	Farrell Oil Co., Inc.	5110.4		50.72	
33	Fleet Services	5110.4		432.05	
34	Lowe's	5130.4		76.35	
35	Mooradian's	5130.4		339.17	
36	Tractor Supply	5130.4		330.06	
37	Vantage Equipment	5130.4		151.76	
38	CarQuest of Valatie	5130.4		253.41	
39	Ben Funk, Inc.	5130.4		129.14	
40	Tonnie Sauca Sr.	5130.4		200.00	

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41	D & W Diesel, Inc.	5130.4		793.47	
42	John Deere Finanical	5130.4		1,932.12	
43	Marchese Ford	5130.4		1,084.68	
44	Morris Associates	H5132.2			7,754.35
45	Main Care (2930.62)	5132.4	1,766.88		
		5110.4		1,163.74	
46	Lapiner Bros., Inc.	5132.4	178.20		
47	Culligan	5132.4	26.75		
48	J.C. Smith, Inc. (599.26)	3310.4	489.65		
		5130.4		109.61	
49	Titan Alloy Products	5130.4		116.59	
50	Share Corporation	5130.4		98.00	
51	Matthew's Signs	7110.4	224.00		
52	Unifirst Corporation	9090.8	179.86		
		TOTAL	9555.27	11189.18	7754.35