

April 15th, 2013
Regular Meeting
Petersburgh Town Board

Present: Supervisor Siegfried Krahforst, Councilman William Seel, Councilman Richard Snyder, Councilman Duane Goodermote, Attorney Kevin Engel, Assessor Craig Surprise, Planning Board Chairman David Miller, Planning Board Member Timothy Church, Library Director Sharon Hodges, Historian Peter Schaaphok, Board of Ethics Chairperson Deidra Michaels

Absent: Councilman David Alderman, Highway Superintendent Raymond Harrison

Guests: Daniel McCumber, Jane Wesley, Brian O'Donovan, Timothy Allen, Craig Levesque, Peter Guest, Brigitta Schmidt, Janet Snyder, Vallis Goodermote, Carol Salamanca, Priscilla Maxon, Sean O'Donovan, Katie Dastoli, Walter Walters, Terry Neaton, Mike Jones, Fred Grioux, Karen Davis, Charles Davis, Terri Clyde, Denise Church, Mason Hubbard, Mary Welch, Scott Goldstein

Press: Alex Brooks, The Eastwick Press

Call to order: 7:00 PM

PUBLIC ADDRESS

- Pro-Second Amendment Resolution (opposition of NY Safe Act): members of the public were invited to comment on the resolution proposed by Councilman Goodermote.

1. Timothy Church: first questioned why the matter was dropped after discussion in January. Supervisor Krahforst responded that the matter had been reintroduced due to strong feelings of support in this issue. Mr. Church stated his disagreement with the proposed resolution, explaining that as a victim who lost a son to gun violence, his belief was that stronger restrictions are needed like the NY Safe Act. Mr. Church concluded by stating that the Board would vote against the proposed resolution.

2. Craig Levesque: stated that as a former military member, he had dealt with all types of weapons and did not agree with the definition of "assault weapons" used in the NY Safe Act. He said that some firearms defined as assault may be only be used for hunting purposes, and believes that the Safe Act is prohibiting. Mr. Levesque voiced support of the proposed Board resolution.

3. Peter Schaaphok: announced that the original intent of the Second Amendment was for self-protection purposes. Mr. Schaaphok expressed concern that the NY Safe Act, and other such legislation, is largely controlled by New York City where the most voting occurs; upstate areas suffer due to the same rules being applied toward urban and rural environments.

4. Mason Hubbard: gave a speech regarding the freedoms guaranteed by the Constitution. Mr. Hubbard voiced his fear of lost rights due to laws such as the Safe

Act, which may cause the general public to be at risk and defenseless if forced to be unarmed.

5. Vallis Goodermote: stated that as a woman living in the country, she feels safe in knowing that firearms may be relied upon for protection.. Mrs. Goodermote expressed favor in the passing of the proposed resolution.

6. Siegfried Krahforst: speaking as a Town resident, explained the benefits of a policy similar to Switzerland, where firearms are issued to everyone at a certain age and as a result criminal activity is very low and weapons are a non-issue. Mr. Krahforst also described a brief period living under the Nazi regime, where the loss of rights began with gun registration similar to as proposed by legislations like the NY Safe Act.

With all public comments heard, the Board voted upon the proposed resolution.

Resolution #31

RESOLUTION AFFIRMING SUPPORT FOR THE SECOND AMENDMENT OF THE UNITED STATES CONSTITUTION AND OPPOSING ATTEMPTS TO INFRINGE ON THOSE RIGHTS

WHEREAS, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution and under the Constitution of the State of New York; and

WHEREAS, the Petersburg Town Board, being elected to represent the people of the Town of Petersburg and being duly sworn by their Oath of Office to uphold the United States and State of New York Constitutions; and

WHEREAS, certain legislation passed by the New York State Assembly and Senate infringes on the Constitutional Right to Bear Arms and would be a ban on firearms in the possession and use by the people of the Town of Petersburg and be a ban on the lawful use of certain firearms in the Town of Petersburg; and

WHEREAS, there are other less restrictive and intrusive means of reducing gun violence; and

WHEREAS, there is no proven correlation between firearms control legislation and the reduction of crime; and

WHEREAS, The Petersburg Town Board does hereby affirm support for the Second Amendment of the U.S. Constitution and the rights afforded to residents under the Constitution, and opposes attempts to infringe on those rights; now, therefore, be it

RESOLVED, the Petersburg Town Board affirms support for the Second Amendment, and states opposition to the legislation (NY SAFE Act) adopted by the State Legislature restricting the rights of gun owners, and opposes attempts on the Federal level to implement new restrictions on these rights; and, be it further

RESOLVED, That the Petersburg Town Clerk is hereby directed to transmit certified copies of this resolution to U.S. Senator Charles Schumer, U.S. Senator Kirsten Gillibrand, U.S. Representative Paul Tonko, U.S. Representative Chris Gibson, Governor Andrew

Cuomo, State Senator Kathy Marchione, Assemblyman Steve McLaughlin, Assemblyman John McDonald, and the Rensselaer County Legislature.

The above resolution was offered by Councilman Goodermote, seconded by Supervisor Krahforst, and roll call showed the following results:

Supervisor Siegfried Krahforst	Aye
Councilman William Seel	Aye
Councilman Richard Snyder	Aye
Councilman David Alderman	Absent
Councilman Duane Goodermote	Aye

Supervisor Krahforst declared that the foregoing resolution was duly adopted.

PUBLIC ADDRESS, Continued

- Scott Goldstein: stated that he was a Town resident and local contractor present to address the Board regarding an ongoing conflict. Mr. Goldstein requested the resignation of Planning Board Chairman David Miller due to past and recent behavior displayed by this Town official. Mr. Goldstein spoke of a recent conversation between himself and Mr. Miller in which he claimed Miller's behavior was "abusive, slanderous, and offensive." Mr. Goldstein was instructed to file a complaint with the Board of Ethics as required by Town policies.
- Sean O'Donovan: first questioned why the Town Highway Department was not purchasing material locally from his gravel bank located within Town, and instead "driving further to pay more." The Board informed Mr. O'Donovan that as an Elected Official, the Highway Superintendent made such decisions and usually purchases the products from vendors included on the County contract. As Highway Superintendent Harrison was absent this evening due to a family emergency and therefore unable to comment, Mr. O'Donovan was told that the matter may be tabled until next month.
 - Mr. O'Donovan addressed the Board with a second concern, agreeing with Mr. Goldstein's earlier remarks and also calling for Mr. Miller's resignation. Several other relating issues were discussed, and Mr. O'Donovan was also told to contact the Board of Ethics so that the legalities involved may be researched.

APPROVAL OF MINUTES

Resolution #29 Approval of Minutes

On motion of Councilman Seel, the following resolution was adopted. Be it resolved that the minutes from the November 19th, 2012 Regular Meeting, December 17th,

2012 Regular Meeting, December 28th, 2013 End-Of-Year Meeting, and January 7th, 2013 Organizational Meeting be approved as presented. Councilman Snyder seconded such motion, and roll call showed the following results:

Supervisor Siegfried Krahforst	Aye
Councilman William Seel	Aye
Councilman Richard Snyder	Aye
Councilman David Alderman	Absent
Councilman Duane Goodermote	Aye

Supervisor Krahforst declared that the foregoing resolution was duly adopted.

REPORTS

- Town Clerk: provided the Board with a copies of the Town Clerk monthly report. The report showed a total of \$2,727.62 received in revenue for the month of March.
- Highway Superintendent: was absent this evening as previously mentioned.
- Supervisor: Siegfried Krahforst provided the monthly Supervisor's report to the Board. It showed receipts \$39,413.35, disbursements \$112,691.83, leaving a balance on hand as of April 15th, 2013 of \$470,914.23. This report is on file in the office of the Town Clerk. Councilman Seel mentioned that he had corresponded with the bookkeeper regarding the financial reports being provided, but no conclusion had been reached.
- Assessor: with no other applications received, the Board adopted a resolution appointing Craig Surprise to another term.

Resolution #30

Re-Appointment of Assessor

On motion of Councilman Goodermote, the following resolution was adopted. Be it resolved that Craig Surprise is hereby reappointed as the Assessor for the Town of Petersburg for the term of October 1st, 2013 – September 30th, 2019. Councilman Snyder seconded such motion, and roll call showed the following results:

Supervisor Siegfried Krahforst	Aye
Councilman William Seel	Aye
Councilman Richard Snyder	Aye
Councilman David Alderman	Absent
Councilman Duane Goodermote	Aye

Supervisor Krahforst declared that the foregoing resolution was duly adopted.

- Board of Assessment Review Appointment:

Resolution #31

Board of Assessment Review Appointment

On motion of Councilman Seel, the following resolution was adopted. Be it resolved that Brandon deWaal be hereby appointed to the Board of Assessment Review for a term ending December 31st, 2017. Councilman Seel seconded such motion, and roll call showed the following results:

Supervisor Siegfried Krahforst	Aye
Councilman William Seel	Aye
Councilman Richard Snyder	Aye
Councilman David Alderman	Absent
Councilman Duane Goodermote	Aye

Supervisor Krahforst declared that the foregoing resolution was duly adopted.

- Board of Ethics: Chairperson Deidra Michaels stated that approval was still being awaited for the revised Code of Ethics. The appointment of a new member was then addressed.

Resolution #32

Board of Ethics Appointment

On motion of Councilman Seel, the following resolution was adopted. Be it resolved that Terri Clyde be hereby appointed to the position of Assessor's Clerk for a term ending December 31st, 2013. Councilman Snyder seconded such motion, and roll call showed the following results:

Supervisor Siegfried Krahforst	Aye
Councilman William Seel	Aye
Councilman Richard Snyder	Aye
Councilman David Alderman	Absent
Councilman Duane Goodermote	Aye

Supervisor Krahforst declared that the foregoing resolution was duly adopted.

- Building Inspector: was absent due to a death in the family. It was reported that he had been working on the Jones Garage issue.
- PVMCC: a financial report was provided for the Board's review.
- Assessor: informed the Board that while out reviewing properties, several properties were found that were in serious need of code enforcement. A parcel located on Lewis Hollow Road in particular was discussed, and it was decided to follow up on the matter once the Building Inspector has returned.

- Dog Control Officer: a report was provided showing a total of zero calls for the month of March.
- Historian: Peter Schaapok was present to discuss the cemetery maintenance schedule, which currently consists of six cemeteries mowed three times per year. While a Cemetery Committee was formed with the intentions of identifying lost sites and plans for restoration and maintenance, lack of volunteers have resulted in little to no new information. Mr. Schaaphok also requested the Board's consideration in repairing a retaining wall that is collapsing in Reynolds Cemetery.

OLD BUSINESS

- Broken Wheel Bridge: Supervisor Krahforst stated that he had attended the meeting in which the involved Native American land was discussed, and at this point was waiting for confirmation that the site holds no historical significance so that the project may proceed.
- Jones Garage: previous instructions given to the property owner required action to be taken within thirty days, which have now passed with no progress or cooperation being shown. The matter will be addressed by the building inspector upon his return so that the required procedures may be followed.
- 103 Mill Yard Road: nothing new was reported on this subject.
- Town Hall Repairs: The window wells installation had not yet occurred due to the proper insurance documentation being awaited prior to the projects commencing. The front doors were again tabled to continue awaiting the NYSERDA study.

NEW BUSINESS

- Speed Limit Resolution: a Board resolution was required in order for the County to proceed with the posting of speed limit signs along Hewitt Road. The Board made a decision to vote in favor of posting all unlabeled Town and County roads at once.

Resolution #33

Speed Limit Reduction Request

On motion of Councilman Seel, the following resolution was adopted. Be it resolved that the Town Board hereby requests that the Rensselaer County Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, establish a lower maximum speed at which vehicles may proceed on Hewitt Road, a County Road located off of State Route 22, in addition to all other Town and County Roads which are currently not posted with speed limit reduction signs. Upon receipt of the notice that the regulation herein requested has been established, the Town of Petersburg will provide, install and maintain required regulatory signs in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the

Department of Transportation. Councilman Snyder seconded such motion, and roll call showed the following results:

Supervisor Siegfried Krahforst	Aye
Councilman William Seel	Aye
Councilman Richard Snyder	Aye
Councilman David Alderman	Absent
Councilman Duane Goodermote	Aye

Supervisor Krahforst declared that the foregoing resolution was duly adopted.

- Request from Seniors: the Petersburg Sunshine Seniors provided a written request for the Board's consideration of a Bocce Court to be installed on the side Town Hall lawn. The Board requested that detailed plans be provided for review, and the matter was tabled.
- Lawn Care Agreement: Two bidders provided estimates for the municipal complex, Town Park, and cemeteries. Daryl Manchester quoted prices of \$2,000.00 for the municipal complex, \$2,500.00 for the park, and \$1,800.00 for the cemeteries. Edward Jones gave a cost of \$1,303.41 for the municipal complex, \$1,500.00 for the park, and \$3,072.00 for the cemeteries. The Board passed a resolution in favor of hiring the lowest bidder.

Resolution #34

Lawn Care Agreement

On motion of Councilman Seel, the following resolution was adopted. Be it resolved that the bid from Edward Jones be hereby accepted for the 2013 Lawn Care Agreement in the amounts of \$1,303.41 for the municipal complex, \$1,500.00 for the Town Park, and \$3,072.00 for the Town cemeteries. Councilman Goodermote seconded such motion, and roll call showed the following results:

Supervisor Siegfried Krahforst	Aye
Councilman William Seel	Aye
Councilman Richard Snyder	Aye
Councilman David Alderman	Absent
Councilman Duane Goodermote	Aye

Supervisor Krahforst declared that the foregoing resolution was duly adopted.

- Code of Ethics: was tabled until next month, and an Executive Session will be scheduled for its discussion.
- Audit of Bills #4/13:

Resolution #35

Audit of Bills #4/13

On motion of Councilman Seel, the following resolution was adopted. Be it resolved that the bills as listed on abstract # 4/13 be paid in the following amounts:

General Fund # 62-88	\$ 13,456.35
Highway Fund # 62-79	\$ 12,655.59
Water District # 12-14	\$ 385.86
Light District # SL1-SL2	\$ 743.99
Library Fund # 20-27	\$ 4,125.92

Councilman Snyder seconded such motion, and roll call showed the following results:

Supervisor Siegfried Krahforst	Aye
Councilman William Seel	Aye
Councilman Richard Snyder	Aye
Councilman David Alderman	Aye
Councilman Duane Goodermote	Aye

Supervisor Krahforst declared that the foregoing resolution was duly adopted.

With no further business, on motion of Supervisor Krahforst, seconded by Councilman Goodermote, the meeting was adjourned at 8:41 PM.

Respectfully Submitted,

Callie Crisp, Town Clerk