

Regular Meeting  
July 7, 2010  
7:00 p.m.

Present: Supervisor Thompson  
Councilman Miranda  
Councilman Mancini  
Councilman Blaisdell  
Councilwoman Saul

Also Present: Town Clerk Mevec  
Highway Superintendent Forbes  
Town Attorney Craig  
Town Engineer Robinson  
Comptroller Glastetter

Meeting called to order by Supervisor Thompson.

Pledge by Councilman Mancini.

Councilman Mancini read letter disclosing his half brother works part time for Gary Robinson’s Engineering Firm.

Motion by Mancini seconded by Saul to approve the Minutes of the Regular Meeting of June 2, 2010.  
Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Proclamation introduced by Saul seconded by Blaisdell honoring Leon F. “Tinker” Martin, Jr. as the Town of Milton’s Deceased Veteran for the month of July, 2010 presented by Supervisor Thompson and Historian Royann Blodgett reads as follows:

PROCLAMATION

WHEREAS, the Town of Milton is proud of this nation’s veterans who have made it possible for all citizens to enjoy the freedoms and opportunities that exist in this country; and

WHEREAS, Leon F. “Tinker” Martin, Jr., is one of our local veterans, having been born in Saratoga Springs, New York on June 27, 1927, and was a lifelong resident of Ballston Spa; and

WHEREAS, Leon F. “Tinker” Martin, Jr., served his Country proudly in the United States Navy during World War II; and

WHEREAS, Leon F. “Tinker” Martin, Jr., after having been honorably discharged from the Navy, returned to the Town of Milton where he married his late first wife Isabelle Martin, and was a proud father of his deceased son, Keith Martin. He was also predeceased by his second wife, Ann Martin; and

WHEREAS, Leon F. “Tinker” Martin, Jr., worked for Ballston-Stillwater Knitting Company, Canteen, and later for the Ballston Area Community Center, retiring in 2001; and

WHEREAS, Leon F. “Tinker” Martin, Jr., was a proud member of the Ballston Spa Elks, VFW Post 358, and American Legion Post 234, in Ballston Spa; and

WHEREAS, Leon F. “Tinker” Martin, Jr., was an avid softball pitcher and sports fan and member of the Mohican Champions; and

WHEREAS, Leon F. “Tinker” Martin, Jr., died September 9, 2005, at Saratoga Hospital, and

THEREFORE, BE IT PROCLAIMED, that the Town Board of the Town of Milton recognizes Leon F. “Tinker” Martin, Jr., and officially honors him for his services to our Country, as well as to our Community.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Blaisdell seconded by Thompson to authorize the Parks and Recreation Committee to organize up to four fundraisers for the Summer Recreation Program.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

7:15 p.m. Bid opening for the purchase of asphalt concrete.

Notice of Public Bid Opening read by Town Clerk Mevec and filed.

Highway Supt. stated there was an addendum #1 to the HW-01-10 reference to Page 2 Section Agreement.

2 bids were received. (1) Palette Stone Corp, P.O. Box 4550, Saratoga Springs, New York

Type 3	Dense Binder Course	\$36.15
Type 6	Top Course	\$41.65
Type 6F	Top Course (High Friction)	\$45.20
Type 7	Top Course	\$45.15

(2)	Pompa Bros., Inc., 5 Petrified Gardens Road, Saratoga Springs, NY		
Type 3	Dense Binder Course	\$36.05	
Type 6	Top Course	\$41.48	
Type 6F	Top Course (High Friction)	\$45.10	
Type 7	Top Course	\$44.99	

Motion by Miranda seconded by Saul to refer the 2 bids to the Town Attorney and Town Highway Superintendent.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Mancini seconded by Miranda to reject the old draft of the Ethics Law.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Update by John Mancini regarding the final draft of the Code of Ethics.  
Councilman Mancini read letter from NYS Attorney General’s Office.

Presentation of the final draft Code of Ethics by Rose Nelson of the Ethics Review Committee.

Motion by Miranda seconded by Saul to accept the proposed final draft Code of Ethics.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Blaisdell to schedule a Public Hearing on the proposed Code of Ethics for August 4, 2010 at 7:15 p.m.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Miranda to authorize the Town Clerk to advertise a Public Hearing on the proposed Code of Ethics for August 4, 2010 at 7:15 p.m. in the Ballston Journal and The Gazette.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to have the Personnel Committee review the procedures of filling vacancies and hiring practices.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to accept the bid of Pompa Bros., Inc. for Asphalt Concrete as recommended by the Highway Supt. Forbes and Town Attorney Craig.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Update on Website RFPs by Joseph Miranda. Website Committee will meet with proposers, one on July 12, 2010 at 7:15 PM and 8:00 PM and on July 28, 2010 at 7:00 PM.

Update by Garry Robinson regarding the Physical and Financial Inspection of Heritage Springs Sewer Works.

Letter read by Supervisor Thompson from Donald Zee ref. to Carlton Hollow PDD.

Motion by Miranda seconded by Blaisdell to refer the proposed re-zoning of the Carlton Hollow PDD to the Planning Board for its review and recommendation.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Resolution #12 introduced by Miranda seconded by Blaisdell Accepting A Proposed Settlement for the 2009 Tax Certiorari Proceeding Filed By Cumberland Farms upon recommendation of Town Attorney as follows:

WHEREAS, Cumberland Farms, Inc. and the Town of Milton are desirous of having certain assessment issues resolved as to property owned by Cumberland Farms in the Town of Milton, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, trial counsel to the Town of Milton, and reviewed by the Milton Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation as to resolve issues between the parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2009 tax certiorari proceeding filed by Cumberland Farms on its property at 75 Milton Avenue (Parcel No. 216.32-1-27) in which the 2009 proceeding shall be discontinued, and the assessment for the property for the years 2010, 2011 and 2012 shall not exceed \$610, 000; and the settlement shall be subject to the provisions of Real Property Tax Law 727; and,

IT IS FURTHER RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Cumberland Farms and the Town of Milton as to the above referenced assessments.

Miranda-yes; Blaisdell-yes; Saul-yes; Mancini – yes; Thompson-yes. Resolution adopted.

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Resolution #13 introduced by Miranda seconded by Thompson To Establish Reporting Of A List Of Each Employee’s Title and Number Of Hours In The Standard Work Day For Each Title For Every Elected And Appointed Official Who Is A Member Of The New York State and Local Retirement System as follows:

WHEREAS, pursuant to new regulations that took effect August 12, 2009, (Regulation 315.4), the Town must establish standard work days for elected and appointed officials, by adopting a Resolution that lists each employee title and the number of hours in the standard work day for each title; and

WHEREAS, it is the purpose of Regulation 315.4 to more clearly define the process of reporting to the New York State and Local Retirement System the retirement service credits for each elected and appointed official.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Milton, in regular session duly convened, does hereby establish the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employee’s Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this Board:

SEE ATTACHD “SCHEDULE A”

Schedule A

Elected Officials

Title	Standard Work Day	Days/Month (based on Record Of Activities)
Supervisor Thompson	6	20
Councilman Miranda	6	5.08
Councilman Mancini	6	11.75

Appointed Officials

Town Attorney Craig	6	20
Building Insp. Howe	6	20

Miranda-yes; Blaisdell-yes; Saul-yes; Mancini – yes; Thompson-yes. Resolution adopted.

Comptroller Glastetter has received two bids, one from Cusack & Company, CPA,LLC for \$12,000.00 and one from Whittemore, Dowen Ricciardelli, LLP, for \$16,000.00- \$18,000.00.

Motion by Blaisdell seconded by Saul to approve the Comptroller’s recommendation to retain the services of Cusack & Company to perform an audit of the Town’s records for the year ended December 31, 2009 in the amount of \$12,000.00.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to authorize Town Engineer to draw specs for the Lift and to advertise for bids for the replacement of the lift in the Town Hall.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Mancini to schedule a bid opening for the lift on August 4, 2010 at 7:10 p.m.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Blaisdell to approve the Anne Whittmore’s request to carry over 17 1/2 hours of vacation time beyond her anniversary date of July 1, 2010.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Mancini to appoint the following summer camp staff at hourly rates per the part-time seasonal salary schedule: Counselors-Chad Rector, Stephen Rancour, Kristen Gawrys, Gregory Hyde, Kyle Baldani, Ryan Kelley, Kerri Sampson, Sam Maxwell, Stephen Sisson, Adam Randall, Kayla Lawrence, Toby Barnes, Josh Fabian, Conor Giambona, Kenneth Jenson, Alec Johnson, Nicholas Toney, Michael Venturiello, Zachary Zaloga, Adam Soden, Jamie Antinore, Jordan Davis, Joshua Staulters,, Kelsey Broe, Brianna Soucy, Tyler Johnson, Ian Sager, Sean Simmons, Tyler Wachtel & Alex Laurenzo; Director-Shawn Lisieski; Health Director-Erin Reynolds; Cathy Antinore-Transportation Director; and Sports Director-Steven R. Duncan.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – abstained. Motion carried.

Motion by Saul seconded by Miranda to appoint Scott M. Hladik and Alex J. Pulling to the positions of seasonal park laborers at an hourly rate per the part-time seasonal salary schedule.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

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Motion by Saul seconded by Mancini to accept the quote from Lifetime Seamless for an amount not to exceed \$700.00 for the installation of gutters on the Town Hall.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

#### Correspondence

Letter from Mayor John Romano thanking Town of Milton for their support of Family Fun Day.

#### Reports

Town Clerk report read & filed.

Building Department read & filed.

Justice Calderon Report read & filed.

Justice Thomas Report

Zoning Board of Appeals by Saul.

Planning Board by Blaisdell

Historian read by Royann Blodgett & filed.

Animal Control read & filed.

Comptroller Report filed.

Assessor letter read by Supervisor Thompson.

Highway Department read by Blaisdell & filed.

#### Public Comments

The following spoke: Jim Staulters; Meg Stevens; Tom Boghosian; Bruce Boghosian.

Motion by Saul seconded by Blaisdell there being no further business to adjourn.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Meeting adjourned at 9:10 PM.

Respectfully submitted,

William J. Mevec  
Town Clerk