

AUGUST 11, 2009

The Regular Monthly Meeting of the Town Board of the Town of Greenwich, Washington County, New York was held at the Town Office Building, 2 Academy Street, Greenwich, New York on Tuesday, August 11, 2009 at 7:00 p.m.

PRESENT:	Donald Wilbur	Supervisor
	Bob Jeffords	Councilman
	George Perkins	Councilman
	Eric Whitehouse	Councilman
ABSENT:	Steven Patrick	Councilman

Others Present: Elaine Kelly, Kellie Blake, Rick Sullivan, Tim Tefft - The Journal Press, Dean Watkins, Sara Idleman and Alan Lant.

Supervisor Wilbur led the Pledge of Allegiance to the Flag and the Clerk called the roll.

RESOLUTION NO. 79-09
Payt. of Bills 8/11/09

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #9008 be approved and audited and the Supervisor be authorized to pay said bills from their respective funds:

<u>FUND</u>	<u>BILL #</u>	<u>AMOUNT</u>
General Town-wide (A) Pre-pay:	0254	\$ 526.50
General Town-wide (A):	0255-0286	\$ 10,404.17
General Outside Village (B):	0287-0288	\$ 70.00
Special District Lighting (SL):	0289	\$ 682.96
Highway Town-wide (DA) Pre-pay:	5105	\$ 20.49
Highway Town-wide (DA):	5106-5107	\$ 650.00
Highway Outside Village (DB):	5108-5121	\$112,549.30

RESOLUTION NO. 80-09
App. of Minutes 7/14/09

Resolution by Councilman Perkins
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the minutes of July 14, 2009 be approved and accepted as submitted.

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CORRESPONDENCE:

1) A letter was received from the Whipple City Festival Committee thanking the Board for its support of the Festival each and every year.

COMMENTS FROM THE PUBLIC:

Rob Seabury of Galesville Drive addressed the Board concerning a neighbor's barking dog. Mr. Seabury stated that he has tried to deal with this issue for the last two years with no solution. The dog is outside and barks almost continually from 6 AM to 9 PM. He feels the neighbor is being spiteful and has cleared branches up to ten feet high on the row of pine trees that separate the two properties so the dog can still see him. Mr. Seabury has called the Dog Control Officer who says he can't do anything about it because there is no ordinance in place and to call the Sheriff's department. The Sheriff's department in turn tells him to call the Dog Control Officer. He would like to Town to adopt a habitual barking ordinance so that the Dog Control Officer has something that can be enforced. Discussion followed. Supervisor Wilbur said that he would check the Ag & Markets laws and see if anything there applies that we could use without actually adopting a town wide ordinance. One problem with a town wide ordinance is that it becomes a policing problem. Suggestions were made to contact the Town of Fort Edward, the Town of Saratoga and the Village of Greenwich for copies of their ordinances. The Clerk will do so and bring back to the September meeting. In the meantime, Supervisor Wilbur will stop and visit the dog owner.

REPORTS:

1) Greenwich Fire Department Report: An activity report for July was received from the Greenwich Fire Department. Chief Dean Watkins stated that he is working on locating a "fill" site on Bypass Road for access to the Battenkill River. He will meet with George Perkins to discuss that location further. A fill site currently exists at the State Route 29 Hartshorn Brook access. Contractors for National Grid recently located one of their poles directly in the access lane but Chief Watkins is working on getting that moved.

7:45 PM - Public Hearing: Proposed borrowing of \$250,000.00 by the Cossayuna Volunteer Fire Company to purchase a 2009 Engine Rescue Apparatus. The Clerk read the Public Hearing Notice aloud.

Motion by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the Public Hearing on Cossayuna Volunteer Fire Department, Inc.'s Proposal to Incur Financial Obligations for a 2009 Fire Engine Rescue Apparatus be opened at 7:47 p.m.

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Alan Lant shared the specification drawing of the new engine rescue truck with the Board. The truck has an eight man cab, holds 1000 gallons of water and has a 1500 gallon pump. This truck will replace their 1981 truck. Proposed delivery is 180-230 days.

Motion by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

that all persons desiring to be heard, having been heard, that the Public Hearing be closed at 7:52 PM.

**RESOLUTION APPROVING THE INCURRING ON THE PART OF
THE COSSAYUNA VOLUNTEER FIRE DEPARTMENT INC.
OF FINANCIAL OBLIGATIONS**

**RESOLUTION NO. 81-09
Cossayuna Volunteer Fire Dept**

INTRODUCED BY: Councilman Whitehouse
WHO MOVED ITS ADOPTION

SECONDED BY: Councilman Jeffords

WHEREAS, the Town of Greenwich presently has a contract with THE COSSAYUNA VOLUNTEER FIRE DEPARTMENT INC, wherein the said Fire Company has agreed to provide fire protection services for a certain area located within the Town of Greenwich and

WHEREAS, THE COSSAYUNA VOLUNTEER FIRE DEPARTMENT, INC., desires to secure financing for a 2009 Engine Rescue.

WHEREAS, the said Fire Company requested the Town Board of the Town of Greenwich hold a public hearing concerning said 2009 Engine Rescue and financing thereof and pass a resolution following said public hearing indicating that the Town of Greenwich approves of said financing for the purchase of

2009 Engine Rescue in order to be compliant with the requirements of the Internal Revenue Code and thereby qualify the interest on said financing as tax exempt interest; and

WHEREAS, on August 11, 2009, after publication of proper notice, the Town Board of the Town of Greenwich held a public hearing concerning the purchase of a 2009 Engine Rescue and financing thereof, at which public hearing parties in interest and citizens were given an opportunity to be heard.

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Greenwich hereby approves the incurring on the part of THE COSSAYUNA VOLUNTEER FIRE DEPARTMENT, INC. of financial obligations in the amount of \$250,000.00 for the purchase of a 2009 Engine Rescue; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Greenwich shall not and does not, by this resolution, create or intend to create, any assumption on the part of the Town of Greenwich, by virtue of the contract entered into between the Town of Greenwich and THE COSSAYUNA VOLUNTEER FIRE DEPARTMENT INC., for fire protections services, which contract is in writing and contains the full terms agreed to by the parties.

Duly adopted this 11th day of August, 2009 by the following vote:

ROLL CALL:	Councilman Whitehouse	Aye	AYES:	4
	Councilman Perkins	Aye	NOES:	0
	Councilman Patrick	Absent	ABSENT:	1
	Councilman Jeffords	Aye		
	Supervisor Wilbur	Aye		

REPORTS: (con't)

2) Planning Board Report: Board members received the minutes of the Planning Board meetings that were held on July 9 & 16, 2009.

3) Assessor Report: Assessor Colleen Adamec reported that the grievance period has officially ended. Anything filed after this date would be too late. Four small claims, eight certioraris (Article 7's) and one RP-485b business exemption have been filed. Colleen is reviewing parcels and has been attending monthly state equalization and valuation meetings. She feels progress is being made.

4) Code Enforcement Report: Code Enforcement Officer Dan O'Connor's report stated that two building permits had been issued during the month of July.

5) Highway Report: Highway Superintendent Rick Sullivan reported the following:

- 700 gallons fuel used during the month of July.
- Finished all paving jobs; starting shoulders on Derby Road next week.
- Fiddlers Elbow Road culvert pipe and drain repair completed.
- Fort Miller Road bridge was reopened August 10th; 1½ yards of concrete poured; welding work will be completed on guiderails by next week.
- Started 2nd round of roadside mowing. Woods mower possibly needs a new gear box, hopefully just new seals.
- Hardscrabble Lane has been repaired after being washed out in the rainstorm two weeks ago. Other dirt roads damaged and need to be graded again.
- Mosquito Swamp Road was closed for one day while 80' culvert pipe was replaced.

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- Truck Specifications excerpt from Rick's report during the July 14th meeting: *A 2009 F-Series single cab pickup with plow was quoted by Carmody Ford at a state contract price of \$36,236.99. Supervisor Wilbur stated that state contract is not always the lowest price. This purchase is not included in this year's budget so it was decided that there was time to go out to bid. Bids will be solicited for both standard cab and quad cab. Rick will get together with Councilmen Patrick and Whitehouse as well as Patrick Greeno at the County to draw up the specs. Supervisor Wilbur asked Rick to bring the information back to the August meeting.* Tonight: Highway Superintendent Rick Sullivan stated that he had contacted Whalen Chevrolet a half dozen times and they never provided a quote. Stephens Chrysler didn't provide a quote either. Rick thought a representative from Stephens would be at tonight's meeting but he did not come. Only quote that Rick has is from Carmody Ford. Carmody's also stated that they would take truck G-0 in on trade but did not give a trade value. The Board asked Rick to meet with Patrick Greeno to get the specs drawn up and bring them to the September meeting so we can go out to bid.

- Discussion of Holiday Benefits excerpt from July 14th minutes: *Councilman Jeffords brought up for discussion the procedure for holiday pay for highway department employees. During the summer the department is on a ten hour, four day work week, therefore holiday pay is being paid at ten hours rather than eight hours. Councilman Jeffords stated that what should be done is one of two things. 1) During a holiday week, revert to four, eight-hour work days with one, eight-hour paid holiday for a total of 40 hours, or 2) Work three, ten-hour days with one, eight-hour paid holiday for a total of 38 hours. Highway Superintendent Rick Sullivan previously told Councilman Jeffords that NYS DOT follows the first option and Councilman Perkins said that this also the way that the telephone company does it. Supervisor Wilbur asked if this is something that the Town should establish as policy. Councilman Jeffords feels that it should be policy that holiday pay should reflect the lesser of normal scheduled working hours or 8 hours maximum. This would be due to the fact that the employees in the office work less than 8 hours for a normal work day.* Tonight: Supervisor Wilbur stated that he had spoken with Willy Grimmke at the County and he said when the County Highway employees are on their four, ten hour days everything is counted the same. For example: 10 hours for a workday and 10 hours for vacation days, holidays, personal days etc. The Town Board agreed to leave it as is.

- Request for Stop Signs: Councilman Patrick received a call from a taxpayer requesting stop signs in all three directions where Spraguetown Road meets Hartshorn Road. Currently there is a 45 mph speed limit from Route 40 to Hartshorn Road and a 45 mph speed limit from Hartshorn Road to North Road. The Board discussed this with Highway Superintendent Rick Sullivan and decided not to put up stop signs but to put up a "curve" sign and a sign with a "suggested" 20 mph.

- Rick asked how the NYS storm reimbursement money of \$28,000 was going to be handled. He stated that his repair account is down to practically nothing and would like the \$28,000 to be added to his repair account. Bookkeeper Kellie Blake stated there is still \$7,800 in the account. Rick said that G-5 is up for inspection and G-7 has numerous leaks and G-8 needs repairs as well. Supervisor Wilbur said we could put a portion into that line item. Kellie suggested we wait to see the bills and transfer it as needed.

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6) Supervisor Report: Supervisor Wilbur stated that the County has completed its last round of budget workshops and departmental budget request forms are due back by September 1st. All departments have been asked to review their staffing. Some are at 40 hour work weeks, some at 37½ and some at 35. Highway employees are at 40 hours and are guaranteed that in their contract. Pleasant Valley and the Jail are 24-7 jobs and are mandated to have certain staffing levels. If all departments were able to move from 40 to 35 hours it would save approximately \$1.9 million, however it is not feasible for everyone to do this. When the State Legislature goes back into session, it is feared that revenues may be cut again.

The Washington County Tourism Association is holding its annual golf fundraiser and is asking each Town in the county to sponsor a tee/green sign for \$50.00. This is the largest fundraiser they have other than membership dues and these funds will aid the tourism marketing program.

RESOLUTION NO. 82-2009
Washington County Tourism

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

RESOLVED, that the Town of Greenwich hereby sponsors a tee/green sign, in the amount of \$50.00, payable to the Washington County Tourism Association.

Ayes: 3 Councilmen Whitehouse and Perkins, Supervisor Wilbur

Noes: 0

Abstain: 1 Councilman Jeffords as he is on the Washington County Tourism committee

7) Youth Report: The Summer Youth Program ended last Friday, August 7th and the Town Beach will close on Sunday, August 16th. A State beach inspection report was reviewed and minor corrections will be made. Councilman Perkins publicly thanked Kellie Blake for a great job this summer staying on top of everything and for dealing with all the changes that had to be made. Kellie stated that the lifeguards asked if they could use the fire pit on Sunday August 16th after the beach closed. They would like to have a little season ending party for lifeguards only and cook hot dogs and s'mores.

RESOLUTION NO. 83-09
Beach Use/Lifeguards

Resolution by Councilman Perkins
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the Town Board allows Town lifeguards only, the use of the fire pit at the Town Beach on Sunday, August 16th from 7:00 PM – 9:00 PM.

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UNFINISHED BUSINESS: None.

NEW BUSINESS:

1) Board of Assessment Review. Currently the Board of Assessment Review has four members instead of five. Advertisements were run in May but no letters of interest were received. The new five year term begins October 1 and runs through September 30, 2014. The Board decided to re-advertise.

RESOLUTION NO. 84-09
BAR Ad

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich advertise to fill a five-year term on the Board of Assessment Review, with letters of interest being received no later than 4:00 PM on Thursday, September 3, 2009.

Motion by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the meeting be adjourned at 8:40 P.M.

Respectfully submitted,

Elaine A. Kelly, RMC, CMC
Town Clerk