

FEBRUARY 8, 2011

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, February 8, 2011 at 7:00 p.m.

PRESENT:	Sara Idleman	Supervisor
	Bob Jeffords	Councilman
	Steven Patrick	Councilman
	George Perkins	Councilman
	Eric Whitehouse	Councilman

Also Present: Town Clerk Elaine Kelly, Clerk to the Supervisor Kellie Blake, Attorney Alan Wrigley, Highway Superintendent Rick Sullivan and Code Enforcement Officer Dan O'Connor.

Members of the public who signed the attendance sheet: Tim Tefft - The Journal Press, Jennifer Waite - Harsha - The Eagle, Mark Dennis – ComTech and Thomas Dimopoulos – Post-Star.

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

RESOLUTION NO. 13-11
App. of Minutes 1/4 & 1/20/11

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

and passed unanimously by said Board,

RESOLVED, that the minutes of January 4 & 11, 2011 be approved and accepted as submitted.

CORRESPONDENCE:

- 1) Thank you notes were received from Rita & Kyle Thygesen and the Cossayuna Fire Department thanking the Town for the donation in memory of Carl Thygesen.
- 2) A thank you note was received from Councilman Jeffords and family thanking the Town employees for the dish garden in memory of his mother.
- 3) A NYS Renewal Application Notice was received from the Middle Falls Fire Department stating that they will be filing for the renewal of their liquor license. The Board had no objections.
- 4) A notice from the Town of Easton Planning Board stating that they have determined that the MacMillan Major Resubdivision is subject to SEQRA. The full notice is on file at the Town Clerk's office.
- 5) A public hearing notice on "Parcels requesting inclusion in certified agricultural districts pursuant to Chapter 523 of the Laws of 2003" was received from the Washington County Board of Supervisors. The public hearing will be held at 10:05 AM on Friday, February 18th at the County Office Building.
- 6) A "Notice of application for modification of telecommunications facility - application of Celco Partnership d/b/a Verizon Wireless" was received from Young, Sommer, LLC. This is located in the Town of Fort Edward and the full notice is on file at the Town Clerk's office.

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REPORTS:

1) Planning Board Report: Board members received the minutes of the Planning Board meetings that were held on December 16, 2010, January 13 & 20, 2011.

2) ZBA Report: No ZBA meeting in January.

3) Assessor Report: Assessor Colleen Adamec submitted the following report: "This is a recap of my office. I am in receipt of the state trends for roll year 2011. The commercial trend is a -2% and the vacant land is a -1%. These two trends have incorporated all the sales in the lower Washington County region (Greenwich, Salem, Jackson, White Creek, Cambridge, and Easton), because no town alone has enough sales to come up with an accurate trend. The residential trend is an overall -5%. This is not across the board for everyone. The trend this year for individual properties depends on style of home, neighborhood, square footage, acreage, and property class. I have found a range of +5% to -10%. Our current ratio studies whether CAMA or sales is a range of 1.0399 to 1.0606. This is deceiving, because we are in a CAP with Kingsbury. I would estimate our roll to be going down 9% overall. Bob Jeffords has the trend details that he will be willing to discuss.

The work for the village roll has been completed. The tentative roll with exemptions will be printed shortly. Their grievance day will be around mid-February. Most of the values have decreased similar to ours for the 2010 roll.

Tentatively on March 11th the Washington County assessors will be holding their bi-monthly meeting at Kingsbury Town Hall. I would like to do a presentation on procedures for trans-exempt relevies and normal relevies. We are opening the meeting to all who are interested in attending. Please let me know if you are interested, we normally do a spread for lunch. The meeting is tended to be non-controversial and open for discussion.

I have recently sent out notices to taxpayers on the Star exemption. There is a new law stating you are not qualified, if you make over \$500,000. I have a few people the State Tax and Finance Department says are no longer eligible. I also have a few where we are required to obtain income to verify their eligibility. We are in the middle of completing the 2011 roll. I am working on getting the new construction completed. If you have any questions, please feel free to let me know."

As Colleen requested, Councilman Jeffords explained the trends. The trends are determined by the combination of two calculations. One being market sales vs. current assessment and the other incorporating sales within a particular neighborhood such as a hamlet, etc.

4) Code Enforcement Report: Code Enforcement Officer Dan O'Connor's report stated that he had approved the local compliance portion of two building permit applications during the month of January. Supervisor Idleman had questions regarding one of the building permits that was listed on Dan's report. A trailer had been moved onto a property for farm worker housing prior to receiving a permit. Dan cited the property owner with a violation. Dan was not in attendance at this point to answer questions so the following discussion took place later in the meeting but is placed here for continuity. Dan stated that he had served a notice of violation and since then the property owner had submitted what he (Dan) felt was adequate paperwork to justify it being farm housing. Upon accepting that paperwork, he signed the building permit and they have up to one year on that building permit.

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7:15: Bid Opening for Crewcab Truck: Sealed proposals for "One (1) 2010 or newer 10,000lb GVW Pickup Truck 6 man cab, single rear wheels with 8' box. Three bids were received.

Jack Byrne	2011 F350	Crewcab	2WD	34,083.00
	2011 F350	Crewcab	4WD	37,119.00
West Herr Ford	2011 F350	Crewcab	2 WD	31,575.00
Nemer Ford	2011 Dodge Ram 3500	Crewcab	4 WD	39,577.00

All bids were much higher than the Board anticipated and therefore all were rejected. It was stated that the County specs for a similar truck had brought in bids around \$24,000. Councilman Whitehouse stated that we need to look at other options as we started out looking for a truck at a third of these prices. Councilman Patrick will look at the County specs.

Resolution No. 14-11
Highway Truck Purchase

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich hereby rejects all bids for "One (1) 2010 or newer 10,000lb GVW Pickup Truck 6 man cab, single rear wheels with 8' box.

5) Dog Control & Animal Control Report: DCO & ACO Ed Holland & Nancy Quell's report stated that five calls were documented for the month of January. A full copy of the report is available at the Town Clerk's Office.

6) Highway Report: Highway Superintendent Rick Sullivan's report:

2,208.10 gallons of fuel used

11 days out plowing

14 days of equipment and building maintenance

Numerous days cutting wood

Replacing a lot of mailboxes

Phil Woodward has stated that he will be retiring. Get an ad together for new employee. Rick stated that he would like to find a Town of Greenwich resident with a CDL and is mechanically inclined. Rick stated that he would be looking to the Board for direction on hiring a new full-time employee as well as some part-time employees. Personnel committee Jeffords and Perkins offered to sit in on the interviews. Rick will contact them. He also stated that people have been dropping off applications but he has told them that he wants to interview everyone.

Rick also noted that G-4 needs a rear hub. He called Albany and they said the hub was \$900+/-and the labor was estimated at \$720. He asked for the Board's permission to proceed. The Board instructed him to get two more quotes.

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Radio/Repeater discussion with Adirondack 2-way Radio and Mark Dennis.

Excerpt from the January 4, 2011 meeting: *Working Foreman Stanley Mattison expressed his concern for the need of better radio reception for the town trucks. He stated that the Board needs to do something before someone gets hurt and cannot call for help. He attended a meeting with Highway Superintendent Rick Sullivan where it was discussed that towns should not wait for the FCC's mandated compliance date of 2013 for updating radios and service as repeater availability will be gone by then. Highway Superintendent Rick Sullivan will contact Adirondack 2-way Radio as well as Mark Dennis and request their presence at the February 8th meeting to discuss this. The Board talked about the possibility of buying our own repeater. Clerk to the Supervisor Kellie Blake stated the last estimate was approximately \$80,000. Councilman Perkins will contact the Village as well as GCS to see if they are interested in possibly joining in through an Intermunicipal Agreement.*

Marc Dennis was in attendance and presented three different proposals. One proposal was to buy our own repeater at a cost of \$8,737.72 and pay a monthly site rental fee of \$250.00; the second was to share the cost (pro-rated) of a repeater and site rental with the Town of Argyle, Argyle School, Greenwich DPW, Greenwich School and our Highway department; and the third was to pay both repeater rental and site rental. It was decided that it was in the Town's best interest to purchase our own repeater and then possibly rent out space on the repeater to other entities. The actual radio upgrades will be done at a later time but prior to the compliance deadline in 2012.

RESOLUTION NO. 15-11
Highway – Radio Repeater

Resolution by Councilman Whitehouse
Seconded by Councilman Jeffords

RESOLVED, that the Town Board hereby authorizes the purchase of a VHF Repeater System from ComTech at a cost not to exceed \$8,737.72 and such repeater is to be located on Turkey Hill in Argyle.

7) Supervisor Report: Economic Development – The committee continues to meet and has formed three subcommittees;

- Web design – The purpose is to create and/or enhance an existing web site that links to others in the town, IE. Chamber, school, village, businesses, etc. The web site will include videos of the area and an opportunity for businesses to advertise. The video is funded by a local business with a pay back from advertising.

- Communication – The purpose is to increase in the availability of high speed internet. More and more people are working from their homes. It is imperative that we provide the infrastructure that will support that.

- Route 29 Corridor Improvement – The purpose is to enhance the area between the roundabout and the village line. We will be working closely with Glens Falls Hospital and NYSDOT. A local business has

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offered to fund a landscape/parkway design that will include plantings, an evaluation of the existing lighting system, and green spaces.

Budget Officer Kellie Blake submitted the January financial report for the Board's review.

8) Youth Report from Kellie Blake: "In order to get a "jump" on the Youth Program the Youth Committee met on January 26, 2011. Unfortunately due to her continued struggle with her shoulder injury, Tanya Grimes will not be working as Beach Coordinator any longer.

At the year end Youth Committee Meeting Amy McPhail and Tanya Grimes had volunteered to work together as Co-Directors for the 2011 season. This would enable the program to have a director from year to year instead of a new director every year. Having a new director yearly has become an issue with having to reinvent the program yearly, last year being a prime example.

In the past few years Mike Pryor, who has been a counselor with the program for 7 years has applied for the Director position. He has completed a degree in Elementary Education and is currently working for a school district, I believe Schuylerville.

Amy McPhail is still willing to be co-director. She will be getting all the applications together for the employees and the children attending the program as well as various other aspects. The Youth Committee asked Amy to contact Mike to see if he would be interested in the Director Position as well as the Beach Administrator Position. Mike has accepted. Having one person in both positions will ensure a more cohesive program and we are excited with the prospects for this upcoming year.

The applications and ads for the employees will be going out shortly. The Director has to be employed and certified in CPR for the Professional Rescuer and Responding to Emergencies prior to the Children's Camp Renewal Application being submitted to the Department of Health in April.

On another note, the Youth Committee has discussed the Arts & Crafts Director position and will be speaking with the Village Youth person Maureen Kinsella to see if she is interested. This would enable her to get an idea how our program is run." Councilman Perkins stated that Maureen has now accepted the Arts & Crafts position.

Councilman Perkins would like a note written to Tanya thanking her for a wonderful job.

COMMENTS FROM THE PUBLIC:

1) Miekeo Peregrim: People to People – Rescheduled for March meeting.

UNFINISHED BUSINESS:

1) Proposed Local Law #1 of 2011. Amendments to the Code the Town of Greenwich. These amendments are Resolutions #158-10 and #12-11 which address the Highway Call-In Policy, First Refusal policy and Bereavement policy. Discussion followed and minor changes were made to the Bereavement Leave.

RESOLUTION NO. 16-11

LL #1 of 2011

Resolution by Councilman Jeffords

Seconded by Councilman Perkins

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RESOLVED, that the Town Board adopt Proposed Local Law #1 of 2011, "A Local Law to amend the Code of the Town of Greenwich by amending Chapter 54 -5 and 54-6, entitled "Personnel Policies", as amended.

RESOLUTION NO. 17-11
Public Hearing LL #1 of 2011

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

RESOLVED, that a public hearing be held by the Greenwich Town Board at the Town Hall, 2 Academy Street, Greenwich, NY on Tuesday, March 8, 2011 at 7:45 P.M. for the purpose of obtaining public comment on Proposed Local Law #1 of 2011.

NEW BUSINESS:

1) Records Disposition Request. The NYS Education Department recommends that municipalities use the NYS Record Retention and Disposition Schedule MU-1 for disposing of outdated records. This schedule is also supported by the NYS Department on Open Government. The purpose of the MU-1 schedule is to

a) Ensure that records are retained as long as needed for administrative, legal and fiscal purposes;

b) Ensure that state and federal record retention requirements are met and

c) Encourage and facilitate the systematic disposal of unneeded records.

Town Clerk Elaine Kelly presented a listing of various records ranging from 1992 to 2004 that are eligible for disposal under NYS Education guidelines:

RESOLUTION NO. 18-11
Records Retention/Disposition

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that Records Management Officer Elaine Kelly be authorized to dispose of certain town records that have met the record retention requirements as listed in the NYS Record Retention and Disposition Schedule MU-1.

2) A request was received from GCS Agriculture teachers Christopher Kelly and Betsy Foote asking the Board to adopt the following Resolution in Support of Agricultural Education. The goal of this grass roots effort is to remind Governor Cuomo of the importance of agriculture to our State's economy and to recognize the contributions made by agricultural education to communities across New York.

RESOLUTION NO. 19-11
AGRICULTURAL EDUCATION

Resolution by Councilman Perkins
Seconded by Councilman Whitehouse

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and passed unanimously by said Board,

A RESOLUTION IN SUPPORT OF AGRICULTURAL EDUCATION AND THE FFA ORGANIZATION

WHEREAS, Agriculture is a diverse and vital industry throughout New York State; and

WHEREAS, our local Agricultural Industry has benefitted from the development of leadership and technical skills of our youth through Agricultural Education and FFA; and

WHEREAS, Agricultural Education and FFA ensure that all students can reap the benefits of a quality education; and

WHEREAS, Agricultural Education and FFA promote intelligent choices and the establishment of agricultural careers; and

WHEREAS, Agricultural Education and the FFA encourage wise management of economic, environmental, and human resources of local communities; and

WHEREAS, Agricultural Education and FFA develop interpersonal skills in teamwork, communication, human relations, and social interaction; and

WHEREAS, Agricultural Education and FFA build character and promote citizenship, volunteerism, and patriotism; and

WHEREAS, Agricultural Education and FFA promote healthy lifestyles and excellence in scholarship; and

WHEREAS, Agricultural Education and FFA make a positive difference in the lives of students by developing their potential for premier leadership, personal growth, and career success through Agricultural Education;

THEREFORE, NOW BE IT RESOLVED BY THE GREENWICH TOWN BOARD, that the members of this body recognize the many valuable contributions of Agricultural Education and FFA; and

BE IT FURTHER RESOLVED that the Town Clerk is authorized and directed to transmit a copy of this Resolution to the Honorable New York State Governor Andrew M. Cuomo; Assemblyman Tony Jordan; Senator Betty Little; NYS Agriculture Committee Chair Patty Ritchie; NYS Agriculture Committee Members: Avella, Gallivan, Kennedy, Montgomery, O'Mara, Ranzenhofer, Seward, Valesky, Young; and the Washington County Board of Supervisors.

3) Authorization to sign Weed Harvesting Contract with CLIA.

RESOLUTION NO. 20-11
CLIA 2011 Contract

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Resolution by Councilman Jeffords
Seconded by Councilman Patrick

and passed unanimously by said Board,

RESOLVED, that the Supervisor Idleman be authorized to sign the 2011 Weed Harvesting Contract with the Cossayuna Lake Improvement Association.

4) Historian Change of Hours. Town Historian Tisha Dolton has a new job and requested the Board's permission to change her Historian office hours from 10am -12 noon on Fridays to 6pm - 8pm on Thursday evenings.

RESOLUTION NO. 21-11
Historian Hours

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that Town Historian Tisha Dolton be granted permission to change the Historian office hours to 6pm - 8pm on Thursday evenings.

5) Voting Machines: Resolution No. 26 was adopted January 21, 2011 by the Washington County Board of Supervisors declaring the Lever Action Voting Machines as surplus. The Resolution also authorized transfer of ownership of the machine(s) to a Town or School District within Washington County if they should make a request for a machine(s).

By an act of the NYS legislature, ownership of the "Lever Action" voting machines was transferred to Washington County upon implementation of the Optical Scan Voting Machines. The act also declared that the "Lever Action" machines could no longer be used for elections by the County, Towns, or Villages. Schools may continue to use them until 2012.

Upon written request to the Washington County Board Of Elections by a Town, Village or School in Washington County, ownership of a machine(s) will be transferred to that entity. Transfer must be completed by March 7, 2011. After that date, the BOE is authorized to dispose of the remaining unclaimed machines at its discretion. A written letter of intent must be sent to the BOE stating whether the Town would like to take ownership of the machines or if we want the BOE to dispose of the machines.

RESOLUTION NO. 22-11
Voting Machines

Resolution by Councilman Whitehouse
Seconded by Councilman Patrick

and passed unanimously by said Board,

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RESOLVED, that the Town of Greenwich hereby requests that ownership of three (3) lever action voting machines #'s 137911, 145807 & 141364 be transferred to the Town of Greenwich.

6) Chamber of Commerce-Whipple City Festival: The Whipple City Festival will be held on June 17, 18 and 19, 2011. The Chamber made several requests of the Town and the following action was taken:

RESOLUTION NO. 23-11
Whipple City Festival 2011

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board,

WHEREAS, the Greater Greenwich Chamber of Commerce is sponsoring the Whipple City Festival on June 17, 18 and 19, 2010, now therefore be it

RESOLVED, that upon receipt of a Certificate of Insurance naming the Town of Greenwich as an additional insured in the minimum amount of \$1,000,000, the Greater Greenwich Chamber of Commerce be granted permission for the following requests for the period of June 17 thru June 19, 2011:

Use of

- the Town parking lot for a "Fireman's Type" carnival;
- the Town lawns adjacent to Academy Street and along the parking lot for vendors and/or the carnival;
- water and electric from the Town Office Building;
- the Commons and the adjacent electrical source for entertainment.

7) Meeting Date Change: The date for the April board meeting was changed due to several board members being out of the area.

RESOLUTION NO. 24-11
Meeting Date Change

Resolution by Councilman Jeffords
Seconded by Councilman Patrick
and passed unanimously by said Board,

RESOLVED, that the regular April Board meeting scheduled for 7 PM on Tuesday, April 12th be changed to 7 PM on Tuesday, April 5th.

8) Councilman Jeffords updated the Board on the formation of fire taxing districts. The taxing districts would have the same borders as our physical coverage areas. This would be similar to the lighting districts in the sense that the actual taxes collected in a particular district would go to the department that is providing the coverage for that district. The deadline for this is May 1st as that is when the

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Tentative Assessment Roll has to be finalized. Real Property Director Bill McCarty will be providing maps that will be reviewed at the March meeting and then a public hearing date will be set.

9) Attorney Alan Wrigley stated that he has been contacted by an attorney for Green Acres Tavern that the tavern is renewing its Liquor License. However, the Liquor Authority will not accept the application if notification to the Town has not been at least 30 days prior to the filing unless a resolution from the Town waiving the 30 day notice is attached.

RESOLUTION NO. 25-11
Liquor License – Green Acres Tavern

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

Whereas, Bravo Green Acres doing business at 1120 State Route 29, Greenwich, New York in the Town of Greenwich intends to file for a New York State Liquor License; and

Whereas, pursuant to Alcoholic Beverage Control Law Section 64 (2A), an applicant must give the municipality thirty (30) days notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement; now therefore be it

RESOLVED, that the Town Board of the Town of Greenwich hereby waives the thirty (30) day notice period in regard to Bravo Green Acres allowing an earlier submission of the liquor license application.

Motion by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the Board enters into Executive Session at 8:40 P.M. to discuss pending litigation.

Motion by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

that the Regular meeting be resumed at 8:55 PM.

Supervisor Idleman stated that the executive session was devoted to pending litigation and Attorney Wrigley was directed to negotiate.

TRANSFERS:

RESOLUTION NO. 26-11

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Transfers 2/8/11

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse
and passed unanimously by said Board,

RESOLVED, that the following Budget amendment and transfers be approved:

Budget Amendment: Increase appropriations in HR15130.2 – Capital Reserve for Highway Equipment - Machinery by \$ 167,895.00 from Capital Reserve for Highway Equipment for purchase of 2011 Tandem Dump Truck. (\$87,895 B.A.N. money was received and Permissive Referendum for \$80,000 is complete)

Transfer: General Fund – Outside Village: 1) Transfer \$46.96 to A1220.103 Personal Services - Clerk to the Supervisor Assistant from A1990.4 Contingent Account; 2) Transfer \$50.00 to A1410.2 – Town Clerk Equipment from A1410.4 Town Clerk Contractual.

AUDIT BILLS & AUTHORIZE PAYMENT.

RESOLUTION NO. 27-11

Payt. of Bills 2/8/11

Resolution by Councilman Whitehouse
Seconded by Councilman Patrick
and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #1102 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:	0015-0016	\$ 1,530.03
General Town-wide (A):	0017-0053	\$ 7,769.76
General Outside Village (B):	0054	\$ 20.00
Special District Lighting (SL):	0055	\$ 1,110.16
Highway Town-wide (DA) Pre-pay:	5003	\$ 318.74
Highway Town-wide (DA):	5004-5013	\$ 25,494.26
Highway Outside Village (DB):	5014-5025	\$ 5,444.37
Capital Reserve for Highway Equip	HR1 20111001	\$ 167,895.00

Motion by Councilman Whitehouse
Seconded by Councilman Patrick
and passed unanimously by said Board,
that the meeting be adjourned at 9:25 P.M.

Respectfully submitted,
Elaine A. Kelly, RMC, CMC
Town Clerk