

JULY 8, 2008

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, July 8, 2008 at 7:00 p.m.

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

Others Present: Elaine Kelly, Kellie Blake, Alan Wrigley, Rick Sullivan, Stanley Mattison, Ashleigh Farrell - The Eagle, Jenny Lyttle - Main Street, Richie Bittner, Lynne Bittner, Sharon Kruger, Tom Thomas, Aaron Epling, Bill Tomkins, Dan O'Connor and Marilyn Boyd.

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

RESOLUTION NO. 80-08
Transfers/Budget Amendment 7/08/08

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the following budget amendment and transfer be approved:
Budget Amendment: Capital Fund (Landfill Closure): \$2781.20 from Capital Fund Landfill Closure to H3 8160.202 Landfill Closure Contractual Expense.
Transfer \$1235.00 from A1220.103 Supervisor Personal Services Clerk to A1110.103 Personal Services Justice Clerk (Bowen).

RESOLUTION NO. 81-08
Payt. of Bills 7/08/08

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #7007 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:	0218	\$ 680.73
General Town-wide (A):	0219-0252	\$ 9,961.57
General Outside Village (B):	0253-0256	\$20,422.00
Special District Lighting (SL):	0257	\$ 842.43
Capital Fund Landfill Closure	3001	\$ 2,781.20
Highway Town-wide (DA) Pre-pay:	5088	\$ 20.49
Highway Town-wide (DA):	5089-5090	\$ 1,511.32
Highway Outside Village (DB):	5091-5103	\$88,445.52

JULY 8, 2008

RESOLUTION NO. 82-08
App. of Minutes 7/08/08

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the minutes of June 10, 2008 be approved and accepted as submitted.

CORRESPONDENCE:

1) A letter from the Greater Greenwich Chamber of Commerce thanking the Board for the generous contribution towards the horse & wagon rides at this year's Whipple City Festival.

COMMENTS FROM THE PUBLIC:

1) Aaron Epling made a presentation to the Board about the NYS Deferred Compensation Plan. This plan would be a supplemental retirement plan for Town employees and would be handled through payroll deductions. It is on an individual basis and is funded entirely through employee contributions. There is no cost to the Town. Mr. Epling will hold a workshop for all interested employees.

RESOLUTION NO.83-08
Deferred Compensation - NYS

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

Adoption of The State of New York Deferred Compensation Plan

WHEREAS, the Town of Greenwich wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for voluntary participation of all eligible employees; and

WHEREAS, the Town of Greenwich is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law; * and

WHEREAS, the Town of Greenwich has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Greenwich by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

NOW THEREFORE, it is hereby:

RESOLVED, that the Town of Greenwich hereby adopts the Plan for voluntary participation of all eligible employees; and it is further

JULY 8, 2008

RESOLVED, that the appropriate officials of the Town of Greenwich are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan, and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

* A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

2) Marilyn Boyd stated that she had heard the Town was being sued for unfair assessments and asked Supervisor Wilbur what that would mean for the Town. Supervisor Wilbur stated that he had not heard of any lawsuit and if one is filed then the Town would be well represented by Attorney Alan Wrigley.

3) Tom Thomas has been a resident of Derby Road for twenty years and commended the highway crew on its work. He feels it is time for the road be resurfaced and believes that most of the other residents would agree.

Employee Handbook: Discussion continued tonight on the Town's retirement policy. At the June meeting it was proposed to change the retirement age from 60 to 55.

RESOLUTION NO. 84-08

Retirement

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

RESOLVED, that the Town of Greenwich hereby changes the Town's retirement age from 60 to 55.

Discussion: Councilman Patrick stated that it looked like a long-range plan with five employees being affected. The first one in five years; second one in 15 years; third one in 20 years; fourth one in 29 years and the fifth one in 32 years. Those employees at the 80/20 split would continue to pay at that rate. Supervisor Wilbur stated the need to look at the cost to the Town. Councilman Jeffords stated that the cost, based on current premiums, would be about \$5,000 per year, per employee, for five years. Supervisor Wilbur stated that it would be 2013 before this kicks in. Councilman Patrick stated that despite the cost difference he doesn't see why the Town would have retirement at age 60 instead of being in alignment with the NYS retirement system at age 55. Councilman Whitehouse stated that the expense would be a "wash" as the Town would in turn save that money in the difference in salary between the retiring employee and the new employee being hired. Supervisor Wilbur called for any more discussion and then for a roll call vote:

JULY 8, 2008

ROLL CALL:	Councilman Whitehouse	Aye
	Councilman Perkins	Aye
	Councilman Patrick	Aye
	Councilman Jeffords	Aye
	Supervisor Wilbur	Aye

Carried.

Supervisor Wilbur stated that this now becomes part of the Handbook that the Board will be having the public hearing on.

Highway Superintendent Rick Sullivan asked about the military leave benefit. This benefit is the same that is provided by Washington County.

7:58 PM: Public Hearing on Proposed Local Law #4 of 2008 entitled "A Local Law to Amend the Code of the Town of Greenwich by amending Chapter 54, entitled "Personnel Policies" and Chapter 60 entitled "Procurement Policy".

Motion by Councilman Perkins
Seconded by Councilman Patrick

and passed unanimously by said Board,

that the Public Hearing on Proposed Local Law #4 of 2008 be opened at 7:58 P.M. for public comment. The Clerk read the Public Hearing Notice.

No Comments.

Motion by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

that all persons desiring to be heard, having been heard, the Public Hearing be closed at 7:59 P.M.

Carried.

REPORTS:

1) Greenwich Fire Department Report: No report.

2) Planning Board Report: Board members received the minutes of the Planning Board meetings that were held on June 12 & 19, 2008 as well as the minutes of the Zoning Board of Appeals meeting that was held on June 17, 2008. Planning Board Chairman Bill Tomkins stated that Tom Barber has proposed a subdivision on North Road. This has created public concern that this will become an access for development to Thunder Mountain. However, the subdivision itself has no effect on a development one way or the other. Mr. Barber's ability to use that parcel as access to Thunder Mountain is neither enhanced nor diminished by the subdivision. They are separate issues.

JULY 8, 2008

Robert Pratt is subdividing a parcel so the shared Pratt's Point Association well is located to ensure future well access to the Association members.

An email was received from Harold Snell's designated agent asking the Board to accept Snell Drive as a Town Road. The road inspection and core samples are scheduled for tomorrow, July 9th, after which the Town will receive a letter from our engineer stating his recommendations. The email was turned over to the Planning Board for their meeting on July 10th.

RESOLUTION NO. 85
Snell Drive

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that Town of Greenwich hereby accepts Snell Drive, as a Town Road, contingent upon

- a) The certification from the Town's consulting engineer that Snell Drive meets Town's specifications, and
- b) Town of Greenwich Planning Board approval.

3) Assessor Report: A report was received from Assessor Colleen Adamec stating that the 2008 Assessment Roll has been finalized. The total residential increase for the last 4 years is an average of 45%. Tax rates have been decreasing with the exception of the Easton portion of the school tax rate, which increased 22%.

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

- Meeting with Glens Falls Hospital on Friday to proceed with the building permit for the new health center;
- The Clerk stated that all junkyards are now in violation of the Town's Zoning Ordinance. The junkyard licenses expired March 31st and were given the chance to renew for an additional three months to allow time to come into compliance. One did renew for three months and two did not. However, the three month extension has also now expired and all three are currently unlicensed and in violation. Dan O'Connor stated that all three were given compliance information in January. Dan will meet with Attorney Alan Wrigley on how to proceed.

5) Highway Report: Highway Superintendent Rick Sullivan gave the following report:

- 544 gallons of fuel was used during the month of June;
- Lower Academy Street, Overlook Drive, Forest Street and Carl Avenue have all been paved, shoulder work still needs to be done;
- Elgin sweeper has been repaired and sweeping is 99% completed;
- Shoulder work and ditching on Derby Road;
- Two mowers are ready and will start roadside mowing soon;
- Commended his crew for their hard work;

Councilman Jeffords asked Rick what the protocol was for residents paying for driveway culverts. Rick stated that residents purchase the culvert and the highway department installs it

JULY 8, 2008

to ensure it is done correctly. Rick also said that if the culvert benefits the Town, the Town pays for the culvert.

Marilyn Boyd stated that there is a dust problem on Derby Road. Rick stated that his crew has been doing work on Derby Road and understands that the dirt is packed but a couple of good rains should take care of it.

6) Supervisor Report: Supervisor Wilbur stated that the County Board of Supervisors is about to embark on the 2009 budget. The Board hopes to have tentative budget figures by the end of August. Hoping to not have a large tax increase. Clerk to the Supervisor Kellie Blake distributed the second quarter financial report.

7) Youth Report: Councilman Patrick stated that the availability of school bus drivers for the Friday field trips is creating a problem. It won't be known until Wednesday if there will be two buses for Friday's trip. Other than that the program is up and running with no problems.

Clerk to the Supervisor Kellie Blake stated:

- Beach Administrator Tanya Grimes had notified her that the Department of Health had "red-flagged" the beach, as it needed to be "york-raked". A two week deadline was given to have this completed. Highway Superintendent Rick Sullivan stated that it had been raked once but they will do it again.
- The Town needs to purchase seven more buoys to be in compliance for next season.
- The Youth Program staff would like to have a bonfire at the end of season beach party. This was approved with the bonfire being located in the vicinity of the volleyball court.
- A letter was received from the NYS Department of Health stating that the Town's youth program falls under the definition of a Children's Camp and a health permit is required.

UNFINISHED BUSINESS:

1) Appointment of Ethic Board. At the June meeting the Board approved LL#3 of 2008, which allowed for the creation of an Ethics Board. The Ethics Board shall consist of five members, a majority of whom shall not be officers or employees of the Town of Greenwich, however, at least one member of the Board shall be a municipal officer or employee.

RESOLUTION NO. 86-08
Ethics Board

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that James McClay, Sandra Spaulding, Bob Wright, Don Brooks and Amanda Willetts be appointed to the Town's Board of Ethics and such initial appointment shall expire on December 31, 2009.

NEW BUSINESS:

1) A letter of resignation, effective at the end of this year's obligations, was received from Board of Assessment Review member Jim McClay. This leaves an unexpired term vacancy through September 30, 2009. Jerry Cronin had previously applied and been interviewed so the Board would like to offer the position to him. Supervisor Wilbur will contact Mr. Cronin. The Clerk will send Mr. McClay a letter thanking him for his service to the Town.

JULY 8, 2008

2) A letter was received from George Hodgson Jr., Director of Saratoga County Environmental Services asking the Board to pass a resolution supporting the Dix Bridge rehabilitation project.

Councilman Jeffords stated that County Tourism Board recommended that the Town Board support this also.

RESOLUTION NO. 87-08
Dix Bridge Rehabilitation

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLUTION SUPPORTING THE DIX BRIDGE REHABILITATION PROJECT

WHEREAS, the Dix Bridge is a steel decked Warren High Truss bridge built in 1895 spans the Hudson River connecting the Towns of Greenwich and Northumberland, and

WHEREAS, the Dix Bridge is co-owned by Saratoga and Washington counties and has been closed due to structural problems since 1996, and

WHEREAS, the Dix Bridge is listed on the National Register of Historic Places, and if rehabilitated, has the ability to provide the only safe pedestrian multi-use crossing of the Hudson River between Saratoga and Washington counties, and

WHEREAS, when rehabilitated the Dix Bridge will provide an important pedestrian bi-county trail connection between Saratoga and Washington counties, Hudson Crossing Park, and to a number of local, regional and statewide recreational trail projects such as the Hudson River Greenway, the NYS Canalway Trail System, and Lakes to Locks Passage, providing important and safe public access to hikers, bicyclists, snowmobilers, equestrians, and others, and

WHEREAS, federal Transportation Enhancement Program (TEP) grant funds are currently available to rehabilitate the Dix Bridge, and said bridge rehabilitation project meets many of the eligible categories which qualify it for federal TEP funding consideration, and

WHEREAS, Saratoga County and the NYS Historic Saratoga-Washington on the Hudson Partnership have agreed to be the sponsor and the applicant, respectively, for a federal TEP grant application submission, which, if approved, would provide 80% of the necessary funds to rehabilitate the Dix Bridge, thereby preserving all of the bridge's historic characteristics while providing much-needed important pedestrian trail/park uses, now, therefore, be it

RESOLVED, that the Town of Greenwich, by this resolution, supports the submission and approval of the aforementioned federal Transportation Enhancement Program grant application to the NYS Department of Transportation to provide sufficient federal funds to conduct the Dix Bridge Rehabilitation Project.

3) Jim Schneible rents the town-owned garage at 2 Academy for \$850.00 per year. Jim and his wife, Cindy, also take care of the garden maintenance at 2 Academy. Mr. Schneible would like to apply partial payment from the gardens to the rent payment.

JULY 8, 2008

RESOLUTION NO. 88-08
Garage Rent – 2 Academy St

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that Jim Schneible be authorized to apply partial payment for maintaining the gardens at 2 Academy Street to the \$850 rent of the town-owned garage at 2 Academy Street for 2008.

4) Councilman Jeffords would like stated for the record that Eric Kelly, son of John & Elaine Kelly, and Kendra Kelly, daughter of Robert & Joan Jeffords, are the proud parents of a new baby girl, Shea Leigh Kelly. Shea weighed 7 lbs. 11 oz and was 21 inches long. She already has New York Yankees and New York Giants uniforms. The Board congratulated Grandpa Jeffords and Grandma Kelly.

RESOLUTION NO. 89-08
Employee Handbook

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the Town Board of the Town of Greenwich hereby approves and adopts the Town of Greenwich Employee Handbook.

6) RESOLUTION NO. 90-08
Local Law #4 of 2008

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

RESOLVED, that Town of Greenwich Local Law #4 of 2008 entitled “A Local Law to Amend the Code of the Town of Greenwich by amending Chapter 54, entitled “Personnel Policies” and Chapter 60 entitled “Procurement Policy” be approved as amended and adopted.

ROLL CALL:	Councilman Whitehouse	Aye
	Councilman Perkins	Aye
	Councilman Patrick	Aye
	Councilman Jeffords	Aye
	Supervisor Wilbur	Aye

Carried.

7) Councilman Perkins commended Clerk to the Supervisor Kellie Blake for all her effort and hard work during this long process of developing the Employee Handbook. Each employee will be given printed updates as they are adopted. Councilman Perkins also asked Highway Superintendent Rick Sullivan that while the updates are being processed, to please inform the highway employees of any discussions or changes the day after they are made. Supervisor Wilbur and the rest of the Board also thanked Kellie for her work.

JULY 8, 2008

Motion by Councilman Perkins
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

that the meeting be adjourned at 8:58 P.M.

At the request of Attorney Alan Wrigley, Supervisor Wilbur reconvened the meeting. Attorney Wrigley stated that he had been contacted by Highway Superintendent Rick Sullivan because a resident would like to donate a 53-foot box trailer to the Town. The Highway department would utilize this as a storage shed. The resident would like a donation receipt in the amount of \$1000.00.

RESOLUTION NO. 91-08
Highway – Storage Trailer Donation

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich hereby accepts the donation and issues a receipt for a 53 foot box trailer, valued at \$1000.00, from Kathleen Squires.

Motion by Councilman Whitehouse
Seconded by Councilman Patrick

and passed unanimously by said Board,

that the meeting be adjourned at 9:01 P.M.

Respectfully submitted,

Elaine A. Kelly, RMC, CMC
Town Clerk