

March 11, 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, March 11, 2008 at 7:00 p.m.

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

Others Present: Elaine Kelly, Kellie Blake, Alan Wrigley, Rick Sullivan, Tony Basile - The Journal Press, Jenny Lyttle - Main Street, Janet Kennedy – Lakes to Locks and Robert Witham – The Eagle.

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

RESOLUTION NO. 24-08
Transfer 3/11/2008

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the following transfer be approved: Transfer \$772.00 from #A1990.4 Contingent Acct. to #A5010.101 Superintendent of Highways Personal Services to reflect Local Law #1 of 2008.

RESOLUTION NO. 25-08
Budget Amendment 3/11/2008

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

and passed unanimously by said Board,

RESOLVED, that the following Budget Amendments be approved:

1. Increase appropriations in A5010.101 Superintendent of Highways Personal Services – Rick Sullivan by \$772.00 to reflect Local Law # 1 2008. Salary increased from \$37,600 to \$38,372.

2. With money received from sale of scrap metal totaling \$11,109.60, Rick Sullivan requests that the following budget line items be increased:

- I. \$1,000.00 A5010.4 – Superintendent of Highways – Contractual Expense.
- II. \$2,000.00 A5132.2 – Garage Equipment.
- III. \$2,000.00 A5132.4 – Garage Contractual Expense.
- IV. \$3,109.60 DA5142.4 – Highway Townwide Snow Removal – Contractual Expense.
- V. \$3,000.00 DB5130.4 – Highway Outside Village Machinery Repairs.

March 11, 2008

RESOLUTION NO. 26-08
Payt. of Bills 3/15/08

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #8003 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):	0064-0088	\$ 6,167.76
General Outside Village (B):	0089-0091	\$ 53.56
Special District Lighting (SL):	0092	\$ 997.62
Highway Town-wide (DA):	5021-5026	\$13,287.12
Highway Outside Village (DB):	5027-5039	\$10,072.01

RESOLUTION NO. 27-08
App. of Minutes 2/12/08

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the minutes of February 12, 2008 be approved and accepted as submitted.

CORRESPONDENCE:

1) A letter was received from the VFW Post #7291 inviting the Town Officials to participate in the Memorial Day Parade to be held at 6:00 P.M. on Friday evening, May 30th. Refreshments will be served at the VFW after the parade. Participants should assemble at 5:00 P.M. at Bridge Street. Supervisor Wilbur and Councilman Jeffords will participate and possibly Councilman Whitehouse. Councilman Perkins will be participating with the American Legion.

COMMENTS FROM THE PUBLIC:

1) Janet Kennedy addressed the Board on behalf of Lakes to Locks Passage, which extends from Lake Champlain to the Hudson River. Ms. Kennedy stated that this area is in between two popular tourist destinations, Montreal and New York City. With the value of the American dollar declining, more Canadian travelers are heading in this direction. Ms. Kennedy also stated that there is funding available to help local communities increase their tourism traffic. She would like to engage Greenwich in this program and asked the Board to think about what they would like to offer to tourists and ideas on how to make it happen. She will check back in the near future.

REPORTS:

1) Greenwich Fire Department Report: An activity report for February was received from the Greenwich Fire Department.

March 11, 2008

2) Planning Board Report: Board members received the minutes of the Planning Board meetings that were held on February 14 & 21, 2008.

3) Assessor Report: No report.

4) Code Enforcement Report: Code Enforcement Officer Dan O'Connor has completed the annual inspection of the three junk yards that are located in the Town. All were noted to be in compliance and were approved for license renewal. However, the Town's Zoning Ordinance became effective on July 1, 2007 and the junkyards were allowed one year to come into compliance with the ordinance. The ordinance requires junkyards to be fenced in and the one-year deadline for compliance is July 1, 2008. Therefore Dan O'Connor has approved them until June 30, 2008. Once in compliance the license will be extended for a full year until March 30, 2009. Also noted in Dan's report were three building permits that had been approved.

RESOLUTION NO. 28-08 Junkyard License Renewals

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that upon receipt of a \$25 fee, junkyard renewals be granted to G&S Transmission, Bert's Auto Center and Stu Maguire's Equipment Sales, Inc. for a period of three months commencing April 1, 2008 and ending June 30, 2008 and be it further

RESOLVED, that upon compliance with the Town of Greenwich Zoning Ordinance that each license be extended until March 30, 2009.

5) Highway Report: Highway Superintendent Rick Sullivan stated the month of February was a busy one. The highway crew was out every day but three and 3187 gallons of diesel fuel was used. Rick requested stop signs be authorized at eight intersections which currently have no traffic control. The intersections are as follows:

Bunker Hill, Kilburn & Ferguson Roads	(2)
Overlook Drive & Academy Street	(2)
Lyttle Lane & Forest Street	(1)
Lyttle Lane & Carl Avenue	(1)
Mill Road & Ferguson Road	(1)
Riddle Road & Christie Road	(1)

Councilman Patrick asked if orange flags to warn motorists of the new signs would be put up. Highway Superintendent Rick Sullivan stated this would be a good idea.

RESOLUTION NO. 29-08 Stop Signs

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

March 11, 2008

RESOLVED, that Highway Superintendent Rick Sullivan be authorized to install stops signs at the intersections named in above discussion.

Rick also requested that 30mph speed limits be placed on all dirt roads throughout the Town. Speed limit requests are merely funneled through the local board to the County and State agencies.

RESOLUTION NO. 30-08
Speed Limit Requests

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that the Town Board of the Town of Greenwich hereby requests Washington County to perform speed limit studies on the following dirt roads in the Town of Greenwich and be it further

RESOLVED, that the Board requests that said speed limits not exceed 30 mph.

- River Road from NYS Route 4 to Fort Miller Road
- Rabbit Road from Spraguetown Road to County Route 52
- Langley Hill Road from Ryan Road to Christie Road
- Mahaffy Road from Ryan Road to Christie Road
- Ray Road from North Road to NYS 29
- Ferguson Road from Bunker Hill Road to County Route 49
- Kilburn Road from Bunker Hill Road to the Town of Greenwich line.

6) Supervisor's Report: Supervisor Wilbur stated that work on the 2009 County budget has begun. The Supervisors will be looking at the 2007 budget to see what the balances were in each of the departments and, if any fund balance exists, apply it to the 2009 budget.

Clerk to the Supervisor Kellie Blake's request for disposition of records: The NYS Education Department recommends that municipalities use the NYS Record Retention and Disposition Schedule MU-1 for disposing of outdated records. The NYS Department on Open Government also supports this schedule. 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.

Kellie Blake presented a listing of various records ranging from 1980 to 1999 that are eligible for disposal under NYS Education guidelines. Records Management Officer Elaine Kelly verified that all records listed were in compliance with the MU-1 schedule.

RESOLUTION NO. 31-08
Records Retention/Disposition

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

March 11, 2008

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.

7) Youth Report: Councilman Patrick stated that the first youth committee meeting of the year had been held and the last week of the summer program will overlap with the first week of the LIFTS program. This happens very rarely. The dates are determined by using 1) the first week after school is out and 2) the week of the Washington County Fair and working back from that. The dates are as follows:

Town Beach opens June 15 through August 17;
Morning Program runs June 30 through August 8;
Applications for Supervisory positions due by April 18 with interviews on April 22;
Youth applications due by May 2;
Youth Committee application reviews May 5 with interview dates to be set at that time.

Beach house repair: (excerpt from October 15, 2007 minutes)

Councilman Perkins stated that at the September meeting it had been reported that there may be structural damage at the beach house. He and Supervisor Wilbur went and looked at it and determined that there are "critters" there and listed the following needs:

- *Fiberboard that is on the walls has been chewed and is being used for nesting;*
- *3 - 36" steel doors all have rotted wood frames with holes where squirrels, etc may be getting in;*
- *2 Flip up wooden windows are rotted;*
- *Repairs to the interior ceiling;*
- *Possibly install a pull down stairway to allow for storage upstairs;*
- *Gutters should be installed to prevent water damage;*
- *Roof needs to be replaced.*

Councilman Patrick suggested that maybe GCS teacher Chris Kelly might be interested in pursuing this project with his class. He will contact Mr. Kelly. The beach pavilion was built in 1995 through a GCS Ag program. Councilman Perkins stated that BOCES had a construction class that could be considered as well.

Mr. Kelly's class is not able to do this project as GCS has tightened its policy as it relates to off school property projects. Councilman Perkins stated that the work needs to be completed before the beach opens. He will contact local contractors for quotes that will be based on a time and materials basis.

Goose Control: Councilman Perkins stated that the goose control at the beach last year was very effective. Dan Spigner and Jeff Duxbury are very dedicated with this project and the Board decided to stay with them again this year. George will contact Dan Spigner for his 2008 price.

Playground Equipment: Councilman Patrick said that Beach Administrator Tanya Grimes wants to replace the metal playground equipment, excluding the slide, with plastic equipment. Steve will give Tanya some catalogs to look through and Councilman Jeffords will research grant information from Home Depot for playground equipment.

March 11, 2008

UNFINISHED BUSINESS:

1) Ethics Board: Attorney Alan Wrigley will draft an amendment to the Town Code to allow for the creation of an Ethics Board. He will present the draft to the Board at the April meeting.

After the approval and creation of the Ethics Board, the Town Board will then make the appropriate appointments.

2) Employee Handbook: The Town is in the processing of developing an Employee Handbook and Clerk to the Supervisor Kellie Blake presented the Board with a draft for the Board's review. Tonight's discussion involved only Section 54-5 Overtime, emergency and holiday pay and Section 54-7 Vacation. A lengthy discussion was held concerning emergency call-in pay. Highway Superintendent Rick Sullivan was asked if he agreed with the following change and he said yes.

RESOLUTION NO. 32
Personnel Policy/Overtime Pay

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

RESOLVED, that Section 54-5 of the Code of the Town of Greenwich be amended as follows:

Sec. 54-5. Overtime, emergency and holiday pay.

Overtime pay shall be paid at a rate of time and one-half after completing forty hours of work per week. Any work done on the above holidays or on vacation days will be paid at the rate of time and one-half after completing forty hours of work per week. The employee will receive his or her holiday or vacation pay at a straight time rate. A highway full-time employee shall be paid a minimum of four hours, at the applicable rate, if called in for emergency duty, not connected to regular work hours or a vacation day. Examples of how the above policy works are as follows: (a) if a Highway employee is called in to work two hours early, he or she will be paid for the two hours at the applicable rate [because the additional hours are connected to the regular work hours]; or (b) if a Highway employee is asked to stay an extra one hour at the end of the day, he or shall will be paid for the one hour at the applicable rate [because the additional hour is connected to the regular work hours]; or (c) if a Highway employee is called in to work at 7PM on a Wednesday, he or she will be paid for a minimum of four hours at the applicable rate [because the additional hours are not connected to the regular work hours].

Carried. 3 Ayes 1 Nay Councilman Perkins

RESOLUTION NO. 33
Vacation Policy

Resolution by Councilman Patrick
Seconded by Councilman Perkins

RESOLVED, that Section 54-7 of the Code of the Town of Greenwich be amended as follows:

Sec. 54-7. Vacation

1. All employees shall choose their vacations for the calendar year no later than April 30 of that year. There shall be no more than one employee on vacation at any time, either a single day or full weeks. The weeks or days chosen and approved will be logged on a calendar

March 11, 2008

year record and posted at the Town Garage and Town Office. Any changes will be submitted to the Highway Superintendent or Department Head in writing on a vacation change form. The vacation change form shall be submitted to the Highway Superintendent or Department Head no later than two weeks prior to the change. After approval, the

Highway Superintendent or Department Head will submit the request to the Clerk to the Supervisor for office recording. Any emergency changes will be at the discretion of the Highway Superintendent or Department Head.

2. Vacations will be granted by seniority starting with the most senior to the most junior employee.
3. All vacation time will be taken entirely by 12/31 of each calendar year. There is no carrying over of vacation time.
4. All vacation time is to be used before an employee leaves employment.
5. Any employee who is on vacation and is called in to perform work shall be paid for vacation hours at a straight time rate. Emergency call ins are at the discretion of the Highway Superintendent.

NEW BUSINESS:

1) Lawn care for 2 Academy Street, the Town Beach, the sidewalks along Route 29 and maintenance at the roundabout was discussed. It was noted that Empire Lawn Service had done a great job last year with the exception of the roundabout. The proposal showed a 5% increase over 2007. Highway Superintendent Rick Sullivan suggested that the Highway Department take over the lawn care. He has already talked to his part time snowplow wingmen and they would come and mow the lawns for an hourly rate. Rick was asked what he would mow with and he said they have an old mower or they could purchase a new one. He would like to keep his wingmen busy during the summer. Supervisor Wilbur stated that they are not employees of the Town other than during the winter as wingmen. Rick will re-address this at budget time. Councilman Patrick stated this would add an element of unpredictability to the budget where a contract would be a constant. Going back to the proposal in front of the Board, it was decided to look elsewhere for maintenance at the roundabout and contract with Empire for rest of the services.

RESOLUTION NO. 34-08
Lawn Care 2008

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich contract with Empire Lawn Service to perform lawn care and maintenance for the 2008 season at the Town Office Building at 2 Academy Street, the Town Beach at 2128 State Route 29, the grassy areas along the town sidewalks beginning at the west end of the Greenwich Cemetery and continuing to Fiddlers Elbow Road at a cost of \$5890.00

March 11, 2008

2) Garden Maintenance: A letter was received from Cindy & Jim Schneible stating that they are willing to take care of The Commons again this year and are requesting \$9.50 per hour.

RESOLUTION NO. 35-08
Lawn Care/Garden Maintenance

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that Jim & Cindy Schneible be hired for garden maintenance for the 2008 season at a rate of \$9.50 per hour.

3) Beach Custodian:

RESOLUTION NO. 36-08
Beach Custodian

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

RESOLVED, that the Town of Greenwich enter into a 2008 custodial contract for the Town beach with Donald Perkins, Jr. at a cost of \$400.00.

Ayes 3; Abstain 1 (Councilman Perkins)

4) Roadside Cleanup. Last year only one person showed up on cleanup day. Clerk to the Supervisor Kellie Blake stated that it seemed that the response was better when the town trucks went out and picked up the bags on the roadside rather than parking them in the Town Office parking lot. Supervisor Wilbur suggested that the highway department dedicate a day to cleaning up the roadsides. This was discussed and considering that there are 77 miles of town roads it was decided that this was not a project for the highway crew to take on. Roadside cleanup will be held the week of April 21 – 27. Orange bags, to be used for roadside cleanup only, may be picked up at the Town Office and after completing the cleanup, may be left along side the road. The highway department will pick up the bags on Monday, April 28. Ads will be placed in the paper.

5) New stove for Town Office Building. Kellie Blake stated that the stove in the Town Office building is not working and that the Food For Kids program uses this stove for its lunch program. Kellie presented three quotes for a new 30" Electric Range: Home Depot - 379.00, Sears - 351.49 and Best Buy - 379.99.

RESOLUTION NO. 37-08
Stove – Town Office Building

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that Kellie Blake be authorized to purchase a 30" Electric Range at a cost not to exceed \$380.00.

March 11, 2008

6) Chamber of Commerce-Whipple City Festival: The Whipple City Festival will be held on June 13, 14 and 15, 2008. The Chamber made several requests of the Town and the following action was taken:

RESOLUTION NO. 38-08
Whipple City Festival 2008

Resolution by Councilman Jeffords

Seconded by Councilman Perkins

and passed unanimously by said Board,

WHEREAS, the Greater Greenwich Chamber of Commerce is sponsoring the Whipple City Festival on June 13, 14 and 15, 2008, 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 13 thru June 15, 2008:

Use of

- the Town parking lot for carnival rides, amusements and games;
- 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.

and be it further

RESOLVED, that the above approval is contingent upon receipt of a Certificate of Insurance from Green Mountain Amusements of Lake George, naming the Town of Greenwich as an additional insured in the minimum amount of \$ 1,000,000.

7) NYS Assembly -Property Tax Cap. A letter was received from Assembly Minority Leader James Tedisco asking the Town to support the NYS Property Taxpayers Protection Act. Provisions of this tax relief package for localities include; state funding for mandates costing more than \$10,000 annually or \$1 million statewide; financial assistance to localities to consolidate services and combat Medicaid fraud; local option insurance pooling; a state takeover of all optional Medicaid services; and a cap on school district tax levy hikes. The proposed cap is at 4% or the rate of inflation, whichever is less, would save homeowners and businesses and estimated 1.5 billion this year.

RESOLUTION NO. 39-08
Property Tax Cap

Resolution by Councilman Patrick

Seconded by Councilman Perkins

and passed unanimously by said Board,

Whereas, The tremendously high property tax burden on New York families and businesses is the number one issue facing our community today, and the sheer cost of living in

MARCH 11, 2008

New York has forced many residents and businesses to leave, thus slowing the economic engine of the state; and

Whereas, Young people are finding it difficult to purchase homes, seniors are struggling to maintain their homes, and businesses are facing immense challenges to create and retain jobs; and

Whereas, New Yorkers face the highest property taxes in the nation, and when measured as a percentage of home value, nine of the top 10 property tax rates in the entire country belong to counties in New York; and the State must act now to thwart the detrimental effects that high property taxes are having on local governments; and

Whereas, Assembly Minority Conference Members have introduced the "New York State Property Taxpayers Protection Act" (Assembly Bill 8775-A), which puts forth new and innovative ideas for property tax reform that limit the amount school districts can raise annually through local tax levies to four percent or the rate of inflation, whichever is less; in addition the Act would relieve municipalities and school districts of unfunded mandates, reduce county Medicaid costs, strengthen financial accountability over school tax dollars, promote local government efficiency, and encourage local option insurance pooling; and

Whereas, The "New York State Property Taxpayers Protection Act" will help fix New York's broken property tax system, providing homeowners, businesses and municipalities significant and lasting relief from the crushing burden of skyrocketing property taxes; and now, therefore, be it

Resolved, That this Legislative Body pause in its deliberations to acknowledge New York State's property tax crisis and urge the immediate passage and chaptering of the "New York State Property Taxpayers Protection Act" which will help local governments reinvigorate New York's economy by providing incentives for people and businesses to move and stay here; and be it further

Resolved, That a copy of this Resolution, suitably engrossed, be transmitted to the Governor of the State of New York, the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, and to each member of the New York State Legislature.

8) A letter was received from Energy Services Providers Inc (ESPI) offering to provide the Town of Greenwich with its electricity supply. Currently the Town has National Grid for both supply and delivery but due to deregulation account holders now have a choice for the supplier. ESPI guarantees a 7% saving on the Town's electricity supply for the first two months.

RESOLUTION NO. 40-08
Electricity Supply - ESPI

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

MARCH 11, 2008

RESOLVED, that the Town of Greenwich enroll with Energy Services Provider as its energy supply company.

9)

RESOLUTION NO. 41-08
Utility Bills – Payt Prior to Audit

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Town Board authorizes the payment of claims for public utility services prior to audit and that all such claims be presented for audit at the next regular board meeting.

Motion by Councilman Perkins
Seconded by Councilman Patrick

and passed unanimously by said Board,

that the meeting be adjourned at 9:53 P.M.

Respectfully submitted,

Elaine A. Kelly, RMC, CMC
Town Clerk

MARCH 11, 2008