

MAY 13, 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, May 13, 2008 at 7:00 p.m.

PRESENT:	Donald Wilbur	Supervisor
	Bob Jeffords	Councilman
	Steven Patrick	Councilman 7:25 PM
	George Perkins	Councilman
	Eric Whitehouse	Councilman

Others Present: Elaine Kelly, Kellie Blake, Alan Wrigley, Rick Sullivan, Stanley Mattison, Robert Witham - The Eagle, Tony Basile - The Journal Press, Jenny Lyttle - Main Street, Marilyn Boyd, Sandy Friday, Cricket Callahan, David Bodderly, Tom Simoneau and representing Boy Scout Troop 27 were Jill Eaton, Dan Shaw, Dalton Drew, Chris Eaton, Ryan Toto and Greg Shaw.

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

RESOLUTION NO. 52-08
Transfers 5/13/08

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the following transfers be approved:

General Fund – Townwide: Transfer \$200.00 from A1110.4 Justice Contractual to A1110.103 Justice Clerk Personal Services.

Budget Amendments:

Capital Fund Beach: 1) \$257.83 From Capital Fund Beach to H27150.2 Capital Fund – Beach Equipment. (Board approved purchase of toddler swing set) 2) \$8,435.06 From Capital Fund Beach to H27150.4 Capital Fund – Beach Contractual. (Board approved repairs & labor to beach house)

RESOLUTION NO. 53-08
Payt. of Bills 5/13/08

Resolution by Councilman Perkins
Seconded by Councilman Whitehouse

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #8005 A & B 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:	0131	\$ 916.84
General Town-wide (A)	0132-0166	\$15,324.43
General Outside Village (B):	0167-0172	\$ 386.11
Special District Lighting (SL):	0173	\$ 852.54
Capital Fund Beach	2001-2003	\$ 8,692.89

MAY 13, 2008

Highway Town-wide (DA) Pre-pay:	5052	\$ 94.87
Highway Town-wide (DA):	5055-5057	\$ 242.56
Highway Outside Village (DB):	5058-5072	\$19,680.09

RESOLUTION NO. 54-08
App. of Minutes 4/8/08

Resolution by Councilman Whitehouse
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that the minutes of April 8, 2008 be approved and accepted as submitted.

CORRESPONDENCE:

- 1) A letter was received from Artos Enterprises LLC, DBA Greenwich House of Pizza, advising the Board that they are applying to the NYS Liquor Authority for renewal of their liquor license.
- 2) A letter was received from the Greater Greenwich Chamber of Commerce requesting permission to use the Commons for Hot Air Balloon events during the Whipple City Festival. The Board granted permission contingent upon receipt of a certificate of insurance naming the Town as an additional insured per specific instructions from the Town’s insurance carrier.

RESOLUTION NO. 55-08
Whipple City Festival 2008

Resolution by Councilman Perkins
Seconded by Councilman Whitehouse

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, and

WHEREAS, it has been requested that Mike Hernandez and his Carried Away Balloon Team be granted permission to provide hot air balloon demonstrations, tethered rides, a possible fly away and an evening “Moon Glow”, now therefore be it

RESOLVED, that upon receipt of a Certificate of Insurance from Mike Hernandez naming the Town of Greenwich as an additional insured on a primary and non-contributory basis, the Greater Greenwich Chamber of Commerce be granted permission for this request.

- 3) The Town Board received an invitation to participate in the 2008 Turning Point Parade in Schuylerville on Sunday, August 3rd at 1:00 P.M. There was no commitment at this time.

COMMENTS FROM THE PUBLIC:

- 1) Tom Simoneau addressed the 2008 assessments and stated that every year there is tremendous discussion among the townspeople and this year they are livid. He gave an example of three houses on Main Street that had the same assessment last year and this year they are all different. Large houses show a 24% increase and smaller houses are showing a 12% increases, yet the businesses show no increase at all. What is the annual reassessment doing for us? Why are we going through this every year? There is a lot of discontentment in

MAY 13, 2008

the community. Supervisor Wilbur stated that the Town has a six-year commitment to the State to do annual reassessments. More than 50% of the towns in Washington County are maintaining 100% market value. In the Coordinated Assessing Program (CAP) it is required to do this yearly and currently includes the Towns of Dresden, Putnam, Kingsbury and Greenwich. Some towns are on a triennial program which means every three years they return to 100%. If we don't do an annual reassessment then in four or five years a full revaluation would have to be done at an approximate cost of \$50 per parcel or \$120,000. The Assessor needs to answer the questions from the community, as she is the only one that can put a value on a property. Councilman Jeffords stated the Assessor had done a survey and most of the commercial sales were within a range that didn't need to be changed. The State does the residential market survey for the southern part of the County and that is where the 12% came from. The tax levy is the key to the whole problem. Using the school as an example, ten years ago the tax levy was about two million dollars and this year the levy is nine million.

2) Marilyn Boyd stated that she spoke to the Board in February and the problem is not the Assessor, it is the process and the Town Board is responsible for the process. The Board should be looking at the assessment books to see how unfair the assessments are. She said the Assessor told her that Derby Road went up 12% when in actuality it ranged from .01% to 40%. The process is too subjective and there should be a way to do this where the Assessor doesn't make a decision on her own. Supervisor Wilbur again stated that the Assessor needs to answer these concerns, as she is the only one that can put a value on a property. We have a Board of Assessment Review where people can come in and talk to the Board and that Board has the power to change the assessment but the Assessor is the only one that can put the original value on a property.

3) Sandy Friday stated that she was assessed on hearsay. A neighbor had come to the Assessor and said that she (Sandy) had a finished basement so the Assessor increased her assessment. She invited the Assessor to her home and after seeing the unfinished basement she changed the assessment back. Does not feel that assumption is a fair way to assess. Sandy then addressed the planned paving of Derby Road. Heavy trucks travel that road all day Monday thru Saturday and her and Marilyn Boyd are concerned because they feel there needs to be other things done than just blacktop put down. From Richards Road heading toward North Road the left side of the road is a hill with hardly any ditches for drainage. To just slap a coat of blacktop down and waste the taxpayers' money on Derby Road is ridiculous. Marilyn Boyd said she took a poll of the homeowners on Derby Road and said it was about 50/50 for those wanting it blacktopped and those not wanting it. Mrs. Boyd says that people just want the drainage and the potholes fixed which Highway Superintendent Rick Sullivan said he could do.

REPORTS:

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

2) Planning Board Report: Board members received the minutes of the Planning Board meetings that were held on April 10 & 17, 2008. Also received were minutes of the ZBA from April 15, 2008.

3) Assessor Report: Councilman Jeffords stated that he, the Assessor and the Board of Assessment Review had met on Saturday to review the market studies and related items. The BAR now understands how Colleen reached the percentages that were used in this year's

MAY 13, 2008

assessments. Also reviewed was how the State came up with the market values and what sales were used.

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

5) Highway Report:

- NYS Department of Transportation has released its 2008 CHIPS funding report. In 2007 the Town received \$121,893 and 2008 it will increase to \$150,201.
- Highway Superintendent Rick Sullivan stated during the month of April 654 gallons of fuel was used. No comments were received on the Permissive Referendum for the construction of a new salt shed so that project may proceed.
- Parts for the 1967 Elgin sweeper can only be purchased through the company directly and the price is \$1200 plus shipping.
- Queens Gate continues to have flooding problems. The drywell is covered with silt and the 400' pipe leading to the drywell is either plugged or crushed. Rick has scheduled Jeff Hine to come tomorrow at a cost of \$640.00 to flush it with a hydro machine. If the pipe has been crushed at some point in the 400', Attorney Wrigley suggested that we look into the source of the problem. Initially, an engineer must have certified that it was in working order and now we need to find out what changed. Is it a design defect or did a contractor or homeowner that may have been working on a neighboring property damage it. Alan suggested that we look into whose responsibility it is to pay for the repair. It was decided to have Mr. Hine attempt to flush it and if not successful then further research will be done.

RESOLUTION NO. 56-08
Queen's Gate Pipe Flushing

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that Jeff Hines be hired at a cost of \$640.00 to hydro flush the 400' pipe on Queen's Gate in attempt to correct a flooding problem.

- Blodgett Road Bridge Removal. Four quotes were received for this work.
 - Kevin Strainer \$7,900
 - Kevin Strainer \$7,700
 - Larry Ashcroft Construction \$7,780
 - Cedar Ridge Const. - Bill Boyce \$11,200

RESOLUTION NO. 57-08
Blodgett Road Bridge Removal

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Board award the quote for the Blodgett Road Bridge removal project to Kevin Strainer at a cost of \$7,700.

The ENCON permit for this project still needs to be filled out and submitted.

MAY 13, 2008

Rick presented the following recommendations for 2008 road work and each of the projects on Spraguetown Road, Derby Road, Pulp Mill Road, Hartshorn Road, Forest Street, Carl Avenue and Academy Street was discussed. All were approved with the exception of Derby Road. Much discussion followed about Derby Road. Excerpt from Public Comments portion of the tonight's meeting:

Sandy (Friday) then addressed the planned paving of Derby Road. Heavy trucks travel that road all day Monday thru Saturday and her and Marilyn Boyd are concerned because they feel there needs to be other things done than just blacktop put down. From Richards Road heading toward North Road the left side of the road is a hill with hardly any ditches for drainage. To just slap a coat of blacktop down and waste the taxpayers' money on Derby Road is ridiculous. Marilyn Boyd said she took a poll of the homeowners on Derby Road and said it was about 50/50 for those wanting it blacktopped and those not wanting it. Mrs. Boyd says that people just want the drainage and the potholes fixed Highway Superintendent Rick Sullivan said he could do.

Rick stated that they would begin with shoulder work, ditching and cleaning out the culverts. Sandy Friday stated there are no ditches so where is the banking going to go. Supervisor Wilbur reviewed the history of the road beginning with it being a dirt road and the issues that dirt roads have. That coupled with heavy truck traffic and not having Town funds to add another paved road to the Town's maintenance program, prompted the Town at the time to stone and oil the road. In hindsight, it looks like that was bad judgment as the heavy truck traffic has continued to increase over the years and cause more problems. Rick said that he understands why the Boyds, the Alexanders and Sandy don't want the road paved as they are afraid of the potholes that continue to reappear. Rick's fear is that a motorcyclist will hit the potholes and be seriously hurt. He stated that the residents are concerned with it becoming a raceway and he agrees with them. There are pros and cons but by doing the shoulder and ditch work, then putting down the 2" of pavement, Rick feels the pros outweigh the cons.

Don stated that obviously the Town needs to keep the road passable and safe for the public to travel on but we can do that without paving it. Don stated that it can be patched but he's not in favor of spending a lot of money on stone and oil because that hasn't been the answer either. It hasn't lasted that many years and there are issues with it. If there are other roads in the Town that are in need of paving then that is where the Town should put its money.

Councilman Perkins asked if it were ditched and drained properly, and the needed repairs were made, would that help? Could we try it and see before spending a lot of money on pavement? Rick said certainly.

Councilman Whitehouse said he was not in favor of paving the road. If it's currently not ditched nor drained properly then it has to be done anyway. Let's do the ditching, the drainage work and repairs in preparation for possible paving in the future and see if this makes a difference. With that much truck traffic, it doesn't matter how much pavement you put down the trucks are just going to tear it up.

Supervisor Wilbur stated that if we aren't going to do this road then what road would be next on the list in order to continue our four mile maintenance plan and use our CHIPS funding.

Councilman Jeffords stated that he is against adding an additional paved road at this point mainly because of the petroleum product costs. He would rather repair something that is already there than add another road to our inventory, which we would then need to put into our rotation. We are already behind in our rotation.

Councilman Patrick stated that he thought we were doing the next mile of a three year plan for North Road. Rick said you can't compare North Road to Derby Road.

MAY 13, 2008

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

RESOLVED, that the Town Board of Greenwich is against the proposed Willard Mountain Park Project and recommends to Assemblyman Roy McDonald not to proceed with this proposal.

Roll Call: Councilman Whitehouse Aye
 Councilman Perkins Aye
 Councilman Patrick Aye
 Councilman Jeffords Aye
 Supervisor Wilbur Abstain

Carried 4-1

7) Youth Report: Councilman Patrick stated that due to the late school year, LIFTS, and the schedule for the Washington Fair that the Morning Youth program will only run five weeks from June 30 through August 1. The swim program will run it's normal program of two sessions for three weeks each. This will be from June 30 through August 8. The beach will be open from Sunday, June 15 through Sunday, August 17. The state has changed the status of the Town's youth program to that of a youth camp. This requires immunization and medical and records from each child before they are eligible to participate in any of the programs. Supervisory appointments and pay rates are as follows:

Morning Program Director – Jasmyn Wright
Arts & Crafts Coordinator - Dina Henke
Beach Administrator - Tanya Grimes

Swim Program Director & Head Lifeguard - Michael Shissler
Assistant Head Lifeguard – Tivona Renoni

Decisions will be made on the hourly appointments and presented at the June meeting.

2008 YOUTH PAY SCHEDULE

Beach Administrator: \$ 2575.00
Swim Director: \$ 1700.00
Swim Instructors: \$ 7.75/ hr

Head Lifeguard:
 1 Year \$ 9.00/hr
 2 Years \$ 9.25/hr
 3+Years \$ 9.50/hr

Assistant Head Lifeguard:
 1 Year \$ 8.25/hr
 2 Years \$ 8.75 /hr
 3+Years \$ 9.00/hr

Lifeguard:
 1 Year \$ 7.75/hr

MAY 13, 2008

2 Years \$ 8.00/hr
3+Years \$ 8.25/hr

Morning Program Director \$ 1500.00
Arts & Crafts Coordinator \$ 1050.00
Instructors \$ 7.15/hr

RESOLUTION NO. 60-08
Youth Program Pay Schedule

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Board approves the supervisory appointments as listed above and the 2008 Youth Program Pay Schedule be adopted as presented.

RESOLUTION NO. 61-08
LIFTS Registration/Swim Sign-up

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that permission be granted to hold the LIFTS registration in conjunction with the swim program registration at the Town Office Building on Saturday, June 7, 2008 from 9-11 AM.

Councilman Patrick stated that the Department of Health had sent information on a Day Camp Program, the Youth Committee is not sure if the Town is required to fall under these guidelines. A number of things were listed including:

- CPR needed for all employees.
- Health station.
- Early release and late arrival signature forms.
- Medical and immunization records.
- Background check with sex offender registry for all workers.

Councilman Patrick thanked Clerk to the Supervisor Kellie Blake for a good job in coming up with a safety plan and all her work on the permit process.

Further discussion:

- Toddler swing set has arrived and needs to be installed.
- One load of sand is needed for the beach.
- Best turn out ever for employment applications.
- An interesting comment was made by one of the applicants; she stated that she was impressed that this was such a great program and free to all participants.

UNFINISHED BUSINESS:

- 1) It was decided to hold a special workshop meeting to work on the Employee Handbook.

RESOLUTION NO. 62-08
Employee Handbook Work Meeting

MAY 13, 2008

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that a workshop meeting to continue work on the Employee Handbook be scheduled for Tuesday, May 27 at 7 PM.

2) Amendment to Code of Ethics to Allow for Ethics Board. Currently the Town Code does not allow for an Ethics Board. Attorney Alan Wrigley drafted an amendment to the Code to allow for the appointment of a board.

RESOLUTION NO. 63-08
LL#3 Board of Ethics

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that a public hearing be held by the Greenwich Town Board at the Town Hall, 2 Academy Street, Greenwich, NY on Tuesday, June 10, 2008 at 7:45 P.M. for the purpose of obtaining public comment on proposed Local Law 3 of 2008 entitled "A Local Law to Amend the Code of the Town of Greenwich by adding a new Section 21-7 entitled Ethics Board to Chapter 21, which chapter provides for a Code of Ethics for Town Employees.

NEW BUSINESS:

1) A letter was received from the Greenwich Youth Football requesting that the Town donate \$1,750.00 to cover the cost of reconditioning 60 youth helmets. The league has held numerous fundraisers but still is in need of funds. 80 – 100 children from grades K-6 grade are involved in this program. Discussion followed and it was decided to make a general donation to this league with no specific project being notated.

RESOLUTION NO. 64-08
Greenwich Youth Football - use of Special Town
Recreation Site Acquisition and Improvement Fund

Resolution by Councilman Perkins
Seconded by Councilman Patrick

WHEREAS the Town of Greenwich has a Special Town Recreation Site Acquisition and Improvement Fund that has been established for the express purpose of setting aside monies for site acquisition and improvements to recreational facilities located within the Town; and

WHEREAS, there exists a need for a new equipment for use by Greenwich Youth Football which provides recreational opportunities for youth living in the Town; now therefore be it

RESOLVED, pursuant to the provisions of Article 7 of the Town Law which requires this resolution is subject to a permissive referendum, the Town of Greenwich is authorized to expend not more than \$1,750.00 from the Special Town Recreation Site Acquisition and

MAY 13, 2008

Improvement Fund for the purpose of assisting Greenwich Youth Football to acquire equipment for use by the youth living in the Town; and be it further

RESOLVED that pursuant to Section 90 of the Town Law that within ten (10) days from the date of this resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of such resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to a permissive referendum; and shall publish such notice in the Journal Press and the Eagle newspapers published in Washington County having general circulation in the Town of Greenwich and in addition thereto that the Town Clerk shall post, or cause to be posted, on the sign-board of the Town of Greenwich, a copy of such notice within ten (10) days after the date of the adoption of this resolution.

Roll Call:	Councilman Whitehouse	Abstain
	Councilman Perkins	Aye
	Councilman Patrick	Aye
	Councilman Jeffords	Aye
	Supervisor Wilbur	Aye

Unanimously approved.

3) Phoenix Environmental Laboratories presented a proposal with a projected annual cost of \$8910.96+ for analytical testing for the landfill. This is based on pricing given in the Washington County RFP. The Board took no action at this time.

4) Councilman Jeffords reported that the Shared Municipal Services Grant Application with the Village of Greenwich for a sidewalk plow/mower was not on the NYS list of approved projects. However, a denial letter has not yet been received.

5) Councilman Whitehouse stated that he had heard a lot of feedback from residents on the 2008 Tentative Assessments. He also had questions on the process and how assessments were derived. An example was a homeowner who was at 100% assessment in 2007 and was raised a large percentage in 2008 with no improvements to their property. When questioning the Assessor the resident was told that they must have been under assessed the prior year. How does this happen when everyone was supposedly at 100% last year? He feels there is too much personal opinion in the equation and has never seen so many for sale signs on local properties. Feels we owe it to the people to find out some answers and doesn't think it is worth the \$5.00 Maintenance Aid per parcel to lose good residents. These residents need to be shown something to know that they are being treated fairly. Councilman Jeffords stated that it is not a subjective process and anyone with questions needed to talk to Assessor Colleen Adamec. A long discussion followed.

Motion by Councilman Perkins
Seconded by Councilman Patrick
and passed unanimously by said Board,
that the meeting be adjourned at 9:55 P.M.

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