

NOVEMBER 5, 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 Wednesday, November 5, 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, Marge Wilbur, Alan Wrigley, Rick Sullivan, Stanley Mattison, Jeff Delurey, Ed Holland, Nancy Quell and Jim Allen.

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

RESOLUTION NO. 116-08
Transfers 11/5/08

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

Discussion: Highway Superintendent Rick Sullivan requested that an additional \$1,000 be transferred from Highway Outside Village DB5130.2 Machinery Repair – Equipment to DB5130.4 Machinery Repair – Contractual Expense to cover anticipated expenses for the remainder of 2008.

and passed unanimously by said Board,

RESOLVED, that the following budget amendments and transfers be approved:

Budget Amendments: 1) \$7000.00 from HR1 Capital Reserve for Highway Equipment to DB5130.4 Machinery Repairs. (Grader repair – permissive referendum)

Transfers:

General Fund – 1) Transfer \$426.48 from A7140.1 Playgrounds & Recreation Centers – Personal Services to A7140.4 Playgrounds & Recreation Centers – Contractual Expense. (Wel-Dun, Dwyer & National Grid). 2) Transfer \$710.00 from A1410.102 Deputy Town Clerk Personal Services to A1410.103 Deputy Town Clerk Personal Services.

Highway Outside Village - Transfer \$1843.74 from DB5130.2 Machinery Repair – Equipment to DB5130.4 Machinery Repair – Contractual Expense. (cover remainder of repairs to Grader)

RESOLUTION NO. 117-08
Payt. of Bills 11/5/08

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #8011 be approved and audited and the Supervisor be authorized to pay said bills from their respective funds:

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<u>FUND</u>	<u>BILL #</u>	<u>AMOUNT</u>
General Town-wide (A) Pre-pay:	0385	\$ 404.75
General Town-wide (A):	0386-0418	\$ 6,517.83
General Outside Village (B):	0419-0421	\$ 99.98
Special District Lighting (SL):	0422	\$ 809.91
Highway Town-wide (DA) Pre-pay:	5138	\$ 20.49
Highway Outside Village (DB):	5139-5147	\$14,910.86

RESOLUTION NO. 118-08
App. of Minutes 10/14/08

Resolution by Councilman Whitehouse
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that the minutes of October 14, 2008 be approved and accepted as submitted.

CORRESPONDENCE: To allow Attorney Alan Wrigley time to review a letter from NYMIR this will be addressed under New Business.

COMMENTS FROM THE PUBLIC:

1) Jim Allen of Allen Forestry addressed the Board regarding the sale of timber from Town property in Bald Mountain. Mr. Allen has finished the inventory of the timber as well as the marking of such. There are approximately 2000 trees marked which could generate as much as 600 cords of wood. Notices of the timber sale will be published in the paper as well as being sent to 20 potential bidders. Mr. Allen estimates the revenue between \$27,000 - \$36,000 and maybe as much as \$45,000.

RESOLUTION NO. 119-08
Timber Bid

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich advertise for sealed "Timber Bids", said sealed bids shall be received until 3:30 PM on Tuesday, December 9, 2008 and will be opened at 7:45 PM the same evening.

7:37 PM: The Clerk read the Public Hearing Notice for the 2009 Fire Contracts.

Motion by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the Public Hearing on 2009 Proposed Fire Contracts be opened at 7:39 PM for public comment.

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No Comments.

Motion by Councilman Perkins
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 7:40 PM.

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 October 9 & 16, 2008 as well as the minutes of the ZBA meeting held on October 21, 2008.

Jeff Duxbury's term on the Planning Board and Roland Mann's term on the ZBA both expire on December 31, 2008.

RESOLUTION NO. 120-08
Planning Bd. & ZBA Vacancies

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, the Town Board advertise in the Town's official newspaper to fill vacancies on the Town Planning Board and the Zoning Board of Appeals; letters of interest must be received by the Town Clerk no later than 4:00 P.M. on Thursday, December 4, 2008.

3) Assessor Report: No Report.

4) Code Enforcement Report: No Report.

7:45 PM: Bid Opening 2002 or Newer Tandem Axle Truck: One bid was received from Delurey Sales and Service in the amount of \$59,875.00.

RESOLUTION NO. 121-2008
Purchase of 2002 Tandem Axle Truck

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

WHEREAS, the Town of Greenwich has a Capital Reserve for Highway Expense Account that has been established for the express purpose of setting aside monies for equipment purchases for the Town Highway Department; and

WHEREAS, there exists a need for a used tandem axle truck for use by the Town Highway Department; now therefore be it

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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 \$59,875.00 from the Capital Reserve for Highway Expense Account for the purpose of purchasing a used 2002 International Model 2574 6X4 Tandem Axle Truck and to transfer said funds into the Highway Outside of Village Fund to pay for said sander; 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 newspaper 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.

Unanimously approved.

- Four bids were received for the Cross-memberless Type Dump Body for 1995 International Plow Truck. Two were received on time; one was received prior to going out to bid and one was received after the deadline.

Zwack, Inc.	Received after the deadline
T & T Sales	Received prior to going to bid
Arrowhead Equipment	Received on time
Henderson Truck Equipment	Received on time

Under the advice of our Attorney, the only bids that were opened were the two that met the time constraints of the bid notice, which were Arrowhead Equipment and Henderson Truck Equipment. The Board reviewed these two bids at length but it was decided that neither bid was clear in stating that it met the specifications for the truck. The Board decided to reject all bids and re-advertise.

RESOLUTION NO. 122-08
Truck Dump Body Bid/Reject

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that due to confusion in complying with the bid specifications for the Cross-memberless Type Dump Body for a 1995 International Plow Truck, the Town Board hereby rejects all bids for said truck.

RESOLUTION NO. 123-08
Truck Dump Body Re-Bid

Resolution by Councilman Whitehouse
Seconded by Councilman Jeffords

and passed unanimously by said Board,

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RESOLVED, that the Town of Greenwich advertise for sealed proposals for one (1) cross memberless type dump body for a 1995 International plow truck, and be it further

RESOLVED, that such sealed proposals shall be received until 4:00 PM on Thursday, December 4, 2008 and will be opened at 8:00 PM on Tuesday, December 9, 2008.

Highway Superintendent Rick Sullivan and Highway Clerk Kellie Blake will clarify the specification sheet. All current bids will be returned to bidders and a new bid packet will also be included in the mailing.

8:35 PM: Public Hearing 2009 Preliminary Budget.

The Clerk read the Public Hearing Notice for the 2009 Preliminary Budget.

Motion by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the Public Hearing on 2009 Preliminary Budget be opened at 8:35 PM for public comment.

No Comments.

Motion by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

that all persons desiring to be heard, having been heard, the Public Hearing be closed at 8:36 PM.

RESOLUTION NO. 124-08
Fire Contracts for 2009

Resolution by Councilman Patrick
Seconded by Councilman Perkins

RESOLVED, that the Town Board of the Town of Greenwich hereby approves the 2009 Fire Contracts as follows:

Village of Greenwich \$83,007; Village of Schuylerville \$13,288; Middle Falls Fire Department \$68,270; Cossayuna Volunteer Fire Co.\$58,393 for a total of \$222,958.

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

Carried.

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RESOLUTION NO. 125-08
2009 Budget Adoption

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

RESOLVED, that the 2009 Budget for the Town of Greenwich be approved and adopted as submitted.

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

Carried.

8:45 PM: Dog Shelter Contract with Ed Holland & Nancy Quell. Ed Holland has moved his shelter to 1097 North Road, the prior Safe Haven location.

RESOLUTION NO. 126-08
Dog Shelter Contract

Resolution by Councilman Whitehouse
Seconded by Councilman Patrick

and passed unanimously by said Board,

RESOLVED, that Supervisor Wilbur be authorized to sign the 2008 Shelter Contract with Ed Holland and Nancy Quell.

Reports: Con't:

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

- 604 gallons diesel fuel used during the month of October
- 7500 yards of winter sand has been put up
- Finished construction of new salt shed
- 36" culvert pipe installed on River Road
- One employee injury resulting in stitches
- Rick stated that he also needed another sander and he would then have 6 trucks on the road. At this point he doesn't foresee any problems with the trucks for a minimum of 2 years. Rick said that he has approximately \$4600 left in his machinery equipment account and showed the Board pictures of the sander he would like to buy for \$2500 from Delurey.

Motion by Councilman Patrick
Seconded by Councilman Perkins

That Highway Superintendent Rick Sullivan be authorized to purchase a used sander, at a cost of \$2500, from Delurey.

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Discussion: Rick was asked how much the other written quotes were for, to which he responded that he had none. The Town's procurement policy requires three written quotes for purchases greater than \$1,000. Councilman Patrick withdrew his motion. This purchase will be considered at the December meeting pending compliance with the Procurement Policy.

- A letter was received from Lark Street resident Liz Gee stating that the highway department had mowed down her wildflower garden in front of her house. She submitted an estimate of \$414.09 to replace the shrubs and small trees as the perennial plants would make new growth in the spring. Ms. Gee stated that she tried to locate a nursery nearby but none had shrubs and trees in that size. She will have to drive a great distance for replacements. The estimate included the replacement cost of the shrubs and trees, gas to go pickup them up and \$44 to cover the birdseed that was in the garden. The Board discussed the fact that legally, the garden is located within the Town's right-of-way. However, history shows that the area is not normally mowed but someone in the neighborhood requested that the roadsides be mowed. Councilman Patrick stated that because this area had not been mowed in the past, and the fact that Ms. Gee did have plantings there, that the Board make a good will gesture and work with her. Rick will get a specific list of what was there that no longer exists, research prices and bring the information back to the December meeting.

6) Supervisor Report: Supervisor Wilbur stated that the County Board of Supervisors has been working hard on the 2009 budget. The projected tax levy increase started at 24% and has now been reduced to approximately 6½%. The problem now is that some Supervisors would like to cut more and others do not. Due to mandates, there are few places left to cut. Cooperative Extension has been cut 50%, from \$500,000 to \$250,000. The Sheriff's Department has been cut as well as Social Services. Supervisor Wilbur stated that he is not willing to accept a 6½% increase because the Governor has called the State Legislature back in session to make more cuts in the state budget. Cuts at the State level would mean less revenue coming to the County, which in turn would increase our tax levy as well as putting everything back on the cutting block. With that in mind, already starting with an increase of 6-½ % is unacceptable. We are a rural County and do not have the sales tax revenue of our neighboring counties. Warren County has much more than we do and Saratoga County is estimated to have as much as seven times the sales tax revenue that we have. Discussion will continue at the County finance meeting scheduled for November 13. The Public Hearing on the budget will be held on Friday the 14th. Don asked the Board for any ideas they might have and if they thought of anything later to please give him a call.

UNFINISHED BUSINESS:

1) Employee Handbook: Vacation Schedule. Tabled until December.

NEW BUSINESS:

1) Gutter Maintenance: The Town has a 10-year contract with Mountaintop Seamless Gutters for annual fall maintenance at a cost of \$120 per year. This cleaning will take place in the next couple of weeks.

2) Councilman Perkins stated that Kathy Nichols-Tomkins from the Chamber of Commerce had talked with him about the possibility of having the pine tree in Mowry Park lighted for the holidays this year. This had been done for many years in the past. Kathy questioned if this project might be financed through the Town of Greenwich, the Village of Greenwich and

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possibly the Greenwich Lions Club. Using energy efficient LCD lighting the cost would be approximately \$3100.00. There is money in the Community Beautification account that could be used for this.

RESOLUTION NO. 127-08
Christmas Lights/Mowry Park

Resolution by Councilman Perkins
Seconded by Councilman Patrick

and passed unanimously by said Board,

RESOLVED, that the Town contribute up to \$1200 towards the Christmas lighting project in Mowry Park.

CORRESPONDENCE:

1) A "Notice to Policyholders Explanatory Memorandum" was received from NYMIR. This outlines the changes to the Public Official's Liability Policy, which were approved by the New York State Insurance Department, for policies effective on or after January 1, 2009. Our agent, Adirondack Trust, stated that NYMIR was not taking anything away, just clarifying and broadening our coverage.

Motion by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the meeting be adjourned at 9:43 P.M.

Respectfully submitted,

Elaine A. Kelly, RMC, CMC
Town Clerk