

OCTOBER 3, 2011

The Presentation of the Tentative Budget for 2012 and the regular October monthly meeting were held at the Town Office Building, 2 Academy Street, Greenwich, New York on Monday, October 3, 2011 at 7:00 p.m.

PRESENT:	Supervisor	Sara Idleman	
	Councilman	Robert Jeffords	
	Councilman	Steven Patrick	8:00 PM
	Councilman	George Perkins	
ABSENT:	Councilman	Eric Whitehouse	

Also Present: Town Clerk Elaine Kelly, Clerk to the Supervisor Kellie Blake, Attorney Alan Wrigley, Highway Superintendent Rick Sullivan, Code Enforcement Officer Dan O'Connor, Stanley Mattison, Dan Brown, Giovanni Grillo, Brian Barbur, Dick Allen, Donna Irish and Marta Ward.

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

RESOLUTION NO. 121-11
App. of Minutes 9/14, 9/19 & 9/20/11

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the minutes of September 14, 19 & 20, 2011 be approved and accepted as submitted.

CORRESPONDENCE:

- 1) A NYS Renewal Application Notice was received from the American Legion Liberty Post #515 stating that they will be filing for the renewal of their liquor license. The Board had no objection.
- 2) A letter was received from the Zoning Board of Appeals stating they are submitting the names of ZBA members John Farndell, Roland Mann, Greg Smith and Ralph Vecchio to serve on the Zoning Ordinance Revision Committee.
- 3) A letter was received from Lowber Road resident Kelley Squires requesting that the speed limit on Lowber Road be reviewed. Many children play in the area and she is concerned.

RESOLUTION NO. 122-11
Speed Limit Request Lowber Road

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Town Board of the Town of Greenwich hereby requests Washington County to perform a speed limit study on Lowber Road from the Lick Springs Road to Cottrell Road.

OCTOBER 3, 2011

RESOLUTION NO. 123-11
Highway - Stop Sign Abeel & Wilson

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Highway Superintendent be authorized to change the Yield Sign on Abeel Avenue at the intersection with Wilson Street to a stop sign.

RESOLUTION NO. 124-11
Domestic Violence Awareness

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, in recognition of Domestic Violence Awareness Month that the porch lights at the Town Office Building be changed to purple for the month of October.

REPORTS:

1) Planning Board Report: Board members received the September Planning Board Report as well as the minutes of the meetings that were held on September 8 & 15, 2011.

MINOR SUBDIVISION NUMBER	NAME	ADDRESS OF APPLICATION	PROPOSAL	DATE APPROVED
494	Harold Petty	County Route 49	Subdivision and Boundary Line Adjustment	Pending Public Hearing on 10/20/11
SITE PLAN REVIEW	NAME	ADDRESS OF APPLICATION	PROPOSAL	DATE APPROVED
2010-06	J.C. Carmody	1111 State Route 29	Sit down dining for BBQ restaurant	Pending Public Hearing on 10/20/11

****Please see minutes for more detailed information****

2) ZBA Report: No new minutes.

3) Assessor Report: Assessor Colleen Adamec submitted the following report "This is a recap of my office. I attended a valuation meeting on the 20th. We discussed short sales, sale concessions, and continued rewriting the data collection manual. I have heard from 5 of my small claims. 198.8-1-1, Rich

OCTOBER 3, 2011

Kahn, received a reduction from \$211,400 to \$180,000. 228.16-1-15, Rick Percoco, received a reduction from \$238,500 to \$225,000. 207.-1-20.15, Lillian Loveday, remained at \$175,000. 207.-1-20.10, Michael Popowsky, received a reduction from \$95,000 to \$60,000. 228.16-1-3, Maureen Fowler, remained at \$234,200. I am still waiting to hear from two more. Dan Vincelette, a hearing officer trainer, has requested I give him the results of the decisions.

I will be doing field review in October. We will be sending out exemption renewals shortly. If you have any questions or problems, please feel free to call.”

4) Code Enforcement Report: Code Enforcement Officer Dan O’Connor’s report showed the following activity for the month of September:

- Building Permits – Local Compliance Approved: 5
- Heating Equipment/Chimney Permits – Local Compliance Approved: 0
- Sign Permits Issued: 0
- Driveway Permits: 0
- Referrals to Planning Board and/or ZBA: 0
- Enforcement Inspection Report Served: 0
- Notice of Violation Served: 1

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

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

- 1727.60 Gallons of fuel used
- Finished 2nd round of mowing, half way through the 3rd round
- Finished up storm clean up from Irene
- Drew 1031 ton stone dust from Hartford quarry to Irwin Road
- Put in 60 feet of culvert pipe on North Road
- Installed culvert pipe on East Lake and Ferguson Roads
- Put up Christie and John Robertson Road speed limit signs
- Finished screening sand at pit and closed pit
- G-8 & G-2 repaired and inspected
- Discussion on 218 Mahaffy Road – Barn & Culverts. No action was taken tonight as Attorney Wrigley continues to look into the issue.
- Rick stated that they have finished construction on Hardscrabble Lane and asked the Board for approval to open it. He said they need to get the driveway done for Mr. Allen before the State closes off the old entrance. Rick estimated that it will take 1,000 – 1,500 yards of fill to bring the driveway up and it will take 2 or 3 weeks, 4 at tops to do it. Councilman Perkins asked if he had the fill. Rick said they had used it all but they had materials on Ferguson Road that they don’t have to pay for; they just need to get a truck up there. Supervisor Idleman asked about the access to Steve Smith’s property. Rick said the Smith’s access will be done this week and they had a meeting this morning with Mr. Allen and his lawyer to finalize the plans for Mr. Allen’s driveway. Mr. Allen’s driveway will now connect to

OCTOBER 3, 2011

both the old and new Hardscrabble Lane. Rick told the Board that there are currently two culverts that lead to the old Hardscrabble and a third one needs to be installed. These are on Mr. Allen's property and Attorney Wrigley will be adding language in the contract so the Town has permission to go on Mr. Allen's land to maintain these culverts. Councilman Jeffords asked Rick if Engineer John Hartnett needed to "sign off" on the road before we can open it. Rick said that the Engineer told him that he didn't have to "sign off" and that the Board just needed to approve it to be opened up. The discussion was tabled until Attorney Wrigley arrived.

7) Supervisor Report: Supervisor Idleman's report:

The Economic Development Committee will release their videos this week. Produced by PEPE Productions of Glens Falls and fully funded by local businesses, the videos will be used in a marketing campaign to promote Greenwich as a business friendly environment. It is the committee's goal to fill retail, commercial and industrial space within the Town and Village of Greenwich.

One 4 minute video focuses on "quality of life." The others showcase three businesses of various sizes; Pucker's Pickles, a new family business closely tied to agriculture, Fronhofer Tool, a business that has grown from a small home start up in a basement over 30 years ago to one housed in a 26,000 square foot facility in Cossayuna and SCA Tissue, a major employer in the area.

The videos will be incorporated into the Greater Greenwich Chamber website, on Youtube and available for download on other sites. The next phase for the Committee will be to develop a marketing plan and take the campaign "on the road."

On Tuesday, October 25th the Chamber of Commerce is having a mixer at 70 Main Street and the videos will be launched that night. H'orderves will be served for \$5.00 per person.

Protecting our open spaces and filling storefronts are additional goals of the Committee. For these reasons, they have decided to produce two additional videos; agribusiness and retail. She shared her personal thanks to everyone involved in these initiatives.

8) Budget Officer Kellie Blake submitted the September financial report for the Board's review.

COMMENTS FROM THE PUBLIC:

1) Donna Irish stated that she is a consultant for Ambit Energy which is another source of energy. Ambit has been in business for five years, has a AAA rating and is backed by Sunoco. She explained the business and how it works. She left brochures for the Board to review.

Hardscrabble Lane con't: Attorney Wrigley arrived and was brought into the discussion and was asked if the Engineer needs to "sign off" on the road. He felt that the Engineer needed to "sign off" but wasn't sure if the County had to but he would check into that. Rick told Attorney Wrigley that the State and Dick Wilson from the County both told him all that was needed was that the Board had to accept to take over responsibility. Ian Miller from NYS DOT told Rick that they can't close off the Route 29 access until the driveways are in. Attorney Wrigley stated that a permanent easement will be

OCTOBER 3, 2011

needed from Mr. Allen so the Town will be able to maintain the three culverts on the old Hardscrabble Lane. Once everything is complete Attorney Wrigley said then we will file a notice that the new Hardscrabble Lane is open. Supervisor Idleman would like to wait until the filing is done before we open it. Rick said that it would take four weeks to put the driveway in and that he plans to work right through wintertime to put in the new culvert on the old Hardscrabble. Attorney Wrigley told Rick that in the agreement with the Allen's he had used the original completion date of October 14 then October 31, should he change it to November 15? Rick said yes. Attorney Wrigley said that by the time Rick gets the Allen's driveway in on November 15 that the Town would also have the permanent easement which will allow the department to work on the culverts. Rick said it will be a lot of work and he didn't know if he could have it done by then. He has a lot of other work to do such as paving. He said he needs to get a bulldozer and it is not a very easy driveway to put in.

Supervisor Idleman's concern is that we open up the new Hardscrabble Lane and all the legalities have not been completed. Rick said we open the new one and still maintain the old one until we are done. Attorney Wrigley said you can't have them both open; it's got to be one or the other. Rick asked why. Attorney Wrigley stated that we are trading off right-of-ways with the landowner so when you open the new Hardscrabble you are closing the old one. Discussion between the two followed.

Hardscrabble Lane resident Marta Ward asked the Board to open the road now because they have all been using it anyway. She continued by saying that unless there is a legal reason then please open it. Supervisor Idleman stated that she is concerned because she wants to make sure that everything is done properly before we open it. Marta said the old entrance has gotten more dangerous because of the speed of the cars on Route 29. Attorney Wrigley remarked that is why you close the old one when you open the new one and we make sure the State doesn't close off the old access onto Route 29 until Mr. Allen's driveway is finished. He reiterated that we are trading off right-of-ways with the landowner so when you open the new Hardscrabble you close the old one. The Town can't have both. Mr. Allen said he doesn't want to be left without a driveway. Everyone agreed on a November 15th completion date for the driveway and the Town will make sure the State doesn't block off the old entrance before then.

Brian Barbur would like the Board to consider using a bulldozer to move the fill for the driveway because there is a 25 foot bank to fill in and it's unsafe for the loader.

Attorney Wrigley stated that before the road is opened the Engineer needs to "sign off" stating that the road is okay, just like they do when the Town takes over any road. Once the Engineer does that, Alan will prepare the documentation and file it with the County. At that point, the right-of-ways will switch.

RESOLUTION NO. 125-11
Hardscrabble Lane

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

OCTOBER 3, 2011

RESOLVED, that the new portion of Hardscrabble Lane be opened contingent upon the Town Engineer signing an approval that it meets the specifications as he indicated.

RESOLUTION NO. 126-11
Hardscrabble Lane – Easement

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that the Town Board approves a temporary easement with Richard Allen until November 15, 2011 to install the driveway on the Allen property, and be it further

RESOLVED, that the Town Board approves the signing of a permanent easement with Richard Allen for the maintenance of the culverts on the “old” Hardscrabble Lane.

RESOLUTION NO. 127-11
Hardscrabble Lane – Bulldozer

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that the Highway Superintendent be authorized to rent a bulldozer at a cost not to exceed \$850/week + \$400 trucking.

UNFINISHED BUSINESS:

1) Quotes for Cleaning of Town Office Building for 2012. Only one quote was received for the cleaning of the Town Office Building for 2012. The Board discussed hiring a part time employee to do the cleaning at the town office and also at the beach. Supervisor Idleman asked Kellie to do a cost analysis bring it back to the next meeting.

NEW BUSINESS:

1) Set date for November board meeting.

RESOLUTION NO. 128-11
Meeting Date – November

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the regular November meeting be held at 7:00 PM on Wednesday, November 9, 2011.

2) State Audit Report: Supervisor Idleman stated that the Town’s audit report from the State Comptroller’s Office had been received. She said the focus of the report was Internal Controls Over

OCTOBER 3, 2011

Purchasing. The Board reviewed the recommendations for the Town Office Building which stated that the Board needed to get quotes for the yearly service agreements for lawn services and the cleaning of the office building. The Board also reviewed the recommendations for the Highway Department which stated that on several occasions the Highway Superintendent did not obtain quotes for his purchases. The audit report read as follows: "Town officials told us that they were not aware that quotes were required for yearly service agreements. The Superintendent told us he was circumventing the procurement policy by splitting purchases so he did not have to get the required quotes. The Superintendent said he was doing this intentionally to try to get the Board to raise the quote requirements." A Written Correction Plan (CAP) that addresses the findings and recommendations must be filed within 90 days of today's meeting which is January 1, 2012.

3) Supervisor Idleman stated that the trees along the Route 29 corridor need trimming and fertilizing. She will gather quotes from Eric Dupuis, Don Dulmer and Ron Hansen.

4) Budget Officer Kellie Blake reviewed the budget as follows and noted that the latest changes were based on the Board's input at its second budget workshop on September 29th.

2012 BUDGET TENTATIVE BUDGET HIGHLIGHTS

	<u>2011 TAX RATE</u>	<u>2012 PROPOSED TAX RATE</u>
Townwide (A Fund & DA Fund)	1.18	1.26 **
Town Outside Village Only (B Fund)	.09	.10
Town Highway 1&3 Outside Village Only (DB Fund)	.99	.98
Fire Protection – Outside Village Only (SF Fund)	.76	* To be determined

**Taxable value for computing the Townwide Tax in the 2012 budget has decreased 3 million dollars.

1. Townwide Tax Rate (A & DA Funds) for the Tentative 2012 Budget shows an increase of \$.08/thousand of assessed value (7%) over the 2011 Tax Rate. On a \$200,000 assessed value this would increase taxes by approximately \$16.00 per year.
2. Town Outside Village Only Tax Rate (B Fund) for the Tentative 2012 Budget shows an increase of \$.01/thousand of assessed value (1%) over the 2011 Tax Rate. On a \$200,000 assessed value this would increase taxes by approximately \$ 2.00 per year.
3. Highway Outside Village Tax Rate (DB Fund) for the Tentative 2012 Budget shows a decrease of \$.01/thousand of assessed value (1%) from the 2011 Tax Rate. On a \$200,000 assessed value this would decrease taxes by approximately \$ 2.00 per year.
4. Revenues: The decrease in revenues is partly due to lower interest rates, PILOT agreement with Warren Washington County IDA has been completed and NYS aid has decreased.

OCTOBER 3, 2011

5. Expense Highlights:
 - 5% anticipated increase for Medical Insurance
 - 51% increase for State Retirement appropriation due to State mandate
 - Library Funding remains at \$40,000
 - Capital Reserve for Highway Equipment - \$10,000
 - No salary increases

6. Debt Service: Bond Anticipation Note for Highway Tandem Dump purchased in Jan. 2011 (\$17,580 budgeted for payment and \$1,980.00 budgeted for interest)

7. Capital Fund Balances as of 09/30/2011:
 - Capital Fund – Beach \$62,294.25
 - Landfill \$42,094.72
 - Capital Reserve Fund Balances:
 - Reserve for Highway Equipment \$ 61,041.57
 - Reserve for Facility Improvement \$109,546.48
 - Unemployment Insurance Reserve \$ 4,150.30

Budget Discussion: Supervisor Idleman stated that she spoke with Easton Supervisor John Rymph regarding our summer youth program and the fact the Town of Greenwich is paying \$6600 for Town of Easton children to attend the program. She stated that she will be attending the Easton Town board meeting tomorrow night to request funding for the Easton children.

Councilman Jeffords stated that at the last budget workshop the Board had asked him to recalculate the fire contract figures based upon the ratio method of allocating the monies that are spent for fire protection as well as to double check the assessment figures from the County. Assessor Colleen Adamec confirmed that 99.99% of the numbers that the County provided us with for assessed values are good numbers. Councilman Jeffords explained how the rate per \$1000/assessment and the total dollar amount for each of the districts was reached using the ratio method. There are now individual tax districts that will be paying the bill for their respective fire departments.

Another thing to take into account is that in the past the assessed value for SCA Tissue had inadvertently been included twice when determining the contract amount for Middle Falls Fire Department. SCA Tissue had a Payment in Lieu of Taxes program (PILOT). Under the PILOT program SCA was required to pay for fire protection so its assessment was included in the taxable roll for this purpose. However, it was also listed in Roll Section 8 (exempt properties). Therefore when Section 8 was added in to determine the final figures, SCA was added in a second time. This was just recently discovered which means that for the last several years, SCA's \$5,987,000 assessment had been credited to the Middle Falls Fire Department twice per year, once as a taxable property and once as a non-taxable property. So in the past there was most likely an overpayment to MFFD and an underpayment to the other three fire departments. This correction alone accounts for a \$9,032.69 decrease in the proposed 2012 allocation to MFFD. If the Town proceeded with its original intention of basing funding on taxable properties only, then MFFD would have decreased approximately \$16,000. Councilman Perkins was in favor of choosing the method that will give them the least amount of loss.

OCTOBER 3, 2011

In order for MFFD to avoid the full \$16,000 decrease their tax rate would have increased to .9077/1000 and the department did not want to do that. Councilman Patrick said he needs to point out that the three remaining departments, Greenwich, Cossayuna and Schuylerville, all offered to accept the same amount as last year if it would help out the MFFD. However, it was pointed out that this can't be done as the law does not allow you to collect taxpayer monies in one district and give them to another district. The Board also discussed the fact that MFFD would like to take over the fire protection district which is currently covered by Schuylerville. MFFD feels their response time would be quicker and Town of Greenwich tax dollars would stay in the town. Due to the time constraint for the March 1st taxable status date and the fact that the Board felt it would not be adequate notice to Schuylerville to change the coverage it was not acted upon at this time. However, the Board will pursue the realignment of the fire districts for 2013.

RESOLUTION NO.129-11
Fire District Appropriations for 2012

Resolution by Councilman Perkins
Seconded by Supervisor Idleman

and passed unanimously by said Board,

RESOLVED, that the Board sets the funding for the Fire Districts for the 2012 Tentative Budget as follows:

Cossayuna	\$64,658.00
Schuylerville	\$15,732.00
Middle Falls	\$73,148.00
Greenwich	<u>\$97,378.00</u>
Total	\$250,916.00

Supervisor Idleman noted that we are \$4,200 under the state mandated tax cap. Councilman Jeffords thanked Kellie for doing a great job putting the budget together and that this was a very difficult year dealing with the unknowns of the new state mandated tax cap. Supervisor Idleman stated for the record that there are no salary increases this year. Last year it was 3% and the year before it was 0. She would like to see at least a small increase each year rather than no increase, as no increase is actually a decrease. She will vote in favor of the budget even though she felt there should have been a pay raise.

RESOLUTION NO.130-11
Budget Adoption of Tentative

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

RESOLVED, that the 2012 Tentative Budget be adopted as presented which will then become the 2012 Preliminary Budget for the Town of Greenwich.

Roll Call:	Councilman Perkins	Aye
	Councilman Patrick	Aye

OCTOBER 3, 2011

Councilman Jeffords Aye
Supervisor Idleman Aye

Carried.

RESOLUTION NO. 131 -11
Budget & Fire Protection Contracts/Public Hearings

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

and passed unanimously by said Board,

RESOLVED, that a Public Hearing being held on Wednesday, November 9, 2011 at 7:15 PM for the purpose of obtaining public comment on the 2012 Proposed Fire Protection Contracts and at 7:30 PM for the purpose of obtaining public comment on the 2012 Preliminary Budget.

Motion by Councilman Perkins
Seconded by Councilman Patrick

and passed unanimously by said Board,

that the Board enters into Executive Session at 8:38 P.M. for the purpose of discussing pending litigation.

Motion by Councilman Perkins
Seconded by Councilman Patrick

and passed unanimously by said Board,

that the Regular meeting be resumed at 9:02 P.M.

Supervisor Idleman stated that the Executive Session was devoted to pending litigation and the Board has instructed its Attorney to continue with negotiations.

TRANSFERS:

RESOLUTION NO. 132-11
Transfers 10/03/11

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the following transfers be approved:
General Fund - Townwide:

OCTOBER 3, 2011

- 1) Transfer \$35.00 from A1990.4 Contingent Account to A1220.103 Supervisor Assistant Clerk Personal Services.
- 2) Transfer \$480.00 from A7140.1 Playground & Recreation Centers Personal Services to A7140.4 Playground & Recreation Centers Contractual Expense. (weeding and lawn mowing
- 3) Transfer \$100 from A7310.1 Youth Program Personal Services to A7310.4 Youth Program – Contractual Expenses. (end of year party supplies – just received invoices)

General Fund – Outside Village:

- 1) Transfer \$350.00 from B8020.102 – Planning Board Clerk Personal Services to B8020.101 Planning Board Attorney Personal Services.

AUDIT BILLS & AUTHORIZE PAYMENT.

RESOLUTION NO. 133-11
Payt. of Bills 10/03/11

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #1110 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):	0313-0338	\$ 6,238.77
General Outside Village (B):	0339-0340	\$ 1,020.00
Special District Lighting (SL):	0341	\$ 883.15
Highway Town-wide (DA):	5163-5164	\$ 26.65
Highway Outside Village (DB):	5165-5178	\$ 8,641.13

Today is Councilman Perkins 42nd wedding anniversary. Congratulations George & Patty.

Motion by Councilman Jeffords
Seconded by Councilman Perkins

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