

SEPTEMBER 8, 2009

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, September 8, 2009 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, Tim Tefft - The Journal Press, Dick Allen, Pam Wikberg – HomeFront Development; Tony Wikberg, Mark Dennis – Com-Tech Electronics, Renee Bouplon – ASA, Joan Fiske, Mitch Throop, Budget Officer Marge Wilbur, Tom Dimopoulos, Village of Greenwich Mayor David Doonan, and Code Enforcement Officer Dan O'Connor.

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

RESOLUTION NO. 85-09
Budget Amendment 9/8/09

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

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

Budget Amendments:

1) Increase appropriations in H38160.202 Landfill Closure Contractual by \$4134.00 from H30599 Appropriated Fund Balance - Capital Fund Landfill for landfill monitoring testing (\$3,434.00) and landfill mowing (\$700.00).

2) Increase appropriations in A5132.4 Garage (Highway) Contractual by \$4025.88 from HR40201 Capital Reserve for Facilities Improvement for installation of wood boiler at Highway Garage. As per board resolution and permissive referendum.

3) Increase appropriations in A7310.4 – Youth Program Contractual Expense by \$760.00 from Agency & Trust – Parkland Deposits for purchase of stroller/wheelchair ramp for Gannon Playground. As per board resolution and permissive referendum.

Transfer:

1) General Fund: Transfer \$65.72 from A1990.4 Contingent Account to A3310.4 Traffic Control Contractual Expense Account.

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RESOLUTION NO. 86-09
Payt. of Bills 9/8/09

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #9009 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:	0290-0291	\$ 529.74
General Town-wide (A):	0293-0321	\$8,049.07
General Outside Village (B):	0322-0324	\$ 44.14
Special District Lighting (SL)Pre-Pay:	0292	\$ 720.10
Capital Fund Landfill Closure :	3005-3006	\$4,134.00
Highway Town-wide (DA) Pre-pay:	5122	\$ 20.49
Highway Town-wide (DA):	5123-5130	\$4,063.62
Highway Outside Village (DB):	5131-5139	\$4,062.45

RESOLUTION NO. 87-09
App. of Minutes 8/11/09

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the minutes of August 11, 2009 be approved and accepted as submitted.

CORRESPONDENCE:

1) A letter was received from the Greater Greenwich Chamber of Commerce announcing that "Norman Mintz Downtown Revitalization Presentation" will be held on September 24 from 5:30 – 7:30 at One One One Main Street Lounge. Norman Mintz is an Industrial & Urban designer who specializes in providing solutions on matters of design, marketing and management of downtowns while encouraging community participation in all aspects of the downtown revitalization process.

COMMENTS FROM THE PUBLIC:

1) HomeFront Development Corporation Representative Pam Wikberg gave a presentation to the Board on affordable senior housing and the possibility of construction in Greenwich. Construction depends on a couple of things, one of which is grant funding which is difficult to receive. However, applications are looked on more favorably when services such as shopping, doctors, dentists, etc. are within a mile of the facility. This aspect is definitely feasible for Greenwich. Interest is the other large

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factor when considering an area in which to build. Ms. Wikberg stated that a facility with a waiting list is always a good thing as it keeps the rents affordable. When vacancies exist the rent of the other units has to increase to pick up the shortfall. Argyle is a good example of this as their rents are \$500 for a one bedroom (550 sq. ft.) and \$600 for a two bedroom (650 sq. ft.) while Warrensburg, Kingsbury and Fort Ann are all in the \$300 - \$400 range. All HomeFront properties are currently exempt from property taxes and they would apply for the same status here. Village Mayor David Doonan asked if local contractors and architects would be considered for the project. Ms. Wikberg stated as long as they are approved by the State then yes they would. She will email Mayor Doonan with the state requirements. The housing survey will be available at the Town Clerk's office and will also be mailed out by the Assessor with the Senior Exemption applications. Ms. Wikberg would like to see 50 -100 surveys returned to consider building in Greenwich because for every eight applications usually only one decides to actually come. If everything progresses smoothly, construction could start as early as next fall.

2) Mark Dennis of Com-Tech Electronics spoke to the Board regarding highway radio transmissions. As of January 1, 2013 the FCC has mandated that all Part 90 Land Mobile Radio users must abandon all 25Kz (wideband) 2-way radio channels and modify their license to reflect 12.5 KHz (narrowband) channel spacing. All towns, villages and schools in Washington County will have until then to purchase new radios and meet this mandate. There are grants available to help with this transition. Mr. Dennis stated that Rick and other local municipalities have also mentioned that it is difficult to get radio service throughout their areas and would like to have more repeater service available. Grant funding is limited to \$40,000 per municipality with a total grant limit of \$1,000,000. Mr. Dennis has researched shared purchase agreements and found that this would also qualify for grant funding. If every municipality and school in the southern half of Washington County agreed to be included in this system, the price of the system and new radios to replace every existing radio will not exceed \$500,000. He is also proposing that the same municipalities share the rental cost of five repeater locations. The \$1250 rental would be shared based on the number of radios each municipality had. Mr. Dennis would like Greenwich to be the lead agency for the grant application which is due September 23. Supervisor Wilbur questioned why the Towns would pay rent for a tower if they can get on County owned sites at no cost. A resolution would be needed from every municipality before the 23rd and many have already had their meeting for the month. It was decided that it would be a lot of work for two weeks and since this isn't going to happen until 2013 the Board advised Mr. Dennis wait and apply in 2010.

3) Hardscrabble Road resident Dick Allen stated that he had heard that Hardscrabble Hill was going to be blacktopped. He would like to note for the record that he is totally opposed to this, based on speed factor, as it would hinder the safety of the residents. Rick stated that if it is blacktopped then a speed limit could be established whereas on dirt roads regulatory speed limits are not. Supervisor Wilbur stated that the Board has not even talked about paving the road but he understood that Rick was bringing it to the Board for discussion tonight.

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4) Renee Bouplon Assistant Director of the Agricultural Stewardship Association (ASA) was present to request the Town to sponsor a Purchase of Development Rights (PDR) application for McArthur-Sauert farm located in the Town of Greenwich. ASA is a nonprofit land trust founded in 1990 by local farmers, agribusiness representatives and conservationists to protect land for agricultural and forestry uses in Washington and Rensselaer Counties. This program offers farmers cash in exchange for the development rights to their productive farmland. Through the PDR program eligible farms apply to the Washington County PDR program for state and federal funding. Washington County Agricultural Farmland Protection Board partners with ASA to then administer the county’s purchase of PDRs. During this round of funding ten applications were reviewed of which the County selected one to sponsor to apply to the NYS Farmland Protection Grant Program. This would provide 75% funding to purchase the development rights. The remaining 25% is considered a bargain sale where the owner donates that part of the appraised value of their development rights as a means of reducing federal and state income taxes. The ASA felt the McArthur-Sauert farm was still a very strong application and that is why they are requesting the Town of Greenwich to sponsor it.

RESOLUTION NO. 88-09
PDR- McArthur-Sauert

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

WHEREAS, the Town Board had previously surveyed the residents of the Town of Greenwich and the results of such survey demonstrated that the community was supportive of protecting agriculture within the Town, and

WHEREAS, the preservation of land and open space are now both integral parts of the Town’s Comprehensive Plan and Zoning Ordinance, now therefore be it

RESOLVED, that the Town Board of the Town of Greenwich hereby supports the Purchase of Development Rights (PDR) application for McArthur-Sauert farm located at 574 County Route 77 in the Town of Greenwich.

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 August 13 & 20, 2009 as well as the minutes of the ZBA meeting that was held on August 6, 2009.

Supervisor Wilbur stated that former ZBA member Roland Mann is willing to fill the vacant position of ZBA Alternate. The Board has not had an alternate member since May of this year when no one responded to the advertisement.

RESOLUTION NO. 89-09
ZBA Alternate Member Appt.

Resolution by Councilman Patrick

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Seconded by Councilman Jeffords
and passed unanimously by said Board,

RESOLVED, that Roland Mann be appointed to fill the unexpired term of Tammara Van Ryn as Alternate Member to the Zoning Board of Appeals through December 31, 2012.

3) Assessor Report: Assessor Colleen Adamec reported that she is currently out in the field reviewing parcels. We are now actually seeing the housing market depreciate by 4-5% depending on the category. School tax bills are out and it appears the budget went up 2% and STAR has gone down 12%. Therefore, many people have an increase in tax even though their assessments did not increase. She foresees the STAR continuing to decrease every year until they eliminate it. The full report is on file in the Town Clerk's office.

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

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

- 763 gallons of fuel used in the month of August.
- 2nd round of roadside mowing on schedule.
- 2 weeks on Riddle Road widening and ditching.
- Beech Hill Road – changed out a 40' culvert. Used culvert that was scheduled for North Road – will reschedule North Road for 2010.
- Finished screening winter sand.
- Ditched Mahaffy Road from Tuttle's to next driveway – two days.

Rick returned to the Hardscrabble Road issue and stated that he has spoken with Ian Miller of NYS DOT and Kenny Luskin of Peckham Materials and both think it should be paved. Rick said that with the continual storm damage they all feel it would help solve the problem. He would like to take some of the shale off and also widen the apron where Hardscrabble meets Route 29 for better sight distance. Rick's plan also calls for 30' of guiderail to be put in behind Dick Allen's parking lot to act as a barrier from Route 29. Rick was asked how he could do that on private property and he stated that he didn't know but feels that it is a safety issue. Councilman Perkins asked if the State would be willing to shoulder some of the paving cost as it is also in the State right-of-way. Rick will check with Ian Miller. After discussion it was decided to revisit this in the 2010 paving schedule.

RESOLUTION NO. 90-09
Speed Limit Request Hartshorn Road

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 a speed limit study on the full length of Hartshorn Road, and be it further

RESOLVED, that the Board requests that said speed limit not exceed 40 mph.

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Rick also presented a report from Washington County Department of Public Works dated May 4, 2007 concerning a bridge inspection for a bridge on Spraguetown Road. The condition of the bridge has continued to deteriorate. Rick showed the Board pictures of the bridge and stated that he would like to rip the bridge out and put in a new culvert (squash pipe). The bridge is 30' wide and 40' long. The County is responsible for bridges when the back wall opening measures greater than 20'. This opening is only 9'. The cost of the pipe is \$15,707 from Chemung and \$16,444 from Comtech. Councilman Patrick suggested putting it in the 2010 budget. Rick stated he would like to do either this project or Hardscrabble Road this year and use FEMA money and budget for the other one. Budget Officer Marge Wilbur suggested putting the FEMA into the Capital Reserve for Highway Equipment to keep on schedule for machinery replacement and discuss Hardscrabble Road and the Spraguetown Road bridge during the 2010 budget workshop. Rick stated that the Highway crew can put the new bridge in but cannot take the old one out and presented the following quotes for the bridge removal:

Charles Friedman	\$10,700
Kevin Strainer	\$ 8,500
Rich Badgely	\$11,500
Cedar Ridge	\$11,200

Rick stated that with the cost of the pipe and the removal of the bridge he is looking at \$25,000. It was decided to address both issues during the 2010 budget workshop.

Budget Officer Marge Wilbur stated that other Towns have budget workshops prior to the presentation of the Tentative budget and asked if the Board was interested. They were and the following action was taken:

RESOLUTION NO. 91-09
Budget Workshop - 2010

Resolution by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that a 2010 Budget Workshop be held at 7:00 on Tuesday, September 22, 2009.

Rick stated that he has 40 ton of salt on hand and requested permission to purchase an additional 100 ton to get us through November & December.

RESOLUTION NO. 92-09
Highway – Salt purchase

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that Highway Superintendent Rick Sullivan be authorized to purchase 100 tons of salt at a price of \$61.00 per ton for a total cost of \$6100.00.

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Truck Specifications: Excerpt from Rick's report during the July 14th meeting: *A 2009 F-Series single cab pickup with plow was quoted by Carmody Ford at a state contract price of \$36,236.99. Supervisor Wilbur stated that state contract is not always the lowest price. This purchase is not included in this year's budget so it was decided that there was time to go out to bid. Bids will be solicited for both standard cab and quad cab.*

Tonight: Rick presented the Board with 2 sets of specifications, one for a "New 2009/2010 10,000lb GVW Pickup Truck 6 man cab, single rear wheels, 4 x4 with 6' box", and one for a "New 2009/2010 10,000lb GVW Pickup Truck regular cab, single rear wheels, 4 x4 with 8' box."

RESOLUTION NO. 93-09
Truck Bid

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich advertise for sealed proposals for One (1) "New 2009/2010 10,000lb GVW Pickup Truck 6 man cab, single rear wheels, 4 x4 with 6' box", and one for a "New 2009/2010 10,000lb GVW Pickup Truck regular cab, single rear wheels, 4 x4 with 8' box, and be it further

RESOLVED, that such sealed proposals shall be received until 4:00 PM on Thursday, October 8, 2009 and will be opened at 7:45 PM on Tuesday, October 13, 2009.

6) Supervisor Report: Supervisor Wilbur stated that the 2010 County budget requests have been submitted to Budget Officer Gayle Hall and workshops will be scheduled. The Board of Supervisors is investing \$40,000 with CBN Connect to study how to bring broadband Internet to the area. The study, which will be done in conjunction with Warren and Hamilton counties, is to assess what we currently have available vs. what is needed. Congressman Scott Murphy will possibly come forth with a \$660,000 item to do the engineering study to prepare the way for multi-million dollar stimulus funding to actually run the fiber through the three counties. At that point private industry would tap into it to run laterals which would open up the possibility for greater coverage of broadband throughout the three counties.

7) Youth Report: The 2009 youth program reports, with the exception of the Beach Administrator's, were distributed for the Board's review. Councilman Patrick stated that Brady Waite had done a great job filling in at the last minute.

UNFINISHED BUSINESS:

1) One application was received for the vacancy on the Board of Assessment Review.

RESOLUTION NO. 94-09
Bd. of Assessment Review – Appt.

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Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that William Clifton be appointed to the Board of Assessment Review for a five-year term to begin October 1, 2009 and expiring September 30, 2014.

2) At the August meeting Rob Seabury of Galesville Drive addressed the Board concerning a neighbor’s barking dog. Mr. Seabury stated that he had tried to deal with this issue for the last two years with no solution. Mr. Seabury had called the Dog Control Officer who said he couldn’t do anything about it because there was no ordinance in place. The Clerk gathered copies of ordinances from the Town of Fort Edward, the Town of Saratoga and the Village of Greenwich. Attorney Wrigley stated that these type of ordinances are very difficult to enforce. A short discussion followed and this was tabled until next month to allow for review of the ordinances from the neighboring towns.

NEW BUSINESS:

1) Amendment to Dog Shelter Contract: Ed Holland and Nancy Quell, Dog and Animal Control Officers for the Town have moved their shelter from 1097 North Road to 167 State Route 29. An amendment needs to be made to the agreement to reflect the change in location.

RESOLUTION NO. 95-09
Dog Shelter Amendment

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, the Town Board authorizes the Supervisor and the Town Clerk to sign the amendment to the Dog Shelter contract regarding a location change from 1097 North Road to 167 State Route 29.

2) Set Date for 2010 Budget Presentation.

RESOLUTION NO. 96-09
Budget Presentation 2010

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the 2010 Budget Presentation be held at 7:00 PM on Tuesday, October 6, 2009.

Motion by Councilman Perkins
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

that the Board enters into Executive Session at 10:10 P.M. for the purpose of discussing a personnel issue.

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Motion by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board,

that the regular meeting be resumed at 10:20 P.M.

Supervisor Wilbur stated that the Executive session was devoted to a personnel issue and no decision was made.

Motion by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the meeting be adjourned at 10:21 P.M.

Respectfully submitted,

Elaine A. Kelly, RMC, CMC
Town Clerk