

## DECEMBER 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, December 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, Dan O'Connor, Tom Foster, Tim Tefft - The Journal Press and Meaghan Wilkins – The Eagle.

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

RESOLUTION NO. 116-09  
Transfers 12/8/09

Resolution by Councilman Whitehouse  
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the following transfers be approved:

General Fund:

1. Transfer \$40.00 to A3310.4 Traffic Control Signs from A5132.4 Garage Contractual Expense.
2. Transfer \$419.20 to A5010.4 Highway Superintendent Contractual Expense from A5132.4 Garage Contractual Expense.
3. Transfer \$1,210.00 to A1410.102 Deputy Town Clerk Personal Services – Willetts from A1410.103 Deputy Town Clerk Personal Services – Ashton.
4. Transfer \$24.16 to A7140.4 Playgrounds & Recreational Centers – Contractual Expense from A7140.1 Playgrounds & Recreational Centers – Personal Services.

Highway Fund:

1. Transfer \$53.68 to DA5140.4 Brush & Weeds from DA5142.4 Snow Removal.
2. Transfer \$5,545.16 to DB5130.4 Machinery Repair from DB5110.4 General Repairs.

RESOLUTION NO. 117-09  
Payt. of Bills 12/8/09

Resolution by Councilman Jeffords  
Seconded by Councilman Whitehouse

and passed unanimously by said Board

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RESOLVED, that the following bills on Abstract #9012 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:	0388-389	\$ 564.59
General Town-wide (A):	0391-0414	\$4,916.23
General Outside Village (B):	0415-0419	\$ 73.15
Special District Lighting (SL)Pre-Pay:	0390	\$ 830.56
Highway Town-wide (DA) Pre-pay:	5173	\$ 20.49
Highway Town-wide (DA):	5174-5178	\$1,907.53
Highway Outside Village (DB):	5179-5189	\$7,077.87

RESOLUTION NO. 118-09  
App. of Minutes 11/4/09

Resolution by Councilman Jeffords  
Seconded by Councilman Patrick

and passed unanimously by said Board,

RESOLVED, that the minutes of November 4, 2009 be approved and accepted as submitted.

**CORRESPONDENCE:**

1) A letter was received from American Legion Liberty Post #515 requesting permission to expand the length of their bar, from 15 feet to 23 feet. This does not increase the capacity of the Post, but allows more members to be able to sit down.

RESOLUTION NO. 119-09  
American Legion-Bar

Resolution by Councilman Whitehouse  
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that the Town Board has no objection to American Legion Liberty Post #515 expanding the length of their bar, from 15 feet to 23 feet and be it further

RESOLVED, that this decision does not, in any way, override any requirements from any other agency.

2) A letter was received from the Village of Cambridge inviting the Board to a round table discussion on the "Impact of the Tour of the Battenkill on Southern Washington County". The purpose of the discussion is to better understand the impact the race had in 2009 and will have in 2010, however the meeting is tonight at the same time as this meeting.

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3) A letter was received from Adirondack Trust Insurance stating that the Town's 2010 insurance premium has decreased by 6%. This represents the third consecutive year that NYMIR has reduced our premium while at the same time increasing our property values by 3%. NYMIR is also returning a portion of our original capitalization payment of \$5,070. This means that over the next two years, upon renewal, we will receive a distribution of \$1267.50. The town received its first distribution at the beginning of 2009.

### COMMENTS FROM THE PUBLIC:

1) Tom Foster stated that when Ryan Road was paved several years ago the last one-half mile was paved with a test emulsion that was different from the rest of the road. He wondered if there was any guarantee from State DOT as stones are still coming out of the compound, it is wearing differently, some of it looks spongy and after heavy rains water comes up through. Is it guaranteed for the normal 10-15 years? Supervisor Wilbur stated he thought that it did come with a guarantee but wasn't sure how long it was for. It was a new product through Peckham and was supposed to be better for the men working with it, not only temperature wise but also the fumes coming off it. He believes that Peckham assured us at the time that it would last for the normal life and that if there was issue within that time that they would take care of it. Highway Superintendent Rick Sullivan stated that he will check with Ken Luskin from Peckham.

2) Councilman Bob Jeffords stated that with this being Don's (Supervisor Wilbur) last regular meeting that he would like to recognize some of Don's accomplishments. He stated that 25 years of service is a long time to be a public servant and, as public servants, we often don't hear from people when things are good but tend to only hear from them when things are bad. In the years that he and the other Councilmen have worked with Don, the Board under Don's leadership, has made some really big accomplishments including passing the billboard law, adding site plan review, updating the comprehensive plan, passing the zoning law which in Washington County can be a tricky thing to do but we were very successful. Also marking Don's successful tenure was reaching appropriate funding levels for the fire departments and the library, establishing a fair and equitable property assessment program, writing an employee handbook, passing the Right to Farm law and recently updating our zoning law. Greenwich is in the best fiscal shape probably of any town in Washington County. Councilman Jeffords continued by saying that Don deserves a great deal of thanks and that the Board would like to do a resolution of thanks with Town Clerk Elaine Kelly reading the resolution and Deputy Supervisor Steve Patrick presiding over the vote thereof.

RESOLUTION NO. 120-09  
Donald Wilbur

### RESOLUTION OF THANKS TO DONALD WILBUR

**Whereas**, Donald Wilbur diligently served the people of the Town of Greenwich for over 25 years, in the positions of charter member of the Town Planning Board, thirteen years as Town Councilman and the last twelve years as Town Supervisor, and

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**Whereas**, during those years the Town has benefited from his leadership, and

**Whereas**, under his leadership the Town updated its comprehensive plan, and

**Whereas**, under his leadership the Town adopted land use regulations which will forever protect and preserve the quality of life of its residents, and

**Whereas**, under his leadership the Town is in sound fiscal condition;

**Therefore, The Town Council of The Town of Greenwich, on behalf of the people of the Town does hereby extend to Donald Wilbur its sincere thanks and appreciation for his leadership and friendship.**

Resolution made this 8<sup>th</sup> day of December, 2009 by:

Steven Patrick, Councilman  
Robert Jeffords, Councilman  
George Perkins, Councilman  
Eric Whitehouse, Councilman

And Seconded by those set forth above. Resolution is passed by acclamation.

At this time the Board and members of the public gave Don a standing ovation.

Don stated that it was interesting to think back when he joined the Planning Board in 1968. They hired Hans Klunder Associates from New Hampshire to draft the Town's very first Comprehensive Plan that was adopted in 1971. The other Planning Board members at that time were Bob Morehouse, Bill Irwin, Bill Donohue, Don Gillis, George Ives and Ira Becker. In the mid 70's the Town Board appointed the first zoning commission which Don's father, Sprague, was appointed to. The zoning commission presented a report to the Town Board recommending its adoption and back at that time the Town Board didn't even dare touch it. They never did a thing with it. They just stuck it on the shelf and didn't even dare discuss it because it was such a political hot ball. In those days if the Town Board had taken the steps to adopt it they probably would have been voted out of office. Don stated that when he joined the Town Board in 1984, Nick Karp was Supervisor and the Board had discussions about land use and it was still something that the Board wasn't ready to address because a lot of people just didn't want it. About the current zoning ordinance, Don feels that the Board did it at the right time. He stated that there was support from a lot of people in the community to adopt it. Maybe some didn't appreciate it but at least we have some protections now that many other Towns in southern Washington County don't have and he believes it will serve Greenwich well. Don graciously thanked the Board for their support.

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### REPORTS:

1) Greenwich Fire Department Report: No report. The Board signed the 2010 Fire Contracts with the Village of Greenwich, the Village of Schuylerville, Cossayuna Fire Department and Middle Falls Fire Department.

2) Planning Board Report: Board members received the minutes of the Planning Board meetings that were held on November 12 & 19, 2009 as well as the minutes of the ZBA meeting that was held on November 5, 2009.

A letter of resignation, effective December 31, 2009, was received from Zoning Board of Appeals member Ralph Vecchio.

RESOLUTION NO. 121-09  
ZBA Resignation

Resolution by Councilman Patrick  
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, the Board accepts with regret the resignation of Zoning Board of Appeals member Ralph Vecchio.

The Clerk will send Mr. Vecchio a letter of appreciation.

3) Assessor Report: Assessor Colleen Adamec submitted the following report: "I am currently out in the field reviewing new construction. I have found some properties without permits, but it has not been anything major. I am working on the village roll for 2010. We did get a response back from the Office of Real Property Services. They did confirm a 5% depreciation for the 2010 roll. I will be arguing Kingsbury's trend. I clearly saw a 2% depreciation and the state says its 0%. This will change the overall cap. I will be reviewing everyone by running comparables and making adjustments where necessary. Some may be greater than 5% and some may be less. It depends on the comparables. I have made a decision to just send change of assessment notices for 2010. An impact notice will clearly show an increase in tax for everyone based on last year's budget. Amanda is working on organizing the old cards in storage. This makes it easier to find things when someone requests historical information. If you have any questions or problems, please feel free to let me know."

4) Code Enforcement Report: Code Enforcement Officer Dan O'Connor's report stated that one building permit had been issued during the month of November. Dan has also completed the annual inspection of Pleasant Villa Mobile Home Park and found everything to be acceptable. The 2010 license renewal will be issued once the fee and the updated occupancy listing are received from the Park.

RESOLUTION NO. 122-09  
Pleasant Villa Mobile Home Park/License Renewal for 2010

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Resolution by Councilman Patrick  
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

WHEREAS, Code Enforcement Officer Daniel O'Connor has conducted the annual inspection of Pleasant Villa Mobile Home Park and has granted approval for renewal of the park's license for 2010, it is therefore

RESOLVED, that the Town Board, contingent upon receipt of 1) the \$100.00 license fee, and 2) an updated listing of the occupants of the Pleasant Villa Mobile Home Park, that the Town shall grant a Mobile Home Park License Renewal to Pleasant Villa Mobile Home Park for operation in 2010.

Dan extended his thanks to Supervisor Wilbur for all his help over the years with Code Enforcement. Whenever Dan was away on vacation Don would fill in for him as well as helping throughout the year with regular business. He stated that the Zoning Ordinance has helped tremendously and thanked the Board for their cooperation.

5) Highway Report: Highway Superintendent Rick Sullivan stated:

- 356.1 gallons diesel used in November
- Spent a lot of time cutting wood for the furnace; should have enough through end of February
- Wood shed is not up yet due to lack of manpower
- Beaver problem on River Road; cleaning the culvert out everyday; may call Ed Gillis to deal with the problem
- Dirt roads are in good shape
- Blacktopped and finished culvert pipe on Bunker Hill Road
- Patching potholes
- New pickup should be arriving this week.

Rick asked the Board what they would like him to do with G-0 (old pickup) and that the tires on it only have 6,000 miles on them. The Board decided to put the truck on the county auction website but told Rick to make sure he changes the tires out first.

RESOLUTION NO. 123-09  
Highway – Auction Surplus Items

Resolution by Councilman Perkins  
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich places the Town Highway G-0 pickup truck into the County Surplus Equipment Auction on EBay.

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6) Supervisor Report: Supervisor Wilbur stated that the County budget was passed with a 3.54% increase but included a huge amount of cuts. The year end meeting at the County will be Friday, December 18<sup>th</sup>. The Republicans will have a caucus before the meeting to discuss nominations for Chairman, Vice Chairman and Budget Officer for 2010. Elections will be held at the County Organizational meeting in January.

### UNFINISHED BUSINESS:

1) One vacancy exists on the Planning Board and two vacancies on the Zoning Board of Appeals. Kyle Vandewater's term on the Planning Board expires on December 31, 2009. The vacancy was advertised and Kyle's letter stating his desire to serve on the Board for another term was the only one received. Greg Smith's term on the Zoning Board of Appeals expires on December 31, 2009. This vacancy, as well as a vacancy for an unexpired term, was advertised and Greg's letter stating his desire to serve on the Board for another term was the only one received. Councilman Jeffords stated that he would like to table these appointments and re-advertise. Discussion followed on the date for the year end meeting so as to coincide with the new application deadline.

RESOLUTION NO. 124-09  
Meeting Date

Resolution by Councilman Perkins  
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the Town Board hold its Year-end meeting on Tuesday, December 29<sup>th</sup> at 1:00 P.M.

RESOLUTION NO. 125-09  
Planning Bd. & Zoning Board of Appeals Vacancies

Resolution by Councilman Jeffords  
Seconded by Councilman Patrick

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 Zoning Board of Appeals and that letters of interest must be received by the Town Clerk no later than 4:00 P.M. on Monday, December 28, 2009.

4) Ethics Board: Local Law #3 of 2008 states: .....“The members of the Ethics Board shall be appointed for a one-year term at the organizational meeting of the Town Board in January of each year. No member shall serve more than four consecutive one-year terms”..... Therefore these appointments will be made next month. Supervisor Wilbur has contacted each of the current five members and all are willing to serve again.

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NEW BUSINESS:

1) Set Organizational Meeting Date.

RESOLUTION NO.126-09  
Organizational Meeting Date

Resolution by Councilman Jeffords  
Seconded by Councilman Patrick

RESOLVED, that the Town Board hold the 2010 Organizational Meeting and Regular January Meeting at 7:00 P.M. on Tuesday, January 5, 2010.

Carried. 4 Ayes; Supervisor Wilbur Abstained.

The Swearing In Ceremony will be held at 6:45 PM prior to the Organizational Meeting.

Motion by Councilman Patrick  
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the Board enters into Executive Session at 8:03 P.M. for the purpose of discussing a personnel matter and possible land acquisition and that Highway Superintendent Rick Sullivan be included.

Motion by Councilman Patrick  
Seconded by Councilman Jeffords

and passed unanimously by said Board,

that the regular meeting be resumed at 8:58 P.M.

Supervisor Wilbur stated that the Executive session was devoted to a personnel matter and possible land acquisition and no final decisions were made.

Motion by Councilman Perkins  
Seconded by Councilman Patrick

and passed unanimously by said Board,

that the meeting be adjourned at 8:59 P.M.

Respectfully submitted,

Elaine A. Kelly, RMC, CMC  
Town Clerk