

FEBRUARY 9, 2010

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, February 9, 2010 at 7:00 p.m.

PRESENT:	Sara Idleman	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, Meaghan Wilkins - The Eagle, Jim Allen, Dieter Drake, Robbin Morris, Frank Morris, Steve Grimes, Marilyn Boyd, Harry L. Landry, Bob Akland, Tim Holmes, Dan O'Connor and Giovanni Grillo.

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

RESOLUTION NO. 12-10
App. of Minutes 1/5 & 1/19/10

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the minutes of January 5 & 19, 2010 be approved and accepted as submitted.

CORRESPONDENCE:

1) A letter was received from Willis Johnson, President of the Greenwich Senior Citizens, informing the Board that the Greenwich Seniors have moved their meetings from the Baptist Church to the VFW. Mr. Johnson is requesting that the \$1000 previously paid to the church now be paid to the VFW.

RESOLUTION NO. 13-10
Senior Citizens

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, that the Town Board authorizes payment of \$1,000 to the VFW for the 2010 building rental for the Greenwich Senior Citizen meetings.

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2) A letter was received from Ralph Vecchio stating that the circumstances that led to his resignation from the Zoning Board of Appeals have changed and he is willing to fulfill the rest of his term.

RESOLUTION NO. 14-10
Zoning Board of Appeals Appointment

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, that Ralph Vecchio be reappointed to fill the remainder of his original five-year term on the Town of Greenwich Zoning Board of Appeals; and be it further

RESOLVED, this reappointment is effective April 1, 2010 and expires December 31, 2011.

3) Chamber of Commerce-Whipple City Festival: The Whipple City Festival will be held on June 18, 19 and 20, 2010. The Chamber made several requests of the Town and the following action was taken:

RESOLUTION NO. 15-10
Whipple City Festival 2010

Resolution by Councilman Whitehouse
Seconded by Councilman Patrick

and passed unanimously by said Board,

WHEREAS, the Greater Greenwich Chamber of Commerce is sponsoring the Whipple City Festival on June 18, 19 and 20, 2010, now therefore be it

RESOLVED, that upon receipt of a Certificate of Insurance naming the Town of Greenwich as an additional insured in the minimum amount of \$1,000,000, the Greater Greenwich Chamber of Commerce be granted permission for the following requests for the period of June 18 thru June 20, 2010:

Use of

- the Town parking lot for a "Fireman's Type" carnival;
- the Town lawns adjacent to Academy Street and along the parking lot for vendors and/or the carnival;
- water and electric from the Town Office Building;
- the Commons and the adjacent electrical source for entertainment.

COMMENTS FROM THE PUBLIC:

1) Jim Allen – Timber Harvest Update.

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Past meetings:

Nov. 7, 2007: Forester Jim Allen had recently coordinated the harvesting and sale of timber at Pleasant Valley Infirmary and at the request of Supervisor Wilbur had walked the Town's land on County Route 77 to evaluate the timber there. Mr. Allen informed the Board there was definitely good timber and with a "light cut" could generate revenue between \$15,000 - \$20,000 and possibly more. Mr. Allen's compensation would be 10% of the accepted bid. The Board agreed to move forward. Mr. Allen and Town Attorney Alan Wrigley would draw up the contract.

Nov. 5, 2008: Mr. Allen had finished the inventory of the timber as well as the marking of such. Approximately 2000 trees marked which could generate as much as 600 cords of wood. Notices of the timber sale would 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.

Dec 8, 2008: A bid in the amount of \$31,000 was accepted from Ben Jackson of Argyle.

May 12, 2009: Mr. Allen informed the Board that the timber harvesting behind the town garage was completed the second week of April and all cleanup had been finished. Harvesting near the transfer station will be done either late summer or early fall when the pine prices are higher.

Tonight: Mr. Allen stated that the harvesting near the transfer station was going well but logger Ben Jackson was having some equipment problems and was unsure if he would be able to finish by the contract deadline of April 30, 2010. Mr. Allen felt that a delay was not such a bad thing as he would like to see the ground a little softer for some soil scarification for regeneration purposes. Right now with the ground frozen there is none. The Board told Mr. Allen if need be come back to the April meeting and they would discuss an extension.

2) Dieter Drake: Tour of the Battenkill organizer Dieter Drake addressed the Board about the 2010 race plans. The pro/am race is now deemed the largest sanctioned bicycle race in the world because racers like the course's dirt road sections like Ferguson Road. The pro/am race will be held on Saturday, April 10th with more than 2000 racers expected. The "Ride2Recovery" charity race, a noncompetitive fund raising event to benefit injured service people, will be held on Saturday, April 17 and the professional race on Sunday, April 18th with 200 racers (25 teams) expected. Mr. Drake stated that this event has great economic benefits to the local communities. Councilman Jeffords stated that he felt the race actually hurt the downtown businesses and drove sales down. Mr. Drake stated that \$8000 - \$9,000 in sales tax had been generated from the race last year. In addition to the sales tax revenue, this year's proceeds will benefit local rescue squads and youth committees. He also stated that the Greenwich Chamber of Commerce was planning a "mini-type" Whipple City Festival for race weekend this year. Anyone interested in opening their homes for lodging is encouraged to visit the race website at www.tourofthebattenkill.com. Mr. Drake also mentioned that while the start and finish of the race is in Cambridge again this year, there is discussion about it being moved to Greenwich in the future. Lastly, Mr. Drake stated that on Friday, April 16 some of the professional teams will be available to speak at local schools.

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3) 2010 U.S. Census recruiter Chip Landry told the Board that he is looking for applicants to assist in the 2010 census. Workers are paid \$13.00 per hour and fifty cents per mile. Mr. Landry stated this is very important to our area as there is \$300 billion to be distributed based on the outcome of the census and we certainly want to get our share. The next test for applicants will be held on February 18th at the Village Community Center.

4) Abeel Avenue resident Frank Morris addressed the Board concerning drainage issues on his property. With the recent rains, water has been up to his porch which is about fifty feet from the road. Mr. Morris attributes this to the fact that the road has been paved twice which has elevated the level of the road. Discussion followed about a possible catch basin. Highway Superintendent Rick Sullivan will visit the property and come up with a solution.

5) Hardscrabble Road resident Steve Grimes stated that Highway Superintendent Rick Sullivan had approached him about the Town starting to bring in fill to the area of the proposed rerouting of Hardscrabble Road. This potential site runs through Mr. Grimes' property. As the highway department does shoulder work and ditching this year Rick would like to dump and grade the excess fill to help offset the costs of the construction of the future road. Rick stated it would be in the low spot behind Mr. Grimes' house and that they would not be putting in any culvert pipes. Councilman Patrick suggested that the fill just be brought in and dumped at this point because we don't know what the engineering study will show for the true location of the proposed road. This requires a legal agreement with Mr. Grimes which Attorney Alan Wrigley will take care of.

REPORTS:

1) Planning Board Report: Board members received the minutes of the Planning Board meetings that were held on December 17, 2009, January 14 & 21, 2010.

2) ZBA Report: Board members received the minutes of the ZBA meeting that was held on January 7, 2010.

3) Assessor Report: Assessor Colleen Adamec submitted the following report: This is a recap of my office. I am currently processing exemptions. They will not be done prior to the impact notices going out, because the taxable status date (requirement to get them into my office) is March 1, 2010. For agricultural exemptions it is April 1, 2010. I am doing grievance for the village. Their grievance day is February 16th. I am also working on valuation. It is going to be a very tight schedule for me this year. In the village the commercials and vacant land for the most part are remaining the same. The single families on average are going down 5%. Two and three family homes are actually going up. In the town the commercials and vacant land are relatively remaining the same. Depreciation is less and not everyone is going to go down in value. A lot of residential property will be remaining the same. I do not have actual numbers, because I am still working on it. I am going to try and collect all new construction prior to impacts. This way we have good numbers for the impacts. I may not be able to fully accomplish this, but I am going to give it my best shot.

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This year I am also going to attempt to run my own impacts for both towns. This will save us a lot of money. If you have any questions or problems, please feel free to call.

Councilman Jeffords stated he has been working with Colleen and also Bill McCarty at the County to see why the Town couldn't run our own impact statements instead of paying the County \$1.00 per statement. Colleen has looked into it and we can do it ourselves. We will have the expense of the paper, toner for the printer and a little bit of womanpower. In the past we have paid the County \$2500 +/- to run the statements. Bob stated that the Town of Kingsbury will be printing their own as well.

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

5) Dog & Animal Control Report: DCO & ACO Ed Holland & Nancy Quell's report stated that 14 calls were documented for the month of January. A full copy of the report is available at the Town Clerk's Office.

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

- 1872.8 gallons of fuel used.
- 8 Storms – Jan. 1, 2, 3, 4, 9, 19, 20 & 25th.
- Wind damage on the 25th of Jan. Out cutting trees, limbs and a lot of water drainage problems. Gradall used on Bunker Hill Rd. to clean gutters.
- Truck maintenance and repairing equipment.
 1. G-7 truck is being repaired at Zwacks . Approved by Eric & Steve.
 2. Grader needs repairs. Quotes will be received for next month.
 3. Receiving quotes for garage fans and installation.
- Any news on speed limit requests for Hartshorn, Derby and McDougal Lake Roads? The Town Clerk had not received anything since the initial interim report so a call was put in to NYSDOT. The gentleman stated he was behind and hoped to review the areas in the next couple of weeks.

Rick stated that he will be riding the roads with Councilmen Patrick and Whitehouse to determine what roads will be blacktopped this year. He will have a report to the Board for next month's meeting. Rick said he had the quotes for five industrial fans including installation and asked the Board to review them. Supervisor Idleman asked about tabling this until the next meeting as these were not submitted by the agenda deadline. Rick stated that most had a 15 day deadline for price guarantee. Councilman Patrick said he felt the contractors would honor it for 30 days if we waited until the next meeting. Supervisor Idleman asked the Board if they were prepared to vote on this. They stated that since they had the quotes the main question was whether or not to go forward with the project. It was stated that this improvement was recommended by the heating specialist.

Motion by Councilman Jeffords
Seconded by Councilman Perkins

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that Bill Fryer/Battenvue Building be hired to do the industrial fan project as stated in his proposal for a cost of \$2,569.29.

Discussion: Councilman Perkins noted that the other proposals specified 56" fans but Mr. Fryer's did not and asked Rick if he knew what size they were. Rick stated that he did not but offered to call Mr. Fryer for verification.

Business continued while waiting for Rick to return.

7) Supervisor Report: Supervisor Idleman's report:

- Economic Development Roundtable scheduled to be held on Monday, March 15 from 9 am – 12 noon at IDEARS retreat center located on County Route 113. To date eighteen participants are planning to participate some of which include: Tory Riley – Washington County LDC; Justin Stevens from Better Bee; Paul Fronhofer from Fronhofer Tools; John Hedbring from Fort Miller Co.; Josh Levy from Phantom Labs; Bill Tomkins from Planning Board; Kathy Nichols-Tomkins from the Chamber of Commerce; Mayor Doonan; and representatives from Scott Murphy's office, Betty Little's office, Kirsten Gillibrand's office and hopefully Tony Jordan. Councilmen Jeffords and Perkins will also be attending. Supervisor Idleman plan's to address: What is economic development? How should economic development affect Greenwich? and Where do we go from here? The Town needs to increase its tax base by figuring out what is needed to encourage business to locate here and then market it. She feels that this is a good area for technology based businesses as we are close to the Luther Forest campus.

- Councilman Perkins stated that the Town needs an expansion of its Internet services and would like representatives of Verizon and/or Time Warner invited to the meeting.

- Councilman Patrick stated that the Town's Comprehensive Plan will need to be referred to when looking at Economic Development.

- Attorney Wrigley will check on the requirements of the Open Meetings Law in regards to the roundtable.

- Highway Department: Supervisor Idleman will be holding a meeting next week with Highway Superintendent Rick Sullivan, Budget Officer Kellie Blake, Councilmen Patrick and Whitehouse and a representative from Scott Murphy's office to discuss long term planning to replace equipment including the possibility of leasing equipment.

- Shared Services/Consolidation: Continuing to work with Mayor Doonan on shared services. Consolidation is off the table.

- Energy Alternatives: Looking at ways to use alternative energy throughout the Town.

- Senior Housing: Talked with ZBA Chairman John Farndell who deals with this in his job. Greenwich needs to have unsubsidized senior housing as well as the current subsidized.

- County Issues: Pleasant Valley – There is a division on the County Board of Supervisors whether to keep Pleasant Valley or sell it to a private owner. The Board will decide next week to spend \$70,000 on a feasibility study or not. The facility is currently self-sustaining but there is the fear of losing funding and the County having to subsidize its operations.

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Board members received the 2009 4th quarter financial report as well as the 2009 annual report for their review.

Motion by Councilman Jeffords
Seconded by Councilman Patrick

and passed unanimously by said Board,

that the Board enters into Executive Session at 8:04 P.M. for the purpose of discussing personnel matters.

Motion by Councilman Patrick
Seconded by Councilman Perkins

and passed unanimously by said Board,

that the Regular meeting be resumed at 8:28 PM.

Supervisor Idleman stated that the Executive session was devoted to the discussion of various personnel matters.

UNFINISHED BUSINESS:

1) Dog Control & Animal Control Officer.

- A. Jessica Barrett. Ms. Barrett's resume was distributed to the Board in their packets.
- B. Ed Holland & Nancy Quell – Current 45 day appt. expires 2/14/10.

RESOLUTION NO. 16-10
Dog Control/Animal Control

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

and passed unanimously by said Board,

that Ed Holland and Nancy Quell be appointed as Animal Control and Dog Control Officers through March 15, 2010, with a pay rate of \$15.00 per call for Animal Control and a prorated salary for Dog Control based on the annual salary of \$2500.00 and be it further

RESOLVED, that this appointment be re-visited at the March board meeting.

NEW BUSINESS:

1) Possible Changes to NYS Ag & Markets Law Regarding Dog Licenses. The Town Clerk shared with the Board a letter that she had received from Town Clerk Helen Kopke who is the liaison between the New York State Town Clerks and the New York State Department of Ag & Markets. The letter highlighted recent developments regarding the licensing of dogs in New York State. Ag & Markets has

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expressed a very strong desire to eliminate the statewide database and wishes to delegate authority for dog licensing to each municipality. This is in the proposal stages only, however, Ag & Markets is very clear that they wish to eliminate the statewide database and control of the licensing function. Article 7 of the current law would be repealed and a new law would be established under the same title. NYS will require that dogs be licensed and have rabies shots and proposes municipalities have sole propriety for the dog licensing program. More information will be gathered at the NYS Town Clerks conference in April.

2) Sales Tax Resolution.

RESOLUTION NO. 17-10
Sales Tax Allocation

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said by Board,

RESOLUTION NO. 17 OF 2010

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GREENWICH
ELECTING DIRECT PAYMENT OF WASHINGTON COUNTY SALES AND COMPENSATING USE
TAX ALLOCATION

WHEREAS, Washington County imposes sales and compensating use taxes pursuant to the authority of section 1210 of the Tax Law of the State of New York; and

WHEREAS, Washington County has elected to allocate a portion of the net collections from its sales and use taxes to the towns in the county; and

WHEREAS, section 1262 (c) of the New York Tax Law authorizes a town to elect to be paid all or a specified part of its share of the county’s allocation directly, in lieu of reduction of county taxes and general town taxes levied upon real property in such town; and

WHEREAS, the Town Board now desires to make such election;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Greenwich hereby elects to be paid directly all of its share of Washington County’s sales and compensating use tax net collections, for calendar year 2011 and thereafter; and

BE IT FURTHER RESOLVED, that, pursuant to such section 1262 (c) of the Tax Law, a copy of this resolution shall immediately be mailed by certified or registered mail to the Chief Fiscal Officer of Washington County and to the Clerk of the Washington County Board of Supervisors before September 1, 2010, for this election to take effect January 1, 2011; and

BE IT FURTHER RESOLVED, that this resolution shall remain in effect until rescinded by the Greenwich Town Board in accordance with the notice provisions of such section 1262 (c) of the Tax Law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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3) Attorney Retainer Agreement. Attorney Alan Wrigley's Retainer Agreement for Legal Services with the Town of Greenwich expires March 31, 2010. Supervisor Idleman contacted Attorney Wrigley about renewing the agreement and he expressed his interest to do so for another two years on the same terms and conditions as the present agreement.

RESOLUTION NO. 18-10
Attorney -Retainer Agreement

Resolution by Councilman Patrick
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

WHEREAS, the Town of Greenwich is desirous of continuing with D. Alan Wrigley, Jr. to provide legal services to the Town as the Attorney for the Town, now therefore be it

RESOLVED, that Town of Greenwich hereby renews its current Retainer Agreement, on the same terms and conditions, with Attorney D. Alan Wrigley, Jr. for a two year period commencing April 1, 2010.

4) Supervisor Idleman stated that the Planning Board would like to meet with the Town Board on Thursday February 18th. Councilman Whitehouse suggested postponing it until after the Economic Development Meeting on March 15th. All agreed that was a good idea.

5) Referring to the discussion earlier in the meeting, Highway Superintendent Rick Sullivan stated that he had spoken with Mr. Fryer and the fans were 54". Councilman Patrick stated that the other proposals were for 56" fans and given the fact that some of the Board wanted to wait until next month anyway maybe we should wait. It was noted that we did not require a certain size in the requests and that 2" probably wouldn't make that much difference.

RESOLUTION NO. 19-10
Highway – Fans/Garage

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

that Bill Fryer/Battenvue Building be hired to do the industrial fan project as stated in his proposal for a cost of \$2,569.29.

6) Clerk to the Supervisor Kellie Blake stated that she would like to take the funds for the highway fans, as well as for the work that has recently been done at the Town Office building, out of Capital Reserve for Facilities Improvement Fund. Once all bills have been received for these projects she will ask for a permissive referendum.

AUDIT BILLS & AUTHORIZE PAYMENT.

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RESOLUTION NO. 20-10
Payt. of Bills 2/9/10

Resolution by Councilman Patrick
Seconded by Councilman Jeffords

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #1002 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:	0015	\$ 1,286.50
Special District Lighting (SL) Pre-Pay:	0016	\$ 1,056.11
General Town-wide (A):	0017-0055	\$26,341.48
General Outside Village (B):	0056-0057	\$ 110.92
Highway Town-wide (DA) Pre-pay:	5002	\$ 255.69
Highway Town-wide (DA):	5003-5011	\$25,552.41
Highway Outside Village (DB):	5012-5024	\$13,742.03

Motion by Councilman Perkins
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

that the meeting be adjourned at 9:05 P.M.

Respectfully submitted,

Elaine A. Kelly, RMC, CMC
Town Clerk