

JUNE 10, 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 Tuesday, June 10, 2008 at 7:00 p.m.

PRESENT:	Donald Wilbur	Supervisor
	Bob Jeffords	Councilman
	George Perkins	Councilman
	Eric Whitehouse	Councilman
ABSENT:	Steven Patrick	Councilman

Others Present: Elaine Kelly, Kellie Blake, Alan Wrigley, Rick Sullivan, Stanley Mattison, Ashleigh Farrell - The Eagle, Jenny Lyttle - Main Street, David Doonan and Marilyn Boyd.

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

RESOLUTION NO. 65-08 Budget Amendments 6/10/08

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the following budget amendments be approved:

- 1) \$75.34 from Capital Fund Beach to H2 7150.4 Capital Fund – additional repair expense – beach house.
- 2) \$4,342.44 from Capital Reserve for Facilities Improvement to A5132.4 Garage Equipment per permissive referendum for salt shed at the Highway Garage.

RESOLUTION NO. 66-08 Payt. of Bills 6/10/08

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board

RESOLVED, that the following bills on Abstract #7006 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:	0174	\$ 688.97
General Town-wide (A):	0175-0211	\$11,515.82
General Outside Village (B):	0212-0216	\$ 84.71
Special District Lighting (SL):	0217	\$ 787.72
Capital Fund Beach	2004	\$ 75.34
Highway Town-wide (DA) Pre-pay:	5073	\$ 20.49
Highway Town-wide (DA):	5074-5075	\$ 5,781.63
Highway Outside Village (DB):	5076-5087	\$72,319.83

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RESOLUTION NO. 67-08
App. of Minutes 5/13 & 5/27/08

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the minutes of May 13 & 27, 2008 be approved and accepted as submitted.

CORRESPONDENCE:

1) A letter was received from the "Food For Kids" committee asking the Board for a donation. A well-balanced lunch can be provided for less than 75 cents per child with a \$5.00 donation providing lunch for the week.

RESOLUTION NO. 68-08
Food For Kids

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich hereby authorizes \$100 for the "Food For Kids" summer lunch program.

2) A request to use the Town Beach and facilities on Thursday, July 31 from 6:00 PM to 8:00 PM was received from Rulyn Graves, Chairperson of the Board of Trustees for Centenary United Methodist Church. This would be a church social, bonfire and worship service. As the beach normally closes at 7:00 PM, the church will hire one of the Town's lifeguards from 7:00 to 8:00 PM. The following action was taken.

RESOLUTION NO. 69-08
Beach – Centenary Methodist Church

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

WHEREAS, Centenary United Methodist Church desires to hold a church social, bonfire and worship service on Thursday, July 31, 2008 from 6:00 PM to 8:00 PM at the Greenwich Beach, and

WHEREAS, Centenary United Methodist Church will hire one of the Town's lifeguards to be on duty from 7:00 to 8:00PM, now therefore be it

RESOLVED, that upon meeting with Councilman Perkins to determine a safe location for the bonfire, adhering to all burn regulations in effect on the day of July 31, 2008 and upon receipt of a Certificate of Insurance naming the Town of Greenwich as an additional insured in the minimum amount of \$1,000,000, Centenary United Methodist Church be granted permission to use the Town Beach and facilities on Thursday, July 31 from 6:00 PM to 8:00PM.

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3) A letter was received from the Town Planning Board notifying the Town Board of a boundary line adjustment submitted by Thomas Barber. This is an adjoining parcel to the Town Beach.

4) Supervisor Wilbur presented the Board with a request from Lisa Towne to borrow the Town's picnic tables on Saturday, July 12.

RESOLUTION NO. 70-08
Picnic Tables

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that upon signing of a Waiver of Liability and Agreement to Indemnify, Lisa Towne be granted permission to borrow the Town's picnic tables on Saturday, July 12, 2008.

COMMENTS FROM THE PUBLIC:

1) Village of Greenwich Mayor David Doonan addressed the Board about adding on to the town's website. Permission was given to Mr. Doonan to do this last fall but it was about that time when he decided to run for office and he didn't want this to be a conflict of interest. Elections are over and he would like permission to proceed at this time. He would like to add a page to the Town's website that would be devoted to Economic Development. This page would include a link to the Zoning law, information about the availability of broadband Internet and contact information for the Chamber of Commerce. There is currently a page on our website with information about the Village of Greenwich that he would also like to add on to. This work would all be done at no charge.

RESOLUTION NO. 71-08
Web Site/ Economic Dev.

Resolution by Councilman Jeffords
Seconded by Councilman Patrick

and passed unanimously by said Board,

RESOLVED, that David Doonan be granted permission to add an Economic Development page, as well as enhance the Village of Greenwich page, both of which are on the Town's website.

David also informed the Board that he is calling for a meeting of the "Greenwich Easton Community Cares" group at 7 PM on Tuesday, June 17th at the Community Center. Everyone is invited.

2) Greenwich Fire Chief Dean Watkins was unable to attend but would like the Board to think about adopting a nuisance law. He has received several complaints about a certain resident's open burning. A nuisance law would address issues like this.

7:45 PM: Public Hearing on Proposed Local Law #3 of 2008 entitled "A Local Law to Amend the Code of the Town of Greenwich by adding a new Section 21-7 entitled Ethics Board to Chapter 21, which chapter provides for a Code of Ethics for Town Employees".

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Motion by Councilman Whitehouse
Seconded by Councilman Jeffords

and passed unanimously by said Board,

that the Public Hearing on Proposed Local Law #3 of 2008 be opened at 7:46 P.M. for public comment.

Greenwich Mayor stated that he thought this was a great idea and, on behalf of the Village, commends the Town Board for doing this.

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 7:47 P.M.

RESOLUTION NO. 72-08
LL Law #3 of 2008

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

RESOLVED, that Town of Greenwich Local Law #3 of 2008 entitled "A Local Law to Amend the Code of the Town of Greenwich by adding a new Section 21-7 entitled Ethics Board to Chapter 21, which chapter provides for a Code of Ethics for Town Employees" be approved and adopted as presented.

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

Carried.

Supervisor Wilbur stated that according to the law, the Board shall consist of five members, a majority of whom shall not be officers or employees of the Town but at least one member shall be. Don asked the Board to think about possible members and it will be discussed at the July meeting. Code Enforcement Officer Dan O'Connor offered to fill a position on the Board.

REPORTS:

- 1) Greenwich Fire Department Report: An activity report for May was received from the Greenwich Fire Department.

- 2) Planning Board Report: Board members received the minutes of the Planning Board meetings that were held on May 8 and 15, 2008. ZBA minutes of May 20, 2008 were also received. Planning Board Chairman Bill Tomkins stated that the Snell subdivision is winding to a conclusion with road acceptance still to be finalized. Kyle McPhail is finishing up his project with opening his wife's hair salon.

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Bill addressed the Board about a procedural item that he is trying to have changed. Based on the scope of a project, certain projects have to be sent to the County Planning Board for approval before the Town can take action. The Town has an agreement with the County that lists certain types of projects that do not require County approval. However when County approval is needed, this step adds an additional month to the approval process and some projects are so basic that they just don't need that approval. Bill would like to have some other "small, local interest only" projects added to the agreement. Bill used the McPhail project as an example. The proposed project was not changing the prior use of the property; it was just re-establishing a use that had not been active in the prior year. Under the current agreement, this project was required to go to the County for approval. Bill stated that it was obviously approved at the County and the only thing that it accomplished was adding an additional month to the process. He attended the County meeting tonight as well and addressed the situation and it will be taken into consideration.

Concerning the Zoning ordinance, Supervisor Wilbur stated that it has now been one full year since its adoption and it is time to review it with the various boards. Don asked that the Town Board, the Planning Board and the Zoning Board of Appeals to think about what needs to be reviewed and/or changed in the ordinance. A joint meeting will be planned for the fall.

3) Assessor Report: No Report.

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

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

- Commended his crew for their hard work;
- 591 gallons of fuel was used during the month of May;
- Upper Spraguetown Road, Hartshorn Road and Pulp Mill Road have been paved with excellent results;
- Will borrow a shoulder machine from the Town of Kingsbury and shoulders should be completed in 2-3 weeks; hoping to build our own machine in the future.
- The department has completed its mine safety training.
- Will start building the new salt shed soon.
- Supervisor Wilbur reminded Rick that the roadsides need to be mowed.
- Central gearbox was gone in Woods mower and ordered the part from Salem Farm Supply for \$700. Roderick Farm Machinery was \$600 but he had already ordered it from Salem.
- Queens Gate: The pipe leading to the drywell was hydro flushed and is clogged with rocks. Rick thinks the highway crew will be able to fix the problem in-house.
- Quotes for culvert pipe and clamps for River Road were as follows:

Chemung	\$1621.88
Ramsco	\$1883.40 (no clamps)
Adirondack Highway	\$1725.00 (no clamps)

RESOLUTION NO. 73-08
Highway – Culvert pipe

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

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RESOLVED, that the Highway Superintendent Rick Sullivan be authorized to purchase 50 feet of 36 inch culvert pipe and two clamps from Chemung at a price of \$1621.88.

Agreement to Spend Highway Funds Amendment: Plans changed slightly from last month's approval and the agreement was amended.

RESOLUTION NO. 74-08
2008 Agreement to Spend Highway Funds

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Town Board amends Resolution 58-08, "2008 Agreement to Spend Highway Funds" which was adopted on May 13, 2008 to read as follows:

"2008 Agreement to Spend Highway Funds"

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the State for repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$171,800.00 may be expended for general repairs upon 77.77 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS: The following sums shall be set aside to be expended for the improvement of town highways:

a) Spraguetown Road commencing at Route 40 and leading to North Greenwich Road, a distance of 3800 ft., there shall be expended not over the sum of \$39,691.03.

Type: Resurface	Width of traveled surface: 20 ft.
Thickness: 1 1/2"	Subbase:

b) Pulp Mill Road commencing at the half way point and lead to the dead end, a distance of 1875 ft., there shall be expended not over the sum of \$19,093.67.

Type: Resurface	Width of traveled surface: 19 ft.
Thickness: 1.7"	Subbase:

c) Hartshorn Road, full length, a distance of 5,713 ft., there shall be expended not over the sum of \$72,046.01.

Type: Resurface	Width of traveled surface: 20 ft.
Thickness: 2.0"	Subbase:

d) Forest Street commencing at Wilson Street and leading to Academy Street, a distance of 1220 ft., there shall be expended not over the sum of \$11,538.96.

Type: Resurface	Width of traveled surface: 20 ft.
Thickness: 1 1/2"	Subbase:

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Officer of Washington County and to the Clerk of the Washington County Board of Supervisors before September 30, 2008, for this election to take effect January 1, 2009; 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.

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

Carried.

7) Youth Report: Councilman Perkins reported that the new swing set has been installed at the beach. The lifeguards will put out the ropes on Thursday and the beach will open for the season on Sunday, June 15th. Councilman Perkins thanked the highway department for the great job they did bringing in the new sand and to Steve Autiello of G Lane Construction for helping build the swing set. Clerk to the Supervisor Kellie Blake listed the following appointments:

Swim Program Director & Head Lifeguard - Michael Shissler
Assistant Head Lifeguard/Swim Instructor - Tivona Renoni
Lifeguard/Swim Instructors: Patrick Dore, Hannah McFadden & Ethan Rubenstein
Swim Instructor: Carol Dore

CPR classes will be held on June 17 & 25.

Bus Lease:

RESOLUTION NO. 76-08
Youth Program - Bus Lease

Resolution by Councilman Whitehouse
Seconded by Councilman Perkins

and passed unanimously by said Board,

RESOLVED, that the Town of Greenwich enter into the Bus Lease Agreement with Greenwich Central School as presented for the period of July 1, 2008 thru June 30, 2009.

UNFINISHED BUSINESS:

1) Employee Handbook. A workshop meeting was held on Tuesday, May 27th to work on the 2nd draft of the Employee Handbook. Several suggestions and changes were made and tonight Clerk to the Supervisor Kellie Blake presented the Board with the 3rd draft. A few minor changes were made. Councilman Whitehouse asked to discuss the Town's retirement policy. Currently, Section 54-51 states that any employee of the Town of Greenwich (hired prior to March 3, 2003) and retiring after 20 years of full-time employment, who has attained the age of 60, will be entitled to paid in full health and medical individual coverage. Being that New York State allows retirement at age 55, Councilman Whitehouse stated that the Town should show

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appreciation to its dedicated employees and use the same age that NYS retirement does. Councilman Perkins stated that he also feels the age should be brought in line with the State and would like to look at the numbers. Councilman Jeffords stated that currently this could be \$5,000 per employee per year and he also would like to get a better idea of the numbers. Clerk to the Supervisor Kellie Blake will research the number of employees this would affect. Discussion will continue on this issue at the next meeting and a public hearing will be held.

**RESOLUTION NO. 77-08
LL #4 Code Amendments**

Resolution by Councilman Jeffords
Seconded by Councilman Whitehouse

and passed unanimously by said Board,

RESOLVED, RESOLVED, that a public hearing be held by the Greenwich Town Board at the Town Hall, 2 Academy Street, Greenwich, NY on Tuesday, July 8, 2008 at 7:45 P.M. for the purpose of obtaining public comment on proposed Local Law 4 of 2008 entitled "A Local Providing for Amendments to the Code of the Town of Greenwich relating to Personnel Policies and Procurement Policy".

NEW BUSINESS:

1) Landfill Mowing.

The 20+ acres at the closed town landfill needs mowing. Supervisor Wilbur called four individuals for quotes. One didn't want to quote this year, one is out of business and the two other quotes are as follows: Ken McPhail \$400 and Ted Emerson \$850.

**RESOLUTION NO. 78-08
Landfill Mowing**

Resolution by Councilman Perkins
Seconded by Councilman Jeffords

and passed unanimously by said Board,

RESOLVED, Ken McPhail be hired to mow the Town's landfill at cost of \$400.00.

2) At the May meeting Phoenix Environmental Laboratories had presented a proposal for analytical testing at the landfill for a projected annual cost of \$8910.96. This was based on pricing given in the Washington County RFP. The Board wanted to wait to see what other neighboring Towns were doing and no action was taken at that time. Since then Salem and Cambridge have signed on and the following action was taken:

**RESOLUTION NO. 79-08
Landfill Monitoring**

Resolution by Councilman Jeffords
Seconded by Councilman Perkins

and passed unanimously by said Board,

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RESOLVED, that Phoenix Environmental Laboratories be hired at an annual cost of \$8910.96 for analytical testing for the landfill.

Motion by Councilman Whitehouse
Seconded by Councilman Jeffords

and passed unanimously by said Board,

that the meeting be adjourned at 8:50 P.M.

Respectfully submitted,

Elaine A. Kelly, RMC, CMC
Town Clerk