

March 19, 2018

A public hearing was held by the Town Board of the Town of Greenville on Monday, March 19, 2018 at 6:30 pm in Pioneer Town Hall, to consider the establishment of an Extension and Improvements to the existing Greenville Water District No. 1. This was followed at 7:00 pm by the regular monthly meeting of the Town Board of the Town of Greenville.

Present: Supervisor Paul Macko
Councilman Richard Bear
Councilman John Bensen
Councilman Greg Davis
Councilman Travis Richards *arrived at 6:36 pm*

Recording Secretary: Clerk-Collector Jackie Park

Department Heads Present: Deputy Water Superintendent Renee Hamilton
Greenville Rescue Squad Chief Brian Tumey *arrived 6:45 pm*
Zoning and Code Enforcement Officer Mark Overbaugh
Planning Board Chair Don Teator
Highway Superintendent Terry Williams *arrived at 6:52 pm*

Other: Travis Smigel, Delaware Engineering
and 25 guests

Absent: Attorney Tal Rapplelea

Supervisor Macko opened the meeting with the Pledge of Allegiance. Appropriate notice of this hearing was published in an official newspaper, the Catskill Daily Mail, on Saturday, March 3, 2018, and posted on the official signboard at Town Hall as required.

Mr. Bear moved, seconded by Mr. Bensen, to open this public hearing at 6:33 pm.

Carried 5 ayes

Mr. Macko reviewed details on this project. It includes 2000 feet of water main on Route 81E, a new water storage tank, roughing in road work, SCADA upgrades, and a pressure regulating valve. The total cost without grants will be \$1,845,300 for a total annual water district debt of \$100,868. The current average user cost is \$225, which would increase to \$358 with the extension and improvements. This equates to a 59% increase. Councilman Bensen noted that the water tower needed replacement anyway, and that a new tank was only 15% more than refurbishing the old one. Mr. Smigel of Delaware Engineering stated that after review, it was felt this was the best plan in moving forward.

The following interested persons desired to be heard: Mr. Russell Carlsen asked the life expectancy of a new water tank? Councilman Bensen stated, "40-50 years". Mrs. Nancy Tumey asked what an EDU was? Mr. Smigel replied, "Equivalent Dwelling Unit", and explained that a multi-family home has a higher EDU

as compared to a single family home. **Mrs. Tumey** followed up asking for discussion on the quality of water expected. **Supervisor Macko** speculated the water will improve without the rust and corrosion that builds up in steel tanks. The glass lined tank should improve water quality. **Mr. Bensen** added that fewer chemicals would be used without rust in the tank; there may be sulfur but that dissipates. **Deputy Water Superintendent Renee Hamilton** noted the tank is treated now twice per week with ortho-phosphates. **Mrs. Tumey** questioned how often testing was done, to which **Ms. Hamilton** replied, "daily, weekly, and monthly, as well as random testing." **Mr. Colin Tumey** asked about timeframes to begin work. **Mr. Smigel** explained the last sewer project is completed, and the water piece cannot be added into the last sewer project. They must be bid separately. **Mrs. Anita Zibura** questioned how adding 20 homes on to the system will alleviate pressure and volume problems? **Mr. Smigel** explained the areas she questioned were on separate ends of the system and the improved pressure was related to changes with the tank. She also questioned the hook-up fees. **Mr. Smigel** reported the project will get the stubs to the property lines, and the homeowners must take it from there to the home. The town has waived the typical connection fees for this project. The meters will be provided by the Town, perhaps there will be a deposit though. **Mr. Martin Brand** questioned the cost to connect, and for any potential upgrades needed within the home? **Mr. Smigel** noted the cost will vary depending on the circumstance, but that it would be borne by the homeowner. **Ms. Jacqueline O'Halloran** stated she was for the extension, obviously, but does question why the Town is doing this now. She stated that everyone is contaminated, everyone's wells are ruined, and that it has come from the salt mines from the Town supply. She asks for ownership from the Town for this contamination. **Councilman Bensen**, who also resides on SR 81, replied that 40 years ago, his wells were perfect and now they are not. He feels NYS could be to blame for the way the state highway is treated for winter conditions. **Mr. Bensen** noted the water extension is being done concurrently with the sewer extension. He stated we are trying to be proactive and get these things straightened out. **Ms. O'Halloran** stated there should be accountability at the town level. She wondered why testing on personal wells has not been done, also if the town was going to incur part of the cost for the residents with contaminated wells. **Councilman Davis** asked if she wanted the cost put out to all the taxpayers within the town, not just those within the water district. Stated personal water softeners is yet another source of contamination. Also that "we all (this Town Board) were not here 20-30-40 years ago. But we can move forward today." **Mrs. Tumey** asked if any of the cost could be mitigated for those with contamination? **Mr. Tumey** stated one doesn't know what extra costs will be incurred; does it involve cutting open his new paved driveway? Cutting the trees surrounding his home? **Mr. Smigel** responded each site will be examined for the best placement for the stub at each home. Construction is expected to start in the Fall of 2018 or the Spring of 2019. Sewer and water lines will be done simultaneously. Catskill Mountain Housing will again provide funding assistance to homeowners as they qualify. **Supervisor Macko** noted the minimum quarterly water usage bill is \$56.20 now, which will increase to \$89.25 per quarter. We are trying to secure a hardship loan of 0% over 30 years. **Mr. Brand** asked about EFC funding, and stated other communities' face these issues, in cases where other people, like

NYSDOT, are to blame; he believes EFC may change their funding from a loan to a grant in this case. **Mr. Carlsen** stated he believes "this Town Board is great ~ but we all should help if it is the Town's fault. It's the neighborly thing to do." **Mrs. Zibura** asked if the grants can be investigated before signing on now? **Mr. Smigel** and **Supervisor Macko** noted we are working diligently on it. **Mr. Smigel** noted if an area is potentially contaminated, we won't get a grant for the entire project, just an area. **Mr. Brand** asked, "If you don't test the wells, how do you know where to go?" **Mr. Smigel** reported the extension lines are based on the cost to install and the number/proximity of homes ~ a cluster of homes followed by a mile of open land then one home, that last home would not make sense to include in an extension. **Mrs. Tumey** asked what would happen if a homeowner did not want to hook up? **Mr. Smigel** explained that the homes are still included in a district and would bear the cost on their tax bill. A quarterly bill would only occur if a user was connected. **Mr. Brand** returned to the topic relating to the area of the planned extension ~ thought either there would be a risk of stopping the extension before the contaminated wells area ended, or the district lines would go too far and costs people money unnecessarily. Feels it makes sense to test. **Mr. Smigel** stated we are going to the full extent of where it makes engineering and financial sense, based on the cluster of homes. **A multitude of voices** stated "why don't you test first".

Councilman Richards moved to test the 20 involved wells on SR 81 East for salt and coliform, seconded by Councilman Bensen.
Carried 5 ayes

A few remaining questions ~ **Supervisor Macko** stated the testing could be done the week of April 9th, preferably scheduled all for the same day. **Greenville Rescue Squad Chief Brian Tumey** asked if any additional fire hydrants would be included in the extension, to which **Mr. Smigel** replied, "3, on SR 81". **Mr. Maggio** inquired how one keeps their water from stagnating when the home is near the end of the line? **Deputy Water Superintendent Hamilton** reported we now use automatic flushing hydrants.

No other comments were received.

Mr. Bensen moved to close the public hearing at 7:36 pm, seconded by Mr. Bear.
Carried 5 ayes

Mr. Bensen moved, seconded by Mr. Bear, to propose to act as Lead Agency in the Water District No. 1 System Upgrades project.
Carried 5 ayes **Clerk's note: this was moved upon at the November 20, 2017 meeting already; resolution from that date attached**

Mr. Bear moved, seconded by Mr. Bensen, to approve the resolution establishing an extension and improvements to Greenville Water District No. 1, subject to Permissive Referendum; attached.

Roll call requested;

Supervisor Macko	aye
Councilman Bear	aye
Councilman Bensen	aye
Councilman Davis	aye
Councilman Richards	aye
Carried 5 ayes	

Mr. Davis moved, seconded by Mr. Bensen, to hold a special meeting on Monday, April 23, 2018 at 7:00 pm in Pioneer Town Hall to adopt the Final Order on the Extension and Improvements to Greenville Water District No. 1, and to start bond proceedings.

Carried 5 ayes

7:41 pm: The following sealed bids were received for the Prevost Hall Stained Glass Repair and Renovation project, Windows A and D:

Rohlf's Stained & Leaded Glass, Inc.	\$46,500.00
Guarducci Stained Glass Studios	\$27,305.00
Bovard Stained Glass	\$29,875.00
Historic Stained Glass Restorations	\$72,000.00 for 8 windows plus one small window on the North side; or \$9,000. per window.

Mr. Davis moved, seconded by Mr. Bensen, to table a decision on the window repair project until the bids have been thoroughly reviewed.

Carried 5 ayes

Mr. Davis moved to accept the Clerk's minutes of February 19, 2018 and February 26, 2018, seconded by Mr. Bensen. Carried 5 ayes

The regular monthly meeting followed at 7:45 pm. **Oral and/or written reports were received from the Rescue Squad, Highway, Buildings and Grounds, Code, Clerk/Tax, Sewer and Water departments, and Planning Board.** To note; **Brian Tumey** offered the Rescue squad report. **Highway Superintendent Williams** noted that multiple nor'easters have kept the department busy. **Supervisor Macko** added final figures have been received from FEMA after Storm Stella; reimbursement is coming to the Town of Greenville in the amount of \$26,967.72. **Deputy Water Superintendent and Maintenance Department employee Renee Hamilton** discussed work done at the town facilities, including cleaning out the middle barn at Vanderbilt Park, and preparing for North Barn roof work. Repairs have been made to the damaged library door, and the Assessor Clerk's office space is being redesigned for safety. **Code Enforcement Officer Mark Overbaugh** noted that Title Searches (reflecting real estate sales) are coming in steadily, Stewart's Shop expansion project has started, and Tractor Supply Store's building permit will be issued this week. **Supervisor Macko** discussed that we now are compiling a list of residents who did not yet connect to the newest sewer extension, as the grace period for

connecting without a permit fee ended in December. **Deputy Water Superintendent Hamilton** discussed issues with 'VFD' controls at the Plant, but all seems in good working order at this time. They have started working with Tractor Supply on their sprinkler system and flows. **Recycling Operator Ronnie Duncan** has not relayed any issues at the center. No assessing report was received. **Planning Board Chair Donald Teator** noted their meetings have been cancelled twice now due to snow. The April meeting is scheduled on the 4th and he urged the Councilmen to attend. He is seeking input from the Town Board, the Attorney and the Engineering firm, or, he feels that Greenville may see four commercial solar farms approved based on the law as stated. Central Hudson feels they will be able to absorb the energy created. Mr. Travis Smigel noted the April 4th meeting will discuss the cumulative impacts of 4 solar farms on this community.

A lengthy discussion on commercial solar continued. One concern raised was that there would not be capacity to absorb residential solar energy if commercial farms were built. **Councilman Bensen** disagreed, referring to the residential solar panels already being used now. **Ms. Barbara Valicenti** feels that Cypress Creek has operated in a manner contrary to 'best practice', and has been completely irresponsible in their presentation to the town as well as in their site selections. She asked the Town Board to put the brakes on these proposed farms, and to move forward responsibly. **Mrs. Sherry Baron** also believed it should be located elsewhere. She feared putting these in a residentially zoned area would make it commercial. Concerns with the proposed PILOT program also were raised; she wondered if the cost burden then would be passed on to the rest of the community instead of to the solar companies. **Supervisor Macko** noted that the school and town jointly hired a consultant who works with solar PILOTs; these are 15 year programs whose guidelines are established by the Public Service Commission. **Mr. Russell Carlsen** questioned if in fact 3-4 solar farms saturate the grid so that residents can't put up private solar, we as a community would be hurting ourselves. **Mr. Philip Restaino** stated, "If we've not been down this road, why jump in with both feet?". **Mrs. Audrey Matott** questioned a moratorium. **Supervisor Macko** replied that we've been considering it. Another concern was if Central Hudson would have to do major infrastructure upgrades to accommodate all the energy produced. **Councilman Bear** stated the Town Board has tried hard to direct our community in a way for people to come and live and enjoy. He stated, "I feel I don't want to see the solar farms. We need more power on holding back". **Mr. Travis Smigel** noted the Planning Board is not a governing board. Their task is to review documents and make decisions on if the applicant has followed the rules (of the law) or not. The Town Board is the Governing Board. **Alternate Planning Board member William Bardel** noted the Planning Board has been looking at solar sites for one year now. If the Town Board has reservations, it must be addressed now. **Chair Donald Teator** noted "the Planning Board has gone through all of the steps. The solar companies have addressed each concern brought before them. The Applicant is looking for the Planning Board, at this point, to approve. At this point, we must make decisions". Mr. Teator noted that during his 18 years on this Board, no project which has complied with requests has ever been defeated. In defense of Cypress Creek, Mr.

Teator noted that they have ‘jumped through all the hoops’ and are willing to meet with the community. **Ms. Barbara Valicenti** questioned why, with the reluctance she has heard, is the Town not voting now on a moratorium? **Mr. Brian Tumey** questioned if there was financial benefit to the Town in allowing commercial solar. **Councilman Davis** answered, “Yes: tax money, PILOT money”. **Mr. Paul Augstein** questioned the environmental impacts of clearing forests, rain run-off and naturally occurring reseeding of trees leading to chemical spraying to control them? **Mr. Don Teator** noted that the cumulative impact study will be presented at the April 4th meeting, and the Planning Board will need time to review and discuss that study. Mr. Macko and Mr. Bensen attempted to contact Attorney Rappleyea without success.

At this time, Mr. Davis moved, seconded by Mr. Bensen, to schedule a special meeting on Monday, March 26, 2018 at 7:00 pm in Pioneer Town Hall to discuss a moratorium on commercial solar farms.

Carried 5 ayes

As Ms. Valicenti had previously requested the letter she provided to the Board and as a Letter to the Editor in the local paper be included in the Town Clerk’s official minutes, Supervisor Macko asked for a motion from the Board to do so. Councilmen Davis and Bensen hesitated as not wanting to set precedence; the request was withdrawn.

Mrs. Sherry Baron thanked Mr. Teator and Ms. Valicenti and the Town Councilmen for exploring this issue at such depth.

New business discussed at 8:34 pm:

Pertaining to the 2018 Sewer District extension:

Mr. Davis moved, seconded by Mr. Bear, to declare a negative declaration on the full Environmental Assessment SEQR form.

Carried 5 ayes

Mr. Bensen moved, seconded by Mr. Bear, to propose to act as Lead Agency in the 2018 Sewer District Extension of District No. 1; resolution attached.

Carried 5 ayes

Mr. Bensen moved, seconded by Mr. Davis, to accept an amendment No. 3 to the Map, Plan and Report; attached. Roll call requested;

- Supervisor Macko aye
- Councilman Bear aye
- Councilman Bensen aye
- Councilman Davis aye
- Councilman Richards aye

Carried 5 ayes

Clerk’s note: resolution included scheduling a public hearing’ which we did not do. Will need to revisit this motion and resolution

Continuing on with Old Business at 8:36 pm: Councilman Davis addressed the Dog Control Officer's van which has had some alternator and battery issues this winter. He has discussed the van with both Lou's Auto and DCO Rosa; the battery should be good for 3 weeks without use ~ DCO Rosa plans on driving the van to Town Court once per week at a minimum use.

Mr. Davis moved, seconded by Mr. Bensen, to allow Mrs. Rosa to complete necessary repairs on this vehicle at Lou's Auto.

Carried 5 ayes

Returned to new business at 8:38 pm:

-Supervisor Macko reported on the upcoming St. Patrick's Day parade on Saturday, March 24th at 1:00 pm.

-Also that there will be a Veteran's Resource Fair on March 28th at the American Legion Post on Maple Avenue, at 11:00 am – 1:00 pm.

-He noted the Hudson River Greenway Grant the Town has been working on had been awarded. The Town will benefit from a \$10,000 grant towards placing a new roof on the North Barn at Vanderbilt Park.

-An informational meeting has already been scheduled with Creighton Manning on Monday, April 9th at 7:00 pm. They will present information on the Town's sidewalk project, expected to start in the Spring of 2019.

Supervisor Macko opened the meeting for public comments and questions at 8:45 pm:

Grant Administrator Nicole Ambrosio noted that a one-time, \$35,000 Clean Energy Communities Program grant was available, if certain conditions were met. This program rewards and recognizes communities that demonstrate clean energy leadership.

Mr. Bear moved, seconded by Mr. Davis, to support Grant Administrator Ambrosio in this endeavor.

Carried 5 ayes

-Mr. Paul Augstein has been assisting Mr. David Rundell at the Food Pantry in the North Barn, as the lighting is not bright enough for him to effectively read. He asked if there were any fluorescent lights available to improve conditions in the Food Pantry? Maintenance and Grounds employee Renee Hamilton will look into this matter.

-Mr. Brian Mulligan inquired as to whether or not there was any money in the budget this year for a summer program? Councilman Davis responded, "No". Supervisor Macko noted we do have \$1,700 allotted for the winter roller skating, which won't be used as the facility is unavailable; also that we do fund a donation to the SPROUTS art program each summer. An official summer youth program has not been in existence for many years.

As there were no further public comments, Mr. Bensen moved to enter executive session at 9:27 pm, seconded by Mr. Richards, to discuss proposed, pending or current litigation.

Carried 5 ayes

Mr. Davis moved to return to regular session at 9:42 pm, seconded by Mr. Bear.

Carried 5 ayes

No motions made in executive session.


After audit, Mr. Bear moved, seconded by Mr. Davis, to pay the following bills:

- Bills 91 - 118 on General abstract #3 for \$7,305.40
- Bills 51 - 79 on Highway abstract #3 for \$110,878.58
- Bills 24 - 29 on Sewer abstract #3 for \$8,814.47
- Bills 29 - 36 on Water abstract #3 for \$2,421.35
- Bills 2 - 4 on Tractor Supply escrow account abstract #2 for \$2,537.50
- Bills 1 - 4 on Freehold Solar, LLC escrow abstract #1 for \$6,622.50
- Bills 1 - 2 on Amberjack Solar, LLC escrow abstract #1 for \$2,372.50

Carried 5 ayes

After review, Mr. Bear made a motion to accept the Supervisor's report for February, seconded by Mr. Davis. Carried 5 ayes

There being no further business, Mr. Macko moved to adjourn at 9:44 pm.


 Jackie Park, Town Clerk-Collector

 SUPERVISOR MACKO

 MR. BEAR

 MR. BENSEN

 MR. DAVIS

 MR. RICHARDS