

December 17, 2018

The regular monthly meeting of the Town Board of the Town of Greenville was held on Monday, December 17, 2018, at 7:00 pm at Pioneer Hall.

Present: Supervisor Paul Macko
Councilman Richard Bear
Councilman John Bensen
Councilman Greg Davis
Councilman Travis Richards

Recording Secretary: Clerk-Collector Jackie Park

Attorney: Tal Rappleyea

Department Heads Present: Maintenance and Water Superintendent P. Leroy Bear
Assistant Water Superintendent Renee Hamilton
Zoning and Code Enforcement Officer Mark Overbaugh
Dog Control Officer Sherry Vieta
Highway Superintendent Terry Williams

Other: 8 guests

Supervisor Macko opened the meeting with the Pledge of Allegiance.

The following sealed bids were received for the Prevost Hall Stained Glass Repair and Renovation project, Windows B, C and E:

Rohlf's Stained & Leaded Glass, Inc.	\$79,000.00
Guarducci Stained Glass Studios	\$44,160.00
Bovard Stained Glass	\$45,938.00

Supervisor Macko explained that a \$50,000 grant had been received through DASNY for this stained glass repair. Two windows are currently out now, with Bovard; they were in the worst shape. The remaining three need less work.

Mr. Bensen moved, seconded by Mr. Bear, to table a decision on the window repair project until the January 21st meeting, to allow for full review of the bids.

Carried 5 ayes

**At 7:05 pm, a public hearing commenced regarding Local Law 4 of 2018:
Licensing, Regulating and Controlling the Activities of Dogs.**

Mr. Bear moved to open the public hearing, seconded by Mr. Bensen.

Carried 5 ayes

This proposed Local Law updates and replaces Local Law #3 of 2015 and includes added provisions for financial responsibility of the dog's owner when charges are billed to the Town. Under Section 10. VIOLATIONS, A. (vii), the following clause was added: *any person to fail to reimburse the Town for all costs incurred by the Town, including but not limited to veterinarian fees and sheltering or Humane Society fees, within 15 days of demand for*

payment thereof from the Town, regardless of whether the dog is redeemed. Also, Section 10. VIOLATIONS, C. (iv): regardless of the number of violations, any person who shall be responsible for veterinarian fees, sheltering fees or Humane Society fees as set forth above must also make full reimbursement to the Town as part of the sentencing herein.

There following comments and questions were received from the public:

Ms. Barbara Valicenti wanted to ensure the DCO made every attempt to locate a dog's owner prior to bringing to the shelter and feels specific wording should be included in this law; **Attorney Rappleyea** replied it was provided for in Section 7 E via the word "shall". (Promptly upon seizure...the owner...shall be notified) **Councilman Davis** reported our DCO in the past has made every effort to find an owner prior to sheltering it. The Humane Society is the last resort. **Ms. Valicenti** feels it should be inserted specifically in the law. **Councilman Richards** questioned if it should be outlined in the law, or as a procedural policy, in a job description. **Clerk-Collector Park** noted there are no written job descriptions for Town employees.

Ms. Valicenti did not understand Section 7, G; pertaining to an injured dog and obtaining services of a Veterinarian. She asked why she couldn't take a dog in for care. **Councilman Bensen** replied that she "could, but she would also be responsible for the payment." Per that section, the Town will only pay for services rendered in an amount not to exceed \$200.00, when the DCO or authorized designee brings a dog in. **Ms. Valicenti** thinks the sentence should be expressed more clearly; **Councilman Bensen** feels it is fine the way it is. **Councilman Davis** responded the law the Town has in effect now is taken from NYS Agriculture and Market Law. **Councilman Bear** stated, "I think we'll be alright the way it is."

Mr. Bensen moved to close the public hearing at 7:17 pm, seconded by Mr. Davis.

Carried 5 ayes

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

Oral and/or written reports were received from the Rescue Squad, Highway, Buildings and Grounds, Code, Assessing, Clerk/Tax, Dog Control, Sewer and Water departments, and Planning Board.

- Supervisor Macko read Chief Matthew Marlow's written report for the Greenville Rescue Squad; attached.
- Highway Superintendent Williams said his department has been busy trimming, performing basic plow maintenance, and correcting various inspection violations. He offered thanks to Maintenance Department employee Renee Hamilton for compiling the necessary paperwork for resolution of the violations.
- Building and Grounds: Mr. Leroy Bear reported on the new maintenance garage being erected, keeping up with the snow and ice, and general clean up.
- Code Enforcement Officer Mark Overbaugh submitted written reports, and also discussed the new sign erected at the Freehold Volunteer Fire Company. This is the 'test sign' for the Town's zoning law... A public concern was raised as soon as the sign was erected, and was addressed the next day. The company it was purchased from in Texas dimmed the lights remotely when concern of the brightness of the display was raised; the department is scheduled for training this week and will then be able to independently adjust the settings.

As far as potential zoning law changes, it currently reads the dimming to be at 50% after 9:00 pm; CEO Overbaugh feels it should be changed to reflect timing of one half hour after sunset.

- The Sewer report was offered by Supervisor Macko, who said the plant was operating as it should be. He reported an issue at Cumberland Farms during their connection to the sewer line: they dug into the Town's force main by accident. Cumberland Farms is covering all the costs related to this error. Mr. Leroy Bear commented in fairness, Cumberland Farms put in a tail piece to avoid problems, but then had to change the design to a 6" pipe. CEO Overbaugh also noted that we still don't have 'as-builts' available for the sewer installation from Delaware Engineering, which would show all of the specific plans for this project.
- Water Superintendent Leroy Bear first addressed the Hill Street sewer station: one pump for ground water broke, but has since been replaced. As far as the water report ~ an electrical issue was noted at the plant which affected the pumps for a day; 3 pumps are up and 2 new drives have been ordered for the remaining pumps. Councilman Richards questioned about the trees to be planted at the Hill Street site? Supervisor Macko noted pipes still need to be placed first, and rough grading completed. The six crab apple trees will be placed by Story's Nursery in the spring when all ground work is complete.
- Recycling report offered by Councilman Bear. The station has been busy, and he noted many customers come from surrounding communities.
- A written report was provided by Assessor Bennett; attached.
- A written report was provided by Planning Board Chair Don Teator; attached. Supervisor Macko noted that Cypress Creek has withdrawn the Amberjack and Ingalside Road solar proposals. Ms. Barron questioned the PILOT process, and discussion followed. Ms. Valicenti asked if the town was "going to take a hard line with them and not just roll over?" Supervisor Macko responded it was a lengthy process, and a consultant was hired from Columbia County. Attorney Rapplelea noted we are negotiating as best we can, and we are meeting as a group, which makes us stronger.
- DCO Sherry Vieta reported verbally on 2 dog calls this month, and both were returned to their owners. She typically brings dogs back to her home when found, posts the information online, calls the local veterinary offices and town clerks, scans the animal for a chip, and has had much success in avoiding the Humane Society. Councilman Richards inquired if there were any legal restrictions to bringing these found dogs to her home and if Ag & Markets has done inspections for her? She reports they have not. Attorney Rapplelea conceded the housing must be in accordance with Ag & Markets' guidelines. Further discussion and follow up will occur.
- Supervisor Macko reported on the Beautification Committee.

New business discussed at 7:47 pm:

With regret, Supervisor Macko announced receipt of Councilman Davis' letter of resignation effective 12/31/2018, as he has been elected to serve on the Greene County Legislature. He noted that Greg has been a very instrumental part of this Town Board for many years.

Mr. Bear moved, seconded by Mr. Bensen, to accept Councilman Davis' resignation.

Carried 5 ayes

He then introduced Mr. Joel Rauf, who will be appointed on 1/2/2019 to fill the vacant seat on the board for the upcoming year. Mr. Rauf thanked Supervisor Macko, and stated he "had a lot of history in this town. I love this place. It's my due diligence to give back a little bit."

Supervisor Macko relayed the need for another Board of Assessment Review member, to fill Mr. Dave Battini's seat. The job has been posted; he asked to share the information and have any interested parties contact him.

The 2019 Columbia Greene Humane Society contract was addressed. Councilman Davis noted it was non-binding, and we could go elsewhere at any time if desired. Supervisor Macko said we have considered housing on our own, until the Ag & Markets regulations became known, i.e. concrete floors, heat and A/C requirements.

Mr. Davis moved to accept this 2019 Columbia Greene Humane Society Contract, seconded by Mr. Bear.

Carried 5 ayes

Supervisor Macko informed those in attendance that a letter had been received from the NYS DOT regarding speed evaluations the town has requested on Newry Lane and King Hill Road. Newry Lane has been ordered to be decreased to 45 mph, and King Hill Road was deemed to require no changes since the 2013 decrease was instituted.

Also noted was receipt of notification that the Stevens Hill Farm is now on the National Register of Historic Homes, as well as on the Greene County list and the NYS Registry.

The Organizational Meeting needs to be scheduled;

Mr. Bensen moved, seconded by Mr. Bear, to hold this 2019 Organizational Meeting on Wednesday, January 2, 2019 at 6:00 pm.

Carried 5 ayes

Supervisor Macko discussed the need for the Town to put together a Hazard Communication Program. This relates to chemicals in use, safety training of staff, etc., to be able to take measures to protect themselves from these chemicals. The Department of Labor requires this to be in place.

Mr. Bensen moved to approve the Town of Greenville Hazard Communication Program, seconded by Mr. Bear; attached.

Carried 5 ayes

Supervisor Macko opened the meeting for public comments and questions at 8:01 pm: Monica Kenny-Keff, Esquire, addressed those in attendance on behalf of her client. She stated, "I want the public to know that taxpayer funds are going to Mr. Williams. Retroactive permission has been given to Terry Williams for fuel. Now he is also taking salt. Why is this being allowed? He has his own plowing business. My client wants to know why it is being allowed." Attorney Rappleyea stated to Ms. Kenny-Keff, "Thank you for the information; no comment." Ms. Kenny-Keff left the meeting.

Ms. Margaret Donohue, resident on County Route 37, inquired as to how she could have a road study done to address the speed limit? She has overheard people calling CR 37 "Pine Lake Speedway". Supervisor Macko directed her to the Greene County Legislature, as it is a County Road.

There being no further comments, Mr. Bensen moved to enter executive session at 8:07 pm, seconded by Mr. Bear, to discuss the collective bargaining negotiations per Article 14 of Civil Service Law.

Carried 5 ayes

Mr. Bensen moved to return to regular session at 8:31 pm, seconded by Mr. Bear.

Carried 5 ayes

No motions were made in executive session.

A thank you note was received from Ms. Muriel Falkey stating gratitude for a lovely time at the annual Old Timer's Party held on December 2nd.

Supervisor Macko wished all a Merry Christmas, and a healthy and prosperous New Year.

Mr. Bensen moved, seconded by Mr. Bear, to adopt Local Law #4 of 2018: AMENDING THE TOWN LAW REGARDING LICENSING, REGULATING AND CONTROLLING THE ACTIVITIES OF DOGS.

Carried 5 ayes, 0 nays

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

- Bills 421 – 462 on General abstract #12 for \$82,949.95
- Bills 219 – 245 on Highway abstract #12 for \$123,167.15
- Bills 136 – 151 on Sewer abstract #12 for \$31,936.87
- Bills 121 – 137 on Water abstract #12 for \$24,136.90
- Bills 13 – 14 on Freehold Solar, LLC, escrow abstract #7 for \$421.25
- Bills 3 – 4 on Sidewalk/Window Project account abstract #2 for \$19,101.03
- Bill 2 on Maintenance Building Project account abstract #2 for \$1,550.00

Carried 5 ayes

After review, Mr. Richards made a motion to accept the Supervisor's report for November, seconded by Mr. Bensen.

Carried 5 ayes

There being no further business, Mr. Macko moved to adjourn at 9:15 pm.

Jackie Park, Town Clerk-Collector

SUPERVISOR MACKO

MR. BEAR

MR. BENSEN

MR. DAVIS

MR. RICHARDS