

**December 16, 2019**

The regular monthly meeting of the Town Board of the Town of Greenville was held on Monday, December 16, 2019, at 7:00 pm at Pioneer Hall.

Present: Supervisor Paul Macko  
Councilman Richard Bear  
Councilman John Bensen  
Councilman Joel Rauf

Recording Secretary: Clerk-Collector Jackie Park

Attorney: Tal Rappleyea

Department Heads: Greenville Rescue Squad Chief Matthew Marlow  
Highway Superintendent Terry Williams  
Maintenance Supervisor Renee Hamilton  
Zoning and Code Enforcement Officer Mark Overbaugh  
Water Superintendent P. Leroy Bear

Other: Highway Superintendent-Elect Mike Dudley  
Grant Administrator Nicole Ambrosio  
Travis Smigel of Delaware Engineering  
and 11 guests

Absent: Councilman Travis Richards

Supervisor Macko opened the meeting with the Pledge of Allegiance.

Mr. Bensen moved to accept the Clerk's minutes of November 18, 2019, and December 4, 2019, seconded by Mr. Bear. Carried 4 ayes

Mr. Travis Smigel of Delaware Engineering asked the Board to consider placing a deed restriction on a section of the parcel of land the town purchased for the new water tower. Despite the fact that the roadway planned off of Meadowbrook Lane has been kept narrow, the town would still have to comply with mitigation related to wetlands because the percentage of land disturbed by the roadway is over the allowable DEC threshold. The DEC has agreed that mitigation would not be required if a deed restriction was placed on a portion of the parcel, so as to avoid disturbing the wetlands there.

Mr. Bensen moved, seconded by Mr. Bear, to allow Attorney Rappleyea and Delaware Engineering to proceed with this deed restriction.  
Carried 4 ayes

**Oral and/or written reports were received from the following departments:**

**Greenville Rescue Squad** ~ Chief Matthew Marlow provided an oral and written report.

**Highway Department** ~ Superintendent Williams provided an oral report. Supervisor Macko noted this would be Mr. Williams' last meeting as Superintendent; he wished him well in his future endeavors and thanked him for his dedication to the Town of Greenville.

**Building and Grounds** ~ Oral report received from Maintenance Supervisor Hamilton on work done over the past month.

**Code Enforcement** ~ Oral and written reports received from CEO Mark Overbaugh. Councilman Rauf asked the Board and CEO Overbaugh what would happen to the homes in the district that chose to not connect into the sewer system? Code Enforcement Officer Overbaugh then again inquired if the fee for sewer connections could be addressed; Supervisor Macko and he will discuss and compile options to be addressed at the January meeting.

**Sewer** ~ Supervisor Macko reported the sewer plant has had no non-compliance issues, and was running to par.

**Water** ~ Water Superintendent Bear offered an oral report. Noted Plant B has had a few component issues due to age, but as an emergency fix, these costs can be incorporated into the project. Also noted the cost of treatment has gone down because we're not dealing with the heat of summer.

**Recycling** ~ Councilman Bear reported the center is good. Code Enforcement Officer Overbaugh asked Councilman Bear to remind Operator Duncan that the Board previously moved to close the Recycling Center when the Greenville Schools are closed due to inclement weather.

**Assessing** ~ no report received.

**Planning Board** ~ Supervisor Macko reviewed the minutes from the last meeting as well as Chair Donald Teator's written report.

**Dog Control** ~ no report received. Supervisor Macko reviewed that NYS Agriculture & Markets had been back for a follow-up evaluation of the DCO, and a satisfactory rating had been given.

**Beautification Committee** ~ Supervisor Macko discussed the ongoing Duck project.

**Clerk/Tax** ~ written reports provided.

**Greene County Legislator Greg Davis** ~ no report received.

**New business discussed at 7:25 pm:**

The 2020 contract with accountants Pattison, Koskey, Howe & Bucci has been received. This is for the annual audits and prepared financial statements, at a cost of \$13,000.

Mr. Bensen moved, seconded by Mr. Bear, to authorize Supervisor Macko to sign this contract.

Carried 4 ayes

The annual Organizational meeting needs to be scheduled, which will also include administration of the Oath of Office;

Mr. Bear moved, seconded by Mr. Rauf, to conduct this meeting on Thursday, January 2, 2020 at 7:00 pm at Pioneer Town Hall.

Carried 4 ayes

As previously discussed at the meeting on December 4, 2019, the Town Highway Department is in need of a new plow truck. After exploring what is available nearby, Supervisor Macko recommends the Town purchase a 2019 Ford 550 from Crossroads Ford in Ravenna at a cost of \$48,006. The dump body costs an additional \$10,230. The Albany Avenue Garage has the preferred Boss plow with installed lights for \$6,866. Supervisor Macko noted we have the money unexpended in the budget and wouldn't have to take a loan.

Mr. Rauf moved, seconded by Mr. Bensen, to authorize Supervisor Macko to purchase this 2019 F-550 truck and dump body as described above from Crossroads Ford, as well as the V-plow from the Albany Avenue Garage, for a total of \$65,102.

Carried 4 ayes

A lease agreement has been drawn up between the Greenville Girl Scouts and the Town of Greenville, which provides storage and a monthly meeting space for the adult leaders; attached.

Mr. Bear moved, seconded by Mr. Rauf, to authorize Supervisor Macko to sign this 2020 lease with the Girl Scouts.

Carried 4 ayes

2020 Contracts have been presented by Grant Administrator Nicole Ambrosio, regarding the sewer and water projects; attached. The cost is \$200 per week and \$222 per week, respectively.

Mr. Bensen moved to approve these contracts, seconded by Mr. Bear.

Carried 4 ayes

The Resolution: Town Board of the Town of Greenville Authorizing Execution of NYS DOT Undertaking has been presented. Per Supervisor Macko, this undertaking allows the Town to be covered under the State's insurance. It will give the town the ability to do work within the NYS right-of-way, and clean up the snow from Main Street.

Mr. Rauf moved, seconded by Mr. Bensen, to authorize Supervisor Macko to sign this Undertaking and Work Permit Application; attached.

Carried 4 ayes, 1 absent

Grant administrator Nicole Ambrosio presented information regarding a Municipal Agricultural and Farmland Protection Plan. Although the state will offer a \$25,000 grant to develop the plan, Supervisor Macko is concerned with the end cost. As an example, the 2008 Comprehensive Plan that was developed, with some grant monies from the IDA and others, still cost \$350,000 - \$450,000 to fully develop and enact. He feels there may be a way to put this together and still protect our farmlands. Lengthy discussion continued; Councilman Bensen feels this is a way for the state to get information and then to do what it wishes with our assets. Water Superintendent Bear, also owner of approximately 1/6<sup>th</sup> of the Town of Greenville's farmland, previously discussed this with the Agriculture Department's representative Mr. Jeff Kehoe. He is opposed, stated, "This is ag-protection to protect everyone *around* the farmer ~ not to protect the farmer who has been here for 100 years." Councilman Rauf feels there are a very limited number of farmers here. Stated, "We should keep New York State from legislating this, and not mandate laws to tell farmers what they can and can't do! We have preserved 10% of the most productive farmland in town, *without* the Governor (referring to Vanderbilt Park)" Supervisor Macko suggested, if interested, we ask Mr. Kehoe to come down to present an informational session to further explore this issue.

Supervisor Macko noted the Old Timer's Party was cancelled on December 1<sup>st</sup> due to the snowstorm; he asked Mrs. Ambrosio to reach out to the musicians for available dates in late February or early March so this annual dinner can be rescheduled.

**Supervisor Macko opened the meeting for public comments and questions at 8:06 pm:**

Ms. Anita Zibura commented the lighted Christmas trees in Veteran's Park looked so nice!

Ms. Deborah Tompkins read aloud a letter signed by 16 residents plus 3 by proxy; she wished to address concerns regarding the illuminated signs in town. The cosigners believe the signs in question are causing light pollution as well as serving as an unsafe distraction to drivers, and are in violation of the town code.

Mr. Rauf moved to accept this letter for submission to the Board, seconded by Mr. Bear; attached.

Carried 4 ayes

Questions arose and discussion ensued regarding the most recent zoning law passed in 2015, freedom of information and the public's right for input and oversight regarding decisions made by Town Officials, if any. Code and Zoning Enforcement Officer Overbaugh informed those in attendance on how one goes before the Zoning Board of Appeals: 1. If denied by the Planning Board, to appeal their decision. 2. If denied by the Zoning Enforcement Officer, to appeal a decision. 3. If interpretation of the Zoning Law was sought; Attorney Rappleyea agreed. It was later noted how difficult it has been to get residents to serve on various Boards and Committees. Ms. Deborah Tompkins then volunteered to fill the unexpired seat of Mr. David Battini on the Board of Assessment Review; the Board will take that into consideration for appointment at the Organizational meeting in January.

There being no further business to address, Mr. Rauf moved to enter executive session at 8:34 pm, seconded by Mr. Bensen, to discuss the medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment,

discipline, demotion, or suspension. Highway Superintendent Terry Williams was invited to participate. Carried 4 ayes

Mr. Rauf moved to return to regular session at 8:45 pm, seconded by Mr. Bensen. Carried 4 ayes

*No motions were made in executive session.*

Mr. Rauf moved, seconded by Mr. Bensen, to move forward with a letter regarding employment termination of a particular person. Carried 4 ayes

The audit of bills occurred at 8:48 pm; after audit, Mr. Bear moved, seconded by Mr. Bensen, to pay the following bills:

- Bills 449 – 491 on General abstract #12 for \$50,317.55
- Bills 236 – 267 on Highway abstract #12 for \$139,091.80
- Bills 100 – 104 on Sewer abstract #12 for \$6,700.94
- Bills 134 – 143 on Water abstract #12 for \$12,437.94

Carried 4 ayes

After review, Mr. Bear made a motion to accept the Supervisor’s report for November, seconded by Mr. Bensen. Carried 4 ayes

There being no further business, Mr. Macko moved to adjourn at 9:16 pm.

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Jackie Park, Town Clerk-Collector

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SUPERVISOR MACKO

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MR. BEAR

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MR. BENSEN

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MR. RAUF