

July 19, 2021

The regular monthly meeting of the Town Board of the Town of Greenville was held on Monday, July 19, 2021, at 7:00 pm in person at Pioneer Town Hall. Availability via an audio teleconference continued for any who wished to observe in that manner. Audio file and *uncorrected* text transcription are available upon request, as well as all supporting documents referenced in these minutes.

Present: Supervisor Paul Macko
Councilman Richard Bear
Councilman John Bensen
Councilman Joel Rauf
Councilman Travis Richards *arrived at 7:09 pm*

Recording Secretary: Clerk-Collector Jackie Park

Attorney: Tal Rappleyea

Department Heads: Highway Superintendent Mike Dudley
Maintenance Supervisor Renee Hamilton
Zoning and Code Enforcement Officer Mark Overbaugh
Water Superintendent P. Leroy Bear
Assessor Gordon Bennett

Other: Greene County District #4 Legislator Greg Davis
3 guests were present on the conference call, and 14 guests were in attendance on site.

Supervisor Macko opened the meeting with the Pledge of Allegiance.

Mr. Rauf moved to accept the Clerk's minutes of June 21, 2021 & July 12, 2021, seconded by Mr. Bensen. Carried 4 ayes

Monthly department reports:

Greenville Rescue Squad ~ Chief of Operations Matthew Marlow provided a written report; no motions made at this time. Supervisor Macko followed with a summary of a meeting held with the Greene County Legislature and Greene County Town Supervisors regarding current issues facing the EMS service. Many relate to mutual aid agreements & staffing. Greene County Legislator Greg Davis reported that Catskill, Durham & Greenville provide most of the mutual aid service for the entire County.

Highway Department ~ Superintendent Dudley provided an oral and written report; no motions made. Thanks offered to the Greenville Fire District No.1 for providing assistance at Country Estates in dealing with the clogged storm water drains. It was shared that Greenville Highway Dept. sent both men and equipment to Coxsackie for one day to help clean up the damage caused by the last storm.

Building and Grounds ~ Maintenance Supervisor Hamilton provided an oral & written report; no motions made.

Code Enforcement ~ Oral & written reports received from CEO Mark Overbaugh; no motions made.

Sewer ~ Supervisor Macko noted the plant was meeting its obligations; no motions made.

Water ~ An oral report was given by Water Superintendent Bear and written logs were provided; no motions made.

Recycling ~ Supervisor Macko reported on the annual Greene County Household Hazardous Waste Collection Event, occurring on July 31st this year. Information available on the town website or by calling the County Solid Waste Department at 518-943-4600.

Assessing ~ Oral and written reports received from Assessor Bennett. Follow up discussion occurred from last month's meeting regarding the property owned by Mrs. Welter, which was included in the sewer district but was not in the water district (as it had already been removed in approximately 2017). This is a long, skinny parcel behind the Verizon Building west of Cumberland Farms. Assessor Bennett recommended, for consistency, that this parcel also be removed from the sewer district. Discussion followed;

Mr. Bear moved, seconded by Mr. Rauf, to remove this parcel from the sewer district.
Carried 4 ayes; Mr. Bensen abstained.

Mr. Bennett also addressed purchase of a new laptop, as he believes it is on the list recommended by our IT company. Also questioned if research into other companies would be beneficial as the service has gone downhill compared to when Edmunds Gov Tech (EGT) was a private company (it was formerly known as Business Automation Systems: BAS, Inc.). Discussion followed; Clerk-Collector Park had a graph and email from August 2020 reflecting the status of all computers within the office and the Assessing Department's computers were rated "A". As well, much of the software we use is provided by EGT.

Mr. Rauf moved to table this item at this time, seconded by Mr. Bensen.
Carried 5 ayes

Legislator Davis inquired as to the revaluation process in town; Assessor Bennett replied it was approximately 50% complete.

Planning Board ~ Planning Board Chair Donald Teator provided a written report stating there was no meeting last month; no motions made.

Dog Control ~ no report received from DCO Case.

Beautification Committee ~ Member Barbara Walter reported the concert series has been well attended thus far this summer.

Clerk/Tax ~ Written reports provided by Clerk-Collector Park.

Greene County Legislature ~ Legislator Greg Davis provided an oral report. Noted the average median home price in Greene County has jumped from \$195,000 to \$325,000.

New business discussed at 7:45 pm:

~ A liquor license 30 day advanced notice to municipality was received for licensing by Haoyu Li or Entity, at 3822 County Route 26, Greenville. No concerns were received regarding this application.

Mr. Bensen moved, seconded by Mr. Bear, to accept the resolution authorizing the sale of alcoholic beverages at 3822 County Route 26, and does express a favorable opinion.

Carried 5 ayes

~ Supervisor Macko discussed establishing a committee comprised of 2 members each from the Town Board, Planning Board, Zoning Board of Appeals, as well as Attorney Rappleyea, regarding the feasibility of allowing a marijuana dispensary in the Town of Greenville. A plan is necessary.

Mr. Rauf moved to appoint Councilmen Bensen and Bear, Planning Board representatives Teator and Bardel, ZBA representatives Vance and Ingalls, and Attorney Rappleyea to a committee on investigating marijuana dispensaries in Greenville, seconded by Mr. Richards. Carried 5 ayes

~ Supervisor Macko relayed that the Town is eligible for a total ARPA payment of \$363,847, of which half will be paid this summer and half in the summer of 2022. He would like to establish a committee to determine what we can use the money for, as the list of “allowable expenditures” is very restricted. A plan must be provided to the state by mid-September.

Mr. Bear moved, seconded by Mr. Bensen, to appoint Councilmen Richards and Rauf, Ms. Barbara Walter, and Attorney Rapplelea to sit on this committee.

Carried 5 ayes

~ Resident Sheryl Baron inquired as to if conditions stipulated in a 2/6/2019 document for the Freehold Solar array have been met, approved, or addressed? Discussion followed; Attorney Rapplelea reassured her that a number of things still needed to be done, and that a Certificate of Compliance would not be issued until all of these stipulations were met.

~ Another issue discussed this evening related to a subdivision currently before the Planning Board; this problem related to the fact that the roadway went directly through the parcel in question. There is no provision in our subdivision law for this; there is one paragraph of guidance from the Department of State relating to a “de facto subdivision”, which could be followed. Discussion occurred;

Mr. Rauf moved, seconded by Mr. Bensen, to adopt the verbiage noted in the document Subdivision Review in New York State, page 12 paragraph 1, regarding de facto subdivision leaving 2 buildable lots and giving the Planning Board the right to review the issue, then pass it back to the Code Enforcement Officer.

Carried 5 ayes

(This paragraph states “The Department has taken the position that where a single parcel of land (described in a single deed) is split by a public highway, the sale of the portion on one side of the highway is not subject to subdivision review where “subdivision” is defined as the division of a parcel into two or more parcels. The reason is that the placement of a public road is a factor over which the landowner can have no control. In this sense, it is a “de facto” subdivision”)

~ Supervisor Macko addressed a proposal received by PuzzleHR to manage both our Human Resource needs, as well as to develop an employee handbook. Noted the HR aspect was costly, but the handbook was long overdue. Councilman Rauf stated he wanted this handbook done now.

Mr. Bensen moved, seconded by Mr. Bear, to go with PuzzleHR for our employee handbook, at a cost of \$1,925.

Carried 5 ayes

~ The Town’s Comprehensive Plan is due for a 5 year reexamination. Supervisor Macko urged the Board to recommend the Plan meets the vision of the Town of Greenville. He read a prepared summary; attached.

Mr. Bensen moved, seconded by Mr. Bear, to reaffirm this Plan for the next 5 years.

Carried 5 ayes

~ Supervisor Macko stated the Town made a commitment to contribute to the Summer Concert Series held on Tuesday nights at the gazebo;

Mr. Bear moved, seconded by Mr. Richards, to pledge \$1,000 towards this summer concert series this year.

Carried 5 ayes

~ Resident Judy Brown has approached Supervisor Macko in regards to serving as a member on the ZBA. He met with her and feels she would be a good fit.

Mr. Bear moved, seconded by Mr. Bensen, to appoint Ms. Judy Brown to the Zoning Board of Appeals, to fill the unexpired term of Ms. Jean Thomas.

Carried 5 ayes

~ Supervisor Macko reported that 5 water and sewer bids have again come in for the project, and we've saved substantially with this second round of bidding, but will still need \$93,790.75 more to complete the sewer project, and \$327,871.60 more to complete the water project. Finalized numbers will be discussed at the August meeting. Water Superintendent Bear noted that the water plant is desperate for \$40,000 in electronic upgrades, as they're 3 years behind schedule now and working on manual operation. Requested they be allotted some of the Covid money for the water plant upgrades.

~ Supervisor Macko read the Clerk's minutes from last month's discussion on the proposed ambulance building. The Monroe Doctrine was addressed, which would allow the Planning Board to waive requirements for this project. Currently we have a multi-year contract with GRS, Inc. through 2022. Attorney Rappleyea noted that if immunity from 'the process' was to be granted, an analysis must be reviewed considering several factors. Councilman Bear then stated he had questions for GRS Chairman Ted Nugent, and several Councilmen then read from a typed, prepared list of questions, after which Councilman Bensen stated it doesn't sound like the Monroe Doctrine can be used. Attorney Rappleyea agreed. Councilman Rauf said if we followed the Monroe case, GRS would have to be a Town of Greenville entity, to which Mr. Nugent replied, "It's for sale". He reminded those in attendance that the Rescue Squad did not ask for special treatment, rather Attorney Rappleyea recommended we go this route. Attorney Rappleyea agreed; he thought this would serve as a cost saving measure and was worth a shot. When further investigation occurred, they realized it was not appropriate. Lengthy discussion followed, with several people in attendance arguing the appropriateness of this plan. Supervisor Macko recommended the GRS go before the Planning Board for site plan review, and apologized to Mr. Nugent for "letting (tonight) get out of hand. You're right; no other vendor gets grilled like this."

~ Mr. Colin Tumey requested the Board allow the Scout Building to be painted. Mr. Skip Spinner has donated paint and experienced painters, but the building needs to be power washed and scraped. Code Enforcement Officer Mark Overbaugh immediately said it can't be scraped due to the risk of lead, but power washing was allowable. Discussion followed. Former maintenance supervisor Leroy Bear agreed that testing for lead was unnecessary, as it tested positive in the early 2000's and would test positive again. It was noted that our general liability policy covered volunteers.

At 9:11 pm, this meeting was opened for public comments or questions:

Code Enforcement Officer Mark Overbaugh addressed the cost of renewing permits as is currently outlined on our adopted fee schedule, and feels it is extreme. Currently the cost is half of the original fee paid, vs. based on the percentage of work yet to be done, vs. a flat fee.

Mr. Bear moved, seconded by Mr. Bensen, to charge \$100 for renewals of an original building permit issued after August 1, 2020.

Carried 5 ayes

After audit of the monthly bills;

Mr. Bear moved, seconded by Mr. Rauf, to pay the following bills:

Bills 262 – 300 on General abstract #7 for \$60,792.94
 Bills 107 – 125 on Highway abstract #7 for \$146,565.20
 Bills 68 – 82 on Sewer abstract #7 for \$39,769.02
 Bills 69 – 83 on Water abstract #7 for \$48,176.26
 Bill 3 on Sidewalk abstract #3 for \$307,866.98
 Bill 1 on Sidewalk and Window abstract #1 for \$754.00

Carried 5 ayes

After prior review, Mr. Bear made a motion to accept the Supervisor's report for June, seconded by Mr. Rauf.

Carried 5 ayes

There being no further business, Mr. Rauf moved to adjourn this meeting at 9:42 pm, seconded by Mr. Bear.

Carried 5 ayes

Jackie Park, Town Clerk-Collector

SUPERVISOR MACKO

MR. BEAR

MR. BENSEN

MR. RAUF

MR. RICHARDS

DRAFT