

**Public Hearing Meeting**  
**November 20, 2024 5:30 PM**  
**Local Law #2024-2**  
**Residency Law for Town Appointed Positions**

A local law to establish the residency requirements for the appointed offices of:

- A. Zoning Officer
  - B. Planning Board Member (not Chairperson)
  - C. Zoning Board of Appeals Member (not Chairperson)
- for the Town of Greig.

Be it enacted by the town board of the Town of Greig as follows:

Section I. Title: A local law to establish the residency requirements for the appointed offices of

- A. Zoning Officer
- B. Planning Board Member (not Chairperson)
- C. Zoning Board of Appeals Member (not Chairperson).

Section II. Authority: This local law is adopted pursuant to Municipal Home Rule Law, § 10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this local law recognizes that the State Legislature amended Public Officers Law, §3 adding a new subdivision (24) expanding the residency requirements for any appointed public office in the Town of Greenburgh Westchester County, thereby rendering Public Officers Law a special law with respect to any appointed town officer (See cf N.Y. Op. Atty. Gen. (Inf.) No. 91-37).

Section III. Supersession: This local law shall supersede Town law, §23(1) in its application to the offices of

- 1. Zoning Officer
- 2. Planning Board Member (not Chairperson)
- 3. Zoning Board of Appeals Member (not Chairperson)

for the Town of Greig.

Section IV. Residency requirements for the position of Zoning Officer, Planning Board Member (not Chairperson) and Zoning Board of Appeals member (not Chairperson) for the Town of Greig: The person holding the aforementioned offices in the Town of Greig need not be a resident nor an elector of the Town of Greig, provided, however, that such person shall reside in Lewis County, NY. Preference shall be given to qualified residents of the Town of Greig. Non-Greig residents shall not be appointed until qualified Greig residents have had at least 30 days to apply for the position.

Section V. Inconsistency: All other local laws and ordinances of the Town of Greig that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section VI. Savings Clause: If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII. Effective Date: This local law shall take effect upon being filed with the New York Secretary of State.

No person chooses to appear to speak

Supervisor Johnson opens the regular November Town Board Meeting with a Pledge of Allegiance to the Flag of America.

**Regular November Meeting  
November 20, 2024**

Supervisor Johnson called Roll: Councilmen Olmstead, Bailey-Swisher, Mallette and Mayhew are Present. Also Town Attorney Gilbert and Town Clerk Gunn. Resident LeRoy Mashaw of 6171 Pine Grove Rd was also present.

**MINUTES From Last Meeting**

Supervisor called for a motion from the Board to accept the minutes from the October Town Board Meeting and the November 6th Special Meeting. These minutes have been emailed in advance to the Council members.

**Motion 24-11-08** made by Councilma Bailey-Swisher, Seconded by Mayhew  
Accept the October 2024 Regular Meeting and November Special Meeting Minutes as presented.  
Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes  
**Motion approved.**

**BOARD REPORTS**

Acting Zoning Officer Johnson reported 4 zoning permits. He also mailed a few letters of notice for building without a permit and other zoning violations.

**PUBLIC SPEAKS**

Mr. Mashaw was hoping to address Highway Superintendent Alfano and the Board. Supervisor stated Superintendent Alfano was attending a meeting of County Superintendents and had asked to be excused from this meeting. Mr. Mashaw complained about the speed of snowplows in front of his property on Pine Grove Road. He produced pictures of the amount of sand being thrown beyond a snow fence he had erected to stop the road sand. He also complained about the method of applying road sand. He cited his experience as a State Plow driver for a number of years.

The Board thanked him for bringing this to their attention and indicated the Supervisor would have a conversation with Mr. Alfano.

**ATTORNEY REPORT**

Attorney Gilbert discussed an interaction with Mr. Valenti's attorney whereby they developing a solution to the zoning issues surrounding the placement of a storage shed on Mr. Valenti's Partridgeville Road property. Supervisor Johnson wanted it to be known that the first issue was building without permits. There is a financial penalty for this that must be addressed. The second issue was the requirement to resolve a zoning variance issue. This is proposed to be a property lot line adjustment. Attorney Gilbert will complete the communication with Mr. Valenti's attorney.

Attorney Gilbert requested an Executive Session to discuss legal issues surrounding a complaint against a Town Employee.

**Motion 24-11-09** made by Councilman Mallette, Seconded by Bailey-Swisher  
Open Executive Session to discuss legal issues with zoning citations. 6:25 PM  
Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes  
**Motion approved.**

**Motion 24-11-10** made by Councilman Bailey-Swisher, Seconded by Olmstead  
Close Executive Session to discuss legal issues with a complaint 6:30 PM  
Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes  
**Motion approved.**

Supervisor Johnson requested Town Board resolve to rename Cemetery Road Extension as Cemetery Road. The County 911 Road Address Department had already issued addresses and made it known to the State of New York the road would be named Cemetery Road.

**Motion 24-11-10** made by Councilman Bailey-Swisher, Seconded by Mallette  
Create a resolution naming a new road in Greig

RESOLUTION

2024-11-#1

At a regular meeting of the Town of Greig, Lewis County, New York, held at the Town Offices, in said Town on the 20<sup>th</sup> day of November, 2024 at 5:30 pm, prevailing time.

The meeting was duly called to order by Supervisor Johnson and upon roll being called, the following were:

Present:	Nichelle Bailey-Swisher	Deputy Supervisor
	Kerry Mayhew	Councilman
	Donald Mallette	Councilman
	Steve Olmstead	Councilman
	Robert Johnson	Supervisor

WHEREAS, the Town Board of the Town of Greig is responsible to issue Road Names for the Town Roads in Greig, and;

WHEREAS, the Town Board of the Town of Greig needs to provide a name for the road being created within a sub-division known as the Sands Cemetery, and;

WHEREAS, the Town of Greig is in the process of accepting the deed for a road within this sub-division which is a continuation of the existing Cemetery Road;

Now, Therefore, it is

RESOLVED, that the Town Board of the Town of Greig does hereby name the newly deeded road in the Sands Cemetery Sub-Division as Cemetery Road

The question of the adoption of the foregoing resolution was duly put to a vote as follows:

Robert Johnson	Voting	Aye
Nichelle Bailey-Swisher	Voting	Aye
Donald Mallette	Voting	Aye
Kerry Mayhew	Voting	Aye
Steve Olmstead	Voting	Aye

The resolution was thereupon declared and duly adopted.

DATED: November 20, 2024

By Order of the Town Board  
Town of Greig, New York.

Thomas P. Gunn, Town Clerk

**Motion 24-11-10** passed

**Comprehensive Plan**

Supervisor Johnson reports the DEC has granted \$58,000 for the project and the bid from LaBella came in at less than that amount, assurance was given that the entire amount of the Grant may be used for the project. This may allow for some increases in the scope of the project.

**Pratt Northam Grant**

Newly received bleachers have been assembled and are poised to be placed within the park by the Highway Department workers. The expense of the project has exceeded the grant amount of \$5000 by approximately \$1000. The extra amount will come from the 2024 budget associated with the Park Maintenance Account.

**Highway Garage Roofing Project**

Supervisor Johnson reported the completion of the Highway Garage Roof replacement. DC Builders and the vendor of the roofing materials will conduct an inspection this coming week and officially acknowledge the completion. Let the Warranty Period begin.

**Street Facade Grant**

Supervisor Johnson reports we are waiting for the Grant Awards to be made.

Supervisor Johnson requested the Board create a resolution creating a reserve fund for money being collected for the Brantingham Lake Dam maintenance

**Motion 24-11-11** made by Councilman Bailey-Swisher, Seconded by Mallette  
Create a Capital Fund

RESOLUTION  
2024-11-#2

**RESOLUTION ESTABLISHING A CAPITAL RESERVE FUND FOR THE FINANCING OF IMPROVEMENTS/REPAIRS OF THE BRANTINGHAM LAKE DAM**

**RESOLVED**, that pursuant to Section 6-d of the General Municipal Law, as amended, the Board hereby establishes a capital reserve fund to be known as the “Town Improvements Repair Fund for the Brantingham Lake Dam” (hereinafter “Dam Reserve Fund”). The purpose of this fund is to accumulate monies to finance the cost of repairs and improvements of the Brantingham Lake Dam. Monies are to be collected from taxes collected from the Brantingham Water District.

The Town Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Board may invest the monies in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Greig. Any interest earned or capital gains realized on the monies so deposited or

invested shall accrue to and become part of the Reserve Fund. The Town Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established as identified in the Reserve Fund Policy. Expenditures shall be made from this Reserve Fund in accordance with the Reserve Fund Policy and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law.

The question of the adoption of the foregoing resolution was duly put to a vote as follows:

Robert Johnson	Voting	Aye	
Nichelle Bailey-Swisher	Voting	Aye	
Donald Mallette	Voting	Aye	
Kerry Mayhew		Voting	Aye
Steve Olmstead	Voting	Aye	

The resolution was thereupon declared and duly adopted.

By Order of the Town Board  
Town of Greig, New York.

Thomas P. Gunn, Town Clerk

**Motion 24-11-11** passed

Supervisor Johnson asks for a motion authorizing Superintendent Alfano and himself to sign the Lewis County Snow and Ice Contract for the 2025 Plowing Season. This is an Inter-Municipal Agreement for Control of Snow and Ice on Certain County Roads and Parking Facilities existing in the Town of Greig and nearby road

segments. County Route 36, Burdick's Crossing Rd	1.48 Miles
County Route 39, Pine Grove Rd	3.30 Miles
County Route 40, Greig Rd	3.70 Miles
County Route 50, Otter Creek Rd	1.45 Miles
County Route 70, Lyons Falls Rd	2.87 Miles
County Route 42, Brantingham Rd	4.51 Miles
Total	17.31Miles
Parking lot Partridgeville Rd	6,500 sq ft
Parking Lot Chases Lake Rd	6,500 sq ft

Total \$130,863.00

**Motion 24-11-12** made by Councilman Olmstead, Seconded by Mallette  
Authorize Supervisor and Superintendent to sign Inter Municipal Agreement with Lewis County for Snow and Ice Contract for 2025 Plow Season.

Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes

**Motion approved.**

**SUPERVISORS REPORT**

Mr. Johnson presented the Financial Report as prepared by the accountants.  
He asked for a motion to authorize transfer of funds from some accounts to others to cover over expenditures as follows

**Motion 24-11-13** made by Councilman Bailey-Swisher, Seconded by Mallette

Authorize Supervisor to make the following fund transfers:

Move	\$60 from A1990.4 Contingent Account	to A8160.1 Refuse & Garbage
	\$400 from A1990.4 Contingent Account	to A8010.41 Zoning
	\$150 from A1990.4 Contingent Account	to A4540.4 Ambulance LCSR
	\$200 from A1990.4 Contingent Account	to A3510.4 Animal Control
	\$1400 from A1990.4 Contingent Account	to A9060.8 Insurance
	\$1300 from A1990.4 Contingent Account	to DA9030.8 SS
	\$1000 from A1990.4 Contingent Account	to A1910.4 Unallocated Insurance
	\$400 from A1990.4 Contingent Account	to A1420.4 Attorney Contractual
	\$18000 from DA5142.4 Snow Rem Contrat.	to DA5110.4 Maint. Of Roads
	\$1800 from A1990.4 Contingent Account	to A1420.41 Attorney Contractual
	\$20,947.12 ARPA Funds, \$250,000 Bond Money, and \$63,000 A9950.9 to A1640.2	

Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes

**Motion approved.**

Supervisor Johnson advised the Board that National Grid has failed to send a bill for Town Hall Building service for the last 5 months following the installation of the new meters. The Town should expect a single larger bill for the total of service for the last 5 months soon.

There will be a closing on the buyout of the lease for the cell tower this week. The money, expected to be about \$379,000, should be transferred directly into the Town's bank account.

Time Warner is returning ownership to the Town of the small parcel of land it owns within the grounds of the Greig Green Dump Site on the Brantingham Road. Time Warner purchased this parcel from the Town back when they installed a small tower for their cable tv service in Greig.

The Town is going to replace the current cleaning service vendor and summer lawn mowing vendor with a new service provider who will perform the building clean-up, lawn mowing, snow blowing and light duty maintenance work at the town properties. This includes the 3 cemeteries, the park, and the Town Hall and Garage buildings. This should take place early in December. New person is Mr. Brian Westbrook.

Supervisor Johnson also described the reason for voided and reissued checks for DC Builders and All Solutions Painters.

**Motion 24-11-14** made by Councilman Mallette, Seconded by Mayhey

Approve the Supervisors Financial Report

Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes

**Motion approved.**

**Motion 24-11-15** made by Councilman Olmstead, Seconded by Mallette  
Adopt Local Law #2024-2 as presented at the Public Hearing. This changes the residency requirements for persons being appointed as Zoning Officer, Zoning Board of Appeals Members (except Chairman), and Planning Board Members (except Chairman). Allows persons living outside Greig, but within Lewis County County to be appointed.

Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes

**Motion approved.**

**SUPERINTENDENT REPORT**

Supervisor Johnson presented the report for absent Superintendent Alfano

Clean ditches along town roads

Created a catch basin at intersection on North Shore Road and Partridgeville Road to eliminate large pool of run-off water

Continued mowing of shoulders.

Prepared Plow Trucks for snow removal

Obtained a competitive bid from Cintas for Uniforms.

**CLERKS REPORT**

Clerk Gunn distributed the October 2024 report . Report contained details of the following financial actions:

There were general fund collections of:

3 Dog License	\$ 21.00
10 Certified Copies	\$ 100.00
1 Miscellaneous	\$ 133.04
5 zoning Permits	\$ 320.00
Total Collections:	\$ 574.04

The expenditures were:

Town Supervisor as Revenue	\$ 571.04
NY Ag & Markets	\$ 3.00

Total Payments \$ 574.04

Last month there was a mistake on 3 certified copies. These were entered by accident. The Supervisor was paid \$30.00 more than the collections. This \$30.00 came from running balance in the Clerks bank account. The present running balance is now \$66.55.

**Motion 24-11-16:** made by Councilman Mallette, Seconded by Mayhew

Approve Clerk's financial report as presented.

Vote: Olmstead, Bailey-Swisher, Mallette & Mayhew Yes

**Motion approved.**

**VOUCHER REPORT**

November 2024 Abstracts containing “to be paid” vouchers were reviewed by the Board.

Totals expended by fund were:

Highway Abstracts	\$50,871.44
General Abstracts	\$14,375.30
T&A	\$ 1,327.87
Total paid in September 2024 Abstracts =	\$66,574.61

**Motion 24-11-17:** made by Councilman Mallette, Seconded by Mayhew

Approve Vouchers

Vote: Olmstead, Bailey-Swisher, Mallette & Mayhew Yes

**Motion approved.**

Supervisor Johnson discussed a virtual meeting held this week with Jefferson Energy Storage, LLC. Attending were two representatives from Jefferson Energy Storage, Lewis County Planning Department, Lewis County Emergency Management and our Town Clerk. The topic was a proposed Battery Storage Facility being built in Greig on a property off Brantingham Road and beneath the National Grid 345 kV line. System size would be 100MW / 400MWh. Jefferson Storage would lease land enabling the creation of this transfer sub-station, battery storage facility and inverter complex. They are looking at a 2026 Planning period and construction and startup in 2027. Battery type would be based on the best technology at the time. Supervisor Johnson stated this was a very preliminary meeting and our Comprehensive Plan will include thoughts about the impact this might have on our community thereby effecting our Zoning Laws.

Being no further business brought forward,

**Motion 24-11-18** made by Councilman Bailey-Swisher, Seconded by Mallette

Motion to adjourn 08:16PM

Vote: Olmstead, Bailey-Swisher, Mallette & Mayhew Yes

**Motion approved.**

Respectfully submitted

*Thomas Gunn, Clerk*