

## Public Hearing

Supervisor Johnson called Public Hearing open at 5:30 PM.

Reason for this Public Hearing is to clarify wording within the Town of Greig Zoning Law. Some issues have come to light during recent weeks that require change to some of the wording within the Zoning Law to make some points clearer.

- 1) Within the Definitions Section Article II. Definitions. Page 15. **Add Road Edge:** See Road Line definition. *The term “Road Edge” appears within this Zoning Law. Lacking definition, we wish to add the definition to be same as Road Line.*
- 2) Within the Definitions Section Article II. Definitions. Page 9. Dock: **Add the word “removable”** to read, A removable, floating or fixed structure that extends into or over a body of water immediately adjacent to shoreline or boathouse. *Some applicants felt that removable docks did not require zoning permits.*
- 3) Within Section 935 Nonconformities, B Non-Conforming Uses **Remove Line 3.** which reads “Any non-conforming use of land or structures which has, for any reason, been discontinued for a period of (2) years, shall not be re-established and only conforming uses shall be thereafter permitted; “. *The current Line 4. covers the same issue and was determined to better define any situation where the use changes.*

Supervisor Johnson called for any comment from the public regarding the above stated word changes. Hearing no comments, he graveled the Public Hearing closed at 5:55PM.

## Regular July Meeting August 21, 2024

Supervisor Johnson called the regular Town of Greig Board open at 5:55 PM Meeting opened with the Pledge of Allegiance to the Flag of America.

### ROLL CALL

Supervisor called roll with the following results:

Present in person: Councilmen Mallette, Olmstead, Bailey Swisher and Mayhew with Clerk Gunn, Superintendent Alfano and Attorney Gilbert also present.

Supervisor Johnson requested a motion from the Board accepting the changes to the wording within the Town of Greig Zoning Law as described in the Public Hearing.

**Motion 24-08-01** made by Councilman Mallette, Seconded by Olmstead  
Accept the wording changes to the current Town of Greig Zoning Law as follows:

- Within the Definitions Section Article II. Definitions. Page 15. **Add Road Edge:** See Road Line definition. *The term “Road Edge” appears within this Zoning Law. Lacking definition, we wish to add the definition to be same as Road Line.*
- Within the Definitions Section Article II. Definitions. Page 9. Dock: **Add the word “removable”** to read, A removable, floating or fixed structure that extends into or over a body of water immediately adjacent to shoreline or boathouse. *Some applicants felt that removable docks did not require zoning permits.*
- Within Section 935 Nonconformities, B Non-Conforming Uses **Remove Line 3.** which reads “Any non-conforming use of land or structures which has, for any reason, been discontinued for a period of (2) years, shall not be re-established and only conforming uses shall be thereafter permitted; “. *The current Line 4. covers the same issue and was determined to better define any situation where the use changes.*

Role Call Vote:

Councilman Olmstead	Aye	Baily-Swisher	Aye
Councilman Mallette	Aye	Mayhew	Aye
Supervisor Johnson	Aye		

**Motion approved.**

**MINUTES From Last Meeting**

Supervisor called for a motion from the Board to accept the minutes from the July Town Board Meeting. These minutes have been emailed in advance to the Council members.

**Motion 24-08-02** made by Councilman Olmstead, Seconded by Mallette

Accept the July 2024 Regular Meeting Minutes as presented.

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

**Motion approved.**

**BOARD REPORTS**

Acting Zoning Officer Johnson reported 12 applications for Zoning Permits. Also 1 Special Permit for Cabins, 1 lot Line Adjustment and 1 Penalty issued.

Supervisor Johnson reported receiving a letter from Mr. Larry Smith noting that he had obtained the proper building permit from the Town of Greig when Dave Meade was the Codes Officer. All the inspections were completed during construction, but Mr. Meade retired prior to the Certificate of Compliance was issued. Mr. Smith is selling his home and requires this certificate as part of the sale. He is being forced to obtain a new Building Certificate and inspection to obtain this document and his expense is \$155 dollars, which is being paid to Lewis County Code Enforcement. He is requesting the Town of Greig reimburse him for the duplication of fees, seeing it was a failure on the Town's part to issue the permit.

**Motion 24-08-03** made by Councilman Olmstead, Seconded by Bailey-Swisher  
Allow Supervisor Johnson to reimburse Mr. Larry Smith \$155 for the expense of replacing his Certificate of Compliance for a garage he had constructed during the time period of Codes Officer Meade's retirement.  
Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes  
**Motion approved.**

#### **ATTORNEY REPORT**

Mr. Gilbert reported Attorney Young has presented the final agreement between the Brown's and the Town of Greig. Mr. Gilbert is requesting authority from the Greig Town Board for himself and Supervisor Johnson to sign on behalf of the Town.

**Motion 24-08-04** made by Councilman Bailey-Swisher, Seconded by Mallette  
Authorize Supervisor Johnson and Attorney Gilbert to sign the settlement document on the Supreme Court Case between the Town of Greig and the Brown family for the disputed construction of a garage at 5760 North Shore Rd.  
Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes  
**Motion approved.**

#### **PUBLIC COMMENT**

Michael Bush, 5303 North South Rd, asked to address the Board about the current project to remediate the leaking roof on the Town Highway Department Garage. He questioned the age of the building and the reason's for having to replace the roof after only 6 years at tax payers expense. He called the Town Board out for lack of effort to have the work done within any warranty period. If the need to have repairs done was determined shortly after construction was completed, why didn't the Board follow through and have either a workmanship, design or materials question resolved. The Board agreed that several mistakes on their part were made. At least 90 percent of the Board has been replaced since that mistake was made. However each Board member recognized that this should have been addressed much earlier and is attempting to see the problem fixed with the least impact possible on taxes. He asked the Board to better control the rework and to insure the best method to handle salvaged materials is followed. The Board agreed with him.

Wayne and Joanna Dailey, 7342 Brantingham Rd, spoke about the recently constructed Raven Camp Grounds project. They have issues with the Greig Planning Board. The Planning Board held a Public Hearing meeting in July of 2023 intending to modify the original Special Use Permit issued for the Camp Grounds. The Dailey's were never notified of this meeting and the effects of the changes to the permit have been severe to them and impacted the use of their own property. The Dailey's wanted to make the Greig Board aware that they have requested the modified Special Use Permit from the Town Planning Board and have not been provided the document. The Dailey's have felt disrespected by the Chairman of the Planning Board.

Supervisor Johnson expressed concern for the treatment given to the Daileys, the lack of notification of a Public Hearing, and their feeling that the property has not been protected from the Camp Grounds as defined in the original Special Use Permit. Mr. Johnson will be presenting a new Policy concerning a requirement to notify any abutting property owners of a Public Hearing about a permit or change in a property effects theirs. He also recommended the Daileys' submit a FOIL Request for the revised Special Use Permit.

Michael Biolsi, Representative for Civally ( a commercial web-site product designed for Townships), presented a quick overview of their town government web site product. Lewis County has a “shared services” grant that will provide funds to supplement charges for the web-site product. He presented a cost estimate work sheet showing all the anticipated charges for their services for the first 5 years of usage. The County would contribute \$11,385.00 in the first 5 years and the Town would contribute \$2,925.00 for the first 5 years. After 5 years, the Town would be responsible for \$1,992.00 for each year thereafter.

**OLD/ NEW BUSINESS**

Highway Garage Roof Replacement: Supervisor Johnson and Clerk Gunn signed for a 10 year Bond for \$250,000. Money will be available on August 20, 2024. Another \$150,000 is available from the 2024 Town Budget. Materials for the project will be delivered around Labor Day and construction will begin first week in September.

Verizon Lease Buy-out: Verizon was put on notice of a purchase quote of \$382,000 for the Lease buy-out. They have a 30 day first right of refusal to match for that amount. Supervisor Johnson has heard from a company, MD7, who says they represent Verizon. They responded on the 31<sup>st</sup> day following the notice to Verizon. Supervisor Johnson is directing the Attorney to notify Verizon and MD7 that they missed the date and it is our intention to accept the offer of \$382,000 from the competing company.

Supervisor Johnson has asked for a resolution authorizing our Town to apply for a JCAP grant from New York State for a Security camera system to record activity in the halls and courtroom for the Town Hall Building. Only the Town Justice will have authority to use the recorded information, however the Town might have the right to dual stream the hallway recordings and have a record of building usage.

RESOLUTION #24-08-02

At a regular meeting of the Town of Greig, Lewis County, New York, held at the Town Offices, in said Town on the 21st day of August, 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:	Robert Johnson Kerry Mayhew Donald Mallette Nichelle Bailey-Swisher Steve Olmstead	Supervisor Councilman Councilman Councilman Councilman
Absent	Nobody	

The following resolution was offered by Nichelle Bailey-Swisher, who moved its adoption, seconded by Kerry Mayhew to wit:

WHEREAS, the Town Board of the Town of Greig is responsible for giving instruction to its Supervisor with respect to the application for grants, and

WHEREAS, the Town Board of the Town of Greig has determined to apply for the JCAP Grant,  
and

WHEREAS, the Supervisor has asked for a formal resolution of the Town Board authorizing him to  
undertake such application,

Now, Therefore, it is

RESOLVED, that the Town Board of the Town of Greig does hereby authorize and direct its  
Supervisor, Robert Johnson, to commence an application for the JCAP Grant.

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

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

The resolution was thereupon declared and duly adopted.

DATED: August 21, 2024

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

Thomas P. Gunn, Town Clerk

Supervisor Johnson asked for a resolution to be made which creates a new Town Policy requiring each Town Board to notify parcel abutter's when Public Hearings are held:.

**Resolution 24-08-03** made by Councilman Mayhew, Seconded by Mallette  
Authorize a Town Policy which requires each Town Board to notify property owners whenever a Public Hearing is to be held regarding special use or other zoning changes on a parcel that abutts theirs.

**Town of Greig**

**Policy for Town Boards**

**Town Board, Town Planning Board, Town Zoning Board of Appeals**

**Purpose**

The Town of Greig wishes to notify any stake holders effected by Town decisions being made at a scheduled public hearing or discussions and/ or votes on issues such as:

1. A variance appeal will be heard/reviewed.
2. A Special Permit or modification of a Special Permit is to be discussed and /or voted.
3. Approval of a subdivision is to be discussed and /or voted.
4. A Special Meeting or Public Hearing is called regarding action on a specific piece of property or properties.

Notification of stake holders, which is defined as property abutters (any property with a common boundary with the property in question, including a boundary that is merely a point or property stake) shall be done by a letter of notification delivered by USPS Certified Mail to the property owner of record (within the Lewis County Parcel File used for Tax Collections). This notification must be mailed at least 15 days prior to the date of the Meeting. The Chairman, or Supervisor of the Board holding the meeting is required to notify the Clerk, or Secretary of the Board holding the meeting, to make the notifications.

This action is in addition to the required public notification of Board Meetings as required by State Public Meetings Laws.

**Violations**

A failure to notify stake holders, or abutters, shall prevent any votes to be taken by a Board on issues defined above.

I, \_\_\_\_\_, the duly qualified and acting Clerk of the Town of Greig, New York, do hereby certify that the above policy was adopted at a meeting of the Town Board held on \_\_\_\_\_ and is incorporated in the original minutes of said meeting and that said resolution has not been altered, amended or revoked and is in full force and effect.

\_\_\_\_\_  
Town Clerk  
Town of Greig

Role Call Vote:

Councilman Olmstead	Aye	Baily-Swisher	Aye
Councilman Mallette	Aye	Mayhew	Aye
Supervisor Johnson	Aye		

**Resolution Passes**

Supervisor Johnson requests authorization to obtain a Bond or loan for purchase of a new Highway Department Plow Truck not to exceed \$250,000.

**Resolution 24-08-04**

BOND RESOLUTION

At a regular meeting of the Town Board of the Town of Greig, Lewis County, New York, said Town held at 5186 Greig Road, Greig, NY on the 21st day of August, 2024 at 5:30PM prevailing time.

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

PRESENT:

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

ABSENT:

The following resolution was offered by Councilman Olmstead who moved its adoption, seconded by Councilman Mallette, to wit:

BOND / LOAN RESOLUTION DATED August 21, 2024

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS ON A STATUORY INSTALLMENT BOND OR INSTALLMENT PURCHASE AGREEMENT OR A LOAN FOR THE PURCHASE OF A TANDEM DUMP TRUCK WITH PLOW EQUIPMENT AND A NEW DUMP BOX FOR A TANDEM DUMP TRUCK NOT TO EXCEED \$250,000.

WHEREAS, pursuant to a resolution duly adopted by the Town Board of the Town of Greig, Lewis County New York on August 21, 2024 the Town Board determined that the Purpose (as herein defined) is a "Type II Action" under the New York State Environmental Quality Review Act and the regulations adopted pursuant thereto by the Department of Environmental Conversation of the State of New York and therefore no further environmental review is required.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Greig as follows:

Section 1. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$250,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 2. The class of objects or purposes (herein referred to as "Purpose") to be financed pursuant to this resolution is the purchase of a new Plow Truck.

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$250,000 and (b) the Town plans to finance the cost of the Purpose entirely from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 4. It is hereby determined that the Purpose is one of the class of objects or purposes described in Section 11.00(a)(28) of Local Finance Law, and that the period of probable usefulness of the Purpose is fifteen (15) years. The proposed maturity of the Bonds authorized herein will be in excess of (5) years.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of bond anticipation notes issued in anticipation of the sale of Bonds (including renewals thereof) is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 6. The power to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the use of substantially level debt service and consolidation with other issues, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes is hereby delegated to the Supervisor of the Town, the Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and affix to such Bonds and bond anticipation notes the corporate seal of the Town

Section 7. The faith and credit of the Town of Greig, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year, to the extent the necessary funds are not provided from other sources.

Section 8. The Supervisor of the Town is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Bonds authorized by this Resolution, and any bond anticipation notes issued in anticipation thereof, excluded from the gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate

the Bonds authorized by this resolution, and any bond anticipation notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

Section 9. Pending the sale of Bonds herein authorized, the temporary use of funds from the Town's General Fund, pursuant to the provisions of Section 165.10 of the New York Local Finance Law, is hereby authorized, The Town reasonably expects to reimburse itself from the proceeds of Bonds or bond anticipation notes herein authorized for expenditures made for the purpose to be financed by this Resolution prior to the issuance of such Bonds or bond anticipation notes, and this Resolution shall constitute the declaration of the Town's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2

Section 10. This Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, in the Watertown Daily Times, a newspaper having general circulation in said Town and hereby designated as the official newspaper of said Town for publication. The validity of the Bonds or any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suite or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 11. This Resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law

Section 12. The firm Barclay Damon, LLP is hereby appointed to serve as Bond Council to the Town in connection with the bonds and notes herein authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Voting

Robert Johnson	Supervisor	AYE
Donald Mallette	Councilman	AYE
Steve Olmstead	Councilman	AYE
Kerry Mayhew	Councilman	AYE
Nichelle Bailey-Swisher	Councilman	AYE

The resolution was thereupon declared duly adopted.

CERTIFICATION

I, Thomas Gunn, the undersigned Clerk of the Town of Greig, Lewis County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing extract of the minutes of a meeting of the Town Board of said Town including the resolution contained therein, held on the 21st day of August 2024, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 21st day of August 2024.

Thomas Gunn, Town Clerk

Supervisor Johnson asks the Board to pass a resolution moving \$8909.00 from the ARPA Funds to the budgeted expense account of DA 5110.4 to cover the purchase of the York Rake that was damaged in a recent accident.

**Allocate ARPA Funds**  
**RESOLUTION No:2024-08-01**

Councilman Olmstead moved and Councilman Bailey-Swisher seconded that

WHEREAS, the Town of Greig (hereinafter "local government") desires to purchase a York Rake to replace one damaged in a recent accident, and

WHEREAS, the insurance company covered \$1000.00 of the replacement cost, and

WHEREAS, the purchase price of a replacement York Rake is \$9909.00, and

WHEREAS, we do not have the remaining \$8909.00 budgeted for this purchase

NOW, THEREFORE, IT IS HEREBY RESOLVED that Town of Greig, in order to cover the expense of purchasing this required piece of Highway Department Equipment, wishes to transfer \$8909.00 from the ARPA account to the DA5110.4 Summer Road Maintenance account.

Roll Call Vote

- |    |                           |     |
|----|---------------------------|-----|
| 1. | Councilman Mallette       | Aye |
| 2. | Councilman Bailey Swisher | Aye |
| 3. | Councilman Mayhew         | Aye |
| 4. | Councilman Olmstead       | Aye |
| 5. | Supervisor Johnson        | Aye |

Resolution is approved.

This is to certify that I have compared the foregoing copy of this resolution with the original solution now on file in this office and that the same is a correct and true copy of such original resolution and the whole thereof.

**IN WITNESS WHEREOF,** I have hereunto set my hand and the official seal of the Town of Greig this 22rd day of August, 2024.

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**Greig Town Clerk**

**SUPERVISORS REPORT**

Mr. Johnson reported on a Street Facade Grant application that is now open He would like input from Board members on items we might go after for some street work in the area. The Board tossed some ideas around – such as:

Mike Alfano would like to have one of the old large snow plows painted, with some art work on it and have it located in front of the Highway Garage. We should have a concrete pad in place to hold the display plow. We also need to have lights in place for the American Flag to provide illumination for over-night display of the flag, which is required by law.

Any other ideas from the public, or Board Members would be appreciated.

Application for State CHIPS funds has been made and we anticipate a payment of \$198,819.31 to arrive in September. The Town has a CHIPS rollover account available with \$250,000 available and the Board will be asked for a resolution to purchase equipment next month.

Supervisor reported on the 2024 Budget status. We have an unencumbered amount of \$839,000 remaining in the budget at this time, compared to having \$614,000 last year at the same time. The estimation is that we are in a much better position this year than last.

Supervisor notified the Board that he will have the proposed 2025 Town Tentative Budget turned over to the Clerk by the end of September. This is in line with the State mandated time schedule. The Board can expect to see the Budget and begin workshops to have a at the start of October, working towards the Preliminary Budget, which must be presented to the public at a Public Hearing to be held by the Thursday following the election in November 2024. This will be by November 7<sup>th</sup> this year..

Councilman Olmstead reported on the plan to install the play equipment and improve the surface beneath the existing equipment. Councilman Mallette was also looking into chip material that would align with our insurance companies requests for improvements. The Town Highway Department has offered time and equipment to be used to alter the dirt surface at the park area in preparation for these efforts.. It was suggested there be a motion to allow Councilmen Olmstead and Mallette to order the cement and chips needed for this project. So they may continue with the plan to correct playground issues.

**Motion 24-08-04** made by Councilman Bailey-Swisher, Seconded by Olmstead  
Authorize the purchase of cement and chips as needed to improve the playground and install new equipment.  
Vote: Olmstead, Mayhew, Bailey-Swisher & Mallette Yes

**Motion approved.**

**SUPERINTENDENT REPORT**

Mr. Alfano reported on the troublesome truck that broke down again this month. He has tracked the expense on this truck and reported the Town has spent \$22,000 on repairs just this year on this truck. He feels the engine on this truck was just a bad product for that year on this brand of truck and would recommend on a replacement purchase soon.

The crew has been working on road washouts following the heavy rains. Town Line Road and Abbey Road have required focus.

**CLERKS REPORT**

Clerk Gunn distributed the July 2024 report by email to Board Members. Report contained details of the following financial actions:

There were general fund collections of:

3 Dog Licenses	\$ 21.00
14 Zoning Permits	\$ 780.00
11 Certified Copies	\$ 110.00
Total Collections:	\$ 911.00

The expenditures were:

Town Supervisor as Revenue	\$ 908.00
NY State Health Department for Marriage Licenses	\$ 3.00
Total Payments	\$ 911.00

**Motion 24-08-05:** made by Councilman Mallette, Seconded by Olmstead  
Approve Clerk's financial report as presented.  
Vote: Olmstead, Bailey-Swisher, Mallette & Mayhew Yes

**Motion approved.**

**SUPERVISORS REPORT**

Mr. Johnson has emailed the Financial Report to the Board members in advance.

**Motion 24-08-06:** made by Councilman Mallette, Seconded by Bailey-Swisher

Approve Supervisors Financial report

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

**Motion approved.**

**VOUCHER REPORT**

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

Totals expended by fund were:

Highway Abstracts	\$21,317.30
General Abstracts	\$ 9,149.68
T&A	\$ 2,188.33
Total paid in August 2024 Abstracts =	\$32,655.31

**Motion 24-08-07:** made by Councilman Mallette, Seconded by Bailey-Swisher

Approve Vouchers

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

**Motion approved.**

Being no further business brought forward,

**Motion 24-08-08** made by Councilman Mallette, Seconded by Bailey-Swisher

Motion to adjourn 08:25PM

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

**Motion approved.**

Respectfully submitted

*Thomas Gunn, Clerk*