

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
NOVEMBER 8, 2010- page 1

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Opening of Regular Meeting

The meeting was called to order at 7:52 pm by Supervisor Susan O'Rorke and followed by the Pledge of Allegiance. In attendance: Councilwoman Finke, Councilmen Byas, Meredith and Norris, Highway Superintendent Jordan, Town Clerk Brooks, and (a full house) members of public who signed attendance sheet. Absent:

Councilman Byas moved to enter executive session to discuss personnel matters, payroll matters added Councilwoman Finke, seconded by Councilwoman Finke. Councilman Norris was not made aware of what the matter was. Councilwoman Finke said there were payroll questions. Councilman Byas said he was told by legal counsel that the Board had to go into Executive Session to discuss it. Councilman Norris said if there were matters to discuss, to just discuss them. Councilman Byas said they could not be discussed out in the open. Councilman Norris doesn't know what they are. Member of the public said you discussed it in the papers. Councilwoman Finke said that was not the issue; there are other issues, payroll questions, payroll issues. Member of the public said it must be public record why the Board is going to executive session. Member of the public said the Board did not have to say, could call an executive session anytime, you do not have to let it known, it was brought up as a payroll issue, they want a private session. Councilman Norris has the rules in law specifying the reasons for calling the session. Member of the public said there is a motion and a second and it needs to go to vote. Supervisor said we have a discussion. Councilman Norris said he questions the protocol. Councilwoman Finke said rates of pay. Supervisor said if the session does not meet the requirements the Board will come back out. Member of the public asked if there weren't 8 reasons for and executive session and the public has a right to know what is going on. Member of the public asked that those conditions be read. Supervisor read. Councilwoman Finke said financial history of an employee.

The adoption of the foregoing motion was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Motion Carried

The Town Board went into executive session at 7:54pm; executive session began at 8:00p.m. Councilman Byas moved to open, seconded by Councilwoman Finke.

Motion to close executive session was made by Councilman Byas and was seconded by Councilwoman Finke.

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Motion Carried

Executive session was closed at 8:33 p.m.

Councilman Norris moved to reopen the Town Board meeting, seconded by Supervisor.

As Councilman Byas had requested executive session, Supervisor asked Councilman Byas to summarize executive session. Councilman Byas asked if he was allowed to discuss what was said. Supervisor said that no actions had been taken by the Board.

The adoption of the foregoing motion was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Adopted

Approval of Minutes

Councilman Norris moved and Supervisor seconded the approval of Minutes of **August 23, 2010 Work Meeting** submitted by the Town Clerk. Councilwoman Finke was not present at the August 23 meeting.

The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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ROLL CALL VOTE: BYAS-AYE FINKE-Abstain MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

Supervisor moved and Councilman Norris seconded the approval of Minutes of **September 13, 2010 Regular Meeting** submitted by the Town Clerk.

The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

The approval of Minutes of **October 11, 2010 Regular Meeting** submitted by the Town Clerk was tabled as Councilwoman Finke had not received them. Town Clerk Brooks asked if there was a change to her email; answer: no.

Councilman Norris moved and Supervisor seconded the approval of Minutes of **October 25, 2010 Work Meeting** submitted by the Town Clerk. Councilwoman Finke asked for the addition of her question on page 2, under Highway patching on Shady Lane; she asked the question was the blacktop plant was closed and was told yes. Councilman Byas said it was inaccurate; Highway Superintendent Jordan said that is what he was told. Clerk Brooks asked for a copy of the page, adding that she cannot make judgments, she can only record the actual meeting; Councilwoman Finke said she would make a copy of the wording after the meeting. Rich Guthrie asked if the Clerk must now go back into the minutes to determine if that is what occurred, since if it is not what transpired it doesn't belong in the minutes; Supervisor answered not if the Board moved and voted to accept that wording tonight. Councilwoman Finke asked to table.

Public Comment Period

Supervisor commented that, on October 26, a mistake was made, sensitive personal information was released, the individual was contacted and agreed to delete. (see attachment a) Supervisor apologized.

Arlene McKeon applauded the public for heartwarming comments at 2011 Town Budget public hearing regarding parks and the parks program; spoke to Greene County Youth Bureau regarding a fee to summer recreation program and, if instituted, all state funding would be lost as Catskill did lose. (applause)

Joe Caputo asked how many computers have serial numbers and is it known whether they were erased. Supervisor said 6 computers, only 1 was unauthorized. Joe Caputo would like something done to assure erase.

Bob Knighton said it has come to his attention that the town hall has been left unsecured for a period of time and over a period of time. (see attachment b) (applause)

Member of the public quoted "6 authorized receivers" – does that mean all those people have access to that information; Supervisor said those individuals would have the ability to have access to that information. Member of the public questioned why 6 different people need to know; it is not a matter of trust, but increasing the chance of inadvertent release. Supervisor answered that having it available is different than having it with you; a town board has access to any personnel file that they want, the Town does not have a human resources department. Member of public asked if this has always been in practice; Supervisor works with Clerk with limited keys, and feels we should look at more computer security.

Alan VanWormer questioned, as the highway is the biggest workforce in the town, why was it more important for certain Board member to go to the newspaper than to the employees; he has a problem with that. (applause)

Ken Finke, Barb's husband, said it was their retirement number, asked what Town will do to protect his 3 businesses; Supervisor has contacted Attorney General and, with Town attorney, 3 law enforcement agencies, and consumer protection agencies. Ken Finke asked will accounts be monitored; NYS Attorney General expressed view that, rather than monitoring services, recommends credit freeze instead and Supervisor has asked to have a representative here to speak to all employees. Ken asked to take it seriously. Supervisor said we are notifying the

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agencies. Joe Caputo asked to have his account monitored; Supervisor said the newspaper contacted her before she received his letter, and there is misinformation in his letter.

Councilwoman Finke spoke to Attorney for Town on Tuesday on procedures to follow for breach, of which he was not aware, and gave Chapter 442 of the Laws of 2005.

Councilman Norris said to ease anxiety, whatever steps we can take we will do.

Ken Finke said there are retirement accounts that have small amounts and large amounts, and asked, if the money is gone, who will reimburse it.

Kingsley Greene said the pension fund must reimburse fully or they cannot do business in the United States.

Ken Finke said if an unauthorized person takes money out it is identity fraud.

Councilman Norris said one civilian received the information and said that they destroyed the information.

Councilwoman Finke said it went to a corporate account.

Councilman Norris said they were also asked to destroy the information.

Councilwoman Finke said it went to a corporate account.

Councilman Norris said it should not have been in newspapers, providing a road map to the information.

Councilwoman Finke said she'd gotten a call, and according to this law the categories of information had to be told to the person.

Councilman Norris asked what person.

Councilwoman Finke said to the person whose information was breached.

Member of the public asked if the Daily Mail had to know about it.

Dick Brooks said or the Greene County District Attorney.

Councilwoman Finke said they could have gotten the letter from anybody and she was called like anyone else.

Councilman Norris said that was different.

Councilwoman Finke said the DA had given her helpful information that it had happened to him, and that it took 3 years of monitoring to clear his name.

Highway Superintendent Jordan asked why Councilwoman Finke didn't speak to the 8 highway employees and put it in the paper instead.

Councilwoman Finke said she wasn't on the highway committee (gavel) and that she was only in town for 2 days last week.

Highway Superintendent Jordan said she had a phone and she had at election time.

Councilwoman Finke said she'd spoken to the Town's attorney.

Highway Superintendent asked why not come and speak to the highway crew, 8 of them, but go to the newspaper instead.

Councilwoman Finke said she'd been called like anyone else.

Dan Russo thinks to point finger at Supervisor O'Rourke, who mailed the information out, and knew firsthand what went on and should have told the highway department and the Board.

Highway Superintendent Jordan said that Supervisor had done that.

Deputy Highway Superintendent Alan VanWormer said Supervisor had told them what was sent, emailed, and destroyed.

Don Russo said when something is sent in email, it goes to server, another server, and ends up somewhere, and deleting off a machine is not necessarily all that needs to be done.

Deputy Highway Superintendent VanWormer asked Councilwoman Finke did she not at the November 3 public hearing whisper in his brother's ear that there was more to this and they need to talk.

Councilwoman Finke said there was some information that he didn't know and they need to talk; how did he know it had to do with this.

Deputy Highway Superintendent thought anyone could figure that out.

Arlene McKeon asked if the parks positions personnel files mentioned a few month ago had been returned as they had more information than social security number. She asked that they be returned immediately and that the residents be informed that it had been done.

Ellie Alfeld stated, after attending many meetings, the election for this Board was some time ago, supposed to be working for the betterment of the community and she hasn't seen that yet, asking to come together, stop thinking about party affiliation, and delaying decisions.(applause)

Councilman Norris concurred.

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Supervisor apologized again for what happened, for every one affected including Board members, wants to resolve this for employees and move forward. Agreeing with Ellie's comment, she is at Town Hall on Saturday mornings to discuss anything.

Jeff Russo asked, in the event of a breach, what is liability on the town.

Supervisor said the individual would have to prove the Town was negligent, Town insurance policy would respond, and they could conceivably put in a claim.

Why isn't the town's attorney here; Councilman Norris reached out to attorney who had passed the 3-meeting contract negotiated by Councilman Byas, there was a discussion in January, at that meeting the Board determined the need for unanimous vote to have attorney present.

Joe Cosenza asked to look at this confusion, put the attorney back on board, and add back into the budget.

Bill Finke asked wasn't yesterday the attorney was coming to the Board meeting; Councilman Byas had negotiated the contract that required a unanimous vote of the Board, per the meeting's minutes that it had to be a consensus vote of the Board. Councilwoman Finke asked to vote by phone. Supervisor said that phone votes are not acceptable. Public suggests revisiting that contract put in place by Councilman Byas.

Supervisor suggested Councilman Byas, who originally negotiated the attorney's contract, negotiate him back, with a written agreement that all can follow, agree upon and adopt.

Joe Cosenza suggested the Board agree now to have him present for the rest of the year; as Public Comment is underway, Supervisor suggested adding under New Business.

Bill Finke asked why the Board did not sit down with Attorney to secure the welfare of Town against its employees.

Correspondence

From the Bronx Museum Committee, responding to the Town Historian, met and reviewed the long-term loan of blackboards in 1967. Although the evidence does not prove the blackboards came from Rocky Store School, the committee is willing to send the request to Greene County Historical Society. (letter on file.)

From Planning Board member Joseph Caputo came a letter regarding the October 26 accidental release of sensitive employee information.

From Deputy Highway Superintendent Alan VanWormer came a letter on behalf of all Highway Department employees to acknowledge receipt of notice of the October 26 error.

Old Business

- New Members of Memorial Committee

**RESOLUTION
NOVEMBER 8, 2010**

**RESOLUTION APPOINTING MEMBERS TO THE PUBLIC MEMORIAL
COMMITTEE**

WHEREAS, on July 10, 2006, the Town Board of the Town of New Baltimore established a Public Memorial Committee and appointed five members to serve on said committee; and,

WHEREAS, two residents have expressed a desire to volunteer their service to serve on the Public Memorial Committee,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby appoint

Jeff Russo Bill Girvin Cless Bush Lynn Taylor

BE IT FURTHER RESOLVED, that Art Byas will be the Town Board liaison to this committee.

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Councilman Meredith moved, seconded by Councilman Byas. Town Clerk Brooks reminded Councilman Byas that, as a fundraising committee, he should not be the signer on the account. Councilman Byas asked what bank account. Clerk responded the account of the Public Memorial Committee. Councilman Byas asked who signed for that. Clerk responded currently she does with a second person and that would need to be transferred at the bank. Councilman Byas asked when she said two signatures, did she mean from the committee? Clerk Brooks said an elected official should not be a signer of a fundraising committee. Councilman Byas asked her to repeat and she did. He requested that she include that information in the minutes of this meeting.

The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE**

Adopted

- Completion of Meeting Room

Supervisor said it has been a long process; she thanked Councilman Byas for interviewing the contractors, Jean and Cless Bush for clearing and preparing the room for construction, Joe Cosenza with Councilman Byas for supervising the work, Diane Jordan for the many cleanings for Board meetings, thank the two Town employees who completed the electrical work, the Town Clerk's office and Supervisor for opening the room and securing the building when a problem was identified, Councilman Norris for arranging for new lighting in parking lot, and an anonymous donor to pay for panel doors for the vestibule. Truly a group effort, Supervisor said now the hanging items need to return to the walls. (applause) Rich Guthrie asked if any hidden charges were incurred that were not covered by grant; Joe Cosenza said they would be covered by grant.

- Update on Records Management

Town Clerk Brooks announced that the Records Project, begun in October 2007, was completed March 18, 2010. In early 2008 she discovered that most of the boxed records were record series that had been included in a previous grant, making them ineligible for future grants and the Town's maintenance responsibility. The prior supervisor shared the vision and the prior Board was supportive and willing to place value on sound records practices and she promised to stay committed to maintain what had been done. Some 374 cartons of records have now been reviewed; several culls have been executed per the NYS Archives MU-1, adopted by the Town Board of the Town of New Baltimore in 1989. She thanked records clerks Nancy Ziegler, on board for the first chapter of the project, and most particularly Diane Jordan, now a deputy in her office who continues to be involved in this ongoing process. She thanked outgoing Town Historian Cless Bush for his interest, support, knowledge of the NYS Archives, and State Archives' own Regional Advisory Officer Andrew Raymond who was her teacher and who retired right after her assessment interview.

The purpose of her update 1) she is again reaching capacity in the space available and 2) she reminds Board members of the need to submit Town correspondence and any other Town records to the Town for appropriate storage, for example, the 2010 Town-Wide Yard Sale file. Many records are subject to the Freedom of Information Law, several FOILS have been received and satisfied this fall, and one is in process.

She read a letter:

Dear Janet,

It has come to my attention that there is the possibility that job applications r/t the NB parks program may not in safe keeping under lock and key in the town offices.

This is a matter of great concern for me, and for the others that have submitted applications, since these documents contain protected and private information, that, if are not secured properly, could be very damaging to the individuals involved.

Please apprise me of the status of these documents at your earliest convenience.

Thank you,

Michelle Fortney

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New Business

Resolution to Pay Claims

**RESOLUTION
NOVEMBER 8, 2010**

RESOLUTION TO AUTHORIZE SUPERVISOR TO PAY AUDITED CLAIMS

WHEREAS, the Town Clerk has presented claims to the Town Board for audit and review and,

WHEREAS, the Town Board has audited claims G2010/11 01- 56; H2010/11 01-31; and S2010/11 01-7, for a total amount of \$108,120.31, it is

RESOLVED, that the Supervisor is hereby authorized to pay claims totaling \$108,120.31.

BE IT FURTHER RESOLVED that the Town Clerk has prepared an abstract and holds it for public review until November 29, 2010.

Supervisor moved and Councilman Norris seconded.

The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Adopted

- A member of Greene County Sheriff's Department was not paid for work done in 2009. A letter to the Town of New Baltimore was read.

**RESOLUTION
NOVEMBER 8, 2010**

**RESOLUTION AUTHORIZING PAYMENT TO LIEUTENANT TRYLAND
RESOLUTION AUTHORIZING PAYMENT TO LT. TRYLAND**

WHEREAS, the Town of New Baltimore constructed an office in the lower level of town hall for use as a Greene County Sheriff's substation; and

WHEREAS, much of this work was done by volunteer labor; and

WHEREAS, Lt. Tryland was one of these volunteers who assisted in installing the drop ceiling and purchased additional materials at his expense for the completion of this project;

WHEREAS, upon completion of the work in spring of 2009, receipts for said purchases in the amount of \$115 were given to a town's representative for the project and then later misplaced; and

WHEREAS, Lt. Tryland submitted a letter to the Town Board on April 1, 2010 requesting said payment;

NOW THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to pay Lt. Tryland \$115.00 immediately.

Supervisor moved and Councilman Byas seconded. Member of the public asked if work was completed; answer: yes, the drop ceiling was installed. Councilman Byas said he was given the receipt, turned it in and didn't know where it went, he remembers signing a voucher for it, adding if that's the only one that's been missing the whole time.

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The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: **BYAS-AYE** **FINKE-AYE** **MEREDITH-AYE**
 NORRIS-AYE **O'RORKE-AYE**

Adopted

- Adoption of Proposed Local Law Regarding Dog Licenses

TABLED to December Regular Meeting.

- Discussion of Town Employee Health Insurance Plan

Town Board members having received this two weeks ago, the Board must make changes effective December 1, when Health Reimbursement Account is put in place. Supervisor has a few corrections: #3a should read "spouse and or dependents to age 26" and #5c upon death of retiree, "the Town will cease to pay any premium for coverage", not "full".

There were Town Board discussions during the Budget process about insurance coverage. Supervisor, concerned to keep costs in line, proposes, for employees hired after 2011, the Board look at what the Town does for retirees' spouses, could eliminate the spouse benefit and offer that the spouse may continue at their own expense. Councilman Norris asked to consider raising contribution to 25% contribution. Councilman Byas said to look down the road or for the number of years served. Councilman Norris suggests 15 years of service in order for insurance to be continued, and that you vest after 10 years.

Ellie Alfeld asked if the conversation was about health insurance; are you suggesting vesting rights? Councilman Norris said a 10year employee currently is entitled to insurance, in addition to 55 years of age, eligible to retire, and meet eligibility for NYS and Local Retirement System, referencing Section 5, subset B. Councilman Meredith agreed with raising service to 15 years as Councilman Norris said. Member of the public asked if employees were unionized; answer: no.

Arlene McKeon clarified: for someone in the Town retires at 55 with 10 years continuous service, Town pays insurance premium until they reach 65 when Medicare kicks in, and then Town pays Medicare cost; she suggests instituting a mandatory contribution for age 55 retirees, providing incentive for a later retirement age. Supervisor suggests vote at November Work Meeting.

- Adoption of 2011 Budget

Supervisor read her own thoughts:

The Public Hearing on November 3 illustrated the strong feelings town resident's have regarding the level of service they receive from their town government. The summer recreation program, use of town parks and good roads were all prominent on resident's minds.

Additionally services to our seniors and a program for economic development were also areas of concern. Many indicated they would be willing to pay a 1.5% tax increase to have these services available to them. However, we know that the uncertain economic times are on everyone's mind and there were some who voiced concerns about the higher taxes in the town.

Councilman Norris and I met with Denis Jordan, Highway Superintendent, this Saturday to see what options we could bring forward to keep these services available to town residents and keep our tax increases to a minimal.

After careful consideration and a cooperative agreement with the Highway Department we have come up with the following suggestion.

Parks will remain open. The Highway Dept will brushhog Silver Lake Park 4 times per year, ½ of Cecil Hallock Park and ½ of Joseph Wyche Park 4 times a year. A Town employee, using current equipment, will mow the areas around the pavilions and playground equipment. The Highway Superintendent will purchase a brushhog and provide personnel to brushhog at no additional cost to the Highway budget.

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This option will leave the Playground Contractual at the same level as the Preliminary Budget and increase the Playground Personal Services by \$1,040. All other cuts to services in the General Fund will be restored to the Tentative Budget levels for Seniors and Economic Development, and no fees will be required from the children attending the Summer Recreation program.

For further cuts, an agreement with the Highway Superintendent and the Highway Committee was reached to return the Highway Repairs Expenditures and Revenues to the 2010 Adopted Budget line and decreasing the Highway Fund by \$21,000. If the full CHIPS money is received in the spring, the expenditures for the Repairs line can be increased accordingly.

The results to the tax levy for 2011 would be a 1.35% decrease. This is a \$6.78 decrease for every household assessed at \$100,000.

The Town Board members have been supplied with spreadsheets illustrating these changes and new tax levy change.

Councilman Byas handed packets to the Town Board members, Supervisor asked for a walk-through; Councilman Byas just received this. Supervisor asked who handed it to Councilman Byas; Don Russo, whose suggestions were those included in the letter had been read at the public hearing for the 2011 Budget.

Supervisor explained that Records Management Contractual is an Office of Court Administration grant. Don and his wife have asked for detail; Supervisor believes it is under FOIL request; Don said the response time at 20 days possible was not enough, information should be available. Regarding Unallocated Insurance, \$2,000 savings there he explains as compared to prior years seems out of line. Supervisor said with additions to insurance she understands the market cycle is changing. Don Russo said insurance costs in general are coming down; Supervisor explained they were reduced. Don Russo said \$14,000 in Contingency has never been used, no reason to have there, alleviating potential assessment; Supervisor said both attorney fees and back taxes need to be addressed. Don Russo's point is that instead of having it there, it should come up before the entire Board so everyone can vote; Supervisor said the voucher system requires that. Councilman Norris reminded Councilman Byas that the two of them had negotiated that with prior supervisor; Councilman Byas didn't recall that. Councilman Norris said it was one year ago; Supervisor added that was why the money was there. Supervisor said Safety and Personal Services had been lowered, hadn't heard from Councilman Byas, but Councilman Norris felt there was a possibility of adding another code enforcement officer because current officer may need additional assistance for mandated fire inspections. Councilman Byas said building permits were so far off; Town Clerk Brooks said they are not far off at all, Supervisor said closer than \$1,000 as October and November were big.

Joe Cosenza asked, with code officer difficulties in Coxsackie, will more time be needed? John Cashin said hunting season is coming. Councilman Byas asked what Town of Coxsackie does for us if New Baltimore's code enforcement officer goes on vacation; Supervisor said intermunicipal agreement provides fill-in for code enforcement officer, if a problem comes, it will be faced. Councilman Byas said to put this off until next meeting, look up some dates for a special meeting; Supervisor said the budget must be passed by November 20, she is ready to listen now, having begun with July's Budget Workshop.

Bob Knighton reminded Councilman Byas that he wanted a zero increase and this proposal has a negative increase. Councilman Byas said it still takes \$100,000 out of the reserve fund; Bob asked if he were going to try to save \$100,000? Councilman Byas asked what was wrong with that?

Councilman Norris reminded that the Fund Balance is the taxpayers' money going back to them and some can argue they've been overtaxed since the Fund Balance is so big. The Town will only use what is needed, this year the Town might use only \$20,000 in 2010. Councilman Byas said if the Board is only going to use \$20,000, why take it out now? Councilman Norris said we must balance the budget; Councilman Byas wants to vote on it later and show some control. Supervisor explained it is not like taking money out of a bank account; last year \$150,000 was budgeted, \$6,000 was used, proving how spending is controlled. Councilman

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Meredith asked when the Board last put money into General Fund Balance; Supervisor Answered: 2008, and in 2009 took out \$6,000. Councilman Meredith talked to friend in Cossackie who said agreed with Councilman Norris' view on Fund Balance.

Councilman Norris asked if interest was earned; Supervisor answered yes, anything that stays in bank account.

Supervisor said NYS Comptrollers' Office worries about municipalities having too much in Fund Balance. There is no law stating a certain minimum Fund Balance must be maintained; in 1997 the Town was audited and was written up for having 27% of Budget in Fund Balance, now at 28%, without Highway we are at 68% of Town Budget.

Ellie Alfeld asked to clarify: other than this night, how could the 2011 Town Budget be discussed by the entire Board to come up with a result for a future meeting?

Supervisor said she had met with Councilman Norris and Highway Superintendent.

Councilman Byas said he didn't mean all together; he meant 2, 2, 2 board members at a time and accomplish something.

Code Enforcement Officer John Cashin said NYS requires fire inspections on a 3 year rotation and he needs help accomplishing them, about one year behind now. Bob Knighton asked if there were sanctions; Mr. Cashin said he has a meeting schedule with ISO, the rate-setter for homeowners, and can't say that homeowners' rates won't rise as a result.

Bob Knighton doesn't want to threaten people's homeowners' insurance rates needlessly.

Diane Louis reminded that public hearing has been held and to remember what the people said.

Supervisor reminded that General Repairs Personal Services is how the roads are kept in good condition; proposal from Don Russo suggests cutting \$22,000 and Contractual by

\$35,000. Supervisor said the Highway has an aging fleet, does a good job of keeping equipment going, the entire crew is here, and would be reluctant to take that budget down. Machinery, other than bonding, has been bought out of this line.

Councilman Norris asked if line is also for fuel; he proposed a decrease then learned that item includes fuel purchases.

Rich Guthrie recommends, with the hour and what's been looked at, go back to the budget proposed by Supervisor O'Rorke with the compromise struck. (applause)

Councilman Norris thanked Highway Superintendent Jordan for the cooperative agreement, is losing money now from the proposed budget.

Supervisor mentioned Machinery and Brush and Weeds item needed for brushhogging, not the statutory requirement of the Highway Superintendent and a gracious act. With Senior, Economic Development, no added cost to Summer Recreation.

John Cashin said all those things, we could have a negative tax increase. If no one can agree, the Preliminary Budget stands with its .22 % increase, parks closed, and \$30/child to attend the Summer Recreation program, and loss of grant for Summer Recreation.

Councilman Norris said \$6.00+ for county chargebacks currently that are out of the Town's control, this compromise would "eat" the cost of the county chargebacks.

Councilwoman Finke said the compromise also includes the \$100,000 from the Fund Balance.

Janet Angelis said Commonwealth of Massachusetts recommends no more than 10% of the Budget for Fund Balance.

Supervisor read.

**RESOLUTION
NOVEMBER 8, 2010**

RESOLUTION ADOPTING THE 2011 BUDGET

BE IT RESOLVED, that the following Public Hearing held on November 3, 2010 regarding the 2011 Preliminary Budget hereby amends the 2011 Preliminary Budget as follows:

AND BE IT FURTHER RESOLVED, that the Town Board hereby adopts the 2011 Preliminary Budget as amended as the 2011 Final Budget

Supervisor moved, seconded by Councilman Norris. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-NAYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted (applause)

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- Agreement with Columbia –Greene Humane Society

**RESOLUTION
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**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH
COLUMBIA GREENE HUMANE SOCIETY**

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute an agreement with the Columbia Greene Humane Society/SPCA for the period of November 15-December 31, 2010 for shelter services.

Supervisor moved, seconded by Councilman Norris. Councilman Norris said Animal Control Officer Tanner had asked for this agreement. There is no charge unless a dog is brought to them. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

- Update on Greene IDA Project and Scheduling of Training with Elan Planning

Supervisor received contact from Executive Director Sandy Mathes; another 60days to get funding by the involved developers. Training is offered under the Planned Development District process; Town Board members have received the outline, January 1 begins the clock for the project. This project will be the first under this process. There will be Planning Board work meetings. Elan Planning's Lisa Nagle, under the auspices of Planning Board, is available for 1.5 hour long training; December 6, 7 and 9 are possible; Town Board members must rsvp to Building, Planning and Zoning Clerk Loux for those available dates. Technology Committee will post to website with instructions for reservations.

- Attorney for the Town's Presence at Remaining Meetings in 2010

It was suggested that, for the remainder of year, the attorney for the Town come to one Regular and the two possible Work meetings. Councilman Byas wanted to decide one meeting at a time. Councilman Meredith asked if his availability was known. Joe Cosenza felt if the Board is going to meet, vote to have attorney present. Supervisor said New Baltimore's Work Meetings are the same time as his other Town, Town of Coeymans. **Supervisor moved for attorney for the Town to attend the December Regular Meeting, Councilman Byas seconded.** The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

Councilman Norris said to Councilman Byas that there was a document that needed to be turned in to the Clerk; Councilman Byas said he was going to speak with his attorney onto that first (inaudible).

Rich Guthrie asked wasn't there a resolution to be passed by the Town Board regarding the blackboards. Supervisor said it was not an urgent matter and insurance must be looked at, as the Town is being asked to be responsible during transportation and while they are here.

Bob Knighton said that notes taken during a meeting are subject to FOIL and must be presented to the Town Clerk for safekeeping. Supervisor asked for Board members to copy them before leaving for the evening.

Councilwoman Finke asked for updated list of 9.23.09 directory of all officials; Town Clerk said she would be happy to after the meeting.

Alan Van Wormer said earlier this night was a Medway-Grapeville Fire Company open house to show the new equipment purchases; as emergency management officer, he will send a congratulatory letter.

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Rich Guthrie asked if they might consider another opportunity to see the equipment; Councilman Norris was unsure how the information was sent out. Rich Guthrie asked what happens with notes taken during a meeting; when are they taken into the Clerk's protection. Councilman Meredith offered to bring notes to house.

Adjournment

Councilwoman Finke moved to adjourn, seconded by Councilman Byas. Councilman Norris said three applications mentioned before have been resolved. Councilman Meredith has them and must dig them out.

The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Adopted

The meeting was adjourned at 10:21 pm.

Respectfully submitted,

Janet A. Brooks
Town Clerk