

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

REGULAR TOWN BOARD MEETING

October 13, 2014

AGENDA

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- June 23, 2014 Town Board Work Meeting
- September 8, 2014 Town Board Regular Meeting
- September 22, 2014 Town Board Regular Meeting

Public Comment Period

Correspondence

New Business

- Resolution to Authorize the Town Supervisor and Town Clerk to Attend 2014 Personnel Management School Sponsored by the Association of Towns
- Resolution to Adopt an Intermunicipal Agreement with the New Baltimore Fire District until December 31, 2014
- Resolution to Authorize Highway Superintendent to Purchase Road Salt, Treated Salt & Emergency Standby Road Salt by State Contract No.PC66660 from September 1, 2014-August 31, 2015.
- Resolution to Authorize Baroni Recycling North Inc. for Scrap Metal Recycling
- Update of Employee Handbook
- Audit of Claims

Upcoming Meetings

- October 22, 2014 Comprehensive Plan Committee at 7 PM
- October 27, 2014 Town Board Work Meeting
- November 5, 2014 Seniors Committee at 10 AM
- November 5, 2014 Zoning Board of Appeals Meeting at 7:30 PM
- November 6, 2014 Public Hearing on the 2015 Budget
- November 10, 2014 Town Board Regular Meeting at 7 PM

Public Comment Period/Community Events

Adjournment

****** Agenda Subject to Change******

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Draft 10/24/2014
Approved 11/10/2014

OPENING REGULAR TOWN BOARD MEETING

Supervisor Dellisanti called the meeting to order at 7:02 PM and the Pledge of Allegiance was said. Also attending: Deputy Supervisor Ruso, Councilwomen Benway and VanEtten, Councilman Norris, Town Clerk Finke, Tax Collector Jordan, Highway Superintendent Jordan, and 15 members of the public who signed the attendance sheet.

APPROVAL OF MINUTES

Approval of Town Board Work Meeting Minutes from June 23, 2014 submitted by Town Clerk Barbara Finke

Motion by Supervisor Dellisanti seconded by Councilwoman VanEtten

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Approval of Town Board Meeting Minutes from September 8, 2014 submitted by Town Clerk Barbara Finke

Motion by Supervisor Dellisanti seconded by Councilman Ruso

Councilman Norris asked if the change was made.

Town Clerk Finke responded yes the change was made and actually I forgot myself too so thank you.

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Approval of Town Board Work Meeting Minutes from September 22, 2014 submitted by Town Clerk Barbara Finke

Motion by Supervisor Dellisanti seconded by Councilman Norris

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSTAIN:

ABSENT:

PUBLIC COMMENT PERIOD

Supervisor Dellisanti called on Kevin Kemnah regarding health insurance.

Kevin Kemnah on previous meeting and other meetings they spoke possibly about a 60% raise in health insurance. On the news they had that across the United States that there was about a 13% raise. I was wondering 1. Why ours was going up so astronomical and 2. How many other companies have we tried to contact to get estimates like we've done with the regular insurance.

Supervisor Dellisanti answered that's a good question. We got that from the Erin Nevins who has handled our insurance for some time. I think Lisa might be able to answer that question better than me, she is our Insurance expert.

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Councilwoman Benway explained Erin is a Broker. I can tell you Erin does a lot of municipalities; she also does a lot of private companies. She also does ours, ours went up 140% at my job. It is the way it is, but she did quote other carriers. There was only one carrier that was slightly cheaper, and they have only been around for I think it has only been six months or one year and most of the doctors in our area in Greene and Albany Counties won't accept it. They won't accept the insurance, because they haven't been around long enough.

Councilwoman VanEtten advised I know my company's went up a great deal more than 13% too; I'm wondering if it is because we are in New York State.

Councilwoman Benway reported I don't know if the State actually has as much to do with it as the Affordable Health Care Act. Our renewal date is the same here as it is at my job. We renewed at a different date, so we actually didn't get hit with the rate increase last year. So it is almost like we are getting hit with a double rate increase this year. It is the same for the Town as it is in many places if you renewed early.

Kevin Kemnah asked so this woman is the equal of like Nolan Pazin was for the other; where she goes out and gets estimates from several companies?

Councilwoman Benway answered yes, quite a few; I think she gave us prices for four different carriers, which are the top carriers.

Kevin Kemnah suggested we are in the New York State Retirement Fund. Can they look into getting to the Empire Plan that New York State supplies?

Councilwoman Benway pointed out I don't know if they are actually called the Empire Plan anymore, is it Blue Cross or something like that? I don't do health insurance.

Supervisor Dellisanti responded United Health Care.

Councilwoman Benway added United Health Care, they are actually a lot higher.

Kevin Kemnah said okay I just figured I would suggest it or see if you looked into several others.

Supervisor Dellisanti answered good question, thank you.

Councilwoman Benway agreed we did.

Councilman Ruso added we are with CDPHP just so you know.

CORRESPONDENCE

Dear Town Board:

It has come to my attention today that Mr. Rich Guthrie wrote a letter or sent an email to the Town Board complaining about the response time on Sept. 6th when I had a fall off a ladder. I have not spoken to Rich Guthrie, since my accident.

My wife Carol and I were very pleased with the response and care I received that day from Cornell Hook & Ladder, Ravena Rescue and Greene County EMS. In fact, the first thing I did when I came home from the hospital (with assistance from Carol) was write thank you notes in appreciation of all they did. We are very fortunate to have such a dedicated group of people.

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The purpose of this email is to advise you that Rich Guthrie is not speaking for me.

*Thank you,
Peter Melewski*

Councilman Ruso asked did that say it went to the Board because I didn't see one?

Councilwoman Benway said I didn't get one either.

Supervisor Dellisanti said I got one in the mail and I probably should have forwarded to everyone and I apologize.

Councilman Ruso asked from Mr. Guthrie?

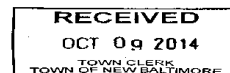
Supervisor Dellisanti answered no from Peter and Carol Melewski, who I don't know personally. I will make copies for everybody.



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
ALBANY FIELD OFFICE
1 BOND ST.
TROY, N.Y. 12180

REPLY TO
ATTENTION OF

October 9, 2014



Operations - Albany

Nicholas A. Dellisanti, Supervisor
Town of New Baltimore
3809 County Route 51
Hannacroix, N.Y. 12087

Dear Mr. Dellisanti:

Thank you for your letter dated October 3, 2014 inviting a representative of the US Army Corps of Engineers (USACE) to attend one of the Town of New Baltimore's Board Meetings to discuss our on-going maintenance dredging contract in the Hudson River Federal Navigation Project channel in the vicinity of New Baltimore. Unfortunately, we will be unable to attend, however, we would be more than happy to answer any questions you or your board members may have with respect to our dredging program. Additionally, upon request, we can make arrangements to meet with you and any of your interested board members at our Albany Field Office in Troy, New York.

The USACE is authorized by Congress to maintain the Hudson River Federal Navigation Project channel from New York City to Albany, New York at a project depth of 32.0 feet Mean Lowest Low Water. The channel provides safe navigation for deep draft commercial vessels traveling to and from port facilities located along the Hudson River. Maintaining the authorized project depth necessitates periodic removal of sediments that build up in the channel. USACE typically awards a contract to perform maintenance dredging of various locations within the Federal project channel approximately every two years, subject to the availability of funds. The contract dredging locations are determined based on our consultations with the Hudson River Pilots Association and results from our annual hydrographic surveys. Prior to awarding a dredging contract, USACE must comply with the requirements of the National Environmental Policy Act (NEPA). For each dredging contract, our generic Hudson River Federal Navigation Project Final Environmental Impact Statement (January 1983) is supplemented by a project specific Environmental Assessment (EA). Prior to finalizing the EA, a public notice soliciting comments and announcing the availability of the draft EA is issued. All comments received during the 30-day comment period are considered and resolved prior to the issuance of a Findings of No Significant Impact and Record of Decision.

As a federal agency, USACE has sovereign immunity from having to obtain local and state permits unless specifically required to do so by federal regulation. In this regard,

Operations – Albany (October 9, 2014)

the Federal Clean Water Act requires USACE to obtain state Section 401 Water Quality Certification (WQC) and concurrence that our proposed actions are consistent with approved state Coastal Zone Management (CZM) provisions. For our current Hudson River maintenance dredging contract, New York State Department of Environmental Conservation issued a final WQC on June 20, 2014 and New York State Department of State issued their CZM consistency concurrence on June 17, 2014.

Please contact Robert Berrian (518-273-0870) if you require any additional information, have any additional questions or would like to schedule a meeting at the Albany Field Office.

Sincerely,

William Petronis
Chief, Albany Field Office

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Supervisor Dellisanti advised I wanted to get some information from the Army Corps of Engineers because I read about it in the newspaper like some of the other Supervisors did and this was their official response and I know that Tal contacted them on our behalf as well.

Councilman Norris asked was this the work they are doing on Houghtaling Island?

Supervisor Dellisanti answered yes.

Attorney for the Town Rappleyea replied just dredging and that's where they are putting the spoils from the Hudson.

Councilman Norris added they have been doing that for quite awhile.

Attorney for the Town Rappleyea reported 30 years or so.

Supervisor Dellisanti added that's what they said.

Attorney for the Town Rappleyea explained it is a federal action and I think it does preempt us. They don't have to come here to ask for our approval; they have done what they are supposed to.

Supervisor Dellisanti pointed out what we did do was Barb filled out an application and we will now be notified on a regular basis when anything gets done on the Hudson River. We were not on their notification list before obviously, but we will now.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION
OCTOBER 13, 2014

**RESOLUTION TO AUTHORIZE THE TOWN SUPERVISOR
AND TOWN CLERK TO ATTEND 2014 PERSONNEL MANAGEMENT
SCHOOL SPONSORED BY THE ASSOCIATION OF TOWNS**

WHEREAS the Association of Towns has scheduled their 2014 Personnel Management School training session on Thursday, November 13 at the Garden Plaza Hotel in Kingston, New York.

WHEREAS THEREFORE the Town Board of the Town of New Baltimore approves the attendance of the Town Supervisor and Town Clerk at a cost of \$75 each, total of \$150.

Motion made by Councilman Ruso seconded by Councilwoman VanEtten

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSENT:

ABSTAIN:

Councilman Norris said maybe I'm just being nitpicky here, but the resolution doesn't say what we are going to do. It doesn't resolve that we are going to pay, there is no resolve, whereas, whereas.

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Attorney for the Town Rappleyea said the final portion could be grammatically correct, Therefore it is Hereby Resolved. We can just change that second Whereas to Therefore.

Supervisor Dellisanti read THEREFORE, the Town Board of the Town of New Baltimore approves the attendance of the Town Supervisor and Town Clerk at a cost of \$75 each, total of \$150.

Motion made by Councilman Norris seconded by Councilwoman Benway with the change

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSENT:

ABSTAIN:

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION
OCTOBER 13, 2014

**RESOLUTION TO AUTHORIZE THE SUPERVISOR TO SIGN AN
INTERMUNICIPAL AGREEMENT WITH THE
NEW BALTIMORE FIRE DISTRICT FOR SNOWPLOWING**

WHEREAS, pursuant to General Obligations Law §119-0 and the interest of the taxpayers of the Town of New Baltimore and the New Baltimore Fire District to share resources and the Fire District will provide in-kind services to the residents of the Town;

WHEREAS, the New Baltimore Fire District has expended its snowplowing budget for 2014, their current contract expires on October 31, 2014, and there is no funding in their 2015 budget for said services;

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign an Intermunicipal Agreement with the New Baltimore Fire District for snowplowing until December 31, 2014.

Motion by Supervisor Dellisanti seconded by Councilwoman VanEtten

Councilman Norris asked do we know how much this cost is going to be?

Supervisor Dellisanti responded actual cost, no, it's impossible.

Councilman Norris said we are lucky enough to have a Commissioner here tonight. If he doesn't mind, could I ask you a question?

Ken Finke responded sure.

Councilman Norris said Kenny Finke, I believe are you the Chairman of the Board?

Ken Finke answered past Chairman of the Board.

Councilman Norris said you are still on the Board of Fire Commissioners. The budget that you sent last year, I believe it was \$3,000 for snowplowing, and you have exhausted that \$3,000?

Ken Finke explained it actually cost us \$3,450, and that was paid in April.

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Councilman Norris asked so you have an estimate of what it's going to cost going into the winter season.

Ken Finke replied if you are going to tell me how much it's going to snow, I can give you an estimate.

Councilman Norris said so the in-kind service, would be...

Councilwoman VanEtten answered it is explained, we have all those papers right after that.

Supervisor Dellisanti clarified there is a list of about ten things they are going to be doing for the Town, you and I talked about this.

Ellie Alfeld asked can you read them so we know.

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSTAIN:

ABSENT:

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION
OCTOBER 13, 2014

RESOLUTION TO AUTHORIZE THE HIGHWAY SUPERINTENDENT
TO PURCHASE ROAD SALT, TREATED SALT & EMERGENCY STANDBY
ROAD SALT BY STATE CONTRACT NO. PC66660
UNTIL AUGUST 31, 2015

WHEREAS the Town Board hereby authorizes the Highway Superintendent to purchase Road Salt, Treated Salt & Emergency Standby Road Salt by State Contract No. PC66660 for up to 1,000 tons until August 31, 2015. The Highway Superintendent will inform the Town Board of cumulative expenditures and unused balance for this product.

Motion by Supervisor Dellisanti seconded by Councilwoman VanEtten

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSENT:

ABSTAIN:

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION
OCTOBER 13, 2014

RESOLUTION TO AUTHORIZE BARONI RECYCLING NORTH INC.
FOR SCRAP METAL RECYCLING

WHEREAS the Town Board received two quotes for services and a local company for scrap metal recycling was approved on June 23, 2014 and said company is unable to perform this function;

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WHEREAS the second quote by Baroni Recycling North Inc. is hereby approved for scrap metal recycling at fair market value per ton.

Motion by Supervisor Dellisanti seconded by Councilman Ruso

Supervisor Dellisanti advised he wanted to have a quick discussion. Hudson Valley Recycling was unable to fulfill the contract, they did not take over the company. We contacted Tal and said we would be allowed to go with the second bidder, which is basically the same exact cost. We wanted to keep it in New Baltimore, these people are in Coeymans.

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSENT:

ABSTAIN:

Update on the Employee Handbook

Councilman Ruso advised I have really very little update to provide, aside from the fact that it is now in the hands of the Attorney and has been for two weeks now and he has yet to update me on its current status. I don't know if there is anything he would like to say at this time or if he is still reviewing it. I will let him answer that.

Attorney for the Town Rappleyea responded I am still reviewing it at this moment, as soon as I have real comments I will give it to you.

Councilman Ruso asked can we get an ETA?

Attorney for the Town Rappleyea answered well you said you wanted it before your next Regular Board Meeting and I will certainly have it at least a week before that so you will have time to consider any changes.

Councilman Ruso said if you have a lot of changes, don't want until a week before.

Attorney for the Town Rappleyea advised I don't expect there to be many changes.

Councilman Ruso continued I think we are on schedule to have another meeting or I don't know if it will be for final Board review on the 10th of November, is that the date?

Supervisor Dellisanti answered that's the next meeting in November.

Councilman Ruso proceeded that's the next Regular Meeting. I think that there were some employees who might want to be there, I think we discussed that with Denis if you could tell them. I think we are still scheduled for that date unless something arises that we are unaware of.

Supervisor Dellisanti asked did you get my addition to that one category?

Attorney for the Town Rappleyea responded yes.

Supervisor Dellisanti said thank you.

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION
OCTOBER 13, 2014

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 2014-10-01 to 2014-10-48, it is

REVOLVED that the Supervisor is hereby authorized to pay claims 2014-10-01 to 2014-10-48.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until November 30, 2014.

Motion by Supervisor Dellisanti seconded by Councilman Norris

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSENT:

ABSTAIN:

Supervisor Dellisanti asked Town Clerk Finke to report the totals.

Town Clerk Finke reported General \$20,774.46, Highway \$8,881.26, Sewer 1 \$17,201.57, Sewer 2 \$398.19, Lighting 1 \$1,787.88, Lighting 2 \$177.78, Total \$49,221.14.

UPCOMING MEETINGS

- October 22, 2014 Comprehensive Plan Committee at 7 PM
- October 27, 2014 *Budget Workshop at 6 PM*, Town Board Work Meeting at 7 PM
- November 5, 2014 Seniors Committee at 10 AM
- November 5, 2014 Zoning Board of Appeals Meeting at 7:30 PM
- November 6, 2014 Public Hearing on the 2015 Budget
- November 10, 2014 Town Board Regular Meeting at 7 PM
- *November 13, 2014 Planning Board Meeting at 7 PM*

Supervisor Dellisanti wished to add the October 27 at 6 PM Budget Workshop meeting as well.

Planning Board Chair Rundberg asked to add the November 13 Planning Board.

Councilwoman VanEtten explained that's because it was after the next meeting.

PUBLIC COMMENT PERIOD/COMMUNITY EVENTS

Ellie Alfeld asked that you make the public aware of what the exchange of or trade-off is.

Supervisor Dellisanti clarified the in-kind services.

Ellie Alfeld said yes please.

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Supervisor Dellisanti reported the list is as follows: Raising Money for the Park Program (this year I think it was around \$1,400 that they raised from the Chicken Barbecue that they did); Having a Community Day; Cancer Run; Providing Fire Police for Community Functions; Use of Large Meeting Room for Towns People; Red Cross Center; Water for Hamlet when Wells Run Dry; Generators in Emergencies; Pump Out Basements Due to Storms; Help Clear Roads and Streams Due to Storms; and Represent our Town at County and Out-of-County Parades.

Ellie Alfeld asked could I ask a question on that? I think Ken could probably answer. It says there that the Town's people would be able to use the big room at the firehouse, does that mean for hearings or does it mean general use by the town's people?

Ken Finke clarified the meeting room is a public room and can be used by anybody.

Ellie Alfeld continued I had heard, Ken, that it was not to be allowed anymore.

Ken Finke continued if you go to our website, there is a contact person there, if you contact that person, he actually schedules it, opens it and closes it.

Ellie Alfeld said that's fine, thank you.

Ken Finke explained but you can't make money, that's the only thing you cannot make for personal gain.

Councilman Ruso asked you can use it for fundraising, can't you?

Ken Finke answered no, only for non-profit corporations, no personal gain whatsoever.

Councilman Norris said the Town has used it when they working on this room. We used it for a budget hearing.

Ken Finke explained that it is probably used right now at least three times a week. Almost every weekend it is booked for birthday parties, showers.

Ellie Alfeld added it is a good thing to keep in mind when we need zoning changes and the public hearings for space bigger than this. I just want to make sure it was available to the public.

Councilman Ruso said I know there has been numerous times when there were larger meetings in the Town. I remember 10 years ago with the water, it was packed.

Ellie Alfeld said but I had heard through rumors that it is no longer available and I wanted to clear that up.

Councilman Ruso questioned there was something else I didn't hear or did I hear. I know there has been times that we used the fire trucks for flushing out something or other, haven't we done that?

Ken Finke answered we used to, and it is still available, flush sewer manholes once a year at the very end to flush out the pipes.

Councilman Ruso asked do we still do that?

Ken Finke answered only if we are asked, we can do it. Only when we are asked.

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Attorney for the Town Rappleyea explained the good thing about memorializing and doing this as a contract is that with the way that the 2% tax cap law is written these days, not only do we have to meet that 2%, this year it is 1.56% or whatever it is, but also in order to be eligible for the tax rebate that the Governor is giving, we have to show that we have been doing this intermunicipal kind of thing and if we have it in a contract now, we can show the Governor that in fact we are doing it.

Ellie Alfeld added and we are eligible for it

Attorney for the Town Rappleyea said bingo.

Ken Finke confirmed that the state is really pushing that.

Supervisor Dellisanti called on Dot Davis who had a question on what are the dues that the town pays.

Supervisor Dellisanti explained we have a \$900 tab to the Association of Towns, I'm not sure exactly what the Court has, but I know they also have dues that are approximately \$500. I know it is in Albany someplace, I don't know the name of the organization, but those are the dues that we have.

Planning Board Chair Kathy Rundberg added also the Planning Federation, we pay dues, and I receive counsel whenever I ask for it from the Planning Federation.

Motion from Councilwoman Benway seconded by Councilwoman VanEtten to adjourn the meeting.

Councilman Norris wished from all of us Italian-Americans, hope everyone had a Happy Columbus Day.

AYES: Dellisanti, Ruso, Benway, Norris, VanEtten

NAYS:

ABSTAIN:

ABSENT:

The meeting was adjourned at 7:28 PM.

Respectfully Submitted,

Barbara M. Finke
Town Clerk