

**AGENDA**  
**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**  
**TOWN BOARD REGULAR MEETING**

**JUNE 13, 2016**

**AGENDA**

*Please turn off all cell phones and electronic devices.*

**Pledge of Allegiance**

**Approval of Minutes**

- May 9, 2016 Town Board Regular Meeting
- May 23, 2016 Town Board Work Meeting

**Public Comment Period**

**New Business**

- Resolution Authorizing Supervisor to Execute Agreement for General Ambulance Services with the Town of Cossackie
- Resolution to Approve Annual Review of Accounts for Tax Collector
- Resolution to Authorize Highway Superintendent to Purchase Materials and Supplies by Greene County Resolution 169-16
- Resolution to Authorize Highway Superintendent to Purchase Washed Screened Crushed Stone by Greene County Resolution 170-16
- Resolution Authorizing Funding for the Greene County Council on the Arts Sprouts Program
- Audit of Claims

**Discussion on Sewer Usage Fee Complaint**

**Upcoming Meetings**

- June 15, 2016 Senior Committee Picnic at 12 Noon Cecil Hallock Park
- June 16, 2016 Raindate for Senior Citizen Committee Picnic
- June 16, 2016 Friends of New Baltimore Recreation at 7 PM
- June 22, 2016 Comprehensive Plan Committee at 7 PM
- June 27, 2016 Town Board Work Meeting at 7 PM
- July 6, 2016 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- July 11, 2016 Town Board Regular Meeting at 7 PM
- July 14, 2016 Planning Board Meeting at 7 PM
- July 25, 2016 Town Board Work Meeting at 7 PM
- August 28, 2016 Veterans Committee Picnic at District 2 Park
- September 17, 2016 Townwide Yard Sale 9 AM-4 PM

**Public Comment Period/Community Events**

**Adjournment**

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

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**COUNTY OF GREENE**                      **Approved 6/27/16**  
**TOWN BOARD WORK MEETING**  
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**OPENING OF REGULAR MEETING**

Supervisor Dellisanti opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Deputy Supervisor Ruso, Councilmembers Briody, Irving, and VanEtten, Town Clerk Finke, Highway Superintendent Jordan and 10 members of the public who signed the attendance book.

Absent: Tax Collector Jordan

**APPROVAL OF MINUTES**

The May 9, 2016 Town Board Regular Meeting submitted by Town Clerk Finke, moved by Supervisor Dellisanti, seconded by Councilmember VanEtten. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

The May 23, 2016 Town Board Work Meeting submitted by Town Clerk Finke, moved by Supervisor Dellisanti, seconded by Councilmember Briody. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**PUBLIC COMMENT**

**Supervisor Dellisanti:** I have a card from Fred Ingraham concerning a Lot Line Adjustment. Fred, that will be taken up at the next Public Hearing that we do just so you know. We are not going to discuss it tonight.

**Supervisor Dellisanti:** Sharon, yes, we're going to discuss yours a little later in the meeting tonight.

**Sharon Locke:** I saw this on the agenda.

**Supervisor Dellisanti:** That's the sewer situation.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 110-2016**

**JUNE 13, 2016**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT FOR  
GENERAL AMBULANCE SERVICES WITH THE TOWN OF COXSACKIE**

**RESOLVED** the Town Board hereby authorize the Supervisor to execute an agreement with the Town of Coxsackie for General Ambulance Services for the period January 1, 2015 to December 31, 2015 for \$19,008.99.

Motion by Supervisor Dellisanti seconded by Councilmember Irving

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Supervisor Dellisanti:** The package is attached.

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**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 111-2016**  
**JUNE 13, 2016**

**RESOLUTION TO APPROVE ANNUAL REVIEW OF ACCOUNTS  
FOR TAX COLLECTOR**

***WHEREAS*** Town Law Section 123 requires each town officer or employee who has received or disbursed any monies to produce all supporting books, records, receipts, warrants, vouchers and cancelled checks as authorized by Section 29 of the General Municipal Law.

***RESOLVED*** that Councilman Jeffry Ruso has completed the Annual Review of the financial records of the Tax Collector and the Town Board accepts the Annual Review for the period of January 1, 2015 to December 31, 2015.

Motion by Supervisor Dellisanti seconded by Councilmember Ruso

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 112-2016**  
**JUNE 13, 2016**

**RESOLUTION TO AUTHORIZE HIGHWAY SUPERINTENDENT TO  
PURCHASE MATERIALS AND SUPPLIES BY GREENE COUNTY**  
**RESOLUTION 169-16**

***WHEREAS***, the Town Board hereby authorizes the purchase of materials and supplies at the contract price offered by Greene County Resolution 169-16 for one year from May 22, 2016 to May 21, 2017.

Motion by Supervisor Dellisanti seconded by Councilmember VanEtten

**Supervisor Dellisanti:** The contracts are attached, the vendors are attached.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 113-2016**  
**JUNE 13, 2016**

**RESOLUTION TO AUTHORIZE HIGHWAY SUPERINTENDENT TO  
PURCHASE WASHED SCREENED CRUSHED STONE BY GREENE COUNTY**  
**RESOLUTION 170-16**

***WHEREAS***, the Town Board hereby authorizes the purchase of washed and screened crushed stone at the contract price offered by Greene County Resolution 170-16 for one year from May 22, 2016 to May 21, 2017.

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Motion by Supervisor Dellisanti seconded by Councilmember Ruso

**Supervisor Dellisanti:** All contractors are attached with their products and costs.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 114-2016**

**JUNE 13, 2016**

**RESOLUTION AUTHORIZING FUNDING FOR THE  
GREENE COUNTY COUNCIL ON THE ARTS SPROUTS PROGRAM**

**RESOLVED** that the Town Board does hereby authorize the amount of \$200 to be paid from the budgetary appropriation for Cultural Programs to the Greene County Council on the Arts Sprouts Program.

Motion by Supervisor Dellisanti seconded by Councilwoman VanEtten

**Supervisor Dellisanti:** We have eight families from New Baltimore that have signed up for this particular program. The letter of what they do and the arts and crafts programs is attached.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 115-2016**

**JUNE 13, 2016**

**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 2016-06-01 to 2016-06-64, it is

**REVOLVED** that the Supervisor is hereby authorized to pay claims 2016-06-01 to 2016-06-64.

**BE IT FURTHER RESOLVED** that the Town Clerk will prepare an abstract and hold it for public review until July 31, 2016.

Motion by Supervisor Dellisanti seconded by Councilmember Briody

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

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General \$8,456.13, Highway \$37,914.99, Sewer 1 \$8,665.72, Sewer 2 \$31.17, Lighting 1 \$1,577.20, Lighting 2 \$125.08, Ambulance 1 \$4,094.15, Ambulance 2 \$2,404.51, Total \$63,268.95

**Supervisor Dellisanti:** At this time, I want to make a Motion to enter Executive Session to discuss the current litigation brought by Pilatich vs. the Town, seconded by Councilmember VanEtten at 7:08 PM.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Supervisor Dellisanti:** We will be right back.

**Supervisor Dellisanti:** I would like to make a Motion to go back into Regular Session seconded by Councilmember VanEtten at 7:37 PM.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 116-2016**  
**JUNE 13, 2016**

**RESOLUTION TO APPROVE FIRST AID COURSE FOR  
SUMMER RECREATION PROGRAM STAFF**

**WHEREAS** the Town of New Baltimore is conducting the 2016 Summer Recreation Program from July 11-August 5 and that all directors and counselors be certified in first aid and CPR and able to administer emergency services should the need arise.

**BE IT RESOLVED** that classes will be conducted on June 17 at 7 PM at Cornell Hook and Ladder Fire Company for a fee of \$25 per person for all staff needing certification.

Motion by Supervisor Dellisanti seconded by Councilmember Irving

**Councilmember Ruso:** How many people?

**Councilmember VanEtten:** There are four, one person already had it.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Discussion of Sewer Usage Fee Complaint**

**Supervisor Dellisanti:** I received a letter from Sharon Locke. 'I purchased an adjacent lot in June 2014. I am requesting reimbursement for sewer usage fees for that lot, since it has been determined that there is no sewer connection to that parcel. It had been combined for property tax purposes. The map that Louie showed us, that was developed in 2001, did not indicate a sewer connection for the adjacent lot that I purchased. It was all one parcel in the first place, up until a few months before I purchased my property, when the previous owners sold it separately. Thank you for your kind attention to this matter. I look forward to hearing from you soon.'

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**Supervisor Dellisanti:** I am going to make a Motion based on this letter requesting reimbursement for Ms. Locke on the sewer situation, seconded by Councilmember Ruso. We have a Motion and a second, now can we have conversation about this request. Scott, do you want to start?

**Councilmember Briody:** One of things that we are looking at is 2014 the parcels were two pieces. They've been combined and we are looking for payment back on previous debt service.

**Supervisor Dellisanti:** The way I read it is back to 2014.

**Councilmember Briody:** So we're talking 2014-2015.

**Councilmember Ruso:** And 16

**Sharon Locke:** And the first bill for 16.

**Councilmember Briody:** Do we have, were the properties combined, done through the Town or County?

**Councilmember Ruso:** Are they still two lots?

**Sharon Locke:** No, they were combined. It says so in my letter.

**Councilmember Ruso:** I'm saying that's an official thing where you go to the County or the Town.

**Sharon Locke:** I think it was taken care of by my attorney who is Ted Hilsher, our Town Historian. I'm pretty sure.

**Councilmember Ruso:** We can always find out if it was officially done.

**Sharon Locke:** And the Town, I spoke with, I'm trying to think who I spoke with in the Town, said that it had been taken care of so the last time I paid my property taxes it had been combined.

**Ann Marie Vadney:** Then it must be recorded

**Sharon Locke:** It's got to be recorded.

**Ellie Alfeld:** You have to have two tax maps.

**Councilmember Ruso:** It must be, otherwise you'd have two tax bills.

**Sharon Locke:** I didn't get two, I got one single tax bill.

**Supervisor Dellisanti:** What else do we need ladies and gentlemen?

**Councilmember Ruso:** I think what the issue has been is the sewer bills are drawn up based upon the number of users and number of lots. There's different points based upon whether it's a dwelling and certainly whether there's a connection hookup. And there's certain points based upon the usage as I think you know some of that and the total number of points and the cost of operating the sewer is divided by the number of points that all the users have and that's usually set in our budgetary timeframe each September, October, November. So I'm concerned about retrospectively. I think there's a different conversation if the lot line has been indeed combined and we're moving prospectively.

**Councilwoman VanEtten:** That's my concern too.

**Sharon Locke:** It was the Town's error that it should have been combined at the time the properties were combined the sewer bill and I had to do the research and the contacting of the

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Town and Louis had to come out to prove that there was never a sewer connection on that property in the first place. At one time it was one parcel. It had been one parcel so there was never a sewer connection.

**Councilmember VanEtten:** I thought there was a sewer connection, but it just wasn't hooked up, but there was an ability to be hooked up to a sewer connection so you could subdivide it and then actually hook it back up to that separate sewer connection. Is that true?

**Ron Locke:** If you decide to create a house lot one could do that sure.

**Councilmember VanEtten:** So that's true.

**Supervisor Dellisanti:** So the piping is there on the second lot ready to be hooked up is what you're saying.

**Ron Locke:** No it's not, it's a pipe that will go by above you.

**Tal Rappleyea, Esq.:** The main is on the street, it goes past the property.

**Supervisor Dellisanti:** Counselor, what do you recommend?

**Tal Rappleyea, Esq.:** We probably should at least make sure that we get proof that it was actually legally done from Ted or from whomever else as far as the merger of the property.

**Councilmember Ruso:** Of the two lots.

**Tal Rappleyea, Esq.:** Without having that information confirmed, you'd be making a decision without all the information.

**Councilmember VanEtten:** I agree.

**Councilmember Ruso:** I'd like to have confirmation that there was never a hookup spot as well just to confirm it mostly.

**Supervisor Dellisanti:** Can we postpone this motion until hopefully by the next meeting we can get that information from Greene County and/or Ted Hilscher.

**Councilmember Ruso:** Is there possibly anything in the Town, whether it's from Diane or whomever.

**Supervisor Dellisanti:** Or Julie maybe, that's possible. Let's check with Ted Hilscher, the County, Julie and Diane.

**Sharon Locke:** The sewer maps have already been looked at.

**Councilmember Ruso:** I didn't see them though.

**Councilmember VanEtten:** But what we need is to see proof that the properties were combined into one.

**Ron Locke:** That's easy to find.

**Councilmember VanEtten:** We'll find out and make sure before we make a decision to verify that.

**Supervisor Dellisanti:** We'll postpone this vote until the Work Meeting on the 27<sup>th</sup>, two week from today. By that time, we will have that information and then we'll be able to resolve the issue.

**Sharon Locke:** I'm just concerned that it's yet another delay. I don't want to have this go on until say August and I get billed again.

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**Supervisor Dellisanti:** We should be able to get this done within the next two weeks.

**Councilmember Ruso:** It hasn't been delayed that long, it's only been since May that you let us know this.

**Sharon Locke:** This is the letter that I wrote to the Supervisor, asked me to write a letter.

**Councilmember Ruso:** That's the first I knew of it.

**Sharon Locke:** I have been dealing with this for months, including a letter that came from Diane Jordan for the Town. She composed a letter explaining the situation months ago.

**Supervisor Dellisanti:** We'll get all the documents we need by the next meeting.

**Town Clerk Finke:** She should be here too; Diane is at a Conference this week.

**Supervisor Dellisanti:** So we'll get something from Julie, Diane...

**Sharon Locke:** Do I have to provide anything else?

**Councilmember Ruso:** No it sounds like we should have access to everything. It sounds like it.

**Supervisor Dellisanti:** Ted Hilscher and the County. That's all we need. So we're not going to make a vote on this, we are going to postpone the vote until the 27<sup>th</sup>.

**Upcoming Meetings**

- June 15, 2016 Senior Committee Picnic at 12 Noon Cecil Hallock Park
- June 16, 2016 Raindate for Senior Citizen Committee Picnic

**Ellie Alfeld:** We've got a sunny 80° day promised by the weatherman. We're hoping to have a good turnout. Food will be put on the table at noon time. As usual we are asking you to bring a dish to share and a chair. We will be providing all the meats and drinks and hopefully everybody will have a good time. Open to any seniors and their caregivers. We don't want to leave them out or refuse somebody who's able to come.

- June 16, 2016 Friends of New Baltimore Recreation at 7 PM
- June 22, 2016 Comprehensive Plan Committee at 7 PM
- June 27, 2016 Town Board Work Meeting at 7 PM
- July 6, 2016 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- July 11, 2016 Town Board Regular Meeting at 7 PM
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- August 28, 2016 Veterans Committee Picnic at District 2 Park at 12 Noon
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**Public Comment Period/Community Events**

**Supervisor Dellisanti:** Any other business to come before the Town? Hearing none, Motion by Councilmember Briody seconded by Councilwoman VanEtten to adjourn the meeting at 7:47 PM.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Supervisor Dellisanti:** Thank you all for coming tonight, I appreciate it.

Respectfully Submitted,

Barbara M. Finke, Town Clerk