

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

AUGUST 8, 2016

AGENDA

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- July 25, 2016 Public Hearing on Local Law 1 of 2016
- July 25, 2016 Public Hearing on Local Law 2 of 2016
- July 25, 2016 Town Board Work Meeting

Bid Opening for Surplus Equipment and Other Goods Auction Services

Public Comment Period

New Business

- Resolution to Adopt Local Law 3 of 2016 Establishing Process and Regulation of Solar Arrays
- Resolution to Accept Bid for Surplus Equipment and Other Goods Auction Services
- Resolution to Accept Grant from the Bank of Greene County for the Summer Recreation Program
- Resolution to Authorize Justice Joseph Farrell to Attend the New York State Magistrates Association Annual Conference
- Resolution Appointing Part Time Deputy Justice Clerk
- Resolution to Approve Emergency Repair of the Air Conditioner at Town Hall
- Audit of Claims

Upcoming Meetings

- August 11, 2016 Friends of New Baltimore Recreation at 7 PM
- August 11, 2016 Planning Board Meeting at 7 PM
- August 22, 2016 Town Board Work Meeting at 7 PM
- August 23, 2016 Veterans Committee Meeting at 10 AM
- August 24, 2016 Comprehensive Plan Meeting at 7 PM
- August 28, 2016 Veterans Committee Picnic at District 2 Park at 12 PM
- September 7, 2016 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- September 8, 2016 Planning Board Meeting at 7 PM
- September 12, 2016 Town Board Regular Meeting at 7 PM
- September 15, 2016 Friends of New Baltimore Recreation at 7 PM
- September 17, 2016 Townwide Yard Sale 9 AM-4 PM
- September 26, 2016 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

Adjournment

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

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OPENING OF REGULAR MEETING

Supervisor Dellisanti opened the meeting at 7:04 PM and the Pledge of Allegiance was said. Also attending Deputy Supervisor Ruso, Councilmembers Briody, Irving, and VanEtten, Tal Rappleyea, Esq., Town Clerk Finke, Tax Collector Jordan and 5 members of the public who signed the attendance book.

Absent: Highway Superintendent Jordan

APPROVAL OF MINUTES

The July 25, 2016 Public Hearing on Local Law 1 of 2016 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 July 25, 2016 Public Hearing on Local Law 2 of 2016 submitted by Town Clerk Finke, moved by Deputy Supervisor Ruso, 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:

The July 25, 2016 Town Board Regular Meeting submitted by Town Clerk Finke, moved by Supervisor Dellisanti, seconded by Deputy Supervisor Ruso. 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:

BID OPENING FOR SURPLUS EQUIPMENT AND OTHER GOODS AUCTION SERVICE

Town Clerk Finke: One bid was received and opened. I will make copies for the Board.

Supervisor Dellisanti: We have one bid from GovDeal.com. This is an Online Auction Memo of Understanding, description of services. There's no cost to the Town of New Baltimore, they process everything. They actually make their money from the person buying the equipment. Hold this for later in the meeting when we have a resolution.

PUBLIC COMMENT PERIOD

Supervisor Dellisanti: Any yellow cards for tonight?

Harold Vadney: I have a statement I would like to read. I've provided a statement to most of you. You know pretty what it's about.

Supervisor Dellisanti: State your name.

Harold Vadney: My name is Harold Vadney, a resident of the Town of New Baltimore, Hamlet of New Baltimore, National Historic District. Mr Supervisor, Members of the Board, Ladies and Gentlemen: Over the past several years I have had the distinct if not dubious pleasure of having notified the New Baltimore Town Board of numerous problems with town roads, especially in the National Historic District, and drawing the board's attention to the maintenance or rather absence of maintenance of our highways, roads, streets, and drainage installations. I have gone through the Louis, the O'Rourke, and now the Dellisanti boards sending e-mails, photos, letters, and requests for documents under the provisions of the Freedom of Information Law. I have drawn the board's attention to poor maintenance, waste of taxpayer dollars, and the actual creation of dangerous situations and some very idiotic constructions done by the New Baltimore

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Highway Department under the personal and direct supervision of Superintendent Denis Jordan. Mr Jordan was re – elected last November for another term as New Baltimore Highway Superintendent. He won the election by a mere one vote. Even in a high – school steering committee election, a one – vote win would be subject to investigation and recount but not in New Baltimore. But there was plenty of excuses and finger pointing. Most residents simply shook their heads in disbelief. I personally mused on how New Baltimore voters were so intent on keeping paradigms of ineptitude in public office and at taxpayer expense, be it in the Highway Department or the town court. You have to wonder whether the brain – drain in New Baltimore has reached such a point that we can't resurrect even a mediocre candidate, let alone one with any credentials. As you are aware, in June I again contacted the New Baltimore Town Board with a demand that they inspect the condition of New Street surface water drainage and storm drain installations done by the New Baltimore Highway Department. Mr Dellisanti and Mr Ruso appeared on June 18, 2016, and inspected the Madison Avenue East and New Street situation. I personally accompanied them and pointed out the defects, deficiencies and damage. The findings were nothing less than abominable. The surface water drainage ditches and the storm drains had not been maintained for more than three years; they were overgrown and useless. Worse still, Mr Ruso discovered a culvert running across New Street but no one could find the end. Mr Scott vanWormer commented that he had not seen the end of the drain in 20 years. The streets and the drains were not being maintained as required by law. There was no excuse for these. Conditions were inexcusable. On June 20, 2016, Mr Ruso, Ms vanEtten, Mr Jordan, and Mr vanWormer appeared on New Street to do the planned inspection. I again personally accompanied them pointing out the defects, deficiencies, and the damage, previous inspection unplanned. The same deficiencies were pointed out for the benefit of Mr Jordan and his people. The response was merely stories and excuses. On about June 22, 2016, Mr Jordan appeared with excavation equipment, work crews, and supplies and commenced digging up the dead-end culvert. I questioned the necessity of doing so but received only nonsensical explanations. Observing the work being done, I notified the Town Board to stop the work until Mr Jordan could do a site inspection with members of the board and explain his plan and why he was so proceeding. Both Mr Jordan and the board ignored the request, the work continued, and the situation was actually made worse. All this at taxpayer expense. I have to say shame on you Mr Dellisanti, Mr Ruso, New Baltimore Town Board in your entirety, and most of all shame on Mr Jordan! On June 20th, the direct connection between New Baltimore's failure to inspect and maintain the streets and surface water drainage in the National Historic District, but especially on New Street, was made between the Highway Department's negligence and severe structural damage done to a residential structure due to improperly drained surface water and failure to maintain. The structure is severely damaged and the foundation is partially collapsed. Mr Dellisanti, Ms Finke, Mr Jordan, the resident's agent is now serving you with Notice of Claim for the damages its done to them. You are, of course, aware of several other claims and lawsuits against the Town of New Baltimore in which residents base their claims on the acts or omissions of the Town of New Baltimore Highway Department under the direct and personal supervision of Mr Denis Jordan. The resident not only demands compensation for the property damage but is also demanding that the Town of New Baltimore Town Board take immediate steps to remove Mr Jordan from office and to immediately request the State Department of Transportation and the Office of the Comptroller to audit, inspect, and examine the operations of the New Baltimore Highway Department, and to prosecute any abuses or irregularities found. The resident also demands that any monies paid in compensation of the damages done to be recouped from town employees found to have contributed to the damages and directly negligent in the duties and obligations of their office and abuse of their office. Thank you."

Supervisor Dellisanti: Thank you for your comments.

NEW BUSINESS

Lazlo Polyak: Point of Order. New York State law requires that the meetings be at least a minimum twenty minutes for Public Hearings. You closed it in less than five to open the Town Board meeting. So you may need to reopen it or stand for another 15 minutes or schedule a new Public Hearing before you make a Motion to adopt that resolution. If you need to, you can check with Mr. Freeman.

Tal Rappleyea, Esq.: Can you recite the section of law that that's required under?

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Harold Vadney: Mr. Rappleyea, you should be familiar.

Tal Rappleyea, Esq.: I am not and that's why I'm asking because I don't claim to know everything, but I certainly would like to know this.

Lazlo Polyak: I would refer you to Mr. Freeman, it is a minimum of 20 minutes for a Public Hearing.

Tal Rappleyea, Esq.: I will do that.

Supervisor Dellisanti: Now can we reopen the Public Hearing and let it sit for 15 minutes?

Councilmember VanEtten: He doesn't know; he couldn't even recite the law.

Deputy Supervisor Ruso: We can take 15 minutes and relax.

Supervisor Dellisanti: It's up to the Board; what do you want to do?

Councilmember VanEtten: I think that unless he can recite the law that tells us that, I think we keep going. What do you think, Tal?

Tal Rappleyea, Esq.: I've never heard of it before I have to say. I've never seen anything in the Freedom of Information Law.

Deputy Supervisor Ruso: If there's any potential truth with that, I wouldn't want anything that we do today to be held null and void.

Tal Rappleyea, Esq.: You may as well.

Supervisor Dellisanti: Let's reopen the Public Hearing for 15 minutes, I'll make that Motion seconded by Deputy Supervisor Ruso at 7:19 PM.

Deputy Supervisor Ruso: Just in case he's half right.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Supervisor Dellisanti: I would like to make a Motion to close the Public Hearing at 7:35 PM seconded by Councilwoman VanEtten.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 142-2016
AUGUST 8, 2016

**RESOLUTION TO ADOPT LOCAL LAW 3 OF 2016 ESTABLISHING PROCESS
AND REGULATION OF SOLAR ARRAYS**

WHEREAS the Town Board of the Town of New Baltimore has held a Public Hearing on August 8, 2016 at 7:00 PM regarding proposed Local Law 3 of 2016, a Local Law Establishing Process and Regulation of Solar Arrays at which time the public was given an opportunity to speak regarding this proposed local law.

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NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Baltimore does hereby adopt Local Law 3 of 2016 Establishing Process and Regulation of Solar Arrays.

Motion by Supervisor Dellisanti seconded by Councilmember VanEtten

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

TOWN OF NEW BALTIMORE
LOCAL LAW #3 OF 2016
REGULATION AND APPROVAL STANDARDS FOR SOLAR COLLECTION
SYSTEMS

§1. Title. This law shall be known and cited as the "Town of New Baltimore Regulation and Approval Standards for Solar Collection Systems."

§2. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Expedited process: The application, review and approval process for any solar collector system with a rated capacity of 12 kW or less, as set forth in §3 below.

Small-scale solar collector system: A solar collector or other device or structural design feature of a structure that relies upon sunshine as an energy source and is capable of collecting, distributing, and storing (if appropriate to the technology) the sun's radiant energy for a beneficial use which is intended for and used solely by an individual/home purpose and which have a rate capacity of greater than 12 kW.

Utility scale solar collector system: A solar collector or other device or structural design feature of a structure that relies upon sunshine as an energy source and is capable of collecting, distributing, and storing (if appropriate to the technology) the sun's radiant energy for a beneficial use which is intended to be utilized for any purpose other than private residential or agricultural use.

§3. Expedited process for solar collector systems with a rated capacity of 12 kW or less

A. Purpose and intent.

The expedited solar permitting process uses a unified permit across participating municipalities in New York State. A combined building and electrical permit for a grid-tied solar electric system will be issued pending proper completion of forms, submission of approved plans and approval by municipality. All applicants must submit:

B. Applicability.

The expedited solar permitting process shall be applicable to all solar collector system with a rated capacity of 12 kW or less, whether intended for personal use or commercial use.

C. Application, Review and Permitting.

(1) Items to be submitted.

(a) Unified Solar Permit for Small-Scale Solar Electric Systems and an Eligibility Checklist; and

(b) A set of plans which must include the Project address, section, block and lot number of the property and the Owner's name, address and phone number and the name, address and phone number of the person preparing the plans;

(c) A Site Plan showing location of major components of solar system and other equipment on roof or legal accessory structure. This plan should represent relative location of components at site, including, but not limited to, location of array, existing electrical service location, utility meter, inverter location, system orientation and tilt

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angle. This plan should show access and pathways that are compliant with New York State Fire Code, if applicable.

- (d) One-Line or 3-Line Electrical Diagram as required by and shall include:
 - [1] Specification Sheets for all manufactured components. If these sheets are available electronically, a web address will be accepted in place of an attachment, at the discretion of the Code Enforcement Officer.
 - [2] All diagrams and plans must be prepared by a PE or RA as required by New York State law and include the system capacity in kW-DC.

- (2) Upon receipt and verification of each of the above items, the Code Enforcement Officer shall issue a building permit for the construction and completion of the system.

§4. Regulation and approval standards for small-scale solar collector systems.

A. Purpose and intent.

(1) The purpose of these regulations is to balance the potential impact on neighbors where solar collectors may be installed near their property while preserving the rights of property owners to install solar collection systems without excess regulation. These regulations are not intended to override the New York State Agriculture and Markets Law.

(2) Solar energy is a renewable and nonpolluting energy resource that can prevent fossil fuel emissions and reduce energy load. Energy generated from solar energy systems can be used to offset energy demand on the grid when excess solar power is generated.

B. Applicability.

(1) The requirements herein shall apply to small-scale solar collector system installations modified or installed after the effective date of this section with a rate capacity of greater than 12 kW.

(2) Solar collector system installations for which a valid building permit has been properly issued, or for which installation has commenced before the effective date of this section, shall not be required to meet the requirements of this section, except in accordance with Subsection D, Safety, found herein this section. Any modification, expansion or alteration to an existing solar collector system shall only be permitted in accordance with §§201-70 and 201-71 of the Town of New Baltimore Zoning Law.

(3) All small-scale solar collector systems shall be designed, erected and installed in accordance with all applicable codes, regulations and industry standards as referenced in the New York State Building Code.

C. Permitting.

(1) Rooftop and flush-mounted solar collectors are permitted in all zoning districts in the Town of New Baltimore subject to the following conditions:

- (a) Building permits shall be required for installation of all rooftop and flush-mounted solar collectors.

- (b) Height limitations for structures found in this zoning law, shall apply.

- (c) Rooftop and flush-mounted solar collector systems are permitted on the following structures:

- [1] All principal structures.

- [2] All accessory structures that meet the principal structure setbacks as required in each zoning district.

- (d) Rooftop units must be three feet from any chimney and shall not be permitted on any roof overhangs.

- (e) Any solar collector system attached to a pitched roof shall not extend more than three feet from the surface of the angle of the roof.

(2) Ground-mounted racks and freestanding solar collectors are permitted as an accessory structure in all zoning districts in the Town of New Baltimore subject to the following conditions:

- (a) Building permits shall be required for installation of all ground-mounted and freestanding solar collectors except in the Hamlet and General Commercial Districts, where freestanding solar collectors shall not be allowed.

- (b) Special use permit from the Planning Board is required for all ground-mounted racks and freestanding solar collectors greater than 10 feet in height or greater than 20 feet in length or if the solar array surface area is greater than 200 square feet in

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the aggregate in all residential zoning districts. All other ground-mounted racks and freestanding solar collectors shall follow the standard building permit process.

(c) All ground-mounted racks and freestanding solar collectors shall have a maximum height of 20 feet from ground elevation.

(d) All ground-mounted racks and freestanding solar collectors installed in the side or rear yards shall comply with the setback requirements for a principal structure found in this zoning law.

(e) Solar collectors may be installed in any front yard but shall not be less than 75 feet from the front property line and shall require a special use permit.

(f) Solar collectors shall be located in a manner that reasonably minimizes shading of adjacent property while still providing adequate solar access for collectors.

D. Safety.

(1) All solar energy systems and solar collectors must obtain a building permit and shall be designed to be and installed to be in conformance with the New York Uniform Fire Prevention and Building Code Standards that are applicable when the building permit is issued.

(2) If solar storage batteries are included, they must be placed in a secure container or enclosure meeting the requirements of the New York State Building Code when in use. When they are no longer in use, they shall be disposed of in accordance with the laws of New York State Fire Prevention and Building Code and local laws of the Town of New Baltimore and any other applicable laws or regulations.

(3) Glare and heat. No unreasonable glare or heat shall be produced that is perceptible beyond the boundaries of the lot on which such use is situated.

§5. Regulation and approval standards for utility-scale solar collector systems.

A. Purpose and intent.

(1) The purpose of these regulations is to provide utility-scale solar collector systems through performance criteria that balance the unique characteristics of each site. Utility-scale solar collector systems are allowed in all zones in the town, subject to site plan review approval pursuant to Article VII of the Town of New Baltimore Zoning Law.

(2) In any instances where specific permitted uses, area, or height standards, development guidelines and/or review procedures specifically set forth in this section conflict with any other general provision or requirements of the Zoning chapter, the particular provisions set forth herein shall take precedence and control.

B. Bulk and area requirements. The following dimensional requirements shall apply to all utility-scale solar collector systems:

(1) Height.

(a) All solar collectors shall have a maximum height of 20 feet from ground elevation.

(b) All buildings and accessory structures associated with the utility-scale solar collector system shall have a maximum height of 35 feet, excluding the solar collector.

(2) Setback. All utility-scale solar collector systems and associated buildings, accessory structures and equipment shall have a minimum setback from any property line of 100 feet.

(3) Lot coverage. The maximum percentage of coverage of a parcel in each zoning district shall be determined by Article V of the Town of New Baltimore Zoning Law.

C. General provisions.

(1) Site plan. All utility-scale solar collector systems shall provide a site plan in accordance with Article VII. of the Town of New Baltimore Zoning Law.

(2) Signage. All signage shall be provided as part of site plan review and shall be in accordance with Article VI. of the Town of New Baltimore Zoning Law.

(3) Visual.

(a) Utility-scale solar collector systems shall be sited in a manner to have the least possible practical visual effect on the environment.

(b) A visual environmental assessment form (Visual EAF), landscaping plan and visual assessment report, including appropriate modeling and photography assessing the visibility from key viewpoints identified in the Visual EAF, existing tree lines, surrounding topography, and proposed elevations shall be required.

(c) Landscaping, screening and/or earth berming shall be provided to minimize the potential visual impacts associated with the utility-scale solar collector systems and

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its accessory buildings, structures and/or equipment. Additional landscaping, screening and/or earth berming may be required by the Town Board and/or the Planning Board to mitigate visual and aesthetic impacts.

(d) Any associated structure shall be screened, placed underground, depressed, earth bermed or sited below the ridgeline to the greatest extent feasible, particularly in areas of high visibility.

(4) Lighting. A lighting plan shall be required. No utility-scale solar collector system shall be artificially lighted unless otherwise required by a federal, state or local authority. Exterior lighting may be provided for associated accessory structures and access entrances as may be determined appropriate for security purposes only.

(5) Utilities. The applicant shall provide written confirmation that the electric grid has the capacity to support the energy generated from the utility-scale solar collector system. Electrical and land-based telephone utilities extended to serve the site shall be underground.

(6) Access. The applicant shall indicate on a site plan all existing and proposed access to the site, including road, electric power, emergency access, land-based telephone line connection, and other utilities existing and proposed within the property boundaries of the proposed location. Existing roadways shall be used for access to the site whenever possible and determined acceptable by the Planning Board through site plan review.

(7) Glare and heat. No unreasonable glare or heat shall be produced that is perceptible beyond the boundaries of the lot on which such use is situated.

(8) Ownership. In the case of an application for a utility-scale solar collector system to be located on private lands owned by a party other than the applicant or the Town, a copy of the lease agreement with the property owner shall be filed with the Building Department.

(9) Proof of insurance. The applicant and the owner of the property where the utility-scale solar collector system is to be located shall file with the Building Department proof of insurance in a sufficient dollar amount to cover potential personal and property damage associated with construction and operation thereof.

(10) Security provisions. Each site shall have a minimum of an eight-foot security fence to prevent unauthorized access and vandalism to the utility-scale solar collectors and a security program for the site as approved by the Planning Board during site plan review.

(11) Noise. Noise-producing equipment shall be sited and/or insulated to minimize noise impacts on adjacent properties as approved by the Planning Board during site plan review.

(12) Documentation from the utility company, verifying that the utility-scale solar collector system is active, shall be provided annually to the Town of New Baltimore Building Department.

(13) Required sureties for construction, maintenance and removal of utility-scaled solar collector systems.

(a) Construction and maintenance. Prior to the issuance of a building permit for the utility-scale solar collector system and any associated accessory structures, the applicant shall post a surety in an amount and form acceptable to the Town for the purposes of construction and maintenance. The amount shall be up to 20% of the construction value. Acceptable forms shall include, in order of preference: cash; letter of credit; or a bond that cannot expire; or a combination thereof. Such surety will be used to guarantee compliance with the conditions of the approval for the utility-scale solar collector. If the owner of the site fails to comply with any conditions of the approval during construction or as part of the long-term maintenance of the site, all costs of the Town incurred to comply with conditions of the approval shall be paid using the surety provided by the applicant. Failure to comply with the conditions of the approval or to maintain an acceptable level of surety will result in revocation of the certificate of occupancy.

(b) Removal. The utility-scale solar collector system, including any accessory structures and/or equipment, shall be dismantled and removed from the site when the utility-scale solar collector system has been inoperative or abandoned for two years. As a condition of the certificate of compliance, applicants shall post a surety in an amount and form acceptable to the Town for the purposes of removal or abandonment. The amount shall be up to 20% of the construction cost. Acceptable forms shall include, in order of preference: cash; letter of credit; or a bond that cannot expire; or a combination thereof. Such surety will be used to guarantee removal of the utility-scale solar collector system should the system be abandoned. Abandonment shall be assumed by the Town if the annual documentation as required in C. (12) above, is not provided by the owner, applicant or lessee for two consecutive years to the Town of New Baltimore Building

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Department. The Town Building Inspector shall then provide written notice to the owner to remove the utility-scale solar collector system, and the owner shall have two years from written notice to remove the utility-scale solar collector system, including any associated accessory structures and/or equipment, and restore the site to a condition approved by the Planning Board. If the owner, applicant or lessee fails to remove any associated structures or restore the site to the condition approved by the Planning Board, all costs of the Town incurred to comply with this condition shall be paid using the surety provided by the applicant.

§6. Fees.

The Town Board may set application, review and/or approval fees by resolution, from time to time, as it deems appropriate.

§7. Severability.

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

§8. Effective Date.

This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Supervisor Dellisanti: This went to the *Daily Mail* on July 14 and read, “Notice to Bidders Please take notice that the Town of New Baltimore hereby solicits bids for sale by auction of surplus equipment and other goods no longer needed. Sealed Bids must be received in the Town Clerk’s office by Monday, August 8, 2016 by 4 PM at the New Baltimore Town Hall, 3809 County Route 51, Hannacroix, NY 12087. The Town reserves the right to reject any and all bids By Order of the Town Board, Barbara M. Finke Town Clerk”

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 143-2016
AUGUST 8, 2016

**RESOLUTION TO ACCEPT BID FOR SURPLUS EQUIPMENT
AND OTHER GOODS AUCTION SERVICES**

WHEREAS the Town Board by Resolution 124-2016 dated July 11, 2016 authorizing the Town Clerk to advertise for bids for surplus equipment and other goods auction services to be submitted to the Town Clerk’s office no later than 4 PM on Monday, August 8 and to be publicly opened at 7 PM on August 8, and

WHEREAS one bid has been received and opened at the Town Board Meeting on August 8 at 7 PM pursuant to the Town Board’s authorization, and

WHEREAS a responsible bid was received by GovDeals Inc.

NOW, THEREFORE, BE IT RESOLVED, the Town Board does hereby accept the bid for services rendered pursuant to publicized bid at no cost to the Town.

Motion by Supervisor Dellisanti seconded by Deputy Supervisor Ruso

Supervisor Dellisanti: Just so you all know the way this company makes their money is by charging the people that actually bid on the surplus equipment. Hopefully we will be able to get rid of some of those computers in the attic and whatever Denis has available down at the garage. Any other questions or comments on this resolution?

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AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 144-2016
AUGUST 8, 2016

**RESOLUTION TO ACCEPT GRANT FROM THE BANK OF GREENE COUNTY FOR
THE SUMMER RECREATION PROGRAM**

WHEREAS the Grants Committee of the Town of New Baltimore submitted an application to the Bank of Greene County for the Summer Recreation Program which was approved by Town Resolution 178-2015 on December 28, 2015. .

WHEREAS the Charitable Foundation of the Bank of Greene County awarded the Town of New Baltimore a \$500 grant on July 28, 2016.

RESOLVED the Town of New Baltimore hereby accepts said grant from the Bank of Greene County for use during the Summer Recreation Program held from July 11-August 5 at Cecil C. Hallock District 2 Park.

Motion by Supervisor Dellisanti second by Councilmember VanEtten

Supervisor Dellisanti: I did receive the check from the Bank on the 28th. I gave them a small speech on what we actually did for the kids here in New Baltimore. I was told to get our application in in December for 2017 because their funds are shrinking. So if we get it in in December it looks like we will be able to recoup what we did this year. I really appreciate the grant from the Greene County Bank and President Mr. Gibson. He's a very nice man and supported us for the last three years that I've been here.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 145-2016
AUGUST 8, 2016

**RESOLUTION TO AUTHORIZE JUSTICE JOSEPH FARRELL TO ATTEND
THE NEW YORK STATE MAGISTRATES ASSOCIATION
ANNUAL CONFERENCE**

RESOLVED that the Town Board does hereby authorize Justice Joseph Farrell to attend the New York State Magistrates Association Annual Conference to be held in Lake Placid, New York from September 25-28, 2016 and will be reimbursed the Registration Fee and lodging (includes meals) estimated at \$597.75.

Motion by Supervisor Dellisanti second by Councilmember Irving

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

TOWN OF NEW BALTIMORE **Draft 8/10/16**
COUNTY OF GREENE **Approved 8/22/16**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
August 8, 2016 – Page 10

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 146-2016
AUGUST 8, 2016

RESOLUTION APPOINTING PART TIME DEPUTY JUSTICE CLERK

WHEREAS, a vacant position exists in the Justice Court and the Town has advertised the position of Part Time Deputy Justice Clerk, and

WHEREAS, the Town Justices have reviewed the applications submitted and conducted interviews with prospective candidates for this position in response to this advertisement,

WHEREAS, the Justices have recommended that the position be filled by Kimberly Ruby who meets the qualifications for this position.

NOW, THEREFORE BE IT RESOLVED, that Kimberly Ruby is hereby appointed to the position of Part Time Deputy Justice Clerk for the Town of New Baltimore Justice Court at an hourly wage of \$10.00 per hour with a maximum of 25 hours per week.

Motion by Supervisor Dellisanti second by Councilwoman VanEtten

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 147-2016
AUGUST 8, 2016

**RESOLUTION TO APPROVE EMERGENCY REPAIR OF THE
AIR CONDITIONER AT TOWN HALL**

WHEREAS, the Town Board of the Town of New Baltimore adopted a Procurement Policy on January 1, 2016 concerning the procurement of goods and services.

WHEREAS the air conditioning at Town Hall and the basement records area was not working properly and it was critical to have this repair made as soon as possible and said repair could not be completed in-house.

WHEREAS, due to the emergency condition of this repair and according to Procurement Policy 6 b, Section 103 (4) of the General Municipal Law, this service had to be performed immediately and an alternate proposal might threaten the life, health, safety or welfare of the residents.

BE IT RESOLVED, that the Town Board of the Town of New Baltimore approves said emergency repair by C.A. Albright & Sons, Invoice No. 6986, Purchase Order No. B-2016-52, Town Voucher No. 2016-08-15 for \$1,000.00.

Motion by Supervisor Dellisanti seconded by Councilmember Irving

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

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

RESOLUTION 148-2016
AUGUST 8, 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 2016-08-01 to 2016-08-49, it is

REVOLVED that the Supervisor is hereby authorized to pay claims 2016-08-01 to 2016-08-49.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until September 30, 2016.

Motion by Supervisor Dellisanti seconded by Councilmember Briody

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

General \$20,892.49, Highway \$31,636.93, Sewer 1 \$16,631.75, Sewer 2 \$31.35, Lighting 1 \$1,624.31, Lighting 2 \$125.68, Total \$70,942.51

Upcoming Meetings

- August 11, 2016 Friends of New Baltimore Recreation at 7 PM
- August 11, 2016 Planning Board Meeting at 7 PM
- August 22, 2016 Town Board Work Meeting at 7 PM
- August 23, 2016 Veterans Committee Meeting at 10 AM
- August 24, 2016 Comprehensive Plan Meeting at 7 PM
- August 28, 2016 Veterans Committee Picnic at District 2 Park at 12 PM
- September 7, 2016 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- September 8, 2016 Planning Board Meeting at 7 PM
- September 12, 2016 Town Board Regular Meeting at 7 PM
- September 15, 2016 Friends of New Baltimore Recreation at 7 PM
- September 17, 2016 Townwide Yard Sale 9 AM-4 PM
- September 26, 2016 Town Board Work Meeting at 7 PM

PUBLIC COMMENT PERIOD/COMMUNITY EVENTS

Ellie Alfeld: I just would like to know I believe you did a survey of the sewer district, Jeff?

Deputy Supervisor Ruso: It's nowhere's near done, I think I indicated I planned on having that done by the completion of the budget year so the Sewer District can have the proper rates for 2017.

Ellie Alfeld: One other thing I'd like to bring up. I believe I'll be able to report next meeting for the church's monthly lunches so I'll be able to bring you more information on that hopefully.

Supervisor Dellisanti: At this time, I would like to make a Motion to go into Executive Session.

Councilmember VanEtten: I'll second.

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Supervisor Dellisanti: Under Public Officers Law §105 f. the medical, financial, credit or employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension dismissal or removal of a particular person or corporation. That is what we are going to be meeting on. Any questions or comments?

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

The Town Board adjourned for Executive Session at 7:46 PM.

Supervisor Dellisanti: We will be back shortly.

On a Motion from Supervisor Dellisanti seconded by Councilmember VanEtten, the Board reconvened at 8:14 PM.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Supervisor Dellisanti: We just exited the Executive Session and no action was taken. We ended the Executive Session at 8:12 PM. Any other information or business to come before the Board tonight? Hearing none.

Motion by Councilmember Briody seconded by Councilmember VanEtten to adjourn the meeting at 8:14 PM.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Supervisor Dellisanti: Thank you all for coming tonight.

Deputy Supervisor Ruso: Thank you everybody.

Respectfully Submitted,

Barbara M. Finke
Town Clerk