

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

APRIL 8, 2019

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Budget Presentation by Ravena-Coeymans-Selkirk Central School

Approval of Minutes

- March 25, 2019 Town Board Work Meeting Minutes

Public Comment Period

New Business

- Resolution to Authorize the Supervisor to Execute Agreement for Portable Standard Toilets
- Resolution to Authorize the Highway Superintendent and Deputy Highway Superintendent to Attend Training
- Resolution to Authorize the Tax Collector and Tax Collector Clerk to Attend Training
- Resolution to Approve Emergency Repair by Highway Department
- Audit of Claims

Upcoming Meetings

- April 11, 2019 Planning Board Meeting at 7 PM
- April 22, 2019 Town Board Work Meeting
- April 26-28, 2019 Town Roadside Clean-Up Day, Sign up in Town Clerk's Office
- Townwide Roadside Cleanup Days April 28-April 30 and May 3-5. Sign up in the Town Clerk's Office or the Recycling Center
- May 1, 2019 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- May 3-5, 2019 Town Roadside Clean-Up Day, Sign up in Town Clerk's Office
- May 9, 2019 Planning Board Meeting at 7 PM
- May 13, 2019 Town Board Regular Meeting at 7 PM
- May 28, 2019 Grievance Day 4-8 PM
- May 29, 2019 Town Board Work Meeting at 7 PM
- June 1-2, 2019 AgFest at the VanEtten Farm

Public Comment Period/Community Events

Adjournment

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

GUIDELINES FOR PUBLIC CONDUCT DURING TOWN BOARD MEETINGS

1. The Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall be the acting Supervisor. In the event both the Supervisor and the Deputy Supervisor are absent, the other members shall designate one of their members to act as temporary chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. Town residents who wish to speak shall fill out a card at the entrances of the meeting room listing their name, contact information, and the subject matter in which they would like to speak. These cards will be collected prior to the beginning of the Town Board meeting and given to the Town Supervisor or Deputy Supervisor in the absence of the Supervisor.
3. Speakers must be recognized by the presiding officer and then proceed to the lectern and state their name and address. They must limit their remarks on official town business to up to three minutes on a given topic and may not yield any remaining time to another speaker. They must address their remarks to the Board as a body and not to any member thereof and not to other members of the audience in the form of a debate.
4. Speakers should present their remarks in a courteous manner and may not make disparaging remarks or personal comments about public officials, town residents, or others. All speakers will observe the commonly accepted rules of courtesy, decorum, dignity, and good taste with no cursing, swearing, clapping, booing, finger pointing, bullying, whispering, or talking that disrupts the proceedings of the business of the Town Board.
5. Any speaker who disregards the directives of the presiding officer in enforcing the rules, disturbs the peace at a meeting, makes impertinent or slanderous remarks, or generally conducts themselves in an inappropriate manner shall be barred from further participation and will forfeit any balance of time remaining for their comments.
6. After a final warning, if a speaker willfully refuses to step down, the Town Supervisor shall contact the appropriate authorities to remove the speaker from the meeting room and to restore order.
7. The Town Supervisor, or in their absence the Deputy Supervisor, shall ensure compliance with these rules.

This policy will be amended by Majority vote of the Town Board.

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OPENING OF REGULAR MEETING

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Deputy Supervisor Dellisanti, Councilmembers Briody, Downes and Irving, Aline D. Galgay, Esq., Town Clerk Finke, Highway Superintendent VanWormer, and 8 members of the public who signed the attendance book. Absent: Councilmember VanEtten and Tax Collector Jordan

Supervisor Ruso: Tonight we have a budget presentation by our friends from RCS and so we have you first on the agenda. So if you would please proceed, step up and introduce yourselves, and all that.

PRESENTATION BY RAVENA-COEYMANS-SELKIRK CENTRAL SCHOOL

Dr. Bailey: So Joanne (Moran) and I as we were preparing for this, I gave you a couple different flavors. What we weren't sure about was to what extent you wanted to actually hear about our programmatic initiatives going into the '19-20 school year and to what extent you wanted to get right to the (unable to understand) which is about the financial commitment of the taxpayers of the Town of New Baltimore. So we're prepared to do both and I would ask your indulgence to say about where you want us to hit the mark.

Supervisor Ruso: I would certainly want to hear what's new and different and I suspect we're gonna want to hear things such as what's going to have the biggest impact on our pocketbook. So I don't know if that helps you at all.

Dr. Bailey: We will be able to accomplish both of the things for you. So the most important thing in talking about our program, our Mission Statement focuses on all students and the State certainly would have us focus on all students demographically, socio-economically, and I think that's also when we're held accountable -- school report cards which actually just came out today, to another element of the school program just came out today -- places our graduation rate at about 86-87 percent for all of our students. That includes both in an out-of-district. It's a two percent increase from the year before. This data is always a year in the past so when we're taking about graduation rates we're talking about now 2018 is almost we're taking 7-9 months ago, but increase in graduation rate which is good. We've established a set of skills we want our students to have. We're going to Live the Habits of Scholarship and this year as we're looking forward we decided to establish a five year plan and that's focus on what we want to see our graduates in 2024. And in that we're focused on our 21st Century skills around the four 'c's' which are creativity, collaboration, communication, and critical thinking and the way we're going to do that. And I'm gonna fly through this. If you envision the graduate of 2024, we're on creativity and we're asking that students create portfolios that will represent their work. This will include not only represent example of work for classes, but also resumes, letters of recommendation, volunteerism hours. Things that you would expect to see if I were going to be employable when I left school. We're going to do project-based learning throughout our program in K-12. There are moments of greatness right now and our expectation is that we want all student to have access to that. The 21st Century workplace certainly requires future employees to have a vast set of skills and they've gotta be able to act on it. And in 5th, 8th, and 12th grade we're gonna ask students to create capstone projects which means that they'll take the skills and knowledge that they've acquired through their span of time in elementary, middle, and high school and create a larger work around something they're passionate about. For instance in 5th grade it can be around an environmental study, 8th grade it could be around something around volunteerism, in 12th grade it could be preparation for the workplace. But we know that the challenges whether you're working in road crew, or if you're working in a factory, or you're working in lawyer's/attorney's office, you have an expectation to produce and we need to challenge our kids in a meaningful way prior to the departure from us.

Supervisor Ruso: I would ask that as an employer, if you'd just get them to show up and on time it would be a big start.

Dr. Bailey: It's true and I think what we've found is that engagement is the key to that. The project-based learning and the capstone projects are intended to be around students' passions and know that they have ownership and responsibility. For collaboration which means developing relationships and trust, we're gonna create mentoring partnerships with the

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professionals in the area. We're very blessed up and down 9W and 144 to have a number of businesses, but we have not capitalized on those relationships in a meaningful way. They're philanthropic, they donate at the holidays and things like that, but the skillset of the people in our community can really value add to the skillset of the student in the school. So when they leave it's not just with Math, Science, English, Social Studies, and electives. It is with really professional job-ready skills. We're also gonna start to implement internships in the field. So in other words, LaFarge right across the street which is the closest, easiest example allowing students to go into the workplace and actually feel and see what that is like on a large-scale, not just a day visit, but give them the responsibility to fulfill that work so that they are better prepared to show up and do the work when they graduate. And volunteerism in our communities is dying. If you look at our volunteer fire departments, our ambulance squads, first responders in general, the military, 4-H, you name it, Elks Club and it's our responsibility to teach that prior to students leaving. So right now we have an expectation, students graduate having completed 15 hours or 20 hours of volunteerism as Seniors. That is way too late to begin to teach students responsibility. We're going to start with volunteerism in the Elementary school asking that students begin low level, five hours a year. They can do it on school trips, as a group, they can volunteer in the school. But if we're not embedding that in their feeling of responsibility from an early age, they absolutely will not have it by the time they graduate. And also giving students the opportunity to mentor younger students which again builds ownership over the work that they're doing. We expect all students to be literate when they leave, when they're taking about communication, not just written literacy but digital literacy to be able to operate virtually in any field, you have to have the ability to communicate. And public speaking is, right now it's an individual class, but not every child is asked to take public speaking. If you can think back to your first interview having to stand or sit in front of anyone to express yourself and explain the work that you're doing. Every child needs an opportunity and access to that. So we're gonna embed into our curricular programs so the student who graduates in 2024 is articulate. And social-emotional learning, if you know anything about education right now, there is a huge push toward trying to develop the whole child and acknowledge the fact that we're not all perfect; that emotionally we may not be perfect, physically we may not be perfect and we have to give children the coping skills prior to their departure and our staff so that they're ready to do that. And lastly critical thinking, the last of the c's, we have right now the PSAT and SAT. We have an inordinately low participation rate. The PSAT offered this fall we had approximately 45-40 students take that out of 150 juniors, sophomores have 150 students, juniors have 150. We know that the PSAT is a gateway for children receiving scholarships for college, receiving invitations to participate in college, and although not everyone will go to college, everyone should have the opportunity to consider that possibility. So we propose as part of our budget that we do what is now called a PSAT Day and an SAT Day where all students in a grade level take it together. It isn't just a select few or those that opt in, but instead everyone has an opportunity even those who may not believe they have the potential to take those exams. We expect by 2024 to offer up to 15 college credits for our graduates. We do have college credits, quite a few now, but it isn't organized in a way that is a career pathway or a college pathway for our kids. It's our responsibility to help them determine their future. They can always change their mind, but left to their own devices what would a 14 year-old choose? Perhaps the easiest path, I can't be sure, but I think that we can significantly help students. And also CTE certification, create a tech education certification. In other words they can be welders or medical field professionals prior to their graduation from high school. Why wouldn't we do that? And we need to increase our inhouse CTE. What does that mean for next year? So all of that I'm talking about the next five years. It's important to have the conversations and I will confess to you having been there nine years in the district in various capacities, we haven't planned farther than one year in the future. That is a problem. No business can survive one year into the future. So let's talk about it budgetarily. Next year we have approximately seven teacher retirements. Our expectation is to fill each of those positions – six of them with the types of positions that are retiring. On Page 7 of the powerpoint, it talks about a reading teacher, two special ed teachers, secondary science, secondary social studies, and elementary. We're gonna take one of those positions and repurpose them to be essentially a teacher of teachers. I talked about project-based learning as an important implementation within our program and we do have moments of greatness. Last year we dedicated some of the retirees to new positions that were steam labs in both elementary schools. So we have a teacher who all day cycles through and does projects with our children. What we would like to have is every classroom in the elementary doing project-based learning, engaging learning. We manage to -- maybe it's the

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State or something else that has caused it – but we do really manage to beat the creativity our of children from the moment they walk in in kindergarten if you think what kindergarten is like, exploration, excitement, this innate love of learning and we manage to pare it down into following specific parameters and specific rules and specific expectations. So by the time they're in high school, they know how to do what we're asking them to do, but they don't necessarily know how to do something differently than what we've asked them to do. So we want to keep that excitement and energy in our Elementary school students and we hope that this project-based, this instructional specialist around project-based learning will help with that.

Councilmember Downes: Can you explain to me why since literacy seems to be such an issue across-the-board, you chose to not give up the UPK teacher but the reading teacher?

Dr. Bailey: We have eleven reading teachers in our district and nine of them are at the Elementary school with two at Middle School. Literacy is an imperative and literacy belongs in tier 1 instruction which mean that every one of the teachers in every classroom is responsible for that. So one of the other things that we have been doing for nine years is to gently push that responsibility into the classroom. It shouldn't be relegated to someone who meets with a child 30 or 60 minutes a week on a rotational basis. It needs maybe that daily feast of literacy instruction and our hope is that as we continue to professionally develop our staff in those skills, that they become that support. For me I think of like CDPHP who is pretty good at it, Blue Shield is as well. They not only provide insurance for when you're sick, they provide a ton of preventatives to ensure that you never get there. The reading teacher is that medical professional to help you when you're not well. What we want is we want every person in the district to be well so we're embedding that in tier 1 instruction in the classroom. And I mentioned internships in the field, we've got a burgeoning program called Career Development and Occupational Studies, CEDOS. You'll probably hear Coxsackie-Athens talk about that program in a few weeks. It used to be a program only for Special Ed students and about last year New York State allows access for all students to career development and in order for us to monitor our students in the workplace, we need an additional teaching assistant to accomplish that task. They're not there all the time, but they need to do site visits to ensure that our students are doing what they need to do. Next year along with a grant, I'm on Page 9, we will be implementing therapy dogs in each building. Our hope is to do each building, we'll do to whatever extent we can. This program is similar to one that's offered in Guilderland. They have eight dogs in Guilderland right now and if you have ever not had access to that go on line and type in therapy dog and see what work that does with children who have autism and children who have post-traumatic stress and adults how it can completely change their environment just with the presence of an animal. It's not a huge financial investment, but it is a huge personal investment because one of our own staff will have to adopt the animal and keep that for it's lifetime, but has a lot of benefits. We're partnering with Northern Rivers for satellite mental health facility. I can speak a little bit for New Baltimore and the area of Ravena, it is a little bit of a medical vacuum right now. We've had mental health assistance in the area occasionally and it has come and gone and for us to be able to have mental health services in the school will actually connect children who have not had access because their parents don't have transportation or the will to do it. It'll connect our children with imperative mental health. We talked about professional development and the SATs and PSATs, credit recovery is an ongoing task where we'll just purchase some software licenses so that students can work on credit recovery during the day or after school and we have furniture in here, we've been talking a lot about the environment in which we're teaching and the 21st Century workplaces so we want to make sure that we're purchasing furniture that's appropriate for the collaborative work we're asking students to do. Now we're at the bottom of 9 which are the facts and figures that I had talked about. So I appreciate allowing me to talk about what it is we are intending to do. The five-year plans are pretty grandious, but the investment is pretty low. No new staffing other than one TA. You have small expenses surrounding the therapy dog and these other things that will help support the program. There's 123 students from the Town of New Baltimore currently attending school. And on Page 10 between this year's budget and next year's budget, notice that next year's projection is the first column on the left, there's a difference of \$300,000 which is just under .7 percent. And, of course, when we're taking about the sum total of state aid and tax revenues it doesn't always project itself in that way when we're talking about tax revenues. I'm gonna allow Ms. Moran to talk a little bit about the slide on the bottom of Page 10.

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Joanne Moran: It's an outline of our estimated revenues right now and I think what's important to note is that our Building Aid is \$1.3 million lower. That was a challenge for us this year, but also with realizing \$1.3 million lower in state aid, we also had \$1.6 million in debt come off and we're still right now in the middle of a project that many of you know and as we finish that, we'll be able to increase our state aid because we can't get it until we file our final cost reports. So that was a little bit of a challenge this year. Again we're trying to make up a loss of Building Aid \$1.3. That will increase as we finish this Phase 2 of our project that we're doing, we're close to being finished. And as we proceed with Phase 3, we'll get additional aid.

Ellie Alfeld: Excuse me. Could you tell me what the project is other than the project?

Joanne Moran: Oh, yes. We're in the middle we have done a project right now is a \$30 million project that the voters voted on in 2015 or 2014 actually. It started in the later part of 2015-16. We built a new gymnasium, we did infrastructure work to all of the heating systems in both Elementary schools, and we did a total electrical upgrade to the Middle School-High School campuses this year. As you know we did a turf field at our football field. We have some other grounds work going on and we are not sure how Phase 3 will pan out in the next year, but we currently right now place it on a hold until we finish Phase 2 the way we want it finished.

Dr. Bailey: So the top of Page 11, it talks about Tax Levy Impact. Right now it is important to note that with all the state aid calculation we continuously hear about 2 percent tax cap which is a misnomer. Whoever branded that obviously has never had to address any taxpayer in any municipality ever and I think that the State has set our proposed potential tax cap near 6 percent so the district could go out as a high of 6 percent. That's not smart and that's not what the District is proposing to do. With the loss of the revenue from the construction project that's next year, and I should mention also, the Board is expected to approve this proposal a week from now so this is not approved yet by the Board of Education so everything that we're talking about is a proposal and that's definitely worth mentioning. So in order to balance the loss of income from the State, we've proposed going at a 2.75 percent for next year.

Joanne Moran: I think what's important to know that from last year, last year our tax cap, the limit that we set, was 2.68 so it's less than a point higher this coming year and on the bottom of Page 11, I've given you the preliminarily we had a 6.85 percent cap. We have never had any intent to go that high and then the most recent one is 5.47. When you see the column to the left on Page 11 at the bottom what's highlighted in yellow, right now given everything we know, our tax cap is going to be a negative right now. So that's alarming for us, It's something we're going to plan all year for it, but I just wanted to point that out as well.

Dr. Bailey: In addition to 2.75 percent, we're also taking some monies from our Reserves to balance the budget so we're at a 0. The analogy that we frequently use is consider anybody's household monthly expenses. Paying it from salary allows you to continue in perpetuity, but paying it from your savings account means you can only do so until you're savings are gone. But we are proposing to take some money from our reserves at this juncture to insure balance and keep the tax proposal at 2.75 knowing that next year we're going to have to right that.

Joanne Moran: And that amount that we're increasing from fund balance for this year is \$450,000.

Dr. Bailey: If you were to watch the news for many of the surrounding schools with the first of the financial collapses, I shouldn't say the first, with the most recent of the financial collapses which was around 2011-12, we saw schools letting dozens of staff members go in order to balance a loss in state aid and tax cap issues because that's about the time the tax cap came in. School Districts statewide, they could go out at 1 percent or 15 percent depending on what the initiative they were working on. So we saw a huge impact on all school systems around '11-12 where there were significant reduction and through many different pathways by using their reserves and by other methods. Schools have managed to rebuild or weather the storm until this year. If you look at a lot of neighboring schools you see significant reductions in staffing or not hiring back retirees which is another nonimpactable, at least it's a nonimpactable on someone's livelihood, but it is impactable on programs. But different schools have

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accomplished this in different ways and we've been conservative on how we would regain our footing so we're not in a position where we're having to let staff go. But we're not so foolish as to say we don't know that that problem is on the horizon for us as we propose next year with a negative tax cap and our obligation to take care of the issue with reserves and we do have plans for that as we go forward. And we do; we will rely on retirees in order to accomplish that task. If you go to the last page you can see specific impact valued at \$150,000. Looking at it from a comparison standpoint, the manner in which New Baltimore is assessed always shows a drastic difference between the other municipalities. Looking at it from a year-to-year perspective, we're talking about at the 2.75, an increase of \$114.29 for a household that's valued at \$150,000.

Supervisor Ruso: I think it's time for questions isn't it? Well, I don't know, anyone on the Board? What do you guys have to say?

Councilmember Downes: So you were saying that you're gonna go through retirement for next year for positions. So does that mean you not going to refill positions or...?

Dr. Bailey: It's a little difficult to project who will retire. We know who's coming of age. As a for instance this year, we had a High School Chemistry teacher retiring which is a very unique certification field. That's not one that we could absorb easily because there wouldn't be anyone to take their place, but we know that if a secondary Social Studies teacher retired, there is the potential that there is a way to compress classes, change offerings in order to accomplish a fiscal savings from someone's retirement. Each year when someone retires we, of course, have breakage meaning that someone leaves at \$70,000 and you're hiring at \$40,000, you have automatic breakage there so that does help us each year. Seven retirements this year was very helpful in helping to close our gap.

Councilmember Downes: Is the insurance different for the folks that come on today than the folks that have retired?

Dr. Bailey: We just went through contract negotiations last year. I'll speak specifically to the teacher's unit. I believe that's who you're talking about. Insurance is the same, however, our responsibility in legacy costs is different. Right now the teachers who retire who were hired prior, I'm gonna estimate, let's say teachers who were hired after July 1, 2018, first they are Tier 5 employees. They have to work significantly longer than their peers and secondly right now there's a buyout in retirement for sick leave days and anyone hired after July 1, 2018 has a different buyout that is significantly less onerous to the District. We acknowledge that. As part of the negotiation process, we were literally negotiating for three decades from now. But three decades from now someone will thank us for negotiating that differently so that the responsibility, because we are responsible right now to have money in a reserve in preparation for people who will retire, so we know that that will also help us because we know that the 32 year mark we'll be able to shrink that reserve.

Councilmember Downes: So they're paying the same rate at this point if two teachers are working, one started in September and one started 30, they're paying the same percentages correct?

Dr. Bailey: Correct.

Supervisor Ruso: You got the snow days built in? I was listening to a radio report this morning that a school district has zero snow days for next year.

Dr. Bailey: We've used one.

Supervisor Ruso: Are you planning on waiting for next year?

Dr. Bailey: We are planning for snow days for next year. We always plan for five, the fifth one becomes a contingent day next to Memorial Day weekend and we've used one so far so we're in good shape.

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Supervisor Ruso: Most of your Special Ed kids on school ground, do you use any outside providers?

Dr. Bailey: We do. We use BOCES and we also use some private providers depending on the students' needs.

Supervisor Ruso: Such as?

Dr. Bailey: Wildwood, Parsons...

Supervisor Ruso: Langdon.

Dr Bailey: Vanderyden, we have someone at the School for Deaf in Rochester. So it's quite varied, but Joanne was just giving me a primer recently that our state aid, which is a high cost aid for students who are placed in those Special Ed placements, is applicable whether it is a public or a private placement.

Supervisor Ruso: I know the School District of residence is responsible for the transportation.

Dr. Bailey: True.

Supervisor Ruso: However, I mean I'm just gonna throw something out, it doesn't affect RCS right now, but it has in the past, not recent past. I have it where I work I have ten kids going out to school every day with various clinical and developmental issues, 38 kids in my building. And I have six of them going to Langdon School from six different school districts and six different little short buses show up and they pick up one kid and they all six show up at the same school and they let the kid... Why can't they use one bus? I mean wouldn't BOCES be helpful in this kind of arrangement too, and each bus has a driver, of course, and an aide. Six buses, six kids going to the same school every day. It just kills me to see that and I've talked to your counterparts at these schools. Can't you coordinate? Nope, that's not the laws. The law is we're responsible.

Dr. Bailey: Well, we're trying jail break that and I will say there has been some small headway. The Rockefeller Institute has worked in collaboration with BOCES on a consortium of transportation. Our Transportation Director actually has been assisting them with their routing software. We use complex.

Supervisor Ruso: It seems like a waste of money.

Dr. Bailey: Well, the idea is that a School District, for instance if we're transporting students to Schenectady but we're crossing Voorheesville and Guilderland on the way, why isn't there a way? The State has not made it easy for us to do that, but what we discovered is if we are already dedicating the resources, if we're dedicating the resources to get the child there, there is the Transportation Aid, but sometimes it is more beneficial for us to waive the aid and use the intermunicipal assistance. We've done it on a few low-level instances so far, but at the very least the State is trying to acknowledge that. It is nonsensical for all of us to be doing that. And you've mentioned just one placement issue, Special Education students. We also have the responsibility to transport our McKinney-Vento students, those are homeless students, and that can be up to 50 miles. That means we can be transporting a child from past Cobleskill to RCS to go to school, 100 miles a day or 200 miles a day at a great expense for the District. So it behooves us to be very creative in how we accomplish the task and I would say our Transportation Director deserves a medal or a knighthood or sainthood or something for the work she has been able to do because you also know there's a driver shortage at every school district that we know of and it becomes very difficult to offer the services that are needed when you don't have the people to do the job.

Joanne Moran: May I also interject with the Governor's proposal that was just passed. There's also been a change allowing municipalities and school districts to piggyback with other districts. So if there's a private provider that was providing transportation, we can now enter into a piggyback arrangement now. For the current year we're in that's not gonna work until the next year. It will be an artful thing that we work out with private providers and the other

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School Districts. They're not going to be 100 percent on board just all of us saying 'okay, we're gonna use Ravena's contract,' but I believe the business that they do for schools around the area, all the private providers in the school districts, now that we're allowed to piggyback, we weren't allowed to this budget season. That's important to note (unable to understand).

Councilmember Downes: When we're talking about piggybacking, though, is that piggybacking on the contract or is that piggybacking on the ride?

Joanne Moran: Piggybacking on the contract.

Dr. Bailey: Contract.

Councilmember Downes: So it wouldn't be like Cocksackie Transport picked up at Cocksackie, picked up at RCS, and picked up at Bethlehem?

Dr. Bailey: It could be that.

Joanne Moran: Could be.

Councilmember Downes: Okay, so it's not just the contract and they are piggybacking on the ride.

Supervisor Ruso: It makes more sense.

Joanne Moran: Oh yes, yes.

Supervisor Ruso: An illustration I had with me I think two if not three of the buses are Brown Transportation and they each pick up a separate kid.

Joanne Moran: Because of the reason that we cannot piggyback. That stopped now, that just went into law.

Councilmember Downes: The amount of Cocksackie Transport...

Supervisor Ruso: One of my pet peeves, I watch it every morning I go to work.

Councilmember Downes: I see it going up the Thruway.

Dr. Bailey: And we use Cocksackie Transport is one of our contractors for some of our out-of-district runs. They're one of the more reliable independent bus services and we're grateful for the transportation that they can help us with. We would prefer to do all of our runs in the district, but it's not possible (unable to understand).

Supervisor Ruso: Anybody else with a question?

Ellie Alfeld: I have I think two questions. The first one is pertinent to Page 8 where it lists retired teaching position. She's retiring, but she'll be rehired. Am I understanding that correctly?

Dr. Bailey: Correct. The position will be maintained. In other words...

Ellie Alfeld: She retiring at a pension rate, but now she's gonna collect a salary as well?

Joanne Moran: It's not the same person.

Dr. Bailey: Oh, yeah. Someone new will be hired.

Ellie Alfeld: Thank you. That's what I'm trying to... My second question is what are the percentages of BOCES to college-headed kids at your school?

Dr. Bailey: Ask the question again?

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Ellie Alfeld: I'm wondering what the percentage of kids going to BOCES is compared to your college-headed kids?

Dr. Bailey: That's a difficult one to answer because BOCES is a lot of things. BOCES is career and technical education. BOCES is skills and behavioral special placements. Are you...

Ellie Alfeld: I'm looking to see where I believe in some ways our education has failed some of the kids focusing so much on college and not getting their hands-on with BOCES programs that will put them out to work. In fact, I know one of them already has a job come June because of his learnings at the BOCES.

Councilmember Irving: Can I address that a little bit, Ellie? My son graduated from RCS with a BOCES scholarship for diesel mechanics. He was just hired, he's a certified welder and he's working across the street for LaFarge at a good wage.

Ellie Alfeld: Right. I want to see more of that, Chuck.

Councilmember Irving: It happens, it does happen.

Ellie Alfeld: That's what I'm concerned about because I don't know about anybody else in this room, but I can't find a plumber, I can't find an electrician, I have a difficult time finding a carpenter and I don't care who you are in this building. I mean you need some of these skills and they're there to educate the kids if we direct them in the route that says 'hey why don't you try this,' or 'maybe this is more up your alley.'

Councilmember Irving: One of the problems, isn't the school system is more, SUNY is not providing the, for instance my brother's boy graduated from RCS, took auto mechanics at Hudson Valley. Today he's Deputy Commissioner of Motor Vehicle Safety. My other son graduated with his Master's in Mental Health Administration. He opened a bar and restaurant. Things are different. I shouldn't say a bar and restaurant, he's made the national news and he's doing good. I'm proud of him. But there's different areas and different venues and also can we go back to the transportation? I'm sorry if I butted in.

Ellie Alfeld: No. You know I've always waived the flag for the BOCES people that's what I worked with for 7 1/2 years. What I'm saying is I don't want them to be swept under the carpet when we need their skills so much and all you hear on the news and everything is college this, college that.

Councilmember Irving: It sounds like you're going in the right direction for sure. What was the enrollment, I've asked this every year, enrollment this year compared to last year? Are we down or are we up?

Dr. Bailey: Despite all prognostication our enrollment has gone back up.

Councilmember Irving: It's gone back up?

Dr. Bailey: We're at nearly 1,800 students again and we were at 1,730 within the last two years. So that's not what the predictions were. We did a study, they use birth rates at Albany County hospitals potentially in order to establish that. Our population has gone up. The better that we are at delivering on our promise, the higher the population will be. We want people to move into the district. It provides more resources for us to do what it is we want to do and you're spot on. We are not aware that we are doing children disservice if the only thing we're offering for them is chocolate. Everyone has to have their own pathway and you gotta have a backup plan. So we are among the highest enrollees in our career and technical program at BOCES. We have 72 children enrolled which in our Senior and Junior class, represents about 25 percent of the students. It is significant investment for the right reasons and if you have heard any of our School Board meetings, you will hear every second or third meeting a discussion of how we can take ownership and have those types of programs in our district where they belong. So not having to send them on a bus for 45 minutes to get to that career and technical program we identified, there are many things that we can do without having to have heavy equipment, or buy diesel mechanics that we can do in-house to change the lives of our

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children whether they choose to go into the occupation or not. It teaches them a craft, a trade, and a discipline and we're failing them by only them teaching only Math, English, Science, and Social Studies.

Ellie Alfeld: I will say this to you one more thing, you're Special Ed programs up here. I've heard raves and people that have actually moved into the RCS School District because of the better programs that RCS in comparison to Guilderland and Bethlehem and that's no joke.

Councilmember Irving: I am a school bus driver and I'm not looking for a job, however, one question only asked because of the position that I'm in here so I'm recusing myself, I'm not looking for a job. I've been asked by people in the Town and actually I work with Cocksackie Transport as you know and we do contract award for many districts. I drive special needs to Brewster every day. It took an hour-and-a-half away to Green Chimney's and they use animals for therapy and I understand it works really well there, but the question that's posed to the Town by many people in the Town is that contractual transportation, some districts use it, some districts use a combination of both, some districts are solely, can I bring up First Student, there's others, there's many. What are the answers that I give to our constituents to the people in the Town of New Baltimore, that Ravena's looked at going...I've heard bus drivers from RCS talk about it and I've heard everyone talk about it. What are the numbers?

Dr. Bailey: Number of contracted routes right now?

Councilmember Irving: The dollar numbers for bids or...

Supervisor Ruso: Comparative analysis.

Councilmember Irving: Comparative analysis for transportation, our own private transportation, contractual transportation.

Joanne Moran: Last year we spent \$587,000 on contract transportation. We budgeted \$600,000 for the current year we sit in and we increased that by 4-5 percent for next year to \$612,000, but that's where we are.

Councilmember Downes: For contract.

Joanne Moran: For contract transportation.

Dr. Bailey: For just contract.

Joanne Moran: Now in an analysis, if we brought everybody in we would need a few more buses, I think we would need 33 drivers to be where we need to do to maintain everything ourselves. And we're just not there, we still have a shortage of drivers. We hope we're gonna approve a contract with the CSEA unit in the near future.

Councilmember Irving: I don't think we're on the same pay. I think if we voted to bring in transportation strictly contractual like I think Cocksackie-Athens does it don't they?

Joanne Moran: That would be something that we really can't do unless it was through BOCES and it would have to be, you can't get rid of that work. It would be a union issue.

Councilmember Irving: The teacher's union and transportation union are two different unions.

Joanne Moran: Correct.

Councilmember Irving: It's a sensitive area, I understand that.

Dr. Bailey: We value, I mean I mentioned not knowing you worked for them, I mentioned that it's one of the companies that we feel as though we can trust. Not all companies are created equal obviously.

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Councilmember Irving: Thank you, thank you for that.

Dr. Bailey: And we do believe that there is some benefit to having ownership of in-district, many of the drivers that work for us live in the district, they're members of the community and they would be exposed if they all went to Coxsackie as well. But we see a benefit to having that ownership over the folks. Whereas always fascinating to having to negotiate contracts and work with diverse units, there's always a benefit to that. There's benefits for any of our staff that live in the community. So it's not something that we're actively looking to do.

Councilmember Downes: Your bus drivers are part of the Retirement System correct?

Dr. Bailey: True.

Councilmember Downes: Which is a huge benefit. I mean I've talked to First Student bus drivers and they have nothing walking out the door. They've done 30-40 years and they have no retirement. That's a huge benefit. You're gonna get a different quality, you're gonna get a higher quality driver to know that they have the benefits and the retirement. When you go to contract you don't always get the same.

Councilmember Irving: That's why I'm glad we're bringing this up to bring both sides. I'm not in favor of either side, I just think people should know the facts.

Supervisor Ruso: Alright I think we're pretty much done here. Thank you for your time. When is the budget vote?

Joanne Moran: May 21st.

Supervisor Ruso: Oh, so we've got some time.

Dr. Bailey: A little later than usual.

Ellie Alfeld: When is the *Chalkboard* being delivered, the one I haven't seen yet.

Joanne Moran: You will get it a couple weeks before.

Supervisor Ruso: Just as a point that you may or may not have observed, we have this being filmed and it is shown the opposite Mondays at 7PM on the Channel 11 is where it's at in my home. So everything you just said is now on tape.

Dr. Bailey: Thanks, I appreciate it very much.

Supervisor Ruso: Thank you for your time.

Joanne Moran: Thank you.

ADOPTION OF MINUTES

The March 25, 2019 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Councilmember Irving and was seconded by Councilmember Downes. The adoption of the foregoing Motion was duly put to a vote and vote was as follows:

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

Public Comment Period

Judge Meacham: Thank you. So to help with clearing up the Grant information, just want to review all the items that we have now before us that are approved. I believe we have the window as well as the window installation, the exterior cameras and their installation, office file cabinets, the safe, the carpet and installation. Does the Board agree with those that those all are approved, resolutions approved?

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Supervisor Ruso: Yes, those are done.

Judge Meacham: Okay, the only thing that is remaining I think then is just the records management.

Aline Galgay, Esq.: Mr. Meacham, I believe that there is a site that Barb has found that is OGS preferred vendors. What you and I had spoken about, it's the one with the Court administration was not renewed. So if you can explore the vendors on that list, if they are preferred vendors, we can go straight with a preferred vendor and you don't have to do the competitive bidding. So that just, thanks to Barb, I said 'thank you because I don't know how you came upon it,' but there are record management preferred vendors out of OGS. So obviously you'd want to look to see who they are, speak with them and see which one you prefer. So if one of them suits your needs, you were able to go with a preferred vendor, that's great because that can be automatically approved.

Supervisor Ruso: That will expedite everything.

Judge Meacham: That's encouraging information for sure.

Aline Galgay, Esq.: Barb had sent it over to me to look at to say 'is this something that could help' and we had just been communicating and I said 'that's exactly what we're looking for' so I was going to let you know that.

Justice Meacham: Yes if you can forward that on to me, either one of you if you could forward that on to me and I'll review those.

Aline Galgay, Esq.: I don't know if you still have it, Barb. Do you still have the link?

Town Clerk Finke: I should.

Aline Galgay, Esq.: I can check my email as well. Again I wanted to look at it, but it is preferred vendor. You'd have to reach out to them, but that is exactly what I was suggesting.

Justice Meacham: It's a starting point. I'll make the calls and search the information that is required to see if we can deal with that.

Aline Galgay, Esq.: Perfect. I'll get that over to you.

Justice Meacham: Alright, thank you.

Supervisor Ruso: Anything more, Judge?

Justice Meacham: Not until after we review that list. We'll see what happens.

Supervisor Ruso: I mean for tonight I meant.

Justice Meacham: Because I'll go to Plan B then if this doesn't work out, then Plan B then would be to say 'let's see if we can waive the bid requirements so that we don't have to send the money back to the State.' That's all I'm saying. But let's check out this site first.

Aline Galgay, Esq.: I think this will work better.

Supervisor Ruso: I think so too.

Justice Meacham: Good, I hope so. Thank you.

Eileen Vosburgh: I'm happy to hear about the Court Administration Grant so I have no questions, that's good. But last month or last meeting I had asked about the solar farms and I asked what info can the Board give us and it was said nobody had any information on the solar farm and really interested what info do you have, where is it, are they expected to get a PILOT?

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My biggest issue is I want the question answered is how is New Baltimore residents going to benefit from this? Will we receive a reduced electrical rate and I'd like to have some answers.

Supervisor Ruso: It doesn't appear to be a reduced electrical rate, however, but I think the Town of New Baltimore... I wasn't here at the last meeting so ...

Eilleen Vosburgh: Right, I know that.

Supervisor Ruso: So I'm not perfectly intuned to your question. (To Aline Galgay, Esq) I don't know if you can answer it better.

Aline Galgay, Esq: The only solar application that's in front of the Town is in front of the Planning Board is one for 750 kw which is below the threshold of any solar farm that deals with the PILOT that you're talking about.

Eilleen Vosburgh: Okay.

Aline Galgay, Esq.: When you get to 1 kw or higher, that is when the solar applicant provides the Town their Letter of Intent, their notice of their intent to proceed. We then respond and then the PILOT negotiation becomes separate, mutually exclusive from the Planning Board. So what you will have is if you're looking at who's doing the solar farm, how are they going to set it up, what are the parameters, that's the Planning. The Planning Board has absolutely nothing and cannot legally have anything to do with the negotiation of the PILOT. The PILOT is strictly for the Town Board to do. So typically what happens there is they designate potentially a Board member, usually the Town Attorney gets tasked with negotiating with the applicant what the proposed PILOT amount would be per kw of the solar farm and what other sundry potential benefits to the Town that could be. But you can't even engage in that until you have a Notice of Intent from an applicant that they're going to build this. So we don't have a solar farm yet that actually rises to the level of a PILOT negotiation. The one that's before the Planning Board is below that threshold.

Eilleen Vosburgh: Is there any way that residents can benefit from a solar farm?

Aline Galgay, Esq.: The one that's being promoted?

Eilleen Vosburgh: Right.

Aline Galgay, Esq.: I have to tell you I am not that familiar with all of the facts because I don't attend the Planning Board meetings, but I do believe it is projected to be a community solar farm.

Supervisor Ruso: Right. It is a community solar farm. I believe you can buy shares into it like a CSA, like one of those farms, sort of like that.

Eilleen Vosburgh: Sure, okay.

Aline Galgay, Esq.: So it's as if you couldn't have your own solar panels you've bought an interest in this community solar farm.

Supervisor Ruso: And you would have designation for that generation at least on a prorated basis.

Eilleen Vosburgh: Is that the one that people were going around the hamlet asking people to get involved with? I think it's NRG.

Supervisor Ruso: Maybe so.

Eilleen Vosburgh: Like a year-and-a-half ago.

Supervisor Ruso: I know they were trying to drum up support in the community, but I can't tell you they were in the hamlet or otherwise.

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Eilleen Vosburgh: They came through the hamlet and were asking about it.

Councilmember Irving: I think that was something different. That was an energy, you could opt into a different provider.

Aline Galgay, Esq.: Those are program where you opt in to a different supplier for your energy source. So you still go through Central Hudson but your electric is supposedly generated through a different company. There's a whole bunch of them that you could opt into. You'll get flyers in the mail or they actually will come door-to-door. That is not the company that's doing this community solar.

Eilleen Vosburgh: So at what point would the residents have that ability to buy shares in this?

Aline Galgay, Esq.: Well I would suggest first that if the solar farm is really of a lot of interest that you attend the Public Hearing for the Planning Board because that's where all of this is discussed. They're the ones that have mostly all the detail especially since this particular solar farm is of such a, I don't want to say a small size, but it's a size that's under the Town Board's involvement.

Supervisor Ruso: And I believe Thursday night they're having a...

Aline Galgay, Esq.: Yes.

Supervisor Ruso: Hearing on this very project.

Aline Galgay, Esq.: They're having a Public Hearing.

Ellie Alfeld: 7:00.

Supervisor Ruso: Correct and the location of this is in case you wanted to know.

Eilleen Vosburgh: I do want to know.

Supervisor Ruso: It's on 9W across from Eagle Tool. Do you know where that is?

Eilleen Vosburgh: Oh, sure.

Supervisor Ruso: It's up in the hillside over the top of the hills near the cellphone tower.

Highway Superintendent VanWormer: Where the pull-off is where the gates are.

Supervisor Ruso: Yeah, that's it. Thank you. So that's the location.

Eilleen Vosburgh: How many acres is it?

Supervisor Ruso: 10.

Ellie Alfeld: Not that many.

Supervisor Ruso: Something like that. I went to the one hearing back in February and I don't recall the size.

Eilleen Vosburgh: And this is called Solar Generation is it not?

Aline Galgay, Esq.: Yes.

Eilleen Vosburgh: Alright, thank you.

Justice Meacham: Is the developed lands being taxed?

Councilmember Briody: It's privately owned land right now.

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Aline Galgay, Esq.: It should be and I've spoken, but you're talking about the improvement?

Justice Meacham: Yes.

Aline Galgay, Esq.: The improvement, any improvement on land because you require a Building Permit, will go through the Assessor's Office and then Gordon had contacted me about the PILOT. Typically the Town Assessor is very much involved in the negotiation of the PILOT and when I explained to him the size I said 'you're going to have to deal with it as an improvement because it doesn't necessarily fall as I said under the PILOT guidelines.'

Justice Meacham: I think you answered one of her questions is there any benefits to the townspeople?

Aline Galgay, Esq.: There would be a benefit if the Town actually taxed any improvement and as well as the fact that it could generate local electric.

Councilmember Briody: What is it, it's a 750 kw system?

Aline Galgay, Esq.: Megawatt. Yes, kilowatt, I'm sorry.

James Eckl: Mr. Supervisor, good evening, ladies and gentlemen. I realize that the beginning of the meeting listening to the school budget presentation made this a bit longer than what we're accustomed to, but I hope you'll allow me to recap here. On January 1 you adopted Resolution 6-2019 making Town Board Committee assignments that included Rob VanEtten to be chair of the Agriculture Committee and Nick Dellisanti to be the chair of the Fire, EMS & Law Enforcement Committee. Both of them are Town officials; I recognize Mr. Dellisanti's here. Neither of them are Town Board members. So on January 30 I sent you a letter with copy to Counsel explaining why I consider these appointments to be invalid. It went unanswered. Then on February 11 this body adopted Resolution 58-2019 purportedly to revise the Committee Appointments, but it didn't make any revisions and that is what is on the Town website as of this morning and that's what's on the bulletin board outside as of an hour ago. So on March 1 I sent you another letter copy to Counsel and I reiterated the explanations why I considered the appointments to be invalid. That also went unanswered and I'm concerned that perhaps my previous communications weren't sufficiently straightforward so I hope you'll indulge me by allowing me to offer an analogy. We all know who George Amedore is. I don't pretend that I'm personally acquainted with him, but we know who he is. He's the Senator from the 46 District that includes our Town. And among his many duties, he serves on the Senate Committee that has jurisdiction over veterans' affairs issues. Now if you wanted to create an advisory panel from among his constituents to give him advice on veterans' affairs, he could certainly do that. You could even appoint me to be a member of the panel, but there's one thing he couldn't do. He could not appoint me to serve on the Senate Veterans Affairs Committee because I'm not a Senator and this is the identical situation with which this body is confronted. You have appointed Rob VanEtten and Nick Dellisanti, neither of whom are members of the Town Board, to sit as members of the Town Board Committees and I have no quarrel with either of those gentlemen and I'm not trying to start one, but they are not members of the Town Board. I'm simply perplexed about why this seems to be so complicated and I realize I'm taking you by surprise, I don't demand answers.

Supervisor Ruso: It's okay. I know the revisions your saw in February, I forget the date, was in consideration of the letter you sent us in January. We went over it with our Town Attorney and we made those revisions with her recommendations. (To Aline Galgay) So if you could speak to that, I would appreciate it.

Aline Galgay, Esq.: Absolutely. The initial, I think the initial problem was a misnomer. The Town Board labeled those to be Town Board Committees when they were really Town Committees and as a Town Committee, those Committees can be served by, as you say, anyone. It does not need to be a Town Board member. And so the resolution, I believe it was in March, forgive me I was trying to follow the dates, was to correct what the committees were, that they were not Town Board Committees, but rather they were Town Committees set up by the Town Board. They were not required to be members of the Town Board. And I apologize

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if I didn't answer your letter, but I thought I was only carboned and, therefore, I don't take it upon myself to direct a response when I'm only receiving a copy of it.

James Eckl: No apologies necessary.

Aline Galgay, Esq.: When I read your letter and spoke with the Supervisor, my understanding those were intended to be Town Committees and that those who were not on the Town Board could serve on those committees. So it appeared to me that the labeling of the committee was incorrect and that was corrected at the next week.

James Eckl: So forgive me, am I to understand then that these two committees -- the Fire, EMS, and Law Enforcement Committee and the Agriculture Committee -- are simply advisory bodies?

Aileen Galgay, Esq.: Neither Mr. Dellisanti or Mr. VanEtten can make a decision for the Town Board. They can merely, any of the committees can bring an issue to the Board for the Town Board's decision.

Supervisor Ruso: None of the committees otherwise can make a decision for the Board.

Aline Galgay, Esq.: Correct.

Supervisor Ruso: Because there's only one representative and the Town Board decision requires at a minimum of three participants. So none of those decisions can be made.

James Eckl: If these are Town Committees rather than the Committees of the Town Board, that makes a tremendous difference at the very least under the Freedom of Information Law and the Open Meetings Law.

Councilmember Downes: Aren't the Planning Board meeting open? Isn't that where we announce them every week?

Aline Galgay, Esq.: Any Board meetings have to be open.

Supervisor Ruso: Of course they do.

Aline Galgay, Esq.: So is Zoning, but he's talking about the position of the...

Supervisor Ruso: Committee, Subcommittee.

Aline Galgay, Esq.: Planning Board Chairperson to be on a subcommittee, an advisory... No one other than the Board can make any decisions. I don't know, maybe I'm not following your question, I apologize.

James Eckl: Let me look into this a little further. We all understand, right, that the Open Meetings Law and the Freedom of Information Law apply to the operations of government bodies, official entities.

Supervisor Ruso: We have that.

James Eckl: And an advisory committee that doesn't have any governmental authority isn't such a public body.

Aline Galgay, Esq.: Correct

James Eckl: If you'll excuse me ladies and gentlemen, thank you for your patience.

Supervisor Ruso: All right, thank you, sir.

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New Business

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 84-2019
APRIL 8, 2019

**RESOLUTION TO AUTHORIZE THE SUPERVISOR TO EXECUTE
AGREEMENT FOR PORTABLE STANDARD TOILETS**

RESOLVED three quotes have been procured for Portable Standard Toilets for AgFest, Cornell Park, and Cecil Hallock Town Park and the lowest responsible bidder is Greene County Septic Cleaners Inc. The Supervisor is authorized to execute an agreement with Greene County Septic Cleaners per attached quote.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 85-2019
APRIL 8, 2019

**RESOLUTION TO AUTHORIZE THE HIGHWAY SUPERINTENDENT
AND DEPUTY HIGHWAY SUPERINTENDENT TO ATTEND TRAINING**

WHEREAS, the Association of Towns of the State of New York and Cornell Local Roads Program will be holding their 2019 Highway School from June 2-5, 2019 at Ithaca College in Ithaca, New York.

RESOLVED the Town Board of the Town of New Baltimore approves the attendance of the Highway Superintendent and Deputy Highway Superintendent at said training and the Registration fees, overnight accommodations, tolls, and meals for said training.

Motion by Supervisor Ruso seconded by Councilmember Briody

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 86-2019
APRIL 8, 2019

**RESOLUTION TO AUTHORIZE THE TAX COLLECTOR AND
TAX COLLECTOR CLERK TO ATTEND TRAINING**

WHEREAS, the New York State Association of Tax Receivers & Collectors will be holding their 2019 Annual Training Seminar from June 9-June 12 at the Golden Arrow Lakeside Resort in Lake Placid, New York.

RESOLVED the Town Board of the Town of New Baltimore approves the attendance of the Tax Collector and Tax Collector Clerk for the Registration Fees, overnight accommodations, tolls, and mileage for said training.

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Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 87-2019

APRIL 8, 2019

**RESOLUTION TO APPROVE EMERGENCY REPAIR
BY HIGHWAY DEPARTMENT**

WHEREAS the Town Board adopted a Procurement Policy on January 1, 20189 concerning the procurement of goods and services.

WHEREAS the oil dipstick tube in the 2012 Ford F350 rusted and broke off and fell inside the oil pan and the transmission cooler lines were leaking.

WHEREAS due to the emergency condition of this purchase and according to Procurement Policy 6 b, Section 103(4) of the General Municipal Law, this repair had to be performed immediately and an alternative 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 from Crossroads Ford for \$1,787.60, Voucher No. 2019-04-30, Purchase Order No. H-2019-40.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 88-2019

APRIL 8, 2019

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 2019-04-01 to 2019-04-34, it is

REVOLVED that the Supervisor is hereby authorized to pay claims 2019-04-01 to 2019-04-34.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until May 31, 2019.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

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General \$9,755.98, Highway \$9,589.93, Sewer 1 \$1,534.71, Sewer 2 \$32.27, Lighting 1 \$1,882.40, Lighting 2 \$216.63, Total \$23,011.92

Supervisor Ruso: I need a Motion to go into Executive Session for a discussion regarding a proposed, pending or current litigation. So I'll make a Motion to go into Executive Session. Do I have a second?

Councilmember Downes: I'll second.

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

The Town Board entered Executive Session at 8:08 PM.

On a Motion by Councilmember Downes, seconded by Councilmember Irving, the Town Board reconvened at 8:30 PM.

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

Supervisor Ruso: The Executive Session met and discussed the matter of Stuppelbeen vs. the Town of New Baltimore. Whereas for Mr. Stuppelbeen a settlement was made and accepted by Mr. Stuppelbeen for the amount of \$2,000 and we discussed it in Executive Session and we're prepared to vote on that settlement. So I'm going to make the Motion that the Town of New Baltimore accepts the proposed settlement of \$2,000 to Mr. Stuppelbeen. That's the Motion. Do I have a second?

Councilmember Downes: I'll second.

Supervisor Ruso: I have a Motion made and Motion seconded. Discussion?

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

Supervisor Ruso: Now let's get to the last part of our meeting for tonight, almost the last anyway, and that is we wanted to have a discussion brought forth by Mr. VanWormer, our Highway Superintendent, regarding his request or his preference to go to a four-day work week. I would suggest maybe because we're going to have questions for you if you stand up to the podium that would be most helpful. As I pointed out on a prior conversation with Mr. VanWormer that the Highway Superintendent does have a lot of discretion over the scheduling of his employees significantly. The Town Board's biggest issue on this, and perhaps other topics that will come before us, has to do with costs and so I would ask that we think about what Mr. VanWormer is saying and also think about the costs thereof when we make such a change and so why don't we proceed. I think the Board is somewhat aware of the topic so go ahead Mr. VanWormer.

Highway Superintendent VanWormer: Like I said I met with Nick and Jeff Saturday morning. We discussed it a little bit and they had asked for some more details. I'll read you what I have, research that I've done, and we can take it from there. The Highway Department employees would continue to work a 40 hour work week, but it would be 10 hour days four days a week. Monday-Thursday from 6 AM to 4:30 PM. A four-day work week can be an attractive option for both employees and employers. Employees look at the four-day work week as an added benefit offered by the management that would come at no extra cost to

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taxpayers. Employees would look forward to each Friday off, and the three-day weekend. This according to studies I have taken the time to read makes employees more productive during their Monday through Thursday schedule because they realize that the same amount of work must be done in four days in order to enjoy the flexibility of Fridays off. Productivity will be key to the success or failure of this added benefit. The extra hours on Monday or Tuesday would allow an extra load of blacktop to be put down, or possibly a couple extra miles of roadside to be mowed. Parks could be mowed first thing on Thursdays, so they would be ready for weekend use, and still have enough time left in the day to do other small projects. It would be my responsibility to keep track of the workload, and see that it gets finished in the time available to do it. A study done by Organization for Economic Cooperation and Development has shown that employees working a four-day work week, and have three days off, return to work on Monday more refreshed and ready to get back to their routine and a happy and well rested employee will give more back to the Town than an unhappy stressed employee. The following paid holidays would fall during the four-day work week -- Memorial Day which falls on a Monday, 4th of July which falls on a Thursday, and Labor Day which falls on a Monday. We would be back to regular hours before Columbus Day. I know there were concerns about overtime. I will make every effort to take care of things that may arise on Fridays and over the weekends on my own, however, Highway employees have offered that if they were needed to come in on a Friday or over a weekend, they would do so for comp time rather than overtime if it was a short duration. If we were to have a major incident such as a hurricane, tornado or major flooding, then overtime would have to kick in. If you were to look back last year when we paved, employees worked several hours of overtime and they opted for comp time rather than overtime, showing a savings of overtime wages to the Town. If employees take vacation time, they would be charged 10 hours of vacation time for each day taken. If an employee calls out sick, they would be charged 10 hours of sick time for each day taken and if less than a full day is taken they would be charged for each hour taken. This would also apply to personal time. A small savings may be noticed by not having the lights on in the Town Garage on Fridays and also by not running trucks and equipment for the additional hours on Fridays. The benefit if you will, will also allow employees additional time to balance work life with family time. Employees will also be able to schedule things like doctor appointments, dental appointments, and such on their Fridays off rather than taking time off during the work week, leaving a short crew. If there are still questions or concerns, possibly we could try this for a three months trial and see how it goes. If at the end of the three months it does not look like its working, we can always go back to what we do now. But I am faithful that the employees will put forward whatever effort is needed to make this work.

Councilmember Downes: So just to make it clear our discussion is that 4th of July, Memorial, and Labor they know that they have to charge time. They do not get the 10 hours off.

Many Replied: They do.

Highway Superintendent VanWormer: If it falls on a Monday.

Councilmember Downes: They get 7 or 8 hours off.

Many speaking at once.

Councilmember Briody: They would get 8 out of it.

Councilmember Downes: And I think we have to charge...

Supervisor Ruso: Can I get to that point? What we had, I can clarify things going back historically because I did look back. Currently the Town has 12 holidays each year, one of them is a floating holiday, but there's 12 'holidays' a year. Back when that was put in, back in the '70s I believe it was going back when I put together the Handbook, they worked a 5 day workweek and it was 8 hours a day. Well 8 times 12 comes to 96 hours a year because each day off was worth 8 hours. However, they're talking 3 holidays this year, but they aren't worth 8 hours, they're worth 10 hours.

Councilmember Downes: But they're not.

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Councilmember Briody: That's not true.

Councilmember Downes: That's not true. If they only work 8, they have to charge 2.

Supervisor Ruso: But in the past direction we need to go, let's go to the more recent.

Councilmember Downes: They have to charge 2 hours.

Councilmember Briody: You have to talk about the holidays in a per hour basis not a per day basis. That's the biggest misnomer about a 4 10.

Supervisor Ruso: Let me back up a moment to tell you what we have been doing currently for quite a number of years. They work a 9 hour day Monday through Thursday and a 4 hour day Friday. If the holiday fell on a Monday, it was worth 9 hours. However, if the holiday fell on a Friday, it was worth 4 hours. Sometimes you win and sometimes you don't. I don't know how much of an equalization factor that's had.

Councilmember Briody: You might want to look into that.

Supervisor Ruso: That has been, I don't even know how long that's been in existence, prior to us.

Highway Superintendent VanWormer: If a holiday falls on a Saturday, we normally get Friday off. We don't do that anymore.

Supervisor Ruso: Which would be 4 hours. There's only 4 holidays that are variable in terms of their day of the week.

Councilmember Downes: These holidays that we're talking are Monday holidays.

Councilmember Briody: Well the one's that he listed were Mondays.

Supervisor Ruso: Fourth of July is on a Thursday this year just so you know.

Councilmember Downes: You guys are only going to do the summer right?

Highway Superintendent VanWormer: Yes, probably like up until Labor Day.

Councilmember Briody: Well, I'd like to just reiterate.

Supervisor Ruso: So that's one cost factor is the holidays. The other one is the overtime. I know that Alan and I discussed that on Saturday, those were the two that I could come up without much thought involved. I don't know of any other cost factors. I'm not really sure about saving money because the lights aren't on.

Councilmember Briody: You're not.

Town Clerk Finke: Same amount of hours.

Councilmember Briody: Same amount of hours, same amount of truck time so that's off the table.

Supervisor Ruso: Again the lights not being on on a Friday during the summer, how many lights are on?

Councilmember Briody: They're on an extra hour per night which is the 4 hours they would have been on Friday so it's null and void.

Supervisor Ruso: I don't see that as a savings.

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Councilmember Briody: I guess here's the thing that I would recommend and I want to make sure that this is rally clear. I know the articles your read because I read them 2-3 years ago when I looked at doing 4 10s. If you look at new data and look at the actual dates when the article was written, they don't work. The reason why they don't work especially in a physical job -- you get fatigued. You lose concentration, you lose focus. You're not as productive on a 10 hour day as you are on an 8 hour day. You're not even as productive on a 9 hour day as you are on an 8 hour day and that's just human nature and the older we get, the less focused, the less productive we are because we don't have that stamina that we once had when we were in our 20s. So keep that in mind when you propose something like this because what it's doing is it's transferring something that might be less effective and efficient for you to manage and the only way to know if it's really working is to have all the data now and what you may be able to propose to collecting if this were to come into this trial period per se. Some other information that I can give you and I can send you article after article after article because I researched it to death. You brought up the happier worker this and that, well you're gonna have doctor appointments that are gonna happen during work days. That's just inevitable, you can't make them all work on a Friday. So that's going to be a delicate balance. You'll have to have that type of structure prior to going into any sort of a trial, any sort of an agreement with any workforce. Make sure that you have all that stuff in writing and that everybody is agreeing to that and signs off on it because it will change after it goes into effect. That's how it happens. There's one other thing that I wanted to bring up. I think it was really the cost savings things when you brought up the lights and the trucks. The lights and the trucks, they're still going to run Monday through Thursday an extra hour so that doesn't come into play.

Supervisor Ruso: I haven't heard anything from Mr. Irving. Have you any thoughts, Chuck?

Councilmember Irving: I'm inclined to agree with Scott. I've worked every combination shift in production that there's possible -- 12-hour shifts, combination 12 and 8 and the fatigue factor I'm in agreement with having had 40 years of working shift work. It does have a bearing on your production. It's pretty much it; I just I'm not in favor of it myself.

Supervisor Ruso: Actually one of the questions I had because I'm not confident at 100 percent, Alan, and that is start date and the end date of this is? Tell me what that is or is that something for us to work out yet?

Highway Superintendent VanWormer: That's flexible, we were thinking about starting it, I didn't want to start it this week because we have the rental sweeper and I want to get as many hours out of it as we can. I mean this isn't something that has to be done today. To be right upfront with you, I talked to all the employees today and if it doesn't go, it doesn't go. There's no hard feelings, we'll just continue what we're doing. They're happy with what we're doing. If it doesn't go any farther than here, that's fine.

Councilmember Briody: It shouldn't be any hard feelings I mean at the end of the day we have to make sure that obviously everything gets done especially for the taxpayers. The one thing that I did want to bring up too was with you being here a half a day on Friday what it does do is it does give you the ability to address Town needs on a 4 hour period that you will not have unless you call in people. So that was the other thing that I wanted to just kind of reiterate that.

Supervisor Ruso: I do want to thank you because I know that, Alan that is, because in times gone by we would not even been informed and the fact that you're bringing up this thought for us to have some dialogue I do appreciate and I think it's important for us to maintain that dialogue. So the start date and end date is kind of up there. It's not absolute.

Highway Superintendent VanWormer: If we did it we would end probably the week after Labor Day.

Town Clerk Finke: I can say one thing I'd like to add to this. There are many phone calls I get on Friday afternoon, people who have tried to call the Highway and the Highway is not there so they call me and I have to explain to them that they work 9 hours days, Friday is a 4 hour day, and they have to call back Monday. If it's an emergency I can get ahold of someone. Sometimes it is a problem. I can also say that my office was only open, my predecessor only

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had the office open four days a week. Thursday was a day off and as soon as I was voted on by the Board to assume that role, I opened my office because I'm here for the people.

Supervisor Ruso: That's a good point.

Town Clerk Finke: It's not the employees. You're here for the people and the taxpayers who pay your salary and it's up to you to be available to them. I go to people's homes at night when they need me. I'm here Saturdays. I've met people at night. I do marriage licenses whenever they need me. That's what the job is, it's not for the employee, it's for the office, the title, the pleasure, and the honor of working for the people of this Town to be here when they need you.

Councilmember Downes: Right which Alan already stated that that would not be an issue for him.

Councilmember Briody: My feeling, though, is is that why should you pick up like you said that you would come in on the Friday or the Saturday...

Supervisor Ruso: That's avoiding the overtime, that's basically what that is.

Councilmember Briody: I understand that, but also, though, too, for a safety standpoint, you can't come alone.

Highway Superintendent VanWormer: If it's a small tree or something, I'll cut it and throw it out of the road, but other than that.

Aline Galgay, Esq.: Alan, just a thought. I think Jeff mentioned that there's you and then you have a Deputy. Is it possible has anyone, have you given it any thought to stagger. So if you're very committed to the 4 10 hours days, rather than leaving Friday unattended, could you stagger it so it's Monday through Thursday are some employees and Tuesday through Friday there are other employees for two reasons. One so there is always coverage which actually might work better because now you're getting 10 hours on a Friday as well now. I don't know that anybody wants to do that and I'm not proposing it, but it would cover 5 days a week so you would have 5 days of coverage, but yet everyone would still have a 3 day weekend so whether it's Friday, Saturday, Sunday or Saturday, Sunday, Monday.

Highway Superintendent VanWormer: The only thing we run into with that is we only have 7 employees so if there's only 3 of them there, there's really not much they can do.

Town Clerk Finke: That's only one day.

Aline Galgay, Esq.: If it is that the employees whatever the decision is, it's far from me, I'm just speaking from a legal perspective, if in fact your employees as part of the consideration for doing this are agreeing to take comp time instead of overtime, then I would ask that that be put in writing either as a consent form from them or as a memo stating that in institution of this 4 10 week that all overtime that's less than four hours on a Friday must be taken as comp time whatever it is because it sounds good to informally agree with it, but then when you're in a situation where somebody decides they don't want to take copy time and they want to take overtime now, 1) you've represented something to the Board that isn't...

Supervisor Ruso: You can't promise for everybody.

Aline Galgay, Esq.: And 2) it could put you in a situation where somebody's gonna take comp time and somebody's gonna take overtime so I would suggest that it be actually memorialized just so there's no question from anybody.

Highway Superintendent VanWormer: I'll bring it back to them tomorrow, but I'm pretty sure they're gonna wanna stay with what we're doing now. You know they don't want to cause issues with the Board, we don't want any hard feelings between them and you.

Councilmember Briody: I don't think there's issues.

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Many speaking at once.

Councilmember Briody: I think it's just a conversation, it's our views and...

Supervisor Ruso: Nobody's angry or upset with anybody at least not from my standpoint. Are you?

Many answered No.

Councilmember Downes: If you pulled five people in on Monday and had those other two people work on Friday, could you guys perform moving the lawns or something like that on Friday?

Highway Superintendent VanWormer: Mowing we could probably do, but if we're blacktopping or something like that we couldn't.

Councilmember Briody: Well, you'd schedule your blacktop when you have your full crew.

Councilmember Downes: Blacktop Monday through Thursday.

Aline Galgay, Esq.: Or you'd do it Tuesday, Wednesday, Thursday.

Many answered Right.

Councilmember Downes: Would a crew of 5 people to be able to blacktop?

Highway Superintendent VanWormer: Because you need two drivers, a roller operator, a couple rakers. When we're blacktopping, we need the whole crew.

Supervisor Ruso: I think what we have here before us is we have expressed our thoughts and our concerns and I think Alan has well expressed his thoughts on this topic as well and so what I think what we will do is we'll touch bases, it doesn't have to happen today.

Highway Superintendent VanWormer: No.

Supervisor Ruso: And how we will go forward will be however it is.

Highway Superintendent VanWormer: I mean I can touch base with them tomorrow and say, 'Look, this is where we stand. As of right now do you want to pursue it any further?'

Supervisor Ruso: Let them know our thoughts.

Highway Supervisor VanWormer: They could just say, "No, let's just not. We're happy with what we're doing.'

Supervisor Ruso: Let them watch the tape next Monday.

Aline Galgay, Esq.: I think, Alan, legally you have, as Jeff said, you have a lot of autonomy. I think the issue with the Board from the Board's legal authority is over budgeting and all of that and so to ensure that you stay within your budgetary allotment so to speak there's considerations to be added. Will you get as much work productivity from your workers when you extend it from nine to ten, but my only issue is the comp versus the overtime. If they did decide to do it, you just really need to make sure that that's in writing and if there was a way to avoid any overtime or any comp time because comp time still becomes an issue as well. Then you have people that need to use up their comp time or taking off time when it's really not very palatable for you to have them taking it off. So doing some type of staggered, if there was a way to have things like Kelly said where five people could do it on Monday, two on Friday.

Highway Superintendent VanWormer: Alright, like I said I'll let them make their decision because it's really not gonna affect me. It's more for them. I'm here no matter what.

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Aline Galgay, Esq.: You're gonna get stuck coming in.

Councilmember Downes: You're in no matter what.

Highway Superintendent VanWormer: If they decide they don't want to pursue it any further, I know they're happy with what we do now. They already told me that. They said, 'You know if it works, it works; if it doesn't, then we just do what we're doing now.'

Councilmember Downes: Thank you for the consideration; we appreciate that.

Supervisor Ruso: I appreciate you're coming, I really do.

Upcoming Meetings

- April 11, 2019 Planning Board Meeting at 7 PM
- April 22, 2019 Town Board Work Meeting at 7PM
- April 26-28, 2019 Town Roadside Clean-Up Day, Sign up in Town Clerk's Office
- Townwide Roadside Cleanup Days April 28-April 30 and May 3-5. Sign up in the Town Clerk's Office or the Recycling Center
- May 1, 2019 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- May 3-5, 2019 Town Roadside Clean-Up Day, Sign up in Town Clerk's Office
- May 9, 2019 Planning Board Meeting at 7 PM
- May 13, 2019 Town Board Regular Meeting at 7 PM
- May 28, 2019 Grievance Day 4-8 PM
- May 29, 2019 Town Board Work Meeting at 7 PM
- June 1-2, 2019 AgFest at the VanEtten Farm

Public Comment Period

None

Community Events

Highway Superintendent VanWormer: On May 18th from 10-3, it's A Saturday, Cornell Hook & Ladder will be holding their public relations Community Day at the firehouse. There will be several vendors there, there will be County organizations, Veterans' Affairs and such will be there. George Amedore will be there with the Shed the Meds Program.

On a Motion by Councilmember Briody seconded by Councilmember Downes, the meeting was adjourned at 8:43 PM

AYES: Ruso, Briody, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

Respectfully Submitted,

Barbara M. Finke
Town Clerk