

**6:00 PM PUBLIC HEARING ON WATERLINE REPLACEMENT PROJECT FOR  
WATER DISTRICT #2**

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

**JANUARY 25, 2021**

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

**Pledge of Allegiance**

**Reports**

Supervisor

- Resolution and Order After the Public Hearing Approving a Waterline Replacement Improvement for Water District No. 2 in the Town of New Baltimore, in the County of Greene, State of New York, Pursuant to Section 202-b of the Town Law
- Resolution Authorizing the Issuance of Serial Bonds of the Town of New Baltimore, Greene County, New York in an Aggregate Principal Not to Exceed \$330,000 Pursuant to the Local Finance Law to Finance the Waterline Replacement Improvement of the Town of New Baltimore Water District No. 2 in the Town of New Baltimore, New York, and Delegating Certain Powers in Connection Therewith to the Town Supervisor

County Legislator

Town Clerk

- Adoption of January 11, 2021 Town Board Regular Meeting Minutes

Tax Collector

Historian

Agriculture/AgFest (Chair Boehlke/Member Irving)

Animal Control (Chair Irving, Member Ruso)

Assessment (Chair VanEtten/Member Ruso)

Audit and Budget (Chair Ruso/Member Downes)

Buildings & Grounds/Recycling (Chair Irving/Member Boehlke)

Building Inspector/Code Enforcement Officer (Chair Downes/Member Ruso)

Fire, EMS & Law Enforcement (Chair Dellisanti/Member Downes)

Grants/Promotions/Economic Development (Chair VanEtten/Member Ruso)

Greene County Planning Board (Boehlke)

Highway (Chair Ruso/Member Downes)

- Resolution to Correct 2021 Petty Cash Funds Resolution

Insurance (Chair Ruso/Member Downes)

Personnel (Chair Ruso/Member VanEtten)

Planning Board/Zoning Board of Appeals (Chair Boehlke/Member Irving)

Seniors (Chair VanEtten/Member Downes)

Technology/Website (Chair Downes/Member Boehlke)

Town Courts (Chair VanEtten/Member Ruso)

Veterans and Memorials (Chair VanEtten/Member Irving)

Wastewater Treatment (Chair Irving/Member Boehlke)

Youth, Parks and Recreation (Chair VanEtten/Member Boehlke)

### **Public Comment Period/Community Events**

- February 3 2021 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- February 8, 2021 Town Board Regular Meeting at 7 PM
- February 11, 2021 Planning Board Meeting at 7 PM
- February 22, 2021 Town Board Work Meeting at 7 PM

### **Audit of Claims**

### **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.**

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

**RESOLUTION 50-2021**

**JANUARY 25, 2021**

RESOLUTION AND ORDER AFTER PUBLIC HEARING APPROVING A WATERLINE REPLACEMENT IMPROVEMENT FOR WATER DISTRICT NO. 2, IN THE TOWN OF NEW BALTIMORE, IN THE COUNTY OF GREENE, STATE OF NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW

WHEREAS, the Town Board of the Town of New Baltimore (herein called "Town Board" and "Town", respectively, in the County of Greene, New York, on behalf of Water District No. 2, in the Town, servicing the Scheller Park area (herein called "District"), has received a report dated December 30, 2020 prepared by Delaware Engineering, P.C., engineers duly licensed by the State of New York (herein called "Engineer") describing the improvement of facilities of the District, consisting of replacement of a water main crossing under the New York State Thruway between the Village of Coxsackie and the District, including the costs for emergency and long-term repairs for the water main crossing; and including original furnishings, equipment, machinery and apparatus required therefor, and the Engineer has estimated the total cost thereof not to exceed \$330,000; and

WHEREAS, the Engineer completed such engineer's report and filed the same with the Town Board, and the Town Board thereafter adopted an order describing in general terms the proposed waterline replacement project of Water District No. 2, specifying the estimated total cost thereof and stating that the Town Board would meet to hear all persons interested in said increase and improvement of facilities on January 25, 2021 at 6:00 o'clock p.m. (Prevailing Time) at the Town Hall in the Town; and

WHEREAS, notice of such order was published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 25th day of January, 2021 at 6:00 o'clock p.m. (Prevailing Time) at the Town Hall in the Town, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities; and

WHEREAS, the aforesaid purpose constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which is determined under SEQR not to have a significant impact on the environment; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of New Baltimore as follows:

1. On the basis of the information given at such hearing, it is hereby determined that it is in the public interest for the replacement of the waterline under the New York State Thruway of the Town of New Baltimore Water District No. 2 servicing the Schiller Park area as hereinabove described at the estimated total cost of \$330,000.
2. It is hereby ordered that the facilities of the Town of New Baltimore Water District No. 2 shall be so improved.
3. This Resolution shall take effect immediately.

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

**RESOLUTION 51-2021**

**JANUARY 25, 2021**

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF NEW BALTIMORE, GREENE COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$330,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE WATERLINE REPLACEMENT IMPROVEMENT OF THE TOWN OF NEW BALTIMORE WATER DISTRICT NO. 2 IN THE TOWN OF NEW BALTIMORE, NEW YORK, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of New Baltimore, Greene County, New York (the "Town") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The improvement to the facilities of the Town of New Baltimore Water District No. 2, consisting of replacement of a water main crossing under the New York State Thruway between the Village of Coxsackie and the District, including the costs for emergency and long-term repairs for the water main crossing, and including original furnishings, equipment, machinery and apparatus required therefor, is hereby authorized at an estimated maximum cost of \$330,000, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty years.

SECTION 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which is determined under SEQRA not to have a significant impact on the environment.

SECTION 3. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years from the original date of issuance of such obligation.

SECTION 4. The Town plans to finance the cost of the purposes described herein by the issuance of serial bonds of the Town in an amount not to exceed \$330,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 7. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, and the power to issue said bonds as statutory installment bonds, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Town Clerk is hereby authorized to affix the corporate seal of the Town to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with; and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or
- (3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in The Daily Mail, being a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 12. This resolution shall take effect immediately.



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

**RESOLUTION 52-2021  
JANUARY 25, 2021**

**RESOLUTION TO CORRECT 2021 PETTY CASH FUNDS RESOLUTION**

**WHEREAS** the Town Board adopted Resolution 20-2021 Petty Cash Funds at the Organizational Meeting on January 1, 2021.

**RESOLVED** the Highway Department discontinued their Petty Cash fund by Resolution 98-2020 on July 27, 2020.

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

**RESOLUTION 53-2021**

**JANUARY 25, 2021**

**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 2021b-01-01 to 2021b-01-, it is

*RESOLVED* that the Supervisor is hereby authorized to pay claims 2021b-01-01 to 2021b-01-.

*BE IT FURTHER RESOLVED* that the Town Clerk will prepare and abstract and hold it for public review until February 28, 2021.