

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

**APRIL 26, 2021
AGENDA**

Please turn off all cell phones and electronic devices.

6:45 PM Public Hearing on Proposed Local Law 1 of 2021

Pledge of Allegiance

Reports

Supervisor

- Resolution Accepting Map, Plan and Report and Setting a Public Hearing for Water District No. 2 Modification
- Resolution to Adopt Municipal Consent for the Champlain Hudson Power Express Transmission Line Project
- Notice of Adoption of Local Law 1 of 2021 of the Town of Coeymans to Place a Moratorium, for a Period of Six (6) Months, Upon any Action that would Result in any Change or Alteration to the Official Town of Coeymans Zoning Map

County Legislator

Town Clerk

Tax Collector

Historian

Agriculture/AgFest (Chair Boehlke/Member Irving)

Animal Control (Chair Irving, Member Russo)

- Motion to Terminate Prior Animal Control Officer
- Resolution to Correct Title of Position for Sherry Vieta

Assessment (Chair VanEtten/Member Russo)

- Resolution to Adopt Local Law 1 of 2021 Changing the Date Established for Grievance Day for Real Property Assessment Review

Audit and Budget (Chair Russo/Member Downes)

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

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

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

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

Greene County Planning Board (Boehlke)

Highway (Chair Russo/Member Downes)

Insurance (Chair Russo/Member Downes)

Personnel (Chair Russo/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 Russo)

Veterans and Memorials (Chair VanEtten/Member Irving)

Wastewater Treatment (Chair Irving/Member Boehlke)

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

- Resolution to Approve Invitation to Bid for Silver Lake District 3 Park

Upcoming Meetings

- May 1-2, 2021 Town Roadside Clean-Up Day, Sign up in Town Clerk's Office or the Recycling Center
- May 5, 2021 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- May 8-9, 2021 Town Roadside Clean-Up Day, Sign up in Town Clerk's Office or the Recycling Center
- May 10, 2021 Public Hearing Regarding Proposed Town of New Baltimore Water District 2 Modifications at 6 PM
- May 10, 2021 Town Board Regular Meeting at 7 PM
- May 13, 2021 Planning Board Meeting at 7 PM
- May 14, 2021 Bid Opening for Silver Lake District 3 Park at 3PM
- May 24, 2021 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

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 impudent 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 89-2021
APRIL 26, 2021**

**RESOLUTION ACCEPTING MAP, PLAN AND REPORT
AND SETTING A PUBLIC HEARING FOR
WATER DISTRICT NO. 2 MODIFICATION**

WHEREAS, the Town of New Baltimore adopted an order on April 29, 1974 establishing the Town of New Baltimore Water District No. 2 located at the eastern end of Schellar Park Road; and

WHEREAS, the Town of New Baltimore and the Village of Coxsackie entered into a thirty (30) year intermunicipal agreement on May 14, 1974, which states that the Village will provide water through existing mains to users in the Town of New Baltimore Water District No. 2, and to such other users as may from time to time be added by extension of mains; and

WHEREAS, the Town of New Baltimore and the Village of Coxsackie renewed this agreement on March 16, 2005 for an additional thirty (30) years ending on May 15, 2034; and

WHEREAS, the Town of New Baltimore authorized the extension of Water District No. 2 in 2012; and

WHEREAS, the Town of New Baltimore authorized the preparation of a Map, Plan and Report modifying the New Baltimore Water District No. 2 since, as the result of recent real property subdivision, certain parcels of land are not benefitted by the water system and should be excluded from the District. Such a report was prepared and provided to the Town by a Professional Engineer licensed to practice in the State of New York; and

WHEREAS, the boundaries of the proposed Water District No. 2 are shown on Attachment A; and

WHEREAS, proposed Water District No. 2 is comprised of 41 parcels which include 32 residential parcels, 1 commercial parcel, 7 vacant parcels and 1 power supply parcel, of which 30 parcels are currently connected to the water system; and

WHEREAS, Water Supply Permit WSA #6469 for Water District No. 2, issued by NYSDEC on September 17, 1974, authorizes the taking of up to 17,100 gallons per day to serve up to 38 homes, and will therefore not require modification; and

WHEREAS, there is no cost to property owners or the Town of New Baltimore associated with this administrative modification; and

WHEREAS, the typical cost of water to single family property owners in Water District No. 2 will not increase and will be approximately Four Hundred and Sixteen (\$416) per year; and

WHEREAS, all Water District No. 2 parcels will be charged for Repair and Maintenance at Eighty dollars (\$80) per year beginning in 2022, and

WHEREAS, all Water District No. 2 parcels will be charged an annual Debt service of Six Hundred and Twenty-Seven and Twenty-Six Cents (\$627.26) according to the Town's bonded debt for costs of recent improvements, and

WHEREAS, the Water District No. 2 Extension Map, Plan and Report is on file in the Office of the Town Clerk, located at 3809 County Route 51, Hannacroix, New York;

BE IT HEREBY RESOLVED:

1. The Town of New Baltimore Town Board accepts the Town of New Baltimore Water District No. 2 Modification Map, Plan and Report.
2. The Town of New Baltimore Town Board sets a public hearing to be held on May 10, 2021, at 6:00 p.m. at the Town of New Baltimore Town Hall regarding the proposed Town of New Baltimore Water District No. 2 Modification.
2. The attached Notice shall be published pursuant to law.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 90-2021
APRIL 26, 2021

**RESOLUTION TO ADOPT MUNICIPAL CONSENT FOR THE
CHAMPLAIN HUDSON POWER EXPRESS TRANSMISSION LINE PROJECT**

WHEREAS, CHPE LLC and its wholly-owned subsidiary CHPE Properties, Inc., their successors and assigns (hereinafter "CHPE"), is developing the Champlain Hudson Power Express Project (the "Project"), an approximately 1,000 megawatt underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the New York State Public Service Commission (the "PSC") has ruled that the Project will supply clean, renewable hydroelectricity to New York State and has issued a Certificate of Environmental Compatibility and Public Need authorizing the construction and operation of the Project (including any amendments thereto, the "Certificate"); and

WHEREAS, CHPE has discussed the Project with the Town of New Baltimore (the "Municipality"), as a portion of the Project will be located within the Municipality and will occupy certain privately and/or publicly owned land; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State and the Municipality in the form of lower electric rates, a reduction in greenhouse gas emissions and increased jobs, including local jobs during the Project's construction; and

WHEREAS, the Project will provide significant tax (or payment in lieu of tax) revenue to the Town of New Baltimore, County of Greene and the Coxsackie-Athens and Ravana-Coeymans-Selkirk School Districts during the course of its expected 40-60 year operating life; and

WHEREAS, prior to construction within the Municipality, CHPE will require a Road Use and Crossing Agreement with the Municipality that will include, at a minimum, construction responsibilities and plans, restoration and repair of damage, dispute resolution, bonding, insurance and indemnification provisions; and

WHEREAS, once the Project commences operation, it is not expected to require any services from the Municipality.

NOW, THEREFORE, BE IT RESOLVED,

1. That the New Baltimore Town Board (the “Board”) is fully familiar with and supportive of the Project, including the use and occupancy of privately and/or publicly owned land in the Municipality.

2. That the Board hereby grants its consent to CHPE, in accordance with section 11(3) of the New York State Transportation Corporations Law, to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and all other publicly-owned places in the Municipality in accordance with the provisions of the Certificate.

3. That the Board commits the Municipality to the taking of such further actions, if and when reasonably requested by CHPE and consistent with applicable law, as may facilitate the successful achievement of the Project, including, without limitation, executing a Road Use and Crossing Agreement substantially in the form annexed hereto.

4. That the Town Supervisor is hereby authorized and directed to take all appropriate measures to implement the intent of this Resolution and the Town Clerk is hereby directed to forward a certified copy hereof to CHPE at the Pieter Schuyler Building, 600 Broadway, Albany, NY 12207.

5. That the Board approves the inclusion of a copy of this Resolution as a part of any filing made by CHPE with any governmental bodies when and as required or requested by the same and the use of this Resolution in public statements made by CHPE regarding host community support for the Project.

6. That this Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

SUPERVISOR RUSO
COUNCILMEMBER BOEHLKE
COUNCILMEMBER DOWNES
COUNCILMEMBER IRVING
COUNCILMEMBER VANETTEN

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 91-2021
APRIL 26, 2021

**RESOLUTION TO CORRECT TITLE OF POSITION
FOR SHERRY VIETA**

WHEREAS Sherry Vieta was appointed Animal Control Officer by Resolution 87-2021 on April 12, 2021.

RESOLVED the title for said position, due to training requirements, should be Dog Control Officer.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 92-2021
APRIL 26, 2021**

**RESOLUTION TO ADOPT LOCAL LAW 1 OF 2021
CHANGING THE DATE ESTABLISHED FOR GRIEVANCE DAY
FOR REAL PROPERTY ASSESSMENT REVIEW**

LOCAL LAW #1 OF 2021

**A LOCAL LAW CHANGING THE DATE ESTABLISHED FOR GRIEVANCE DAY
FOR REAL PROPERTY ASSESSMENT REVIEW**

BE IT ENACTED by the Town Board of the Town of New Baltimore, as follows:

SECTION 1. Title

This chapter shall be known as “A Local Law Changing the Date Established for Grievance Day for Real Property Assessment Review.”

SECTION 2. Authority

This chapter is enacted pursuant to Real Property Tax Law §512, which established grievance day as the fourth Tuesday of May, but enables a Town to change such grievance day by local law.

SECTION 3. Statement of Purpose

The Town of New Baltimore employs a sole Assessor who also serves as the Assessor for other assessing units. Pursuant to the authority granted in Real Property Tax Law § 512 the Town of New Baltimore wishes to establish a date for the meeting of the Board of Assessment Review to hear grievances other than that established in Real Property Tax Law §512(1).

SECTION 4. Grievance Day

The Town of New Baltimore hereby adopts as its grievance day the first Thursday following the fourth Tuesday in May and so many days thereafter as the Board of Assessment Review deems necessary for the purpose of the Board of Assessment Review hearing complaints in relation to assessments.

SECTION 5. This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

SET DATE AND TIME FOR 2021 GRIEVANCE DAY

WHEREAS Grievance Day means the date on which the Board of Assessment Review shall meet to hear complaints in relations to assessments.

RESOLVED the Town Board of the Town of New Baltimore sets the 2021 Grievance Day for Thursday, May 27, 2021 from 4-8 PM.

**RESOLUTION 93-2021
APRIL 26, 2021**

**RESOLUTION TO APPROVE INVITATION TO BID FOR
SILVER LAKE DISTRICT 3 PARK**

INVITATION TO BID
GENERAL CONSTRUCTION CONTRACT

Notice is hereby given that sealed bids to furnish and install a New Ballfield Facility at Silver Lake Park will be received by the Clerk until **3:00 P.M., Friday May 14th, 2021**, at the Town Clerks office, Town of New Baltimore, 3809 County Route 51, Hannacroix, New York 12087. All sealed bids received before 3:00 P.M. will be publicly opened and read aloud at that time.

The General Construction will be done in conjunction with Town forces and other contracts. Therefore; The successful General Contractor will need to coordinate their work with the Town and other contracts.

The prefabricated concession building is being stored locally and the successful GC is expected to prioritize placement of the concrete foundation as part of this contract.

The Contract Documents, including Advertisement for Bids, Information for Bidders, Additional Instructions, Bid Documents, General Requirements, Specifications, Contract Drawings and any Addenda, may be examined at no expense on line at the following website: www.debiddocuments.com, or at the office of Delaware Engineering, D.P.C., 28 Madison Ave Extension Albany NY, 12203.

Digital copies of the Contract Documents may be obtained online as a download from the website: www.debiddocuments.com. Complete hardcopy sets of bidding documents may be obtained from REV, 330 Route 17A, Suite #2, Goshen, NY 10924, Tel: 1-877-272-0216, Any Bidder requiring documents to be shipped shall make arrangements with REV and pay for all packaging and shipping costs.

All Questions should be sent to Frederick Grober via email at fgrober@delawareengineering.com or Fax at (518) 452-1335.

Please note that www.debiddocuments.com is the designated location and means for distributing and obtaining all bid package information. All Bidders are urged to register to ensure receipt of all necessary information including bid addenda. All bid addenda will be transmitted to registered plan holders via email and will be available at www.debiddocuments.com. Plan holders who have paid for hard copies of the bid documents will need to make the determination if hard copies of the addenda are required for their use, and coordinate directly with REV for hard copies of addenda to be issued. There will be no charge for registered plan holders to obtain hard copies of the bid addenda.

No Bidder may withdraw his bid within Thirty (30) days after the actual date of opening thereof.

This is an exempt capital improvement project, and Bidders shall not include in their bid sales and compensating use taxes on the cost of materials which are to be incorporated into the work.

The Town of New Baltimore reserves the right to waive any and all informalities in the Bid and to reject any or all Bids. By Order of the Town Board. Barbara M. Finke, Town Clerk

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 94-2021
APRIL 26, 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-04-01 to 2021b-04-, it is

REVOLVED that the Supervisor is hereby authorized to pay claims 2021b-04-01 to 2021b-04-.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until May 31, 2021.