

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

JANUARY 11, 2021

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- December 28, 2020 Town Board Work Meeting
- January 1, 2021 Organizational Meeting

Correspondence

- Town Board of the Town of Coeymans Public Hearing at 6 PM on January 28, 2021 at the Coeymans Town Hall, 18 Russell Avenue, Ravena, NY to hear comments on the draft of the Comprehensive Plan Update

Public Comment Period

New Business

- Update of Water District No. 2 Waterline Replacement Improvement
- Resolution and Order Calling Public Hearing to be held on January 25, 2021 at 6 P.M. Regarding 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 Supervisor to Execute Agreement for Bond Counsel Services for Water District #2 Waterline Replacement Improvement
- Resolution Authorizing Supervisor to Execute Agreement for Legal Counsel Services for Water District #2 Waterline Replacement Improvement
- Resolution to Establish Water District #3 Use Charges for 2021
- Resolution to Establish Sewer District #1 Use Charges for 2021
- Resolution to Approve Emergency Purchase at the Highway Department
- Resolution to Approve Emergency Purchase at the Highway Department
- Resolution to Authorize the Supervisor to Sign an Agreement to Extend Computer Lease
- Resolution to Authorize the Supervisor to Sign an Agreement for New Computer Lease
- Resolution to Correct Rate of Pay for Justice Clerk and Deputy Justice Clerk
- Resolution to Adopt Provisions of Executive Order 202.83 Suspending the Requirements of Renewal Applications as a Condition to Granting Exemptions Under Sections 459-C and 467 of the Real Property Tax Law
- Audit of Claims

Upcoming Meetings

- January 14, 2020 Planning Board Meeting at 7 PM
- January 25, 2021 Public Hearing on Water District #2 Waterline Replacement Improvement at 6 PM
- January 25, 2021 Town Board Work Meeting at 7 PM
- February 3, 2021 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- February 8, 2021 Town Board Work Meeting at 7 PM
- February 11, 2021 Planning Board Meeting at 7 PM
- February 22, 2021 Town Board Work Meeting at 7 PM

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 Councilmembers Boehlke, Irving, and VanEtten; Deputy Supervisor Dellisanti; Town Clerk Finke; and 4 members of the public who signed the attendance book. Absent: Councilmember Downes and Tax Collector Jordan

ADOPTION OF MINUTES

The December 28, 2020 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember Boehlke. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

The January 1, 2021 Town Board Organizational Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmembers Boehlke and VanEtten. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Correspondence

Town of Coeymans ‘NOTICE TOWN OF COEYMANS TOWN BOARD PUBLIC HEARING In compliance with Town Law §272-a, this will inform you that the Town Board of the Town of Coeymans has scheduled a Public Hearing for the purpose of hearing comments on the draft of the Comprehensive Plan Update. The Public Hearing will be held at 6:00p.m. on January 28, 2021 at Coeymans Town Hall, 18 Russell Avenue, Ravena, New York. The draft of the Comprehensive Plan can be found on the town website. Pursuant to Executive Order No. 202.1 the public may view and listen to the proceedings live, via the Town of Coeymans Facebook page and Mid-Hudson Cable Channel 901. Due to the increasing COVID-19 numbers in the area, Town Hall will be closed to the public. All interested persons are welcome to call 518-756-6006, Ext. 3 at the above date and time and they will be heard. You can also submit your comments on this matter beforehand by submitting a letter, email or telephone call to the Town Clerk’s Office at townclerk@coeymans.org or 518-756-6006, Ext. 3 until 4:00p.m. the date of the meeting. By Order of the Town Board of the Town of Coeymans Cindy L. Rowzee Town Clerk.’

Public Comment Period

Ellie Alfeld: My main concern was reading the Organizational Meeting and appointments. I don’t understand how Joe Tanner can be the dog warden when he’s no longer with the Town of New Baltimore.

Supervisor Ruso: He doesn’t have to live in the Town of New Baltimore to be our dog.... We prefer the Town.

Ellie Alfeld: I thought he gave his resignation.

Supervisor Ruso: No, he has not. We did advertise to find someone who resides in the Town and Joe was spoken to about that, that if someone steps forward so it goes. However, no one stepped forward, no one wants the position.

Ellie Alfeld: So Joe’s gonna maintain it, okay.

Supervisor Ruso: Right.

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James Eckl: Sir, Madam, Gentlemen, I wanted to speak about the Notice that you just read, the Town of Coeymans draft Comprehensive Plan hearing. Well, we all know that the two Towns are neighbors, we share a common boundary and that means that what happens in Coeymans potentially at least can affect us here in New Baltimore and that in turn means that decisions that are made in the Plan, future decisions that are made following the Plan potentially will affect the lives of your constituents. For instance, the draft Plan specifically mentions concern over truck traffic on State Route 144. We all know that State Route 144's south end is in the Town of New Baltimore, that's where it begins, and we all know that it's a favorite route of traffic exiting the Thruway from interchange 21B and we also know the hazards of that heavy truck traffic through the congested hamlet. My only point being that this draft Plan as it is recognizes that activity in one Town can impact the adjacent Town. So I submit to you this is something that demands your attention and I ask you to give it the attention it deserves. This was only posted if I recall only a couple days ago on the Town of Coeymans website. The draft Plan and the appendices together comprise something like 240 pages. The draft Plan itself is a lot shorter, it's only 38 pages and if you haven't read it, I urge you to and I wonder if you were going to plan on submitting comments as the Notice advises that can be done by letter or it can be done by virtual participation in the hearing. I might add that I have not found anything either in the draft Plan or on the Town website about the review of this draft Plan under the State Environmental Quality Review Act. That's required, it's a Type 1 action which means it is categorized as one likely to require an Environmental Impact Statement. I might add that the Environmental Conservation Department handbook makes the observation that a Generic Environmental Impact Statement is the most appropriate way to handle the situation and I want to make sure that it's realized that a Generic Environmental Impact Statement has ramifications that might not be immediately apparent. It goes not only to the Plan itself, but also to future action. It can set criteria such that if a future project comes along and fits within the criteria, there won't be any site specific review of that project. So if the draft Plan is intended to be a Generic Environmental Impact Statement which it may be, although I cannot find anything about that in what's available to me on the Town website. If it should happen that it is intended to be an Environmental Impact Statement, a Generic Environmental Impact Statement that itself is going to require some scrutiny. I might also add that it has to be considered by the Albany County Planning Board and it can't be considered for adoption until the County Planning Board has had its opportunity to look at it. The submission to the County Planning Board must include an environmental assessment form that shows that the agency taking the action, in this case the Town of Coeymans, has complied with the environmental review requirements of the State Environmental Quality Review Act and then it will require yet another hearing before it's actually adopted. By the way this Notice that you just read, sir, only refers to the one hearing on January 28. You should realize there's no limitation in the law. Coeymans Town Board could if they saw fit schedule additional hearings and meetings and since I see Mr. McHugh's here tonight, Good Evening, Sir, we're not really acquainted, but I know who are. We all know who you are. You're the Attorney for the Town. I understand that and you're also the duly elected Supervisor of the Town of Coeymans and you of all people in this room ought to understand the potential problems and the obligation to avoid even the appearance of impropriety because we are, and I hasten to add, sir, I make no accusations of impropriety now. No, sir, not at all, but disputes can arise between neighbors all the time. This exercise, the draft Plan, deals with land use regulation in Coeymans. That potentially can affect the quality of life of your constituents here and we have to ask ourselves what happens if some irreconcilable conflict should arise between the Town of New Baltimore and the Town of Coeymans and surely, Mr. McHugh, you realize where that leaves you and I respectfully submit to the Board now is the time to think about that. How it's meant to be handled not only in respect to the Comprehensive Plan, but also with respect to other conflicts that may arise in the future. The dual employment simply sets the stage for irreconcilable conflict of interest and I urge you to consider now how you're gonna deal with it before we all make trouble for ourselves and I thank you for your patience.

Supervisor Ruso: Some of those considerations for potential conflicts of interest have been discussed and we have a third party who's going to be considered when those circumstances may apply. As of now we don't have any Intermunicipal Agreements between ourselves and the Town of Coeymans. Doesn't mean that disputes won't happen as you've well pointed out. In terms of going back to the particular of the Planning Board meeting, the Public Comment period, I have looked at that submission myself. I haven't finalized, there's a lot of pages so I've reviewed a number of them with an eye to finding issues that relate to the Town of

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New Baltimore and I think you've probably pointed out the biggest issue and that is the traffic, but you don't know what you don't know yet because I don't know if that implies increased traffic, same traffic, I don't think it will be less. I can't consider that being less possibly, but I'm looking to that and if I have a comment to make to the Coeymans Town Board, I will do so independently of this fellow to my right. He won't know about it until I tell him on that occasion. So in any event, I'm reviewing that separately and I would welcome the rest of the Town Board to review that and make your comments as you so wish.

Councilmember VanEtten: We also have a lot of land in the Town of Coeymans so we will definitely review it.

James Eckl: That's reassuring, sir, thank you for saying that and I might add that I mentioned the discussion in the draft Plan of truck traffic on State Route 144 only as an illustration of the fact that the authors of the plan recognize that activity in one Town can affect life in another. No doubt there are other possibilities.

Supervisor Ruso: As a particular point I know that there's some issues coming up this year and it's supposed to start, I did have some communication with the State Department of Transportation and the renovations of the bridge going over the Hannacroix Creek is due to start, their aiming for April if not May. They're aiming for and that to me when I talk to State people that means July or August, but that's another point.

New Business

Update on Water District No. 2

Supervisor Ruso: This is from Delaware Engineering. There it goes into a lot of details here about the history and its multiple pages. The total cost of this project \$320,729.94. That does not include bond counsel. (To George McHugh) Rough estimate on what the bond counsel would cost do you know?

George McHugh: I'd probably say \$10,000 at the most.

Supervisor Ruso: That's what I heard, I don't know if you had any further....

George McHugh: About \$10,000. That's why I did \$330,000.

Supervisor Ruso: And we've been in conversations with the Bank of Greene County which is one of our preferred depositories to see what they can do for us and we can also reach out to the National Bank of Coxsackie. But in any event, \$320,000 is the estimated cost of the project. That's with almost every bill, add another \$10,000 for the bond. This is from Donald McCormack from the Bank of Greene County and it was in relation to the bond and of the like that we just discussed. \$330,000 Principal 15 year loan is 1.69% interest of annual payments of \$25,090.59. A 20 year would come to 2.19% interest and that's annual payments of \$20,553.65. The 25 year bond has annual payments of \$18,510.51 and the interest rate on that is 2.79%. And the 30 year is 3.49% and the annual payments are \$17,000. The difference between the 25 and the 30 is only \$600 of an annual payment. I know that the issues from the perspective of the water district residents is there's 32 users right now. So if you take those annual payments and you divide it by 32, that is roughly what they will have to pay per year. So at the \$18,000, that's approximately \$600 a year broken out into four payments. That's just for the water line, this has nothing to do with their usage. So it's considered \$600 per year. Now we are going to be sending out letters to everybody in that district and they should be receiving them shortly. The project is well under way. Obviously the water line has been repaired and we have to move forward. Anything else that I should reflect upon? I'm sure that the 15 year loan even though you pay less interest, you're talking \$800 a year. I'm going to suggest, I know the perspective based upon the correspondence, the communication I've had with the folks already, I think they want a lower payment year to year to year. That's what I think they want and it's not just something I conjured up based upon what people have said to me. Those people have a stake in this, it isn't so much for the Town in general, they need to know what's going on.

Councilmember Boehlke: But we face the possibility of receiving reimbursement from this also right?

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Supervisor Ruso: Not much of a chance.

Councilmember Boehlke: Serious?

Supervisor Ruso: Not much of a chance seriously because the State's not giving out money these days. Doesn't mean a shot in the dark is better than nothing at all, yes, but the State is not giving out much money these days. There was not a great deal of chance when this happened back in June and it's worse now.

Councilmember Boehlke: Because we had discussed the fact that the engineering firm who was ever responsible back in the '50s crossed that out as an abandoned line and they did not properly secure it to the surface and I thought that was a large factor in hopes of getting reimbursement on this.

Supervisor Ruso: There's no reimbursement from the people who crossed that out. None of those folks are around anymore.

Councilmember Boehlke: Ultimately that would fall on the State Thruway Authority, Jeffry, of course.

Supervisor Ruso: The problem is their suggestion is that that was up to the Town of New Baltimore to make sure that they knew that their line was underneath that Thruway.

Councilmember Boehlke: You're never right when it comes to the State.

Supervisor Ruso: So the problem is 1952 the Town Board, nothing happened here either from what we could find. It brings forth the thought that what is it failure is an orphan and success has many fathers. So that's really what it comes down to.

Councilmember Boehlke: So we have no one working on that then is what you're saying? That's already been explored.

Supervisor Ruso: There's no one to go after, there's no one to go after its 70 years ago. However, there is someone, our Assemblyman, our Senator, our Congressman going to help us with some financing without the aim of finding fault, but is there someone who's gonna help make this less of a burden?

Councilmember Boehlke: Well, like you said there's no money.

Supervisor Ruso: From the State level, I don't think so. From the Federal, I don't think so. But it doesn't mean we're not giving it a shot. There is a new State Senator, I'm going to be reaching out to her. I know that our County Legislator has also reached out to a couple of these folks, but we don't have any answers and if we get money in, if we say we want a 30 year bond or 20 year, whichever the case might be, but whatever we decide, that won't reduce the length of term, it will just reduce the amount that they pay. So if somebody comes up with something, it will be a lesser payment. It's still going to be a 20 year bond, maybe it won't be \$600 maybe it will be \$500. Who knows. I'm not about to predict. As we said at one point, there could not have been a worse time for this to have happened.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 37-2021
JANUARY 11, 2021

RESOLUTION AND ORDER CALLING PUBLIC HEARING
TO BE HELD ON JANUARY 25, 2021 AT 6 P.M.
REGARDING 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

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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 Cossackie 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;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. A public hearing of the Town Board of the Town shall be held at the Town Hall in the Town on January 25, 2021 at six o'clock p.m. (Prevailing Time) to consider said improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law;
2. The Town Clerk shall publish at least once in The Daily Mail, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the signboard of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a notice in substantially the form attached hereto, the first publication thereof and posting to be not less than ten (10) days or more than twenty (20) days before the date of such public hearing.
3. This Resolution shall take effect immediately.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

SUPERVISOR RUSO	AYE
COUNCILMEMBER BOEHLKE	AYE
COUNCILMEMBER DOWNES	ABSENT
COUNCILMEMBER IRVING	AYE
COUNCILMEMBER VANETTEN	AYE

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 38-2021
JANUARY 11, 2021

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
FOR BOND COUNSEL SERVICES FOR WATER DISTRICT #2
WATERLINE REPLACEMENT IMPROVEMENT**

RESOLVED that Christine M. Chale, Esq. is hereby retained as bond counsel for the Water District #2 waterline replacement improvement project as per the attached agreement and the Town Board authorizes the Supervisor to sign said agreement.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Supervisor Ruso: Just for some of you who are relatively new to the Board, we have used Chris Chale on other bonds in the past so she's been quite helpful. I believe her office is out of Rhinebeck.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 39-2021
JANUARY 11, 2021

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
FOR LEGAL COUNSEL SERVICES FOR WATER DISTRICT #2
WATERLINE REPLACEMENT IMPROVEMENT**

RESOLVED that George D. McHugh, Esq. is hereby retained to assist and provide legal advice, and representation including the drafting of requirement documents in connection with all aspects of, including but not limited to the financing for the Water District #2 waterline replacement improvement and the Town Board authorizes the Supervisor to sign said agreement.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 40-2021
JANUARY 11, 2021

RESOLUTION TO ESTABLISH WATER DISTRICT #3 USE CHARGES FOR 2021

BE IT RESOLVED that the Town Board hereby establish the following fees in accordance with the 2021 Budget for Water District #3:

Operation and Maintenance	\$300.00 Annually
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Motion by Supervisor Ruso seconded by Councilmember VanEtten

Councilmember Boehlke: Well, is this the same as last year's?

Supervisor Ruso: Yes, the Serta.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 41-2021
JANUARY 11, 2021

RESOLUTION TO ESTABLISH SEWER DISTRICT #1 USE CHARGES FOR 2021

BE IT RESOLVED that the Town Board hereby establish the following fees in accordance with the 2021 Budget for Sewer District #1:

Debt Service	\$26.7749
Operation and Maintenance	\$35.9150

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Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 42-2021

JANUARY 11, 2021

**RESOLUTION TO APPROVE EMERGENCY PURCHASE
AT THE HIGHWAY DEPARTMENT**

WHEREAS the Town Board adopted a Procurement Policy on January 1, 2021 concerning the procurement of goods and services.

WHEREAS it was determined that the left rear axle on 1993 International had to be replaced for continued use during snowplowing.

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 purchase from Heavy Duty Automatics for \$1,480.07, Purchase Order No. H-2020-222, and Voucher No. 2021-01-32.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Supervisor Ruso: You all know what this is about, we had to fix a truck.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 43-2021

JANUARY 11, 2021

**RESOLUTION TO APPROVE EMERGENCY PURCHASE
AT THE HIGHWAY DEPARTMENT**

WHEREAS the Town Board adopted a Procurement Policy on January 1, 2021 concerning the procurement of goods and services.

WHEREAS it was determined that the lockup in the rear end of the 1993 International had to be replaced for continued use during snowplowing.

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.

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BE IT RESOLVED that the Town Board of the Town of New Baltimore approves said emergency purchase from Heavy Duty Automatics for \$2,645.58, Purchase Order No. H-2020-225, and Voucher No. 2021-01-33.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 44-2021

JANUARY 11, 2021

**RESOLUTION TO AUTHORIZE THE SUPERVISOR TO
SIGN AN AGREEMENT TO RENEW TOWN CLERK COMPUTER LEASE**

RESOLVED the lease renewal of the laptop, dock and monitor for the Town Clerk at the same monthly cost of \$65, quarterly of \$195, Quote #JW003691 v1 is renewed from 9/22/20 through 9/21/22 with Intelligent Technology Solutions, Inc.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Town Clerk Finke: It's not new equipment; I'm keeping the old.

Supervisor Ruso: Just renewing the lease.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 45-2021

JANUARY 11, 2021

**RESOLUTION TO AUTHORIZE THE SUPERVISOR TO
SIGN AN AGREEMENT FOR NEW COMPUTER LEASE**

WHEREAS the Assessor has requested an upgraded computer and Intelligent Technology Solutions, Inc. was contacted.

RESOLVED the lease of the Assessor AIO at the same monthly cost of \$32.50, quarterly of \$97.50, Quote #JW003692 v1 is renewed from 9/22/20 through 9/21/22 with Intelligent Technology Solutions, Inc.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Town Clerk Finke: There could actually be savings here because Kathy's computer may be retired.

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 46-2021
JANUARY 11, 2021

**RESOLUTION TO ACCEPT QUOTE FOR STAIRS AT
WASTEWATER TREATMENT PLANT**

WHEREAS during the wastewater treatment plant upgrade, it was determined wooden stairs were needed to upgrade an unsafe area used by our wastewater treatment plant operator and Delaware Engineering spent three weeks reaching out to contractors for quotes.

RESOLVED the Town Board of the Town of New Baltimore accepts the proposal from Randio Builders for \$1,200.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Councilmember Boehlke: I want to point out that because Mr. Ruso took a personal interest in this and went down to that Plant with me and you remember, Ellie, they had originally estimated this to be \$10,000 and so thank you, Jeffrey. Well, this is a huge savings.

Supervisor Ruso: But Randio is in Town which I like.

Councilmember Boehlke: It's a very practical thing to do.

Supervisor Ruso: Randio lives right there on New Baltimore Road. It's \$1,200 whereas they wanted to spend \$10,000. So he saves the folks in the water district.

Councilmember Boehlke: I just want to point that out.

Ellie Alfeld: We didn't have to pay for any of those estimates do we?

Supervisor Ruso: No.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 47-2021
JANUARY 11, 2021

**RESOLUTION TO CORRECT RATE OF PAY FOR JUSTICE CLERK
AND DEPUTY JUSTICE CLERK**

WHEREAS the Organizational Meeting held on January 1, 2021 did not include the correct rate of pay for the Justice Clerk or the Deputy Justice Clerk.

RESOLVED the rate of pay for Kimberly Ruby is \$16.82 per hour and Lynn Layman-Wallace is \$12.74 per hour.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE **Draft 1/19/2021**
COUNTY OF GREENE **Adopted 1/25/2021**
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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 48-2021
JANUARY 11, 2021

RESOLUTION TO ADOPT PROVISIONS OF EXECUTIVE ORDER 202.83
SUSPENDING THE REQUIREMENTS OF RENEWAL APPLICATIONS
AS A CONDITION TO GRANTING EXEMPTIONS UNDER
SECTIONS 459-C AND 467 OF THE REAL PROPERTY TAX LAW

WHEREAS, the Governor of the State of New York by Executive Order No. 202 dated March 7, 2020, declared a state disaster emergency for the entire State of New York; and

WHEREAS, both travel-related and community contact transmission of COVID-19 have been documented in New York State and are expected to continue; and

WHEREAS, pursuant to Section 29-a of Article 2-B of the Executive Law, New York State Governor Andrew Cuomo did issue Executive Order 202.83 dated December 18, 2020, 2020, which authorized, by local option, the governing body, to adopt the provisions of that Executive Order 202.83, which temporarily suspends or modifies, subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law.

NOW THEREFORE BE IT RESOLVED, that pursuant to Executive Order 202.83 issued by New York State Governor Andrew Cuomo on December 18, 2020, the Town Board of the Town of New Baltimore hereby adopts, as a local option, the suspension of subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law; and be it further

RESOLVED, that the Assessor is hereby directed to grant exemptions pursuant to such sections on the 2021/2022 assessment roll to all property owners who received that exemption on the 2020/2021 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for the Assessor mail renewal applications to such persons; and, be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Assessor and the Attorney for the Town; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the Town Clerk.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Councilmember Boehlke: Do we have a summary of these subdivisions quickly summarized?

Supervisor Ruso: Not with me, no, but we can pull that out.

George McHugh: Basically it's just the Assessor and the STAR exemption and things like that, any exemptions that people might have had that they have to renew every year. This suspends that because of the COVID. So the Assessor in her or his ability as long as they don't think that any of the exemptions have changed for that particular parcel, they can continue the exemptions without making the people bring in their documentation to extend it. And that's really just for COVID, the Executive Order, and Towns can or don't have to.

Supervisor Ruso: Even if there was just like a change in ownership or something to that affect, a deed change, you cannot carry forward the previous exemptions.

George McHugh: Or if the Assessor knows somebody died and there was like a senior exemption on that property because of that person and they knew that, they had this knowledge that they could make the person bring it in. So they have the option.

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Councilmember VanEtten: And so what about the agricultural exemption in the Town?

George McHugh: It's all included. All of these exemptions are included, but it really is up to the Assessor, but this gives him the ability to not make you come in and renew applications.

Supervisor Ruso: Not making the public come in and do the stuff that's already there basically.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 49-2021
JANUARY 11, 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 2021-01-01 to 2021-01-47, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2021-01-01 to 2021-01-47.

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

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

General \$8,764.22, Highway \$15,524.46, Sewer 1 \$2,669.67, Sewer 2 \$39.77, Lighting 1 \$1,918.91, Lighting 2 \$172.83, Ambulance 1 \$25,905.96, Total \$54,995.82

Supervisor Ruso: I just want to point out one thing that only came to me at 5:11 this evening and that is we have, you folks haven't received it yet but you shall very shortly, that is our expenses for the year 2020, our finances for 2020. Our income was down as we all knew it was going to be, but because certain activities did not happen as well at the same time. Certainly we didn't know everything along the way and didn't know what impact this was going to have next month and so forth. 2020 being a very, let's call it a unique year. Nevertheless preliminary outcomes are such that the Townwide funds, we are going to end with a surplus of \$73,400 after final auditing, it's not quite there yet, but we have income we're at less, but then, of course, things were closed down so expenses were also less. We didn't know what was what.

Ellie Alfeld: Money was given back by different organizations.

Supervisor Ruso: Yeah, that's right. Things weren't spent, the Parks Program didn't happen, the seniors program didn't happen, and those were a few thousand right there amongst other things obviously. So it may have some adjustments, this preliminary figure \$73,000. We're okay with that. I actually thought early this year it would be a deficit. I honestly did because at that point expenses maintained but revenue did not, but it came out. Plus we also have to say with the exception of that storm we had just before Christmas, we did not end the year with a lot of overtime, and trucks, and fuel so let's thank Mother Nature as well.

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Councilmember Boehlke: So, Jeff, do we have an update speaking of budgetary items, do we have an update on the legal process concerning Mr. Miller and the Town financially?

Supervisor Ruso: I would defer that to our Town Attorney.

George McHugh: So the case right now is inactive in that all the papers for the Motion to Dismiss have been submitted to the Judge and the Judge is deliberating on the Motion. Hopefully it is granted. The Motion's been made by Mr. Albright's attorney as well as the Town and we're hoping that it's dismissed. If it is dismissed, then the Plaintiffs have the right to appeal that if they so decide and vice-versa. If it's not granted, then the Defendant, Albright or the Town, have the right to also appeal. So right now we're kind of in limbo and I'm gonna guess that most likely Judge Silverman won't make a decision until the end of this month or the first part of February which means no legal bills until so.

Upcoming Meetings

- January 14, 2020 Planning Board Meeting at 7 PM
- January 25, 2021 Public Hearing on Water District #2 Waterline Replacement Improvement at 6 PM
- January 25, 2021 Town Board Work Meeting at 7 PM
- February 3, 2021 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- February 8, 2021 Town Board ~~Work~~ **Regular** Meeting at 7 PM
- February 11, 2021 Planning Board Meeting at 7 PM
- February 22, 2021 Town Board Work Meeting at 7 PM

Public Comment Period

Ellie Alfeld: Couple of things, first of all as far as today's whole agenda I couldn't comment because the resolutions went so fast. I would hope that the people in the Water District especially No. 1 know that Scheller Park is No. 1. You know what we went through when we had the meetings with those people and said they didn't know they were in Water District 1, 2 rather. Okay, it was a big to-do about them not knowing they were a water district. I would hope maybe in parenthesis you can identify them. Second, how's our Town Board calendar and the information that we look up on the computer. None of these dates are on the calendar.

Town Clerk Finke: They are. We have to have something where we can show people how to use it, the Community Events.

Supervisor Ruso: It's there, they just have to find the right...

Town Clerk Finke: We're still working with it.

Ellie Alfeld: All I see is today.

Motion by Councilmember VanEtten seconded by Councilmember Boehlke to adjourn the meeting at 7:50 PM

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Supervisor Ruso: Thank you everybody, have a great evening. Drive safe.

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk