

TOWN OF NEW BALTIMORE **Draft 6/2/2021**
COUNTY OF GREENE **Adopted 6/14/2021**
PUBLIC HEARING ON MODIFICATION TO WATER DISTRICT NO. 2 BOUNDARY
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
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OPENING OF REGULAR MEETING

Supervisor Ruso opened the meeting at 6:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, Irving, and VanEtten (arrived at 6:20 PM); Deputy Supervisor Dellisanti; Town Clerk Finke; and 15 members of the public who signed the attendance book.

Supervisor Ruso: First up I know we're going to take some public comments here. Everybody has a public comment, try to keep it under three minutes or less, get to your point, but first before we proceed we're going to have our consultant from Delaware Engineering, her name is Tracey Ledder, so she'd been assigned the task of looking at all the parcels with one thing significantly in mind -- who is a benefitted parcel. Is that fair to say?

Tracey Ledder: Yeah. I can give a basic summary and then if there's questions and comments we can go from there. I brought this in case there's any questions. So this one actually is the old map from 2012 when you went through the process of extending the District. The District has existed since 1972, 1974, I forget exactly where it became official and these parcels were included except for these two. So in 2012 you went through the extension of the Water District which is a similar process of what we're doing tonight as a modification. In this extension, the property owner paid for the extension of the line and there was no extra cost to the other parcels in the District, it was merely an administrative act to extend the District to include those two. Today we're in a different situation with the pipe break under the highway. There's gonna be debt that has been incurred to the Water District that did not exist before. And debt is a little bit of a different animal than regular water use and operation and maintenance charges. A Water District incurs debt for properties that are benefitted from the Water District. We have the Water District line coming up from the Village of Coxsackie, comes this way and it goes up to here. Now this one just doesn't show, this is where the main is, so it doesn't show that line up to the extended property. There's been some subdivisions since 2012. That was subdivided and these two were subdivided. Looking at this in the terms of benefit from a water service, who can connect to it, these properties cannot connect to this, these parcels, and we're not talking about where the house is. We're not taking about your future plans, we're talking these parcels cannot benefit from the water line because there'd have to be agreements and payment and other things going on similarly to what we did for this extension if in the future there's gonna be some development there. Similarly, here they currently cannot simply connect. These parcels are right there, the water line is right there, it's basically touching their parcel or within a reasonable distance. So that's what it means to be benefitted. Since we've had some subdivisions and changes and the objective here is to assess the debt for the District and it can only be assessed to those properties that benefit, the Water District is being modified. I don't know if there is anything else you want to say right now, really tonight is to hear comments.

Supervisor Ruso: I don't know if there's anyone here who lives on Twisted Tree? If there's anyone here, raise your hand, but Twisted Tree -- those three properties that are at the tail end - - the water lines do not go far enough down that road and so the three parcels and I'm trying to remember the names, Ellis, Yonkers, and Carlson. They're not in the District. Why? Because there are no mains that could possibly benefit your properties unless we decide to put a main down your road and then you could benefit.

Tracey Ledder: And that can be petitioned in the future if there's need. It can happen, but it's not the current situation.

Supervisor Ruso: To go to those two parcels that were added in 2012, the reason those parcels were added is that they had multiple well failures for those than can recall 2012 accurately. They couldn't get water. So whether that would happen in those roads on Twisted Tree or would happen elsewhere adjoining the District or relatively close by unless that were to come to the forefront from a local property owner typically -- I mean we're not just going to do it to assert it upon them-- it would be based on their request. This is the District until such changes are made.

Tracey Ledder: That's all I had to say about the overall process. There's a few things coming in tonight. What Delaware Engineering had done was create a Map, Plan and Report that I believe was made available to you to see, a writing up of the history, the objectives, what we're

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doing, what the estimated costs are gonna be. Did you want to say anything about the Repair and Maintenance being charged in 2022?

Supervisor Ruso: There's what's called a Repair and Maintenance, we've also called it Operations and Maintenance, O&M, and there has been a charge of \$10 per quarter per parcel. The recommendations are that we increase that to \$80 per year -- \$40 a year now, it would go to \$80. We decided that we're not gonna do it in 2021 because you guys are already taking a hit and the hit this year is going to be a little bit different than years going forward. In February we have to pay the bond for a total \$25,090. In February gotta write a check. There are three payments left between now and then. The third bill has not gone out, the fourth bill has not gone out, and the first bill of 2022 has not gone out. So that total cost that you would otherwise have is going to be on three payments instead of four. In essence, the total number of parcels that are going to be in this District are gonna be divided into the debt payment. I believe we came up with 39 was it last I calculated? Twenty-five thousand, ninety dollars divided by 39, divided by four is what our plan going forward will be '22, '23, '24, etc. However, 2021 we have to have that money for our February payment. The Town's not allowed to pay for it, only the District is allowed to pay for it. People who aren't benefitted obviously, people who live a distance away aren't going to do that. So the payments have to be borne by the property owners. Some of them have water and you've received water and gotten a bill for your water usage. On top of that you're going to have the debt payment. Additionally, those who have a parcel that's benefitted will have a payment for the debt. So there's 32 users, but there's 39 parcels. So you're gonna pay your water no matter what, the usage. There's 39 parcels and the debt payments are gonna be divided by 39.

Tracey Ledder: And the piece about that I wanted to get to for billing and paying on a quarterly basis is important to not put that off because then the Town doesn't have the money to pay the debt.

Supervisor Ruso: There are some people in the District there who don't pay their water bills, they wait for it to be re-levied. When do we get the money for that? Typically, at the end of February into March, typically. We need \$25,090 and there's six persons in the District who aren't paying. So it was recommended to me that we charge an additional fee to everybody who does pay to make up for the six who do not. We're gonna go through 2021 and into 2022 and hopefully people will pay their bill. But if they don't, we're going to have to adjust in 2022 to make up for those who don't pay their water bill basically. Now if they're not paying their water usage bill, what makes me believe they're gonna pay their debt on the pipe? I have no reason to believe so, but we're gonna give it a good, fair shake. I don't want anybody to have to pay for others who don't pay. I don't want to do that at all. So we're gonna give it a trial. Is that pretty much close to what we discussed?

Tracey Ledder: That's a lot harsher than I was gonna say. What I was gonna say is it's a cash flow issue. It's basically your rent is due on March 1st, but your paycheck doesn't come until the second Friday. Those kinds of things is what the situation the Town's in. And then the Repair and Operation, I usually call it Repair and Operation because you're not operating your water plant. If you have the operation of the water plant, you'd have operation of the plant and the maintenance of the District.

Supervisor Ruso: We can change it to Repair and Operation.

Tracey Ledder: It's just the way I'm thinking. That is an effort to get ahead of the situation you're in now. So that idea is to have a capital project fund where that fund's for the repair and maintenance is going on a blanket savings account. So you have an old water system, there's gonna be more pipe breaks, a hydrant might need to be replaced on a yearly basis and the way to get ahead of that is to have this Repair and Maintenance fund available so you've got that put away to take care of those annual things.

Supervisor Ruso: Some of you may recall back in 2014 I think it might have been if not '15, we had a fire hydrant go bad. It cost \$9,000 to replace. Everybody paying \$3.33 takes a long time to get to \$9,000. Fortunately, at the time we did have some money in the bank. So we paid it. The Town General loaned to the Water District the difference and through your \$40 a year, that loan was paid off. So everybody's whole. But if we had two such breaks in one year,

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we would have had some greater difficulties. So the plan is not for '21 but in '22, we're gonna up the R&M we call it now to \$80. Now why \$80? Based upon Delaware Engineering's review, a probable maintenance cost in a period of about three years that would suffice to pay for most if not any repair that would happen. Just small ones. Heavens, no, something under the Thruway again, that's not gonna cover that. But there are breaks, there are small leaks at joints and so forth. They will happen. The ones that are on your lines that are around the District, they're not so expensive to repair fortunately because they're accessible. Not like a Thruway. So their accessible whether it's in front of any one of your homes, they can get to it and they can make the repair. It's relatively -- compared to a fire hydrant -- it's a lot cheaper, I think you said an average would be \$1,500...

Tracey Ledder: One thousand, five hundred dollars per break for smaller breaks I believe and then two a year, we're kind of estimating you could have about two a year. So you want to build up to this amount of money and in three years you can be there and then just continue to maintain that. Pay what you need to repairs and keep your fund going.

Supervisor Ruso: The consideration was you folks have already taken a hit in '21, we'll wait for the \$40 increase until next year.

Councilmember Downes: So your basis was in a three-year period we should have enough money to fix a small break. Is that...?

Tracey Ledder: In the three-year period at the \$80 a year per parcel, you should have enough to fix a hydrant and a break. It's just kind of an estimate of what you would expect to see.

Councilmember Downes: No, I'm just trying to figure out what your basis was.

Tracey Ledder: It's in the Map, Plan and Report. I believe it was two breaks and a hydrant at the end of three years.

Supervisor Ruso: That's a worst-case scenario. In the course of three years, though.

Tracey Ledder: And that's just to get you up there and you can assess where you are in another couple of years and change that if you need to. You might need more and you might need less, but it's a good idea to have it.

Councilmember Boehlke: Were you able to determine, that pipe that broke underneath the Thruway, it's from the 1800's right?

Tracey Ledder: I was not involved in that. I know it was a much older pipe and it wasn't abandoned like it should have been.

Councilmember Boehlke: We have no idea how much of that continues do we?

Tracey Ledder: We're assuming that there is a good bunch of older pipe in there that might need to be taken care of sooner than later.

Supervisor Ruso: But that is also fortunately accessible.

Tracey Ledder: And it's not under the highway anymore.

Supervisor Ruso: All the piping that goes under the Thruway either lanes has been replaced. So the other ones are accessible thankfully.

Councilmember Boehlke: It's just something to keep in mind for the fund right.

Supervisor Ruso: That's part of what we're talking about here. Okay so why don't we open this up to the public. You need to come up to the lectern so people can get it on tape. Please when you step up, tell us your name, your house, your parcel, whatever you want to call it.

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Donna and Jeff Carlson: The water line goes under our barn. I wanted to say that we originally owned 40 Twisted Tree Lane, Jeff and I did, back in '91, '92. When those homes were first built back there and at that time there was a moratorium on anyone outside of the Village or Town of Coxsackie to hook up to the water lines. So that's why we all have wells back there, because we were not allowed to hook up. I have to say that I am willing to and I know that you say that we're easily accessible to hook up to the water line since it runs through our barn, but I don't feel that we should have to go through the expense of having to hook up to the water line just to keep us in the District. We're willing to pay the \$80 for the fees, the Repair and Maintenance, but this other for the bond to fix the lines, it does not benefit us. It did not benefit us. We couldn't hook up to it to begin with. And I believe when Torchie and Jean built 231 Scheller Park, they could not hook up to it because the Village and Town of Coxsackie had the moratorium and I even went at that time and spoke to the Mayor and they said there was no way that we could hook up to that water.

Tracey Ledder: What year was that?

Donna and Jeff Carlson: '91, '92 we built back there and back then they said they were gonna move the water line to run parallel to 9W and then go into Scheller Park from there and they never did.

Supervisor Ruso: I never heard of that.

Donna and Jeff Carlson: That's why they allowed the barn to be built on top of the water line. If you look at that diagonal line on that map, it runs right under our barn.

Councilmember Boehlke: So how long was the moratorium on do you know?

Donna and Jeff Carlson: I don't know how long it was. Not sure, a few years probably. But we had wells drilled and we never inquired as to hook up. The house was done just about and we had wells drilled.

Supervisor Ruso: So you were originally one of those three homes that were on Twisted Tree.

Donna and Jeff Carlson: Yes, yes, correct.

Supervisor Ruso: And I know where your property is now, it's not the same...

Donna and Jeff Carlson: Right, no, we're on 231 in the cabin and the big barn. And we could not hook up at that time even when Torchie and Jean built 231, they couldn't hook up either. Jeff, if I'm understanding this right, it's \$707.26 per parcel not connected. That's what we're responsible for?

Supervisor Ruso: If you did the calculations, I think it's lower than that.

Donna and Jeff Carlson: On the sheets that were sent to us, that's what it said.

Supervisor Ruso: For some reason I think it was \$627.

Donna and Jeff Carlson: Well, with the \$80 it comes to \$700. With the \$80, \$707.

Supervisor Ruso: I was just thinking debt, I wasn't thinking the R&M.

Donna and Jeff Carlson: And if things were to come to where we would have to hook up to the water, would it be cost to us since the line is right there?

Supervisor Ruso: I would expect not other than the hook up fee and the last I remember the hook up fee was \$25. But don't hold me to that, I have recollections only from reading this stuff.

Sam Anderson: That's a false number.

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Supervisor Ruso: It's not false, I'm just telling you my recollection.

Donna and Jeff Carlson: That's all I wanted to say is the history of why we're on wells back in there and just because the water line is there, I don't feel that we should be responsible for those repairs.

Sam Anderson: So first off my property we purchased five years ago and up to last year when we tied in for the subdivision in 186 Scheller Park, I have never paid a service fee. I don't know, have you guys ever paid a service fee? So I don't know how I would be considered part of the District to begin with if I've never paid a service fee up to this point. So now all of a sudden we're gonna grab my parcel and say 'hey you gotta pay money' and up to now I have never even been part of this.

Councilmember Downes: Do you have a well at this point?

Sam Anderson: I do have a well.

Councilmember Downes: Oh, okay, that's where I was getting a little confused.

Sam Anderson: So my house actually sits too high on the elevation to receive water from the line. Alright, so when we tied in, I would have to pump it up, but when we subdivided and built 186 Scheller Park on the property, we ran water line in for my father's house and I talked to Tom from the Water Department at the time and they could not feed my house with water due to the elevation change versus the elevation of the water plant over on, I'm not sure what road it is, over in Climax there. So I'm very disgruntled with that. I don't understand how I should have to be picked up, I know that it goes past my driveway, but I can't use the water at my house. That's a big thing.

Kim Anderson: We also had to pay the hydrofracker well two years ago so no one else is taking up that expense for us. We paid \$5,500 and that was a deal.

Sam Anderson: But if I've never been in the Water District before, how do I all of a sudden fall in the Water District today?

Supervisor Ruso: You've always been in the Water District. All of those parcels on that map have been in the Water District. They have been all along.

Tracey Ledder: This is the readjustment in 2012.

Sam Anderson: I see the picture that you're holding up.

Kim Anderson: But if we can't get water, how do we benefit from it?

Tracey Ledder: You can get water. It might be a little bit more expensive than a normal person's. You can put water in that house.

Kim Anderson: We don't want water when we have a well either. We don't want to pay or benefit from Town water because we would have to pay to get it installed and we have a well that works just fine. That's not a benefit to us. Also has anyone applied for any State relief for anything?

Supervisor Ruso: There is some, yes.

Kim Anderson: Is that reflected in your costs?

Supervisor Ruso: No, until I have a 'yes' from whomever, I can't. I'm not gonna make false promises. I think I have some money coming, but when I get that check, we'll let everybody know.

Kim Anderson: And it would be revised maybe?

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Supervisor Ruso: Yes, everything would be revised and if I were to say out of the \$330,000 bond, let's say we got 25 percent of it, everything would be revised by 25 percent, everybody's bill. Pretty much down the line, but until I have it in. I've had some people say a few things about, 'yes, we think this will, money will come,' but I don't have the money. If I did, I would tell you.

Councilmember Downes: So I just want to be clear, so it wasn't your choice to have a well. Cocksackie said that you would not be able to hook to the water. Is that correct?

Sam Anderson: When I bought my house it came with the well, but last year when we brought water onto our property through...

Kim Anderson: The subdivision.

Sam Anderson: Through the subdivision, they informed us that we can't have water at our house due to the elevation of our house.

Councilmember Downes: And that came from Cocksackie?

Sam Anderson: That came from Tom

Supervisor Ruso: Village.

Sam Anderson: Who is now retired from the Water Department. He was the foreman for the Water Department.

Councilmember Downes: So it wasn't one of those things where you were like 'I'm not gonna tie in, I'd rather have the well water.' It wasn't an option.

Sam Anderson: Correct. Elevation changes are different. I mean we could put in a pump station I'd imagine. There's pump stations all over, but it's not feasible to just tie in. So the one other question I have before I sit back down, at what point is it not worth it to have a water district? At what expense?

Supervisor Ruso: I think you should ask the folk here.

Sam Anderson: Right now we just spent \$330,000 for 32 parcels. That's over \$10,000 a parcel. If we have more failing lines at what point as those lines begin to fail, do we continue to go into debt or do we look at saying timeout. And who makes that call? I can't answer the question. I know you're not gonna answer the question. I just want to put that out there.

Supervisor Ruso: Well, I can tell you how this District was formed and you pretty much have to leave the way you went in. This was a vote back when the District was formed all those many years ago with the acquiescence of the people in the District back in 1974 and so you would have to vote to dissolve this. Now my information is that the reason for the District in the first place was -- there were a couple reasons -- one, is lot of peoples' wells didn't work. Two, you can't have a parcel, I suppose it was grandfathered in, a parcel must be at least two acres. Now I believe in your case, you've got plenty of acres. That's not true in everybody's case. So part of the reasons why you have a Water District is because the parcels formation in the first place and the fact that the number of parcels would not support the number of wells and, again, I know the fellow who added to the District in 2012. I guess there's a lot of problems with a lot of peoples' wells in that area. You guys can tell me if I'm wrong. I don't have a well there so you guys gotta tell me.

Councilmember Downes: But isn't it, Jeff, just to, and you can answer this probably too, but isn't it the fact that those houses were so close you couldn't put a septic and a well on that property?

Supervisor Ruso: That's where I was getting lot size. That's where I was going with lot size.

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Councilmember Downes: Because it would run in and contaminate so that's why I'm assuming the folks in the District right on Scheller Park where those houses are so close, that's why they went for the Water District because they couldn't do a well and a septic at the same time.

Donna Carlson: I just had one more thing, too, us that were on Twisted Tree Lane also paid into a bond, the original bond that brought the waterlines up there I guess. I'm not exactly sure exactly what it was, but it was a bond that was on our tax bills that when we first moved in 1999, we also paid into that and never benefitted from anything with that and we came to the Board to talk about it and they advised us that we should just pay for it in case something would happen to our wells, we're in the District and you can't refuse us. So we also did pay into that bond and never benefitted from the water at all.

Louise Albertson: In the event these people that are not payers on a regular basis or late payers or whatever, you gonna tell us who they are?

Supervisor Ruso: I'm not gonna do public shaming here. No seriously, I'm not going to be public shaming, but that information is available through a FOIL application. I'm not going to publicly shame for the cameras or anyone else.

Louise Albertson: When I applied for some information, that's the best way to get it done.

Supervisor Ruso: I know, but sometimes you get more flies with honey.

Louise Albertson: You're trying that now. If it doesn't work, I mean I don't know about these people and their finances, but if I'm paying for...

Supervisor Ruso: If I get a bill this quarter, next quarter, the four bills, and I say 'forget about it, I'll just pay it at the end of the year. Let it all be re-levied onto my taxes. I'm paying.' They may not be feeling so bad about all that because they are eventually paying for it although there's late fees, but the timing of their payment to the timing of the bond are not congruent. That's the problem. Is that pretty much close, Tracey?

Tracey Ledder: Cash flow.

Supervisor Ruso: So maybe they don't know so I would like to give them the benefit of that information. Is that fair enough?

Louise Albertson: But I'm saying if they're not paying and they should be paying on a certain basis or timeline, then they should be advised ASAP on it because it's affecting us. I mean I don't know anybody here who's on a budget-type...

Supervisor Ruso: Those persons will be informed specifically in writing.

Louise Albertson: I'm not trying to be mean, but you gotta be practical.

Supervisor Ruso: Well, I'm gotta give them the chance, but I will send those people who thus far in the year, I'm not gonna wait too long, thus far in the year have not paid their first and second payment.

Audience Member: Those six people?

Supervisor Ruso: Or seven or eight, however number it turns out to be. I hope it's fewer.

Louise Albertson: Because I'm on a tight budget, but my check goes out within two days of every time I get the bill and that's because the mailman has already left. But a lot of people need that nudging.

Supervisor Ruso: There are other options that the Town Board also can do. For instance...

Louise Albertson: Are they gonna do it for all of us or just the ones that are late?

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Supervisor Ruso: Those people, if it's six or five or seven, will get a letter from myself. I will discuss with the Town Board because it's not my decision that maybe we ought to up the late fees.

Louise Albertson: Oh, good idea.

Supervisor Ruso: These are just thoughts, but that's a Board decision. I haven't presented it yet, I wanted to cross this bridge first. Okay, that's where I want to go.

Robert Pilatich: Next to Sarah's house there's a vacant piece of property. It does have a water hookup in front of it, but we were in the process right now to find out if it's a buildable lot. If it turns out it's not a buildable lot, are we still gonna get whacked with that bill?

Supervisor Ruso: Yes, and until the following occurs. You heard Tracey say, perhaps if you were at the last meeting where Mary Beth was here, that if you have a parcel and you subdivide now there's two parcels in the District. And you can also do the opposite action. If it's not a buildable lot, you can combine parcels.

Robert Pilatich: And then we won't be charged for two?

Supervisor Ruso: You'll be charged for one, but until you do that...

Robert Pilatich: Right, there's two.

Supervisor Ruso: Just like you can divide something into four and all your neighbors will be happy because there's three more payers. Everybody will be happy with that. However, I'm not gonna encourage you to do that, that's your own decision, but I'm just giving you that information.

Dan Dority: Me and my father own a piece of property on Circle Drive, vacant piece of land kind of in the corner there. I was just kind of wondering if you guys applied for any grants and what have you done to try to knock that bill down quite a bit?

Supervisor Ruso: I couldn't make a promise because I don't have it in my hand, but in this very room, in that very chair next to Ellie, I had Congressman Delgado, he said he was going to do something.

Dan Dority: Congressman, we know where that's gonna go.

Supervisor Ruso: Right, but he's got a bigger pocket to reach into than we do. So we have tried. I have had a statement that says 'we will give,' but I don't have that money. If and when I have that absolute, I am going to tell you. But it hasn't been because there hasn't been phone calls to every person under the sun. I know Delaware Engineering called people as well as I have. I know that the Deputy Supervisor over there, Mr. Dellisanti, has made phone calls. Some people have a potential. I was on the phone with, three-four occasions, with our new State Senator for instance and she promised me she's gonna look into it to see what they can do. Is there any other source that we haven't looked at, Tracey, that you're aware of?

Tracey Ledder: Things come up on cycles for specific funds, but what you're asking for is some specific assistance and the best thing you can do is talk to folks who know where that money is and then maybe in the future there's the option to look for more.

Supervisor Ruso: Those that weren't here at that meeting we had three or four months ago, I asked for a show of hands who wanted to have, because we had options – 15 year, 20 year, 30 year -- whatever it was and I asked and it was overwhelming, I think it was 11-0 people wanted the 15 year loan. There is a 15-year bond no matter what happens. So it's based upon \$330,000. If we got \$60,000, then the bond payment will be based upon whatever's paid off at that time minus the \$60,000. So these things can reduce the payment. It does not reduce the length of the bond. If we've got enough, we can make the bond worth whatever, smaller and smaller. So you don't have to stop at the front end. Just because we didn't get anything here -- and I don't have anything to tell you here -- doesn't mean we're done.

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Dan Dority: I googled some things yesterday and there's a couple federal things from the USDA that we may qualify for and I just wondered.

Supervisor Ruso: That's who I was talking to the Congressman about, those very things.

Councilmember Boehlke: How many commercial business properties are hooked up?

Supervisor Ruso: I believe there's one.

Councilmember Boehlke: The trucking outfit there by Zini's?

Supervisor Ruso: The bus garage whatever you call it. That's the only one. Everything else is a residential.

Kim Anderson: So it's my understanding that when this originally happened we just went in guns ablazing fixing urgently. We didn't really shop to get like best pricing whatnot. In the future are we going to be a little more savvy?

Supervisor Ruso: Well back on June 1 or June 2, nevertheless it was declared a water emergency.

Kim Anderson: Sure.

Supervisor Ruso: It met all of the qualifications. The number one goal was to get water restored to whatever extent. There were a few measures taken. One, a water truck was set up up the hill and it was gravity fed into the homes. They shut the valve off prior to the break or between the break and people had water. It wasn't great, but it was water and then they shoved a temporary two-inch line, they shoved all the way underneath the Thruway in the existing pipe, the one that was failed, and then the people had water. And then we had to sit back and worry about how this is gonna get repaired in the first place. We had a Public Hearing over at the Park because at that time we were really closed down major with this COVID stuff, so we had it more spread out, outdoors at the pavilion over here, and the sentiment was people wanted water.

Kim Anderson: Didn't care how much it cost whatever?

Supervisor Ruso: I had to say that, I threw it out there at the time. I knew it was going to be \$250,000. I don't think anyone said it could be more. No one hid anything. Actually, the bill turned out to be closer to \$400,000, but the Thruway cut some of that off for us. At the time we were responsible for the repairs of the Thruway lane, the southbound lane was damaged by the undermining. The Thruway objected to it. We made a lot of calls to both the State Senator at that time as well as our Assemblyman and the Thruway decided to waive all those costs. So that's why it's down to \$330,000. I know it sounds like a bait and switch, it could be worse, but it could have been worse. Although it couldn't have been a worse place for a break or a worse time, in this middle of this COVID crud.

Councilmember Boehlke: And while we were talking about it over there, Jeff, if you remember, there's a lot more hopefulness that the Thruway was going to cover the expenses because they never protected the line. So that was kind of in the air.

Supervisor Ruso: I didn't have faith and confidence in that, I didn't have any at all. So it wasn't done without the involvement of, and some people that are here today and some who are not here today that were at some previous meetings, I think this is our fourth meeting, third anyway, but now we gotta crunch the numbers.

Kim Anderson: So why aren't we being a little proactive with all these other lines that might go bad in the future?

Supervisor Ruso: Yeah, that's what the R&M is all about.

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Kim Anderson: Making sure we find that feasible way to do it instead obviously on emergency?

Tracey Ledder: There are things you can do to access conditions, prioritizing those lines that you know that are oldest. That takes money so having the Repair and Maintenance Fund getting going it would definitely be a benefit. There are a lot of municipalities in this situation with old pipes especially in the northeast coast here in this area, and a lot of municipalities are in the same situation.

Councilmember Boehlke: And that main underneath the Thruway has been leaking for a long time.

Tracey Ledder: Right and nobody noticed because it didn't bust the lane.

Councilmember Downes: But the other thing is because it was a health and safety issue we were forced into the issue that it had to be fixed and it had to be fixed right away. So it may not followed our normal purchasing or protocol or bid, but there are bid restrictions for when we go to an emergency and it may seem quicker to you, but once again it was health and safety. We had no other recourse than to get this done at that time.

Kim Anderson: Is the credit that was given to everybody part of this?

Supervisor Ruso: What credit?

Kim Anderson: Everybody who had the Town water a free month or something like that.

Audience Member: That was a gift from the Town of Coxsackie.

Audience Member: They own it.

Supervisor Ruso: That would be in your water usage bill, not the debt service, or not in your water usage bill which is a better way to put it.

Robert Pilatich: Who's our grant writer?

Supervisor Ruso: It was Delaware Engineering.

Robert Pilatich: So has there been any grants written to try and get infrastructure money to repair these lines that are 100 years old?

Tracey Ledder: I haven't been involved in that so I'm not sure exactly what they put in for. CFA's were out a little while ago. When were they due, early February, and they have not been announced yet. Because when the cycle of when a grant application is due and then the funding agencies review, there's a lot of things that just have not been announced yet. Like he said...

Robert Pilatich: But there has been a grant applied for to redo the infrastructure?

Supervisor Ruso: There are grants prepared for when the CFA's open up.

Councilmember Downes: CFA, we need to get that out there so everybody understands.

Tracey Ledder: Consolidated Funding Act and that's the funds that New York State gives to various departments and agencies like the DEC -- Department of Environmental Conservation - - Environmental Facilities Corporation I think is EFC -- a number of State agencies and to make it easier for municipalities to apply they've kind of grouped into one internet access consolidated funding application protocol. A lot of the pots of money if you want to call it that have specific goals and things that they are able to fund, but you can put this CFA in at one point. And that happened earlier this year and we're waiting to hear back from that. And like I said, Mary Beth likely did that herself

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Supervisor Ruso: Yeah, she did.

Tracey Ledder: And I don't know exactly right now which fund she put in for.

Supervisor Ruso: To bring it forth into something, the State Agencies announce various grant opportunities. Sometimes they'll fit. It could be for various reasons. It could be for sewer treatment plants or environmental reasons, it could be so many other. It could be a DOT one. It could be so many other grants that become available. So if you scour the announcements and you look for one that fits the project at hand, you have something you submit, that's what we have ready to submit. We did get one earlier this year and I know Mary Beth has it in. We don't necessarily have an answer immediately thereafter.

Tracey Ledder: They have not been answered yet.

Supervisor Ruso: It takes awhile.

Robert Pilatich: But there has been grants submitted for infrastructure?

Supervisor Ruso: There are grants prepared waiting and they're also waiting for announcements to be made so then we can drop it off at their door.

Tracey Ledder: And then talking to the Congressman, these are people that know which of these funds have not expended all of their annual budget and in some cases there is funding available for those in need and then moving forward if you start assessing what you have here now, you can get funding to do the actual repairs knowing ahead of time. Usually to apply for these types of funds, you need to have a plan -- what are you gonna do, exactly when and why and where and what material you're gonna replace.

Robert Pilatich: And do we have that plan in place?

Tracey Ledder: You don't know yet what your priority area is that you would want to...?

Robert Pilatich: The whole system.

Tracey Ledder: There are some areas of the system that are much older than others simply because of the way it was built and the data information you would gather and you can look at lines, you can scope lines. There's different things you can do to get an idea of what needs to be replaced, where the leakage is happening under the ground where you can't see it from the surface. You can do assessments for that and you would start prioritizing your older segments first.

Robert Pilatich: And have those lines been tested to see how much debris we'll call it is inside them lines?

Supervisor Ruso: There's a cost to that. We're trying to get through this first and I think you're right, it needs to be done, but we're not going to have the opportunity to do that assessment until we finalize this part. In essence, what's the old saying, cross one bridge at a time. That's what we're doing.

Councilmember Boehlke: Because we don't want to be in a position with any part of the Town where we have to rely on grants and emergency funds to have normal operations.

Supervisor Ruso: We'll take them if we can get them.

Councilmember Boehlke: They're bonuses to do things right.

Supervisor Ruso: And I have on my phone, the phone number of the grant writer for the Congressman and he's going to tell me when there's a -- there's restrictions on so many State and/or Federal. These monies can be used for this, these monies can be used for that. And so I've thrown at them 'look it, here's what I have, it happened during COVID, it was a big problem obviously, it's about water safety and sanitation issues' and he is looking to find a way

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to fit some of those restrictions into our project or our project into those restrictions. So he's working on it, they're working on it. If I knew I'd had the money, I'd be glad to tell you. Trust me. I'd be really happy to tell you. That's good news. Instead, I have to come forward and tell you the bad news. Hopefully we'll have some good news.

Sharon Hillman: My question is is it possible to make an annual payment rather than quarterly payments for the \$600?

Supervisor Ruso: Well, as far as I'm concerned the most important part is that all the money is in before the bond payment is there. I mean I'd have to work that out. I shouldn't argue with people saying 'I want to pay it all now.' I'm not gonna argue with that. I mean the recordkeeping process I'd have to go over, but on the surface I'd say that's fine because it's more important to get paid so we can pay the bond.

Sharon Hillman: That would keep the quarterly bills more normal,

Supervisor Ruso: Yeah, just get it out of the way. I would say 'yes' with your first payment because on the bill it's going to say water, debt, R&M.

Councilmember Boehlke: They give you wiggle room to make payments too.

Supervisor Ruso: Right, multiply by four. I guess I'm going to call this Public Hearing to a close. We do have a Town Board meeting that starts in ten minutes. So thank you all for your time. I move that we close the Public Hearing.

Councilmembers Downes and VanEtten: I'll second.

Kim Anderson: Is there any way, any chance we can still dispute being a benefitted parcel?

Tracey Ledder: The parcel is considered benefit because of the value of the parcel and it's ability to be connected to water.

Kim Anderson: But we can't connect to water so how's it a benefit?

Tracey Ledder: I'm not the one to make that decision in this Water District.

Kim Anderson: That's why I'm asking like who can we go to to dispute being a benefitted parcel?

Tracey Ledder: Town Board.

Supervisor Ruso: To appeal I guess.

Tracey Ledder: Yeah, you can have some sort of an appeal.

Councilmember Boehlke: You have to have a system of appeal in this Town. I mean we heard two people with very legitimate...

Tracey Ledder: Histories.

Councilmember Boehlke: There should be an appeals process with this.

Supervisor Ruso: I'm not opposed to that, not at all.

Kim Anderson: We're sorry, but we have our own expenses too.

Supervisor Ruso: There's nothing wrong with appealing and I think it's perfectly legitimate. We have a Motion made and seconded to close our Public Hearing.

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AYES: Ruso, Boehlke, Downes, Irving VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: Thank you, folks.

The Public Hearing adjourned at 6:52 PM.

Respectfully Submitted,

Barbara M. Finke
Town Clerk