

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

**JULY 7, 2021
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Resolution to Approve Acceptance of American Rescue Plan Act Funding for the Town of New Baltimore

Adjournment

**TOWN OF NEW BALTIMORE Draft 7/17/2021
COUNTY OF GREENE Adopted 7/26/2021
TOWN BOARD SPECIAL MEETING
AMERICAN RESCUE PLAN ACT FUNDING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
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OPENING OF SPECIAL MEETING

Supervisor Ruso opened the meeting at 6 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, Irving, and VanEtten; Deputy Supervisor Dellisanti; Town Clerk Finke; and 3 members of the public who signed the attendance book.

Supervisor Ruso: ‘The Town Board of the Town of New Baltimore will hold a Special Meeting on Wednesday, July 7 at 6 PM at Town Hall, 3809 County Route 51, Hannacroix, NY for discussion and final approval of the American Rescue Plan Act funding submission. By Order of the Town Board, Barbara M. Finke, Town Clerk’

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 118-2021
JUNE 28, 2021**

**RESOLUTION TO APPROVE ACCEPTANCE OF AMERICAN RESCUE PLAN
ACT FUNDING FOR THE TOWN OF NEW BALTIMORE**

WHEREAS the Town of New Baltimore has been informed that the United States Government, via the American Rescue Plan Act (ARPA), is currently identified to receive up to \$360,000 in grant funding, and

WHEREAS the deadline to indicate that the Town intends to use these funds in accordance with the specific requirements of the ARPA Act is Friday, July 9, 2021, and

WHEREAS the Town Board of the Town of New Baltimore hereby approves the Town Supervisor to complete and submit the required forms indicating the Town’s request for the funding, and

WHEREAS the Town Board recognizes the first request for funds:

- | | |
|---|-----------|
| 1. Provide Relief for Water District #2 | \$ 66,000 |
| 2. Repair of Town Hall Front Entrance to Comply with ADA Requirements | \$160,000 |
| 3. Provide Restitution for Lost Revenue from Town Operations | \$ 60,000 |
| 4. Repair Interior of Town Hall Including Ventilation Improvements | \$ 14,000 |
| 5. Repair of Town Hall Parking Lot for Improved Access | \$ 50,000 |
| 6. Improvements in Internet and Security Systems in Town Hall | \$ 10,000 |
| Total | \$360,000 |

THEREFORE, IT IS HEREBY RESOLVED that the Grants Committee of the Town of New Baltimore submit for use of these funds as identified, and

BE IT FURTHER RESOLVED that the Grants Committee is authorized to substitute other potential funding needs if any of the identified uses is subsequently determined to not be eligible for funding under ARPA.

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Motion by Supervisor Ruso seconded by Councilmember VanEtten

Supervisor Ruso: The requirements under the Act are not well-described. I've had discussions with the Association of Towns, other Town Supervisors, with our Engineers this is good, this item is not, and it's in conflict with each person I speak with. They're not consistent. And the rules are that they need to have some bearing on covid, things that happened based upon the covid epidemic. So \$66,000 for the Water District, that happened during covid. It was not something that was previously dreamt up. It wasn't something that was a problem years gone by. It cost the users in that District \$330,000. Well, they haven't paid it yet, but it was bonded for. Let's go ahead and talk about Water District #2 first.

Councilmember Boehlke: Can we back up to the requirements for the ARPA Act? So our County Legislator was here right and at the close he mentioned that it would probably be a good idea for us to contact the US Treasury Department right about some of these guidelines because we may not be getting the correct guidelines from the Congressional office here.

Councilmember VanEtten: On the grant application there was a link.

Councilmember Boehlke: So this was under the Grants Committee so was that pursued?

Councilmember VanEtten: There was a link.

Supervisor Ruso: We used the link on the website and again even those descriptions are nebulous. So the point of the very last line here is if item 1 or 4 is subsequently denied...

Councilmember Boehlke: That's why we have the last resolution.

Supervisor Ruso: We can say 'okay, how about this instead' because we want to use all \$360,000.

Councilmember VanEtten: And we do have backups if these don't work. We're hoping.

Supervisor Ruso: That's why you're giving us the authority to say 'okay, let's pull out something out of the...'

Councilmember Boehlke: I was just wondering if the Treasury avenue was pursued that's all.

Supervisor Ruso: Yes, it has been and Congressman Delgado's office has been, I've spoken with them three or four times and they say 'yes,' the Engineer says 'no,' the list goes on. And, of course, it's all about how you frame it.

Councilmember Downes: But doesn't the State give us the money? Isn't that where we're running into the problem is the State? It came down from Congress, but then the State has authority over the Towns. It's not like the County can press a button to say 'I want the money.' The State has the right to say 'no, this doesn't fit.'

Supervisor Ruso: The County gets the money direct, you're 100 percent right, from the federal government. The federal government decided to send the money to the State who will send it to the Towns and so we have to submit to the State, the State will review it and it gets sent up to the feds. The State is like the broker in between.

Councilmember Downes: Right, but the state can say 'no.'

Supervisor Ruso: You're absolutely right. I have to submit this...

Councilmember Irving: By July 9th.

Supervisor Ruso: Yes, Friday.

Councilmember Irving: Well, it's submitted, but then if it's...

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Supervisor Ruso: It's not submitted yet; I can't do it until I get approval.

Councilmember VanEtten: But once we submit it, then it's in.

Councilmember Downes: Right, then it goes to the State and the State says 'yes' or 'no' on this, this, and this, and then they send it up.

Councilmember Irving: How does that work afterwards if it's not accepted and we have to...?

Supervisor Ruso: We will find out.

Councilmember Boehlke: New bill, it's all confusion.

Supervisor Ruso: Yeah, we will have a timeframe by which we can resubmit for different funds.

Councilmember Boehlke: So, Jeffrey, going to the Water District then, so the last conversation we had at the last meeting it sounded like that was off the table because the bill was paid already so what's changed there?

Supervisor Ruso: Well, what changed there, first off exiting debt is not eligible. However, this was debt that incurred during the pandemic and some of the costs were increased based upon the pandemic and some of the mitigation factors. So we do see a window for some of the funds to be eligible.

Councilmember Boehlke: How did you find out about that?

Supervisor Ruso: I called the Congressman's office, of course, again.

Councilmember Boehlke: Good for you.

Supervisor Ruso: They promise a lot, the politicians promise a lot.

Councilmember Downes: Because when Delgado was here he point blank said that the counties are just a push button. He said that he had no idea of how the states were gonna hold it because they were sending it to the states and the states were gonna give it to the towns. So he had no jurisdiction over that. That came from Cuomo's office. So I guess my question on 1. is can we use the fact that we lost so much funding, tax revenue as part of the problem for Water District 2. Can we use that as a backup?

Supervisor Ruso: We have restitution for lost revenue as the third identified.

Councilmember Downes: Right, but I'm saying can we use that as like a backup to say to them 'we had Water District 2, due to the loss of the folks that live in District 2, their income, this type of thing has put a burden on them due to covid, but they were out of work.'

Councilmember VanEtten: And it had to be fixed immediately. I think we need to go with the emergency. We do plan on doing that.

Supervisor Ruso: That's how we're going to be doing this with every line item. We're gonna say 'because of covid.'

Councilmember Downes: But I'm just trying to give you some other ideas that maybe you didn't think of to put in as backup.

Councilmember Boehlke: So then we're at the repair for the front entrance.

Supervisor Ruso: First off, we have met with people, I met with some people last year about the repairs to the front of the building. We all know that the ramp has deteriorated almost to the point where it can be patched but it's not gonna last long. Nevertheless, it has to be replaced.

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Repair, you can use the old ADA codes which is one foot rise for every eight foot out. The new code is twelve feet out for every one foot rise. And so that cannot be replaced as it currently stands. So it has to be all completely reconfigured and we have to find a way to do that. Notwithstanding the fact that there are other issues with the stairway such as the one out front here which has a severe crack and needs to be replaced, the one at the front door here, and other factors that have to do with the front so we're looking at a whole new ramp design, brick or stone, poured cement and it's not gonna last 20 years, it's gonna last forever. In fact the discussions with the Engineer were that the ramp was gonna come in this door over here by the men's room if you know where that is and that would be the entrance for those who are handicapped, the front would have a whole different set-up than it has right now and, of course, our front here would work. But the handicapped access is important. Some of the funds are indicated. This one perhaps will stand well on it's own because if it improves access for the public it will get better consideration.

Councilmember VanEtten: And they talk about safety, too.

Supervisor Ruso: Yes, safety issues as well.

Councilmember Boehlke: Which is a good idea why it's on the side of the building, too.

Supervisor Ruso: Right, improved access, improve safety and it has to get done anyway. We were going to have to do it anyway before long and we're not just gonna get some, it's not gonna be hokey repair work. It's gonna be done the right way.

Ellie Alfeld: Why can't they claim you should apply for that under this American Disability Act funding?

Supervisor Ruso: That's gonna be in here. Yes, that part is gonna be in there. The ADA requirements, yes.

Councilmember VanEtten: It says specifically in the grant safety and access.

Supervisor Ruso: Everybody's idea is very good. Prepare restitution for lost revenues from Town operations. They only asked for lost revenue and we lost revenue of \$60,000. Now we didn't lose tax revenue, we got all that, but Court system fines and so forth dropped dramatically. Permits, no one was allowed to build anything, no construction people were allowed to do anything.

Ellie Alfeld: You couldn't even have the office open.

Supervisor Ruso: Dog permits, the list goes on the various lost revenue which was calculated at \$60,000. That one will stand on it's own rather well, too. Repair of Interior of Town Hall Including Ventilation. Well, ventilation is actually part of the covid funding to improve, again you can say safety, but ventilation is going to be part of it all as well as other parts that are necessary. In fact conversations were that even the current carpeting which is 25 years old is not good and healthy for breathing in.

Councilmember Downes: How do you sanitize that? Do you know what I mean?

Councilmember VanEtten: You don't. I've never understood carpeting in public buildings personally.

Supervisor Ruso: Well, some of it has to do with the fabrics you use. You can stick with carpeting, but you have to have a certain type of microfibers they're called. So that was identified as \$14,000.

Councilmember Boehlke: So were we looking on any specific systems or anything yet just in general?

Councilmember Irving: We're possibly looking into steam cleaning all the duct work.

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Supervisor Ruso: That's part of it and it has to have a new evaluation and they are, I'm using a medical term, they're somewhat occluded would be what we would say in health care which is when your arteries are clogged. That's not the right terminology for...

Councilmember Boehlke: So I assume we're looking at a HEPA-type filtration system.

Supervisor Ruso: To what extent is necessary. Unfortunately, we don't have an extensive system, the building's not that big, so you might not need that. Nevertheless, there's also cleaning up the place and other factors.

Supervisor Ruso: Repair of Town Hall Parking Lot, that kind of goes along with the front entrance. I know that the Highway people have taken some excess asphalt and laid it out. We have much more accessible parking lot than we've had even five years ago. However, we also know that it's like patchwork and it's half this and half that. And so we've gotten an estimate that comes in around \$50,000.

Councilmember Boehlke: So this is for asphalt.

Supervisor Ruso: Paving in place.

Deputy Supervisor Dellisanti: That also goes under Health and Safety.

Supervisor Ruso: It does and access, both are true. I remember some years ago watching a fellow in a walker coming across the stone parking lot. He did it, but it wasn't ideal. Improvements in Internet and Security Systems in Town Hall which also is part of the To Improve Access. I know that broadband has been a conversation that is really specifically earmarked, however, the County is going to and they were talking about the last mile we heard the Legislator Linger when he came here last week. But we do have access problems here including telephone service and of the like so that's going to part of the grant. That looks like that would be fine. We do need some upgrades in the internet server not the individual desktops. Most of those has been caught up with, but the servers themselves are in need of upgrade and security systems.

Ellie Alfeld: Have you heard of the survey that the County is going to be putting out as far as accessibility? They're sending out surveys. If you own a business and you also have your home on a different unit, you have to fill out one survey for each thing. If you do not return your survey, they will contact you by phone from what I've been told. They want to really get this thing so that it's available throughout the whole County.

Supervisor Ruso: A great illustration that we have of some of this has to do with safety issues and some of it's more County, but we all know that in various patches and places you're cell phone doesn't work. In fact, mine doesn't work in this building.

Ellie Alfeld: That's been standard hasn't it, Barb.

Supervisor Ruso: This is part of it, that's more on the County side. But within the building we have to fix things and we need a security system, an improved security system. We've had one for awhile, we need cameras. I need to have cameras around the outside and in here.

Councilmember Boehlke: So, Jeff, these are like very rounded figures. I'm assuming that this stuff goes out for bid and maybe whatever grant money we have left can be used on other.

Supervisor Ruso: Or it can be pushed into another category meaning 'okay, this one came in under, we can add a little bit to let's say the Water District, give them additional relief.' Those are various options.

Councilmember Boehlke: So should we add that to the ***'BE IT FURTHER RESOLVED,'***

Supervisor Ruso: It's already there to substitute it gives us a little wiggle room, that last statement. I know it doesn't spell it out the way you said it.

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Councilmember Boehlke: Yes, because it says ‘determined not to be eligible.’

Supervisor Ruso: Well, I fully expect some things will be rejected so we’re gonna be making adjustments certainly.

Councilmember Boehlke: As long as the wording will cover you.

Supervisor Ruso: I think it will. That’s the topic at hand. The application that I have to have by Friday is not specific to these line items. It is merely, well, there’s more to it than that, but the gist of it is that I have to submit by Friday that we intend to apply. We have two choices. Once we say ‘yes’ we intend to ask for this money or we can say ‘no’ we have no intentions of asking for this money. Well, the Town of New Baltimore intends to ask for the money. It’s a subsequent filing what we’re going to do them for and I need to certify that this is related to the dictates of the law and fits under the category. And I’ve heard lots of stories from lots of towns and I’ll reflect that pretty much anything seems to fit it seems. The Town of Athens is buying a new plow truck. Why? How does that fit under covid? I scratched my head, but then they came up with a plan that says ‘because they wanted to buy one last year and they couldn’t, this year they can.’ Just to talk about 3. for a moment.

Councilmember Boehlke: Because of loss of revenue basically they’re trying to use it?

Supervisor Ruso: I don’t know how that really works and I’m gonna tell you about 3. All it ask for or suggests that loss of revenue is a valid reason. Except there’s one thing they forgot. With the loss of revenue and the way things were last year, costs went down. We ended up with a surplus even though we lost revenue, costs went down. They didn’t ask us about the total effect on our budget; they just wanted to know if we had a revenue loss. So we’re gonna put it in.

Councilmember Boehlke: Define revenue under their terms.

Supervisor Ruso: Revenue is clear in what we decided. That was the Courts and the permits and of the like.

Councilmember Downes: But the other thing is if we had that revenue last year even though everything went down and we were shut down and all that other, this year and the price of everything is going up.

Ellie Alfeld: Where did Athens want to go that they were gonna use for a plow truck last year and all of a sudden...?

Supervisor Ruso: Well that’s on them.

Councilmember Boehlke: It’s a request, it’s not a grant.

Supervisor Ruso: So, there are a number of other caveats. I was assured by the Congressman that the State probably won’t take a cut of our money. Is that a fair way to put it?

Deputy Supervisor Dellisanti: That’s fairly accurate.

Supervisor Ruso: We were assured that they probably won’t, but what if they take a cut of the \$360,000. Obviously that dollar figure is going to be amended. I don’t have 100 percent confidence that the State won’t say ‘wait a minute, processing fee’ or whatever they call it.

Councilmember Downes: Because they didn’t get enough money this year from the feds.

Supervisor Ruso: I’ll take the Congressman in his latest statement.

Councilmember Boehlke: Well, I think we were \$62 billion in the hole before it even started.

Ellie Alfeld: My question to you is this, I know the deadline is the 9th. I know today is the 7th. When did you first make aware of this thing coming on?

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Supervisor Ruso: About a month ago.

Ellie Alfeld: So you did have thirty days to go through all of this.

Supervisor Ruso: Right, but it only took me probably 42 phone calls to get some clarification so I'm at the point where regardless of these contrary clarifications, I've got to move forward or else we're SOL.

Ellie Alfeld: That's why I'm saying it's very difficult to live with a deadline when you don't have any time to start even to work with that deadline.

Councilmember Boehlke: And it's not just 42 phone calls, it's 42 phone calls (unable to understand).

Supervisor Ruso: To be fair, the Congressman came here I'm gonna say it was the tail end of April, but the guidelines had not been submitted.

Deputy Supervisor Dellisanti: June 15 the guidelines came out.

Ellie Alfeld: So you're talking June to July, a month.

Supervisor Ruso: So we have to fish or cut bait.

Ellie Alfeld: Who is on the Grants Committee?

Supervisor Ruso: Shelly VanEtten and Jeff Ruso. We have been for quite awhile.

Ellie Alfeld: I know but I wanted to find out if anybody has been added for this kind of thing.

Supervisor Ruso: We can't have other Board members.

Town Clerk Finke: You can only have two members or it's a meeting.

Supervisor Ruso: Otherwise you've got a quorum.

Councilmember Downes: So we've got \$360,000 out there. If we do not spend all \$360,000 does that get returned to the State or back to the Feds?

Supervisor Ruso: You know I don't know who it goes back to.

Councilmember VanEtten: We're spending all \$360,000.

Supervisor Ruso: I don't know who it goes, I expect it would go back to the original funder. That would be my expectations.

Councilmember Downes: All I'm saying is would that give the State a reason to disallow. If they disallow, they get and we only spend \$300,000 they get the \$60,000 back.

Supervisor Ruso: I don't think the State gets to keep it.

Deputy Supervisor Dellisanti: It's federal money. They have to justify it just as well as we do. They just can't keep it.

Supervisor Ruso: There is that section where it says \$60,000 to provide restitution for lost revenue. That's a reason for us to get some of that money. It's not an expenditure identified so whether it goes towards that or whatever other needs may arise, I can't say at this moment. I think we discussed the heck out of this. I think everybody in Town were they here would want us to go for all the money we can get, take care of some of these things that we would otherwise have to take care of. We have to take care of the front sooner or later.

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Ellie Alfeld: District 2 will love you.

Supervisor Ruso: By the way I stretched that as much as possible because that's only 30 homes. I can't give them everything because we've got 3,000 other people in the Town. We are thinking of them and they have endured things that we haven't. So I think if this comes through, I don't know if they will be happy.

Deputy Supervisor Dellisanti: It's 20 percent.

Supervisor Ruso: We're taking 20 percent off of their bill basically is what it is because it's still a tough situation. We're going from \$330,000 to \$260,000 is still not a happy place.

Councilmember Boehlke: It's a good start.

Supervisor Ruso: I'm gonna ask the Board any other comments or questions?

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

On a Motion by Councilmember Downes seconded by Councilmember VanEtten the meeting was adjourned at 6:27 PM.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk