

6:30 PM Public Meeting to Obtain Residents' Input Regarding Cannabis Retail Dispensaries in the Town of New Baltimore

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

**DECEMBER 13, 2021
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- November 22, 2021 Town Board Work Meeting
- December 6, 2021 Town Board Special Meeting

Public Comment Period

Correspondence

- Greene County Highway Superintendent, Highway Work Permit
- New York State Department of Transportation Speed Limit Reduction Schoolhouse Lane, Town of New Baltimore
- Greene County Economic Development, Tourism & Planning Agricultural District No. 124 Annual Review Public Hearing
- Champlain Hudson Power Express Project

New Business

- Resolution to Set Organizational Meeting Date
- Resolution Authorizing Supervisor to Execute Agreement with Columbia-Greene Humane Society
- Resolution Authorizing Supervisor to Sign an Agreement for IT Services
- Resolution to Authorize Councilmember VanEtten and Supervisor Ruso to Apply for a 2022 Greene County Youth Grant
- Resolution to Allow Training Credits for Planning Board and Zoning Board of Appeals Members
- Resolution to Continue HRA Coverage for Retirees Until December 1, 2022
- Resolution to Appoint Part-Time Court Clerk
- Resolution to Set Public Hearing on Proposed Local Law 2 of 2021 to Opt-Out of the Licensing of On-Site Cannabis Consumption Sites Pursuant to the Marijuana Regulation and Taxation Act
- Motion to Accept the Resignation of Heavy Motor Equipment Operator
- Audit of Claims

Upcoming Meetings

- December 24, 2021 Town Offices Closed for Christmas Holiday
- December 27, 2021 Town Board Work Meeting at 7 PM
- January 1, 2022 Town Board Organizational Meeting at 2 PM
- January 5, 2022 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- January 10, 2022 Town Board Regular Meeting at 7 PM
- January 13, 2022 Planning Board Meeting at 7 PM
- January 24, 2022 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.

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 1

OPENING OF SPECIAL MEETING

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, Irving and VanEtten; Town Clerk Finke; Highway Superintendent VanWormer; and 4 members of the public who signed the attendance book. Absent: Deputy Supervisor Dellisanti and Tax Collector Jordan

ADOPTION OF MINUTES

The November 22, 2021 Town Board Work Meeting submitted by Town Clerk Finke Moved by Supervisor Ruso and was seconded by Councilmember VanEtten. The adoption of the foregoing Motion was duly to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

ADOPTION OF MINUTES

The December 6, 2021 Town Board Special Meeting submitted by Town Clerk Finke Moved by Supervisor Ruso and was seconded by Councilmember Boehlke. The adoption of the foregoing Motion was duly to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Downes Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Public Comment Period

Eileen Vosburgh: First of all the IT agreement that you're going to sign with what's the name of it Intelligent?

Councilmember VanEtten: Solutions.

Supervisor Ruso: Its IT services, yeah.

Eileen Vosburgh: It's like \$7,900 right?

Supervisor Ruso: Yes.

Eileen Vosburgh: \$7,938. That website is a mess and I know Ellie has spoken about many times that you go in there to look for you know agendas or minutes or whatever, its you'll start off some have like a numerical date obviously its a sorting issue, then it comes up with like April meeting and then it goes down like that and to get to 2021 minutes I mean it's crazy. You really have to dig deep in there.

Supervisor Ruso: You'd like to see it in most recent to going back.

Town Clerk Finke: I think we just did that I think, put that request in like last week.

Eileen Vosburgh: Well, obviously hasn't happened yet, but I mean it is a mess. Furthermore onto the Highway, I see that you are going to accept the resignation for a Heavy Motor Equipment Operator and that is I believe the second resignation from the Highway in the recent week or two. Well, last week at the meeting we were at you took a resignation. Anyhow, I understand that both of these employees have jobs making \$4 an hour more than what they're making here. I mean its not 40 cents it's \$4 and is the starting pay \$7.61?

Supervisor Ruso: Heavens no.

Eileen Vosburgh: So was there also an increase in the employee share of health insurance this year?

Supervisor Ruso: That increase was made in 2012.

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 2

Eilleen Vosburgh: 2012.

Supervisor Ruso: Actually, no, excuse me 2013, May of 2013.

Eilleen Vosburgh: There was no increase in their share of health increase this year?

Supervisor Ruso: Not since May of 2013. It's been that 25 percent since heavens I wasn't even on the Board. I know that it was there when I got here. And just to pass onto you that I believe it was two years earlier than that it was raised to 20 percent and then it was raised to 25.

Eilleen Vosburgh: How many employees do we have now that are...?

Supervisor Ruso: Five drivers. Well, there is a part-timer so that does make six.

Eilleen Vosburgh: So you originally had eight?

Supervisor Ruso: We had seven full-time positions and one part-timer who fills in here and there.

Eilleen Vosburgh: So you know for us to have two guys leave in the beginning of December end of November, I would think that that would be kind of critical to our roads and the safety of our townspeople. I just really want to know what are you as a Town Board doing to keep our employees here?

Councilmember VanEtten: Well, you do know that we're in negotiations with the union and they've cancelled twice now.

Eilleen Vosburgh: Well, I do know that the last time they cancelled the father of the union rep was gravely ill.

Councilmember VanEtten: They've cancelled twice so we can't go further.

Supervisor Ruso: What happened I'm sorry I missed it?

Eilleen Vosburgh: The father was gravely ill. I just don't want to see us losing any more employees. I don't think we can afford it. I mean what does Walmart pay?

Councilmember VanEtten: You do realize that there's a shortage all over I mean our business is having trouble finding...?

Eilleen Vosburgh: Exactly, exactly and even one of the guys that is just leaving didn't it take months to get him?

Councilmember VanEtten: Here's the deal, but we're going into negotiations. I mean it wouldn't make sense to start negotiations here instead of...

Eilleen Vosburgh: But the union rep also said that you can come up with, you could have given these guys a raise.

Councilmember VanEtten: Of course we could've but then negotiations would start at that point.

Town Clerk Finke and Councilmember VanEtten: No one does it that way.

Councilmember VanEtten: It doesn't make sense.

Councilmember Downes: Nobody does it. The Town doesn't do it, the State doesn't do it. No one does it that way. So when you have somebody that you've brought in to reprimand us for that there is nobody that is going to give somebody a pay raise during negotiations. It just doesn't work that way.

Councilmember VanEtten: It doesn't make sense.

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 3

Eilleen Vosburgh: I understand that.

Councilmember Downes: They chose to go to union rep. That is their option. That's what they chose to do. Obviously, they weren't misinformed that we were just going to go as business as usual. That's not how it works. Once you go to a union you choose them as your rep.

Eilleen Vosburgh: I've been in a... I do understand that, yes.

Councilmember Downes: Well, if you do know that then why do you tell us that we could have. We could have.

Councilmember VanEtten: Of course we could have, but....

Councilmember Downes: If you are in a union you know that when negotiations start, any raise does not go through.

Supervisor Ruso: Well, let me actually add a point. I can't go down to the Highway Garage and say 'everybody gets x-y-z an hour more.' I cannot. I have to call the union rep.

Eilleen Vosburgh: Okay.

Supervisor Ruso: I cannot do that. So, nevertheless, I'm kind of curious as to where you got the information that we raised the rates this year?

Eilleen Vosburgh: I heard it from somebody that's all.

Town Clerk Finke: Can't believe everything you hear.

Eilleen Vosburgh: Well, obviously. Obviously, but...

Supervisor Ruso: I just don't know where that rumor came from.

Eilleen Vosburgh: I'm very concerned over the safety of our roads this year.

Supervisor Ruso: Of course. Just to point out that I read this weekend, in fact I shared it with Shelly, the Associated Press put out that a point there are 80,000 plow driver positions vacant. That's nationwide thank God, but that's a lot of people, 80,000, and I don't know how some of these other things whether its the Town of New Baltimore or the rest of the world with all the other services. I don't know. There's a new reset as they often will say. I don't know where it's gonna end. I don't know.

Councilmember Boehlke: Everywhere you go.

Supervisor Ruso: The other article I read I can't remember who wrote it they called it the Great Resignation. The month of November was the third highest number of resignations nationwide in history. Third. Number one was August and number two was September. Where are these people going? It is really a difficult time to manage and to find our way around. It really is.

Councilmember Boehlke: Every industry in this area is looking for people.

Councilmember VanEtten: My company.

Supervisor Ruso: It's a very big point that you raise here this is gonna have repercussions everywhere.

Ellie Alfeld: On the point that Eilleen was making I remember coming to the Board, I don't remember who was on – I know you aren't Bill or Kelly – about our employees and the rate of pay. The reason I get concerned is when I figure out how much an hour these guys are making and then I'm finding out how much they have to pay for their share of their medical that reduces their pay to something that says to me it's gotta be a hell of a tough road to hoe and

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 4

I'm not blaming the Board and work with the union or don't work with the union I'm looking at it from the point of view with the guy that's gotta pay his bills. You all know how high the medical insurance bills are now. Take that whatever their share is and deduct it from their take-home pay after the government gets their share here there and everywhere. They're not making a heck of a lot.

Councilmember VanEtten: And I don't think we don't disagree that they should be making more, but we have to go through the process now.

Supervisor Ruso: But just to make sure others know because we had it a few weeks back the cost of an individual and for the two-person family, husband and wife, is exactly double. The cost is \$670 a month for the insurance. What's 25 percent of that, that's about \$160 a month.

Ellie Alfeld: A month?

Supervisor Ruso: A month. Yes, ma'am.

Town Clerk Finke: That's taken out of 26 paychecks.

Supervisor Ruso: It's divided amongst 26 paychecks that's what they get paid absolutely. You're right it's about \$170 so it comes out to about \$80-85 a paycheck in that range.

Town Clerk Finke: I think the National standard is 37.

Supervisor Ruso: Yes, New York State and that's including private and government rates. Anyway, the negotiations I hope will be proceeded. I guess I'll have to ask others to tell me what's the next negotiations that'll be set up. I have no idea at this particular moment, but I tend to believe it won't be until after the first of the year at this point because they've not got back to us. They cancelled last Monday's kickoff of our negotiations which was the second one that was scheduled that they cancelled and I'll just express to you what happened in the Village of Coxsackie with the same union. It took 'em three years to get a contract. No raises, no anything and after they signed the contract, the Village of Coxsackie, this is from the Mayor, the union did not get back to them with approval for six months. So it was 3 ½ years. I do want it to be quicker than that. I think our employees need it to be quicker than that. So some people know more about the union than I do. I would anticipate perhaps maybe Eilleen you can give them a call and tell them to kick it into gear because it's not working at my end. I would love to have it. Now I do understand people get ill so I will understand that and I've even asked Alan if he could tell his guys to kick it into gear. I've got money tucked aside in the budget in the event of a raise so I would like to see it get moving. I would love for them to call.

Town Clerk Finke: I wanted to say also, Jeff, that I was on the Northway yesterday and today for a doctor's appointment and there's big signs talking about 'Plow Drivers Needed for DOT' so its not just us.

Supervisor Ruso: It was on 787 in Albany today.

Town Clerk Finke: Its everywhere.

Councilmember VanEtten: Yeah, it is everywhere.

Correspondence

Greene County Highway Superintendent Scott R. Templeton: 'RE: Greene County Highway Work Permit Dear Ms. Finke: With the recent surge of new construction within Greene County it has come to the attention of the Greene County Highway Department that many new driveways have been installed on county roads without completion of a Highway Work Permit, or approval issued by the county. The Highway Work Permit is free of charge. It is required by any property owners or contractors installing a new driveway, or doing work within the county Right-of-way. The permit process ensures that all new driveways are installed in the best possible location; to confirm adequate sight distance, and that any storm water drainage impacts are properly mitigated, thus providing for the safety of the travelling public. To obtain a Highway Work Permit call the Greene County Highway Department offices at (518)-943-4600 or email a request to highway@discovergreene.com. Once an application

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 5

has been received, Greene County personnel will conduct a sight visit to verify that the proposed driveway, or work within the Right-of-Way, may proceed as planned. If the county does not have the opportunity to conduct this review it may result in additional costs for property owners, and could in some cases require that a driveway entrance be moved. Please inform all Code Enforcement officers and Local Planning Boards within your municipality of these requirements. Any questions may be directed to the Greene County Highway Department.'

New York State Department of Transportation 'RE: SPEED LIMIT REDUCTION SCHOOLHOUSE LANE, TOWN OF NEW BALTIMORE GREENE COUNTY

Dear Mr. Templeton: This is in response to your August 19, 2020 letter to our office regarding a speed limit reduction on Schoolhouse Lane in the Town of New Baltimore. We apologize for the extended length of time it has taken us to respond. Currently, this highway is unposted and, therefore, governed by the statewide 55 MPH speed limit. Based on our review, we have determined that a 35 MPH speed limit is warranted on Schoolhouse Lane. We have written Notice of Orders, which are currently being filed with the Secretary of State. Upon receipt of this Order, you may arrange to have the appropriate speed limit signs installed in accordance with the 2009 MUTCD and NYS Supplement. Thank you for bringing your concerns about this location to our attention.'

Greene County Economic Development, Tourism & Planning 'NOTICE OF PUBLIC HEARING ON REQUESTS FOR INCLUSION ON LANDS IN AGRICULTURAL

DISRICT NO. 124 NOTICE IS HEREBY GIVEN, that one or more requests for inclusion of predominantly viable agricultural land have been filed with the Greene County Legislature and referred to the Greene County Agricultural and Farmland Protection Board pursuant to Section 303-b of Article 25AA of NYS Agriculture and Markets Law, and a public hearing will be held by the County Legislature of Greene County, State of New York, in the Legislative Meeting Room, 4th Floor, County Office Building, 411 Main Street, Catskill, New York on the 15th day of December, 2021 at 6:25 p.m.'

Supervisor Ruso: As it turns out, there are none indicated for the Town of New Baltimore.

Rick Chase Transmission Developers 'Governor Hochul Announces Finalized Contracts for Clean Path NY and Champlain Hudson Power Express to Deliver Clean Renewable Energy from Upstate New York and Canada to New York City I hope you all had a nice Thanksgiving holiday. I thought I'd pass along a piece of good news relating to the Champlain Hudson Power Express Project (CHPE). Contracts were executed yesterday between Hydro Quebec and the New York State Energy Research and Development Authority to deliver renewable energy to New York City, and submitted to the Public Service Commission for approval. Contracts between HQ and CHPE were signed Monday providing for CHPE to be the pathway for getting the power to NYC. The PSC is expected to consider the contracts at its March 2022 meeting after a public comment period. The Governor's press release can be found here: <https://www.governor.ny.gov/news/governor-hocul-announces-finalized-contracts-clean-path-ny-and-champlain-hudson-power-express> Today's action is a significant step in making CHPE a reality and we look forward to working with our stakeholders to get the contracts over the finish line. Please feel free to pass this information along to your board members. As always, please do not hesitate to contact me with any questions.'

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 173-2021
DECEMBER 13, 2021

RESOLUTION TO SET ORGANIZATIONAL MEETING DATE AND TIME

RESOLVED that the Town Board of the Town of New Baltimore will hold the 2022 Organizational Meeting on January 1, 2022 at 2 PM at the Town Hall, 3809 County Route 51, Hannacroix, NY 12087.

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 6

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 174-2021

DECEMBER 13, 2021

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
WITH COLUMBIA-GREENE HUMANE SOCIETY**

RESOLVED that the Town Board does hereby authorize the Supervisor to execute an agreement with the Columbia-Greene Humane Society/SPCA for the period January 1-December 31, 2022 for shelter services at a rate of \$35 per dog per day for the first ten days of housing and \$300 will be added on the eleventh day where the dog will become the responsibility of the Columbia-Greene Humane Society/SPCA.

Motion by Supervisor Ruso seconded by Councilmember Downes

Councilmember Downes: Jeff, I know at one time we had talked about trying to get reimbursement especially from folks who are traveling on the Thruway for tickets where we had to take the dog. Have we gone any further with that?

Councilmember VanEtten: Didn't we discuss that they can't take their animal back until they had paid the bill? I agree. Why should we pay for someone's irresponsibility?

Supervisor Ruso: Okay, I tend to agree with that, but in terms of reality and the most recent cases, the person was arrested and put in jail so they weren't gonna pay a single penny unfortunately. It would probably be and it should be by the way...

Councilmember Downes: Part of their restitution.

Supervisor Ruso: You would like to think so. And also let's not forget there's Town residents who don't license their animals, we don't know who it is and they find out sometime later. So they shouldn't be putting cost upon the Town either regardless of their residency.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 175-2021

DECEMBER 13, 2021

**RESOLUTION AUTHORIZING SUPERVISOR TO SIGN
AN AGREEMENT FOR IT SERVICES**

WHEREAS the Town of New Baltimore will be utilizing professional IT Services for 2022.

WHEREAS the Attorney for the Town has determined that said services are considered professional services or services requiring special or technical skill, training or expertise according to the Town of New Baltimore Procurement Policy adopted January 1, 2021.

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 7

RESOLVED that the Town Supervisor is authorized to sign an agreement with Intelligent Technology Solutions, Inc. for IT Services until December 31, 2022.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Ellie Alfeld: Are they the same people that did the original one that we've worked on?

Supervisor Ruso: These are the folks that have been installing our computer systems and website stuff, yeah. It's all wrapped up.

Ellie Alfeld: Are members of the Board going to examine this before they pass a check to make sure that it looks a little bit better?

Town Clerk Finke: We constantly monitor.

Ellie Alfeld: I'm telling you it's a lot better, Barb, with the Calendar now as opposed to what it was before.

Town Clerk Finke: It was always that way.

Ellie Alfeld: No, there were two sites to that Calendar.

Town Clerk Finke: I only had the one. (To the Board) You guys always had it at the top.

Supervisor Ruso: It's not just website. It certainly does include that, but it's also the email system. It's also the installation of a replacement for a hard drive, a failure, various things.

Ellie Alfeld: And it also has some hiring, resignations, all this information that's actually outdated before you get to the nuts of the thing.

Supervisor Ruso: Sounds like the sequencing as I think we described before, but that is certainly conversations that we've had already. They did promise they would line things up better. Is that a better way to put it?

Town Clerk Finke: And they do, and they do. Yes, we were on the phone with them today.

Supervisor Ruso: They do, they generally do, but they're not the fastest. You call them today,, they'll get to it, but they're not gonna get it done today.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 176-2021

DECEMBER 13, 2021

**RESOLUTION AUTHORIZING COUNCILMEMBER VANETTEN AND
SUPERVISOR RUSO TO APPLY FOR 2022 GREENE COUNTY YOUTH GRANT**

RESOLVED that Councilmember Shelly VanEtten and Supervisor Jeffrey Ruso, Chair and Member of the Youth, Parks and Recreation Committee and the Grants/Promotions/Economic Development Committee, are authorized to apply for a 2022 Greene County Youth Grant if available.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Supervisor Ruso: This is the one that we get through our Legislator, Pat Linger.

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 8

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 177-2021
DECEMBER 13, 2021

**RESOLUTION TO ALLOW TRAINING CREDIT FOR
PLANNING BOARD AND ZONING BOARD OF APPEALS MEMBERS**

WHEREAS, NYS Town Law Sections 267 and 271 require members of Planning Boards and Zoning Boards of Appeals by state statute to obtain four hours of training per year,

AND WHEREAS, in March 2020 a State Of Emergency was declared by Governor Cuomo which significantly altered the available training schedules and methods, placing an undue burden on members to satisfy training requirements,

AND WHEREAS, the NYS Department of State Local Government Services does include pre-recorded online webinars related to land use planning and regulation and local governance and procedure in their offerings, but is unable to provide certificates for those looking for credit for having viewed recorded webinars,

AND WHEREAS, the Town of New Baltimore Town Board has the authority to ultimately determine how their local officials may obtain training,

AND WHEREAS, recorded webinars may range from 1 to 3 hours in length,

BE IT RESOLVED, any member of the Town of New Baltimore Planning Board, or Zoning Board of Appeals who submits attestation to having viewed a related webinar in its entirety shall be recorded as having received **1.5 hours** of training credit, for each instance, toward their annual training requirement.

Motion by Supervisor Ruso seconded by Councilmember Downes

Councilmember VanEtten: So if somebody does a two hour webinar, we're only counting it as 1.5 hours?

Supervisor Ruso: Good question. Why give them 1.5 if they've done two hours?

Councilmember VanEtten: Or three and some of them...

Supervisor Ruso: I think we can amend that.

Councilmember Downes: Yeah, but is that up to us?

Supervisor Ruso: Well, the problem is...

Councilmember Downes: You know what I mean. Sometimes when they come out of the State they told you how many credits.

Supervisor Ruso: The credit hours would have been identified in the training itself. However, you can no longer get certificates.

Councilmember VanEtten: So if you could you'd get it for two or three hours, but we're saying that even if you did it two or three hours training, we're only gonna give you an 1.5 credit.

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 9

George McHugh Esq.: I think the *WHEREAS* before is says ‘1 to 3 hours in length’ so that should be 1 to 3 hours in length.

Supervisor Ruso: Okay so why don’t we read that part again and I’ll read it from the ‘*BE IT RESOLVED*, any member of the Town of New Baltimore Planning Board, or Zoning Board of Appeals who submits attestation to having viewed a related webinar in its entirety shall be recorded as having received 1-3 hours of training credit, for each instance, toward their annual training requirement.’

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 178-2021
DECEMBER 13, 2021

RESOLUTION TO CONTINUE HRA COVERAGE FOR RETIREES
UNTIL DECEMBER 1, 2022

WHEREAS the Town of New Baltimore Employee Handbook includes HRA coverage for “active employees” only;

WHEREAS the Town has continued HRA coverage for retirees until they have reached the age of 65;

THEREFORE, IT IS HEREBY RESOLVED that the Town Board will continue to offer HRA coverage for retirees under age 65 for the Health Care Coverage for one year until December 1, 2022.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 179-2021
DECEMBER 13, 2021

RESOLUTION TO APPOINT PART TIME COURT CLERK

WHEREAS the Town of New Baltimore has advertised for a Part-Time Court Clerk and the Town Justice has submitted his recommendation.

RESOLVED that Nanette Litven is hereby appointed to the position of Part-Time Justice Clerk at an hourly wage of \$17 per hour effective January 17 for a maximum of 26.25 hours per week subject to a six-month probationary period.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Councilmember Downes: So does that mean we are going to have two part-time clerks?

Supervisor Ruso: Correct, we have one now; we’ll have a second one. I don’t know if you know the Civil Service regulations, but you are allowed to have no more than one clerk per Town Justice just so you know. Basically, in our case, two court clerks.

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 10

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 180-2021
DECEMBER 13, 2021

**RESOLUTION TO SET PUBLIC HEARING ON PROPOSED
LOCAL LAW 2 OF 2021 TO OPT-OUT OF THE LICENSING OF ON-SITE
CANNABIS CONSUMPTION SITES PURSUANT TO THE MARIHUANA
REGULATION AND TAXATION ACT**

WHEREAS, the Town Board of the Town of New Baltimore has introduced proposed Local Law No. 2 of the Year 2021 to opt-out of the licensing of on-site cannabis consumption sites pursuant to the Marihuana Regulation and Taxation Act and subject to a permissive referendum pursuant to New York State Cannabis Law §131;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby schedules a public hearing regarding proposed Local Law No. 2 of 2021 of the Town of New Baltimore to out-out of the licensing of on-site cannabis consumption sites pursuant to the Marihuana Regulation and Taxation Act and subject to a permissive referendum pursuant to New York State Cannabis Law §131 and the procedure outlined in New York Municipal Home Rule Law §24, on Monday, December 27, 2021 at 6:30 PM at the New Baltimore Town Hall, 3809 County Route 51, Hannacroix, NY; and

IT IS FURTHER RESOLVED that the Town Clerk is hereby authorized and directed to publish legal notice of this Public Hearing, in accordance with the applicable laws of the State of New York.

PROPOSED LOCAL LAW #2 OF 2021

**A LOCAL LAW ADOPTED PURSUANT TO THE MARIHUANA REGULATION AND
TAXATION ACT AND SPECIFICALLY CANNABIS LAW §131 OPTING OUT OF
LICENSING AND ESTABLISHING ON-SITE CANNABIS CONSUMPTION
ESTABLISHMENTS WITHIN THE TOWN OF NEW BALTIMORE**

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

SECTION 1. Legislative Intent

It is the intent of this local law to opt the Town of New Baltimore out of hosting on-site cannabis consumption establishments within its boundaries.

SECTION 2. Authority

This local law is adopted pursuant to the terms of the Marihuana Regulation and Taxation Act and specifically Cannabis Law §131, which expressly authorizes cities, towns and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

SECTION 3. Local Cannabis On-Site Consumption Opt-Out

The Town Board of the Town of New Baltimore, County of Greene, hereby opts-out of licensing and establishing cannabis on-site consumption establishment within its boundaries.

SECTION 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual,

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 11

firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to the Marijuana Regulation and Taxation Act and Cannabis Law §131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: I'm going to make a Motion to Accept the Resignation of a Heavy Equipment Operator Gary J. Mahar. It reads 'Please accept this letter as my official Resignation and two week notice from my position as a Heavy Motor Equipment Operator for the Town of New Baltimore, as I have accepted a position with the Town of Bethlehem highway Department. My last day with the Town of New Baltimore will be Friday December 24, 2021.'

Councilmember Downes: Second. The last time we met we had somebody else resign which we knew, but we put that ad in and that ad will cover this person so we don't need to put in another add.

Supervisor Ruso: Yeah, we read that into it so in the event of future or soon-to-be...

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 181-2021
DECEMBER 13, 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 2021-12-01 to 2021-12-48, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2021-12-01 to 2021-12-48,

BE IT FURTHER RESOLVED that the Town Clerk will prepare an Abstract and hold it for public review until January 31, 2022

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE **Draft 12/14/2021**
COUNTY OF GREENE **Adopted 12/27/2021**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 13, 2021 – Page 12

General \$23,388.04, Highway \$16,891.65, Sewer 1 \$3,584.23, Sewer 2 \$37.68, Ambulance 1 \$4,162.41, Ambulance 2 \$2,444.59 Total \$50,508.60

Upcoming Meetings

- December 24, 2021 Town Offices Closed for Christmas Holiday
- **December 27, 2021 Public Hearing on Local Law 2 at 6:30 PM**
- December 27, 2021 Town Board Work Meeting at 7 PM
- **December 31, 2021 Town Offices Closed for New Year's Day**
- January 1, 2022 Town Board Organizational Meeting at 2 PM
- January 5, 2022 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- January 10, 2022 Town Board Regular Meeting at 7 PM
- January 13, 2022 Planning Board Meeting at 7 PM
- January 24, 2022 Town Board Work Meeting at 7 PM

Public Comment Period

Highway Superintendent VanWormer: I just wanted to ask if we were going to approve the PO tonight for the new sander for the Highway Department?

Supervisor Ruso: Yeah, I've been trying to get ahold of you. I want to go over that so we proceed as we discussed a week-and-a-half ago. It doesn't need a Motion.

Highway Superintendent VanWormer: I don't know how long they're gonna hold it for us without a PO because they've held it for three weeks.

Supervisor Ruso: It doesn't need a Motion, I already checked on that.

Motion by Councilmember Downes seconded by Councilmember VanEtten to adjourn the meeting at 7:44 PM.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMO
Town Clerk

Supervisor Ruso: Thank you everybody.