

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

**MAY 9, 2022
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- April 25, 2022 Town Board Work Meeting

Public Comment Period

New Business

- Resolution of the Town of New Baltimore Authorizing the Supervisor to Enter into an Agreement with Greene County Outlaws, Inc. d/b/a Greene County Outlaws Baseball, to Use and Maintain the Town Baseball Field Located at 1508 CR 54, Hannacroix
- Resolution for Authorization and Appropriation of Funding for Town Hall Accessibility Improvements 2022
- Resolution Approving Amended Agreement for Expenditure of Highway Monies
- Resolution to Authorize the Highway Superintendent to Purchase Fuel Oil Per Greene County Resolution
- Resolution Appointing Full-Time Highway Department Employee
- Resolution to Establish Solar Review Committee
- Motion to Reschedule June Regular Meeting from June 13 to June 15, 2022
- Notification from the Department of State of Filing of Local Law 3 of 2022
- Audit of Claims

Upcoming Meetings

- May 12, 2022 Planning Board Meeting at 7 PM
- May 23, 2022 Town Board Work Meeting at 7 PM
- May 30, 2022 Town Offices Closed for Memorial Day
- June 1, 2022 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- June 4-5 AgFest at VanEtten Farm
- June 9, 2022 Planning Board Meeting at 7 PM
- June 15, 2022 Town Board Regular Meeting at 7 PM
- June 27, 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 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 1

OPENING OF REGULAR MEETING

Supervisor Ruso opened the Regular Meeting at 7:05 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Irving, and VanEtten; George McHugh, Esq.; Highway Superintendent VanWormer; Town Clerk Finke; and 4 members of the public who signed the attendance book. Absent: Deputy Supervisor Dellisanti and Councilmember Downes

ADOPTION OF MINUTES

The April 25, 2022 Town Board Regular 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, Downes, Boehlke, Irving

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Public Comment

Eilleen Vosburgh: How often are the Outlaws using District 2 Park? Is it being used like 50 percent of the time? Three days out of the week?

Supervisor Ruso: I don't know it's during the season. I don't have their schedule, but a lot of weekends. They're away sometimes, too. They have games away.

Eilleen Vosburgh: I tried to look on their website for a schedule and I was wondering if you could put a calendar on our website showing the availability of it.

Town Clerk Finke: I can say that sometimes they change, it's not always as posted and whenever we have a rental request or a rental, I always reach out and call them and find out the times of their games and let anyone know who is renting the park their games goes from 10-12, if you want to come at 12-12:30, you don't want the games. I've had people say 'oh, good, we're gonna come early and we're gonna watch the game.' So I do give them that option.

Supervisor Ruso: I went to a game and just talked to Greg Sager and there were people that had nothing to do with the game, but they came to the park anyway which was good. They're little kids, really little kids on the playground, 4 year-old or 3 year-old whatever they are.

or

Eilleen Vosburgh: So, Barb, can their schedule change?

Supervisor Ruso: Weather changes it too.

Councilmember VanEtten: There's a lot of variables.

Supervisor Ruso: Sometimes if a really bad rainstorm, they'll push it off and make the game a number of days later, week later, whichever the case might be.

Eilleen Vosburgh: Can you rent the pavilion at the same time as the games?

Town Clerk Finke: Yes.

Supervisor Ruso: As Barb said she tries to, if there's some sort of event from a family or something, she reaches out and they'll alter their dates there. They've been very amenable to that if there's someone from Town. I know that's happened a lot. Someone having a graduation party and don't want a lot of kids running around from whatever outfit they are from.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 2

New Business

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 91-2022
MAY 9, 2022

RESOLUTION OF THE TOWN OF NEW BALTIMORE
AUTHORIZING THE SUPERVISOR TO ENTER
INTO AN AGREEMENT WITH GREENE COUNTY OUTLAWS, INC. d/b/a GREENE
COUNTY OUTLAWS BASEBALL, TO USE AND MAINTAIN THE TOWN BASEBALL
FIELDS LOCATED AT 1508 CR 54 AND 3 OLD KINGS ROAD, HANNACROIX

WHEREAS, the Town Board of the Town of New Baltimore (hereinafter referred to as the “Town”) has received a request from Greene County Outlaws, Inc., more commonly referred to as Greene County Outlaws Baseball, to renew its Agreement with the Town, which has expired, to use and maintain the baseball fields located at 1508 CR 54 and 3 Old Kings Road, Hannacroix, which will be open to public and will be a betterment to and recreational opportunity for the public and the members of the Outlaw Baseball; and

WHEREAS, the Town previously reviewed the request in conjunction with the NYS Town Law §64 (7) and the Town’s Park Use Permit and Procedure, declared itself Lead Agency of the within proposal and issued a Negative Declaration finding that no substantial environmental impact would arise from the project, and further conducted a site review of the proposal and determined that the proposal adequately meets each of the potential review standards, which are found in the Town’s Site Plan Review Law; and

WHEREAS, nothing has changed with respect to the use and maintenance previously approved,

NOW THEREFORE, it is hereby

RESOLVED, that the Town agrees to permit the Greene County Outlaws Baseball to use and maintain the subject baseball fields under the terms and conditions set forth in the previously submitted application materials, and as memorialized in the proposed Agreement attached hereto; and it is further

RESOLVED, that the Town Supervisor has the authority to enter into the Agreement on behalf of the Town, whose signature is to be attested to by the Town Clerk; and it is further

RESOLVED, that the Agreement shall be executed in duplicate, and one original, along with the appropriate insurance certificates shall be kept on file with the Town Clerk.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Councilmember Irving: I attended the game Sunday afternoon. They finished I think it was around 5:00 and they did an excellent, they’re young boys, and they did a really good job cleaning up the place, picking up afterward, they bundled all their trash together, and took care of it themselves and I commended all the young players on a great baseball game and the good job that they did keeping the field in order.

Supervisor Ruso: When I was over there, there was another person who lived not far from Flegel’s towards 51, and they just went there just to get a hot dog.

Councilmember VanEtten: Their food is actually quite good. They cook on the grill and it’s quite good. I’ve had their burgers.

Ellie Alfeld: Do we have the same agreement with Cricket?

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 3

Supervisor Ruso: Crickets are gone. So no the answer is.

Town Clerk Finke: They needed a bigger field, not because they were unhappy.

Ellie Alfeld: Is that what it was?

Supervisor Ruso: There was not any ill-parting.

Ellie Alfeld: Oh, no, no, I'm not suggesting that. I didn't know if they were coming up for renewal.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

**AGREEMENT TO USE AND MAINTAIN
THE TOWN OF NEW BALTIMORE BASEBALL FIELD**

THIS AGREEMENT is entered into this _____ day of _____, 2022 by and between the TOWN OF NEW BALTIMORE, a municipal corporation organized and existing under the laws of the State of New York, with offices at 3809 CR 51, Hannacroix, NY 12087 ("the town"), and GREENE COUNTY OUTLAWS, INC. (D/B/A GREENE COUNTY OUTLAWS BASEBALL), a NYS not for profit corporation with an address of 265 CR 51, Coxsackie, NY 12051 ("the User"):

WITNESSETH, that the Town and the User, for the consideration hereinafter named, agree as follows:

ARTICLE 1. PURPOSE

The User, a travel youth baseball organization serving predominantly the residents of Greene County, desires to use the Town of New Baltimore's baseball fields located at 1508 County Route 54 and 3 Old Kings Road, Hannacroix, NY ("ball fields") as part of its youth baseball program for children ages 7 – 12 and 13-18.

ARTICLE 2. CONSIDERATION

In consideration of use of the ball field, the User agrees to:

1. Prepare the ball field prior to the inception of use by the youth baseball program
Generally maintain the ball fields for use throughout the spring, summer and fall
2. Prepare the ball fields on a daily basis when being used by the youth baseball program
3. Furnish equipment and other ancillary items necessary for the youth baseball coordinated under the Town's youth program.

Sections 1, 2 and 3 above shall include, but not be limited to cutting grass in both the infields and outfields, maintenance and repair of the scoreboard, cleaning and maintenance of the dugouts, and removal of all garbage collected during use of the fields

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 4

ARTICLE 3. INSURANCE

The User shall not be permitted to perform any work on the ball fields or use the ball fields as part of its youth baseball program until it has obtained the following insurance, which shall be for the duration of this Agreement and shall be approved by the Town Supervisor:

1. Worker’s Compensation Insurance for its employees who as assigned to perform the work hereunder
2. General Liability and Property Damage Insurance, naming the Town as additional insured, covering claims for damages for personal injury, including accidental death, as well as claims for property damage which may arise from the activities permitted under this contract. The General Liability Insurance shall be in an amount not less than \$500,000 for injuries, including wrongful and/or accidental death to any one person and subject to the same limit for each person, and in an amount not less than \$1,000,000 on account of any on occurrence. Property Damage Insurance shall be in an amount not less than \$300,000 for damage occurring during the time period of this Agreement.

ARTICLE 4. PERIOD OF EFFECTIVENESS

This Agreement shall be effective for twenty months, beginning April 1, 2022 and expiring November 30, 2024. This Agreement may be renewed by the Town on a formal written request by the User for 20 month periods for up to 5 additional periods. In the event that the User notified the Town in writing of its desire to renew this Agreement, The Town shall be authorized to renew the Agreement by Resolution.

ARTICLE 5. TERMINATION

The Town may terminate this Agreement upon 30 days notice if the User is in violation or default of any of the provisions herein, or if there is any physical altercation or intervention of law enforcement during the period of use.

ARTICLE 6. REPORTING

1. Any accident that occurred during the User’s use of the ball field shall be reported to the office of the Town Supervisor as soon as possible, or if not occurring during normal business hours, no later than 24 hours from the time of such accident. A detailed written report must be submitted to the Town as soon thereafter as possible and not later than three (3) days after the date of such accident.
2. Any physical altercation occurring on the ball fields, or any matter which required the presence of law enforcement, shall be reported immediately to the office of the Town Supervisor, or, if not occurring during normal business hours, no later than 24 hours from the time of such accident. Such occurrence may result in the Town terminating this Agreement.

Failure to report, as mandated herein, shall be a violation of this Agreement.

ARTICLE 7. PERMITS AND REGULATIONS

The User shall be responsible to procure and pay for any and all permits and licenses necessary for the work to be performed hereunder and the use of said ball fields in the manner allowed.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 5

ARTICLE 8. INDEMNITY AND HOLD HARMLESS AGREEMENT

The User agrees to indemnify and hold harmless the Town, its officers, agents and employees harmless from any liability imposed upon the Town, its officers, agents and/or employees arising from the negligence or malfeasance, active or passive, of the User or its agents.

ARTICLE 9. ASSIGNMENT

This User is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this Agreement, or its power to execute this Agreement, to any other person or corporation without the prior written consent of the Town.

ARTICLE 10. NOTICES

All notice and payments required hereunder shall be addressed as follows, or to any such other addresses as may hereinafter be designated in writing by either party hereto, and shall be sent by certified mail, return receipt requested:

TOWN: Town of New Baltimore, 3809 CR 51, Hannacroix, NY 12087

USER: Gregory Sager, President, Greene County Outlaws, Inc., 265 CR 51,
 Cossackie, NY 12051

ARTICLE 11. WAIVER

No waiver of any breach of any condition of this Agreement shall be binding unless the same is in writing and signed by the party waiving said breach. No such waiver shall have any affect on any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ARTICLE 12. MODIFICATION.

This Agreement constitutes the complete understanding of the parties. No modification of any provisions thereof shall be valid unless in writing and signed by both parties. There shall be no oral modification of any term or provision herein.

ARTICLE 13. APPLICABLE LAW

This Agreement is governed by the laws of the State of New York. Jurisdiction shall be limited to Greene County.

Remainder of this page intentionally left blank

IN WITNESS WHEREOF, the parties, as duly authorized, have hereunto set their hands and seals on the day and year first written above.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 6

TOWN OF NEW BALTIMORE
(D/B/A GREENE COUNTY OUTLAWS BASEBALL)

GREENE COUNTY OUTLAWS, INC.

BY: Jeffrey Ruso, Supervisor
as authorized by Resolution No. 91-2022
of the Town Board of the Town of
New Baltimore

BY: Gregory Sager, President

Attested to:

Sworn to before me this
____ day of _____, 2022

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 92-2022
MAY 9, 2022

RESOLUTION FOR AUTHORIZATION AND APPROPRIATION
OF FUNDING FOR TOWN HALL ACCESSIBILITY IMPROVEMENTS 2022

WHEREAS the Town Board authorizes Supervisor Ruso and Councilmember VanEtten to apply for a state-funded grant for Town Hall improvements.

WHEREAS, the Town of New Baltimore will apply for the State and Municipal Facilities Capital Program (SAM) through DASNY in the amount of \$150,000 to help finance the construction of the Town Hall Accessibility Improvement Project (the “Project”), and

WHEREAS, the SAM grant is a reimbursement-based grant program, and

NOW, THEREFORE, BE IT RESOLVED, the Supervisor of the Town of New Baltimore is authorized to undertake the Project, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute a Grant Disbursement Agreement (GDA) with DASNY and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the Town of New Baltimore’s obligations under the GDA, and

BE IT FURTHER RESOLVED, that the Town of New Baltimore authorizes and appropriates \$150,000 to pay for the upfront costs of the Project. The source of the funds shall be from the Town’s Reserve Account.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Supervisor Ruso: For each of you probably know that a SAM grant requires that we have an agreement ahead of time yet we have to spend the money and they review our expenditures and we get the money back. So we got to put the money on the table.

Ellie Alfeld: \$150,000.

Supervisor Ruso: \$150,000. So that’s what it is. For those that have a rough idea most of this out here is going to be gone. It’s out of code, not even close. It was when it was put in, which is fine, but it’s fallen apart, seen better days, the ramps and so forth. The project plan is that the handicapped ramp will be on this side of the property. These will be our handicapped parking

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 7

spots as they are now, but they're going to be redone. The main entrance for anyone who's got a handicapped condition will be this door over here by the Court offices. All others will come up the steps here and, of course, we're gonna replace those steps right here at the Meeting Room. So that's pretty much what it is. There's a few other electronic increasing of accessibility including opportunities to broadcast these meetings and other meetings.

Councilmember Boehlke: So our grant money went up to \$162,000 right if I remember?

Supervisor Ruso: Oh, no, you're talking about the ARPA.

Councilmember VanEtten: That's a different grant.

Supervisor Ruso: Different grant. So that's what we have.

Councilmember Boehlke: I was just talking about cost overrun with...

Supervisor Ruso: You need to have a 1 by 12, 12' out for every foot rise ramp. This was built to 1 to 8 which was the code at the time it was there and it already bends back and forth to make it work. In order to have a 1 by 12, we need a lot more room, it just isn't gonna work out. Which is okay. This probably be nice, it's gonna be stone or concrete and so it will be nice. I expect it will and I've seen the mockups on it from Delaware Engineering is the one that's involved.

Ellie Alfeld: I was gonna say Delaware Engineering drew this up right because we've got stairs that are not that old that are not in compliance with how high you build stairs.

Supervisor Ruso: Risers.

Councilmember Boehlke: So in the agreement, Jeff, do they have a clause for cost overruns?

Supervisor Ruso: Yeah, it's called you pay for it. We're gonna match as best we can, but if it goes to \$155,000 they're not give us \$155,000. They'll give us \$150,000.

Ellie Alfeld: This is going out to bid?

Supervisor Ruso: Of course, but we also have, just so you know, if you recall from a couple meetings back, we put some money into our Building Reserve. I know we just put \$40,000 in and I'm trying to recall what we had beforehand. I think we had \$29,000-\$30,000 in there wasn't it.

Councilmember Boehlke: Sounds familiar.

Supervisor Ruso: But we have probably \$60,000 in our Building Reserve account. That's also in the event we find something else that needs to be done that's not in the grant.

Councilmember VanEtten: They're pretty good, Delaware Engineering, making the money match the grant, the work match the grant money.

George McHugh, Esq.: You're under no obligation. If they come in too high, you can throw them out and start over. I'm just saying you're not obligated to take the bid.

Supervisor Ruso: No, of course not, especially if the funding is not there. I mean I do want to get this place fixed and the accessibility isn't great.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 8

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 93-2022

MAY 9, 2022

**RESOLUTION TO AUTHORIZE THE HIGHWAY SUPERINTENDENT TO
PURCHASE FUEL OIL PER GREENE COUNTY RESOLUTION 137-22**

WHEREAS on Greene County Legislature advertised for bids for the furnishing of fuel, tow bids were received, and the lowest responsible bidder meeting all specs was determined.

WHEREAS pursuant to Section 408-a of the New York State County Law, and any other political subdivisions, fire company or district may receive the Tank Car Price \$3.8426, Delivery Charge \$0.1350, Total Cost Per Gallon \$3.9776. The bid price is subject to increase or decrease during the Contract period corresponding with the changes in the reseller's posted tank car price at the port of Albany as published in the Oil Price Daily for the date of delivery.

RESOLVED the Town Board hereby authorizes the purchase of fuel oil at the contract price offered by Greene County Resolution 137-22 for one year from June 1, 2022 to May 31, 2023 from Bottini Fuel.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Supervisor Ruso: I'll just make sure, this is for heating oil.

Highway Superintendent VanWormer: Heating oil.

Councilmember Boehlke: They're generally lower than everybody else.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Supervisor Ruso: Well, Resolution 94 is the resolution approving the Amended Agreement for Expenditures of Highway Monies. I asked our Highway Superintendent to be here so that we can ask him questions. For those that don't know, we put our intended 284 Agreement out to bid, it came back and it was over by a good chunk because the original estimates were...

Highway Superintendent VanWormer: The original was \$65 and change per ton and the bids came in at \$72.5.

Supervisor Ruso: Which makes it more costly and so the question is what we have here is pretty much the same submission we had before, but we need to agree on where the monies come from.

Highway Superintendent VanWormer: Our total paving is \$390,143.25. Our CHIPS, our EWR, our PAVE-NY, and our Pave Our Potholes funding comes in \$55,436.98 carryover from last year gives us \$364,133.54 and then that leaves us a balance of \$26,009.71 which will be paid through our Repair portion of our Town budget. The balance will be paid from DA5110.4.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 9

Supervisor Ruso: For everybody here on the Board that know we have a line item and it's titled Road Maintenance Contractual Expenditures is DA5110.4 and it is funded by the Town at the tune of \$100,000 a year. We have only spent \$2,600 of it as of April 30. I got figures as of April 30. So that leaves us a balance of \$97,000 which I think \$26,000 fits well into, but I think my question is going to be are there going to be any other expenditures that you can foresee, especially larger ones, that would go into that line item?

Highway Superintendent VanWormer: Not that I can see, there's some patching but other than that we should be fine.

Supervisor Ruso: What about culverts?

Highway Superintendent VanWormer: We're done there.

Supervisor Ruso: When did you buy them?

Highway Superintendent VanWormer: They're ordered, they're not here yet. I deducted that before I put this together. That's where I came with the \$62,525 which will be set aside to be on primary work. That's after I took out the culvert pipe, sign posts, and I think...

Supervisor Ruso: So you're saying \$62,000 is what is remaining after... I mean my figures from April 30 are not reflective of monies that are already committed yet not paid. So there's \$62,000.

Highway Superintendent Van Wormer: I took those out plus the, well I said \$30,000 and it's only going to be \$26,000, to pay for the balance on the paving.

Supervisor Ruso: For the Board you have numbers a, b, c, and d. We had approved those previously when we thought it was a lower price and so this is where the Board needs to look at this and ask you questions. The man is standing up there ready for them.

Councilmember VanEtten: So most of the major work on all of the roads in the Town will be covered under this? There's not gonna be any surprises?

Highway Superintendent VanWormer: Yes. We don't know if something happens, but other than that, there's nothing I have planned.

Councilmember VanEtten: Right, I get it, but sometimes things happen, but no roads that are about ready to...other than this that are...

Highway Superintendent VanWormer: What we gotta repair on Shady Lane, that one where we gotta buy blocks, but that's like \$1,600. The only cost there will be the blocks.

Councilmember Irving: Are you looking ahead to next year?

Highway Superintendent VanWormer: As far as what I'm gonna do next year? I hope to do about the same amount of paving, but I'm sure where yet.

Councilmember Irving: Half a mile roughly, 2,500' or something like that we're talking?

Highway Superintendent VanWormer: For paving? Oh, no, just Deans Mill is a little over two miles. Then we have Flatbush.

Supervisor Ruso: Yeah, it says it all here. Each line item it tells us the miles. For instance, Deans Mill says two miles and then, of course, Flatbush is 1.25 miles and he mentioned Taylor Road and Hadley.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 10

Highway Superintendent VanWormer: Taylor and Hadley. The only reason I'm doing them is because working in the area, we're crazy not to do them while we're in the area because they come, say we just did Deans Mill and Flatbush and they had to come back later on and do Taylor and Hadley, they would charge us \$750 each way to bring equipment in and take it back out so what I try to do is when I'm paving, I'll do as much as I can in one certain area so they don't have to load their equipment up and charge us to move it from one spot to another.

Councilmember VanEtten: Did you ever replace that culvert on Acquetuck?

Highway Superintendent VanWormer: At Miller's? Not yet.

Ellie Alfeld: Put it on his memory sheet.

Highway Superintendent VanWormer: I forgot all about it.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 94-2022
MAY 9, 2022

**RESOLUTION APPROVING AMENDED AGREEMENT FOR
EXPENDITURE OF HIGHWAY MONEYS**

RESOLVED that the attached Amended Agreement for Expenditure of Highway Monies submitted by Highway Superintendent Alan VanWormer (Highway 284 Agreement) is hereby approved.

**AMENDED AGREEMENT FOR THE EXPENDITURE
OF HIGHWAY MONEYS**

AGREEMENT between the Town Superintendent of the Town of **New Baltimore, Greene** County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS.** The sum of **\$62,525** shall be set aside to be expended for primary work and general repairs upon **63.18** miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. **PERMANENT IMPROVEMENTS.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:

a. On the road commencing at **County Route 51** and leading to **Hannacroix Creek Bridge**, a distance of **2 miles**, there shall be expended not over the sum of **\$253,575**.

Type: **Blacktop Overlay** Width of traveled surface: **20 feet**

Thickness: **1 ½ inches** Subbase: **N/A**

Hot mix pave Deans Mills Rd from County Route 51 for a distance of approximately 2 miles with 1.5 inches of Type 6 blacktop. To be paid by Chips.

b. On the road commencing at **State Route 9W** and leading to **State Route 9W**, a distance of **1.25 miles**, there shall be expended not over the sum of **\$136,787.50**.

Type: **Blacktop Overlay** Width of traveled surface: **20 feet**

Thickness: **1 ½ inches** Subbase: **N/A**

Hot mix pave Flatbush Rd from Route 9W to Route 9W a distance of approximately 1.25 miles with 1.5 inches Type 6 blacktop. To be paid by Chips, Pave NY, and EWR.

c. On the road commencing at **State Route 9W** and leading to **Flatbush Rd**, a distance of **165 feet**, there shall be expended not over the sum of **\$4,347**.

Type: **Blacktop Overlay** Width of traveled surface: **20 feet**

Thickness: **1 ½ inches** Subbase: **N/A**

Blacktop overlay 165 feet x 20 feet wide Taylor Rd from Route 9W to Flatbush Rd with Type 6 blacktop. To be paid by Chips, Pave NY, and balance from Budget DA 5110.4.

d. On the road commencing at **County Route 51** and leading to **Dead End**, a distance of **550 feet**, there shall be expended not over the sum of **\$5,433.75**.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 11

Type: **Blacktop Overlay** Width of traveled surface: **14 feet**
Thickness: **1 ½ inches** Subbase: **N/A**
Blacktop overlay approximately 550 feet of Hadley Drive from County Route 51 to Dead End. To be paid from Budget line DA 5110.4.

Executed in duplicate this 9th day of May, 2022

Supervisor	Councilmember
Councilmember	Councilmember
Councilmember	Town Superintendent of Highways
County Superintendent of Highways	

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk’s office and one in the County Superintendent’s office. *COPIES DO NOT HAVE TO BE FILED IN ALBANY.*

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Supervisor Ruso: You’re saying \$62,000 of 5110.4 you’re gonna set aside or was it \$26,000?

Highway Superintendent VanWormer: \$62,525. The \$26,000 is coming out to pay for the balance of the paving and then the \$62,000 is what we’ll have left to do patching and whatever else we need to do.

Supervisor Ruso: Okay, so the \$62,000 only \$26,000 of it is it for these a, b, and c projects.

Highway Superintendent VanWormer: Correct.

Supervisor Ruso: The remaining balance would be \$36,000 is going to be \$62,000 minus \$36,000 is going to be...

Highway Superintendent VanWormer: No, this is after I already took \$30,000 out and we changed it to \$26,000. So this will be the balance after we finish paving, \$62,525 will be the balance after we finish the paving.

Supervisor Ruso: I see what you mean and that’s with all the culverts.

Highway Superintendent VanWormer: Culverts are all done, we finished those up today.

Supervisor Ruso: Just wanted to clarify. That means the \$62,000 still remains there in the event of other needs such as what Shelly had suggested or others. Do we have any further questions?

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 12

RESOLUTION 95-2022
MAY 9, 2022

**RESOLUTION APPOINTING FULL-TIME
HIGHWAY DEPARTMENT EMPLOYEE**

WHEREAS due to vacancy, the Town of New Baltimore has advertised for Highway Department positions in the *Daily Mail*.

RESOLVED that Joseph A. Woelfersheim is appointed as a Full-Time Motor Equipment Operator at a salary of \$17.81 per hour for a probationary period of six months and receipt of his full CDL Class B license, where the salary will increase to \$18.31 following successful evaluation.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Councilmember Boehlke: So his CDL license, how's that coming?

Highway Superintendent VanWormer: I talked to him on Sunday and he said he was still going through the training, but I just found him better training that will better suit our needs and his needs at Columbia Greene for three Saturdays and Sundays so I think that's the way he's gonna go now to get through it.

Supervisor Ruso: Note the wording of this. We usually give you the add \$0.50 additional after six months, but in this particular case because he doesn't have a CDL, he has to accomplish both items. So he could be past six months without the CDL, it stays where it is, a little prompting. Any further questions?

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Councilmember Boehlke: How many guys does that give you now?

Highway Superintendent VanWormer: Six, we need one more. Hopefully someone will come along.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 96-2022
MAY 9, 2022

RESOLUTION TO ESTABLISH SOLAR REVIEW COMMITTEE

WHEREAS the Town Board of the Town of New Baltimore imposed a six-month moratorium on solar projects, with the option of renewing for an additional six months, by adopting Local Law 1 of 2022.

WHEREAS the Town shall endeavor to complete all reasonable and necessary review, study, analysis and, if warranted, revision to the Town of New Baltimore Code.

RESOLVED the Town Board hereby appoints Code Enforcement Officer Allan Jourdin; Michele Stefanik and Frank Orlando from the Planning Board; Brad Jourdin from the Zoning Board of Appeals; and Bill Boehlke and Jeffry Ruso from the Town Board to complete said review and report said findings back to the Town Board.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 13

Supervisor Ruso: We're making recommendations to the Town Board based upon our review.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Supervisor Ruso: Just so everyone knows, I asked the Planning Board Chair to recommend two people, I asked the Zoning Board Chair to recommend one person because the size and I've talked to Mr. Boehlke as well as the Code Enforcement Officer really needs to be on it. Those are our six players and we're going to come up with a schedule of meetings.

Councilmember Boehlke: Sounds goods.

Ellie Alfeld: Is it prudent to have two family members on this Board?

Supervisor Ruso: I did talk to Mr. Jordan Sr. and he explained it kind of like I would explain my own son, my son doesn't listen to me anymore either so he's too old for that. I had assurances that they were independent of each other. They probably have some apple falling not far from the same tree.

Councilmember Boehlke: Well, this is just going to be an advisory...

Supervisor Ruso: They're not married and living in the same household.

Councilmember Boehlke: This is just going to be an advisory thing anyway.

Supervisor Ruso: Yeah, it's not going to have any authority.

Councilmember Boehlke: They're just gonna be advising the Board, giving us information and we're gonna make the final...

Supervisor Ruso: I'm looking to meet, I would like to meet before the end of May, have our first initial meeting. I don't think it's gonna make more than two or three. We're going to make suggestions about how the Town Code would go, I know some people have already started working on it. I have. I've been making a lot of phone calls and talking to a good number of people and, again, this is going to be a recommendation to the Town Board and can't say where's it's going to go because I don't know where everybody's head is and what we may see will influence us.

Ellie Alfeld: I've heard that there's another solar application almost before you. Do you know anything about it?

Supervisor Ruso: No, I know the one that's called Teichos. That's already in the works. Teichos is the one over by the hot shops.

Ellie Alfeld: The Paul Schiller property?

Supervisor Ruso: Yes, ma'am. Paul Schiller and a few other people.

Ellie Alfeld: I know, but Paul's the name we know, but there is no other at the present time that you know of?

Supervisor Ruso: There's been conversations. To say there have been conversations is a whole different story and we've had a half dozen of them, however, applications are all what I'm going on.

Ellie Alfeld: Okay, that's what I'm asking.

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 14

Supervisor Ruso: People talk, but when they sign a piece of paper that mean it's...and besides there a moratorium.

Ellie Alfeld: I know and that's why I question whether they got in before the moratorium.

Supervisor Ruso: The Teichos did. Their application was actually put in I believe in November.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Supervisor Ruso: As it turns out, our Regular Meeting of Monday, June 13 we have discovered that we probably will not have a quorum so having discussed it amongst ourselves, June 15 which is a Wednesday, we will. So I would like to make a Motion to reschedule the June Regular Meeting of June 13 to Wednesday, June 15 at 7 PM. Do I have a second?

Councilmember VanEtten: I'll second it.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

State of New York Department of State 'RE: Town of New Baltimore, Local Law 3 2022, filed on April 20 2022 Dear Sir/Madam: The above referenced material was filed by this office as indicated.'

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 97-2022

MAY 9, 2022

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 2022-05-01 to 2022-05-55, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2022-05-01 to 2022-05-55,

BE IT FURTHER RESOLVED that the Town Clerk will prepare an Abstract and hold it for public review until June 30, 2022

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE **Draft 5/16/2022**
COUNTY OF GREENE **Adopted 5/23/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 9, 2022 – Page 15

General \$240,299.81, Highway \$8,440.29, Sewer 1 \$7,052.98, Sewer 2 \$1,381.21, Water 3 \$25.32, Street Lighting 1 \$2,211.89, Street Lighting 2 \$288.59, Total \$259,700.09

Upcoming Meetings

- May 12, 2022 Planning Board Meeting at 7 PM
- May 23, 2022 Town Board Work Meeting at 7 PM
- May 30, 2022 Town Offices Closed for Memorial Day
- June 1, 2022 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- June 4-5 AgFest at VanEtten Farm
- June 9, 2022 Planning Board Meeting at 7 PM
- June 15, 2022 Town Board Regular Meeting at 7 PM
- June 27, 2022 Town Board Work Meeting at 7 PM

Community Event

Alan VanWormer: Saturday from 10AM-3PM there will be a Community Health and Relations Day at the New Baltimore Firehouse on Gill Road. They have several different organizations coming in – Veterans organizations, Public Health organizations. I think there's like 20 different organizations coming, they're all booths there. There will be a Shed the Meds drug takeback sponsored by Assemblyman Chris Tague and the Greene County Sheriff's Office. From 10 until 1 there'll be a free paper shredding, anybody has old documents they need to shred, they want to get rid of, there will be a paper shredding event, you bring it in for free and that's sponsored by Senator Hinchey's office.

Supervisor Ruso: Is there gonna be any food?

Alan VanWormer: Yes, hot dogs, hamburgers, and I don't know what else.

Motion by Councilmember VanEtten seconded by Councilmember Boehlke to adjourn the meeting at 7:43 PM

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Supervisor Ruso: Good night everybody.

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk