

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

MAY 13, 2024

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Adoption of Minutes

- April 22, 2024 Town Board Work Meeting

Public Comment Period

New Business

- Resolution to Authorize the Town Supervisor to Execute Agreement for Portable Standard Toilets for AgFest
- Resolution to Approve Advertisement for Part Time Wastewater Treatment Plant Operator
- Resolution to Establish Short Term Rental Task Force
- Resolution to Surplus Highway Equipment and Place on GovDeals Auction List
- Resolution to Repair Dangerous and Unsafe Culvert at 48 Gill Road
- Resolution Authorizing the repairs to 2012 International Plow Truck (#13)
- Resolution authorizing the purchase a used Equipment Trailer
- Motion to Allow Resident to Use Town Hall, Highway Garage front lot, and Town Parks for Parking for Wedding Festivities from July 4-7, 2024 and Town Hall for Post Wedding Activity
- Audit of Claims

Upcoming Meetings

- May 18-19, 2024 Townwide Roadside Cleanup
- May 25-26, 2024 Townwide Roadside Cleanup
- May 27, 2024 Town Offices Closed in Observance of Memorial Day
- May 29, 2024 Grievance Day from 4-8 PM
- May 30, 2024 Town Board Work Meeting at 7 PM
- June 1-2, 2024 AgFest at the VanEtten Farm
- June 5, 2024 Zoning Board of Appeals Meeting at 7 PM
- June 10, 2024 Town Board Regular Meeting at 7 PM
- June 13, 2024 Planning Board Meeting at 7 PM
- June 24, 2024 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 entrance 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.

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 - Page 1

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Downes, Kash, Sottolano, and VanEtten; Michelle Storm Esq.; Town Clerk Finke; Highway Superintendent VanWormer; and 9 members of the public who signed the attendance book. Absent: Deputy Supervisor Dellisanti

ADOPTION OF MINUTES

The April 22, 2024 Town Board Work Meeting Minutes submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember VanEtten. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Public Comment Period

Richard Guthrie: I don't know who's bailiwick this comes under and surely it's not you guys alone or at all, if at all, but it's something that needs the attention and you are probably the best mechanism to get the attention of the appropriate parties and that is simply bright light shining onto the public highways at night. Now I know it seems like a pretty trivial item, but I think it's important especially for the safety of the folks who drive at night, especially the older folks. I happen to know a few. These lights are, some of them are in the hands of Central Hudson, some of them are on private properties, and some of them are on business establishments of sort. So what I would ask is that you take appropriate action to notify or to review the statutes regarding light pollution and obstruction of traffic in the public law wherever that may be. It's probably something in the Highway Law or Motor Vehicle Law or something to that affect, I haven't looked into that, and contact Central Hudson I'm sure is probably not aware that their lights are misdirected, misguided, and poorly aimed and it can be easily corrected. Some of the other ones, the one on River Road and Route 144 is a blinding light at night when you're coming down to it and it's bad enough on a clear night but if you have a foggy night or snowy night or rainy night, it becomes exasperating and increased menace. So with that I'd just like to bring that to your attention. It's been on my mind especially the one on 9W and New Baltimore Road. The Central Hudson substation there, they have a security light which is fine, they ought to have it, but the way it's positioned, it shines out onto the highway and that's a dangerous enough intersection as it is. Unfortunately, we've had a number of serious accidents, a few fatalities and I would like to forestall any kind of future problems there and some of the other ones, 144 and 9W come to mind. Those are some of the examples, but there may be others so perhaps the folks you can empower the Highway Department, Alan, or have Central Hudson or yourselves take a ride around at 9:00 or so after dark and see where the problems may be. Okay, simple request, I've put attention into your hands.

Supervisor Ruso: Just to tell you I was on the phone today.

Richard Guthrie: Good.

Supervisor Ruso: With the fellow who is in charge of streetlights in this particular zone for Central Hudson.

Richard Guthrie: Excellent, good start.

Supervisor Ruso: So and in fact he's, I called for his predecessor who no longer works there as I came to find out, so in fact we have a conversation we're gonna follow through with tomorrow but that's only about the actual municipality-owned lights. We're not necessarily talking about some of these ancillary property owners.

Richard Guthrie: Understood.

Supervisor Ruso: Okay, that hasn't been on the radar screen at all.

Richard Guthrie: I understand and that's why I bring it to your attention because the problem exists.

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 - Page 2

Supervisor Ruso: Well, I can ask if they're going to do a nighttime review in terms of where they, if the lights are focused in peoples' eyes, I can ask them to do that.

Richard Guthrie: Not only Central Hudson, if it's a little law-digging, but I suspect, I recall that someplace there is a statute that prohibits intrusion of lights onto public highways where it becomes a hazard.

Supervisor Ruso: You mean private properties.

Richard Guthrie: Private property, any light that intrudes on the safety of the highway. With that I'll leave it to you and now you know at least a concern and I think you ought to take action if you don't mind. Thank you.

Harold Vadney: If I'm not mistaken that refers to the chargebacks by the County to the Towns for the privilege of voting. On January 8, 2024 the County Legislature passed a resolution authorizing obtaining and furnishing of election-related services and materials and at that time and that some resolution authorized the Board of Elections to charge back through the County the cost of elections in 2024. Recent legislation has been implemented to allow elections by mail which not only increases the risk of potential election fraud, but also increases the requirements of monitoring and other administrative costs which means that these costs that are being charged back in 2024 thanks to State legislation are going to be higher as well as enforcement costs both in terms of law and enforcing the new laws, an additional burden on law enforcement as well. In our Town of New Baltimore on January 22 there was a discussion on this very subject of chargebacks of election fees. This was I believe a working meeting and Mr. Linger was here and you, Mr. Supervisor, and I quote from the Minutes referring to the chargebacks and you mention that something like a number between \$12,000 and \$14,000 which included the chargebacks and other amounts. I have more accurate figures I think and I presented that at the last meeting. You stated 'I'm considering perhaps at the next meeting putting forth a resolution to' I don't know if the word reject is the right one, it's a good word 'but certainly to express the feelings of the Board about them,' Board of Elections and the County, 'charging us \$12,000 when they got \$11,000,000 that they didn't expect.' That, sir, was on January 22 and you went further at that same meeting 'I may reach out to my fellow Town Supervisors to see if they want to sign on to such a thing' meaning a resolution going to the County demanding that they reject chargebacks for the elections. Upon receipt of documents produced in response to a FOIL, there was nothing produced as far as you're reaching out to your fellow Supervisors since January 22. In fact, I addressed a communication to 14 local Supervisors and Mayors on March 30 I think it was requesting them to consider and also mentioning your proposal. My question to you is given the fact that the County Legislature has already passed a resolution for chargebacks and subsequent to that resolution having been passed on January 22, you expressed in public meeting your intention to reach out to local Supervisors to join with you to pass a resolution, this Board will have to pass a resolution, so will the other Supervisors for submission to the County Legislature rejecting these chargebacks. My question to you is all the evidence points to the fact that there has been no outreach and it's very clear that this Board has not made any attempt to draft or to deliberate on a resolution to such affect as denying these chargebacks. My question to you is when do you expect to reach out and when do you expect to present a resolution for deliberation and voting?

Supervisor Ruso: Well, I could tell you that my plan was to discuss this at a Supervisor's monthly meeting.

Harold Vadney: It's been three months.

Supervisor Ruso: They haven't met since back then so they haven't had a meeting unfortunately. So it was to be a conversation, that was my plan to be a conversation with them, but I said I may reach out and I still may but I don't have a specific plan as to when and I don't know if anyone else wants to do that, but I'll see what I can do.

Harold Vadney: Well, I think it should be proposed to the Board, you're just Chair sitting there as a member of the Board. You have four other members here, they have a voice in this.

Supervisor Ruso: Go ahead, anyone else wants to pipe in. Go ahead.

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 - Page 3

Harold Vadney: It would be nice to hear our elected officials make some sort of comment on this reasonably serious matter since there are 62 Counties in New York and only 11 of those Counties charge back election fees. Why do we have to be one of them? Don't you think that's a bit of an important issue for our elected public officers to give some consideration to? I do.

Supervisor Ruso: I do, too.

Harold Vadney: You may reach out. What the devil is wrong with your email? I reached out to 14 of these Supervisors on my own providing them with a draft proposed resolution. Why am I doing more work than you, Mr. Supervisor?

Supervisor Ruso: Well, if you want to run for election as Supervisor, please do it.

Harold Vadney: I do not. I do not. I want to see those people who are elected do their jobs.

Supervisor Ruso: Well, the three minutes have expired. Thank you. The next one would be proposed resolutions voting and photovoltaics.

Harold Vadney: The public acknowledgement not only by this Board but also by our somewhat competent County Legislature, that we have election problems here. This Board passed on the 26th of February a resolution requesting an audit of voter rolls. I have here a stack of production from the County Attorney's office on correspondence relating to voting problems, machine malfunctions, fingerpointing generally. We need some sort of oversight here in this Town Board and Town public officers don't seem capable or interested in doing that oversight. So I submitted to you sometime ago, I think it was on March 30th, a rather long email together with a draft proposed resolution to appoint an ad hoc committee on voting and election to oversee voting and elections problems here and to maintain some sort of surveillance on it. That was on March 30th, today I think it's May 13th, May 12. No work. So I sent it out to you all again, this time through the Clerk's office. I'm hoping that perhaps you might instead of entertaining yourself with lengthy conversations before the Board meeting that you might review some of the paperwork that was submitted to you prior to the Board meeting so you can at least have an opinion. Love fests don't count. The second issue is photovoltaics in this community. We have several projects I think under consideration. My last FOIL produced something like 400 pages of Planning Board documents on photovoltaic projects here. Some of that was very, very disappointing including the provisions for cleanup after possible decommissioning or catastrophic event affecting these things. The second draft proposed resolution I submitted to you and your colleagues on the Board here concern an ad hoc committee on solar power and photovoltaics and renewable energy. It's been my observation that the Planning Board knows absolutely nothing nothing and cares less about the science or the economics of photovoltaics. This is disappointing, actually it's a disgrace. So my proposal and my draft proposed resolution that I submitted to you many weeks ago in which I went and submitted again today to each of you is to appoint an ad hoc committee for oversight of photovoltaic projects in this community. Now I'm not gonna go into details, I'm over my time already. I'm a resident here and I'm doing a hell of a lot more for this community and a hell of a lot more interest in this community than you people are obviously doing. Thank you very much. Read the proposed draft resolutions. I want to hear back from you.

Councilmember Sottolano: On the resolution that you sent...

Harold Vadney: Thank you for reading it, I know you're the only one who did.

Councilmember Sottolano: It starts out talking about the you know the ad hoc committee for the election and then later on it does interject about the solar and renewable energy and on the last page of the resolution actually speaks about it as a resolution for the solar not the election. So my question is did you intend to have two separate resolutions because this is kind of mixing both of them together?

Harold Vadney: Yes, yes, that's my bad but I think that someone of reasonable intelligence will be able to put two and two together and read through those with the majority of the text,

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 4

text from the matter concerns photovoltaics and if there's something at the end that might refer to elections, the reasonable conclusion is that essence of a draft resolution for photovoltaics. It's a draft proposal. It means that although it might be a little bit prolix, wordy in other words for those that don't understand prolix, it might be a bit prolix, and I anticipate that being prolix it covered enough area where you can draft out a lot of that stuff, cut it down to meat and potatoes that appeal to you, cut it, and leave the rest. Take the best and leave the rest.

Councilmember Sottolano: Okay cuz it's kind of the opposite, it's more like weighted toward the election piece. So what you're saying is about the language.

Harold Vadney: Yes, yes. As I was saying a person of reasonable intelligence will put two and two together and figure out what's going on.

Councilmember Sottolano: Okay. Will you send a separate draft of each because I already mentioned...

Harold Vadney: I think I did didn't I?

Councilmember Sottolano: I have the one that you know... I read it the first time you sent it and I read it again.

Harold Vadney: I sent two emails and I sent both emails came through the Clerk as well.

Councilmember Kash: I don't believe I've seen two separate resolutions from you, the one that you sent is kind of elections and photovoltaic in one. It might be more helpful if you would send two separate resolutions.

Harold Vadney: (Unable to understand) I thought I sent two separate resolutions.

Councilmember Kash: I don't believe so.

Harold Vadney: I'll check. I will check okay? But, again, there are two separate resolutions.

Councilmember Kash: I don't think we received two separate, I think we saw one that was just kind of a combo of both of your proposals.

Harold Vadney: I'll check my email. I might have. I'm not infallible. I do bads and I do boobos. Confessions.

New Business

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 80-2024

MAY 13, 2024

RESOLUTION TO AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE AGREEMENT FOR PORTABLE STANDARD TOILETS FOR AGFEST

WHEREAS two quotes were procured for four standard units, one handicapped unit, two sinks, Sunday cleaning service, delivery, solar light, and hand sanitizer.

RESOLVED the Town Board of the Town of New Baltimore approves the proposal from Greene County Septic Cleaners, Inc. for \$1,287.50.

Motion by Supervisor Ruso seconded by Councilmember Kash and Downes

AYES: Ruso, Downes, Kash, Sottolano

NAYS:

ABSTAIN: VanEtten

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 - Page 5

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 81-2024
MAY 13, 2024

**RESOLUTION TO APPROVE ADVERTISEMENT FOR PART-TIME
WASTEWATER TREATMENT PLANT OPERATOR**

WHEREAS the Town of New Baltimore is seeking one part-time Wastewater Treatment Plant Operator for the Wastewater Treatment Plant.

RESOLVED the wording for the advertisement has been approved by the Attorney for the Town and following approval from the Town Board, the advertisement will be submitted to the Town Clerk for publication in the *Times Union*.

PLEASE TAKE NOTICE: that the Town Board of the Town of New Baltimore is seeking persons interested in being appointed to the position of Part-Time Wastewater Treatment Plant (WWTP) Operator.

GENERAL STATEMENT OF DUTIES: Has responsibility during an assigned shift, for the operation and maintenance of a WWTP, performed under the general supervision of the Chief WWTP Operator.

TYPICAL WORK ACTIVITIES:

- Starts, stops pumps and makes minor repairs to pumps, motors, air compressors, and related mechanical and electrical machinery and equipment;
- Records readings from meters, scales, gauges; Maintains log of plant operations and related records;
- Treats and disposes of sludge; Operates trickling filters; Adds chlorine to sewage;
- Samples sewage for testing; Makes necessary tests for control of plant operations;
- Performs custodial duties in connection with maintenance of buildings and grounds, including simple, manual labor activities needed at the WWTP.

MINIMUM QUALIFICATIONS: Applicants must possess a strong, working knowledge, and at least one year of satisfactory experience with the actual operation of a WWTP, the necessary practices and equipment used, and the following education/training and personal characteristics:

- Current and valid license(s) from the New York State Department of Health, or any other necessary agency for sewer plant operation;
- Completion of an appropriate course of instruction approved by the Commissioner of the Department of Environmental Conservation
- Possession of or eligibility for a Grade 2 or 2A certificate issued under the provisions of the NYS Sanitary Code at the time of appointment
- Graduation from high school or possession of a high school equivalency diploma;
- Ability to understand and carry out oral and written instructions; mechanical aptitude; alertness and dependability;
- Physical condition commensurate with the demands of the position

HOURLY RATE: \$20 - \$22, depending upon applicant experience; approximately 20 hours/week.

HOW TO APPLY: A letter of intent for the position and a resume should be sent or delivered to Town Clerk Barbara Finke at New Baltimore Town Hall, 3809 County Route 51, Hannacroix, NY 12087 and must be received by the close of business on May 29, 2024

All qualified applicants will be considered and interviewed for the position.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 6

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 82-2024
MAY 13, 2024

RESOLUTION TO ESTABLISH SHORT-TERM RENTAL TASK FORCE

WHEREAS it is recognized that the Town of New Baltimore needs to address the need for a Short-Term Rental Law in the Town of New Baltimore to comply with State recommendations.

RESOLVED the Town Board of the Town of New Baltimore hereby appoints Code Enforcement Officer Allan Jourdin, Planning Board Chair Robert VanEtten, Zoning Board of Appeals Chair William Boehlke, Councilmember Kelly Downes, Supervisor Jeffry Ruso, and Deputy Supervisor Nick Dellisanti to review and develop a Short-Term Rental Law for the Town of New Baltimore

Motion by Supervisor Ruso seconded by Councilmember Sottolano

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: Just to add a point as this gets closer to fruition the public certainly will be involved or open to public. Well, you can't do all without a Public Hearing anyway and this probably will be a local law. Am I right on that?

Ellie Alfeld: And how many heads are we counting? I think you had about what eight people on this task force.

Supervisor Ruso: Well, I took someone from the Planning Board, Zoning Board, two people from the Board.

Ellie Alfeld: Yeah, one from each right.

Supervisor Ruso: And Code Enforcement.

Councilmember Kash: Code Enforcement Officer.

Supervisor Ruso: I think it's only five.

Ellie Alfeld: And this task force is necessary for what and maybe our lawyer can tell me.

Michelle Storm, Esq.: Well, I'm not gonna speak to what the Town Board just passed a resolution on, but I would surmise that it is to rally a group of people who are representatives of the Town to help draft a local law that would address short-term rentals to whatever serves the Town Board.

Ellie Alfeld: We're talking about the property like an apartment or that type of rental?

Michelle Storm, Esq.: Short-term rentals is considered any rental of any property in a short term.

Ellie Alfeld: Right, that makes it a little clearer on what this Task Force is gonna do, thank you.

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 7

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 83-2024
MAY 13, 2024

**RESOLUTION TO SURPLUS HIGHWAY EQUIPMENT AND
PLACE ON GOVDEALS AUCTION LIST**

WHEREAS Highway Superintendent Alan VanWormer has identified and requested to surplus a 2002 International Dump/Plow Truck #3 and one old yellow equipment trailer no longer needed by the Highway Department.

RESOLVED the Town Board of the Town of New Baltimore approves the placement of said equipment on GovDeals Auction List.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: Alan, when did you say you were gonna put this on tomorrow?

Highway Superintendent VanWormer: Yeah, I'll get ahold of them tomorrow.

Supervisor Ruso: Alright, beautiful. Thank you.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 84-2024
MAY 13, 2024

**RESOLUTION TO REPAIR DANGEROUS AND UNSAFE CULVERT
AT 48 GILL ROAD**

WHEREAS it has been identified that an unsafe open culvert exists at 48 Gill Road;
and

WHEREAS Town Highway Superintendent Alan VanWormer has indicated that the Town Highway Department installed said culvert many years ago and that the culvert represents an unsafe condition and safety hazard.

THEREFORE, BE IT RESOLVED, the Town Board authorizes the Highway Department to complete the repair of said culvert as soon as possible.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Councilmember VanEtten: Yeah, I'm wondering is there anything over it or around it?

Highway Superintendent VanWormer: Not right now. What it is is a 36" culvert.

Supervisor Ruso: I was gonna say 4'.

Highway Superintendent VanWormer: Yeah, probably like 18 years ago or so and it's wide open so a kid could go in there, animal could go in there. What we're proposing to do is where that pipe is right now, bring it out to the edge of Gill Road, put a manhole in there, run that pipe into the manhole, put a top on it so nobody can ever get in there.

Councilmember VanEtten: Because we do have a couple of little ones in that area.

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 8

Supervisor Ruso: I think the homeowner has two boys under the age of ten.

Councilmember VanEtten: Yeah, he does, little ones.

Supervisor Ruso: You've got a 4' wide tunnel for a kid to play in which we don't want. Think we should fix that.

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 85-2024

MAY 13, 2024

RESOLUTION AUTHORIZING THE REPAIRS ON INTERNATIONAL PLOW TRUCK (#13)

WHEREAS the 2012 Internation Plow Truck has an inoperable Turbo Charger and must be replaced, and

WHEREAS the quote for the above-mentioned truck is \$18,175.83, and,

WHEREAS the Highway Superintendent has certified that the needed repairs for said truck are of an emergency nature,

THEREFORE, BE IT RESOLVED That the Town Board of the Town of New Baltimore does hereby authorize the Highway Superintendent to proceed with the aforementioned repairs to Truck #13 with HL Gage, Inc.

Motion by Supervisor Ruso seconded by Councilmember Kash

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Councilmember Downes: Alan, is the new truck isn't replacing this one right? The new one that we may get in '25 or '26?

Highway Superintendent VanWormer: Actually we've been in talks to replace that one.

Supervisor Ruso: Yes, in fact I did want to have our Attorney to review that original contract because they are looking at \$13,000 to something we ordered in 2021. We had an agreement.

Highway Superintendent VanWormer: I agree.

Supervisor Ruso: My opinion is we had an agreement. Where's this extra was it \$15,000?

Highway Superintendent VanWormer: Yeah, almost \$16,000, \$15,000 almost \$16,000.

Supervisor Ruso: Can they do that?

Michelle Storm, Esq.: Was it out to bid?

Supervisor Ruso: It was bought off of the Onondaga County bidding price in 2021.

Michelle Storm, Esq.: Was it a piggyback bid?

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 9

Supervisor Ruso: Yeah, it was a piggyback purchase, yeah.

Michelle Storm, Esq.: Okay I'll look into it. It depends on the change, if it's a changeorder sometimes they can, but I'll look at it.

Highway Superintendent VanWormer: It was a supply issue, they couldn't get it (unable to understand).

Supervisor **Ruso:** Did get around to it is more like it.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 86-2024
MAY 13, 2024

**RESOLUTION AUTHORIZING THE PURCHASE OF A 2014 KAUFMANN
EQUIPMENT TRAILER**

WHEREAS the Highway Superintendent has indicated a need to purchase an equipment trailer to bring equipment to sites within the Town of New Baltimore, and

WHEREAS the Highway Superintendent has provided 3 quotes, and

WHEREAS the lowest quote, from MJR & Sons of Athens, NY for \$5,000

THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Baltimore does hereby authorize the Highway Superintendent purchase said trailer from MJR Inc.

Motion by Supervisor Ruso seconded by Councilmember Sottolano

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: We have a local resident, Barb spoke with them, who is having a lot of guests in Town and they've asked to be able to park on places, Town property. So I'm going to make a Motion to allow that resident to use the Town Hall, Highway Garage front lot, and Town parks for parking for wedding festivities from July 4-7, 2024 and Town Hall for post-wedding activities. So I'll make the Motion.

Councilmember Kash: Second.

Councilmember Downes: What is Town Hall for post wedding? I don't understand. Is that just parking or because the rest of it says parking, but I was...

Town Clerk Finke: It's a little get-together she wanted to have with her bridal party before they left.

Councilmember VanEtten: At Town Hall?

Town Clerk Finke: Yes, the wedding's at their house.

Councilmember Kash: A little get-together in the Town Hall.

Ann Marie Vadney: Will they be having insurance for the parking and all that stuff for the Town responsible if something happens?

Supervisor Ruso: Well, the Town's is not gonna be responsible anyway, but they have insurance on their vehicles.

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 10

Town Clerk Finke: We've done it before.

Councilmember Kash: It's just a little reception in here before they get...

Ann Marie Vadney: Well, when I used the Town Hall I was required to have insurance, insurance from an insurance company. Now this is not an official event or anything (unable to understand).

Supervisor Ruso: They just need a place to park mostly, that's the way I see it.

AYES: Ruso, Kash, Downes, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 86-2024

MAY 13, 2024

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 2024-05-01 to 2024-05-50, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2024-05-01 to 2024-05-50.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until June 30, 2024.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

General \$17,356.22, Highway \$203,825.79, Sewer 1 \$7,552.39, Sewer 2 \$40.55, Water 2 \$5,510.00, Street Lighting 1 \$1,640.60, Street Lighting 2 \$247.44, Total \$236,172.99

Upcoming Meetings

- May 18-19, 2024 Townwide Roadside Cleanup
- May 25-26, 2024 Townwide Roadside Cleanup
- May 27, 2024 Town Offices Closed in Observance of Memorial Day
- May 29, 2024 Grievance Day from 4-8 PM
- May 30, 2024 Town Board Work Meeting at 7 PM
- June 1-2, 2024 AgFest at the VanEtten Farm
- June 5, 2024 Zoning Board of Appeals Meeting at 7 PM
- June 10, 2024 Town Board Regular Meeting at 7 PM
- June 13, 2024 Planning Board Meeting at 7 PM
- June 24, 2024 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

Ann Marie Vadney: My first thing was about School Hill Road update. Did we have any update on that?

Supervisor Ruso: No, I don't have any update, I don't know if Alan has anything for it.

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 11

Highway Superintendent VanWormer: No, it hasn't (unable to understand).

Ann Marie Vadney: Okay, then I'm sure no one is going to like what I have to say now. I am finding tonight to be very interesting because I don't understand why there's no input from the Board when people ask questions like about the County chargebacks, no one says a word. You said you were going to try and do something, but I really think it's important if our whole Board has some type of input into it. I think it's a very important issue and I know there's other people here that also think it's an important issue. It's a lot of money and if you need help doing something, let people know. You know which people are involved with the voting. We would like to address this on a County basis. I know we're just the Town of New Baltimore, but it's \$12,000, \$14,000 to our small town. We don't get any sales tax money right back so...

Councilmember VanEtten: Well, and then in fact we've been fighting for years. I mean this to me it's a bigger priority since it's way more money involved.

Ann Marie Vadney: Yes, but like I said I think that maybe we need to work together and go to these other towns and get a boot to go to this County Legislators who really seem to not care too much about us small town people but each small town because all the other small towns must be hurting with this issue as well. I mean \$5,000 is a lot of money to a small town, but when you get over \$10,000. So I would really appreciate on behalf of other people in our Town that are very interested in this if maybe we could do something about it. I think there's inconsistencies. I'm watching inconsistent behavior in regard to people who come and speak and I have to say this it's hard to get people to come to these meetings and I don't think anyone's doing this on purpose, but I think there's a lot of people who come to the meetings and really don't feel like what they have to say is interpreted as being important. Like I said you might not like what I'm saying, but I think we all have to step back sometimes and think about what I'm saying because like even tonight there was supposed to be more people here and some of the responses that you get, it is important for them to come and I think we all agree that people have to come to these meetings so they know what's going on because I know I get a lot of weird phone calls asking me questions and I say 'come to the Board meeting, I don't represent that area you know,' but I just feel a little disillusioned. But I also wrote an email about the solar as a Planning Board member as well as a citizen about the possibilities of having the moratorium because it seems like there's a lot more new information coming out and I don't think... As a member of the Planning Board I know my peers sometimes we really don't have answers you know and I think it's important that we as a Town talk about these things and I mean with you guys, you guys are in charge of the majority of the decommissioning plans, the approval of the Codes, so I think that I know I and others don't want to misrepresent, we just stay quiet sometimes because we don't want to misrepresent you know, but I think we need answers about some of the questions that I even put in that email I sent so we have more tighter directive maybe because these guys come into our Town and they don't you know... I mean we have a good Planning Board and these guys come in with their lawyers and threaten to sue us on their first time coming in and they didn't even give us the application yet. So you know I guess they think all small towns are not too bright and they keep saying to us over and over 'well we never had anyone else do this to us.' Well, too bad, this is the Town of New Baltimore you know, we want to protect our Town. We want to let you in, but we want to protect our Town too. So I think there are some outstanding issues that we all need to talk about. Thank you.

Michelle Storm, Esq.: So I'll say this in response to you and I'm just speaking as an Attorney not as a member of the public or a member of your community because I'm an appointed official and I'm not an elected official, but the Public Comment Period is strictly supposed to be, the way the meetings are set up, a time for people to make a comment, not a back and forth exchange. So I'm not speaking for anyone here on the Board. Obviously everyone is welcome to do that, but to have a conversation with the Planning Board as a full Board outside of a public meeting, then you're dealing with Open Meetings Law. There's a lot of things that comes into play...

Ann Marie Vadney: Oh, I know all that, but I think there's a mechanism.

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 12

Michelle Storm, Esq.: Yeah, so there's a lot of things that come into play and I think that might be part of the barriers with respect to that.

Ann Marie Vadney: But I think there's ways we can do it because...

Michelle Storm, Esq.: Of course there are and again I'm not a part of this community and I'm not speaking, I don't want to speak out of turn here because there are other people, I'm sure you're privy to this, but there are other people present so there are things, other hurdles that everyone has to kind of...

Ann Marie Vadney: And I'm not saying, I mean like I said we have a good Planning Board and we have people who are concerned and sometimes I think we feel a little bit stunted maybe if that's the right word as to how we can better do what we are supposed to be doing.

Michelle Storm, Esq.: Yeah, and to the extent that you as a Planning Board feel that you need legal representation, I recommend that you reach out to the Town Board to see whether or not our resources or other outside resources come into play because if somebody's coming in flexing that they're gonna sue or do something out of turn, it would behoove the Board to know it's a lot of hot air or it's valid or something else.

Ann Marie Vadney: Well, you don't know when that's gonna happen, but anyway...

Michelle Storm, Esq.: I know.

Ann Marie Vadney: Again, and also I'm a little surprised about the, I mean I'm all for people using our Town Hall and property, but I also think that we should be consistent when someone's using it that they follow the same procedures.

Harold Vadney: I was wondering if Ms. Storm was giving legal advice or legal information just now as she spoke from the table there? You don't need to respond.

Michelle Storm, Esq.: I know I don't need to respond, but I'm entitled to if I'd like to right?

Harold Vadney: Well, request permission to take the floor from the Board like anybody else does.

Supervisor Ruso: Please proceed.

Michelle Storm, Esq.: I don't think I need to do that.

Harold Vadney: Okay, everybody else has to request permission so I think you should too. I share the concern of liabilities and wonder whether or not you've consulted with the Town Attorney on the aspect of personal and property liabilities when you're opening the doors and property to the public of public property of the Town properties. It's ridiculous that you should have mentioned that they have car insurance that offers sufficient coverage for any liabilities. I think that's absolutely ludicrous and for you to sit up there and offer that as an alternative for other coverage for liabilities I think is ridiculous. The second thing is moratoriums and the invocation of home rule in governance of our properties here in the Town. You remember home rule don't you? I hope so. It's in the New York State Constitutions as a matter of fact. That would cover a lot of the questions when you have these characters coming in here with their plans and their projects. What I gathered here is that we have a human resource problem when we're talking about elections and photovoltaics and Planning Boards and this sort of thing which I do believe does lend support to my proposals, my draft resolutions for the establishment of the ad hoc committees for photovoltaics and for election issues. It seems that neither the Board, the Town Board nor the Planning Board, has the resources or the energy apparently to get any of these things done properly and I am aware that the Planning Board does not have sufficient resources information or otherwise to really really substantiate their decisions. I don't know how they do it. If I'm assuming the production to my FOILS is reasonably responsive, it's totally unimpressive. So that having been said, anything that was said here tonight, fully supports the proposal for ad hoc committees for elections and for

TOWN OF NEW BALTIMORE **Draft 6/8/2024**
COUNTY OF GREENE **Adopted 6/24/2024**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
MAY 13, 2024 – Page 13

photovoltaics. The other issue, again I'm astounded who said somebody's car insurance is gonna cover liabilities for the Town. I think that's ridiculous.

Adjournment

Motion by Councilmember Downes seconded by Councilmember VanEtten, the meeting was adjourned at 7:46 PM

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC CTO
Town Clerk