

**AGENDA
TOWN OF NEW BALTIMORE, COUNTY OF GREENE
TOWN BOARD WORK MEETING**

SEPTEMBER 23, 2024

Please turn off all cell phones and electronic devices.

Reports

Supervisor

County Legislator

Town Clerk

- Resolution to Approve Opening of an Account with W. B. Mason for Office Supplies
- Distribution of 2025 Tentative Budget to Town Board
- September 9, 2024, Town Board Regular Meeting Minutes

Historian

Agriculture/AgFest (Member VanEtten)

Animal Control (Chair Kash, Member Sottolano)

Assessment (Chair Sottolano/Member Kash)

Audit and Budget (Chair Ruso/Member Downes)

Buildings & Grounds/Recycling (Chair Downes/Member VanEtten)

Code Enforcement Officer (Chair Downes/Member Ruso)

- Resolution to Approve an Advertisement for Temporary Part-Time Clerk for the Office of the Town Assessor

Fire, EMS & Law Enforcement (Member Dellisanti)

Grants/Promotions/Economic Development (Chair VanEtten/Member Ruso)

Greene County Planning Board (Sottolano)

Highway (Chair Ruso/Member Downes)

- Resolution to Purchase a 2023 5500 Series Cab and Chassis
- Resolution to Purchase a Plow and Sander from Toad's LLC Under Sourcewell Contract
- Motion to Purchase an Additional E-Z Pass Commercial Tag for the Highway Dept.
- Leaf Pickup in the Hamlet on Mondays Mornings from October 28 through November 5
- No Parking on Town Roads, Streets, or Shoulders from November 15-May 15 for Snow Removal

Insurance (Chair Ruso/Member Downes)

Personnel (Chair Ruso/Member VanEtten)

Planning Board (Chair Downes/Member Kash)

Seniors (Chair VanEtten/Member Ruso)

Technology/Website (Chair Downes/Member VanEtten)

Town Courts (Chair Kash/Member Sottolano)

Veterans and Memorials (Chair VanEtten/Member Downes)

Wastewater Treatment (Chair Sottolano/Member Kash)

Water Districts (Chair Kash/Member Sottolano)

Youth, Parks and Recreation (Chair VanEtten/Member Ruso)

- Resolution to Refund Half of Park Deposit

Zoning Board of Appeals (Chair Sottolano/Member Kash)

Upcoming Meetings

- October 2, 2024, Zoning Board of Appeals Meeting at 7 PM
- October 5, 2024 Mobile Spay/Neuter Clinic at Town Hall, Pre-Registration Required at jkash@townofnewbaltimore.org
- October 10, 2024 Planning Board Meeting at 7 PM
- October 14, 2024 Town Offices Closed for Columbus Day
- October 16, 2024 Town Board Regular Meeting at 7 PM
- October 28, 2024 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

Audit of Claims

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 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.

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Supervisor Ruso opened the meeting at 7:02 PM and the Pledge of Allegiance was said. Also attending Councilmembers Downes, Kash, Sottolano, VanEtten; Town Clerk Finke; Highway Superintendent VanWormer; and 15 members of the public who signed the attendance book. Absent: Deputy Supervisor Dellisanti

Supervisor Jeff Ruso

Supervisor Ruso: The Monthly reports for the Month of August have been forwarded. Has everyone had a chance to review them?

Motion by Supervisor Ruso and seconded by Councilmember VanEtten to approve the August Monthly Financial Reports

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: In addition to that little snippet we have in front of you I put the process out of the Town Code for each of you to review on doing a PDD, Planned Development District. The Planned Development District in my 12 years on the Board we've not done one. In fact, I don't know if there's one in the Town whatsoever.

Councilmember VanEtten: They're supposed to be one done on 9W that the IDA was putting in, but it never came to fruition.

Supervisor Ruso: Okay, that was before my time.

Councilmember VanEtten: No, it wasn't.

Ellie Alfeld: It seems to me something mentioned a quite a few years ago ...

Councilmember VanEtten: Yeah, we just got on the Board.

Supervisor Ruso: Nevertheless, in recent history we don't have any such thing so what I have before you is just an introductory, just for quick conversation amongst us, and I believe on the next meeting we're going to vote on what we need to. On Wednesday at 3:30 I have a meeting with the Planning Board Chair and we're gonna go over these details and I'm trying to get a meeting with our Town Attorney so that we can get our t's crossed and i's dotted so we can move forward and get this done. It doesn't seem to be that complex, but I'm sure it is. So, there's a lot of issues that need to be considered and let's see what we can do to get done with it expeditiously. Okay, any questions? Hearing none, let's move forward.

County Legislator Pat Linger

Given the fact that I left for vacation the morning after our regular meeting in August, I was not able to get a report out at that time. This month's report will include points from that month as well as September. I have attended all committee and regular meetings of the Legislature, as well GC Senior Day, the NB Veterans picnic, the new Leeds Stewarts grand opening, and was asked to MC the GC 9/11 Ceremony. In 2024, we added 2 names to the monument for first responders who lost their lives due to the events of 9/11. NYS Trooper Ivan Morales and Greenville/Freehold firefighter Aaron Matthews have passed away from illnesses related to the events of that tragedy. We passed the GC sponsor share of the CGCC budget with a \$21,000 increase for a total budget of \$6.4 million for both counties. We will continue our foundation scholarship aid of \$50,000 per semester, available for any student who resides in Greene County. Sticking with budget discussion, we have set the Public Hearing for the 2025 Greene County budget for October 28, 2024. This hearing will be held at the Catskill High School Auditorium at 6:00pm. At this time, we are projecting a 6th consecutive budget with no increase to the levy. Maybe it's just coincidence, but this is also my 6th year as Chairman of the Legislature. The household hazardous waste collection event was another success with over 225 vehicles in attendance. Paving continues on CR 54 this week. I appreciate the patience shown to our GC Highway crews while they worked to replace 13 culvert pipes in this area. We are still short-handed if anyone is

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looking for work. We authorized the purchase of a used road widener for \$85,600 which is roughly half the price of new. The work at the Catskill Transfer station for the new residential drop-off area is progressing nicely. We awarded the reconstruction of the tipping floor of the Catskill transfer station as well. This will complete over \$6.5 million in repairs, re-design, and construction of our transfer stations over the last few years. No bonding was required for any of these projects as they were paid for from cash reserves. We authorized the 2025 contract with Greene EMS for \$2.257 million for the County portion of the budget. This sum is approximately 85% of the total budget, with the remainder made up from the Towns. The long-awaited report from Fitch & Associates has been released to the public. The policy group will meet on October 9 to discuss options for improving and sustaining our EMS system. The 2025 budget does not include any funding which may change as a result of this study. We also established a new, honorary position of Poet Laureate for Greene County. We appointed Alexander “Mickey” Begley as coroner. Susan Timan was appointed to the CGCC Board of Directors. Construction of the new Greene County Justice Center is well underway. Roughly 30% of the foundation is now out of the ground and continues to increase every day. This is significant because once we’re out of the ground entirely, we should see very few surprises or change orders. Due to unforeseen circumstances during excavation, we started off about 3 weeks behind on this project. It’s in a tight site, but the end result will serve Greene County well for many years. Stewarts has begun remediating their former site in Leeds. We expect to gain title to that property soon and will begin work on the new \$2.2 million Tourism Center there, again paid for from reserves with no bonding.

Councilmember Downes: The Columbia-Greene budget, that’s \$6.4 million for both Counties. What is our share of that and how does that work?

Legislator Linger: We were just over \$300,000 and it’s based off the percentage of students that each County has from the previous year. So, our student population was actually up a little bit. Columbia County was down a little bit percentage wise, so our share went up just a shade. I think last year it actually went down but this year it goes up.

Councilmember Downes: So it’s all based on where our population goes.

Legislator Linger: Yes, it’s based off student population and where they come from. What we’ve done though to try and level that is we’ve taken the average of three years, on the budget side of things. Columbia County has a hard of time figuring what they’re gonna need to pay and we figured doing an average of three years will kind of steady things.

Councilmember Downes: It doesn’t make a difference like if they’re coming out of high school or if I go back to school, do we still factor into your numbers?

Legislator Linger: It does factor in. We actually seeing a lot more part-time students or people that are going back for the shorter degrees, certificate classes, those sorts of things. We have quite a few students who actually do that, a lot more in high school taking college courses. So, yes, that does factor in and it doesn’t help us. It doesn’t help Columbia County either on the student side of things because they’re not considered full-time students so you don’t get a whole lot of extra help from the State because your student population is still included with those numbers.

Town Clerk Barb Finke

8 Building Permits \$1,233.16, 5 CO Searches \$250, 3 EZ Pass Tags \$75, 15 Hunting & Fishing Licenses \$84.74, 15 Dog Licenses \$120, 2 Late Licenses \$10, 1 Marriage Licenses \$17.50, 1 One Day Officiant License \$25, 1 Culvert Excavation Under Driveway \$35, 1 Non-Resident Park Rentals \$50, 12 Certified Copies \$120, 9 Photo Copies \$2.25, 1 Recycle Fees \$120, Total State, County & Local Revenues \$3,484.41, \$25 to New York State Department of Agriculture and Markets for the Spay/Neuter Program, \$22.50 to New York State Department of Health for Marriages, \$1,294.26 to the New York State Department of Environmental Conservation for Fishing Licenses, Total to Supervisor \$2,142.65. To date we have collected \$3,202,730.72, Penalties of \$12,109.95, Returned Check Fee of \$20, and Notice Fees of \$94. We received \$248 from Greene County to cover the Notice fees for the 124 unpaid parcels. This represents 83% collected and remaining uncollected of \$417,079.65. August 1st all unpaid property taxes were

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submitted to Greene County Treasurer's Office. We received 1 FOIL in August bringing the total for the year to 21 as of August 31st. I would like to add for the official record that at no time does the Town Clerk or Deputy Town Clerk advise residents on the STAR, Enhanced STAR, or any exemptions for which Town residents may qualify. We refer all inquiries to the Assessor's Office, take messages and ask the Assessor's Office to call the resident back who is making the inquiry, and we do not stamp receipt of any paperwork. We do ensure there is a telephone number in case the Assessor or Clerk have any questions or need additional information. At no time does the Town Clerk or Deputy Town Clerk tell residents to slide paperwork under the door, we take possession of the paperwork and slide it under the door ourselves and residents are never told to step into the office unless invited by the Assessor or Clerk. We do not unlock the door, nor do we tell residents to enter the office and put paperwork on the desk. In fact, the Assessor's office is only open when the Assessor or Clerk are in the office, it is locked when no one from the office is in Town Hall. The only time the Assessor's Office is open is when the Assessor or Clerk are in the office -- the bottom door is locked and the top door is open. Additionally, Assessor Dawn DeRose was appointed on September 13, 2021 following the resignation of Justin Maxwell on September 1, 2021. Diane Jordan retired from Town service on December 31, 2021. We are collecting delinquent 2024 Sewer bills with 16% penalty for first half and 4% for second half by October 15. Water billing for 2023's third quarter has a 22% penalty, fourth quarter 16%, and 2024 first quarter with 10% and second quarter 4% until October 15. Payments for all outstanding 2024 Sewer bills and Water bills for 2023 third and fourth quarter and first and second quarter of 2024, will not be accepted after October 31st. These will be sent to Greene County for relevy onto 2025 property taxes.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 119-2024
SEPTEMBER 23, 2024

RESOLUTION TO APPROVE OPENING OF AN ACCOUNT
WITH W.B. MASON FOR OFFICE SUPPLIES

WHEREAS the Town Clerk's Office orders office supplies and materials at the lowest cost for all Town Hall staff currently through Quill and Staples.

RESOLVED the Town Board of the Town of New Baltimore authorizes the Town Clerk to submit the application to open an account with W.B. Mason for supply and materials purchases.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: Barb, do you want to do the distribution of the budget? I can actually discuss this, I've already had a conversation with, particularly our newest members of the Town Board, the other ones have been through this before. This is what we call our Tentative Budget. It really is, another or better term for it or something we recognize better is, it's our first draft. The Preliminary Budget will be our second draft, and the Final is, well that's a rather clear category, but the first draft is the best way to discuss this. Every day something comes in different. In fact today I received something. This is an illustration we estimated our Workers Comp cost was going to be \$12,000, excuse me, \$13,020, but I've got a bill in for \$10,800. Just today. And, of course, that's one of those that are on the lucky side. We'll have plenty of others whose estimates or the prices are going to be higher than our estimate for 2024. But we'll take the ones where we can, and we'll suffer the losses as we counter. So, this is a first draft, look it over, and the dates for our upcoming meeting for this, I believe we're planning on doing it on the, I don't recall the date, it was October.

Councilmember Kash: Nick had said October 16.

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Supervisor Ruso: I think so, yeah, because we're not gonna be open on Columbus Day. Okay, so we're gonna have our public discussion on the 16th and you can see that the 16th is our Town Board meeting which is on a Wednesday.

Councilmember Downes: Are we doing that early or are we gonna do it at 7?

Supervisor Ruso: We can discuss that.

Councilmember Downes: Well, you said it was a Public Hearing.

Councilmember Kash: I believe it starts at 6:30.

ADOPTION OF MINUTES

The September 9, 2024 Town Board Work Meeting Minutes submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember Downes as amended. 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

Supervisor Ruso: I just was telling them an illustration of how things change, you can have it for your notes if you wish. We had estimated our Workers Comp was gonna be \$13,020 and I've got a bill on my desk from Greene County for \$10,300. So that's what happens in a Tentative Budget hopefully.

Supervisor Ruso: Barb, all I wanted to do is thank you for pointing out some of the things that were asserted about the tenure of various people from the previous meeting who left us when because I couldn't remember. But thank you for clearing that up.

Budget

Supervisor Ruso: Well, we have our budget here in front of us. I hope everyone here will have a review of it.

Recycling Center Operator Kirk Trombley

September monthly report 8/28-9/23/24, 60-gallon bags of plastic 8, 9 Bundles of Magazines and Phone Books, 31 Bags and Bundles of Newspaper, 102 Boxes and Bundles of Cardboard, 9/11 1 Stove, 9/14 1 Air Conditioner, and 9/18 1 Dishwasher.

Code Enforcement Officer Allan Jourdin

Summarization of Code Enforcement Officer activities for August 2024, is as follows: Building Inspections: *Figure Not Available at Report Time*, Total Building Permits Issued: 8, Certificates of Compliance Issued: 4, Certificate of Occupancy Search Requests: 4, New Building Permit Applications Received: 8, Open Building Permits: 232, New Septic System Application: 1, Roof Top Solar Applications: 1, Ground Mount Solar Application: 1, Application Fees for August: 2024: \$1,233.16, Total Fees for Year to Date: \$20,754.70

Assessment

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 120-2024
SEPTEMBER 23, 2024

**RESOLUTION TO APPROVE AN ADVERTISEMENT FOR THE POSITION OF
TEMPORARY, PART-TIME CLERK FOR THE OFFICE OF THE TOWN ASSESSOR**

WHEREAS the Assessor for the Town of New Baltimore seeks to undertake collection of data to ensure that any additional assessed value that is due to the Town based on completion of work under current building permits, and

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WHEREAS the Assessor has identified a large number of issued building permits in need of review for possible increase in assessment value,

BE IT RESOLVED that following the approval of the within Resolution by the Town Board, the following advertisement will be posted on the INDEED job posting website for one (1) week, with additional copies posted on the Town sign board and on the Town website:

PLEASE TAKE NOTICE: that the Town Board of the Town of New Baltimore is seeking people interested in being appointed to the position of Temporary, Part-Time Clerk for the Office of the Town Assessor.

GENERAL STATEMENT OF DUTIES: Collection of data for purposes of reviewing and updating the assessment value of properties with currently active building permits

TYPICAL WORK ACTIVITIES:

- Does necessary research to obtain statistical data
- Inspects all building permits that could have a partial assessed value while waiting for a Certificate of Occupancy (C/O) or Certificate of Completion (C/C).
- Visiting the building sites and updating the photos of the issued permits.

MINIMUM QUALIFICATIONS:

- High School diploma or equivalent
- One (1) year of full-time paid, or it's part-time equivalent, clerical experience in an assessor's office, real estate broker's office or any other type of office involved in real estate valuation records
- Have working knowledge of state and local regulations governing taxes, exemptions, and Assessment; building permits, assessment changes.
- Good interpersonal, organization and research skills
- Computer literacy.
- Commitment to public service

SPECIAL REQUIREMENT: Possession of a valid, New York State Driver's license is required at time of appointment and this license must be maintained throughout employment.

PERIOD OF TEMPORARY APPOINTMENT: October 15 – December 30, 2024

HOURLY RATE: \$17.00 per hour; approximately 6 hours/week, as well as gas and mileage expenses

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 October 11, 2024.

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

Motion by Supervisor Ruso seconded by Councilmember Sottolano

Councilmember Downes: So, my question is if we're only gonna get this on the 11, we don't meet until the 16th, how are we putting somebody in place on the 15th?

Supervisor Ruso: We're not. The person won't be appointed until the Town Board meets.

Councilmember Downes: Right, which is the 16th,

Supervisor Ruso: It actually gives us a little more time to consider the throng of applicants that will come in.

Ellie Alfeld: The Town Assessor's office is of a small size. She does have an assistant that works there as well. Where are we gonna put all those people?

Supervisor Ruso: Well, this one is mostly gonna be on the road. Get in the car. One of the problems is the Building Permits are not known by the Assessor's Office as being improved upon now right? And there's a lot of Building Permits, I'm trying to remember if it was three years ago roughly, the Town of New Baltimore allowed you to have your Building Permit open

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for as long as you were alive and them probably after. Okay and Building Permits were not finalized.

Ellie Alfeld: I understand.

Supervisor Ruso: And they are supposed to be inspected by the Code Enforcement Officer...

Ellie Alfeld: And issue compliance, correct?

Supervisor Ruso: And issue a Certificate of Compliance. We've got Building Permits that are 15 years old.

Ellie Alfeld: So, you're gonna get the backlog okay right?

Supervisor Ruso: What we've not is we put a deadline. We grandfather people in, but everybody's Building Permit is up for renewal, and we gave a notice and it had to be in five years. I think it's at the end of next year. Every Building Permit must be, you have five years. That's it. And so you have people who finished things for reason I don't know, the Building Permit information didn't go to the Assessor's Office and the Code Enforcement Officer did or didn't do them based upon what happened. It's hard to explain...

Ellie Alfeld: And a lot of people wouldn't finish their building because they felt that their taxes would only go up and so they avoided completion. But it wasn't the building process that I was concerned about, we need more office space.

Supervisor Ruso: And quite frankly there's a number of properties where things were never permitted and there they are and they're being posted on real estate websites with brand new x, y, and z.

Ellie Alfeld: So that's the answer, this person's gonna be mostly on the road and report back...

Supervisor Ruso: Yeah, and updating what's there, updating what's there.

Councilmember Sottolano: At most six hours a week.

Supervisor Ruso: So we're trying to catch up to what should have been done. Is that a fair way to put it?

Town Clerk Finke: I was gonna say that the Assessor's Office is closed on Mondays and Fridays so there's plenty of room and time.

Supervisor Ruso: They can sit in my office, I don't care.

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Greene County EMS Representative Nick Dellisanti

The regular monthly meeting was held Tuesday, September 17, 2024. There were 26 EMS calls in June, 15 EMS calls in July, and 27 EMS calls in August for a total of 166 for this year 2024. Year to date: Strokes – 34, Overdoses – 46, Narcan – 21. We had 171 calls for all of 2023 and at the end of August 166 for 2024.

Highway Superintendent: Alan Van Wormer

Washed and Greased all trucks; Installed dangerous curve sign in Mathews Point Road; Patched Roads with blacktop; Picked up dead deer on Lydon Lane; Removed fallen tree from Alcove Road; Put item 4 on school bus turn around on Sunset Hill Road; Continues roadside mowing Had 7 trucks haul dirt to District 3 park thank you to Town of Cossackie and Town of Greenville

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for their help; Mowed and weed whacked parks as needed; Cleaned inside of highway garage; Picked up transfer tank loaned to the Town of Coxsackie; Assisted Town of Coxsackie with emergency fuel tank leak; Repaired hydraulic leak on Roadside boom mower; Started to grader patch Paradise Hill Road with blacktop; Returned chairs to Cornell park, they are now anchored with 20 pounds of concrete on each one; Replaced dry fire hydrant at Grapeville Church for Medway Grapeville Fire Company; Cut brush and weeds around road signs; Built separation wall in large sand she to divide sand and salt; Met with various vendors regarding new highway truck; Began rear brake replacement on 2013 International truck number 7.

Supervisor Ruso: You know it's really nothing major, but believe it or not I had someone ask me what do you guys do with the dead deer?

Highway Superintendent VanWormer: Bury them out in the back.

Supervisor Ruso: That's what I consider, I don't want to be in the business of distributing them and I was hopeful that you guy weren't.

Highway Superintendent VanWormer: Believe me the ones we pick up nobody wants.

Supervisor Ruso: That's good, but you guys don't pick them up on State or County roads, correct?

Highway Superintendent VanWormer: No.

Supervisor Ruso: Because I did get a call from someone who was not happy, they live on County road and no one would pick up the deer.

County Legislator Linger: We will pick up the deer.

Supervisor Ruso: I forwarded it to the Highway Department, the County Highway Department. I mean this time of year we get more it seems.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 121-2024
SEPTEMBER 23, 2024

RESOLUTION TO PURCHASE A 2023 6500 SERIES CAB AND CHASSIS
UNDER PIGGYBACK CONTRACT

WHEREAS the Highway Superintendent has procured two quotes, one from Mangino Chevrolet and one from DeNooyer Chevrolet, for the purchase of a cab and chassis for the Highway Department.

WHEREAS the Highway Superintendent is recommending the purchase of a leftover 2023 6500 series cab and chassis with a 9' airflow stainless steel body with pass through tool storage between cab and dump body, for a total cost of \$94,500 from DeNooyer Chevrolet under a piggyback contract with Franklin County.

WHEREAS the DeNooyer truck is \$362.50 more expensive than the Mangino truck, this 2023 new truck has a full manufacturer's warranty, has 4,000 pounds more payload gross vehicle weight, and is recommended by the Highway Superintendent.

RESOLVED the Town Board of the Town of New Baltimore approves the purchase of said truck from DeNooyer Chevrolet through Highway Reserve Funds.

Motion by Supervisor Ruso seconded by Councilmember Kash

Councilmember Downes: So, are you looking at that just because of the weight of the truck, Alan?

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Highway Superintendent VanWormer: Yeah.

Councilmember Downes: Because the \$5,500 out of Mangino is a '24 so it would have the full warranty on it.

Highway Superintendent VanWormer: Right, but it's a lighter truck, 4,000 pounds gross weight less.

Councilmember Downes: So that's the major reason that went the other way okay, but is the '23 full bumper-to-bumper on that?

Highway Superintendent VanWormer: Yes.

Councilmember Downes: We don't have any restrictions?

Highway Superintendent VanWormer: No.

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 122-2024
SEPTEMBER 23, 2024

**RESOLUTION TO PURCHASE A PLOW AND SANDER FROM TOAD'S LLC
UNDER SOURCEWELL CONTRACT**

WHEREAS the Highway Superintendent has procured two quotes, one from Toad's LLC and one from Trius, Inc, for the purchase of a plow and sander for the new 2023 5500 Series Cab and Chassis.

WHEREAS the Highway Superintendent is recommending the purchase of a Fisher plow and sander from Toad's LLC under Sourcewell Contract 06-2222-DDY

RESOLVED the Town Board of the Town of New Baltimore approves the purchase of said plow and sander from Toad's LLC for \$16,750 installed.

Motion by Supervisor Ruso seconded by Councilmember Downes

Councilmember Downes: What are we looking for time on this because we've had this...

Highway Superintendent VanWormer: Complete in our yard less than ten weeks.

Councilmember Downes: So, we're looking before the first snow hopefully.

Highway Superintendent VanWormer: The truck is in stock, the sander is in stock, the dump body is in stock, we're just waiting on the truck for the toolbox to come in. I talked to DeNooyer earlier today he said as soon they get the okay, they'll send the truck over to TNT. They'll do the body and they'll put the toolbox on as soon as it comes, probably four to six weeks and then it will go from there to Toad's for the plow and sander. He said he can have it done in a week so we're looking at eight to ten weeks.

Councilmember Downes: So there's not gonna be any hold up at Toad's.

Highway Superintendent VanWormer: Nope.

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Councilmember Downes: Can we take that without the toolbox if we needed it and then just put it back in and have the toolbox put on?

Highway Superintendent VanWormer: We can, but we have an eleven-foot frame so have space between them.

Councilmember Downes: Well, I mean if we got to the point we need it, we know what that other trucks are in the yard.

Highway Superintendent VanWormer: Well, they'll put the dump body on while we're waiting for the toolbox to come in.

Councilmember Downes: Right, but I'm just saying we got to the point that it became snow season.

Highway Superintendent VanWormer: Oh, yeah, yeah. Put the toolbox on later. Yeah.

Councilmember Downes: Put the tool box on later. I mean who knows. We've been through this with that truck that we're supposed to have and didn't get it so who knows when that tool box is coming in and why should we have that truck sitting there if we obviously need it because we have that one truck that's a piece of junk.

Highway Superintendent VanWormer: It will be. He said three to four weeks for the toolbox to come in.

Councilmember VanEtten: And the eight to ten weeks is in writing, right?

Highway Superintendent VanWormer: Yes.

Supervisor Ruso: Well, let's not forget that ten weeks brings us to December.

Councilmember Downes: We could have a Thanksgiving snowstorm.

Ellie Alfeld: That's been done before.

YES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: I guess it's in here, I didn't hear it in your report but leaf pick up in the hamlet on Mondays from October 28th to November 25th, did you mention that?

Highway Superintendent VanWormer: No.

Councilmember Downes: So, it's just Monday mornings they have to have it out there.

Highway Superintendent VanWormer: Yes, usually start picking up around 7.

Supervisor Ruso: So, they better get busy on the weekend. No parking on Town roads, streets or shoulders from November 15 to May 15 for snow removal.

Councilmember Downes: Isn't that a little late? I mean don't we usually do October to April?

Highway Superintendent VanWormer: No it's always been the 15th of November.

Supervisor Ruso: I would like to make a Motion to purchase an additional E-Z Pass Tag for the Highway Department. There are occasions where a truck is dropped off for repairs and another

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employee must also drive to bring that driver back to the Highway Garage. The tolls are much more reasonable with another tag.

Councilmember Downes: I'll second.

Supervisor Ruso: It makes sense.

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 123-2024
SEPTEMBER 23, 2024

RESOLUTION TO AUTHORIZE THE HIGHWAY SUPERINTENDENT TO ATTEND THE CORNELL LOCAL ROADS PROGRAM WORKSHOP IN ALBANY, NEW YORK

WHEREAS the Cornell Local Roads Program will be holding a Workshop in Albany on October 30, 2024.

RESOLVED Highway Superintendent Alan VanWormer is authorized to attend at a cost of \$60.

Motion by Supervisor Ruso seconded by Councilmember Sottolano

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Insurance

Supervisor Ruso: I'm awaiting insurance for the other ancillary insurance including vision, dental, and for retirees. That should be forthcoming soon.

Planning Board Chair Rob VanEtten

The Planning Board met on September 12 with the following business transacted:

Public Hearing was held on the applications for a Special Use Permit and Site Plan submitted by Santos Rodriguez for the NKR Amateur Radio Antenna System he wishes to erect on property located at 911 Route 51 owned by the Margaret L. Bates Living Trust. There were no members of the Public in attendance offering comment on the project during the Public Hearing.

In the Regular Monthly Meeting that followed: The Rodriguez applications were approved with no conditions. Continued discussion with Teichos authorized representative, Attorney Jacqueline Murray, regarding future status of the Hannacroix Solar Project Site Plan approval in effect and their progress with DEC in the review and approval of required site for their Incidental take Permit. Following discussion with representatives from J.B. Car Services, Inc., their Special Use Permit requiring annual review was extended until June 30, 2025. Alan Lord representing New York Land and Lakes presented survey map for the 10-lot Pine Haven major subdivision proposed for County Route 26. This subdivision abuts parcels in Town of Cocksackie also being subdivided at this time. Total new lots to be created in the two Towns through the three major subdivisions will be 51 lots. Planning Board Chair Van Etten will be in conversation with Town of Cocksackie Planning Board Chair regarding procedure for moving forward as well as with our Town Attorney. Present was Cathy Donovan from Shady Harbor Marina for an initial discussion regarding the proposed expansion for their Marina property. The Planning Board was of the opinion that the mixed use it would bring to the property called for the establishment of a Planned Development District. Establishment of such a District is handled by the Town Board not the Planning Board. The Planning Board Chair will be speaking with Supervisor Ruso as

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well as our Town Attorney regarding Planning Board procedure now, if any, and for when the project is rightfully before the Planning Board for required approvals.

Supervisor Ruso: I need to ask what happened to the JB Car Services because that's supposed to be July 1 and why were we approving it in September when it was supposed to be done in June and how did they operate since July 1 without a permit?

Councilmember VanEtten: Maybe they extended it.

Supervisor Ruso: I'd have to find out. It doesn't say anything to that nature.

Councilmember Downes: I don't even think that was discussed.

Councilmember Sottolano: It was, yeah. It was because there were some issues about junk in the back.

Councilmember Downes: No, no, no, but they didn't discuss why they didn't do it prior to. They didn't discuss why it was late that night.

Councilmember Sottolano: No, they didn't.

Seniors

Councilmember VanEtten: Well, we just had the picnic and it went well. Everybody ate lots of food.

Town Court

The following is the Town of New Baltimore Court monthly report for August 2024.

- Total August monies received was \$10,428.00
 - Hon. James W. Huff \$ 7,584.00
 - Hon. Anthony C. Konsul \$1,844.00
- Total 2024 monies received (January-August) \$116,264.50
- Total new cases received 94

Town Clerk Finke: Judge Huff \$62,994.50. Judge Konsul \$53,270 for a total \$116,264.50 As of July the State received \$53,046, the County received \$1,894, the Town received \$50,896.50.

Supervisor Ruso: That's two-thirds of the year. We're coming a little bit better, I was worried about where we're gonna come on our budget for the fines. We budgeted last year \$80,000 to the Town, the Town share, and through September we have \$50,000 so we're short \$30,000 on our revenue for that line item. So, I mentioned earlier, we win one and here we lose one so we'll see where it comes at the end of the year.

Wastewater Treatment Plant

Councilmember Sottolano: I'll just say that we've received nine applications for the Part-Time Wastewater Operator from the Indeed posting and we are reviewing those for interviews.

Supervisor Ruso: Yeah, I've seen a few. Anything that makes you feel good?

Councilmember Sottolano: We just got one yesterday from somebody with good experience with wastewater so I think that's a good person.

Supervisor Ruso: Better than the guy who works in the deli.

Councilmember Sottolano: Right, people kind of just put it in no matter what they do.

Supervisor Ruso: Oh, yeah, work in the deli, we'll put you in the sewer.

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 124-2024
SEPTEMBER 23, 2024

RESOLUTION TO REFUND HALF OF PARK DEPOSIT

WHEREAS a rental of the Cecil Hallock Park pavilion was made by the Rivera family for Sunday, September 15, and there were some inconveniences experienced.

RESOLVED that half the rental fee (\$25) will be refunded to Mary Ann Rivera.

Motion by Supervisor Ruso seconded by Councilmember Kash

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Highway Superintendent VanWormer: Jeff, on the parks, the lights have been installed at District 2 Park. The outlets haven't been hooked up but they have been...

Zoning Board of Appeals Chair Bill Boehlke

The Zoning Board of Appeals did not meet on September 4, 2024, since there were no applications to come before the Board.

Upcoming Meetings

- October 2, 2024, Zoning Board of Appeals Meeting at 7 PM
- October 5, 2024 Mobile Spay/Neuter Clinic at Town Hall, Pre-Registration Required at jkash@townofnewbaltimore.org

Councilmember Kash: We have 50 spay and neuter appointments with a waiting list. I can still get some people to come in between 9 and 10 to get rabies and distemper shots and to get their dog licensed if they so wish. So I still got some slots for that. Dogs have to be licensed.

Councilmember Downes: No, no, no, I mean dogs for the rabies and distemper?

Councilmember Kash: Cats can also get their rabies and distemper, but we have an agreement with the Town Clerk's office and it was a great suggestion that if dogs want to participate and get their rabies shots, they need to be licensed and Barb has arranged that during that 9-10 period that if people come with their unlicensed dogs, they can get it done at the same time they get their shots done.

- October 10, 2024 Planning Board Meeting at 7 PM
- October 14, 2024 Town Offices Closed for Columbus Day
- October 16, 2024 Town Board Regular Meeting at 7 PM
- October 28, 2024 Town Board Work Meeting at 7 PM

Public Comment Period

Kathy Donovan: You talked about it a little bit at the beginning of the meeting about the PDD. We did present the sketch plan back a month ago and we were in attendance at the Planning Board meeting. We have not made a formal presentation to the Planning Board meeting based on our understanding and the interpretation of the Code that we present the sketch plan to the Town Board and then within 30 days you refer it to the Planning Board or schedule a joint meeting. So we're just trying to get an understanding of what that timeframe is. Can we formally request that referral to the Planning Board now that the 30 days are up? And if we're gonna schedule a joint meeting, how fast can we get that on the Board only cause it's a long process. We recognize that.

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Supervisor Ruso: I'm having a meeting with the Chair Wednesday afternoon so the next Planning Board meeting is on the 10th of October so we'll have everything accomplished by that date at least I anticipate. I don't know of any snafus that may come along. I just don't know. I did speak with your attorney today and I'm looking forward to having a meeting with our Attorney as well so I can't think of anything that holds us back, but then of course I'm not an Attorney.

Kathy Donovan: So is the intention to set up a joint meeting with the Town Board and the Planning Board?

Supervisor Ruso: That's probable.

Councilmember Kash: Jeff, not to interrupt you, but our little flow chart that you gave us says the Town Board accepts or refuses to consider the application then refers to Planning Board and sets optional joint meeting. So does that mean that the Town has to take action before it can go to any of the optional joint meetings?

Supervisor Ruso: Yes, we do.

Kathy Donovan: Right, my understanding is within...

Councilmember Kash: So there will need to be Town Board action before it goes to the Planning Board.

Supervisor Ruso: Right, right.

Kathy Donovan: Can we request that referral right now because we're at the thirty days?

Supervisor Ruso: Looks like we're going to have to call a Special Town Board meeting to make this approval. I don't have a date for that at this moment.

Kathy Donovan: Do you need the Special Town Board? My understanding reading the Code was that you don't need the Special Town Board Meeting at this stage that right now we've issued a sketch plan and that sketch plan then goes to, is referred to the Planning Board. We would then present the same way we presented to the Town Board we would present to the Planning Board and have our Engineer come in.

Supervisor Ruso: I thought there was some of that too, but the Planning Board made it quite clear they don't want to have anything to do with this until it goes to the Town Board, even says in their report. Rightfully it shouldn't go to them. Isn't that the word that they used, remember I was confused by it. So this is the little flow chart, it's out of our Town Code.

Kathy Donovan: Yeah, I showed this to them when I was at the Planning Board.

Supervisor Ruso: And so what we have to do is we do have to have a meeting to accept or refuse to consider your application.

Councilmember Kash: After which it could be referred to the Planning Board.

Supervisor Ruso: On my part I will tell you that I had not had any conversations about this being a Planning Development District until -- notwithstanding the fact that I heard you a number of weeks ago -- the discussion of setting up a Planning Development District did not even come to me until last week. Nobody had mentioned it.

Kathy Donovan: No, that's the way the whole presentation was proposed and that's actually in the entire...

Supervisor Ruso: I understand, I understand.

Councilmember VanEtten: If you have multiple users on one property.

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Kathy Donovan: Right, I mean it was presented on August 22 to the Town Board, then we came on the 26th. So our interpretation, reading the Code that when we presented on the 26th then the Town Board is supposed to refer within thirty days. Either accept or decline. So I'm just, we're trying to understand what that timeframe. I know you said you have a meeting with the Planning Board on Wednesday, but when is the next time that... It sounds like you guys have to formally refer it so we're asking for a formal referral and when would that be 'cause we're after the thirty days at this point. Just trying to get...

Supervisor Ruso: I'm not sure, I'm not sure when that'll be.

Councilmember Kash: Would have to be a Special Town Board Meeting called by the Town Board.

Supervisor Ruso: There would have to be at the minimum a Special Town Board Meeting. I did not know until last week that you were asking for a PDD. No one said that word to me. Nobody said that to me, nobody. Does it say it on your documents?

Kathy Donovan: It does, it's in the entire, yeah, and it's Mixed-Use Planned Development District right.

Supervisor Ruso: Well, you know some of the conversations are that the issue that is being thought of here is that it is out of compliance with the zoning maps, right?

Kathy Donovan: No, there was confusion at the Planning Board that they were thinking it might just need a Variance which is not what it needs, it's a whole Development District. So, it's this PDD is the process and that's where we came before the Board and presented that. The Planning Board, like I said we have not formally to them because we are waiting the referral from the Town Board and the public meeting is after we've present a formal application. We're not even at that point yet. So, and there's a lot of steps along that process. So, we're just looking to move it to that next step which is we're looking for the Town Board to refer it to the Planning Board or to schedule that Joint Meeting, which is not the Town Meeting, it's a Joint Meeting with the two Boards.

Councilmember Kash: Which is optional apparently.

Kathy Donovan: Right, it's optional. So either you as a Town Board refer it to the Planning Board and then they take it the next step and we would go and present the same way we came and presented to the Town Board because right now we haven't done that.

Supervisor Ruso: Well, let me ask the Town Board as we sit here. Do you folks want to set up a meeting to discuss 1. Accepting or refusing to consider this application? That's the question. 1. We can say 'yes, let's do this' or we can say 'no, we don't want it.' Do you want to have a meeting about to decide? You don't have to decide now.

Councilmember Downes: I know we don't have to decide now, but a conversation that we discussed before was you're in a Hamlet Residential is that correct?

Supervisor Ruso and Councilmember VanEtten: Yes.

Kathy Donovan: (Unable to understand) yes.

Councilmember Downes: Right, I mean I'm just saying when I looked at the map that's what I saw so I guess a question was how did the Marina get into that? Did you guys have to get a Variance for that or was it just grandfathered?

Kathy Donovan: No, the Marina has been grandfathered in for decades, decades.

Supervisor Ruso: Preexisting.

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Councilmember Downes: Preexisting, so really those homes that are going in they're already in a Hamlet Residential area so I guess I'm not understanding why we need the PDD.

Councilmember Kash: I think because it's a Mixed-Use because you'll be adding housing to something that doesn't already have it.

Councilmember Downes: It's in Housing, it's in a Housing district.

Supervisor Ruso: It is in a residential area.

Councilmember Kash: But the Code says that a PDD is unobtainable with traditional municipal zoning techniques so maybe that means the HR designation doesn't matter?

Councilmember VanEtten: It's clear in the Code Book, I'd have to relook at that because we rewrote the Code quite a few years ago.

Councilmember Downes: Right, but that was a big discussion that we were having, did we really need to go to the PDD because you're already in a Hamlet Residential area. Then it came up then how did we get the Marina in there and I thought it said it was grandfather in.

Councilmember Sottolano: It was.

Councilmember VanEtten: It's been there a long time.

Councilmember Downes: That's why I'm re-asking you that that was grandfathered in so the area is already set for residential.

Councilmember Sottolano: Is it because it's a Mixed-Use now?

Councilmember VanEtten: It's a Mixed-Use now.

Councilmember Sottolano: It's becoming a mixed use now.

Councilmember VanEtten: It's clear in the Code Book, I have to look.

Kathy Donovan: Based on the Engineer's experience and the Attorney's experience, the PDD is the right, is not just a Variance that this is the right mechanism.

Supervisor Ruso: That would be our decision okay.

Kathy Donovan: I understand. No, no, I'm sorry that's their interpretation.

Supervisor Ruso: That's not your decision, it's not the other Attorney's decision.

Kathy Donovan: I understand that, it's their interpretation.

Supervisor Ruso: That will be ours.

Kathy Donovan: Yup, understood.

Supervisor Ruso: Okay so let's do a meeting. When do you want to do it?

Ellie Alfeld: Is it going to be a public meeting?

Supervisor Ruso: Of course

Ellie Alfeld: Well, I'm just saying timewise.

Supervisor Ruso: I'll make a Motion that we have a Special Meeting to discuss and consider the first step of the PDD, let's see today's the 23rd, on 30th, I hope that's good for everybody.

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Councilmember VanEtten: September 30.

Supervisor Ruso and Councilmember Downes: A week from today.

Supervisor Ruso: What time do you want to do this? At this meeting I would like us to consider doing the Joint Meeting if that's what we want to do.

Councilmember Kash: That would be the Joint Meeting with the Planning Board?

Supervisor Ruso: No, that's the Town Board.

Councilmember Kash: That's what I thought.

Supervisor Ruso: We're gonna meet first.

Councilmember Kash: I thought you said Joint.

Supervisor Ruso: And it says, I'm looking at the flow chart here, Town Board accepts or refuses to consider application and refers to the Planning Board and sets optional Joint Meeting. So that's what we're going to do next Monday. That portion. All the other things I'll be talking to the Attorney and maybe this just obviates the need to meet with the Planning Board Chair until after that discussion has been had with ourselves.

Kathy Donovan: Is that a meeting that you want our Engineer to represent or be there to answer questions?

Councilmember VanEtten: I think that would be a good idea.

Kathy Donovan: Okay, that would be helpful? Okay, and then is that a 7:00 meeting on the 30th or you're gonna let us know? 5:00, 6:00?

Supervisor Ruso: Yeah, I think if we're all in agreement that next Monday is fine to have this meeting, I'm just worried about something else that was in the back of my head that was happening on the same night, but I think we'll just go ahead, and I can change my plans if I have any.

Councilmember Downes: 7:00 or 6:00?

Supervisor Ruso: 7:00's fine by me.

Councilmember Kash: I'm good with either 6:00 or 7:00.

Supervisor Ruso: Barb, can you make public notice that we have a Special Town Board Meeting on September 30 at 7PM? I'll make a Motion that we set a Special Town Board Meeting for September 30 at 7PM at the New Baltimore Town Hall.

Councilmember VanEtten: I'll second.

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 125-2024
SEPTEMBER 23, 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 2024b-09-01 to 2024b-09-34, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2024b-09-01 to 2024b-09-34.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until October 31, 2024.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

General \$11,558.97, Highway \$12,803.32, Sewer 1 \$363.40, Water 1 \$312.50, Water 2 \$328.97, Street Lighting 2 \$274.48, Total \$25,641.65

Adjournment

Motion by Councilmember Downes seconded by Councilmember VanEtten, the meeting was adjourned at 8:09 PM

AYES: Ruso, Downes, Kash, Sottolano, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC CTO
Town Clerk