

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
MONDAY, JANUARY 14, 2008-Page 1**

Supervisor Louis called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was said. Also attending: Councilwomen McKeon, Councilmen Kuenster, Norris, and Byas, Attorney for the Town Wukitsch, Town Clerk Brooks, and 31 members of the public. Absent: Highway Superintendent Jordan, Tax Collector Stuart.

Supervisor Louis welcomed all attending, noting that appointments made at the 2008 Organizational Meeting were of interest to many attending and appeared on the agenda under New Business.

MINUTES

The minutes of the **December 10, 2007 Public Hearing on Proposed Local Law 9 of 2007** were presented for approval.

With no changes, Councilwoman McKeon moved, seconded by Councilman Kuenster.

Adopted Ayes-5 Kuenster, McKeon, Louis, Norris, Byas
 Nays-0

The minutes of the **December 10, 2007 Public Hearing on Proposed Local Law 11 of 2007** were presented for approval.

With no changes, Councilwoman McKeon moved, seconded by Councilman Norris.

Adopted Ayes-5 Kuenster, McKeon, Louis, Norris, Byas
 Nays-0

The minutes of the **December 10, 2007 Regular Town Board Meeting** were presented for approval.

Supervisor asked to include all of Local Laws 9 and 11 and their respective resolutions, and, with those changes, Supervisor Louis moved, seconded by Councilwoman McKeon.

Adopted Ayes-5 Kuenster, McKeon, Louis, Norris, Byas
 Nays-0

CORRESPONDENCE

From **NYS Department of Transportation** Safe, Accountable, Flexible, Efficient Transportation Equity Act, invitation to any Board member to attend a program workshop on January 24, 2008, at the Crossings of Colonie.

From **Twin Counties Cultural Fund**, announcement that \$51,700 has been provided for cultural programming funding, which was 1/3 of requests submitted; Town resident Bonnie Mion is a recipient.

From **US Army Corps of Engineers**, the Town was copied on NYSDOT culvert repair on State Route 144 that did not require a separate permit and was covered by a nationwide general permit.

From **MidHudson Cablevision**, announcement of new rates imposed by programmers reflected on February bills; the Expanded Basic service rate will be \$54.45/month.

OLD BUSINESS

Supervisor read, having held public hearing.

**RESOLUTION
JANUARY 14, 2008**

**RESOLUTION TO ADOPT LOCAL LAW 1 OF 2008 ESTABLISHING A NEW
SCHEDULE OF REAL PROPERTY TAX EXEMPTIONS FOR PERSONS
SIXTY-FIVE (65) YEARS OF AGE OR OVER AND PERSONS WITH
DISABILITIES AND LIMITED INCOMES**

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BE IT RESOLVED, that the Town Board of the Town of New Baltimore does hereby adopt Local Law 1 of 2008 Establishing A New Schedule of Real Property Tax Exemptions for Persons Sixty-Five (65) Years of Age or Over and Persons With Disabilities and Limited Incomes.

LOCAL LAW #1 OF 2008

**A LOCAL LAW TO ESTABLISH A NEW SCHEDULE OF REAL PROPERTY
TAX EXEMPTIONS FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR
OVER AND PERSONS WITH DISABILITIES AND LIMITED INCOMES**

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

SECTION 1.

Local Law 1 of 2007 is HEREBY REPEALED

SECTION 2.

The Town Board of the Town of New Baltimore does hereby establish the following sliding scale of property tax exemptions for real property owned by persons sixty-five (65) years of age or over and for real property owned by a person with a disability whose income is limited by such disability, and used as the legal residence of such person, based on the income limits set forth below:

<u>Maximum Income Limit</u>	<u>Property Tax Exemption</u>
\$18,500.00 or less	50%
\$18,500.01-\$19,499.99	45%
\$19,500.00-\$20,499.99	40%
\$20,500.00-\$21,499.99	35%
\$21,500.00-\$22,399.99	30%
\$22,400.00-\$23,299.99	25%
\$23,300.00-\$24,199.99	20%
\$24,200.00-\$25,099.99	15%
\$25,100.00-\$25,999.99	10%
\$26,000.00-\$26,899.99	5%

SECTION 3.

Any person who qualifies for a property tax exemption as a person with a disability shall not be eligible for a property tax exemption as a person who is sixty five (65) years of age or over.

SECTION 4.

The maximum income limit set forth in Section 2. above shall be offset by medical and prescription drug expenses actually paid which are not reimbursed or paid for by insurance.

SECTION 5.

This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Councilman Kuenster moved to adopt, seconded by Councilman Byas.

**Roll Call Vote Ayes-5 Kuenster, McKeon, Louis, Norris, Byas
Nays-0**

Greene County Industrial Development Agency Alexander "Sandy" Mathes will attend the work meeting in 2 weeks to update the Board on the proposal for the NYS Thruway Exit 21B interchange project.

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NEW BUSINESS

NYS Association of Towns will conduct training for Town officials from February 17-20, 2008, a Certificate of Designation must be completed.

**RESOLUTION
JANUARY 14, 2008**

**RESOLUTION TO AUTHORIZE ATTENDANCE BY SUPERVISOR AND
DEPUTY SUPERVISOR AT ASSOCIATION OF TOWNS ANNUAL MEETING**

RESOLVED, that the Town Board does hereby authorize the Supervisor and Deputy Supervisor to attend the Annual Meeting of the Association of Towns of the State of New York to be held from February 17-20, 2008, and authorizes reasonable expenses for transportation, lodging and meals.

Councilwoman McKeon moved to adopt, seconded by Councilman Kuenster.

Adopted Ayes-5 Kuenster, McKeon, Louis, Byas, Norris
 Nays-0

A **Renewal of Special Use Permit** has been requested by a business located between Route 9W and Flatbush Road; a report from Senior Code Enforcement Officer John Cashin was submitted to the Town Board and is on file.

**RESOLUTION
JANUARY 14, 2008**

**RESOLUTION TO RENEW SPECIAL USE PERMIT FOR JB CAR SERVICES
TO PROCESS JUNK VEHICLES**

RESOLVED, that the Special Use Permit granted July 6, 1989 by the Zoning Board of Appeals of the Town of New Baltimore to JB Car Services for the processing of junk vehicles is hereby renewed through December 31, 2008.

Councilwoman McKeon moved, seconded by Councilman Byas.

Adopted Ayes-5 Kuenster, McKeon, Louis, Byas, Norris
 Nays-0

Supervisor introduced proposed draft of **Local Law 2 of 2008**, a Partial Real Property Tax Exemption for 1-2 family residential buildings, pursuant to Section 421F of Real Prop Tax Law. Supervisor read. Councilmen Norris and Byas have asked for this to be considered.

LOCAL LAW 2 OF 2008

**A LOCAL LAW TO AUTHORIZE A PARTIAL REAL PROPERTY TAX
EXEMPTION FOR RECONSTRUCTION, ALTERATIONS OR
IMPROVEMENTS MADE TO
ONE AND TWO FAMILY RESIDENTIAL BUILDINGS**

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

Section 1 - Title

This Local Law shall be known as the "Real Property Tax Exemption for Capital Improvements to Residential Property Law"

Section 2 – Legislative Intent

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The Town Board of the Town of New Baltimore, Greene County, New York hereby finds that it is necessary and desirable to authorize a partial exemption from real property taxation of the increase in assessed value attributable to reconstruction, alterations, or improvements made to one and two family residential buildings. This authorization for exemption is set forth in Section 421-f of the New York State Real Property Tax Law.

Section 3 – Eligibility for Exemption

- A. Eligibility for such an exemption is set forth in § 421-f of the New York State Real Property Tax Law. This exemption is limited to a minimum increase of \$3,000 in market value and a maximum increase of \$80,000 in market value. The market value of the new construction is calculated by dividing the increase in assessed value attributable to the new construction by the latest state equalization rate or special equalization rate, unless such rate is 95% or more, in which case the increased assessed value will be deemed to equal market value
- B. Property must be used as a residence for not more than two families. In the event that a building granted such exemption ceases to be used as a residence for one or two families, or if title to the property is transferred to other than heirs or distributees of the owner, the granted exemption shall cease.
- C. In order to obtain the exemption, the greater portion of the residence, as measured by square footage, after the capital improvement, must be at least five years old
- D. This exemption applies to reconstruction, alterations, or improvements; it does not apply to ordinary maintenance or repairs.
- E. Provided all eligibility requirements are met, such exemption shall be granted only upon application by the owner of such property on a form prescribed by the New York State Board of Real Property Services, to be made available by the Sole Assessor. The application shall be filed with the Sole Assessor on or before the March 1st taxable status date.

Section 4 – Exemption Percentages

The value of an improvement qualifying for an exemption shall receive the following exemption percentages:

Year	Exemption Percentage
1	100%
2	87.5%
3	75%
4	62.5%
5	50%
6	37.5%
7	25%
8	12.5%
9	0%

Section 5 – Required Construction Start Date or Other Time Requirements

Reconstruction, alteration, or improvement of the property must have begun after the effective date of this Local Law.

Section 6 - Validity

The validity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such invalid part of parts.

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Section 7 - Interim Suspension of Other Laws

All ordinances, local laws or provisions of the Code of the Town of New Baltimore and any and all parts thereof which may be in conflict with the provisions of this Local Law are hereby suspended to the extent necessary to give this Local Law full force and effect during its effective period. This Local Law is intended to invoke the supersession provisions of Section 10(1)(ii)(d)(3) of the Municipal Home Rule Law and to supersede during the effective period of this Local Law, any inconsistent provisions of the Town Law, including Article 16 thereof and Sections 276(5), 274-a(8), 267-a(4) through(9) and 274-b(6), and 278 thereof.

Section 8- Effective Date

This local law shall take effect immediately upon filing in the Office of the New York Secretary of State.

Supervisor stated that only improvements after Local Law enactment would be considered, and the local law would be established ahead of the March 1 assessment roll date.

Councilwoman McKeon moved to schedule a Public Hearing for proposed Local Law 2 of 2008, for 7:15 pm on February 11, 2008 prior to Regular Town Board Meeting, seconded by Councilman Kuenster.

**Motion Carried Ayes-5 Kuenster, McKeon, Louis, Norris, Byas
Nays-0**

Appointments made by Town Board on January 1, 2008 were the next item on the agenda. Supervisor Louis stated he was in possession of letters in opposition of the **Planning Board appointment** of Joseph Caputo from A Turner, J Loux, C McNulty, J Cramer, N Slansky, and J Donald, adding that Councilman Kuenster had asked to speak, having been out of town and not in attendance at the 2008 Organizational Meeting.

Councilman Kuenster spoke, noting he is in favor of development that is suitable to the Town in scale and aesthetics. His confidence shaken, he wants an inclusive, open process, taking advantage of the wealth of talent and experience that so many residents possess. A small town Planning Board can't afford not to have [re-appointed] a member with **James Coe's** experience; he is a Harvard-trained biologist, graduate of the NYS Department of Environmental Conservation-funded biodiversity training program, knowledgeable of the impact of planning projects on local environment, and, by invitation, a member of the Greene Habitat Advisory Committee. Also, Jim was unanimously reappointed by Planning Board 3 years ago.

Councilman Kuenster suggests asking tough questions, Jim Coe's replacement was selected without his knowledge, when appointment is made without Councilman Kuenster's input. What can you do? Participation is critical. Public Officials think no one is paying attention; the result is decision-making without regard. Councilman Kuenster is under no illusion, recommending that if an individual loves this town, be active.

Applause.

Supervisor began that as he is beginning his 6th term, he made a commitment to foster effective communication with colleagues, adding that he failed in his ability to communicate, takes responsibility for how it was handled, and can't change what happened. Supervisor understands that others will speak, there is hostility regarding the decision, now a perceived breach in process, development, and things of that nature. While there may not be agreement, Supervisor attempted to build a consensus, if an individual looks at entire public record of this community, including Planning Board; to create a vision, the entire public must be involved. To develop the Comprehensive Plan, the public, Planning Board and Town Board participated. Those representatives are working to implement the Comprehensive Plan, involving significant changes in zoning and subdivision, and will be subjected to public scrutiny. When it's come to time to ask for input on large development projects, Supervisor and Town Board have advocated to

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maximize public input, whether it be hosting roundtable discussion, extending the public comment period, expanding the scope of review, asking the IDA to appear before Town Planning Board, or looking for how to create further opportunities to participate.

Supervisor asked the public to look at whole record; he understood why individuals ask why this kind of decision was made. These are personnel decisions and are not appropriate to make public. There is concern about the autonomy of Planning Board; there is a vibrancy and diversity to the Planning Board, which he believes will continue to be representative of and responsive to views in the Town. Supervisor and Town Board are held accountable for all appointed bodies whether or not they are autonomous. Supervisor apologized to Councilman Kuenster, and asked would any other Board member wish to speak.

Hearing none, Supervisor asked if there was a member of the public who wished to speak.

Man: [Questions about portion of letter]

Supervisor Louis: No, I will respect the confidentiality of the personnel process.

Bob Knighton: I disagree with you, with something involving a Town employee, promotion, discipline, firing, that's a personnel matter. But appointing someone to a public board is a political action not a personnel action.

Supervisor: The action itself was put to a public vote. But the underlying discussions are confidential to the personnel process. I understand that you may not agree with me, we just happen not to see eye to eye on this.

Woman: [Doesn't want a perception that it is the reason,]

Supervisor: I fully understand that there are consequences to my respecting the confidentiality of the process, the consequence is that it may create a perception among some that I will not respond to. And I accept the consequences of my actions, that I may not be able to dispel that perception.

Woman: Are their (Coe and Caputo) views similar?

Supervisor: I think that you would have to ask that person that question, I don't think that they were put to a policy test.

Man: What criteria are used to replace the person who was dismissed? Biodiversity?

Supervisor: The individual who was appointed? I don't have their curriculum vitae but he is a former member, served on the Planning Board previously and is a resident.

Joan Ross: Isn't it more prudent to be more open?

Supervisor: I respect the confidentiality of the personnel process, and I understand that it might be prudent for me to dispel perceptions by being more open about it in this particular venue that is entrusted within the governing board of the Town. But because I respect the confidentiality of the personnel process then perhaps in your view I would be acting imprudently, a consequence that I am willing to accept for what I believe in in terms of my role. If you judge the entire process of government and its openness or lack thereof, on the basis of this one decision, and not based on overall record of the Town over these many years I've been involved in it then that I would say that would be a rather limited view to take.

Joan Ross: [It leaves you open to that.]

Supervisor: Yes, it certainly does, Joan.

Roger Downs: If a confidential personnel process, could you explain the reason that you might keep it confidential, I don't understand the rationale, if you create a scenario for us..

Supervisor: I'm not going to create a scenario for you, I thought long and hard as I do everything I do, as the issues Councilman Kuenster raised before, which I feel really badly about and I hope you can accept at that face value and I am hopeful that Councilman Kuenster can, process of appointment is entrusted to Town Board, confidentiality that is ascribed to these positions,

Roger Downs: Can I ask a question of the new board members?

Supervisor: Absolutely.

Roger Downs: [unable to understand] have you met him, Mr. Coe?

Councilman Norris: No.

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Roger Downs: Did it concern you that perhaps you had incredibly qualified, for a small town, it's not often that we have individuals with such talents..? Did you consider such talents? [unable to understand]

Norris: No, the Supervisor summed it up.

Roger Downs: I would like to hear the new board members' voices. Mr. Coe was an incredibly valuable asset. I feel this lacks integrity, to start off the year this way. I really want you to reconsider. What's done is done, the Planning Board will continue.

Ron Kent: I go by the old rule, if it's not broke, don't fix it; I don't know the man, you're taking full responsibility but later on, down the road, what is the Town going to do if there is a bad outcome of decision-making if he is no longer on the Planning Board.

Supervisor: I am fully confident that the Planning Board will continue to serve with the same vibrancy and diversity as it has in the past.

Woman: [Jim represented a lot of concern about Exit 21B project, losing the voice, educated voice, who can research the impact of what may occur?] We lost that voice.

Supervisor: I think the voices of those who have those concerns are still very adequately represented by other members of the Planning Board. Don't underestimate the other members of the Planning Board. They are a very talented group of people.

Woman: []

Supervisor: Well, Mr. Coe was on the Planning Board, so I think you are speaking to that.

Man:[]

Supervisor: I would still respect the confidentiality of the process for that action similarly to personnel situations, personnel matters are generally reserved to executive sessions but since none of these discussions were held under a quorum basis there is no need for executive session. But I use that as guiding principle to myself, I use that same standard to whether I would discuss personnel matters publicly, whether or not those discussions were held in a quorum session or not.

Man: What is the profession of individual?

Supervisor: He is retired. I believe he has served in a variety of roles when he was working

Man: General area?

Supervisor: I think he was a tradesman.

Sally Russo: [Not questioning integrity, did you interview this person? What the hiring process was, what were credentials? Examine what the laws are ...].

Supervisor: I believe based on my research of the applicable laws that there's nothing involved in this action that would be in violative of any law, while I respect the confidentiality of my statement, that I respect the confidentiality of the personnel process, that some of you may appear to be a shallow statement, it's a principle that I would hold regardless what the personnel decision was, and I believe is consistent with the State Legislature's findings in adopting the Open Meetings Law and reserving personnel actions for executive session. I came here tonight expecting these questions and I expect nothing less of the people of New Baltimore and I have struggled with how I was going to deal with this and I have decided that I'm going to be consistent with how I address these issues, and I understand it won't sit well with some of you, I have to accept the consequences of that action I have to be faithful to what I believe is appropriate even if it does not meet with what everyone else thinks is appropriate. That's who I am and that's what I'm about.

Sally Russo: And your decision supports protocol in other Towns?

Supervisor: I would sort of think that if you visited other towns that they wouldn't be openly discussing personnel decisions. But I've seen a lot of strange things happen in a lot of other places. It may not be that way everywhere but I believe that it's the appropriate way to be handled here.

Bob Knighton: We disagree over whether this is a personnel action; we agree that if it is a personnel action that it would be appropriate. That's how personnel actions are handled, that's why the law is written [] go into executive session to discuss a personnel matter.

Sally Russo: With new members, knowing this was a big issue, it is disappointing that []

Supervisor: I am not aware.

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Councilman Byas: I am a little confused here. This is an appointed job, I realize what everyone's concern here is, but this is an appointed job. We are going around and around about the same appointment. I just don't understand it.

Woman: []

Councilman Byas: Trying to come up with reasonable answer, it was discussed, it was going to be a closed matter; it wasn't going to be discussed in an open matter, and here we are discussing it.. I don't believe we should open it up. There were three appointed positions; it could have been three new people put into it. You have the Board, you have 7 people there, if you say it will change the way of the Board? One person's view, yes. You have 6 other people there, very qualified. Just as qualified, maybe not the degrees. I don't see the problem.

Woman: [Gentleman on the end was not aware]

Councilman Byas: Gentleman on the end was out of town.

Councilman Kuenster: Gentleman on the end was not privy to this decision that was made right after the election, before the two new board members held a seat. Jim Coe was notified of this on December 21 by Deputy Supervisor McKeon. I still did not know. That is important for the public record.

Supervisor: I think this was acknowledged on the public record. I thought I acknowledged you,

Councilman Kuenster: This was not directed at you. There are 4 other members on the Town Board.

Councilman Norris: Is Jim Coe here tonight? I was just curious if he was here tonight.

Liz LoGiudice: Despite the fact that this is appointed position, there should be standard criteria in terms of qualifications for who you appoint, I would think it would be fairly standard matter that there be qualification for Planning Board members to appoint the most qualified people so this type of board was not subject to the political wind blowing in the Town. What I'd like to know is, was this just a decision made based on the new Town Board, or was this a decision based on the qualifications of someone who wanted to serve, a choice more qualified than Mr. Coe, was it objective or political decision?

Supervisor: I don't think you'll get the answer you are looking for but I would like to comment on something you did say regarding qualifications. The concept of qualifications can be rather subjective, different people bring different skills and abilities to a public board process. And so I think you are viewing it as being pretty cut and dried simple in terms of assessing qualifications and I'm not sure it's as cut and dried simple as you may be stating. Not the response you were looking for, but a comment.

Liz LoGiudice: I'd like to make a suggestion that in the future there should be qualifications, criteria, for Planning Board members stated.

Supervisor: I'd certainly take that under advisement but I would re-state: who determines what the qualifications are? I think it can be a subjective matter.

Woman: No one can tell us what the new person did before, aside from living in the Town, what else did he do, what did he have to offer to better the Board. []

Supervisor: I don't know that someone's occupation when they were working was a sole qualifier..

Woman: Want to know what your background is, when applying for a new job..

Roger Downs: I guess I want to answer Art's (Councilman Byas) point that there are a lot of members on the board, it doesn't change things. I think it changes things profoundly because there's absolutely no explanation, and you guys look ridiculous for this for removing Jim Coe in favour of someone with virtually no qualifications. It has a chilling affect on the rest of the Planning Board; if you apply too much scrutiny, off you go and that there will be no public accounting. It's humiliating; essentially this is your way of freezing out the Planning Board. And it's a way of you having influence over the Planning Board and if you want to be involved in public service in New Baltimore you better watch your step, I think that's the message you are sending.

Woman: [...I apologize]

Former Councilman Richard Guthrie: This goes back to a question raised earlier, don't believe it has been answered yet, that is: has either of the new Town Board members had the opportunity to interview, discuss or talk over visions, the goals, that previous Mr Coe

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and new member had to offer to the Planning Board and to the Town. Art, did you have an opportunity to either of those two people?

Councilman Byas: Yes, I did.

Former Councilman Guthrie: That would have been Jim?

Byas: No, you said either, I spoke to Joe Caputo.

Former Councilman Guthrie: You were satisfied that he was more qualified than Jim Coe to serve on the Planning Board?

Councilman Byas: More, no. Equal.

Former Councilman Guthrie: How's that stand with you, Chris (Councilman Norris)?

Have you had a chance to talk to Jim Coe?

Councilman Norris: That's why I asked if he was here tonight. I have not met Jim Coe. I have met Joe Caputo.

Former Councilman Guthrie: And you are satisfied that he can fill the role Jim has served on Planning Board?

Norris: Yes.

Man: You said before that diversity is one of the criteria that you apply to appointments. Would you say that appointing a retired tradesman brings more diversity than having ..?

Supervisor: Diversity is also a subjective term. We may have to agree to disagree. I think there is a role for people who, like Mr. Caputo, have lived in the Town for a number of years, involved with his background, bringing diversity to a Planning Board, absolutely.

Man: Can you give us a rough idea is there someone involved in the planning or on this Board at this point, who has something in the area of Mr. Coe's expertise who might address biodiversity?

Supervisor: I don't have Mr. Coe's expertise in biodiversity and I don't believe anyone on the Board has his background in biodiversity, I didn't go to Harvard University, my degree is from the State University of New York at Albany in a field much different than Mr. Coe's.

Man: Would you say that most people representing us here are involved on the side of business [..]

Supervisor: I think there are very diverse backgrounds, both on this Board and on the Planning Board.

Joan Ross: I've heard that Mr Caputo was terminated from his job at Conrail. Was that true?

Supervisor: I have no knowledge of that, and if I did I have knowledge of that, I would not be bringing someone's personnel history out in a public forum.

Ron Kent: Was the present Board that's up there right now doing the voting on this or was Mr. Guthrie and [Ms] Benway on the Board?

Supervisor: No, this Board holds an Organizational Meeting at the beginning of each year at which time appointments are made. There were three appointments on the Planning Board that expired on 12/31/07, and three appointments to the Planning Board were made by this Board effective January 1, 2008.

Ron Kent: Can you reveal the count of the vote?

Supervisor: Absolutely, 4 members voted in favor of the resolution appointing those three members, none voted against, and Mr. Kuenster, as he indicated before, was absent because he was not able to attend the meeting.

Man: Prior to removal of Mr Coe, did you have conversation with IDA?

Supervisor: No, I did not. Mr. Coe was not re-appointed; he no longer served on the Planning Board by end of day on December 31, 2007. The decision by the Planning Board was to appoint a different member. I view removal as something that would happen during the course of one's term; removal would connote that there was some kind of misconduct and this was strictly part of the appointment process, which is completely different from removing somebody in the middle of their term. Removal of a Planning Board member would require misconduct; once somebody is serving on the Planning Board they cannot be removed for a policy disagreement.

Roger Downs: Arlene (Councilwoman McKeon), you originally, 6 or 7 years ago, reached out to Mr. Coe; it is my understanding now that you voted against his reappointment. Can you talk about that?

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Councilwoman Arlene McKeon: You're right, in 2002, I served on the committee for the Planning Board with John Wallner, there was a vacancy on Planning Board. It's kind of hard in the Town of New Baltimore to find volunteers for the Boards. We were presented with Jim Coe's name, I did a preliminary investigation, asked him to come in and talk, at that time just John Wallner and myself, and found to be articulate, nice and willing to serve. Since 2002 we have had appointments that have expired, during that time I have made recommendations, all of us meet in committees of 2, and I have never had anybody object to names I have put forward. As you know, we talk to each other, we trust each other in researching and looking at this person with a vision of their ability to serve. We strive to appoint from different sections of the Town, diversity from each part of the Town, not everyone from the hamlet, or the hills, making decisions with regard to that. Since that time I have, not only Jim Coe, I've been involved in appointment of Alta Turner, John Murray, Howard Goldson, Eric Hoglund, and for reappointments of Lee Davis, Barry Guptill, Lewis Capelli, Joseph Loux, Ken Kuder, and zoning recommendations of Chris Cone, Roger Wilson, Anthony Rago; we appreciate each and every one of them. No, I did not vote to not reappoint him; his term was up, another person was recommended and I voted with the rest on a person who has served on the Planning Board in the past. There was no vote against Jim Coe.

Roger Downs: There ostensibly were three members of the Board who were not involved in any way in decision-making process of the candidate; you made a decision to not have him on the slate to be voted upon. That seems to be true. These gentlemen weren't a part of the process in selecting the new candidate and Mr. Kuenster wasn't there. It's either you or Dave or was Dave calling the shots.

Councilwoman McKeon: I have to disagree with you as the way you phrase that, I think you're trying to say that really wasn't true. There was a name, there were 3 names put forward to the Planning Board and I voted Aye on those three names.

Roger Downs: How did that one name not be put forward because the other two were previous people on the Planning Board? They were, everyone was up for reappointment, so how Jim Coe's name was replaced with another man's name how did that decision get made since other 3 Town Board members were not involved, apparently happened before the Town Board meeting, obviously you two making the decision.

Councilwoman McKeon: I don't feel like I can discuss what was discussed between myself and any other member of the Board at any time if there's things regarding personnel matters rather not bring forward any discussion, it has happened during my six years on the Board, that people were not reappointed, I've not seen a crowd come in. Like Chris Cone, on the Zoning Board, said she did not want to serve, we have a vacancy on the Board of Assessment Review as well as the Zoning Board currently. Those are vacancies currently.

Woman: Not because they weren't able to serve; not that someone was chosen over them. Are you still on committee to find other members for openings, checking references, process you described?

Councilwoman McKeon: I serve on the Planning Board committee, the Town Board committee for the Planning Board,

Woman: And would you view Mr. Caputo the same way as the other Planning Board members?

Councilwoman McKeon: I met with Mr Caputo as I have with anybody who is interested in serving on any committee the Zoning Board or the Planning Board.

Man: Who initially recommended Mr. Caputo?

Supervisor: Me, he volunteered to me, had him meet with my colleagues, all four of us except for Kevin.

Councilman Kuenster: Did he meet with the sitting Board members at the time, Mr. Guthrie, Ms. Benway?

Supervisor: No.

Man: Can you tell us when the decision was made?

Supervisor: The decision was requested in the Organizational Meeting on the 1st. The public record will show that the 2008 Organizational Meeting was held on the 1st, that's when the appointment decision was made.

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Man: When was the decision made not to reappoint Mr Coe.

Supervisor: The Organizational Meeting is when the decision to make appointments to the Planning Board was rendered by the Town Board.

Man: I thought someone said that Mr. Coe was notified on December 21 that he would not be reappointed.

Woman: Kevin, how long was your vacation?

Man: No more vacation for you.

Councilman Kuenster: Believe me, I've learned.

Man: Will the record show the decision was made at the meeting?

Supervisor: Are the minutes for the Organizational Meeting completed yet?

Clerk Brooks: Yes.

Supervisor: Because I haven't seen them. The Town Clerk will have the minutes of the Organizational Meeting for public review.

Bob Knighton: I'd like to make one more comment. People have expressed concern over the losing Jim's technical credentials. I just wanted to recognize the fact that Alta Turner brings a lot of technical credential, she is an environmental consultant, maybe she doesn't duplicate what Jim brought, although she certainly offers a lot of technical expertise. I just wanted to recognize that.

Former Councilman Guthrie: Switching topics.

Supervisor: Would you let me introduce this portion of the meeting? Thank you very much. The floor is open for additional comments before monthly reports. Mr. Guthrie?

PUBLIC COMMENT

Richard Guthrie asked for a copy of the agenda prior to the meeting.

Diane Louis asked about the **Farmers' Market**, good if we could expand it to local artists, musicians, the talents of neighbors. Also, for the Town to please consider for the month of June to travel to Hallock/District 2 or Silver Lake/ District 3 Parks.

Councilman Kuenster said cultural aspect has been discussed. Diane gave list of names of possible helpers to Councilman Kuenster.

Ellie Alfeld acknowledged that the Town Board sets aside money for the youth of the Town, and asked that the Town Board provide a **senior get-together**, maybe twice a year. Wanting the Town Board to lead, this could connect seniors with each other and the Town, provide a health fair, blood pressure screening, openness, who often don't have sociability or networking, perhaps with the help of Community Action. Supervisor stated that Gloria Woods, a resident, had spearheaded Young at Heart, Town was very supportive of that effort at that time, and he asked if there was a means of leadership in the Town, adding that if support and leadership could be found, the Town certainly would be happy to support. Mrs. Alfeld added that if the Town can find a salaried director and assistant director to do parks program for youth, can't they do the same for the seniors. Councilwoman McKeon related, having recently lost her mother, the county government doesn't seem to know if New Baltimore is in Albany or Greene, transportation services will come as far as Coxsackie and Ravena's services sometimes cross over the county line. Councilwoman McKeon related the absence of a community center, and Ellie asked to use the Town Hall or maybe a local fire company would host. Councilwoman McKeon added the Town parks. Councilman Byas said 3 Old Timers Game were held this year for 55+years old, with a \$3 fee and a shared dish; the last was attended by 40 on a rainy day. A woman asked about the YMCA coming to Coxsackie; contact Capital District Y and ask how they can fit in programs for our seniors.

MONTHLY REPORTS

Supervisor Louis reported that vouchers, appearing on the abstracts prepared for this meeting, were being approved by the Town Board. He attended Coxsackie Area Chamber of Commerce meeting.

County Legislator Jim Van Slyke was not present.

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Town Clerk Brooks reported 3 C/O searches; Permits: 0 sign, 2 building, 0 chimney/woodstove, 0 garage, and 0 conservation fees, 7 dog licenses, 6 photocopies, revenue to Town Supervisor of \$13,612.14 and non-local revenue disbursed of \$39.67. Regarding the Inactive Records Inventory, to date 81 cartons of Town records have been identified as reaching or exceeding their required retention according to the NYS Archives Retention Schedule, and 65 cartons have been identified and labelled and correctly stored.

Highway Superintendent Jordan reported for the month of December: Sunday Dec. 2 Called all employees in at 8pm for ice; worked all night until 3:30 pm on Monday 12/3; Monday Dec. 3 called all back in at 7:30 pm for more ice worked until 11:30 pm; Replaced air dryer canisters on all trucks; Put new wing on 80 Oshkosh purchased from Thruway auction; Had front end rebuilt on 93 international; Painted new wing and plow on 80 Oshkosh; Installed No Parking signs on Scheller Park Extension; Replaced alternator on 89 International; Replaced block heater on 85 Oshkosh; Monday Dec. 10 freezing rain all employees worked through the night until 3:30 pm on Tuesday Dec. 11; Installed master switch on 89 International; Tuesday Dec. 10 called all back in at 5:30 pm more freezing rain worked until 8:30 pm; Put 93 international back together; Changed oil and filters on Samsung loader; Thursday Dec. 13 snow started plowing and sanding 11:00 am worked until 11:30 pm; Friday Dec. 14 called all in at 4:30 am worked until 12:00pm; Replaced plow and wing blades on trucks where needed; Sunday Dec. 15 called all in at 5:00am worked until 5:00pm; Called back in at 6:30 pm worked until 9:30 pm; Monday Dec. 17 called all in at 4:00 am for snow plowed and sanded all roads; Washed and greased all trucks in between storms; Cleaned snow off roof of old part of Town Garage; Wednesday Dec. 19 Called all in at 7:00 pm for snow; worked until 11:00 pm.; Thursday Dec. 20 Called all in at 4:00 am light snow, plowed and sanded; Patched some washouts from rain on dirt roads; Adjusted sander chain on 1985 Oshkosh; Dec. 31 Called all men in at 2:00 am worked until 12:30 pm.

Ellie Alfeld asked if there was any balance in the Highway, to transfer to the General Fund. Supervisor said no, it can only go the Highway Fund Balance, transferred into Capital Reserve Fund for Highway Equipment, providing \$40,000 for equipment, and if any left over, into Fund Balance, or into Reserve Fund to support one-time expenditures.

Wastewater Treatment Plant Jim Polverelli reported for the month: December 5, 2007: found plant in marginal condition; 1) some equipment was in need of winterizing; 2) seals leaking on rotor #2, called Flach in to repair, problem has been minimized but need to be addressed in near future; 3) made several adjustments to process to achieve a better effluent; 4) clarifier flight shoes need replacement as soon as possible; 5) work to be done as weather permits: (a) clean drying beds-sand has to be tilled and groomed; (b) clean headworks of plant that has stones and debris in channel; (c) clean EQ tank; 6) pump station: (a) generator has not been exercised since serviced on 3/30/07 (ran once for power outage on 7/20) ;(b) new timer has been ordered to correct problem; (c) one lift pump was tripped off-reset ok; (d) elapsed time meter must be ordered and replaced.

Town Historian Clesson Bush reported for the month of December: Have been following up on a recent newspaper article by County Historian Raymond Beecher on an unverified report that the Revolutionary War hero, the Marquis de Lafayette, camped out in the area near today's Thruway exit. I have been looking for further clues in various sources, including biographies and collected papers of Lafayette; Have been consulted by several people about a variety of topics, including the history of a house, the names of the members of the Reformed Church consistory found on a slip of paper during the ongoing window restoration, and a family member's entrance into military service during World War I; Completed scanning onto the computer the school-related photos in the Town's collection and the Heritage of New Baltimore book; Scanned the 1890 Town assessment roll onto the computer. Jean Bush has transcribed the 1890 election roll. As you may know, the 1890 Federal census was destroyed in a fire so surrogate sources like the rolls must be consulted for genealogy and other research. We plan to submit the information

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to the Greene County genealogy web site for publication. Purchased a postcard portraying Albright's Cabins, which were located across from the current garage.

Code Enforcement Officer/Building Inspector John Cashin and Christian Larsen reported; Complaints:0-trash, 0-open burning, 1-junk vehicle; Inspections completed: 17-building, and 1- fire; 2-Court appearances; 0-tenant complaint. Also: 3-building permit applications, 0-applications extended, 4-building permits issued; 1-commercial site fire inspections completed, 4-Certificates of Occupancy, 2-Certificates of Compliance, 1-stop work orders.

Newsletter Chair Councilman Kuenster reported that zip codes 12124 and 12192 were extremely late receiving their newsletter that contained the farm market survey, still looking into what happened. Supervisor said the printer subcontracts out the mailing, when it looked lost, printer took responsibility to reprint, and mail at 1st class. Arlene thanked Cless Bush for fire story. Working with webmaster to put on website.

Assessor Gordon Bennett reported renewal exemptions due Mar 1, 2008 new this year is Cold War Vet exemption. Data collection is ongoing by Don Daoust.

Agriculture Committee Chair Councilman Kuenster reported having met on Jan 3, 2008 and meeting minutes will be posted on Town Clerk's door, the farm survey appeared in Newsletter, red milk-can in post office parking lot, Assessor Gordon Bennett will attend Ag Committee meeting in February.

Planning Board Chair Lee Davis reported

Zoning Board of Appeals Vice Chair Meave Tooher reported no meeting, as there were no applications to come before the Board.

Recycling Center Operator Spencer Sebert reported receiving 1 appliance and 1 vehicle battery, and revenue to Town of \$4.00.

Animal Control Officer Joe Tanner had no report.

For Fire/EMS /Law Enforcement, Councilman Norris reported that on January 11 he met with Mark Evans, President of Greene County EMS; purpose of this meeting was to learn about EMS Paramedic Service of Greene County. Discussed, among other things, was how and when the service was started, where it is today and future plans. Some points covered include: 1) the number of units (4) one paramedic per unit; 2) locations of the units (Coxsackie, Catskill, Cairo and Windham); 3) how units cover their areas; 4) the closest paramedic flycar to New Baltimore (Coxsackie, know as Medic 5); 5) manned 24 hours/7 days week/365 days year; 6) in 2005, Greene County EMS responded to over 1,600 calls; in 2006, responded to 3,004 calls; 7) in 2006, Medic 5 responded to 678 calls; 8) future plans include adding a 5th flycar, and improving their communications systems. Mr. Evans provided a tour of the Coxsackie Ambulance Service, and inspection of the ambulances and the flycar; the vehicles are well equipped with the latest advanced life saving equipment. The county and the towns have entered into a 5 year agreement with Greene County EMS, Inc. as of March 2007. Under this contract, the county covers 2/3 of the cost and to the towns cover the balance. Submitted by Councilman Norris.

For Parks, Councilwoman McKeon had no report.

Promotion/Economic development Chair Kuenster had no report.

For Grants Clerk Brooks has sent out requests for quotes for NYS Archives grant. Councilwoman McKeon knows of Walmart money.

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For Website and Technology, Supervisor asked if the minutes of Town Board and Planning Board could be posted on the website; Councilwoman McKeon brought up issue of whether to post prior to adopting minutes or after adoption. Supervisor will research what other Towns are doing. Diane Louis asked if agenda items could be posted as well; Supervisor puts agenda together over the weekend prior to the meeting. Sally Russo asked if the Greene IDA will be at Planning Board and Town Board meetings coming up.

For Personnel, Supervisor stated it would be necessary to advertise for a Wastewater Operator Trainee; the fairest way to fill vacancy is to advertise. Hearing no objection from the Town Board, an ad will be written and provided to Clerk Brooks.

Councilman Norris moved to enter executive session to discuss a litigation matter, seconded by Councilman Kuenster.

**Motion Carried Ayes-5 Kuenster, McKeon, Louis, Byas, Norri
Nays-0**

Executive Session began at 9:25 p.m.

Councilwoman McKeon moved to close executive session at 10:05 pm, seconded by Councilman Byas.

**Motion Carried Ayes-5 Kuenster, McKeon, Louis, Byas, Norri
Nays-0**

With no more from the Board or the public, Councilman Kuenster moved to adjourn, seconded by Councilman Norris.

**Motion Carried Ayes-5 McKeon, Kuenster, Louis, Norris, Byas
Nays-0**

The meeting was adjourned at 10:10 p.m.

Respectfully,

Janet A. Brooks
Town Clerk