

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
TOWN BOARD WORK MEETING
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Supervisor Louis called the meeting to order at 8:10 p.m. and the Pledge of Allegiance was said. Also attending: Councilwoman McKeon, Councilmen, Norris, and Byas, and no members of the public. Absent: Councilman Kuenster, Attorney for the Town Wukitsch, Highway Superintendent Jordan, Tax Collector Stuart, and Town Clerk Brooks.

Supervisor Louis stated that the **Annual Financial Report** will be submitted to the NYS Comptroller's office tomorrow. He summarized that the General Fund, Highway Fund and Sewer Fund each have a year-end summary, and a Fund Balance statement. This will be on the agenda in March. In the General Fund the total revenues are just under \$713,000; expenditures are approximately \$665,000; the result is a surplus of between \$47-48,000 for the year and, added to the Fund Balance, on December 31, 2007 yields slightly more than \$399,000.

Supervisor noted that (1) \$75,000 has been appropriated to 2008; (2) there are 2 adjustments: one fine, pursuant to the Local Law passed regarding fines attributable to real property, was expected to be collected in 2008 on the tax bills and was (after the final notification letter) actually received in 2007, was expressed as revenue in 2007, and will not reappear in 2008. Supervisor will consider increasing the budgeted \$75,000 (1) appropriation to 2008 by \$10,000 to show that fine as having been received; and (3) zoning work contracted with Elan Planning and Design (\$10,000) is not complete, is not in the 2008 Budget and will be appropriated out of the Fund Balance.

Councilwoman McKeon asked when the college chargebacks are paid; Supervisor stated that when 2008 Town Budget is submitted to the Greene County Legislature, it includes what is planned to be spent, what is planned to be received in revenues, and the balance is the property tax levy which for 2008 about \$1,000,000. Then Greene County takes the chargeback amount and adds it to the Town Budget for property taxes; Supervisor shows the chargebacks, on a separate line, so it is clear to the public what is Town and what is County. Councilwoman McKeon reviewed Greene County Legislator VanSlyke's announcement of the 4-year phasing-out of the college chargebacks at the last regular meeting of the Town Board. Supervisor said, if the Legislature follows through on the Chairman of the Legislature's message, the phasing out will begin in the 2009 year; reiterating that the college chargeback will affect the Town tax levy, regardless of the New Baltimore Town Board's action.

Supervisor noted certain deficit situations. **Sewer District 2** has a call-out for malfunction; collecting a property tax in 2008 will wipe it out a year later. The **Lighting District 1** has been hit with increases in energy costs; whether the increase in 2008 Town Budget is enough to wipe out the deficit will remain to be seen. **Lighting District 2**, formed in 2007 in Kalkberg Commerce Park, also now has a property tax levied to pay the deficit. The other funds are fine; Ambulance District 2 has a Fund Balance of \$20,000; although a contractual agreement with the Town of Cocksackie has not formed, the Fund Balance will cover the contract. However, in 2009 an appropriation of \$15,000 will be necessary.

Councilwoman McKeon noted the existence of the **Building Reserve Fund**, adding that the limits are being stretched in the Town Hall. Supervisor responded that the General Fund's Fund Balance is a "rainy day" cushion; the Board has the collective ability to designate and transfer from it into one of the Reserve Funds. As future needs arise, instead of burdening taxpayers, the Town Board can use that money. Supervisor added that a \$47,000 surplus is fairly average for the Town; when the Supervisor and Councilwoman McKeon came to the Town Board in 2002 there was almost no Fund Balance, and gave the example that the Town of Colonie currently has a deficit, not a Fund Balance. The Highway Garage roof and furnace repairs were done from the General Fund in 2007. The Resolution for the purchase of the Boom Mower was spent from the Capital Reserve Fund, did not affecting taxes, and did follow a procedure set by law.

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Supervisor hopes that as certain debt expires, a level amount of debt service can be maintained. The Road Reconstruction Bond, in 2003 or 2004, Fund's purpose was to catch-up with road maintenance; the bond collected about \$10,000 interest. That interest will be used to pay down that debt service (1.8%) and will be paid down next year.

Supervisor distributed a draft local law to be discussed at the Regular March Meeting, subjected to public hearing in April, and adoption to follow. A portion of the Town is in a federally designated flood zone and homeowners can purchase flood insurance. In 1992, in order for Town of New Baltimore residents to qualify for national flood insurance the Town had to adopt a local law to regulate development in the flood zone. Chapter 48 of the Town Code is Flood Damage Prevention, enacted in 1992 to comply with the federal requirements. The federal government requires the Town to update the local law for development in the flood plain to qualify residents and the federal government sent a draft local law. Supervisor has simplified it more than the current local law; in many communities the base flood elevation is determined and an engineer must be on site to certify that the building is at least at that level. For New Baltimore, in 1992 the rule of thumb for development was that the bottom of the structure had to be at least 2 feet above the highest adjacent grade. In New Baltimore there were no base flood elevations; getting to the basic principle of how high to build up there is one significant change: instead of 2 feet, it must be 3 feet above grade. This local law restates the 1992 law, changes 2 to 3 foot, takes out any reference to base flood elevation because it doesn't exist in New Baltimore, and requires a flood plain development permit (from the Building Inspector) if building will occur in the flood plain. Other provisions refer to basements and having access for water to come in and to go out (if it is used for a storage area). Other than the increased height, little is being changed, but it maintains compliance for the purchase of flood insurance. Councilwoman McKeon understood that this was subject to variance, and asked that the Zoning Board of Appeals be copied on this and invited to attend the public hearing. Supervisor responded that there is no change with regard to the variance, and reasonable to involve them in the hearing. He stated that this is on the agenda for March 10, 2008 Regular Town Board Meeting, and to schedule a public hearing in April and to adopt in April, because May is the deadline to have it in place. Supervisor Louis added if someone applies for a building permit the Building Inspectors need to be aware of where the flood plains are and will advise them of the inclusion of this item. Supervisor has submitted all the changes to the NYS Department of Environmental Conservation, as an agent of the federal government, and has received a response from them that his changes to the draft Local Law are reasonable.

Supervisor had spoken to **Chris Kemnah** regarding the **Farmers' Market at Wyche Park/District 1**. In Councilman Kuenster's absence, Supervisor felt that a **Memorandum of Agreement** relative to their operation would be helpful; they know the application process, rules of the park (and a certificate of insurance naming the Town as an additional insured at \$1,000,000), to be held Saturday morning beginning in June. Supervisor would like to document in this memo: the use of the Town's mailing address, and a link on the Town's website to where a page can describe the Farmers' Market. Councilwoman McKeon asked to 1) clarify a *link* or a *page*, 2) consider the problems of setting a precedent, 3) would the mailing address bind the Town, and 4) could their website be hosted outside of the Town's, perhaps with our webmaster's assistance. Supervisor Louis was unsure of their desire to have a webpage versus a link, offering that the Farmers' Market came from the **Agriculture Committee**, formed by resolution of the Town Board, and from the Town's Comprehensive Plan goal to promote agriculture. Councilwoman McKeon suggested consulting the Town Attorney, keeping the Town separate, and asking if the Farmers' Market is a business venture. Supervisor stated that they are not established to be not-for-profit, and not looking to make a profit, but *if* revenues are realized they would like to improve the Town's parks; he gave examples of community information that is on the website about churches or fire companies. Councilman Byas asked how Catskill Point Farmers' Market is promoted with Greene County. Councilwoman McKeon expressed concern of an additional workload at Town

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Hall. Supervisor Louis suggested one-time, static information be listed, and any dynamic information would be on a link. Supervisor related their question for one-time help with **signage**, and added that the **AgFest** is supported, the 2008 Budget shows an overall cultural programs budget of approximately \$1200, and asked would the Town Board support for a one-time \$500? Councilman Byas asked if the sign would say, for instance, "Farmers' Market- Turn here"? Answer, yes. Councilman Byas would like to see a draft of the sign. Councilwoman McKeon suggested an amount be determined and let the committee determine how to spend it. Councilman Byas suggested using a local sign firm, who has done several jobs for the Town Parks. Supervisor will discuss the sign with Chris Kemnah, and asked to write a **Memorandum of Agreement for 2008** to bring back to the Board, confirming that the Town will provide \$500 seed money, and not a contract. Councilwoman McKeon asked whether a Memorandum of Agreement was necessary; Supervisor responded that it represents support and expresses clearly what the Town needs.

Councilwoman McKeon also related that work to be done will be determined, with Highway Superintendent Jordan, for **Wyche Park/District 1**, with Town funds and when the weather breaks. Items to be determined are: where the farm stands will actually be set up, the parking lot, stability of the ground and wetness. Supervisor will try to get draft of the memorandum out before the March meeting.

Supervisor stated that the next item for the agenda would be the **Board of Assessment Review** appointment. Councilwoman McKeon, regarding the **Mohawk and Hudson River Humane Society** annual contract, stated that a meeting with the Animal Control Officer is being scheduled.

Supervisor stated that a request had been made by Chief Wastewater Treatment Plant Operator Jim Polverelli to service the **fire extinguishers at the Treatment Plant and the Pump Station** (or purchase reconditioned, if necessary) at a possible cost of up to \$145. Councilman Byas will contact Jim directly at the Wastewater Treatment Plant.

Councilwoman McKeon stated there is a mandate regarding 4 hours per year of **training for the Zoning Board of Appeals and Planning Board members**; the information is noticed on the Department of State's webpage. When the requirement was put in place, Greene County Planning provided the first hours of training. Supervisor felt it would be offered again, as it is an annual requirement, and added that there are other opportunities. Councilwoman McKeon had printed copies for the Board and it will be discussed at the March 10 Regular Meeting.

Councilman Byas asked about the Board of Assessment Review appointment; Supervisor responded that if the appointment is made, Assessor's Clerk Carol McBride does a very good job keeping the BOAR members advised of training available.

With no more from the Board, Councilman Norris moved to adjourn, seconded by Councilman Byas.

Motion Carried **Ayes- 4** **McKeon, Louis, Norris, Byas**
 Nays- 0
 Absent-1 Kuenster

The meeting was adjourned at 9:25 p.m.

Respectfully,

Janet A. Brooks
Town Clerk