

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
MONDAY, OCTOBER 12, 2009-Page 1

Supervisor Louis called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was said. Also attending were: Councilwoman McKeon, Councilmen Norris, and Byas, Attorney for the Town Wukitsch, Tax Collector Stuart, Town Clerk Brooks, and 12 members of the public. Absent: Highway Superintendent Jordan.

Supervisor Louis welcomed all attending.

MINUTES

The minutes of the **September 14, 2009 Regular Town Board Meeting**, and were presented for approval. Supervisor asked for 3rd paragraph of 1st page to read, "Mr. Stephen".

Councilwoman McKeon moved, seconded by Councilman Norris.

Adopted Ayes- 4 McKeon, Louis, Norris, Byas

Nays- 0

The minutes of the **September 28, 2009 Town Board Work Meeting** were presented for approval.

Councilwoman McKeon moved, seconded by Councilman Norris.

Adopted Ayes- 4 McKeon, Louis, Norris, Byas

Nays- 0

CORRESPONDENCE

From NYSDEC to Gary Harvey, Greene County Highway Supervisor, the Town was copied on the notice that they are **extending the stream work period to October 23, 2009** to complete the bridge replacement.

From Bill and Betty Jane Nevins, a thank-you and job well done note to Highway Superintendent Denis Jordan for work on **Alcove Road** and expression of hope that the Town budget will permit the portion of Alcove Road south to CR 26 to be redone.

From **National Grid**, notification of maintenance and repair activities for its 115kV LaFarge-Pleasant Valley #8 Electric Transmission Line from the LaFarge Plant in T/Coeymans to the National Grid substation in the Town of Pleasant Valley in Dutchess County. Tax parcels 16.00-4-14.1 & 14.2, Cecil C. Hallock Park, will be the site of work done involving helicopter and ground crews; they will keep disruption to a minimum. Contact person is named.

From **Greene County Emergency Medical Systems Inc.**, a 2-year contract for January 2010-January 2011 is being reviewed by Supervisor Louis and Councilman Norris; as it is not a new obligation, Supervisor will recommend the Town Board renew the contract.

OLD BUSINESS

A memorandum from Senior Building Inspector/Code Enforcement Officer John Cashin regarding **unsafe building** on Washington Avenue was received by the Town Board on October 7; an interior walk-through is planned the week of October 20. Supervisor recommends holding this unsafe building over to November's Regular Town Board Meeting by which time John Cashin will have met with the owner.

Regarding the **Workplace Violence Prevention Policy**, Supervisor has drafted a policy and Attorney for the Town Wukitsch has reviewed it and feels that it meets the requirement of the NYS Labor Law. A designated employee representative is needed to handle concerns or record instances. Based on Town Board's suggestion, Supervisor spoke to the Town's Emergency Management Officer, Alan VanWormer; on consultation with Attorney Wukitsch, Supervisor Louis is reaching out to the employees to be sure there are no objections to Alan VanWormer's appointment and to provide an opportunity for another name to be put forward. Assuming Alan Van Wormer is endorsed, the Town Board will come back in November and take action on the appointment. Councilman

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Byas asked, since the Town was preparing its own policy, is the Town copying another Town's handbook. Supervisor answered that it is not a handbook; it is a template developed by NYS. Councilman Byas asked if they were available to be seen. Supervisor said yes, on NYS Department of Labor's website, go to "workplace violence prevention", and he offered to print it for Councilman Byas. Councilman Norris has found other state sources on the Internet. Supervisor's understanding of training requirements is that the policy would be provided, procedures would be discussed, and concerns would be addressed. Supervisor attached a list of employees based at Town Hall, Highway Garage, or the Wastewater Treatment Plant.

NEW BUSINESS

Regarding the Purchase of Road Sand for the winter, the Greene County Legislature solicited bids earlier this year for washed screenings for snow and ice control; there was no comparable NYS bid for these materials, so the Town is using the Greene County bid as a base. Highway Superintendent Denis Jordan was contacted by Coeymans' P&M Brick who have offered a written bid of \$3/ton for an equivalent material; the lowest Greene County bid, by Callanan, was \$8.75/ton. There is a cost difference and an opportunity for savings; Highway Superintendent Denis Jordan contacted both bidders who did stay with those bids, and he now requests authorization to move forward to buy at \$3/ton. Supervisor asked if he had inspected the material; answer: yes, he filled a bucket of the material with water, there was no mud, just his wet, clean hand; he will mix one part sand and one part screenings.

**RESOLUTION
OCTOBER 12, 2009**

**RESOLUTION TO AUTHORIZE PURCHASE OF ROAD SAND
FOR SNOW AND ICE CONTROL**

WHEREAS, the Greene County Legislature solicited bids for the purchase of washed screenings for use in snow and ice control, and

WHEREAS, these bids were opened and contracts awarded pursuant to Greene County Legislature Resolution 257-09 on August 19, 2009, and

WHEREAS, the Town Superintendent of Highways has reviewed bids from the bidders awarded the Greene County contract and has also solicited a bid from P&M Brick LLC, in Coeymans, NY, and

WHEREAS, the bid offered by P&M Brick is \$3.00 per ton for road sand, which is significantly lower than the next highest bid on the Greene County Contract, which is \$8.75 per ton, and

WHEREAS, The Town Superintendent of Highways has determined that the road sand being offered is functionally equivalent to washed screenings, and

WHEREAS, there is no state contract awarded for these materials.

NOW THEREFORE, BE IT RESOLVED, that the Town Board does hereby find that it is in the general interest of the taxpayers of the Town of New Baltimore to purchase materials at the lowest possible cost, and therefore the Town Board authorizes the purchase of road sand at a cost of \$3.00 per ton from P&M Brick LLC as per their bid dated October 6, 2009.

Councilman Norris moved, seconded by Councilman McKeon.
Adopted Ayes- 4 McKeon, Louis, Norris, Byas

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Nays- 0

Highway Superintendent Jordan has knowledge of a NYS Thruway **auction** to be held on Wednesday, October 14, 2009, where a **used stainless steel sander** is being offered. Highway Superintendent Jordan has inspected it; it would be \$20,000 new. The most recent item bought at auction was about \$4500. Councilman Norris recommends authorizing \$12,000, as it is the best item that Highway Superintendent Jordan has seen.

**RESOLUTION
OCTOBER 12, 2009**

**RESOLUTION TO AUTHORIZE TOWN SUPERINTEDENT OF HIGHWAYS
TO PURCHASE USED EQUIPMENT AT NYS THRUWAY AUCTION**

RESOLVED, that the Town Board hereby authorizes the Town Superintendent of Highways to purchase one used sander at the upcoming NYS Thruway Auction at a total cost not to exceed \$12,000.

Councilman Norris moved, seconded by Councilwoman McKeon.

Adopted **Ayes- 4 McKeon, Louis, Norris, Byas**

Nays- 0

Regarding upcoming meetings that require Highway Department employees' attendance during the workday, Emergency Management Officer/Deputy Highway Superintendent Alan VanWormer has requested permission to attend Greene County Hazard Mitigation Program on October 14 and Greene County's offering in Cairo of **National Incident Management System's ICS-400** on November 4 and 5. He requests that Scott VanWormer attend as a back-up; there is no cost to the Town other than time out of the workday.

**RESOLUTION
OCTOBER 12, 2009**

**RESOLUTION TO AUTHORIZE ATTENDANCE AT UPCOMING MEETINGS
AND TRAINING SESSIONS BY TOWN HIGHWAY DEPARTMENT
EMPLOYEES**

RESOLVED, that the Town Board does hereby authorize attendance by the following town employees at upcoming meetings and training sessions to be held during work hours as part of their official duties:

- 1) Attendance by Deputy Highway Superintendent and Town Emergency Management Officer Alan Van Wormer at Greene County Hazard Mitigation Program Meeting to be held on October 14, 2009.
- 2) Attendance by Deputy Highway Superintendent and Town Emergency Management Officer Alan Van Wormer and Town Highway Department Heavy Motor Equipment Operator Scott Van Wormer at the Incident Command System Training for Major and/or Complex Incidents (I-400) to be held on November 4-5, 2009.

Councilman Norris moved, seconded by Councilwoman McKeon.

Adopted **Ayes- 4 McKeon, Louis, Norris, Byas**

Nays- 0

Reporting regulations for appointed and elected officials who participate in **NY State and Local Retirement System** will change on January 1, 2010. Salaried employees must

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keep a 3-month log of work activities which will go to the Board to demonstrate how much time is being spent; the new Town Board must adopt a resolution regarding appointed, elected, and hourly who are in system to include:

- 1) estimated number of hours in work day for each employee – the Town Board can set a work day as low as 6 hours and as high as 8 hours,
- 2) the expiration of term of office for each position, and
- 3) whether or not that position is hourly (with time sheets submitted) or salaried (has submitted a 3-month log) and the total days per month to be reported, ie. where someone works 48 hours, if the Board sets an 8-hour work day, would be reportable as 6 days in that month. The Town Board has been provided with the names of those who are in the retirement system.

Regarding a letter received from the NYS Comptroller's Office, with a request to review Town's ethics code, Supervisor Louis was advised that a 30-Town sample, of which we were one, was taken across the state. The interview occurred and everything appears to be in order.

Supervisor presented **2010 Tentative Budget** on September 28, 2009, the Town is in good shape with an Accumulated Fund Balance over \$400,000. The proposed budget carries just under 1% decrease in taxes and, excluding part-time elected officials, there is a 2.5% cost of living salary increase. There are proposed savings in personal services from reorganization in the Justice Court and a reduction of overall work estimates in the Building Department. There are proposed increases addressing mandates for increased contributions to retirement system and health insurance premiums.

On the Revenue side, there are reasonable estimates in state aid as little interest is being earned. In the Highway Fund, a portion of savings is shown as the 5-year-old Highway Road Bond is paid off, putting that into the budget as \$70,000 in Highway Road Repairs to keep up the condition of Town roads. Supervisor acknowledged Councilman Norris' questions, having spent time together answering them. Councilwoman McKeon said she was honored to have served the Town for past 8 years with Supervisor Louis as Chief Financial Officer, and feels they are leaving the Town in great financial shape having scrutinized every line of the budget and thanked him.

Councilman Byas asked about the shortfall of \$100,000 in Consolidated Highway Improvements Program (CHIPS). Supervisor Louis said that this year \$112,000 was received and explained what he did (NYS is not likely to eliminate CHIPS under any circumstances but a reduction is likely) to project an 11% decrease in that funding because to ignore the State's problems would be irresponsible. When there have been unexpected issues in the Highway in the past, there is a General Fund Balance and if the cuts were more severe, a portion of that \$70,000 increase could be cut back. Supervisor tries to be realistic with where funding is coming from; there are difficult decisions to be made ahead in Albany. No further discussion.

**RESOLUTION
OCTOBER 12, 2009**

RESOLUTION TO ESTABLISH 2010 PRELIMINARY BUDGET

RESOLVED, that the Town Board of the Town of New Baltimore hereby establishes the Preliminary 2010 Budget at the amounts set forth in the 2010 Tentative Budget, with no changes.

Councilwoman McKeon moved, seconded by Councilman Norris. No discussion.

Adopted Ayes- 4 McKeon, Louis, Norris, Byas
 Nays- 0

Supervisor proposed to the Board to set Public Hearing for 2 weeks hence, October 26, 2009 at 7:30pm at the Town Hall.

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RESOLUTION
OCTOBER 12, 2009

RESOLUTION TO SET PUBLIC HEARING DATE FOR
2010 PRELIMINARY BUDGET

WHEREAS, the Town Board has established the 2010 Preliminary Budget, and

WHEREAS, the Town Law of the State of New York requires that a Public Hearing be held regarding each year's Preliminary Budget.

NOW THEREFORE, BE IT RESOLVED, as follows:

The Town Board of the Town of New Baltimore will hold a public hearing on October 26, 2009 at 7:30 p.m. at the Town Hall, Rt. 51, Hannacroix, New York, to hear those members of the public who wish to be heard regarding the 2010 Preliminary Budget.

Councilwoman McKeon moved, seconded by Councilman Norris.

Adopted Ayes- 4 McKeon, Louis, Norris, Byas
 Nays- 0

PUBLIC COMMENT

Nils Backlund asked about the feature of **conservation easement**, Sec 3, 50% shall be preserved by deed restriction. Supervisor Louis stated, with respect to Major Subdivisions where person has opted to do large lot subdivisions. {unable to hear} Supervisor explained that other Towns begin by taking out the wetlands, steep slopes and otherwise unbuildable portions and then, with the land remaining apply the setback; what the Town of New Baltimore adopted allows for all the steep slopes, wetlands, and otherwise unbuildable land to be counted toward that setback. Nils asked in the absence of Article 9, could I use the rest of the Code Book to construct a legal, environmentally sound subdivision; yes, if not a major subdivision. {unable to understand} Supervisor explained there were 35 chapters, with the rest on reserve, set up in the same manner as the old Code Book. Nils felt that "the conservation easement is a whim of somebody who wants to lock the Town down forever. There is enough information in the Code Book to do proper subdivisions without this document." Bob Knighton answered that it was not a whim, was discussed and studied ad nauseum; he worked for New York State for 30 years, managing a budget of a billion and a half each year. This is the first time he has paid a lot of attention to the Town budget and thinks the budget narrative and the presentation is about as clear a budget as he has ever read, adding that he hopes that whoever takes [the Supervisor] job is able to do nearly as good a job.

Nils Backlund believes that the property owners are being punished by that particular section of the law.

With no more comment by the public, Supervisor began monthly reports.

MONTHLY REPORTS

Supervisor Louis reported that vouchers, appearing on the abstract of vouchers prepared by the Town Clerk for this meeting, were being approved by the Town Board; also, in accordance with law, that reviewed the report of the Town's Accountant with respect to the financial records of the Town Justices, the Town Clerk and the Tax Collector for the period January 1, 2008- December 31, 2008.

County Legislator Jim VanSlyke was not present.

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Town Clerk Brooks reported 2 Site Plan Reviews, \$200; 9 building permits, \$1,639.45; 16 conservation permits, \$76.74; 20 dog licenses, \$131.80; 2 park permits, \$50.00; 8 certified copies, \$80.00; 16 photocopies, \$4.00; recycling fees totalling \$14.00; for a total to Supervisor of \$2,195.99 and non-local revenues disbursed of \$2,037.46. For Records Management: one file left of miscellaneous files culled from various departments' drawers. Attended a NYS Archives Workshop at Niskayuna Town Hall, met Kristy Barton, Office of Court Administration, who will come to Town Hall this Thursday, October 15, for a 2.5 hour free training with part-time Records Clerk Diane Jordan regarding the processing of the retired Town Justices' files for which Records Management Officer Brooks is responsible for retention. Sent another order for E911 signs to Leon Rice- total to date: 267. I am the drop/pick-up site for the tickets for the Barn Round, Square Dance on October 24.

Highway Superintendent Jordan reported for the month of September 2009: Hand patched roads with Blacktop; Mowed brush and weeds along roads; Mowed and weedeated cemeteries; Mowed and weedeated around Town garage; Put shoulders on Alcove Road where needed; Picked up trash and tires along Rt.9w by Sterritt property; Graded dirt roads; Got NYS inspection done on F-550; Picked up tires dumped on Jennings Road and took to W&J; Did maintenance on 2002 Ford pickup; Started to haul road sand for winter; Ordered 100 tons of salt; Cleaned beaver dams out of large culvert on West Deans Mill Road; Picked up 30 tires dumped on Haas Hill Road.

Wastewater Treatment Plant James Polverelli had no report.

Town Historian Clesson Bush reported: Attended the Hudson River Valley Institute's New York 400 Years Conference at Marist College and Hyde Park; Photographed the Dutch flat-bottomed boats that were here for the Quadricentennial; Wrote an article for the next Town newsletter. He announced: Destination New Baltimore Day, October 24, including Artists' Day at the Market (Gill Road firehouse, 9am-1pm), Fall Harvest Holiday Craft Show (Reformed Church, 9am-3pm), New Baltimore Conservancy Bake Sale (to benefit their scholarship fund, at the art show, 9am-1pm), Barn Round and Square Dance (Hilscher farm, 5:30-9:30pm, New Baltimore Bicentennial Committee fund-raiser); also on October 24, the premiere of Jonathan Donald's film "Greene County, USA," Catskill's Community Theater, 4 p.m., \$5, with reception to follow. Jonathan also will be speaking about his film at the next New Baltimore Conservancy meeting, this Wednesday at 7:30pm at the Gill Road firehouse; October 24, 9am-3pm, Regional meeting, Association for Public Historians of New York State.

For Code Enforcement Officer/Building Inspector Christian Larsen, Building Planning and Zoning Clerk Marjorie Loux summarized partial activities for September 2009. Building Inspections and Code/Zoning Violation Investigation figures for September will be included in the next monthly report. Since September 10, the Department has been short-staffed due to Senior Building Inspector John Cashin's absence on medical leave. Building Permits Issued: 7; Building Permits Renewed: 1; Certificates of Compliance Issued: 1; Certificates of Occupancy Issued: 2; Demolition Permit Applications Received: 1; New Building Permit Applications Received: 4; Outside Boiler/Woodstoves, etc. Permits Issued: 1; Pool Permit Applications Received: 1; Pool Permits Issued: 1; Septic Replacement Applications Received: 1; Septic Replacement Permits Issued: 1; Application Fees for September 2009: \$ 1,639.45; Total Fees for Year to Date: \$17,378.05.

Newsletter Chair Councilman McKeon stated the current issue with insert is at the printers and should be in homes by end of next week.

Assessor Gordon Bennett reported that STAR Enhanced Exemption Renewals were mailed out at the end of September. Town Data Collector, Don Daoust is again in the field for 2009 data collection. By utilizing Assessor Clerk Julie Fisk's home

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printer/scanner unit, 817 photos for 695 parcels have been scanned and saved to the computer hard drive by end of September. By last week, all the photos have been resized and the individual insertion of the photos into the RPSV4 has begun. The office will be closed from October 14-19 as Julie attends her daughter's destination wedding. Clesson Bush asked for the old pictures that are attached to the property information card; answer: they are kept. Six to nine years ago digital pictures replaced 35mm photos.

Agriculture Committee met on the 1st Thursday of the month and will continue to meet on that date.

Public Memorial Committee had no report.

Planning Board Chair Lee Davis reported for the month of September, 2009: Planning Board met on October 8, 2009, with the following business transacted:...Accepted Site Plan Application as a minor Site Plan for amendment to Raj SAI Hospitality LLC currently existing Site Plan to reflect the residence on parcel as an accessory structure to Best Western. Approval followed with conditions that it is to be residence for motel manager or motel employee, residence cannot be subdivided from the motel parcel or be sold separately from the motel business and that it remain part of the motel business. Site Plan Application packet received and discussion continued with Kevin Berry from Berry Builders regarding construction of a dental office on property on east side of US Rte 9W owned by Dr. Marvin Gertzberg. Public Hearing on the application has been scheduled for 7:30 p.m., November 12.

Zoning Board of Appeals Chair Meave Tooher for the month of September 2009: The Zoning Board of Appeals met on October 7, 2009. Public Hearing was held and recessed until 7:30 p.m., November 4, on the annual review of the Use Variance granted October 1, 2008, to Bruce and Rose Ubrich for property owned at 13156 Route 9W, Hannacroix.

Recycling Center Operator Spencer Sebert received 1 microwave, \$4.00; 5 tires without rims, \$10.00, also 2 vehicle batteries, 31 60 gallon gas of plastic, 9 55 gallon drums of cans; 60 bundles of magazines; 108 gas and bundles of newspaper, 10 bags of shredded paper, 50 boxes and bundles of cardboard and 1.5 ton of metal, total revenue, \$14.00. For Building Maintenance, Spencer Sebert changed air and water filters and swept up worms in basement.

Animal Control Officer Joe Tanner had no report.

For Fire/EMS/Law Enforcement, Emergency Management Report :

For Fire/EMS/Law Enforcement, Councilman Norris reported: At the last Greene County EMS council meeting it was reported that the old medic truck was sold at Internet auction for \$5400 and the need for flu shots for paramedics and how to administer them was discussed. New Baltimore had 5 BLS call and 8 ALS calls in the month of August for a total of 61 calls. After a slight delay the Medway-Grapeville Volunteer Fire Department took delivery of its new fire truck. Chief Sean Conway advises it is a 2009 American LaFrance 6-man crew cab with a top mount pump. The E-911 signs will be delivered to residents on Monday, October 12th as a part of their drill.

Town Emergency Management Officer Alan VanWormer reported:

- Received and delivered first and second batch of 911 signs to fire companies for distribution.
- 3 residents requested placement of their 911 signs, he will be installing one for a River Road resident over the weekend.
- Greene County will host advanced NIMS training courses November 4 & 5. The i400 class is the last course needed by Alan to bring the Town into total compliance.

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- Alan would like to congratulate the New Baltimore and the Medway-Grapeville Fire Districts on the arrival of their new trucks; having viewed them, they should serve the residents of our Town well.

With winter coming I want to remind everyone of last December's ice storm that had many residents without power. If needed, the town's 2 fire departments will provide dry ice, shelter, bedding, and can contact the Red Cross if necessary. The Town's Recorded Emergency information phone number is 756-6600.

For Parks, Councilwoman McKeon had no report.

For Promotion/Economic Development, Councilman Norris showed the ad run that has run for October 24/Destination New Baltimore.

Grants had no report.

For Website and Technology, Councilwoman McKeon reported.

For Personnel, Supervisor Louis had no report.

With no more from the Town Board or the public, Councilwoman McKeon moved to adjourn, seconded by Councilman Norris. Councilman Norris said individuals can continue to burn brush, and to mulch; residents can burn, but not burn leaves.

Motion Carried Ayes- 4 McKeon, Louis, Norris, Byas
 Nays- 0

The meeting was adjourned at 8:53 p.m.

Respectfully,

Janet A. Brooks
Town Clerk