

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 1

DRAFT

Opening of Regular Meeting

The meeting was called to order at 7:32 pm by Supervisor Susan O'Rorke and followed by the Pledge of Allegiance. In attendance: Councilwoman Finke, Councilmen Byas, Meredith and Norris, Highway Superintendent Jordan, Town Clerk Brooks, and 33 members of the public who signed attendance sheet.

Supervisor O'Rorke thanked everyone for coming.

Approval of Minutes

Councilman Norris moved and Supervisor seconded the approval of Minutes of **July 12, 2010 Special Budget Meeting** submitted by the Town Clerk. Councilwoman Finke asked to add Councilman Meredith's comment under Non-Personal Services, page 1, "Postage meters can be used (inaudible), other people aren't supposed to be using it, abuse". Councilwoman Finke asked about page 2, franchise fees; tabled to Old Business. With that one addition, the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Adopted

Councilman Byas moved and Councilman Meredith seconded the approval of Minutes of **July 12, 2010 Regular Meeting** submitted by the Town Clerk. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Adopted

Councilman Norris moved and Supervisor seconded the approval of Minutes of **July 26, 2010 Work Meeting** submitted by the Town Clerk. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Adopted

Health Insurance Presentation

Supervisor introduced Erin Nevins, EP Nevins Agency. Health insurance is a big budget issue for the Town; check the market, look at various plans, further discussion at work meeting. Highway Department has been happy with CDPHP's services, doctors, and prescription plan. The insurance committee went back to Ms. Nevins and asked what she could do for the Town. The Health Reimbursement Account (HRA) will be discussed more at September Work Meeting; is used by other towns, villages and private industry, and hope to vote on it at the October Regular Meeting.

Ms. Nevins stated she has been handling Town of New Baltimore for 4 years, with a change in plans in 2010; Empire was previous plan. As principal for EP Nevins Agency, she develops different alternative solutions to keep premiums down while providing good insurance. She is the service account manager, familiar with everyone enrolled and their family setups.

The market is up, two carriers (Blue Shield and CDPHP) possible, and no great benefit to switching. There are a few alternatives; the Town is used to having a specified co-pay driven health insurance program and they are getting very expensive as of September 23. Employers are looking at some insurance products (deductibles and coinsurance) and it a big shift from the premium to the high member cost. However, the carriers came out with

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 2**

DRAFT

a plan with a slight deductible of \$250/single and \$500/family for certain services, some coinsurance (20%), and that does not apply to prescription drugs or doctor visits. To put that design in place, and Town Board will decide how much it will help with deductibles and coinsurance to fund the health savings account.

There is a proposal for a health reimbursement account (HRA), owned by the Town, that cannot be contributed to by the employees, the balance of which would go back to the Town at year's end, and where the town would be self-insuring. This can be done in-house by the Town or a vendor can do it (thereby avoiding privacy issues, HEPA rules, and prejudices).

Supervisor said it was a good overview, a big change and will be discussed among all the Board members.

Councilwoman Finke asked whether there was a list of providers; Ms. Nevins answered there is a network based on the EPO provider platform, same as 2010. The Town of Rensselaerville has been using this plan and Supervisor hopes to speak with her. Co-pay moves from \$25 to \$30, in-hospital liability is capped at \$2,250 for single and \$4,500 for family for emergency room, ambulance, inpatient hospital and outpatient surgery services. Lab or x-ray at hospital would also be subject to that deductible and coinsurance; to a standalone preferred site they would waive the copay.

Councilman Meredith asked if there was one plan or is there a choice of plans; Ms.

Nevins said some towns do offer a high/low. He asked what the coverage is now whether 80% or 90%; Supervisor said the plan document prior to 2003 the Town pays 100% of their premium, after 2003 hires contribute 20%.

Supervisor gave the Town Board members a health insurance comparison; she expects to end 2010 about \$109,000 for health insurance. From the chart: same plan for 2011- about \$132,000; the plan Ms. Nevins presented for 2011- about \$117,000. Ms. Nevins said some municipalities have co-pay, unions want to keep their co-pays, two towns have transitional plans, and all towns have HRAs (health reimbursement account). One town has a \$50 deductible on the drug program; the town, to make them whole, supported those services with the HRA. Ms. Nevins explained that the HRA can be customized to what the Town wishes to reimburse, for instance and in-hospital, and doesn't have to be all or nothing. Ms. Nevins reminds that this commercial plan applies to active employees and retired employees under 65. Retirees over 65 are in a Blue Shield Medicare Advantage Plan that saved Town of New Baltimore a lot of money and those are not part of the HRA; those are all copay, no deductibles, and the premium for Blue Shield is significantly lower.

Anyone may call Ms. Nevins with their individual questions. There is about \$14-15,000 net savings between the two possibilities.

Public Comment

Ellie Alfeld contributed (1) that Town of New Baltimore pays \$1,830,130 to Ravena-Coeymans-Selkirk Central Schools yet the district doesn't know how many students from our town attend (possibly \$10,000/kid/RCS) and yet they couldn't come to explain the budget and did go to other towns. (2) of the 20,188 Greene County voters in that school district, 120 voted on the RCS school budget. (3) Greene County voters in RCS School District are segregated from Albany County voters as they must verify with the Board of Elections in Greene County.

Ellie Alfeld brought a sign issue to the Planning Board: one business has 9 signs and it looks bad at Thruway Exit 21B. The animal hospital and Holiday Inn Express jumped through hoops respecting the Comprehensive Plan; what can the Town do?; Supervisor was present at that meeting and the Building Inspector has been in touch with that business.

Bill Morehouse, Flatbush Road, commented that the newsletter was nice, but there was an omission on the open burning regulations: the exceptions re agricultural waste, greater than 5 acres. His neighbor has 1.5 acres, animals spread further, variance, flames and smoke, and rolled out the burning barrels after publishing of newsletter, and needs to be set straight.

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 3**

DRAFT

Councilman Byas said he was presented with a plaque by Town Historian Clesson Bush at yesterday's Rocky Store reunion, putting Rocky Store School on the Greene County Historic Register. This is believed to be the last operational one-room school in Greene County; the Register was established by Greene County Historical Society in 1990 to recognize sites that were culturally important in Greene County.

A member of the public went to school here in 1961, Greene County Historical Society published a book in 2009, started out as a photographic account of the sites and turned into an historic account; Jean Bush did a majority of the work on the book including research. Member of the public commends those on the Town Board and Town Court for getting the grant to bring the school back to its 1961 appearance. At recent Rocky Store reunion, the oldest alum was 92, and enjoyed wonderful memories. Also, a month ago a tree came down on CR51 and she couldn't get through to Town Hall, felt that was a black mark on the Town, and commended the fire department, the sheriff's office, on the fine work on moving tree.

Councilwoman Finke asked, on page 2, regarding MidHudson Cablevision franchise fees collected in last year. Councilman Norris stated he had been approached by Bob Hallock and went to his home to see his cable bill; his fees were going to Coxsackie. Several hundred more customers had same issue on their bills and the Town of New Baltimore is now getting all those fees, approximately \$15-17,000. Councilman Norris showed the bill.

Councilman Norris has heard rumors about the road bond issue and wanted to confirm there would be no tax increase under the bond idea proposed; the second proposed idea that was proposed would keep \$10,000 in the General Fund and that was voted down also. The purpose of the resolution was to authorize supervisor to go get bond information that would cause no tax increase. The Town has paid off old bond and instead of simply putting the \$80,000 in the Highway Fund; if the bond were gotten, that money would be used toward the new bond.

Jean Horn asked the Board to advocate for extending cable service to Honey Hollow and East-Honey Hollow Roads and Ridge Road; Supervisor said there are so many fewer users out there, must be cost-effective for them, but hasn't approached MidHudson Cablevision on it in her term of office yet. Councilman Norris said MHC needs 15 on a road that will hook up (his road has 13) and cable ends just down the block from him. Jean said that the Town of Greenville, instead of taking the tax money back, has extended service to 33 new customers.

Councilman Byas said he rode with MidHudson Cablevision, starting at Medway four-corners and that extension could have been done by satellite but couldn't get enough people signed up, and left applications at the general store; Jean Horn said she didn't know anyone who knew about the applications. Councilman Norris said MidHudson Cablevision received a grant for rural expansion; Supervisor will contact Town of Greenville Supervisor Paul Macko. Jean Horn asked if microphones were considered for meetingroom; Supervisor commented that microphones pick up other noises and asked Board members to use louder voices.

Member of the public asked to go to video, not have transcriptions of meetings, like Town of Coeymans; Supervisor relayed that Coeymans Town Clerk said the cost is not insignificant and does still have to prepare minutes, keep tapes certain length of time, and there are costs to camera, equipment and recording. The new digital recorder is very good, the Board has not discussed yet putting those recordings on the Town's website. Supervisor said all are great ideas and can continue to investigate.

Bill Morehouse commented that \$142/month on MidHudson cable, wires have been changed, all companies report still getting this.

Correspondence

From LaFarge North America, John Regan, an invitation to information fairs (September 16-Stuyvesant Town Hall, September 22-Senior Projects of Ravena, September 23-

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 4**

DRAFT

Castleton Volunteer Ambulance Building) for an opportunity to meet staff and ask and answer environmental questions. All fairs are 6:30-8:30pm and open to the public.

From Hudson River Valley Greenway, a thank-you for the collaborative effort leading to another successful Great Hudson River Paddle and looking forward to next year.

Old Business

- Memorial Committee

Supervisor asked Councilman Byas for his report. He has found no one interested in serving, but wanted to know how many times the committee would meet; Supervisor said that would be the committee's choice and there are three members now (Historian Cless Bush, Tax Collector Lynn Taylor, Town Clerk Janet Brooks). Councilman Byas will speak to those members and will report back at Work Meeting.

- Liaison to Agriculture Committee

Councilman Byas asked to step down from the Agricultural Committee; Councilman Norris offered to serve as liaison. **Supervisor moved to accept Councilman Norris' offer to serve as the new liaison to the Agricultural Committee, seconded by Councilman Meredith.** The adoption of the motion was put to a vote, and the vote was as follows:

BYAS-AYE	FINKE-AYE	MEREDITH-AYE
NORRIS-AYE	O'RORKE-AYE	

Motion Carried

- Resolution to Approve Payment to Greene County Youth Fair

Councilman Byas said he had not heard yet from Richie Bear, president of the Greene County Youth Fair, regarding request for funding for 2010 Greene County Youth Fair.

New Business

- Resolution to Pay Claims

**RESOLUTION
SEPTEMBER 13, 2010**

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 G20100901- 49; H20100901-15; and S20100901-8, for a total amount of \$139,987.92, it is

RESOLVED that the Supervisor is hereby authorized to pay claims totaling \$139,987.92.

BE IT FURTHER RESOLVED that the Town Clerk has prepared an abstract and holds it for public review until September 24, 2010.

Councilman Norris moved and Councilman Byas seconded. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

DRAFT

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 5**

- Status of Meeting Room Renovations

Councilman Byas related that the justices wanted the renovation to start on Wednesday, September 22 and the contractor is aware. Supervisor asked if the Town Board would meet in the room for the September 27 Work Meeting; Councilman Byas spoke to Cornell Hook and Ladder's Ken Finke about the use of the Gill Road firehouse but their meetings are on Monday night as well. Emergency Management Officer Van Wormer said it was a drill night. Councilman Byas will inform Town Clerk Brooks of the location of the meeting in time for posting; posting also will be on the outside bulletin board. Emergency Management Officer Van Wormer reported that Medway-Grapeville Fire Company also meets on Monday night. Councilwoman Finke will get back to the Town Board tomorrow.

- Resolution to Approve Intermunicipal Agreement with Village of Coxsackie

Supervisor read letter from the Village of Coxsackie Board, and signed by all its respective members, requesting that the Village police provide police service for the Reservoir.
[letter is on file]

**RESOLUTION
SEPTEMBER 13, 2010**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE
INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF COXSACKIE**

WHEREAS, the Village of Coxsackie (Village) owns a piece and parcel of land in the Town of New Baltimore (Town) on which a Village Reservoir is located, and

WHEREAS, the Village wishes to provide police services on the Reservoir, and

WHEREAS, the Town is willing to allow the Village to provide police service on the Reservoir; and

WHEREAS, this agreement will not impact the Greene County Sheriff, State Police or NYSDEC patrols; thereby providing greater coverage of this vital resource.

NOW, THEREFORE, BE IT RESOLVED, that Supervisor of the Town of New Baltimore is hereby authorized to execute an Intermunicipal Agreement whereby the Village shall be permitted to provide police services on the reservoir owned by the Village located in the Town of New Baltimore.

Supervisor moved to adopt and Councilman Norris seconded. This was raised and discussed a couple of months ago.

Supervisor said someone had related that Greene County District Attorney had expressed concern that it would increase the Town's liability; Attorney Terry Wilhelm and staff confirmed to Supervisor that D.A.'s office had had conversation with one or more Town Board members and had taken no position and had no position. Supervisor reread the agreement given the Town of New Baltimore by the Village; it has risk transfer, would hold the Town harmless, and gave the Town Additional Insured status on their insurance policy so a claim could simply go to the Village and reimburse the Town of New Baltimore for any expense incurred; this is slightly better than what the Town has with the New York State Police or the Greene County Sheriff. In the event of a lawsuit, the Town would probably be named and would come under the Town's insurance for the Town's defense.

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 6**

DRAFT

Someone had raised issue that the Village would hold out with development in Scheller Park, or a possible project; the Village confirmed to Supervisor that the Village has given verbal consent for those items to go ahead and timing should all work out.

Supervisor said another issue raised was that not all members of the Village were in agreement; Supervisor confirmed that they are all in agreement and all have signed the letter in hand.

Supervisor contacted Association of Towns and learned that NYC patrols all of NYC's reservoirs. Supervisor added that the Town of New Baltimore enjoys a great working relationship with the Village of Coxsackie Board for the Scheller Park Water District, for situations at Wastewater Treatment Plant, and for Kalkberg Commerce Park (currently Serta Mattress).

Supervisor and Medway-Grapeville Fire Chief Ken Fava met with Village representative regarding ice fishing; the Village agreed to be of assistance, is open to working together, putting out literature with their reservoir fishing permits, and would be willing to call whoever the Town determines regarding cars parked on Jennings Road.

Supervisor said that a conversation has already begun regarding shared services and intermunicipal agreement, and with an engineer on retainer the Village has offered to pick up initial costs.

A letter from Greene County Sheriff Seeley expresses his concern that the Village policing the reservoir is not good use of Village taxpayer dollars, and respects that it is within the Town's home rule to make a decision.

The Village already comes regularly to check their Water Plant at the Reservoir.

Councilman Byas said previously this resolution was decided, didn't know why the Board is re-hashing this again; it is wasting everyone's time.

Supervisor answered that there was no vote on the resolution at earlier meeting.

Councilman Norris asked if the Greene County Sheriff's position had changed;

Supervisor said this was no reflection on what the sheriff's department has done in patrolling the Reservoir or any other activity in the Town, happy to have substation and Greene County Sheriff's deputies as tenants (professional, respectful individuals) and a good situation all around; the sheriff felt it was not good use of [Village of Coxsackie] taxpayer dollars.

Councilwoman Finke said Greene County Sheriff feels there is adequate policing with the deputies, NYS Police and NYSDEC officers.

Supervisor said this will be for annual consideration.

Bill Finke asked what would be their jurisdiction, would they stop someone on CR26;

Supervisor said only the property they own, still have the same 'catch 22'. Bill Finke asked if they did stop someone who was not on the reservoir property, where would that revenue go; Supervisor said it would come to our Town Court.

Arlene McKeon said that now the Village police can stop someone at the reservoir, call for a sheriff's deputy, and ask the individual to sit and wait. So, they would be taking nothing from the Greene County Sheriff, NYSDEC, or NYS Police.

Bob Knighton said if the Greene County Sheriff feels it isn't a good use of Village of Coxsackie funds, he should take that to Coxsackie Village Board; Greene County Sheriff says the police coverage is adequate, but more police coverage is not bad.

Councilman Meredith asked why the Town Board is talking about this, since the Village is patrolling the area now.

Supervisor said the New Baltimore Town Board, under its home rule, must give the Village the authority to arrest or otherwise act; Councilman Norris said the Village can hold someone like a citizen's arrest.

Dick Brooks said the more police protection the better for a public water supply; he could go up with a pickup truck of garbage so it could not be used. Also, it is another chance to cooperate with Coxsackie, and the Town should lean toward that as any kind of development on lower US Route 9W hinges completely on Village of Coxsackie's water.

Don Curtis said he's witnessed numerous people backing right up to the water's edge.

Councilman Byas said last February the Village police stopped cars in New Baltimore and tried to make some arrests. Also, the Village police have gone past Cumberland Farms into the Town of Coxsackie and given tickets. Councilman Byas spoke to Village

DRAFT

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 7**

Mayor Mark Evans; was told that if the Village police saw something on the way up they would write tickets and stop cars in life and death situations. Councilman Byas feels once the Town gives that, the Village police will write tickets where they want and he disagrees with that. Councilman Byas would like to know how many tickets have been written since 1967.

Jim Polverelli wished Lou Betke was present. Mr. Betke maintains the water plant, picks up garbage and trash; only a gallon of fuel oil could ruin that water for a long time, and the more police the better.

Dick Brooks said to tell the Village police don't make stops/arrests; if they do it and you've told them no, it is illegal and won't stand up in court.

Councilman Byas said they still do it; Councilman Byas said let's end this.

Bob Knighton said Town of New Baltimore is entirely dependent on Village of Coxsackie for the Town's economic development; antagonizing the Village is not smart. Councilwoman Finke said then the Village can bully the Town.

Dick Brooks said cooperation. The Town needs the Village, we are a gateway with the Thruway entrance, and we are their gateway through their water supply.

Councilman Norris said the Greene County Sheriff is the chief law enforcement officer and has expressed his opinion and he will abide by that.

Supervisor said the Town has home rule authority which the Sheriff does not supersede.

With no further comment, the adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-NAY FINKE-NAY MEREDITH-NAY
NORRIS-NAY O'RORKE-AYE**

NOT ADOPTED

- Board of Assessment Review Appointee

**RESOLUTION
SEPTEMBER 13, 2010**

**RESOLUTION TO RE-APPOINT BOARD OF ASSESSMENT REVIEW
MEMBER**

RESOLVED, that Kenneth Rebusmen is hereby re-appointed to the Board of Assessment Review for a five-year term expiring September 30, 2015.

Supervisor moved and Councilman Meredith seconded. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

- Resolution to Amend Highway 284 Agreement

**SEPTEMBER 13, 2010
AGREEMENT FOR THE EXPENDITURE
OF HIGHWAY MONEYS**

AGREEMENT between the Town Superintendent of the Town of New Baltimore, Greene County, New York, and the undersigned members of the Town Board.

DRAFT

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 8

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS.** The sum of **\$132,000** shall be set aside to be expended for primary work and general repairs upon **16.2** miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. **PERMANENT IMPROVEMENTS.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:

- (a) On the road commencing at Alcove Road and leading to County Route 26, a distance of 1.8 miles, there shall be expended not over the sum of \$ 119,260.
Type: Paved Width of traveled surface: 20 feet
Thickness: 1 1/2" Subbase: N/A
- (b) On the road commencing at Swezey Road and leading to dead end, a distance of .83 miles, there shall be expended not over the sum of \$ 29,250.
Type: Paved Width of traveled surface: 12 feet.
Thickness: 1 1/2" Subbase: N/A
- (c) On the road commencing at Paradise Hill Road and leading to County Route 51, a distance of .72 miles, there shall be expended not over the sum of \$ 18,270.
Type: Stone and Oil Width of traveled surface: 18 feet
Thickness: Three-quarters inch Subbase: N/A
- (d) On the road commencing at Valley View Drive and leading to Reservoir Road, a distance of .50 miles, there shall be expended not over the sum of \$ 22,000.
Type: Stone and Oil Width of traveled surface: 18'
Thickness: Three-quarters inch Subbase: N/A
- (e) On the road commencing at Independence Lane and leading to State Route 144, a distance of .46 miles, there shall be expended not over the sum of \$ 18,275.
Type: Stone & Oil Width of traveled surface: 18'
Thickness: Three-quarters inch Subbase: N/A
- (f) On the road commencing at Jennings Road and leading to County Route 54, a distance of .4 miles, there shall be expended not over the sum of \$ 32,000.
Type: Grader Patch Width of traveled surface: 12' to 18'
Thickness: 0 to 3" Subbase: N/A

Executed in duplicate this _____ day of _____, 20____

_____ Supervisor	_____ Councilman
_____ Councilman	_____ Councilman
_____ Councilman	_____ Councilman
_____ Councilman	_____ Councilman
_____ County Superintendent of Highways	_____ Town Superintendent

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. *COPIES DO NOT HAVE TO BE FILED IN ALBANY.*

DRAFT

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 9**

**RESOLUTION
SEPTEMBER 13, 2010**

**RESOLUTION APPROVING AGREEMENT FOR THE EXPENDITURE OF
HIGHWAY MONEYS**

WHEREAS, an agreement was made on June 14, 2010, between the Town Board of the Town of New Baltimore and the Highway Superintendent pursuant to the provisions of Section 284 of Highway Law, agreeing that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as per the agreement; and

WHEREAS, the Town Board and Highway Superintendent have agreed to amend this 284 Agreement as of September 13, 2010, \per the attached;

NOW, THEREFORE, BE IT RESOLVED that the 284 Agreement approved on June 14, 2010, is hereby amended effective September 13, 2010.

Councilman Meredith moved and Councilman Norris seconded. Councilman Byas asked a question on Jennings Road, which was agreed to be done, he said it only reads grader patching, why not include culverts. Supervisor said they are reported under General Repairs. Councilman Byas asked would it start at the turn, Highway Superintendent Jordan said by Eleanor Runkle's down to CR54.

The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

- Resolution to Authorize Attendance by Town Justices at New York State Magistrates' Conference

**RESOLUTION
SEPTEMBER 13, 2010**

**RESOLUTION TO AUTHORIZE ATTENDANCE BY TOWN JUSTICES
AT NEW YORK STATE MAGISTRATES' CONFERENCE**

RESOLVED, that the Town Board does hereby authorize Town Justice Joseph Farrell and Judge Cosenza to attend the New York State Magistrates' Conference to be held from September 26-29, 2010, and authorizes expenses for registration, transportation, lodging and meals, less reimbursements received from the New York State Office of Court Administration, at a total cost not to exceed \$600 per Justices.

Councilman Byas moved and Councilman Meredith seconded. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

- Resolution to Approve Six-Month Review of Justice Clerk

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 10

DRAFT

**RESOLUTION
SEPTEMBER 13, 2010**

RESOLUTION ADJUSTING SALARY FOR JUSTICE CLERK

WHEREAS, the Town Board, by Resolution dated January 11, 2010, appointed Patricia Monks to the position of part-time Justice Clerk for the Town of New Baltimore, and

WHEREAS, said appointment was made on a probationary basis for six months to conclude on July 11, 2010 and

WHEREAS, the Town Justices have indicated in writing that Patricia Monks has performed an excellent job during this probationary period, and

WHEREAS, in recognition of her performance, the Justices have recommended an increase in the hourly salary for the Justice Clerk, Patricia Monks from \$10.00 to \$11.00 at the end of the probationary period.

NOW THEREFORE, BE IT RESOLVED, that Resolution adopted on January 11, 2010, is hereby amended to increase the hourly salary for Patricia Monks to \$11.00 effective August 1, 2010.

Councilman Norris moved and Supervisor seconded. Councilwoman Finke said her copy read \$10.50 per hour and September 1, 2010; Supervisor apologized, adding that a revised copy was in their mail folder, representing past practice. Councilman Byas asked who Ms. Monks replaced; Supervisor said previously 2 full-time, and now 1 full-time and 2 part-time. Councilman Byas asked what they were receiving and said this was a 10% raise. Supervisor commented that the Board did give the full-time clerk a significant raise back in January. Councilman Byas said past practice is that we brought someone new in lower, then after 6 months we brought them up to the standard or what the person was receiving before. Councilman Norris said the advertisement had included a range, which was the justices' recommendation, and which Councilman Byas could amend. Councilman Byas said maybe she was started wrong, maybe should have been started at \$10.50. Councilwoman Finke said one was salary and one is part-time. Supervisor said the prior person was making \$11.00 per hour. Councilman Byas asked Councilman Norris to look into it and come back at the next meeting. Councilman Norris suggested make it \$10.50 now and tell justices that in 6 months there could be another review. Councilman Byas had no issue with a \$.50 raise for six months and felt it should be a year. Supervisor felt it was well within the range advertised, justices are very happy with how quickly she's performed up to speed. Councilman Byas agrees to \$.50 increase and justices come back in 6 months time.

Councilman Norris moved to amend, Supervisor seconded, to read \$10.50 per hour with review 6 months. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Adopted

- Resolution to Approve Training for the Justice Court

**RESOLUTION
SEPTEMBER 13, 2010**

**RESOLUTION TO AUTHORIZE ATTENDANCE BY JUSTICE CLERKS
AT NEW YORK STATE COURT CLERKS' CONFERENCE**

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 11**

DRAFT

RESOLVED, that the Town Board does hereby authorize Justice Clerks Sheri Jourdin and Patricia Monks to attend the New York State Court Clerks' Conference to be held from October 11-13, 2010, and authorizes expenses for registration, transportation, lodging and meals, less reimbursements received from the New York State Office of Court Administration, at a total cost not to exceed \$140 per Clerk.

Supervisor moved and Councilman Byas seconded. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE
MEREDITH-RECUSED (RELATION)	NORRIS-AYE	O'RORKE-AYE
Adopted		

- Resolution to Allow Supervisor to Sign Renewal Contract with Ravena Rescue Squad

Supervisor said this was not intended for tonight; the Squad is in their budget process now looking at an 11% increase, with all paid Emergency Medical Technicians. They are working with Town of Coeymans now and apparently there was a rampant rumor that the Town of New Baltimore was not going to renew with Ravena Rescue Squad even though the Town Board had not discussed it, and now Town of Coeymans is holding off. The Rescue Squad asked if the Town Board would consider early as their costs are in line. Councilman Norris was approached by Councilman Byas and so Councilman Norris approached Chief Leon Rice to see if Cocksackie would take the entire of Town of New Baltimore. There would be no savings to change to Cocksackie as of nearly a year ago. Councilman Norris said Ravena Rescue Squad would be better. Councilman Byas said that, when offered the entire of New Baltimore, both rescue squads were happy to "split it"; Councilman Byas doesn't know what it works out to per household. The Ravena Rescue Squad does return to Town of New Baltimore their insurance recovery over the course of the year. Cocksackie does it differently, takes it off later, like delayed billing.

**RESOLUTION
SEPTEMBER 13, 2010**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
WITH RAVENA RESCUE SQUAD FOR AMBULANCE SERVICE PROVIDED
TO
NEW BALTIMORE AMBULANCE DISTRICT NO. 1**

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute an agreement with Ravena Rescue Squad for the period January 1, 2011 -December 31, 2011 for basic ambulance service provided to New Baltimore Ambulance District No. 1, at a total cost of \$20,000.

Councilman Norris moved and Supervisor seconded. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE:	BYAS-AYE	FINKE-AYE	MEREDITH-AYE
	NORRIS-AYE	O'RORKE-AYE	

Adopted

- Attorney for the Town

Supervisor said it was brought up before, opens up for discussion. Councilman Byas asked when the contract was up with the current attorney; answer: January 1. Supervisor is happy with 8 months of his returned phone calls, Highway Superintendent has had

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 12**

DRAFT

dealings that have been good, and the Building Department says he has so much history with the Town and responds quickly. Councilman Byas asks when the Board's decision must be made. Supervisor said right now, if we were doing that, and an RFP would have to go out. Supervisor said next year's figure will probably come in pretty close.

- Bookkeeper for the Town

The Town's bookkeeper has provided a 2011 figure of \$950, up from \$825. Before this bookkeeper, his uncle did the books for the Town, so a great deal of history again. The Town Board went out for an RFP 4-5 years ago and no one came close. If that is the Board's intention, an RFP would have to be done and gotten out. Councilwoman Finke thought the Bookkeeper was a Supervisor's appointment; Supervisor said the supervisor appoints either the confidential secretary or the bookkeeper and she has appointed a confidential secretary. Councilman Norris asked if Supervisor recommends the bookkeeper; Supervisor responds that he has been responsive, patient, fees are in line. Supervisor commented that both parties could choose not to respond to an RFP, both could be higher.

Deputy Supervisor Norris and Supervisor will talk to Bookkeeper and come back to the Board. Town Clerk Brooks has come upon a regulation whereby the process would change if the Town engaged someone who was not a CPA.

- Annual Reviews of Town Clerk, Tax Collector, and Justice Court

**RESOLUTION
SEPTEMBER 13, 2010**

**RESOLUTION TO APPROVE ANNUAL REVIEW OF ACCOUNTS FOR TOWN
CLERK, TAX COLLECTOR AND JUSTICE COURTS**

WHEREAS, Town Law 123 requires each town officer or employee who has received or disbursed any moneys to produce all supporting books, records, receipts, warrants, vouchers and canceled checks as authorized by section 29 of the general municipal law.

WHEREAS, each Town Board shall examine the criminal and civil dockets of each town justice and shall be entered in the minutes of the Town Board proceedings that such dockets have been duly examined, and

WHEREAS, each Town officer and employee shall submit his books and records to the Town Board for review and shall be entered into the minutes of the Town Board proceedings that such records have been duly examined.

NOW THEREFORE, BE IT RESOLVED, that Brian Fitzgerald, CPA, has completed the Annual Review of the financial records of the Town Clerk, Tax Collector and Justice Court and has supplied the Town with a written review of such records in accordance with Section 29 of the General Municipal Law, and

BE IT FUTHER RESOLVED that the Town Board does accept the Annual Review prepared by Brian Fitzgerald for the period of January 1, 2009 to December 31, 2009. The results of the Review are hereby attached.

Councilman Norris moved and Supervisor seconded. The Town Board did receive the reports previously. Tax Collector and Town Clerk had no issues or concerns. There were issues of the Justice Court. Councilman Norris has met with Justices, Supervisor said bail account doesn't start over, has old history, and the last part is the bank reconciliations. Everything is in the packet the Town Board was given.

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2010 - page 13**

DRAFT

The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE**

Adopted

Ellie suggests that the Confidential Secretary for the Supervisor should be salaried and not taken from the Supervisor's own salary; Councilwoman Finke said that's the way it should be done according to the Association of Towns. Supervisor determined this plan in January, 2010, as there was no provision in the 2010 Budget.

Councilwoman Finke has over 30 yard sales on the map for the Town Wide Yard Sale, Saturday, September 18, 2010.

Councilman Norris said a Town resident has chairs, filing cabinets, file folders available for sale this weekend from a closed business and alerted Councilman Byas as chair of the Buildings and Grounds Committee.

Rich Guthrie announced American Legion Post 1614 will host an open house at Cornell Hook and Ladder Firehouse, and is reaching out to recently-returning veterans; attending will be representatives from Stratton VA Hospital, Congressman Murphy's office, Greene County Veterans' Affairs. Date is set for September 25, 2010 from 3-5 p.m.

Primary Day is tomorrow, September 14, 2010; vote at usual polling sites.

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

**BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Motion Carried

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Janet A. Brooks
Town Clerk