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**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
TOWN BOARD WORK MEETING
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BID OPENING 6:45PM

In attendance: Supervisor O'Rorke, Councilwomen Benway and Finke, Councilman Norris, Highway Superintendent Jordan, Town Clerk Brooks, and members of the public who signed the attendance sheet. Absent: Councilman Meredith

Clerk Brooks read the Catskill Daily Mail's June 13, 2013 affidavit of publication of the Notice to Bidders. There were two bids:

Peckham Industries, Inc. -

1. Medway-Earlton Road, 2 inch thick Type 6 blacktop maximum 10% RAP installed:
2,833 tons @\$58.40= \$165,447.20.
2. Old Kings Road, 1 ¾ inch thick Type 6 blacktop maximum 10% RAP installed:
590 tons @ \$58.40= \$34,456.00

Callanan Industries, Inc. -

1. Medway-Earlton Road, approximately 2 miles and Old Kings Road, approximately 3500 LF, Type 6 blacktop maximum 10% RAP installed: 2,300 tons@ \$62.89= \$144,647.00.

OPENING OF MEETING

Supervisor O'Rorke called the meeting to order at 7:02 pm and the Pledge of Allegiance was said. Also attending: Councilwomen Benway and Finke, Councilman Norris, Highway Superintendent Jordan, Town Clerk Brooks, and members of the public who signed the attendance sheet. Absent: Councilman Meredith

SPECIAL PRESENTATION Cornell Hook and Ladder Fire Company

Cornell Hook and Ladder Fire Company's Alan Van Wormer presented the Town Board with proceeds of \$1,553.00 from their June chicken barbeque fundraiser for the Summer Rec Program. Due to weather forecast, changing its location may have affected the attendance, but the \$1,553 was the actual proceeds; no expenses were subtracted. Supervisor and the Board thanked Alan and the company for all their hard work and donations.

MONTHLY REPORTS

Supervisor reports Mid-Hudson Cablevision special franchise renewal comes in August; thanking Councilman Norris for joining her in meeting with MHC to learn their thoughts for the renewal. Franchise cable fees (from TV only) have fallen over last three years, whether economic or other (i.e. streaming internet and satellite/Direct TV). About six months ago, State Telephone put in a booster, making DSL faster and more efficient. DSL works on distance; Mid-Hudson Cable speed depends upon how many subscribers are being fed from the line. Subscribers of DSL from State Telephone seem to be enjoying better speed. If larger broadband is desired, it cannot be gotten from DSL; it requires cable. A business operation requiring Broadband may have difficulty with DSL. Councilman Norris added that Mid-Hudson is entering security business, too; a good discussion and starting point overall.

Willing to look at expanding, Councilwoman Benway will post to website a color map of their service area; gaps exist where there are no homes or no interest in subscribing. Franchise fees for the Town are 5%; commonly are 3%; subscribers are paying that fee. Town could use that fee to extend that service. Mid-Hudson Cablevision is willing to discuss extension, but needs commitment from folks to actually signing up; done recently in Ashland, only 2 people actually signed up. Supervisor asks for community feedback as Town Board prepares to negotiate. Councilman Norris talked with Mid-Hudson about extending lines three years ago, brought it to

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Town Board and Mid-Hudson received no phone calls; perhaps satisfied with what they have, perhaps wanting someone else to pay for it, or perhaps waiting for a service to be 'bundled'. Supervisor reminded that the Board can extend contract past the August date, to September or October. Town Board members have the contract and service area map and will discuss further at July meeting.

Councilman Norris reminded that Town of Greenville just negotiated their contract. Supervisor plans to phone town supervisor to inquire how many customers have signed on. Councilwoman Benway offered that equipment has gotten so good, folk get accustomed to what they have and hesitate to change, some have gotten rid of television and now watch streaming internet; with Dish and Direct TV there is no need to buy equipment. Also, getting cable internet at highway garage, in addition to town hall, was discussed; they mentioned utilizing Central Hudson shorter poles, but pole replacement and extra expense may be necessary; Councilman Norris will ride the route with Central Hudson. Federal Communication Commission allows for contract continuance to September or October; this could wait for fall newsletter.

Town Board has been given a background check policy DRAFT for use hiring new employees, many employees handle significant amounts of money. Town Board may consider some type of criminal check. The Town must consistently adhere to fair policy and notify candidates.

Town of New Baltimore Background Check Policy DRAFT

The Town of New Baltimore will conduct reference checks, "investigative, consumer reports" and background investigations on all candidates for employment (volunteers) prior to making a final offer of employment, and may use a third party to conduct these background checks. The Town will obtain written consent from an applicant and employee prior to ordering reports from third parties, and will provide a description of applicant and employee rights and all other documentation as required by law to each applicant or candidate in accordance with Fair Credit Reporting Act and the applicable state and federal statutes. All background checks are subject to these notices and consent requirements.

An "investigative consumer report" compiles information on a candidate's general reputation, personal characteristics or mode of living. This information may be gathered on line, through public or educational records, or through interviews with employers, friends, neighbors, associates, or anyone else who may have information about the employee or potential employee. In the pre-employment process, investigative consumer reports typically include such things as criminal record checks, educational verification and employment verification checks.

In addition to investigative consumer reports the Town may also work with other third parties, such as the Greene County Sheriff's office, to obtain the following information

Private and government agency reports to any history or criminal, dishonest, or violent behavior, and other reports that relate to the suitability for employment
Education (including degrees awarded and GPA)
Employment history, abilities, reasons for termination of employment
Address history
Credit reports
Social security number scans
Civil court filings
Motor vehicle and driving records
Professional or personal references

This information may also be obtained at other times during employment, such as during changes of job responsibilities or promotion or following an accident.

The Town will conduct background checks in compliance with the Federal Fair Credit Reporting Act, the American with Disabilities Act, and all other applicable local, state, and federal laws and regulations. Applicants and employees may request and receive a copy of reports provided by third parties.

A reported criminal offense conviction will not necessarily disqualify a candidate from employment. The nature and seriousness of the offense, the date of the offense, the surrounding circumstances, rehabilitation, the relevance of the offense to the specific position and whether hiring, transferring or promoting the applicant would pose an unreasonable risk to the Town may be considered before a final decision is reached. The Town wills FCRA requirements, other applicable statutes, and responding applicants and employees regarding potentially adverse actions to third party reports.

The Town reserves the right to withdraw any offer of employment or consideration for employment, or discharge an employee, upon finding falsification, misrepresentation, or omission of fact on an employment applications, resume, other attachments or in verbal statements, regardless of when discovered.

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Background check reports shall be maintained in employee files and will be confidential in compliance with the Town's record retention policy.

Greene County Sheriff's Office also will perform checks; their application is 26 pages in length. Investigative consumer reports are also possible; verifying education, address, social security number, credit report, civil court filing, motor vehicle and driving record, professional or personal references. Supervisor posed questions: would the check be done for every position, motor vehicle and driving records for those driving Town-owned vehicles, or handling large sums of money?

Ellie asked whether employees handling money are bonded? Supervisor answered the crime policies, with the limits we take, no carriers are running credit checks; must reach a certain limit before they find it worthwhile.

No Board action is needed this night.

Councilwoman Benway asked with criminal checks and education requirements could impact employment. Supervisor said a policy would have to be put in place, such as, "a credit check could affect a court clerk". Without money handling, Clerk Brooks reminded that the assessor's clerk takes in great deal of confidential information; Supervisor answered although not taking in cash, the discussion of appropriateness, nature of offense and the job duties will continue at July Work Meeting, some employers performing credit check on all candidates.

County Legislator- no report.

Town Clerk Brooks reports receipts for May: building permits 9 \$1908.85; c-o searches 1 \$15.00; conservation fees 5 \$11.75; dogs 45 \$364.00; park permits 2 \$50.00; certified copies 5 \$50.00; photocopies 15 \$6.00; recycling fees 2 \$15.00; noncommercial zoning fee (variance) 1 \$40.00. To NYS Ag and Markets for spay/neuter \$75.00; NYS Environmental Conservation for sporting licenses \$309.25; total local shares to Town Supervisor \$2,460.60; Total state, county and local revenues for May \$2,844.85. Supervisor asked whether most of dog licenses now are renewals; Clerk reports much quieter, some outstanding follow-ups, 8 of 17 are incomplete applications for dog licenses which have received 2 letters from the Town Clerk; Supervisor asked they be turned over to Animal Control Officer for follow-up. Having attended a recent NYS Archives records management policies and procedures training in Catskill, she learned that the establishment of a records advisory board is an essential step and asked the Town Board for volunteers. This would entail: a team of as few as 2 to provide reaction in the creation process, Diane Jordan and Clerk would leave out steps, gather existing information (Publication 85) and other governments' manuals; decide what is needed and not needed, and office retention schedule, and disaster plan. Supervisor offered opportunity; Clerk Brooks said they are already accustomed to the salary. Councilman Norris volunteered; Clerk Brooks thanked him, and will offer resolution at next meeting. Ellie pointed out we do not have a complete town board this night. Supervisor wants all to have opportunity to serve.

Tax Collector Diane Jordan reports for June: Sewer District #1 payments are accepted with 5% penalty until close of business July 15 or postmarked that day; property taxes are accepted with 1% per month penalty through close of business July 31; Water District #2 payments are accepted with 10% penalty through close of business July 8 or postmarked that day; still receiving payments for property/county tax and Sewer District #2 billing; still many calls requesting tax information by realty companies, banks and property owners who have yet not paid their property taxes; have sent out 200 second notices for property/county taxes including a \$2.00 notice fee to cover postage, envelopes, paper and time.

Highway Superintendent Jordan had arrived from tree cutting in the storm this day; he reviewed bids opened earlier, appear to be lower than county list with higher RAP (\$72/ton with the higher RAP); \$58.40/ton and \$62.89/ton using Type 6 blacktop with 10% RAP; but the tonnage is quite different. Superintendent likes the \$58.40/ton, after having come in less and saved money over the years with Peckham; their total tonnage is 2833 just for Medway-Earlton Road. Callanan's

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bid of 2300 ton total is lower on tonnage. Superintendent Jordan said the two roads cannot be done for 2300 ton; he estimated it would be 2900. Councilwoman Finke asked was it same thickness. Supervisor said the bid required a certain thickness on each road; Superintendent Jordan said Medway-Earlington Road is 2 inches thick and 21 feet wide; Old Kings is 20 feet wide by 1 ¾ inches; he estimated 2900, they had 2300, and doesn't believe they can do it for that.

Councilwoman Benway said their price per ton is higher. Superintendent recommends going with Peckham, always used a little less than what was on the trucks. Ellie asked if the water supply would be any difficulty. Superintendent Jordan said Town always furnishes the water; bidder furnishes the roller, paver and trucking. Councilman Norris said process is similar but for the bidding part. Superintendent said that is much less. Supervisor said 1100 difference; 2300 total and the other is 3423 total. Clerk Loux asked if it could be a typo? Supervisor said Superintendent thought it would be 2900.

Supervisor asked for comments from Board. Councilwoman Finke said she just got it; she asked whether Callanan had ever done any roads for the Town; answer: yes, the whole hamlet. Councilwoman Finke asked whether they were as good as Peckham; answer: yes, no problems with Callanan's work, just the 'per ton'.

Councilwoman Benway clarified if Peckham gives us 2900, they're only going to charge for the 2900; answer: yes, Superintendent Jordan receives slips from the Peckham drivers and Town pays from the slips, paying the rate per ton as in the past; with Callanan drivers he doesn't see the slips. Clerk Brooks asked if those are the same slips the Board sees when they approve his vouchers; answer: yes.

Supervisor confirmed Peckham would be \$199,903 and Callanan would be \$144,647? Correct. Supervisor clarified if Town awards bid to Callanan and they don't provide enough material, they say 2300 in their bid but no mention of the job, not sure if we'd have any recourse; Superintendent said no, it says \$62.89/ton installed. Supervisor said they say 2300 tons. Councilman Norris asked for Superintendent Jordan's estimate was; 2900 estimating high, not 2300.

Supervisor said 2900 ton would be \$182,000 for both roads; asking Board if confident that if Peckham has used too much material they just wouldn't deliver as much and we wouldn't pay for any more. And if Callanan hasn't used quite enough, they'll end up having to sell us more, and they're at a higher rate per ton.

Councilman Norris asked why the tonnage estimates were so far apart; Supervisor said 1100 tons is quite a bit. Councilman Norris said it was like another road.

Councilwoman Benway believes we're better off at the \$58.40/ton.

Superintendent believes the only road that can be done will be Medway-Earlington until he sees the exact tons actual, wants to use CHIPS \$144,000, we'll be \$199,000, and will have to take off Old Kings Road because he doesn't want to go into his other [budget] line.

Supervisor asked if we don't buy as much, will they still honor the price? Superintendent Jordan doesn't see why not, but doesn't have the \$199,000. He doesn't know if they're aware he got the extra \$30,000 CHIPS money, posted on state website; he did not share that. Superintendent Jordan's estimate of 2900, he didn't know cost per ton.

Councilman Norris said at \$58.40 is \$169,000 if his calculations are more in line; Supervisor said if Callanan is wrong, it is an additional 182. Councilwoman Finke is confused by amount of tons, why can one be so much less, if Callanan says 2300 tons, 2 inches, a little more, is still less than other. Superintendent Jordan asked if it is over what then.

Councilman Norris added if we use Superintendent Jordan's estimate of 2900, Ellie added that Peckham has lower cost per ton. Councilman Norris repeated Supervisor's point, will they honor price if less tonnage used?

Supervisor said if Callanan's tonnage is short, Superintendent Jordan said they will have to make up difference 'on their dime'. Councilwoman Benway quoted, "we've estimated 2300".

Supervisor reviewed that they were asked what it would take to pave, we did not give them the tonnage, we told them this is the job we need them to do, Superintendent Jordan told them what road it was, Ellie added in the bid notice. Superintendent Jordan did not go out with either one; they sent in their bids.

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Supervisor asked if the Board wishes to give Superintendent Jordan permission to go to Callanan, say we'll award you the bid, but regardless of what that is, this is what you are doing, the xx linear foot. Councilwoman Finke said two roads, not just one road. Superintendent Jordan said he would do that.

Councilman Norris asked to make the award contingent on, Supervisor said clarify that that's what the bid; that if less, item is same cost per ton; a \$50,000 swing. Clerk Brooks clarified, if it is less, that the item is the same cost per ton, and no adjustment to the price per ton. Supervisor said no cost to the amount of tonnage. Councilman Norris said if Callanan can use less tonnage, the price stays the same; correction, more tonnage. If Callanan can pave and do the job for \$144,647, both roads, the way the bid went in, said Supervisor, if they are awarded the bid, we didn't ask them to give; we asked what the job would cost.

Superintendent told them from County Route 26/Coxsackie line. Supervisor added, if you're going to do the job, we're not getting that money back, we're not buying by the tonnage; we're buying it by the job. Superintendent described the bid notice as reading 3500 linear feet of Old Kings Road. Supervisor said we asked for them to bid on the job.

Councilwoman Finke said two roads from Callanan's would be \$144,000 and the other would be \$199,000.

Councilwoman Benway said she was good with Callanan's if they're willing to take a payment for the \$144,000 and that's it, they're done. Supervisor said even if it's less, but doesn't think it will be less based on Superintendent Jordan's estimate 2900, if anything they would.

Councilman Norris agreed. Councilwoman Benway doesn't see them agreeing to that.

Supervisor clarified they'd done a good job; we didn't want them to skip. Superintendent Jordan said the only problem he'd had was with the approximately 20% RAP.

Councilman Norris asked whether the consensus was to go with Callanan based on total cost; Supervisor recommends wording the resolution *for the total cost \$144,647*, for the awarding of the job, and if we can bring them both in for that price, it is close to the CHIPS money.

Superintendent said if it went over CHIPS by a couple of thousand it could be dealt with, but not \$50,000. Supervisor asked for Board decision. Ellie asked whether resolution would be held for clarification; Supervisor said resolution would be worded *to award the job for \$144,647*, not on *2300 tons price of \$x*. Councilman Norris agreed. Supervisor clarified \$144,647? Councilman Norris said they would apply the asphalt per the bid, per the requirements. Superintendent Jordan said that's what the bid says. Supervisor read.

RESOLUTION
JUNE 24, 2013

RESOLUTION TO ACCEPT BID FOR PURCHASE OF PAVING MATERIAL

WHEREAS the Town Board, by Resolution dated June 10, 2013, authorized the Town Clerk to advertise for bids for the purchase of Type 6 Blacktop with a maximum of 10% RAP for Medway-Earlton Road and Old Kings Road, in accordance with specifications to be prepared by the Town Superintendent of Highways, with bids to be submitted to the Town Clerk's Office no later than 4:00 p.m. on June 24, 2013 and to be publicly opened at 6:45 pm on June 24, 2013, and

WHEREAS bids have been received and opened pursuant to the Town Board's authorization, and

WHEREAS, the lowest bid meeting the specifications was offered by Callanan Industries, Inc. for the amount of \$144,647.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the bid of Callanan Industries, Inc., pursuant to publicized bid, for use by the Town Highway Department for the amount of \$144,647.

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Supervisor moved and was seconded by Councilman Norris. Superintendent Jordan noted that Callanan's bid does not state that they will apply 2 inches. Supervisor said another qualifier could be inserted, if Callanan is not willing to honor that bid, that the fallback would be Peckham, then go back to Peckham and say that we're going to start with the one road; Superintendent offered to tell them. Supervisor suggest a final paragraph,

BE IT FURTHER RESOLVED if Callanan is not able to honor the bid requirements, the Town Superintendent of Highways is authorized to purchase the amount of \$144,647 from Peckham Industries, Inc., as the second and only other bidder, and then asked how to, Councilwoman Benway suggested, up to, Supervisor asked if the \$165,447 for Medway-Earlton Road, but if didn't want to purchase all from Peckham, get for Medway-Earlton, then go back. Superintendent was concerned if they were off on the tonnage. Supervisor believes we're asking them to do the same thing, if they did it by, and suggested authorizing their bid of \$165,447. Superintendent said no, he does not want to spend that. Supervisor asked whether authorizing 2900 tons at \$58.40 was better. Superintendent answered 2900 would be too much; how much for Medway-Earlton. Councilman Norris suggested the same figure, the \$144,647 for Peckham. Superintendent answered it made sense, but doesn't believe it is right, if he was bidding on this; he disagrees with the 2833 tons. Councilman Norris suggests the same amount that was spent on both companies. Superintendent prefers to talk again to Callanan's; Supervisor said a special meeting would have to be called.

Supervisor moved to remove the final paragraph,

BE IT FURTHER RESOLVED if Callanan is not able to honor the bid requirements, the Town Superintendent of Highways is authorized to purchase the amount of \$144,647 from Peckham Industries, Inc., as the second and only other bidder, and Councilwoman Benway seconded. Councilman Norris clarified, Callanan for that dollar amount, and the fallback would be, Supervisor answered a special board meeting. Superintendent added that he's never seen that difference in tonnage on bids; 3500 linear feet up Old Kings Road. With that, the adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-Absent
NORRIS-AYE O'RORKE-AYE
Adopted

Highway Report May 10-June 24 2013: Mowed and weed eat town hall; Mowed and weed eat highway garage; Patched dirt roads with crusher run; Took sander off 2013 International; Grader patched Highmount Road; Grader patched Lime Kiln Road; Grader patch part of Scheller Park Road; Installed 10" culvert pipe on Scheller Park Road; Mowed all parks; Mowed all cemeteries; Repaired broken handrail at Town Hall; Installed 12"x30' culvert pipe on Shady Lane; Mowed grass and weeds along roads; Dug out flower garden at Town Hall; Grader patched part of Deans Mill Road; Hand patched West Deans Mill Road, Saw Mill Road, Roberts Hill Road with blacktop; Repaired 2 signs knocked down on Deans Mill Road; Had NYS inspections done on 4 trucks; Brought picnic tables to VanEtten's for AgFest and picked up when done; Took garbage from AgFest to compactor; Cut 5 dead trees on Mathews Point Road; Repaired ditch on Mathews Point Road damaged by contractor installing house; Removed and cleaned grate over culvert pipe on Staco Road; Had recall work done on 2013 International and 2011 International; Cleared beaver dam from culvert pipe on Jennings Road at the Cocksackie reservoir; Installed drain on Flatbush Road; Made repairs to AGCO parks mower; Cut trees and brush at sewer plant; Weed eat guiderails at sewer plant; Changed oil and filter on Massey Fergusson tractor; Mowed Town Hall, parks and cemeteries many times. District 1/Joseph A. Wyche Park is under water; no mowing has been done. Jim Polverelli notified Highway of fallen tree, no damage to fence or oxidation ditch, Highway arrived 20 min later to clean up; Supervisor thanked the highway for their cooperation. Superintendent this night had a downed tree on Old Kings Road. Lawn tractor arrived this day.

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Buildings & Grounds/Recycling Chair Norris reports Bullock Utilities replaced 3 emergency lights; it was cheaper to replace unit than replace the batteries; lights are in compliance. Supervisor added that garage budget, not highway, needs to bid out for diesel and premium gasoline and, while a General Fund matter, asked Highway Superintendent to help committee to come up with bid specifications, also heating oil, for the July 22 Regular Meeting, giving local vendor opportunity to bid. Regarding the garden out front, Ray Blaisdell will fix the rotten posts when the rain stops; Highway will apply fabric, then topsoil.

Supervisor thanked the volunteer gardening crew, Alma and Karla Flegel, for all of their time and work on the gardens, and thanked Kingsley Greene for 'like new' refinishing of the small hall table, used tonight for the power strip for cassette recorders and during the week in the front hall between the chairs; and thanked Clerk Brooks for the reminder.

Supervisor was contacted by Town resident whose intent was to offer to the Town a memorial for all veterans; somehow his communication was messed up and the memorial went to Medway-Grapeville Fire Company. He phoned Supervisor, upset that the Town would not accept his gift; Supervisor reassured him that Town Board was never made aware of his generous gift. That memorial is on CR51, honoring vets of Medway-Grapeville Fire District. This conversation caused Supervisor to think of vets memorials, to reach out to American Legion, they are very excited, to reach out to Councilman Norris to co-chair a committee, get vets and Town historian involved, proper recognition, do some fundraising, and put something in place at the Town Hall or elsewhere, honoring all wars/conflicts.

Councilman Norris suggests Coxsackie's Mansion Street and Ravena's memorials as template for ours; he spoke to Memorial Committee generally years ago but it did not take flight; he suggests locating it at Town Hall or Cornell Park.

Supervisor added that US flag flies at both locations; she will have resolution for next meeting and asked Board to offer names for committee, especially a younger veteran and the Town Historian.

Clerk Brooks asked for a light on the flag at town hall while the ground is in its current state.

Building Inspector/Code Enforcement Officer Blaisdell summarizes activities for May: Building Inspections 23; Building Permits Issued 4; Building Permits Renewed 3; Certificates of Occupancy Issued 1; Temporary Certificates of Occupancy Issued 1; Court Appearances 1; Fire Investigation 1; General Complaints 1; New Building Permit Applications Received 6; Pool Permit Applications Received 2; Pool Permits Issued 1; Code Violation Investigations 2; Application Fees for May \$1,908.85; Total Fees for Year to Date \$5,403.40. Supervisor asked for the CEO's hours to be put on the website, 11:30am-230pm, Mon-Fri, and Sat a.m. by appointment.

Insurance Chair O'Rorke reports receiving back the Town's deposit in the Health Reimbursement Account, returning it to everyone in the plan; monies are electronically withdrawn when needed. Clerk Brooks reports confusion that NYS Disability/First Rehab had returned the Town's premium payment and an invoice was received in this day's mail.

Wastewater Treatment Plant Chair O'Rorke entered Jim Polverelli's report into record. At Mill Street pump station, one pump malfunctioned, called in Emmons to look, weren't certain it could be repaired onsite and weren't sure was it the impeller. It was the gasket that fills with debris, one had stopped up, frozen, tripping the breaker. The other pump was not far behind, and so Committee prepared for an emergency Town Board action to go forward with Delaware Engineering project's part of the bypass (\$10,000) rather than re-do these pumps, but it was a fairly easy fix at only \$1,800. With the current rain, Jim is probably at wastewater treatment plant now. The outside lights were not working; Bullock Utilities will replace as soon as possible. Councilman Norris added that the pumps should be taken out and rebuilt if we were going to keep them, but now a 'bandaid' has been applied.

Planning Board Chair Rundberg was not present, but reports: Planning Board held a brief meeting on June 13, reviewing recent correspondence and approving minutes. Town resident, present at the meeting, asked why Chair was not reading the building permit applicants' names

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since she feels it is important to neighboring properties to know such information. There was an open discussion of the Planning Board; the entire board agreed with Chair that the names not be announced at Planning Board meetings unless those applicants have business to conduct with the Planning Board. There was no old or new business to come before the Board.

Ellie asked Supervisor, if not for the Planning Board, then for the Town Board to announce, if there is a pool or barn or a view or a horse barn that could impact the neighbor, then it is important to announce who is applying for those permits.

Supervisor asked what would she do with that information? Ellie said people would come to Planning Board to discuss whether things impact them and would change their quality of life. Supervisor answered that most applicants do not come to the Planning Board; if someone puts up a barn they aren't required to come before the Planning Board.

A resident approached Ellie in the market, having lost quality of her life, neighbors are raising animals within 20 feet of her property line, she cannot go out in this weather due to the air and odor, and her house has probably lost value.

Supervisor reminded that the individual is not required to go to Planning Board, it is permitted within zoning. Ellie asked how to protect everyone. Councilman Norris reminded it is a *Right to Farm* town; individuals may bring in mediators, and Supervisor reminded that is purpose of zoning. Ellie answered that zoning is not helping this.

Supervisor answered then the zoning would have to be changed.

Ellie asked how to change zoning so we know what is happening in Town.

Supervisor explained that if you know what is happening and it is a permitted use in the zoning, the neighbor could..;

Ellie understands permitting, but there must be a way, just because someone applies for permit, don't you think you should have some input as to whether it is going to impact the neighborhood, whatever, doesn't seem right and feels badly for this resident.

Supervisor reminds that is why zoning is in place, so these individuals don't have to come before a Board. Ellie will check the records. Supervisor assumes that, when reviewing a building permit application, CEO checks that the setbacks meet zoning and a permitted use.

Ellie said it isn't when building inspector is checking the lot, this happens after the fact, and will check with Clerk Loux; individual may have gone before ZBA.

Supervisor said this may be isolated incident; if individual is not conforming to zoning, bring them before ZBA, Councilman Norris suggests to call Code Enforcement Officer to determine if a zoning violation, if there is, then they go to ZBA for due process. Ellie is very concerned for this woman; Councilwoman Finke asked where is this; Ellie would not report, District 2.

Councilwoman Benway asked whether she complained? Ellie answered that she would not, the neighbor is close. Ellie will meet with some people.

Chair Rundberg was not present but files **Semi-Annual Report**: Nothing has come before the Planning Board in the past six months which has been affected by the Zoning changes enacted in 2008. Therefore, the Board has nothing to report at this time.

County Planning Board member Cashin reports a light meeting, area variance in Halcott; a site plan review in Windham for a storage facility. Announced a free seminar for the National Flood Insurance Program, overview of benefits of community rating system, reported previously in New Baltimore by Liz LoGiudice; with credit available for planning board members, Thursday following July 22 Town Board meeting, 6:30pm-8:30pm. Supervisor and Councilwoman Benway hope to attend; Town of Ashland has done community rating for those buying flood insurance.

Supervisor asked if we can run report of how many Town property owners who are in flood zone A; with mortgage it would be required, but anyone can buy from NFIP. Cost for flood insurance is going up depending on value, flood zone A premium not including contents would be at least \$2,-\$3,000. If a community makes the effort for a community rating, the community as a whole can prove to FEMA that Town is following all flood rules, building at flood standards, it is pretty extensive; Town of Ashland has done it. Flood insurance will escalate; for those who own homes, even without a mortgage, a future buyer will need this for a mortgage, making the cost of owning those homes greater.

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Zoning Board of Appeals Chair Meave Tooher reports for June 24: Zoning Board of Appeals met on June 5, with the following business: Heard the Variance Application submitted by Robert Peters and Brianna Breault to allow them to do a lot line adjustment transferring .342 acres to a neighbor; Required Public Hearing scheduled for 7:30 pm, July 10, 2013; Appointed James Eckl as Vice Chair of the Board for the 2013 year; Appointed David Wukitsch as ZBA Attorney for the 2013 year; Due to July 4 holiday, Zoning Board of Appeals will meet July 10 rather than July 3. Supervisor asked if that was within the Organizational Meeting minutes; yes, no posting required.

Chair Tooher makes **Semi-Annual Report June, 2013:** Nothing has come before the Zoning Board of Appeals in the past six months which has been affected by the Zoning changes enacted in 2008. Therefore, the Board has nothing to report at this time.

Assessment Assessor Bennett reports: **May 3, 7 and 14,** Gordon was available to meet with property owners regarding the Tentative Roll; On May 8, Ellie Alfeld and Ron Hofaker attended a one-evening BOAR instruction class in Catskill; Jack Ablett will not serve this year due to back injury. **Grievance:** Grievance Day was held May 28 at Town Hall, 3-5pm and 6-8pm; Nine individuals pleaded their case in person; BOAR approved one stipulation agreement; 23 applications were reviewed and assessment decisions made; Notice of Determination letters were mailed to all individuals. **June:** Final Roll: data files for the Final Tax Roll were uploaded on June 12; printed copies should be in by end of the month. Also, many thanks to Julie for a homemade supper on Grievance night.

Economic Development Chair Norris had nothing to report at this time.

Grants Chair Finke had no grant work. Supervisor reported something later for justices; Consolidated Funding Applications (CFA) are out, encouraged by Greene County Warren Hart to do one on our own, also with New Baltimore Conservancy and the marina owners as boat slips stay full.

Fire, EMS & Law Enforcement Chair Norris reports attending June 16 Greene County EMS meeting, began 2014 budget in order to communicate with towns on time, discussion regarding \$80,000 Workers' Compensation bill (\$88,000 for next year), PERMA is not viable for EMS, asked county to pick that up and roll it back to the town; Supervisor added that cost negates any savings experienced by switching to PERMA and the Town has seen a rise in Workers' Comp. Councilman Norris reminds the 3-year contracts with both county and towns will cause huge cost cutting or a positive answer from the county; Bill Lawrence was present for June 16 meeting and will make proposal to county legislature this month. Supervisor responded that bill is due for 2012 budget, then 2013 and 2014.

Councilwoman Benway has heard word of a public hearing for NYS assessment charge, rising 16%, not 10%, before the rates are changed. Supervisor asked what New Baltimore's share of \$80,000 would be? Councilman Norris will find out, hoping Greene County picks up; he read Deputy Rob Scott's Greene County Sheriff's office report Jan 1-Mar 31; calls for service 50; uniform traffic tickets 32, arrests 2, Cossackie Reservoir checks 112. Rob has over a year to retirement; he is on post at Greene County Mental Health, with his weekends free.

Technology/Website Chair Benway Councilwoman Benway reports needing to call ITS for help regarding the town clerk's 7+ year old Dell laptop; Councilman Norris recalls it was purchased used some 5 years ago; Clerk reports it frequently reports, *Not Responding*, and thanked Board.

Newsletter Chair Finke asked whether the past Hillcrest Press bill was paid; Supervisor added it was work of prior bookkeeper and is included in tonight's vouchers. Clerk Brooks asked new bookkeeper for a second June abstract as Regular Meeting will be July 22; Councilwoman Finke asked if there were vouchers to sign. Supervisor thanked Clerk Brooks and new bookkeeper for the extra abstract and preparation and mailing of checks.

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Animal Control Member Finke had no report. Officer Tanner dropped 3 signed dog complaints to Clerk; delivered to the town court clerks.

Parks Member Benway reports Summer Rec is good to go, Desirea is working hard on fundraising, received maybe 14 counselor applications, read and interviewed.

RESOLUTION
JUNE 24, 2013

RESOLUTION APPOINTING SUMMER RECREATION PROGRAM STAFF

RESOLVED, that the following counselors are hereby appointed to the Summer Recreation Program for a period of four weeks, commencing July 15, 2013, through August 9, 2013:

<u>Name</u>	<u>Position</u>	<u>Weekly Salary</u>
Julie Van Alstyne	Counselor	\$130.00
Amanda Linger	Counselor	\$130.00
Mikayla Rebusmen	Counselor	\$130.00
Kristen Wallace	Counselor	\$130.00
Patrick Ostoyich	Counselor	\$130.00
Brian Ellis	Counselor	\$130.00

BE IT FURTHER RESOLVED if one of the above counselors does not take the position, Lauren LeClair will be hired as a counselor for a weekly salary of \$130.

Councilwoman Benway moved and was seconded by Supervisor. Councilwoman Finke asked was there an assistant director? Yes, resolution passed at last meeting. Councilwoman Benway questioned how it was handled in the past if there were too few children; Supervisor answered it hasn't been the case in the past, as Clerk Brooks confirmed, but can hire and fire as needed, also if x in first week, it can differ every day, last year about \$7,000, prior year \$7,700; with donations received, we are only about \$300 short of last year's budget without grants; last year's \$950 arrived in 2013 so went into this year's budget; perhaps no Zoom Flume, Kelsey and Desirea will talk to Greene County Legislator Jim Van Slyke and Greene County's Terry McGee Ward for estimate of state grant. Councilman Norris added having discussed rock climbing. Councilwoman Benway reports working on donations. Clerk Brooks reports both gals have been energetically in to office to learn, do prep, and get paperwork. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

Regarding Parks, Councilman Norris asked whether park water tests had come back; answer: yes, District 1 and 2 passed, available for renters to review. Supervisor reminded there is no portajohn at District 1 or 3, portajohns are at District 2 and Cornell, so, no portajohn or water at District 3.

Personnel Chair O'Rourke gave Town Board the verbiage changes to the Health Plan; in going to the new plan, vision coverage is separate, health care is a big budget item whether you buy it personally or provided by employer. Councilman Norris has suggestion for retirees, act at July Board meeting. Councilman Norris said raised employees' contribution to 25% contribution, town picks up 5 years, only retiree, not for spouse. This is only for new hires going forward. Ellie asked is there a minimum years of service; yes, 55 and older and 10 years service. Councilman Norris reminded of 2011 change to: 60 years and 15 years service.

Standard Work Day definition: every employee in the retirement system must have a standard work day. This changed in 2010, those employees whose term of office began after 2010 must

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continue to be added to the reporting. Justices terms are new since last done in 2010; appointees must be done yearly; elected are by the term of office. We establish a standard work day, 6-8 hours. The use the two options: if they use town's timekeeping, or if they keep a log (three months in duration). Some employees have not been part of the retirement system; they must be 'picked-up'; the filing is due 180 days after onset of term of office. Assessor Gordon Bennett's term is October 1, with resolution following 180 days after. Supervisor completed resolution based on past practice (8 hours for highway, 7 hours for full-time town hall staff, 6 hours for part-time town hall staff.)

**RESOLUTION
JUNE 24, 2013**

STANDARD WORK DAY AND REPORTING RESOLUTION

BE IT RESOLVED that the Town of New Baltimore hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials							
Highway Superintendent	Denis Jordan			8	1/1/12-12/31/15	Y	N/A
Town Justice	Lee Davis			6	12/12/12-12/31/16	N	11.5
Appointed Officials							
Wastewater Treatment Operator	James Polverelli			6	1/1/13 – 12/31/13	Y	N/A
Justice Clerk	Dawn Palmateer			7	1/1/13-12/31/13	Y	N/A
Supervisor's Confidential Secretary	Marjorie Loux			6	1/1/13-12/31/13	Y	N/A
Deputy Highway Supervisor	Alan VanWormer			8	1/1/13-12/31/13	Y	N/A
Deputy Town Clerk	Marjorie Loux			6	1/1/13-12/31/13	Y	N/A
Planning Board Clerk	Marjorie Loux			6	1/1/13-12/31/13	Y	N/A
Zoning Board Clerk	Marjorie Loux			6	1/1/13-12/31/13	Y	N/A
Assessors Clerk	Julie Fisk			6	1/1/13-12/31/13	Y	N/A
Code Enforcement Officer	Ray Blaisdell			6	1/1/13-12/31/13	Y	N/A
Historian	John T Hilscher			6	1/1/13-12/31/13	N	7.6

The Town Board must approve the logs of the individuals who are not in the timekeeping system; Town Board took time this night to review; employees had been reminded of this requirement in March quarterly paychecks; one is still missing this night, having had a family crisis; Supervisor hopes to have resolution in July before the Board to report his time. Supervisor moved and was seconded by Councilman Norris. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-Absent
NORRIS-AYE O'RORKE-AYE
Adopted

Agriculture Committee (Farmers are farming, no meetings until fall.)

Seniors Ellie Alfeld thanked Town Board for support of the June 19 picnic at District 2/Hallock Park, 55 in attendance, weather, and food. The core group will meet July 13 at 1:30pm, Conrad and Dorothy Jurgens, Linda and Jim Polverelli, Fran and Bud Melick, Betty Jane Costanza, and Ellie, and open to anyone who wishes to attend. Ellie commended Town highway and Cossacki OWLZ, done an outstanding job of caring for District 2 Park. Seniors were very happy. Councilwoman Finke said Art and Nick shopped and brought food, cooked, and the group tries to compensate them.

Expenses will be reconciled for the July Town Board meeting, took care of the supplies, reimbursed Art and compensated him in a small way for his time, little odds and ends left to check to be sure; hoping to not ask Town Board for any help. A good turnout, every district was represented. Supervisor gave Ellie an idea of breakdown of those seniors who need, and look to aid them getting to picnics. Supervisor said a good job, only a couple of years as a committee. Ellie was questioned, we are funded by the Town Board, as a budget item, many are not aware of that; that is where the money comes from. Two events last year; this was third event.

Memorial Committee (Chair Benway/Member Finke) no report.

Ag Fest Committee Liaison Finke reports a wonderful, great weather, great turnout, auction was highest ever yield. Shelly Van Etten reported fire company did great job as always, some sold out before day's end; Councilman Norris reports farmers' market did very well also.

Town Courts Councilwoman Benway reports 220 transactions in May, total taken in \$22,937, and to the Town \$10,025. Notice was received of Annette Muller's last day on July 31, relocation out of town. Will be posting a part-time opening; authorize justices to advertise for a part-time clerk. Supervisor said all will miss Annette, excellent addition to town hall, enjoyed working with her and wishing her well in her new endeavors.

MOTION
JUNE 24, 2013

MOTION TO AUTHORIZE TOWN JUSTICES TO ADVERTISE FOR PART-TIME
CLERK FOR COURT OFFICE

Supervisor moved to authorize Town justices to make their advertisement, work with Councilwoman Benway for wording, and was seconded by Councilman Norris.

All ayes

No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

BENWAY-AYE FINKE-AYE MEREDITH-Absent
NORRIS-AYE O'RORKE-AYE
Motion Carried

MOTION
JUNE 24, 2013

MOTION TO ACCEPT RESIGNATION OF ANNETTE MULLER

DRAFT

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For the record, Supervisor made a motion to accept, with regret, the resignation of Annette Muller, was seconded by Councilman Norris, effective July 31, 2013. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

**BENWAY-AYE FINKE-AYE MEREDITH-Absent
NORRIS-AYE O'RORKE-AYE
Motion Carried**

Town Court Grant Expenditures

To purchase selected thin metal frame chair with cushion back and seat, made requirement that Superintendent of Highways chair remain, and replace the 7 or 8 on dais. The judge/supervisor chair is black leather with arms; the remaining chairs proposed are armless; Supervisor wanted to consult Town Board, ZBA, and Planning Board. Dawn is investigating costs and didn't hear back, perhaps let them replace the 2 they would use with armless, or Town Board could determine to pay extra cost. Grant has already been received. They can get two armless chairs. Discussion ensued.

**RESOLUTION
JUNE 24, 2013**

**RESOLUTION AUTHORIZING EXPENDITURES
PROPOSED BY TOWN JUSTICES TO BE FUNDED BY
GRANTS RECEIVED FOR THE TOWN JUSTICE COURT**

WHEREAS the Town of New Baltimore Justice Court has received grant monies \$7,977.88 from the New York State Office of Court Administration, a portion of which are proposed to be used to fund expenditures for the efficiency of the Town Justice Court, and

WHEREAS the Town Justices have proposed the attached expenditures to be used in the Justice Court offices or in the Justice Court/Town Meeting Room:

- 1 organizer hutch
- 3 L-shaped desks
- 2 hutches
- 1 lateral file
- 3 office chairs
- 1 armoire
- 15 court room chairs
- 2 court room executive chairs without arms
- 1 judge/supervisor chair
- 1 box of butterfly clips
- 1 copier (Xerox)
- 1 pencil sharpener
- 1 file box
- 1 desk top chest
- 1 calculator
- 2 pen sorters
- 3 rolodex
- 1 cash box
- 3 wastebaskets
- 3 staplers
- 1 tape dispenser
- 1 scissor
- 2 security signs (regarding recording during court)

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And, with the leftover money we are looking to purchase a new sign for US Rte 9W as the one at Cr51/US Rte9W is falling down and needs to be a little larger.

WHEREAS the expenditures being proposed are to be entirely funded from grant monies received by the Town Justice Court in March 2013.

NOW, THEREFORE, BE IT RESOLVED that the following purchases proposed by the Town Justices, to be funded entirely from grant monies received in March, 2013 by the Town Justice Court from the New York State Office of Court Administration, are hereby approved:

Supervisor moved and was seconded by Councilwoman Benway. 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: BENWAY-AYE FINKE-AYE MEREDITH-Absent
NORRIS-AYE O'RORKE-AYE**

Adopted

Historian Hilscher reports: I continued to work on acquiring the Vanderzee hay press for the Greene County Historical Society. Shipping hay to New York City was an important source of income for local farmers. In correspondence to the Greene County Historical Society in June, I related: There were 130,000 horses in Manhattan in 1900 that ate 411,374 tons of hay. Local farmers with hay presses were Blaisdell in Coeymans, and in New Baltimore, Wolfe (Dietz), Lisk (Hallock) and Baldwin (Carhart) in addition to Vanderzee.

Resolution to Pay Audited Claims
Councilman Norris and Councilwoman Benway have reviewed. Councilwoman Finke has seen all.

**RESOLUTION
JUNE 24, 2013**

RESOLUTION TO AUTHORIZE SUPERVISOR TO PAY CLAIMS

WHEREAS the Town Clerk has presented claims to the Town Board for audit and review and,

WHEREAS the Town Board has audited claims 2013 06b/01-40, it is

RESOLVED, that the Supervisor is hereby authorized to pay claims 2013 06b/01-40.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until July 24, 2013.

Supervisor moved and was seconded by Councilman Norris. No further 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: BENWAY-AYE FINKE-AYE MEREDITH-Absent
NORRIS-AYE O'RORKE-AYE**

Adopted

ADJOURNMENT

DRAFT

**COUNTY OF GREENE
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With no further business to come before the Board, **Supervisor moved for adjournment, seconded by Councilman Norris.** No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

**BENWAY-AYE FINKE-AYE MEREDITH-Absent
NORRIS-AYE O'RORKE-AYE**

Motion Carried

The meeting was adjourned at 9:06 pm.

Respectfully,

Janet A. Brooks
Town Clerk