

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
JANUARY 13, 2014- page 1

DRAFT

OPENING REGULAR TOWN BOARD MEETING

Deputy Supervisor Ruso called the meeting to order at 7pm and announced unfortunately Supervisor Dellisanti was called out on emergency. Pledge of Allegiance was said. Also attending: Councilwomen Benway and VanEtten, Councilman Norris, Attorney for the Town Rappleyea, Highway Superintendent Jordan, Town Clerk Brooks and 34 members of the public who signed the attendance sheet.

Absent: Supervisor Dellisanti (family emergency)

APPROVAL OF MINUTES

Regarding the minutes of **December 19, 2013 Public Hearing on Local Law 3 of 2013** submitted by the Town Clerk, without quorum from 2013 meeting, they remain unapproved.

Regarding the minutes of **December 19, 2013 Special Meeting** submitted by the Town Clerk, without quorum from 2013 meeting, they remain unapproved.

PUBLIC COMMENT PERIOD

Rodney Krzykowski- awaiting a FOIL request; to clarify, a comment was made concerning a letter to Town Clerk, became a joke, not a joke, the notations on letter mean something, taken from Uniform Commercial Code, law of the land since 1953, said he belonged to conspiracy and called a terrorist, he tries to declare his right to given constitutional rights. He doesn't belong to any groups like OK bombing, in the past have tried to link back to Revolutionary War; he declares his rights as sovereign citizen, guaranteed by the Constitution. He recommends condensed version, read by lawyers and students. As far as connecting dots, he said he was born in 1940 New Baltimore, til 1953, back to New Baltimore in late 60's, pays taxes, still maintain businesses out of town, married, another piece of property; for someone to say he doesn't believe in government is wrong, believes in what it should be and get it back. About 'sovereigns' garnering rights by drafting paperwork and submitting it, is entirely wrong; will show that forms are not made up, gotten from Secretary of State of New York, available to anyone, may be filed on internet, has had some rejected for errors, and redid a couple. He believes in the country we should have; people don't realize where we are and what we are, ask folk exercise due diligence and find out, don't accuse of sinister. He has not received all the information requested on original FOIL request and filed in December; the same day he filed FOILS in Ravena, he received that Friday; and has a couple of questions to ask town clerk. Deputy Supervisor interrupted that she is unavailable to answer questions, he should address the Board.

Mr. Krzykowski remembered mention of debt, looked through some of the minutes, but cannot find this information and does he have to file FOIL for that information.

Councilwoman VanEtten said one report was 3 FOILS; large expense, clarified Deputy Supervisor Ruso. Councilwoman VanEtten remembered two in and three finished.

Mr. Krzykowski would like to get copy of the monthly report.

Deputy Supervisor Ruso reminds that yellow card helps new supervisor, cannot answer those questions at this time.

NEW BUSINESS

Resolution to Amend 2014 Salaries

Deputy Supervisor Ruso reviewed that one person will now be paid biweekly and one clerk was left out who didn't get full raise.

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION AMENDING 2014 SALARIES FOR APPOINTEES AND ELECTED
OFFICIALS**

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WHEREAS the Town Board adopted Resolution #6 at its Organizational Meeting on January 1, 2014 listing salaries for appointed and elected officials.

NOW, THEREFORE, BE IT RESOLVED that the Animal Control Officer will be paid biweekly and salary for the Deputy Building Department Clerk is \$12.61 per hour, payable biweekly.

Councilman Norris moved and was seconded by Councilwoman Benway. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution to place opening for Code Enforcement Officer/Data Collector, Members of Planning Board, Zoning Board of Appeals, Board of Assessment Review, and Part-Time Laborer

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION TO PLACE ADVERTISEMENT FOR CODE ENFORCEMENT
OFFICER/DATA COLLECTOR, AND MEMBERS OF PLANNING BOARD, ZONING
BOARD OF APPEALS, BOARD OF ASSESSMENT REVIEW,
AND PART-TIME LABORER**

WHEREAS an advertisement be placed in the *Catskill Daily Mail* for positions that are currently unfilled or whose term of office expired on 12/31/13 or that will expire during 2014;

RESOLVED, that the Building Inspector/Code Enforcement Officer Committee, the Planning Board/Zoning Board of Appeals Committee, and the Assessment Committee draft an advertisement for open positions and transmit to the Town Clerk for publication in the next available issue of the *Catskill Daily Mail*.

Councilman Norris moved, seconded by Councilwoman VanEtten. Councilman Norris asked will be three separate ads; one big ad. Councilwoman Benway said normally application comes to Town Clerk for application file? Councilwoman VanEtten answered no, they will come to her as chair of both committees. Councilwoman Benway asked will it be placed on website; answer: yes. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution to Appoint Part-Time Code Enforcement Officer on "As-Needed" Basis

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION APPOINTING CODE ENFORCEMENT OFFICER ON AN
"AS-NEED" BASIS**

RESOLVED that John Cashin in hereby appointed to the position of Building Code Enforcement Officer on an "as need" basis at a rate of \$13.38 per hour for the 2014 year.

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Councilwoman VanEtten moved and was seconded by Councilman Norris. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution to Approve Grant Submission to the Bank of Greene County for the Summer Recreation Program

With a deadline of January 15, Deputy Supervisor Ruso has put together a grant application, met with Summer Rec Director Desirea Chamberlin for financial data, and did what he could and the Board has reviewed this. Program was underfunded last few years, local generosity including chicken barbeque has helped to supplement Town's costs.

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION TO APPROVE GRANT SUBMISSION TO THE BANK OF GREENE
COUNTY FOR THE SUMMER RECREATION PROGRAM**

WHEREAS, the Summer Recreation Program has been a valuable program for youth in the Town of New Baltimore for many years;

WHEREAS The Bank of Greene County Charitable Foundation makes annual grants to help organizations develop new and existing programs;

WHEREAS the Supervisor together and the Grants Committee have drafted an application package to apply for funding from this Charitable Foundation for the youth of New Baltimore.

NOW, THEREFORE, BE IT RESOLVED the Supervisor is authorized to sign and submit the grant application to The Bank of Greene County to apply for funding for our Summer Recreation Program.

Councilwoman Benway moved and was seconded by Councilwoman VanEtten. Deputy Supervisor asked to amend last paragraph to read "Supervisor or Deputy Supervisor", Councilwoman Benway moved to make that change, and was seconded by Councilwoman VanEtten. No further discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution to Rescind Portion of December 19, 2013 Resolution That Payments for 2013 be carried over to 2014

Deputy Supervisor reviewed that bills already signed off in 2013 should be charged to 2013; the bookkeeper agreed they should be charged to 2013 and not 2014.

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION TO RESCIND PORTION OF DECEMBER 19, 2013 RESOLUTION
THAT PAYMENTS FOR 2013 BE CARRIED OVER TO 2014**

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WHEREAS a resolution was adopted on December 19, 2013 allowing the Town Supervisor to hold for payment to be applied toward the 2014 Adopted Budget any invoices arriving after December 19, 2013 and until December 31, 2013.

RESOLVED the Town Board hereby determines that 2013 invoices be paid in 2013 and not carried over to 2014 and hereby directs the Town Bookkeeper to make such payments consistent with this resolution.

Councilwoman VanEtten moved, and was seconded by Councilwoman Benway. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution to Authorize Highway Superintendent to Remove Surplus Furniture from Town Hall

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION TO AUTHORIZE HIGHWAY SUPERINTENDENT TO REMOVE
SURPLUS FURNITURE FROM TOWN HALL**

WHEREAS the Town of New Baltimore received a justice grant in 2013 to modernize and update the Meeting Room and Court offices and the new furnishings and equipment have been received at Town Hall.

WHEREAS the old desks and chairs are in disrepair and unsalvageable and the Town Board authorizes the Highway Superintendent to remove said furnishings from Town Hall.

WHEREAS such old desks and chairs are hereby deemed surplus property with no value to the Town and may be disposed of following an inventory of same.

Councilwoman Benway moved and was seconded by Councilwoman VanEtten, looked at one desk, don't think we would get much for that and not worth effort, scratched up, leg broken. Kevin Kemnah would like to propose they buy new chairs, issue was tears and stains on dais, did not inspect, sat in one that was more than comfortable. Councilwoman VanEtten did not make the decision. Highway Superintendent reported Spencer took one; others are ripped. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution to Authorize Highway Superintendent to Purchase Road Salt for Highway Use by State Contract for 2014

Deputy Supervisor Ruso said the figure was arrived at with Highway Superintendent Jordan, and taking the current price per ton.

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION TO AUTHORIZE THE HIGHWAY SUPERINTENDENT TO
PURCHASE ROAD SALT FOR HIGHWAY USE BY STATE CONTRACT FOR 2014**

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RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to purchase road salt from State Contract Number PC66215 for use on highway roads during 2014. The total amount authorized for fiscal year shall not exceed \$46,500.

Councilman Norris moved and was seconded by Councilwoman Benway. Councilwoman Benway believes it will be a bad winter. No further discussion. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution Approving Issuance of Second Hand Junk & Auto Parts Dealers' License for J.B. Car Services

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION APPROVING ISSUANCE OF SECOND HAND JUNK &
AUTO PARTS DEALERS' LICENSE FOR J.B. CAR SERVICES**

WHEREAS Edwin Brockett is the operator of J.B. Car Services, Inc. located at 241 Flatbush Road, West Coxsackie, New York; and

WHEREAS Mr. Brockett requires a Second Hand Junk & Auto Parts Dealers' License, renewable annually; and

WHEREAS Code Enforcement Officer Blaisdell completed the required inspection, found all to be in order and recommended to Town Board issuance of renewal;

NOW, THEREFORE, BE IT RESOLVED that J.B. Car Services Second Hand Junk & Auto Parts Dealers' License only is renewed for the term ending December 31, 2014.

Councilwoman Benway moved and was seconded by Councilman Norris. No discussion. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution Authorizing Supervisor to Execute Agreement with Ravena Rescue Squad for Ambulance Service Provided to New Baltimore Ambulance District No. 1.

**RESOLUTION
JANUARY 13, 2014**

**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, 2014-December 31, 2014 for basic ambulance service provided to New Baltimore Ambulance District No. 1 at a total cost of \$23,300.

Councilwoman VanEtten moved, and was seconded by Councilman Norris. Deputy Supervisor Ruso added that the cost was same as last year. Councilman Norris added it was in

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the budget for that amount. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution to Appoint Tal G. Rappleyea as Attorney for the Planning Board and Zoning Board of Appeals for 2014

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION TO APPOINT TAL G. RAPPLEYEA AS ATTORNEY FOR THE
PLANNING BOARD AND ZONING BOARD OF APPEALS
UNTIL DECEMBER 31, 2014**

WHEREAS, the Planning Board and Zoning Board of Appeals may require the legal advice of an attorney in their deliberations;

RESOLVED, that the Town Board of the Town of New Baltimore hereby appoints Tal G. Rappleyea as the Planning Board and Zoning Board of Appeals Attorney for 2014.

Councilwoman VanEtten moved and was seconded by Councilwoman Benway. Planning Board member Arlene McKeon thanked Councilwoman VanEtten for her presence at recent meeting and questioned whether Tal would be willing to do a special combined ZBA and Planning Board meeting for the new Short Form, and also for training hours, and get to meet. Attorney Rappleyea reports a split session (here and Greenville) one year ago; the Town Board is the body that determines if the training is appropriate. Arlene asked whether to wait and see new Board members; Councilwoman Van Etten wants to wait for new Board members and agreed. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

Resolution to Accept Resignation from Shelly VanEtten from the Zoning Board of Appeals

**RESOLUTION
JANUARY 13, 2014**

**RESOLUTION TO ACCEPT RESIGNATION FROM SHELLY VANETTEN
FROM THE ZONING BOARD OF APPEALS**

WHEREAS, Shelly VanEtten has tendered her resignation as a member of the ZBA due to being elected to being elected as a Town Board Member, the Board accepts this resignation.

Councilman Norris moved, and was seconded by Councilwoman Benway. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO

NAYS-

ABSTAIN- VAN ETTEN

ABSENT- DELLISANTI

Adopted

CORRECTIVE PLAN DATE APPROACHING

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Deputy Supervisor Ruso would like a discussion about the corrective plan for the State Comptroller's Office in response to audit released November 13; deadline is February 11; Regular Meeting on February 10. He will be lead writer of that corrective plan, plan to meet deadline; Office of State Comptroller is helpful and professional. He will put one together and email draft copies to the Board; plan must be submitted to OSC as a result of a vote of the Board; it is relatively simple, not troublesome, guidelines available, think we can get that done, and enforce it. Deputy Supervisor Ruso, as point of reference, has written 45 or so of these in response to Department of Health and not Comptroller's audits, and just follow process. Councilman Norris said adjustments were made to old policy, but not so much about policy, rather plan of action, getting authorization, and saw some evidence of that tonight. Deputy Supervisor Ruso, as a point of reference and earlier resolution, talked with examiner Denise, talked about things that have come up with salt, how to get this done, concerned about supply, she recommended making blanket resolution based on past history and proceed with knowledge. If you find yourself exceeding the \$46,000, everyone will know the type of winter, not that you should exceed, and recommended doing that with other items, like fuel and crusher run, run resolution at beginning of year, must be done **fiscal year**, not by **winter**. Board will be very involved; drafts by middle of next week.

UPCOMING MEETINGS

February 5, 2014 Zoning Board of Appeals Meeting
February 13, 2014 Planning Board Meeting

PUBLIC COMMENT

Rich Guthrie -would like Board's attention to taxes and assessments and please extend invitation to outside taxing authorities: three school districts representatives to present their proposed budgets, formalize this procedure, have extended invitation on the record and to the two fire districts to provide open dialogue with commissioners as they present their proposed budgets and answer questions from the public.
Deputy Supervisor Ruso thinks it is good idea, will they come, has never seen Greenville; Rich Guthrie asks to put on the table before them and let them act.
Deputy Supervisor suggests that invitation be on agenda for next meeting.

AUDIT OF CLAIMS

Deputy Supervisor Ruso thanked all for their patience; he had not expected to run meeting.

**RESOLUTION
JANUARY 13, 2014**

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 2013 12b/14-15 and 23, and 2014 01/01-54, it is

RESOLVED, that the Supervisor is hereby authorized to pay claims 2013 12b/14-15 and 23, and 2014 01/01-54.

BE IT FURTHER RESOLVED that the Town Clerk will prepare and abstract and hold it for public review until January 31, 2014.

Councilwoman Benway moved and was seconded Councilwoman VanEtten. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN
NAYS-

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DRAFT

ABSTAIN-
ABSENT- DELLISANTI
Adopted

ADJOURNMENT

With no more to come before the Board, Councilwoman VanEtten moved to adjourn and was seconded Councilwoman Benway. The adoption of the foregoing Motion was duly put to a vote, and the vote was as follows:

AYES- BENWAY, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT- DELLISANTI

Adopted

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Janet A. Brooks
Town Clerk