

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE
TOWN BOARD REGULAR MEETING**

**MARCH 13, 2017
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Opening of Bids for Hot Mix Asphalt Type 6

Approval of Minutes

- February 27, 2017 Town Board Work Meeting Minutes

Correspondence

- Greene County Department of Human Services 7th Annual Senior Citizen Day at the Historic Catskill Point on Friday, May 19 from 12-3 PM, Theme of a 50's Sock Hop
- 2017 Youth of the Year Award Sponsored by the Greene County Children, Youth & Community Advisory Board, Deadline is March 31, 2017

Public Comment Period

New Business

- Resolution Authorizing Supervisor to Execute Memorandum of Understanding with AgFest Committee
- Resolution Authorizing Supervisor to Execute Lease Agreement with the VanEtten Family for AgFest
- Resolution Approving Agreement for Expenditure of Highway Monies
- Resolution to Authorize Blue Diamond Septic LLC for Sludge Removal from the Wastewater Treatment Plant in 2017
- Audit of Claims

Upcoming Meetings

- ~~March 15, 2017 Senior Citizen Committee at 1 PM~~ is Cancelled and Rescheduled March 29, 2017 at 1 PM
- March 27, 2017 Town Board Work Meeting at 7 PM
- March 29, 2017 Senior Citizen Committee at 1 PM
- March 29, 2017 Rabies Clinic at Medway Grapeville Firehouse from 6-8 PM
- March 30, 2017 Friends of New Baltimore Recreation at 5:30 PM at Yanni's
- April 5, 2017 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- April 10, 2017 Town Board Work Meeting at 7 PM
- April 13, 2017 Planning Board Meeting at 7 PM
- June 3-4, 2017 AgFest at VanEtten Farm

Public Comment Period/Community Events

Adjournment

Annual Workplace Violence/Sexual Harassment Training

****** Agenda Subject to Change******

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OPENING OF REGULAR MEETING

Supervisor Dellisanti opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Deputy Supervisor Ruso (7:02 PM), Councilmembers Briody, Irving and VanEtten, Town Clerk Finke, Tax Collector Jordan, Highway Superintendent Jordan, and 7 members of the public who signed the attendance book.

OPENING OF BIDS FOR HOT MIX ASPHALT TYPE 6

Supervisor Dellisanti: *‘Please place in the next available edition for two (2) weeks. Thank you. NOTICE TO BIDDERS PLEASE TAKE NOTICE that the Town of New Baltimore hereby solicits bids for the purchase of Hot Mix Asphalt Type 6 in place per ton with index on oil. Price on Type 6 approximately 14,000 feet. Black Top (no) RAP Type 6 Black Top 10% RAP Type 6 Sealed Bids must be received in the Town Clerk’s office by Monday, March 13, 2017 at 4 PM at the New Baltimore Town Hall, 3809 County Route 51, Hannacroix, NY 12087. The Town reserves the right to reject any and all bids. Additional information may be obtained from Highway Superintendent Jordan at 756-2078. By Order of the Town Board Barbara M. Finke Town Clerk.’*

Town Clerk Finke: Four bids were received; one at 9:35 AM, one at 12:40 PM, one at 2:51 PM, and one at 4:10 PM which has been disallowed. The mail was also checked at 1:35 PM. Three bids were received, one from Callanan, one from Peckham Road Corporation, and one from Precision Roads. After the meeting I’ll make copies and hand to the Board and give to the Highway Superintendent.

Supervisor Dellisanti: We’ll make the decision on that at the Work Meeting at the end of the month. What was the third one, Callanan, Peckham and...?

Councilmember Briody: Precision

Town Clerk Finke: Precision Roads and Driveways.

APPROVAL OF MINUTES

The February 27, 2017 Town Board Regular Meeting submitted by Town Clerk Finke, Moved by Supervisor Dellisanti and was seconded by Councilmember VanEtten. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Dellisanti, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Ruso

CORRESPONDENCE

- Greene County Department of Human Services, *“May is designated as Older American Month to honor the achievements, value and contributions of our older residents. The Greene County Department of Human Services is proud to announce that we will be holding our seventh annual Senior Citizen Day at the Historic Catskill Point. This year, the date has been set for Friday, May 19 from 12:00 p.m. - 3 p.m. with a theme of a 50’s Sock Hop... The 2017 Senior Award nominees, including Senior Citizen of the Year, Richard Brooks of New Baltimore, and the Outstanding Contributions by a Senior Citizen winner, Edward Bloomer of Athens, will also be recognized that day.”*

Supervisor Dellisanti: So Dick Brooks is getting an award from New Baltimore.

- 2017 Youth of the Year Award Sponsored by the Greene County Children, Youth & Community Advisory Board, *‘Enclosed please find an application to be used for nominating a youth who has made outstanding contributions in serving his/her community through leadership, knowledge, skill and/or service. From the nominations received, the youth will be evaluated by the selection committee to determine this year’s winner. Please return nomination forms by mail, fax or email to Greene County Department of Human Services. Deadline is March 31, 2017.’*

Supervisor Dellisanti: So if anyone can think of someone in this particular category, please let us know.

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Deputy Supervisor Ruso: What is the age group?

Supervisor Dellisanti: It doesn't have an age group; I didn't see any.

Councilmember VanEtten: No, it really didn't say.

Supervisor Dellisanti: That's a good question though. It does not have an age group, it just says the school and grade.

Eilleen Vosburgh: So you have those forms?

Supervisor Dellisanti: I have the forms, yes.

Town Clerk Finke: It's on the website; it's on the board.

Councilmember VanEtten: It's on the website.

Supervisor Dellisanti: It's on the website and the board.

PUBLIC COMMENT

Supervisor Dellisanti: Anyone have a public comment for tonight that would like to be heard?

NEW BUSINESS

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 75-2017

MARCH 13, 2017

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE
MEMORANDUM OF UNDERSTANDING WITH AGFEST COMMITTEE**

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the attached Memorandum of Agreement with the AgFest Committee for 2017.

Motion by Supervisor Dellisanti seconded by Councilmember Irving

Supervisor Dellisanti: The attached Memorandum of Agreement is the same as we've had the last few years. There's absolutely no changes at all. Any questions or comments on the Agreement?

AYES: Dellisanti, Ruso, Briody, Irving

NAYS:

ABSTAIN: VanEtten

ABSENT:

Supervisor Dellisanti: I will sign this one, Barb, date it today. Just so everyone knows AgFest is scheduled for June 3 and 4; it's always the first Saturday and Sunday in June.

By: _____ By: _____

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 76-2017
MARCH 13, 2017

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE
LEASE AGREEMENT WITH THE VAN ETTEN FAMILY FOR AGFEST**

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign attached lease agreement with Robert and Shelly VanEtten for 2017 AgFest.

Motion by Supervisor Dellisanti seconded by Councilmember Briody

Supervisor Dellisanti: This again is exactly the same as it's been for the last number of years; please take a moment to review it. Marshall & Sterling are doing the insurance again this year. Any questions or comments on the Agreement, hearing none...

AYES: Dellisanti, Ruso, Briody, Irving

NAYS:

ABSTAIN: VanEtten

ABSENT:

Supervisor Dellisanti: I will sign this as well.

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LEASE AGREEMENT

THIS LEASE AGREEMENT (the "Lease") is made as of the Memorandum of Agreement entered into this 13th day of March, 2017, by and between the Town of New Baltimore, a New York municipality, with an address of 3809 County Route 51, Hannacroix, New York 12087 (hereinafter called the "Tenant"), and Robert and Shelly VanEtten, with an address of 1314 Saw Mill Road, Ravena, New York 12143 (hereinafter called the "Landlord").

WITNESSETH:

WHEREAS, Landlord is the owner of the real property, and improvements thereon, located at 1314 Saw Mill Road, Ravena, New York 12143 (the "Property");

WHEREAS, Tenant desires to lease a portion of the Property from Landlord for the annual Antique Machinery and Agricultural Festival ("AgFest"), and

WHEREAS, Landlord is willing to lease a portion of the Property to Tenant on the terms and conditions set forth herein,

NOW, THEREFORE, in consideration of the foregoing mutual covenants herein contained, and for One Dollar and 00/100 (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto mutually covenant and agree as follows:

1. Description of the Leased Premises. The property to be leased to Tenant is real property located at 1314 Saw Mill Road (the "Leased Premises").
2. Term. The term of the Lease shall commence on June 1, 2017 and end on June 6, 2017 at midnight.
3. Lawful Possession. The Landlord covenants that it is lawfully seized and in possession of the Leased Premises above described, and that it will put and keep Tenant in the peaceable possession thereof during the term of this Lease
4. Business Use Termination. The Leased Premises shall be used and occupied by the Tenant and Tenant's invitees solely for the AgFest, and such use is in compliance with

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all applicable laws, ordinances and governmental regulations. Landlord and Tenant hereby expressly acknowledge and agree that the Lease shall be immediately terminated, and the parties shall be released from any and all obligations hereunder, in the event that Tenant ceases to use the property for the aforesaid purpose.

5. Tenant's Return of the Leased Premises. Tenant shall, at Tenant's expense, return the Leased Premises in a clean and sanitary condition, and in compliance with applicable laws, ordinances, regulations and code.
6. Indemnification. Tenant shall protect, indemnify and save harmless the Landlord and its successors and assigns, and Landlord's agents from and against all claims, damages and suits arising directly or indirectly, in whole or in part, from any activity, work or thing done, permitted, suffered or omitted to be done by Tenant, or by any of Tenant's agents, employees, or invitees in or about the Leased Premises.
7. Insurance. Tenant agrees to maintain appropriate liability insurance for the AgFest to name Landlord as an Additional Insured.
8. Assignment and Subletting. Tenant may not sublet or assign this Lease to any person or any corporation, partnership, or other entity, without obtaining the prior written consent of Landlord, which consent may be unreasonably withheld.
9. Waiver. No mention in this Lease of any specific right or remedy shall preclude Landlord from exercising any other right or from having any other remedy or from maintaining any action to which it may be otherwise entitled either at law or in equity. The waiver of any breach, covenant, condition or agreement herein contained must be in writing. The failure of Landlord to insist in any one or more instances upon a strict performance of any covenant of this Lease or to exercise any option or right therein contained shall not be construed as a waiver or relinquishment for the future of such

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AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

Section 284 OF THE HIGHWAY LAW

AGREEMENT between the Town Superintendent of Highways of the Town of New Baltimore, of Greene County, State of New York and the undersigned members of the Town Board. 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 Aide for the repair and improvement of highways, shall be expended as follows:

1.

GENERAL REPAIRS. The sum of \$180,000.00 shall be set aside to be expended for primary work and general repairs upon 61 parts of miles of town highways, including sluices, culverts, and trees plus Grader Patching, Crusher Run, Item 4 Stone, and Equipment rental.
2.

PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of town highways

a)

Paving installed on 12 Hamlet Streets, 10’-16’ wide, 2” thick plus Matthews Point. Hamlet Streets include Baldwin Terrace 10’ wide, Birchwood Lane 18’ wide, Cedar Lane 16’ wide, Liberty Street 14’ wide, Madison Avenue East 10’ wide, Mill Street 12’ wide, New Street 10’ wide, Nodine Mountain Road 12’ wide, Pichler Road 10’ wide, Union Street 14’ wide, White Birch Lane 16’ wide, and Church Street 16’ wide, \$174,732.00 CHIPS plus \$100,000 out of General Repair.

b)

On the road commencing from State Route 144 to County Route 61 distance of approximately 1.8 miles 20’ wide on Kings Road; consisting of the following work: Paving installed, 1.8 miles x 20’ wide 2” thick shall be expended not over the sum of \$100,000.
3.

All work and materials utilized in the above projects shall be obtained in accordance with the Town of New Baltimore Procurement Policy and public bidding requirements pursuant to New York State General Municipal Law Article 5A.

Executed in duplicate this _____ day of _____, _____.

| | |
|--|------------------------|
| _____ Supervisor | _____ Councilperson |
| _____ Councilperson | _____ Councilperson |
| _____ Town Superintendent of Highways | _____ Councilperson |
| _____ County Superintendent of Highways | |

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and the Town Superintendent of Highways. One copy must be filed in the Town Clerk’s Office and one copy in the Office of the County Superintendent of Highway. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

Supervisor Dellisanti: That is the Agreement. Any questions or comments on the 284 Agreement?

Deputy Supervisor Ruso: What is the name of it, is it Pitcher Road as it says on one document or Pichler Road?

Councilwoman VanEtten: Pichler Road.

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Supervisor Dellisanti: Pitchler or Pichler? There's no t, it's Pich.

Deputy Supervisor Ruso: That's what I thought; in the other document it has Pitcher.

Supervisor Dellisanti: The correct one has the c so we're okay. Any other questions?

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Supervisor Dellisanti: I'm going to send around the Agreement so everybody can sign it; you have to sign it in duplicate.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 78-2017
MARCH 13, 2017

**RESOLUTION TO AUTHORIZE BLUE DIAMOND SEPTIC LLC FOR SLUDGE
REMOVAL FROM THE WASTEWATER TREATMENT PLANT IN 2017**

WHEREAS Chief Wastewater Treatment Plant Operator Louis Betke has attempted to procure quotes for sludge removal from the Wastewater Treatment Plant to comply with the Town's Procurement Policy.

WHEREAS local companies were contacted for quotes and only one was received, Blue Diamond Septic LLC at a cost of \$0.0569 per gallon or \$398.30 per 7000 gallon load.

WHEREAS per the agreement, if fuel rises over \$4.35 per gallon, a fuel surcharge will be implemented.

RESOLVED that the Chief Wastewater Treatment Plant Operator is authorized to contract at the above-stated price Blue Diamond Septic LLC for up to 60,000 gallons of sludge removal in 2017.

Motion by Supervisor Dellisanti seconded by Councilmember Irving

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 79-2017
MARCH 13, 2017

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 2017-03-01 to 2017-03-54, it is

REVOLVED that the Supervisor is hereby authorized to pay claims 2017-03-01 to 2017-03-54.

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BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until April 30, 2017.

Motion by Supervisor Dellisanti seconded by Councilmember VanEtten
AYES: Dellisanti, Ruso, Briody, Irving, VanEtten
NAYS:
ABSTAIN:
ABSENT:

General \$9,956.72, Highway \$19,753.75, Sewer 1 \$1,875.52, Sewer 2 \$31.35, Water 1 \$281.50, Lighting 1 \$1,731.97, Lighting 2 \$159.00, Total \$33,789.81

UPCOMING MEETINGS

- ~~March 15, 2017 Senior Citizen Committee at 1 PM~~ is Cancelled and Rescheduled March 29, 2017 at 1 PM
- March 27, 2017 Town Board Work Meeting at 7 PM
- March 29, 2017 Senior Citizen Committee at 1 PM
- March 29, 2017 Rabies Clinic at Medway Grapeville Firehouse from 6-8 PM
- March 30, 2017 Friends of New Baltimore Recreation at 5:30 PM at Yanni’s
- April 5, 2017 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- April 10, 2017 Town Board Work Meeting at 7 PM
- April 13, 2017 Planning Board Meeting at 7 PM
- June 3-4, 2017 AgFest at VanEtten Farm

PUBLIC COMMENT PERIOD/COMMUNITY EVENTS

Eilleen Vosburgh: Can anybody attend the Friends of New Baltimore Recreation?

Supervisor Dellisanti: Absolutely. Absolutely all our meetings are open to the public and if you have any suggestions for raising funds we would appreciate you bringing that along with you.

Callanan Industries to Highway Superintendent Jordan, *‘Reference is made to your request for pricing for asphalt paving on Town Roads. Our pricing assumes paving approx. 5.37 miles total of the following roads: Kings R., Mathews Pt., Pitcher Ln., Mill St., Church St., Washington Ave., Madison Ave., Nodine Mtn. Rd., Cedar & White Birch Ln., New Rd., Union St., Liberty Ln., Baldwin Terrace, Gill Rd. We have estimated 5,520 tons of asphalt will be needed for the project. We would furnish and install 2” thick NYSDOT Type 6 Asphalt Top Course with a maximum of 10% RAP in the mix on existing pavement. Furnish and Install NYSDOT Type 6 Top **Unit Price of \$ 55.35/Ton Installed** Due to the size of Kings Road, if that is one of the roads that is chosen for paving this season, we may be able to offer a reduced price. Callanan Industries will supply all labor, equipment, trucking and materials necessary to perform this work. The Town of New Baltimore will be responsible for the following items:*

- *A nearby water source for the asphalt rollers*
- *All necessary maintenance and protection of traffic*

We could complete this work for the Town at any time during the 2017 construction season.’

Peckham Road Corporation

| Item | Quantity | Unit | Description | Unit Price | Total Price |
|-------------|----------|--------------|-------------------------------------|------------|--------------|
| | | | | | |
| HMA Item #1 | 2,300.00 | Approx. Tons | In Place Black Top (No) RAP Type 6 | \$ 64.50 | \$148,350.00 |
| | | | | | |
| HMA Item #2 | 2,300.00 | Approx. Tons | In Place Black Top (10%) RAP Type 6 | \$ 59.99 | \$137,977.00 |
| | | | | | |

‘Conditions: Customer to provide Traffic Control Customer to provide source of water for rollers Customer to provide all risers for water valve, manholes, Etc. Customer to provide surface preparation Price includes rebates Terms: Asphalt pricing based on NYS DOT

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March 2017 Asphalt Index of \$369 NYSOGS Asphalt Adjustment will apply Payment: 30 days from date of invoice Quotation does not include sales tax'

Precision Roads & Driveways '1) Mill in Key Ways 3-6 Feet Back for a Smooth Transfer
2) Pave all water drains that run along sides of roadways. 3) Power pave 2" of state top asphalt and roll. Cost pre (sic) ton and put down \$89.50'

Supervisor Dellisanti: Those are your three bids that qualified by 4:00 PM today.

Highway Superintendent Jordan: Who is the one that came in late?

Town Clerk Finke: New Castle.

Supervisor Dellisanti: Anything else you want to add, Denis, to this at all?

Highway Superintendent Jordan: No. We'll go over them make sure that's exactly what we want.

Supervisor Dellisanti: So we'll get that on the Work meeting on the 27th.

Highway Superintendent Jordan: Yes.

Supervisor Dellisanti: Any other business to come before the Town? Hearing none, motion by Councilmember Briody seconded by Councilmember VanEtten to adjourn the meeting at 7:21 PM.

AYES: Dellisanti, Ruso, Briody, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Supervisor Dellisanti: Thank you all for coming tonight and good luck tomorrow. I wish us all good luck tomorrow.

The annual Sexual Harassment/Workplace Violence Training was held following the Regular Meeting for all Town Board Members, Town Clerk, and one employee.

Respectfully Submitted,

Barbara M. Finke
Town Clerk