

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

**JUNE 10, 2019**

**AGENDA**

*Please turn off all cell phones and electronic devices.*

**Pledge of Allegiance**

**Approval of Minutes**

- May 13, 2019 Town Board Regular Meeting
- May 29, 2019 Town Board Work Meeting

**Public Comment Period**

**New Business**

- Update on STAR Changes by Assessor Gordon Bennett
- Resolution to Appoint Summer Recreation Program Staff
- Resolution Authorizing the Town Justices to Sign an Agreement with NYSID for Records Management Project
- Audit of Claims

**Upcoming Meetings**

- June 24, 2019 Town Board Work Meeting at 7 PM
- July 3, 2019 Zoning Board of Appeals (if Needed) at 7:30 PM
- July 4, 2019 Town Offices Closed
- July 8, 2019 Town Board Regular Meeting at 7 PM
- July 11, 2019 Planning Board Meeting at 7 PM
- July 15-August 9, 2019 Summer Recreation Program at District 2 Park
- July 22, 2019 Town Board Work Meeting at 7 PM
- September 21, 2019 Townwide Yard Sale 9 AM-4 PM

**Public Comment Period/Community Events**

**Adjournment**

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

**GUIDELINES FOR PUBLIC CONDUCT DURING TOWN BOARD MEETINGS**

1. The Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall be the acting Supervisor. In the event both the Supervisor and the Deputy Supervisor are absent, the other members shall designate one of their members to act as temporary chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. Town residents who wish to speak shall fill out a card at the entrances of the meeting room listing their name, contact information, and the subject matter in which they would like to speak. These cards will be collected prior to the beginning of the Town Board meeting and given to the Town Supervisor or Deputy Supervisor in the absence of the Supervisor.
3. Speakers must be recognized by the presiding officer and then proceed to the lectern and state their name and address. They must limit their remarks on official town business to up to three minutes on a given topic and may not yield any remaining time to another speaker. They must address their remarks to the Board as a body and not to any member thereof and not to other members of the audience in the form of a debate.
4. Speakers should present their remarks in a courteous manner and may not make disparaging remarks or personal comments about public officials, town residents, or others. All speakers will observe the commonly accepted rules of courtesy, decorum, dignity, and good taste with no cursing, swearing, clapping, booing, finger pointing, bullying, whispering, or talking that disrupts the proceedings of the business of the Town Board.

5. Any speaker who disregards the directives of the presiding officer in enforcing the rules, disturbs the peace at a meeting, makes impertinent or slanderous remarks, or generally conducts themselves in an inappropriate manner shall be barred from further participation and will forfeit any balance of time remaining for their comments.
6. After a final warning, if a speaker willfully refuses to step down, the Town Supervisor shall contact the appropriate authorities to remove the speaker from the meeting room and to restore order.
7. The Town Supervisor, or in their absence the Deputy Supervisor, shall ensure compliance with these rules.

**This policy will be amended by Majority vote of the Town Board.**

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**OPENING OF REGULAR MEETING**

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Irving and VanEtten; Aline D. Galgay, Esq.; Town Clerk Finke; Assessor Bennett; and 2 members of the public who signed the attendance book. Absent: Deputy Supervisor Dellisanti, Councilmembers Briody (work) and Downes (work), and Tax Collector Jordan (conference)

**ADOPTION OF MINUTES**

The May 13, 2019 Town Board Regular Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember VanEtten. The adoption of the foregoing Motion was duly put to a vote and vote was as follows:

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody (Work), Downes (Work)

**Motion Carried**

**ADOPTION OF MINUTES**

The May 29, 2019 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember Irving. The adoption of the foregoing Motion was duly put to a vote and vote was as follows:

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody (Work), Downes (Work)

**Motion Carried**

**Public Comment Period**

None

**Supervisor Ruso:** I'm going to turn right away to Gordon Bennett. There were some people speaking about they were uncertain of what the STAR changes were so if you can speak on that I'd appreciate it.

**Assessor Bennett:** So basically the State has been making over the past couple of years some changes to STAR. I think their ultimate goal is more than likely to get everybody a check instead of the reduction on your bill. The exemption gives you a reduction on your bill, you get a lower tax bill because you have the exemption. As of August of 2015 anyone that purchased their house couldn't get the exemption through my office, but had to sign up for the check. So that was the first change. So now we've got a pool of people who are new homeowners who now get checks in the mail. The other thing that they did and they did it in this past budget cycle was they lowered the amount, the STAR amount. The Basic STAR amount for income was \$500,000. If you made \$500,000 or more you couldn't get a Basic STAR. Well, now they've kind of done a two-tier thing where if you get the exemption, you can only make \$250,000 and if you get the check you can make \$500,000. So, again, that's another urge to people like anybody that's making between \$250,000 and \$500,000, they're gonna switch to the check so that they can keep their STAR exemption. And I have a feeling, again this is speculation on my part, but I have a feeling that what they're gonna do is probably lower that income threshold over a period of years and the next thing you know everybody's gonna get a check. Right now either you get a check or the exemption, you get the same exact amount of money. Like if it's \$500 for the check, it's \$500 for the exemption. What they're talking about doing now is making the check two percent bigger and they haven't done that yet. It wasn't in this legislative cycle, but they're talking about it and what they have said is that they may change the amount by two percent which to me means they're not saying they're going to and for some reason -- like with the tax cap they said it was a two percent tax cap -- well I don't think it's ever been two percent. So they may have some reasons why it would change it more or less than that two percent. So it looks over time that they're trying to push everybody to get a check and for the life of me I have no idea what the reason is. I thought it was because maybe that they were gonna make the check taxable. Like if it's income to you, you're getting a check. They can say 'well, okay you got a check now you have to pay your state income tax rate on it.' Whereas if it was money that you didn't pay in your school tax bill, how can they

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tax that. Well, this webinar that we all saw over the past week, the STAR check is not taxable.

**Supervisor Ruso:** Do you think it's for the float that they're trying to do this for?

**Assessor Bennett:** I have no idea what the answer is to that question.

**Aline Galgay, Esq.:** Gordon, I know at the Bar Association what they said was it was very difficult to track the ownerships and the applications for STAR exemptions through the tax bill and so people were getting multiple STAR exemptions on multiple properties or they were doing their ownership in a different order so that they would get one downstate, one upstate. Whereas with the check, you are only eligible when you file your income taxes and so it's done by your social security number versus a name or an address. Therefore, they can ensure that every person is only getting one.

**Ellie Alfeld:** But, it's also for out-of-state, correct, people they're trying to catch.

**Assessor Bennett:** Yeah, yeah. A few years ago Tax and Finance took over the Office of Real Property Services. So once that happened then Tax and Finance they know what your income is, they know what your social security number is, and now because they're involved in the assessment game, they know where you live. So they match those three together and over the past three, four, or five years, we've gotten lists of folks 'take this STAR off, take that STAR off, take this STAR off.' The thing that I have to say that if someone is not gonna get an exemption on their bill because they make between \$250,000 and \$500,000, the State is gonna notify them. So the Town has no responsibility to send out these letters, it's a decision that's made by Tax and Finance and the State of New York. It's not a Town decision. We're just gonna comply with their request to remove certain STARs and there's a form that people can file if they choose to relinquish their STAR exemption and they want to get a check. I personally, with mine in Coxsackie, I'm just gonna wait and see what happens with this because at this point a two percent increase, even if they did it next year on \$500 what is that \$10? I'm gonna hold pat and see what happens down the road and see what happens. There's gonna be another round of all of these changes next year and somehow or another there's a Tax and Finance accountant sitting in the room and he's got a good reason why we need to send everybody a check instead of doing the exemption thing. And for the life of me I don't know what that is at this point.

**Supervisor Ruso:** I don't know if there's any questions from our participants here tonight. Anybody from the Board first? It gives me a rough idea as to what's going on.

**Assessor Bennett:** If you do run across any folks with questions, urge them to call the office.

**Councilmember VanEtten:** Does that take a lot of the work away from the Town as far as...?

**Assessor Bennett:** I wouldn't say a lot of work because like with the STAR exemption, once they file it and the clerk puts it on the assessment roll, we really don't have any work. We don't have any new applications and haven't for a few years. So we haven't had that, I don't want to call it a burden, but that workload over the past five years, four-and-a-half years now that that's been going on. The Comptroller's Office is doing audits and they're going into Towns and checking Assessors' files to make sure that certain stuff like the requirements for and they're focusing on ag, the senior citizen exemptions, and something else and they want to make sure that the Town is requiring the correct documentation for each of these exemptions.

**Councilmember VanEtten:** So the documentation will still go through the Town every year that we put in?

**Assessor Bennett:** They're not taking over that, but they want to make sure and they've gone into some Towns where stuff was not great. They had like a 30-page report on one Town with just those three exemption titles about all kinds of stuff they weren't doing correctly. So we're addressing that and just trying to make sure that we have everything in the file that we need to have. Kathy's been great about going through. Oh, the other one was veterans' exemptions.

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So like if we don't have the correct documentation from an exemption that could of, I mean some of these veterans' exemptions could have been on the books here for 30-40 years and just have always carried over. Kathy's been sending out letters and asking people could you please help us to complete our files and make sure that we have everything we need. People have been great actually. I'd say we've sent out maybe ten veterans' exemption letters and a few documentation letters with regards to STAR. We were always pretty good about the senior citizen exemption documentation, like that's been pretty clear for my entire time of being here that it is required that we get actual copies of everything.

**Supervisor Ruso:** Any other questions?

**Ellie Alfeld:** The only thing that I saw this *Times Union* article, it's gotta be two weeks ago at least...

**Assessor Bennett:** Yeah, at least.

**Ellie Alfeld:** And it was a fuzzy thing because...

**Assessor Bennett:** Typical so

**Ellie Alfeld:** Right because one point in time at the end of this two-page almost article it said you had to contact the State Department of whatever. My feeling is this. I get the exemption. There's no way that I get \$500,000 income. I venture to guess there's very few people in the Town of New Baltimore even at the \$250,000 level okay, but the difference between my getting that reduced tax bill and the State sending me a check when they feel like it, I prefer getting my tax bill reduced. That way I know exactly what I'm paying, I know exactly what I've been allowed as an exemption, and I'm done.

**Supervisor Ruso:** So in the meantime that's the way it stays. I mean it sounds like they're nudging us all in that direction though so who knows about five years from now or whatever.

**Ellie Alfeld:** And they can reduce that check amount each time they choose to or just throw it out the window altogether like the baby with the bathwater.

**Assessor Bennett:** I would sincerely doubt that they would take STAR away. It's become a part of this school funding process.

**Ellie Alfeld:** Yeah, but I know at one point in time, Gordon, you and I both discussed the fact that they were trying to catch these people that had some homes in Florida (unable to understand) and they were claiming exemptions. In fact, I know somebody that claimed the exemption in Florida and claimed it in New York until they got snagged. But Florida was the one that caught them, not New York State.

**Assessor Bennett:** Florida has countywide assessing and they have departments and actual staff that do nothing but to try to catch people. The Florida exemption is the Homestead Exemption and it's significant and when you sign it you sign certifying that you don't have any and they've toughened the laws and the penalties and the paybacks are ridiculous in Florida. So, unfortunately, the way the New York State system works if somebody had a house in New Baltimore with STAR on it and somebody had a house in Coeymans with a STAR on it, unless I went up there and looked at the assessment roll, I would never even know. So this thing with Tax and Finance in the merge really was a good thing from that perspective from cleaning up these doubles but I have a feeling, Ellie, that we're all going to be getting checks you know down the road.

**Ellie Alfeld:** You know what I did with the last check they send me for \$2? It's still on the dresser from two or three years ago. I want to screw up their bookkeeping.

**Assessor Bennett:** Well, they did say that they wanted to give you the check in September when you get your bill. That's always kind of been the cycle on these things.

**Supervisor Ruso:** Alright, well thank you very much, Gordon. I appreciate your time.

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**Assessor Bennett:** Very welcome. Have a good night everybody.

**Councilmember VanEtten:** Goodnight.

**Supervisor Ruso:** Thank you very much.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 104-2019**  
**JUNE 10, 2019**

**RESOLUTION APPOINTING SUMMER RECREATION PROGRAM**  
**STAFF FROM JULY 15, 2019 THROUGH AUGUST 9, 2019**

**RESOLVED** that Lynne Wallace is hereby appointed as the Summer Recreation Director at a salary of \$14.00 per hour.

**RESOLVED** that Marisa Rosario is hereby appointed as the Summer Recreation Assistant Director at a salary of \$12.00 per hour.

**RESOLVED** that Anna Marino, Rachel Marino, Madison Sleurs, and Ryan VanWormer are hereby appointed as Summer Recreation Counselors at a salary of \$11.10 per hour.

**RESOLVED** that Izaak King and Jacy Polyak are appointed as Substitute Summer Recreation Counselors at a salary of \$11.10 per hour and will only be paid when substituting for a counselor.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody (Work), Downes (Work)

**Motion Carried**

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 105-2019**  
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**RESOLUTION AUTHORIZING THE TOWN JUSTICES TO SIGN AN**  
**AGREEMENT WITH NYSID FOR RECORDS MANAGEMENT PROJECT**

**WHEREAS** the Town of New Baltimore Justice Court received grant monies from the New York State Office of Court Administration in 2018.

**RESOLVED** the Town Justices are authorized to sign the agreement with NYSID, a New York State Preferred Source Vendor, for Digital Imaging Services for the Town of New Baltimore Justice Court per the contract dated May 30, 2019.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody (Work), Downes (Work)

**Motion Carried**

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**RESOLUTION 106-2019**  
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**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 2019-06-01 to 2019-06-32, it is

**REVOLVED** that the Supervisor is hereby authorized to pay claims 2019-06-01 to 2018-06-32.

**BE IT FURTHER RESOLVED** that the Town Clerk will prepare an abstract and hold it for public review until July 31, 2019.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody (Work), Downes (Work)

**Motion Carried**

General \$3,572.11, Highway \$1,553.76, Sewer 1 \$6,972.67 Sewer 2 \$32.27, Lighting 1 \$1,765.31, Lighting 2 \$188.53, Total \$14,079.65

**Upcoming Meetings**

- June 24, 2019 Town Board Work Meeting at 7 PM
- July 3, 2019 Zoning Board of Appeals (if Needed) at 7:30 PM
- July 4, 2019 Town Offices Closed
- July 8, 2019 Town Board Regular Meeting at 7 PM
- July 11, 2019 Planning Board Meeting at 7 PM
- July 15-August 9, 2019 Summer Recreation Program at District 2 Park
- July 22, 2019 Town Board Work Meeting at 7 PM
- September 21, 2019 Townwide Yard Sale 9 AM-4 PM

**Public Comment Period/Community Events**

None

On a Motion by Councilmember VanEtten seconded by Councilmember Irving, the meeting was adjourned at 7:21 PM

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody (Work), Downes (Work)

**Motion Carried**

**Supervisor Ruso:** Good night everybody.

Respectfully Submitted,

Barbara M. Finke RMC  
Town Clerk