

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

**APRIL 11, 2022  
AGENDA**

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

**Pledge of Allegiance**

**Approval of Minutes**

- March 14, 2022 Town Board Regular Meeting

**Public Comment Period**

**New Business**

- Resolution Re-Enacting Local Law 2 of 2021 which was Adopted Pursuant to the Mariuhana Regulations and Taxation Act and Specifically Cannabis Law §131 Opting Out of Licensing and Establishing On-Site Cannabis Consumption Establishments Within the Town of New Baltimore as Local Law 3 of 2022
- Resolution to Authorize Payment for Playground Equipment
- Resolution to Authorize Contract for Uniforms for Highway Department
- Resolution Approving Agreement for Expenditure of Highway Monies
- Resolution to Seek Sealed Bids for the 2022 Paving Season
- Resolution to Adopt Final Order Extending Water District No. 3
- Resolution to Appoint Part Time Court Clerk
- Resolution to Authorize the Supervisor to Execute Agreement for Portable Standard Toilets
- Summer Hours for Highway Department Monday, May 30 to Monday, September 12 Monday-Thursday 6AM-4:30 PM
- Motion to Allow Staco/Sunset Hill Road Intersection to be Used as a Backup for Filming a Movie on Friday, April 15 from 8AM-1PM.
- Audit of Claims

**Upcoming Meetings**

- April 25, 2022 Town Board Work Meeting at 7 PM
- May 4, 2022 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- May 9, 2022 Town Board Regular Meeting at 7 PM
- May 12, 2022 Planning Board Meeting at 7 PM
- May 23, 2022 Town Board Work Meeting at 7 PM
- June 4-5. 2022 AgFest at VanEtten Farm

**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.**

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 1**

**OPENING OF REGULAR MEETING**

Supervisor Ruso opened the Regular Meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, and Irving; Deputy Supervisor Dellisanti; George McHugh, Esq.; Highway Superintendent VanWormer; Town Clerk Finke; and 4 members of the public who signed the attendance book. Absent: Councilmember VanEtten

**ADOPTION OF MINUTES**

The March 14, 2022 Town Board Regular Meeting submitted by Town Clerk Finke Moved by Supervisor Ruso and was seconded by Councilmember Boehlke. The adoption of the foregoing Motion was duly to a vote and the vote was as follows:

AYES: Ruso, Downes, Boehlke, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

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

**RESOLUTION 80-2022**

**APRIL 11, 2022**

**RESOLUTION RE-ENACTING LOCAL LAW 2 OF 2021 WHICH WAS ADOPTED PURSUANT TO THE MARIHUANA REGULATIONS AND TAXATION ACT AND SPECIFICALLY CANNABIS LAW §131 OPTING OUT OF LICENSING AND ESTABLISHING ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF NEW BALTIMORE AS LOCAL LAW 3 OF 2022**

*WHEREAS* on December 27, 2021 the Town Board approved Resolution 182-2021 adopting a local law pursuant to the Marihuana Regulation and Taxation Act opting out of licensing and establishing on-site cannabis consumption establishments within the Town of New Baltimore and subject to permissive referendum pursuant to Cannabis Law § 131; and

*WHEREAS* the New York State Department of State has advised the Town that the local law shall be numbered Local Law 3 of 2022 as the said law became effective in 2022 following the 45-day permissive referendum period; and

*NOW, THEREFORE BE IT RESOLVED*, that the Town of New Baltimore's local law opting-out of the of the licensing of on-site cannabis consumption sites pursuant to the Marihuana Regulation and Taxation Act adopted by Resolution 182-2021 shall be known as Local Law No. 3 of 2022.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

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

**RESOLUTION 81-2022**

**APRIL 11, 2022**

**RESOLUTION TO AUTHORIZE PAYMENT FOR PLAYGROUND EQUIPMENT**

*WHEREAS* former Senator George Amedore awarded a \$5,000 grant to replace obsolete playground equipment at Joseph Wyche Park in 2019.

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 2**

**RESOLVED** the Town Board of the Town of New Baltimore authorizes payment of \$46,108.23, \$5,000 from the SAM grant and \$41,108.23 from the Town of New Baltimore Playground Reserve Fund. to Miracle Recreation Equipment Co., State Contract PC67836, Sourcewell 010521-LTS.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

**Ellie Alfeld:** Have you got a grand total of all these numbers?

**Supervisor Ruso:** Yes, just said it, \$46,108.23. And you folks will see the pictures there of the mock-up. That's a computer-generated, took the actual site and imposed it.

**Councilmember Boehlke:** I do have a question as I was looking at this earlier and you just reminded me. Will any of this equipment be regarded as high-risk playground equipment through our insurance?

**Supervisor Ruso:** No, it's all authorized by the State and all the other regulatory bodies. It's ADA and of the like.

**Councilmember Boehlke:** Because I know some of this climbing equipment and that kind of stuff.

**Supervisor Ruso:** These are all identified as safer. I don't think you can ever guarantee nobody will ever have a problem.

**Councilmember Boehlke:** We had this thing with the AgFest there so...

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

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

**RESOLUTION 82-2022**

**APRIL 11, 2022**

**RESOLUTION TO AUTHORIZE CONTRACT FOR  
UNIFORMS FOR HIGHWAY DEPARTMENT**

**WHEREAS** Highway Superintendent Alan VanWormer has procured four quotes for uniforms for Highway Department employees.

**RESOLVED** the Town Board approves a five-year contract with Unifirst Uniforms for \$39.27 per week.

Motion by Supervisor Ruso seconded by Councilmember Downes

**Supervisor Ruso:** Now just as a point of conversation, Alan VanWormer and myself chatted briefly before convening here and we spoke about the update to Unifirst contract and all was satisfactory at his end so they have the lowest quote and we move forward. Any other comments please?

**Councilmember Downes:** I just have a question for Alan. I was looking at the budget. We increased your budget for uniforms from \$2,800 to \$3,200 last year and at this point in the year we're at 36 percent of your budget. We really only should be at 25 so we're like \$300 basically,

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 3**

over \$300 almost \$400 over what we should be for the quarter. Is this bid gonna help us get back into the line of the budget?

**Highway Superintendent VanWormer:** I'd say it should, but I don't understand how it could be over when we're buying uniforms for two less people.

**Supervisor Ruso:** I think I need to look at last year's payments. I don't know, Nick. Do you recall what it was? I'm suspecting that the bills came out late and weren't paid til this year. But I have to go back and look at last year's payments so we were under by whatever. It might have been billed in December.

**Deputy Supervisor Dellisanti:** December's bill could have been hit in January.

**Supervisor Ruso:** Or even November's and December's. So that's what I'm suspecting, but I'm not confident of that. I don't have last year's expenditures before me. I have the first quarter's, I do have that.

**Councilmember Downes:** Right, even though it was paid, it was an expenditure for last year. It should have went under last year's budget right?

**Supervisor Ruso:** Right and the one we just signed is for \$200 for the month of March, the bill that just came in. It's only \$200 for April. At the rate that they're talking, it's a great deal more. So I suspect there's some carryover from last year. We'll have to go to the data.

**Councilmember Downes:** I just want to keep us under where we need to be on the budget.

**Deputy Supervisor Dellisanti:** (Unable to understand.)

**Highway Superintendent VanWormer:** Actually, we're beyond. Our contract with Uniforms USA expired in January.

**Deputy Supervisor Dellisanti:** So immediately then.

**Supervisor Ruso:** We've been paying \$49 a week and this one's for \$39 so it should even itself out.

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

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

**RESOLUTION 83-2022**

**APRIL 11, 2022**

**RESOLUTION APPROVING AGREEMENT FOR  
EXPENDITURE OF HIGHWAY MONIES**

**RESOLVED** that the attached Agreement for Expenditure of Highway Monies submitted by Highway Superintendent Alan VanWormer (Highway 284 Agreement) is hereby approved.

**AGREEMENT FOR THE EXPENDITURE  
OF HIGHWAY MONEYS**

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

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 4**

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

1. **GENERAL REPAIRS.** The sum of **\$100,000** shall be set aside to be expended for primary work and general repairs upon **36.18** miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. **PERMANENT IMPROVEMENTS.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:
  - a. On the road commencing at **County Route 51** and leading to **Hannacroix Creek Bridge**, a distance of **2 miles**, there shall be expended not over the sum of **\$230,090**.  
 Type: **Blacktop Overlay**                              Width of traveled surface: **20 feet**  
 Thickness: **1 ½ inches**                              Subbase: **N/A**  
 Hot mix pave Deans Mills Rd from County Route 51 for a distance of approximately 2 miles with 1.5 inches of Type 6 blacktop. To be paid by Chips.
  - b. On the road commencing at **State Rt 9W** and leading to **State Rt 9W**, a distance of **1.25 miles**, there shall be expended not over the sum of **\$115,045**.  
 Type: **Blacktop Overlay**                              Width of traveled surface: **20 feet**  
 Thickness: **1 ½ inches**                              Subbase: **N/A**  
 Hot mix pave Flatbush Rd from Route 9W to Route 9W a distance of approximately 1.25 miles with 1.5 inches Type 6 blacktop. To be paid by Chips, Pave NY, and EWR.
  - c. On the road commencing at **State Route 9W** and leading to **Flatbush Rd**, a distance of **165 feet**, there shall be expended not over the sum of **\$3,950**.  
 Type: **Blacktop Overlay**                              Width of traveled surface: **20 feet**  
 Thickness: **1 ½ inches**                              Subbase: **N/A**  
 Blacktop overlay 165 feet x 20 feet wide Taylor Rd from Route 9W to Flatbush Rd with Type 6 blacktop. To be paid by Chips, Pave NY, and EWR.
  - d. On the road commencing at **County Route 51** and leading to **Dead End**, a distance of **550 feet**, there shall be expended not over the sum of **\$6,000**.  
 Type: **Blacktop Overlay**                              Width of traveled surface: **14 feet**  
 Thickness: **1 ½ inches**                              Subbase: **N/A**  
 Blacktop overlay approximately 550 feet of Hadley Drive from County Route 51 to Dead End. To be paid by Chips, Pave NY, and EWR.

Executed in duplicate this 11th day of April, 2022

Supervisor	Councilmember
Councilmember	Councilmember
Councilmember	Town Superintendent of Highways
County Superintendent of Highways	

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

**Supervisor Ruso:** So now we have this before us and I have some thoughts and I’m glad that our Highway Superintendent is here because the information I have is certainly not as complete as you would have that the cost of blacktop is up 60 percent from last year. Is this reflective of this year’s current estimates or is this . . . , because we didn’t internally budget for a 60 percent increase. Who does and, of course, our CHIPS money has not changed. It is what it is. The total is \$400-some-odd,000 which is a concern obviously. I have \$349,685. The CHIPS money that we are expecting is \$285,000. Is that correct?

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 5**

**Highway Superintendent VanWormer:** Our CHIPS, our EWR and our PAVE-NY combined together are \$322,090.81.

**Supervisor Ruso:** Why did we have \$281,000? Was it because we didn't have all the information back then?

**Highway Superintendent VanWormer:** That's possible.

**Supervisor Ruso:** We have on our budget \$281,248 and you're saying it's how much?

**Highway Superintendent VanWormer:** \$322,980.91 and I also have a \$55,436.98 carryover from last year. That brings it to \$378,417.89.

**Supervisor Ruso:** So we didn't spend all our CHIPS money last year?

**Highway Superintendent VanWormer:** No.

**Deputy Supervisor Dellisanti:** How much was that, Alan?

**Highway Superintendent VanWormer:** The total together? \$378,417.89. Our paving total will be \$355,085 which will give us \$23,322 carryover to next year.

**Supervisor Ruso:** This comes to \$349,000. Now the other part up above, the sum of \$100,000 shall be set aside, that's out of Town funds, that would be line item DA5110.4.

**Highway Superintendent VanWormer:** Correct.

**Supervisor Ruso:** Just as a matter of information, there's not \$100,000 there because we've already used \$2,613.27 so it's down to \$97,386. It's not an OMG type of a difference. I think we still should have it pointed out here. You don't have \$100,000, you have \$97,000. Is there any other questions from the Board?

**Highway Superintendent VanWormer:** The \$97,000 will be used for patching, culvert work, anything that we do like that.

**Supervisor Ruso:** I mean it all makes sense. The only thing I worry about is it's just like everything else, what if the prices go up even more? Then this dollar figure ain't gonna fit in.

**Highway Superintendent VanWormer:** The numbers that I used here what I did was I reached out to our vendors and I said 'look, give me some numbers, I need some numbers to do my 284 Agreement.'

**Supervisor Ruso:** Right, no, I expect that. You've done like that before.

**Highway Superintendent VanWormer:** Normally how it happens -- and it may not this year -- when we go out to bid, it comes in a little bit, just a tiny bit lower.

**Supervisor Ruso:** I hope it does.

**Highway Superintendent VanWormer:** So normally how it works. That's what I'm hoping, but this is where we stand if it stays at the number I used was \$65.74.

**George McHugh, Esq.:** \$65.74 a ton, that's what you used?

**Highway Superintendent VanWormer:** That's in place, yeah.

**Councilmember Boehlke:** So when do you put this out for bid, Alan?

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 6**

**Highway Superintendent VanWormer:** The Board just gotta pass a resolution for a bid package to go out and we can do it anytime, sooner better than later because you never know. Things can change every single day.

**Councilmember Boehlke:** Sooner it will be closer to the quote they gave you.

**Supervisor Ruso:** Just as a last point, if all things were normal this year, this would be fine, but this is not a normal year.

**Councilmember Irving:** Alan, we talked earlier in the year about the repave, the system where they grind it up and they put it back on. Remember we casually talked about that?

**Highway Superintendent VanWormer:** Yeah, that's pretty expensive too.

**Councilmember Irving:** Sixty percent increase doing it this way. Have you any knowledge about repave?

**Highway Superintendent VanWormer:** I've never done it, I've heard about it, but I've never done it.

**Councilmember Irving:** Looking down the road maybe next year, it's something we might look at.

**Highway Superintendent VanWormer:** It's still kind of expensive, you've got a lot more equipment that comes in.

**Supervisor Ruso:** There's still a cost of people.

**Councilmember Boehlke:** Well, fuel's not going to be going down anytime soon which is gonna impact the price of asphalt.

**Supervisor Ruso:** Just to let you know we're gonna send this out for bid, I think I have a resolution for that somewhere here, and if they come in at a point that's dramatically higher, we may have to think about what we add or what we delete rather is a better way to put it.

**Highway Superintendent VanWormer:** Right.

**Councilmember Boehlke:** So, Alan, we're using up \$55,000 carryover from last year.

**Supervisor Ruso:** Correct.

**Councilmember Boehlke:** Have you ever gone the other way?

**Highway Superintendent VanWormer:** No, I try to keep it...

**Councilmember Boehlke:** If we overran something can you use...?

**Highway Superintendent VanWormer:** If it did happen to go over, I try not to, but if it did happen to go over, we can use Town funds out of the Repair to make up the difference. Normally we don't. I try to keep everything within the CHIPS when it comes to paving.

**Supervisor Ruso:** I don't remember ever going over.

**Councilmember Boehlke:** Can we legally reimburse this if it comes to this from next year's CHIPS money because here we're using carryover funds? Can it work the other way is my question?



**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 7**

**Councilmember Downes:** Yeah, but if something is going to Highway, it has to stay in Highway right?

**Supervisor Ruso:** Yeah, it does. That's one point. The other point is actually the CHIPS money and the EWR is relatively more recent as well as the PAVE-NY. Those seem to be rolling along like automatic almost. There certainly is no absolute guarantee that next year you're going to get those things.

**Highway Superintendent VanWormer:** On that note we did get a five-year lock in commitment from the State in this year's budget that our numbers will stay the same for the next five years.

**Councilmember Downes:** But you said we may have a rollover of \$23,000?

**Highway Superintendent VanWormer:** \$23,322.

**Councilmember Downes:** So we have a little bit of a cushion if we can get something in.

**Highway Superintendent VanWormer:** In this year's budget that was passed, it's a new program called Pave Out Potholes, I don't know if you heard about it on the news. We're probably looking at somewhere between \$20-\$30,000 out of that, but I'm not gonna hang my hat on it until I have something in my hand.

**Supervisor Ruso:** And all these things require we spend the money before we get the money back.

**Highway Superintendent VanWormer:** Right.

**Councilmember Boehlke:** And if we get our bids out right away after the resolution.

**Town Clerk Finke:** Tomorrow. It will go out tomorrow.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

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

**RESOLUTION 84-2022**

**APRIL 11, 2022**

**RESOLUTION TO SEEK SEALED BILLS FOR THE 2022 PAVING SEASON**

**WHEREAS** the Town of New Baltimore is seeking sealed bids for the 2022 paving season.

**RESOLVED** the wording for the advertisement has been approved by the Attorney for the Town and following approval from the Town Board, the advertisement will be submitted to the Town Clerk for publication in the *Daily Mail*.

The Town of New Baltimore will receive sealed bid for the following paving work for the 2022 paving season. **Deans Mill Road**-T&L and pave 12,082' x 20' wide with 1.5 inches of Type 6 top. **Flatbush Road**-T&L and pave 6000' x 20' wide with 1.5" of type 6 top. **Taylor Road**-T&L and pave 165' x 20' wide with 1.5" of type 6 top. **Hadley Drive** – T&L and pave 550' x

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 8**

14' wide with 1.5" of type 6 top. All sealed bids must be received by the Town Clerks Office located at 3809 County Route 51, Hannacroix, NY 12087 by 4pm on Monday April 25<sup>th</sup>. The Town of New Baltimore reserves the right to reject any and all bids. Please contact Town Highway Superintendent Alan VanWormer with questions. Office 518-756-2078, Ext.3, Cell 518-567-4961, E-Mail [highway@townofnewbaltimore.org](mailto:highway@townofnewbaltimore.org). By Order of the Town Board, Barbara M. Finke Town Clerk

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

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

**RESOLUTION 85-2022**

**APRIL 11, 2022**

**RESOLUTION TO ADOPT FINAL ORDER EXTENDING  
WATER DISTRICT NO. 3**

**WHEREAS**, the Town Board of the Town of New Baltimore (hereinafter "Town Board" and "Town", respectively) in Greene County, New York, under authority of NYS Town Law Article 12-A Section 209-b, appropriated funds for the preparation of a Map, Plan and Report providing for the extension of New Baltimore Water District No. 3 (hereinafter "District") and such a Map, Plan and Report was prepared and provided to the Town by Delaware Engineering, P.C. a professional engineering firm licensed to practice in the State of New York; and the Town Board has reviewed such Map, Plan and Report in detail and filed it in the Office of the Town Clerk for public inspection, and

**WHEREAS**, on March 14, 2022, the Town Board adopted an Order for Public Hearing reciting in general terms the preparation of such Map, Plan and Report and the filing thereof in the Town Clerk's Office, a description of the boundaries of the District Extension, the improvements proposed, the maximum amount to be expended by the Town for such improvements, and specifying the 28th day of March, 2022, at 6:30 p.m., at the Town Hall at 3809 County Route 51, Hannacroix, New York as the time and place where the Town Board would meet to consider the modification of the District and to hear all persons interested in the subject thereof concerning the same; and

**WHEREAS**, notice of such meeting was duly published and posted as required by NYS Town Law Section 209-d and a hearing on the matter was duly held at the aforesaid time and place, at which all persons desiring to be heard were heard; and

**WHEREAS**, the Town Board completed the SEQR review of the District Extension on March 28, 2022 and issued a Negative Declaration; and

**WHEREAS**, the Town Board thereupon duly adopted a resolution on March 28, 2022, pursuant to NYS Town Law Section 209-e, approving the District extension and making the required statutory findings: the notice of public hearing was posted and published as required by law and is otherwise sufficient; all the property and owners within the proposed district extension are benefited thereby; all property and property owners benefitted are included within the limits of the proposed extension; and the extension of Water District No. 3 is in the public interest; and

**WHEREAS**, review of the proposed extension by the Office of the State Comptroller is not required as the District extension and improvements are at no cost to the Town of New Baltimore or the typical property owner;

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 9**

**NOW THEREFORE IT IS**

**HEREBY ORDERED**, by the Town Board of the Town of New Baltimore, Greene County New York, as follows:

**Section 1.** The Town of New Baltimore Water District No. 3 in Greene County, New York, shall be bounded as shown on Attachment A and described as follows:

- Beginning at the point of intersection of the eastern right-of-way of Route 9W, the southern right-of-way of the New York State Thruway and the northwest corner of Parcel 40.00-5-1;
- Thence easterly along the northern border of Tax Parcel 40.00-5-1, southerly along its eastern border, and westerly along its southern border to the intersection with the eastern border of Tax Parcel 40.00-6-2;
- Thence southerly along the eastern borders of Tax Parcels 40.00-6-2 and 40.00-6-1 to the intersection with the northern border of Tax Parcel 41.00-1-33;
- Thence easterly along the northern borders of Tax Parcels 41.00-1-33 and 41.00-1-34, and southerly along the eastern border of Tax Parcel 41.00-1-34 to the intersection with the northern border of Tax Parcel 41.00-1-39.1;
- Thence easterly, southerly and westerly along the borders of Tax Parcel 41.00-1-39.1 to the intersection with Tax Parcel 41.00-1-39.2;
- Thence westerly along the southern border of Tax Parcel 41.00-1-39.2 to the intersection with the eastern border of Tax Parcel 41.00-1-42;
- Thence southerly, westerly and northerly along the borders of Tax Parcel 41.00-1-42 to Houghtaling Road;
- Thence crossing the right-of-way of Houghtaling Road along the eastern right-of-way of Route 9W to the southwesterly corner of Tax Parcel 41.00-1-33;
- Thence northerly along the western border of Tax Parcel 41.00-1-33 to the point of crossing Route 9W to the southeastern corner of Tax Parcel 40.04-2-8;
- Thence westerly along the southern border of Tax Parcel 40.04-2-8 to the intersection at the southeasterly border of Tax Parcel 40.04-2-5;
- Thence southerly, northerly and easterly along the borders of Tax Parcel 40.04-2-5 to the northwesterly corner of Tax Parcel 40.02-2-4;
- Thence northeasterly along the northern border of Tax Parcel 40.02-2-4 and the southern right-of-way of the New York State Thruway, crossing Route 9W to the point of origin.

**Section 2.** This Order shall take effect immediately.

**Section 3.** The Town of New Baltimore Clerk shall file certified copies of this Final Order with the Office of the Greene County Clerk and the Office of the New York State Department of Audit and Control within ten days as required by law.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                         **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 10**

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

**RESOLUTION 86-2022**  
**APRIL 11, 2022**

**RESOLUTION TO APPOINT PART TIME COURT CLERK**

*WHEREAS* the Town of New Baltimore advertised for a Part Time Court Clerk and the Town Justices have submitted their recommendation.

*RESOLVED* that Asia Irizarry is hereby appointed to the position of Part Time Court Clerk at an hourly rate of \$17 per hour for a maximum of 26.25 hours per week subject to a six-month probationary period.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

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

**RESOLUTION 87-2022**  
**APRIL 11, 2022**

**RESOLUTION TO AUTHORIZE SUPERVISOR TO EXECUTE  
AGREEMENT FOR PORTABLE STANDARD TOILETS**

*RESOLVED* the Supervisor is authorized to execute an agreement with Greene County Septic Cleaners for one unit at Cornell Park, one unit at Wyche Park, two units at Cecil C. Hallock Park, and one unit at Silver Lake Park for \$96 per unit per month and a delivery/pickup charge of \$12.50 per unit. Additionally, four standard units, one handicapped unit, and two wash stations will be supplied for AgFest for \$1,078.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

**Town of New Baltimore Highway Department** – Please be advised that the Town of New Baltimore Highway Department will once again be working four ten hour days during the summer months as we have done in the past. The new hours will be 6am to 4:30 pm Monday thru Thursday beginning Monday May 30<sup>th</sup> and ending on Monday, September 12<sup>th</sup>. We will as always be available for emergency calls on Friday.

**Supervisor Ruso:** Paving what day of the week is that gonna happen?

**Highway Superintendent VanWormer:** Monday through Thursday.

**Supervisor Ruso:** I didn't know because if they come in on Friday then we're gonna be paying a lot of overtime.

**Highway Superintendent VanWormer:** I'll just tell them they can't pave on Fridays.

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 11**

**Supervisor Ruso:** Or you can amend the schedule. Next week they're coming on Friday. I'm just thinking out loud, as long as I have your thoughts on that.

**Supervisor Ruso:** We've been informed from a fellow called Jim Glorioso from BlueLight Covid Team. The long and short of the story is that near the intersection of Staco Road and Sunset Hill Road there're planning on have a movie shot this coming Friday from 8am-1pm. So that intersection will be shut down from that time until 1 pm.

**Ellie Alfeld:** Are they gonna give signs at the beginning of it?

**Supervisor Ruso:** They're supposed to. I know Alan had offered.

**Ellie Alfeld:** Because it's a hell of a curve right there.

**Supervisor Ruso:** Alan had offered, but they're supposed to take care. I know from this happening elsewhere that they are supposed to put signs. Doesn't mean that we can't be a sister.

**Ellie Alfeld:** Yeah, but I know that curve up there and you do too.

**Supervisor Ruso:** Well, Alan knows the road better than they do.

**Highway Superintendent VanWormer:** We're also working with the Sheriff's Office too. They're gonna have patrols out there helping with the traffic.

**Councilmember Downes:** Alan, where are they shutting down on Alcove and over on...?

**Highway Superintendent VanWormer:** Well, from what I understand from when I read the email, so it's only gonna be like one clip for this movie they're filming. That's all it is.

**Councilmember Downes:** So it's just gonna be like where Irv's house is? Is that's where it's gonna be?

**Highway Superintendent VanWormer:** That intersection right there. They're gonna be traveling down. There's gonna be an RV traveling down Staco Road being chased by a tractor part and when they get to that intersection, the RV's gonna go to the right toward Irv Smith's house and the tractor trailer's gonna go down (unable to understand).

**Councilmember Downes:** Towards Todd's. So we're probably closed out on 110 then on that side and...?

**Highway Superintendent VanWormer:** Out by the cemetery and then back on...

**Councilmember Downes:** 26 or further in?

**Highway Superintendent VanWormer:** On Hillcrest.

**Supervisor Ruso:** It's an RV chase scene. I will just say that it's a good thing where the old road is it's not still anymore because that road driveway between Irv's house and his garage was a road so I'm glad they're not using that. That's a long time ago.

**Highway Superintendent VanWormer:** Wherever they're filming the rest of this film, they have an intersection that's similar to this one to ours, but it's a State highway and the State won't let them shut it down so they're looking for another intersection.

**Councilmember Downes:** There's only Todd, Irv, and Dory's on that road. That's the only three people that this is gonna affect, are homes that it's gonna affect.

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                              **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 12**

**Supervisor Ruso:** Except anybody who happens to traverse on that road would be affected.

**Councilmember Downes:** We don't know who those people are.

**Supervisor Ruso:** If someone wants to get from here to there they won't be able to do it.

**Supervisor Ruso:** I'll make the Motion to allow this event to occur? Do I have a second?

**Councilmember Irving:** I'll second.

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

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

**RESOLUTION 88-2022**

**APRIL 11, 2022**

**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 2022-04-01 to 2022-04-32, it is

**RESOLVED** that the Supervisor is hereby authorized to pay claims 2022-04-01 to 2022-04-32,

**BE IT FURTHER RESOLVED** that the Town Clerk will prepare an Abstract and hold it for public review until May 31, 2022

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

General \$24,055.32, Highway \$4,269.82, Sewer 1 \$493.93, Sewer 2 \$1,165.31, Streetlighting 1 \$2,265.70, Streetlighting 2 \$306.09, Total \$32,556.17

**Upcoming Meetings**

- April 25, 2022 Town Board Work Meeting at 7 PM
- May 4, 2022 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- May 9, 2022 Town Board Regular Meeting at 7 PM
- May 12, 2022 Planning Board Meeting at 7 PM
- May 23, 2022 Town Board Work Meeting at 7 PM
- June 4-5. 2022 AgFest at VanEtten Farm

**Public Comment**

**Ellie Alfeld:** We have on Wednesday baked ham luncheon, scalloped potatoes, french style green beans, rolls and butter, spice cake with cream cheese frosting. Donation and reservations would be appreciated.

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                         **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 13**

**Councilmember Boehlke:** Where's this?

**Ellie Alfeld:** Down in New Baltimore at the Church, Reformed Church down at the curve and the telephone number for the Church is 756-8764. I also went to a meeting this afternoon in Cossackie. I don't know of how well the Board is aware of it, but the people from New Baltimore usually attend senior things in Cossackie at their place. They had a meeting today, they're trying to expand the openness of the meeting hall so it has more social spot. They're also hopefully bring back meals at the senior center starting in approximately a week to two weeks and thereby you can get your luncheons off of the menu, delivered there, eat there, and I think the cost is around \$4 for a lunch and that does require reservations as well.

**Supervisor Ruso:** It clicked in my head here a moment ago, Alan, you're going to four days a week, but you're starting on Monday, May 30. Isn't that Memorial Day?

**Highway Superintendent VanWormer:** Memorial Day weekend and the week we stop is Labor Day.

**Supervisor Ruso:** So you're not going to be working four days that week. You're going to be working three days that week.

**Highway Superintendent VanWormer:** We can go a week earlier or a week later.

**Supervisor Ruso:** I didn't catch it until I just spotted it.

**Councilmember Downes:** And on those days do they charge extra time? Do they charge their time because you guys are really only supposed to have eight hours, your work day is eight hours, a holiday is eight hours so you really should be charging two hours to vacation for that.

**Supervisor Ruso:** What we've done in times gone by recently anyway, the past eight-nine years whatever it's been, is that if the holiday falls on a day that has nine hours, just predating this stuff, they got paid nine hours. If the holiday falls on a day that has four hours, they get paid four hours. So it was win some, lose some type of thing. That's how it is. For the summer, I believe we've been paying the full ten hours am I right? So we'd be paying I don't recall I think actually 4<sup>th</sup> of July is on a Monday.

**Councilmember Downes:** It doesn't matter, it's on a work day right? It falls on a work day so...

**Supervisor Ruso:** If it's a work day, then it's 10 hours. So we're encompassing now three holidays is what it comes down to. Thanksgiving's always on a Thursday, I have no recall of what the other holidays of the year are except for Labor Day, Election Day, and those are Tuesdays of course. I just was pointing out it's only a three-day week, you're right about the extra hour. I suppose we can survive, tell us what you want to do if you want to amend that. So it starts on a holiday week and ends on a holiday week basically.

**Highway Superintendent VanWormer:** Or we can bump it back a week.

**Supervisor Ruso:** There's not much more for us to talk about. It is what it is as I was saying when the clicks happened. So now I'm going to ask for a resolution to adjourn.

Motion by Councilmember Downes seconded by Councilmember Boehlke to adjourn the meeting at 7:47 PM

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

**Motion Carried**

**TOWN OF NEW BALTIMORE**                      **Draft 4/18/2022**  
**COUNTY OF GREENE**                      **Adopted 4/25/2022**  
**TOWN BOARD REGULAR MEETING**  
**TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087**  
**APRIL 11, 2022 – Page 14**

**Supervisor Ruso:** Good night everybody.

Respectfully Submitted,

Barbara M. Finke RMC  
Town Clerk