

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

**DECEMBER 12, 2022
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- November 14, 2022 Town Board Regular Meeting
- November 28, 2022 Town Board Work Meeting

Public Comment Period

New Business

- Resolution to Set Organizational Meeting Date
- Resolution Authorizing Supervisor to Execute Agreement with Columbia-Greene Humane Society
- Resolution to Authorize Councilmember VanEtten and Supervisor Ruso to Apply for a 2023 Bank of Greene County Veterans and Youth Grant
- Resolution to Establish Sewer District #1 Use Charges for 2023
- Resolution to Establish Water District #2 Use Charges for 2023
- Resolution to Establish Water District #3 Use Charges for 2023
- Audit of Claims

Upcoming Meetings

- December 26, 2022 Town Offices Closed for Christmas Holiday
- December 28, 2022 Town Board Work Meeting at 7 PM
- January 1, 2023 Town Board Organizational Meeting at 2 PM
- January 2, 2023 Town Offices Closed for New Year's Holiday
- January 4, 2023 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- January 9, 2023 Town Board Regular Meeting at 7 PM
- January 12, 2023 Planning Board Meeting at 7 PM
- January 23, 2023 Town Board Work Meeting at 7 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.

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 1

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; Deputy Supervisor Dellisanti; George McHugh, Esq.; Town Clerk Finke; Highway Superintendent VanWormer; and 6 members of the public who signed the attendance book. Absent: Councilmembers Boehlke and Downes

ADOPTION OF MINUTES

The November 14, 2022 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 the vote was as follows:

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

The November 28, 2022 Town Board Work 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 the vote was as follows:

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

Public Comment Period

None

New Business

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 161-2022
DECEMBER 12, 2022

RESOLUTION TO SET ORGANIZATIONAL MEETING DATE AND TIME

RESOLVED that the Town Board of the Town of New Baltimore will hold the 2023 Organizational Meeting on January 1, 2023 at 2 PM at the Town Hall, 3809 County Route 51, Hannacroix, NY 12087.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 162-2022
DECEMBER 12, 2022

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
WITH COLUMBIA-GREENE HUMANE SOCIETY**

RESOLVED that the Town Board does hereby authorize the Supervisor to execute an agreement with the Columbia-Greene Humane Society/SPCA for the period January 1-December 31, 2023 for shelter services at a rate of \$35 per dog per day for the first ten days of housing and \$300 will be added on the eleventh day where the dog will become the responsibility of the Columbia-Greene Humane Society/SPCA.

Motion by Supervisor Ruso seconded by Councilmember Irving

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 2

Councilmember Irving: This looks similar almost identical to last year's agreement

Supervisor Ruso and Councilmember VanEtten: It is.

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 163-2022
DECEMBER 12, 2022

**RESOLUTION AUTHORIZING COUNCILMEMBER VANETTEN AND
SUPERVISOR RUSO TO APPLY FOR 2023 BANK OF GREENE COUNTY
VETERANS AND YOUTH GRANT**

RESOLVED that Councilmember Shelly VanEtten and Supervisor Jeffry Ruso, Chair and Member of the Youth, Parks and Recreation Committee and the Grants/Promotions/Economic Development Committee, are authorized to apply for a 2023 Bank of Greene County Veterans and Youth Grant.

Motion by Supervisor Ruso seconded by Councilmember Irving

Supervisor Ruso: Other than that Shelly and I need to sit down and get typing.

Councilmember VanEtten: We do.

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

Supervisor Ruso: This one is a bit more complicated. For those that may think this is redundant, this was part of our budget, but we have to have an official undertaking for these charges.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 164-2022
DECEMBER 12, 2022

**RESOLUTION TO ESTABLISH SEWER DISTRICT #1
USE CHARGES FOR 2023**

WHEREAS the Town of New Baltimore Sewer District # 1 has accumulated an Unallocated Fund Balance in excess of \$350,000.

WHEREAS the Town Board had decided to deposit funds into the Sewer District Repair Reserve, pay off one loan early, and to utilize approximately \$75,000 of the excess to allow charges for all existing users for 2023 at approximately 50% charge per point.

WHEREAS the current charges per point have been \$26.774 for Sewer Use Fees, \$35.916 for Operation & Maintenance for a total of \$62.68 per point.

THEREFORE, BE IT RESOLVED that the Town of New Baltimore will charge each existing user \$13.387 per point for Sewer Use Fees, \$18.063 per point for Operations & Maintenance for a total of \$31.45 per point for 2023, providing a savings of \$31.23 per point.

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 3

BE IT FURTHER RESOLVED that any new users added to the Sewer District during 2023 will be charged the full rate of \$62.90 per point.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Councilmember VanEtten: No, I think it's great for them to save this money.

Supervisor Ruso: A typical home is 10 points, two-family homes are 20 points as a point of reference. So a typical homeowner, single family home, will be saving \$312.30 in 2023. I think most people will be okay with that. Note it doesn't apply to new users.

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 165-2022

DECEMBER 12, 2022

**RESOLUTION TO ESTABLISH WATER DISTRICT #2
USE CHARGES FOR 2023**

BE IT RESOLVED that the Town Board hereby establishes the following fees in accordance with the 2023 Budget for Water District #2:

Water Usage	As Per Meter
Debt Payment	\$157.00 Quarterly
Operation and Maintenance	\$20 Quarterly

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Supervisor Ruso: I think this was well-discussed over the past couple years, but we have to do it every year.

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 166-2022

DECEMBER 12, 2022

**RESOLUTION TO ESTABLISH WATER DISTRICT #3
USE CHARGES FOR 2023**

BE IT RESOLVED that the Town Board hereby establishes the following fees in accordance with the 2023 Budget for Water District #3:

Water Usage	As Per Meter
Operation and Maintenance	\$20 Quarterly

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 4

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

Ellie Alfeld: Jeff, is this a reduction or the same as last year?

Supervisor Ruso: That's the same as 2022. It was increased for 2022, but this is second year, no increase this year.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 167-2022
DECEMBER 12, 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 2022-12-01 to 2022-12-45, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2022-12-01 to 2022-12-45,

BE IT FURTHER RESOLVED that the Town Clerk will prepare an Abstract and hold it for public review until January 31, 2023

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

General \$18,629.28, Highway \$5,199.15, Sewer 1 \$4,763.66, Sewer 2 \$37.90, Street Lighting 1 \$2,609.95, Street Lighting 2 \$402.87, Total \$31,642.81

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- January 23, 2023 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

Eileen Vosburgh: So at the last meeting I asked if there is an HRA and would it continue and you answered 'yes.' I guess I should have asked if there would be one for retirees. I'm asking you is there one for retirees?

Supervisor Ruso: As of December 1, no.

Eileen Vosburgh: And I'm asking you to reinstate retirees in the HRA. These are our neighbors who retired with this benefit and now are on fixed incomes. The Town has many reserve funds. Just the last meeting you put \$10,000 in Parks, \$10,000 in Buildings, \$10,000 in Highway, and we've had increases in state and federal monies. We had \$60,000 on a renewal

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 5

permit for Solar Generation, \$20,000 on that PILOT for Solar Generation, and this action to me does nothing to entice or retain employees. The HRA was created in 2010 so that the Town at that time would be able to obtain lower insurance rates would cause hardship to employees. In 27 or whatever there was a three-month notice that you were supposed to be giving these retirees. Did you give them a three-month notice?

Supervisor Ruso: I sent them a letter in December 2021.

Eilleen Vosburgh: Okay. I know that one of the retirees got a notice dated December 1 this year.

Supervisor Ruso: They also got one in December of 2021 where they were informed that it will expire at the end of 2022 or this will be the last year.

Eilleen Vosburgh: I'm asking you to reconsider this action especially in the times that we have now with fuel oil up. These people are on fixed incomes. They're our neighbors and what is the reasoning for this?

Supervisor Ruso: There were multiple reasons and it was set forth in 2014.

Eilleen Vosburgh: Well, they've had it for the last years have they not?

Supervisor Ruso: In error, yes.

Eilleen Vosburgh: Why not continue it? I mean these are people who worked hard for our community.

Supervisor Ruso: It has been noted that it was going to expire. They were informed quite some time back it was going to expire and now its expired.

Eilleen Vosburgh: Can you reinstate it please?

Supervisor Ruso: That would be a Board resolution that anyone could write.

Eilleen Vosburgh: Would you consider it? Does everybody on the Board realize what happened to these people?

Supervisor Ruso: I could give you lots of answers for that, but I'm not gonna give you the whole thing because we could be here all night.

Eilleen Vosburgh: Well, will you please reconsider it for these people?

Supervisor Ruso: That would be something that we would have to discuss at a Board meeting. We'd have to have a resolution and proceed. I'm not going to do that tonight if that's...

Eilleen Vosburgh: No, but I'm asking you to please reconsider this for these people. They're retired people who worked for our community, they're our neighbors, they're not somebody in Poughkeepsie you know.

Supervisor Ruso: I understand. I know well who they are.

Eilleen Vosburgh: It's really going to be a hardship for them, sincere hardship.

Supervisor Ruso: Alright, well, thank you. We'll consider it. I'm open-minded to it, but we'd have to discuss it and we have to discuss with the insurance company. But this was, just to let you know, this was not supposed to have happened. Some of this goes back to some old days. 2014, HRA was not available for retirees. Discovered in audit of our health insurance bills in 2021, they were on it.

Eilleen Vosburgh: They have not been on it for the last four years?

Supervisor Ruso: 2021 they were discovered they were on it.

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 6

Eilleen Vosburgh: Okay, got it.

Supervisor Ruso: And so we continued with 2021, allowed them to keep it certainly, and then before 2022 we let them know that this is the last year. I can get into more details such as neighbors, employees, who have, even though they weren't eligible in the first place, you had to work so many years in order to get it, were getting it.

Eilleen Vosburgh: They had to work ten years correct?

Supervisor Ruso: They could work five and get it. They did or less than and that was caught in our audit. For those that don't know when we took over we had people who had health insurance even though they weren't a retiree because no one was watching the store. I had people say 'can I continue to have health insurance?' 'You don't work for us anymore, you went to work for another organization' and I was told I was heartless then. I said 'why don't you get health insurance for the new company you work for?' 'It cost more than it cost.' 'But you haven't worked for us for years.' Nobody was watching the store. Nobody. And this goes through benefits throughout this whole place. No one was watching the store and this was one of those things that slipped through the crack. It wasn't supposed to have happen. Nevertheless, I could go on for hours on this, but it was awful. People were getting five weeks vacation when they were supposed to get three. Some people got six days personal, some got three. Why? Because everybody was doing what they wanted. I described the story about the Doctor Days. I know you've heard it before.

Eilleen Vosburgh: No.

Supervisor Ruso: Well, you get 25 vacation days, you get 12 sick days, you get 12 holidays, you get 6 personal days. Some departments did and some didn't. That's 53 days and you got Doctor Day. What was that? 'Oh, I went to the doctor today.' What does that mean? 'I get the day off.' We're talking 75 paid days off a year and I was heartless when I said 'no.' The problem was these things were never authorized by the Town Board. Never. My Board, previous Boards, Boards from 22 years ago. I did look back at Board meetings going back into the 70's and people just took 'em. People just took 'em. No one was watching the store. I'm not gonna throw mud at everybody who was here beforehand, I just wanted to get it done right. And this is actually one of those things and I have people tell me 'we've always done it this way.' But the Town Board never gave you authorization to have it. Never. And I remember saying at the time 'the mistakes of the past do not justify the mistakes of the future.' Now I recognize some of these folks. They don't want to pay for the doctor's visit. Just go back up a minute, we have a very good insurance plan. We have a really nice insurance plan. The HRA is there to pay for the \$20 copay, whatever it is for the medications at the pharmacy, that's what that's for. So they don't have any loss of health insurance.

Eilleen Vosburgh: I understand.

Supervisor Ruso: Each person in the Town for those less than 65, there is an HRA for employees and it cost us \$3,200 per person just so you know. Anyway, that's a little factual background. I know you've been there a long time. I was just giving you a little background. I mean I know I got off into tangents about other things. (To George McHugh, Esq.) Now, what would you think about Town employees in your Town was just getting benefits and the Town Board never approved them?

George McHugh, Esq.: They wouldn't be getting them. (Unable to understand.)

Supervisor Ruso: I felt it was our fault. Whether it was the Board, Board's previous, or Department Heads. We weren't just watching the store. Just weren't watching and to tell you the truth, I don't want to make the employees sound like they were bad because not everybody used all their Sick days and not everybody did these things, that thing and the other thing. I mean there were some that were conscientious throughout. I don't want to imply... I thought it was the fault of the Town Board. (To Ellie Alfeld) Did you ever authorize Doctor Day, you're been here since 1980? You can't make it up. I sit with Department Heads. I said 'I understand what the V is, I understand what the P is for Personal, what S is, what's the D?' They said 'that's a Doctor Day.' I said 'what's that mean?' 'Well, if you go to the doctor, you

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 7

get the day off.’ If the doctor tells you you have to get a lab, you go the next day so you get two days off.

Judy Felsten: They used to be called Sick days.

Councilmember VanEtten: They do have sick days above and beyond.

Supervisor Ruso: If you want to know something? When you bring you dog to the vet, he’s a doctor, too.

Ellie Alfeld: That’s true.

Supervisor Ruso: You can’t make it up. I know I understand. I’m getting off in tangents, I’m going to have to move on. We’ll talk about it. If these guys wanna do it I’ll be okay with it, but we’ll have to discuss it. They’ll be reasons and pros and cons. We’ll discuss it, but I’d like to have the full Board here.

Eileen Vosburgh: Absolutely, but I hope that you will consider this because it is an extreme hardship.

Supervisor Ruso: Thank you.

Judy Felsten: I just want to say that sometimes when you tell people a year ahead they forget and maybe you tell them 30 days beforehand again and they don’t panic.

Councilmember VanEtten: Well you think it would be a pretty important thing to remember.

Judy Felsten: Not at the way the world is moving at the pace it’s moving now. I would have written to them again. That’s all.

Supervisor Ruso: Well, I was called by the people and I did tell them. I said ‘I don’t see where it’s happening.’ That was before December 1.

Judy Felsten: I don’t know if you were out driving last night, but I was and it was pretty frightening because the snow was coming at a rate that our current crew could not easily keep up with I think. It was treacherous.

Town Clerk Finke: Not just in New Baltimore, everywhere.

Judy Felsten: But actually I was coming down from Scotia so I experienced a lot of roadways last night.

Supervisor Ruso: State, County, everywhere.

Judy Felsten: Okay, it was falling harder here, but when we came down here yeah. Anyway it seemed to me that they were feeling a lack of people to drive plows and I am here to say again that I think it’s worthwhile to raise the highway crew rates regardless of all the negotiations stuff so that we can be safe this winter and I also wanted to say that it seems to me that with the Recovery Act money, the Solar Farm permits and so forth, the Town in a pretty good cash position I think and it would be an expense that you would be spending on your neighbors who are among your taxpayers and so it would seem to me money well spent if you increase those rates.

Councilmember VanEtten: But if you increase the rate and you start negotiations, you start at that higher rate and then you can only go up from here.

Supervisor Ruso: The unfortunate thing that happened today I was actually hopeful that we would have a major step towards final resolution because the Mediation session was scheduled for today.

Judy Felsten: And what happened?

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 8

Supervisor Ruso: They cancelled because -- the Mediator cancelled not us and not the Union. So we're hopeful to get that done. It would be nice if we could.

Judy Felsten: That would be great because it doesn't feel real safe and it seems to me like increasing these rates is something that would benefit our community and I still look at the people who are likely to be driving the plows as being among our neighbors and our taxpayers and I would hate to have to see you driving a plow, Jeff. Please work toward a resolution.

Supervisor Ruso: We had two open positions, we still have one. We just hired someone at our last meeting which helps a lot, but it's not the full measure I don't want to imply that.

Many speaking at once.

Councilmember VanEtten: Nobody has a full staff now, not private industry, not many towns, not many cities. Everybody has a worker shortage.

Judy Felsten: I've seen the Thruway electric signs looking for people, Jeff.

Deputy Supervisor Dellisanti: Greene County is down seven.

Councilmember VanEtten: So you do realize that and I think last night was pretty treacherous driving everywhere.

Supervisor Ruso: It wasn't great during the day either.

Judy Felsten: I do realize that, but I think that we have to think of ourselves and really push it and since they're likely to be local employees.

Supervisor Ruso: I really want to get it resolved and I've been trying to light a fire under various places and then the day we get it going, a snowfall comes and they cancel. I wish it hadn't, but we're looking at having it rescheduled as soon as we can.

Deputy Supervisor Dellisanti: I just want to correct one thing that you said about the Reconciliation money. That can't be used for payroll. It's against the law.

Supervisor Ruso: Even past payroll, it has to be used for a project.

Judy Felsten: It has to be for specific projects right. Specific project. But I include it because it means that you don't have to pull on the Town's own income to handle this project or raise taxes so it seems to me we're in a good position.

Deputy Supervisor Dellisanti: That money was just for specific projects.

Judy Felsten: I know that. I know it.

Ellie Alfeld: The thing I want to make a point of my niece was coming home, she works for DOT on Wolf Road in Albany. She had to come home in that snowstorm. She elected to come on the Thruway as she does whenever there's a problem. She got off in Selkirk which she usually comes down to Coxsackie because of the roads and conditions. 144 did not have one plow on it at 7:00-7:15 last night okay and she felt like she had more jeopardy getting off in Selkirk and using a State highway rather than getting off onto 9W and scooting the two miles or whatever it is home. Okay, so I don't care where you were last night the roads sucked and there's no other better description for them, but anybody that had to be out knew what it is in New York State.

Supervisor Ruso: That's why the advisories are 'Please stay off the road.'

Ellie Alfeld: Well, she was coming home from work. She couldn't stay anywhere else.

Town Clerk Finke: We had the scanner on it was nonstop all night. It didn't matter where you were.

TOWN OF NEW BALTIMORE **Draft 12/15/2022**
COUNTY OF GREENE **Adopted 12/28/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
DECEMBER 12, 2022 – Page 9

Supervisor Ruso: I'm glad I didn't hear of anybody losing their life. I'm really glad to hear that.

Councilmember Irving: There was one in Greene County.

Supervisor Ruso: Was there? I didn't hear that. That's too bad.

Eilleen Vosburgh: Yes, in Cossackie.

Councilmember VanEtten: But it was the plower plowing and it ran into (unable to understand).

Councilmember Irving: A private plower. I drive 230 miles a day, drive school bus, and I've seen all kinds of road conditions.

Supervisor Ruso: Thank God there wasn't as much harm to people as could have been.

Motion by Councilmember VanEtten seconded by Councilmember Irving to adjourn the meeting at 7:30 PM.

AYES: Ruso, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke, Downes

Motion Carried

Supervisor Ruso: Thank you for coming everybody and drive safe.

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk