

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

**JUNE 12, 2023
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- May 22, 2023 Town Board Work Meeting

Correspondence

- Town of Coeymans Notice of Zoning Code Amendment, Local Law 9 of 2023, Public Hearing to be Held June 22, 2023.
- New York State Department of Transportation, Letter Regarding Meeting to Discuss Complete Streets Study on a Section of Route 144

Public Comment Period

New Business

- Resolution Approving Amended 284 Agreement for Expenditure of Highway Monies
- Resolution Appointing Full-Time Highway Department Employee
- Resolution to Authorize the Highway Superintendent to Purchase Fuel Oil Per Greene County Resolution
- Resolution to Authorize the Highway Superintendent to Purchase Materials and Supplies by Greene County Resolution 174-23
- Resolution to Authorize the Highway Superintendent to Purchase Washed and Screened Crushed Stone by Greene County Resolution 175-23
- Resolution to Place Advertisement for Part-Time Laborer for Buildings and Grounds
- Resolution Approving Issuance of Second Hand Junk & Auto Parts Dealer's License for J.B. Car Services
- Audit of Claims

Upcoming Meetings

- June 26, 2023 Town Board Work Meeting at 7 PM
- July 5, 2023 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- July 10, 2023 Town Board Regular Meeting at 7 PM
- July 13, 2023 Town Board Regular Meeting at 7 PM
- July 15, 2023 Veterans Committee Picnic at Cecil Hallock Park at 12 PM
- July 24, 2023 Town Board Work Meeting at 7 PM
- August 12, 2023 Family Fun Day at Cecil Hallock Park at 12 PM
- September 16, 2023 Townwide Yard Sale Day at 9 AM

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 WORK MEETING

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, Irving and VanEtten; Deputy Supervisor Dellisanti; Town Clerk Finke; Highway Superintendent VanWormer; and 5 members of the public who signed the attendance book.

ADOPTION OF MINUTES

The May 22, 2023 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, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Correspondence

Town of Coeymans ‘Town Law 164(2) 2. Service of written notice. At least ten days prior to the date of the public hearing, written notice of any proposed regulations, restrictions or boundaries of such districts, including any amendments thereto, affecting property within five hundred feet of the following shall be served personally or by mail by the town upon each person or persons listed below: (a) The property of the housing authority erecting or owning a housing project authorized under the public housing law; upon the executive director of such housing authority and the chief executive officer of the municipality providing financial assistance thereto. (b) The boundary of a city, village or town; upon the clerk thereof. (c) The boundary of a county; upon the clerk of the board of supervisors or other person performing like duties. (d) The boundary of a state park or parkway; upon the regional state park commission having jurisdiction over such state park or parkway. Re: Notice of Zoning Code Amendment Local Law No. 9 of 2023 Dear Clerk: PLEASE TAKE NOTICE pursuant to Town Law § 264(2) that the Town of Coeymans proposes to amend Town Code Chapter 165, Zoning Code as provided in the attached public notice document. A public hearing will be held on the proposed local law on June 22, 2023. Sincerely, Candace McHugh’

Supervisor Ruso: In fact, I could ask your opinion on this. Why don’t you tell us what it’s about.

George McHugh, Esq.: Local Law 9?

Supervisor Ruso: Yes.

George McHugh, Esq.: It is a local law being proposed. Currently the Town Code in the Town of Coeymans says if you’ve got a parcel of land and part of it is in one zone and part of it is in the other, then the least restrictive zone can be used for the whole parcel. So, give you an example, 200 acres, 20 acres is industrial, 180 is residential. The least restrictive is the industrial, so that whole 200 acres could be used as industrial. We are looking to change that so that if you have a 200-acre parcel and 20 is industrial and 180 is residential, then 20 can be used for industrial and 180 has to be used for residential. Otherwise, you’re gonna have industrial creep that’s going to be moving into the residential buffers. So that’s what that law’s about is to change that so that industrial creep cannot continue.

Councilmember VanEtten: That wouldn’t affect Agricultural versus Commercial (unable to understand) Commercial and Agricultural.

Supervisor Ruso: It could if it’s about your zoning.

George McHugh, Esq.: It could.

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Councilmember VanEtten: Okay, but it's a farm so wouldn't it be then...

George McHugh, Esq.: So it would basically say whatever is Residential Agricultural is Residential Agricultural, whatever is Commercial is Commercial. You can't say 'we're going to make the whole thing commercial.'

Ellie Alfeld: Does that impact Ag designations do you know?

Supervisor Ruso: Those are individuals.

Councilmember VanEtten: We have an Agricultural District in our Town.

George McHugh, Esq.: No.

Supervisor Ruso: The exemptions are what you talked to me about. That's filed individually by the property owners.

Harold Vadney: I missed the first part of that. Is that the Coeymans law that you're signing off on it?

George McHugh, Esq.: It's a proposal.

Supervisor Ruso: I'm not signing off on anything. It's just a Notice.

Councilmember VanEtten: They have to let us know.

Harold Vadney: I see.

George McHugh, Esq.: It's a proposed law because it deals with Zoning. We are mandated to send it to any adjacent. So it went to Westerlo, it went to New Baltimore, went to Ravena, it went to Bethlehem.

Councilmember VanEtten: But it's totally up to Coeymans, we have nothing to do with it.

Supervisor Ruso: Thank you for that. Your presence is appreciated. Okay, secondly, I have a letter dated actually May 30, I didn't get it 'til the 2nd of June, a week ago Friday.

New York State Department of Transportation 'Dear Mr. Ruso, NYSDOT Region 1 is in receipt of your letter dated May 8, 2023 regarding a request for a Complete Streets study on Route 144 in the Town of New Baltimore. At the Town's request, we are exploring the feasibility of a study to introduce a complete streets approach to this section of Route 144. The results of such a study should be first and foremost driven by local input. We propose a study process guided by NYSDOT but led by local officials, and with a robust public outreach strategy. Region 1 Planning and Program Management is in the process of establishing a budget, and we would like to set up a meeting with you to discuss the scope of the study in question... Sincerely, Robert E. Rice Jr, P.E. Acting Regional Director/Regional Program and Planning Manager'

Supervisor Ruso: So the scheduling of that date is happening. This is a first meeting and they want it with myself and our Town Planner. I said 'oh, okay, well we'll have to find one.' We don't have such a person. So, nevertheless, that's the first step. They do plan on having public outreach, but that's further steps down the road. So that's the notification based upon the letter that we sent to DOT. Public Comment Period, I have but one card here today, Mr. Vadney.

Public Comment Period

Harold Vadney: Present.

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Supervisor Ruso: Proceed. I think it says ‘various,’ is that the word?

Councilmember VanEtten: Various.

Harold Vadney: Well, you’re aware that it’s various. I’ve sent out several letters and today I sent out a couple of emails.

Supervisor Ruso: Alright proceed, you’ve got three minutes, sir.

Harold Vadney: Don’t give me that. I sent out a couple of emails and I expect that you’re properly prepared to discuss these issues. The first one is, of course, the barking dog issue and the policies and procedures that you have in place for the Animal Control Officer since it is basically a forensic investigation when she’s investigating these things. I expect per my email of today, which I know was distributed to you, I won’t cover that from the podium at this time. The other issues and all of the Board members have been apprised of these issues by letter and copious exhibits regarding the retaining wall situation and the Highway Department. You are all aware or should be aware of the questions that I’ve had. You, Mr. Ruso, and you, Mr. Dellisanti, and you, Mr. VanWormer, I left it in your capable hands to come up with something. It was not my purview to suggest to you what you should be doing. So that, too, is one of the issues that you’re fully aware of. I’ve advised and requested that you be apprised of these issues and prepare to comment on them here tonight. I’ve gone to the effort of preparing you and I expect that all of the Board members will have taken the opportunity to prepare themselves. Continuing the FOIL issues in this Town, I recently put out a FOIL for information and documents on current and recent solar projects here in the Town of New Baltimore. I sent that out to three communities. Two communities including yours, Mr. McHugh, have responded satisfactorily through Candace in providing documents within the 20-day period. So I compliment you on that and Candace is doing an extremely good job as far as responsiveness and production to the extent that she needs to produce. But she (unable to understand) this very well. My question, Mr. Ruso and to the Board here, is if other communities can respond in a timely manner to FOIL requests why on earth does a community of this size with three deputy clerks and one full-time clerk require upwards of 134 days to respond with documents and records that should be within arm’s reach when each of the responsible committees or boards, excuse me, has a clerk who keeps the files and the Minutes on these meetings and from information that I’ve received before having submitted the FOIL requests I was informed that you have but one pending solar project here in the Town of New Baltimore. Now there have been several, but my question obtains why on earth do I have to receive a response from the Town of New Baltimore saying that I will receive a response no later than September 1. These documents should be in front of these people. They should be available in the filing cabinet within arm’s reach. Now before this escalates I’d like an answer to that question. I just don’t get it, I just don’t get it. I leave that in your hands, I’d like an answer this evening. I’d like an answer this evening on what you’ve accomplished as far as our personal meeting on April 20 on the retaining walls and Highway Department. I’d like a response on the ACO, on the Animal Control Officer, and the policies and procedures and I understand you drove by sometime on Thursday and didn’t hear any barking dogs. Well, that’s not my idea of an investigation my friend.

Councilmember VanEtten: Well, I do know Nick and I have driven by there several times and never heard a barking dog.

Harold Vadney: Okay, fine, I’m going to FOIL your documentation. I want to know the dates, times, and where you were.

Councilmember VanEtten: I’ll not going to be able to provide you with that information. It’s been years that you’ve been complaining about this.

Harold Vadney: Did you bother getting... Listen do you people bother getting out of your...

Councilmember VanEtten: How long have you been complaining about this?

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Harold Vadney: Excuse me, my three minutes.

Supervisor Ruso: Your three minutes are closing up to an end here.

Harold Vadney: Okay. Do you people get out of the car or do you just...?

Councilmember VanEtten: Of course we do.

Harold Vadney: I've got one email here that 'I drove through making loops' from the Animal Control.

Supervisor Ruso: I could understand what she meant. If you can't I'm sorry.

Harold Vadney: I just don't understand making loops okay. Final issue...

Supervisor Ruso: I can understand it rather well. Is there anyone here in the room, on the Board who can't understand what making loops is?

Councilmember VanEtten: No, I get it.

Harold Vadney: Excuse me, excuse me.

Supervisor Ruso: Okay, so there you go. You asked the question, sir.

Harold Vadney: Excuse me. We're going not vernacular. We're going plain language. That is not the language that I expect from a duly appointed official in the Town of New Baltimore charged with enforcement activities.

Supervisor Ruso: We are talking about an Animal Control Officer, we're not talking about the Town Attorney. Nevertheless...

Harold Vadney: It's still an official of the Town of New Baltimore charged with enforcement issues and that was a demeaning statement by the way, Mr. Ruso.

Supervisor Ruso: Yes, it was.

Harold Vadney: I have one final issue and that is Mr. VanEtten.

Supervisor Ruso: I'm not the only one who's been submitting demeaning comments or questions.

Harold Vadney: I have one final issue. Okay, my three minutes are up, but I have one final issue. The question of Mr. VanEtten being on the ballot, on the primary ballot that is, in opposition to Mr. VanWormer, for the position of Highway Superintendent.

Councilmember VanEtten: We're not discussing politics here. I didn't think that was allowed in Town Board meetings.

Supervisor Ruso: Well, let's hear what he has to say.

Harold Vadney: Okay my question is...

Supervisor Ruso: I mean if it goes too far, I'll stop it. Okay, carry on.

Harold Vadney: Okay, Mr. VanEtten was involved in a conflict of interest with the Brandt project down the road here 2 years, 3 years, 4 years ago. My question is how is Mr. VanEtten

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going to put the hours that Mr. VanWormer and his team puts in if he's running a business out of Ravena? Final.

Councilmember VanEtten: Well, you'll have to ask him that question.

Harold Vadney: I'm done.

Supervisor Ruso: Alright, thank you, thank you.

Harold Vadney: Can I get some answers?

Supervisor Ruso: This is not a public cross examination, sir. You want to file charges, you can get answers that way. This is not the way you proceed with the Town Board.

Harold Vadney: How do I proceed with the Town Board? Why don't you give me some instruction?

Supervisor Ruso: Well, for instance, we called you for a meeting. We thought we could find out what you want. I asked you very specifically what is it you are seeking? What remedy do you wish? And you suggested that since I don't know, I'm clearly ill-prepared.

Harold Vadney: Yes, you were, you were very ill-prepared.

Supervisor Ruso: I wanted to hear from you. I honestly wanted to hear from you and I didn't hear anything from you. There is no resolutions.

Harold Vadney: Look, Mr. Ruso, it's not for me to tell you or the Highway Department how to function. When you asked me what I want...

Supervisor Ruso: And I did.

Harold Vadney: How I would like to see you proceed, it's rather futile for me because what I want and what you can do are two different things. I left it in your lap to discuss with Mr. VanWormer what could be done and possibly what would be done and I haven't heard from you since.

Supervisor Ruso: I still to this moment I have no idea what it is that you know you are seeking. I have no idea.

Harold Vadney: Then you wasted an hour of my time, several hours of my preparation time...

Supervisor Ruso: You wasted the time of multiple people.

Harold Vadney: An hour of Mr. Dellisanti's time on April 20 when you had ample opportunity to discover that.

Councilmember VanEtten: Enough is enough. This is almost a persecution.

Supervisor Ruso: No, it's not a persecution, I can handle it quite well.

Harold Vadney: Excuse me, excuse me, excuse me, Ms. VanEtten, just sit tight alright? Just sit tight.

Supervisor Ruso: Enough is enough, the topic is closed. Let's move on.

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New Business

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 77-2023
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**RESOLUTION APPROVING AMENDED 284 AGREEMENT FOR
EXPENDITURE OF HIGHWAY MONEYS**

RESOLVED that the attached Amended 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.

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 **\$76,000** shall be set aside to be expended for primary work and general repairs upon **42.68** 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 **Sunset Hill Road** and leading to **Albany County Route 112**, a distance of **1 mile**, there shall be expended not over the sum of **\$150,000**.
Type: **Pave** Width of traveled surface: **20 feet**
Thickness: **3 inches** Subbase: **N/A**
Cold in place pave 1 mile of Staco Road from Sunset Hill Rd to Albany County Route 112 and Single Coat Chip seal.
 - b. On the road commencing at **County Route 51** and leading to **Roberts Hill Road**, a distance of **1.8 miles**, there shall be expended not over the sum of **\$155,902.50**.
Type: **Blacktop Pave** Width of traveled surface: **21 feet**
Thickness: **1 ½ inches** Subbase: **N/A**
True and Level, and Pave High Rock Road with 1.5 inches of Type 6 asphalt from County Route 51 to Roberts Hill Road.
 - c. On the road commencing at **County Route 51** and leading to **County Route 54**, a distance of **.5 miles**, there shall be expended not over the sum of **\$56,913.55**.
Type: **Blacktop Overlay** Width of traveled surface: **20 feet**
Thickness: **1 ½ inches** Subbase: **N/A**
True and Level, and pave Roberts Hill Road from County Route 51 to County Route 54.

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Executed in duplicate this ____th day of June, 2023.

_____ 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.*

Motion by Supervisor Ruso seconded by Councilmember Downes

Supervisor Ruso: What have we spent already?

Highway Superintendent VanWormer: Right now \$95,000. Staco Road came in quite a bit less than what we thought it was gonna be.

Supervisor Ruso: And how much is our CHIPS funding for the year in total? I know there’s multiple sources.

Highway Superintendent VanWormer: We just got a small increase, \$25,000 increase this year, so our total for this year is \$334,717.56.

Supervisor Ruso: Okay, so I’m looking at your dollar figures here and you’re up over \$360,000. I didn’t do the math on it, but I can tell it’s \$150,000, \$155,000 and \$76,000.

Highway Superintendent VanWormer: \$358,171.56. Is that what you have?

Supervisor Ruso: \$360,000, closing in on that anyhow and our CHIPS money is \$334,000 and the differences are from where?

Highway Superintendent VanWormer: The difference, \$24,000 will come out of our budget for 5110.4, our Road Repair. We got \$334,776...

Supervisor Ruso: Okay, I got ya. No, I got ya, yeah. I was just making sure the language was... Okay.

Councilmember VanEtten: And the three inches versus one-and-a-half inches depends on the condition of the road right?

Highway Superintendent VanWormer: Yeah, it was just a different kind of paving too. It’s cold mix instead of hot mix so we just have to take three-quarter inch stone and half-inch stone and mix it together and puts it down so it actually takes the dips and dives out of the road if there’s holes it fills them in because that road out there was in much worse condition than this one. It was a much better application for that road than hot mix and cheaper.

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Supervisor Ruso: Any amongst you have... Go ahead.

Councilmember Downes: So this is what I just heard. We started out at \$150,000 for Staco and we're down to \$95,000. We only spent \$95,000.

Highway Superintendent VanWormer: We spent \$95,000 for the paving, we still have to do the chip seal which is around \$20,000 I think, right around there.

Councilmember Downes: So we saved \$55,000 on that road?

Highway Superintendent VanWormer: No, we'll still have to pay for the chip seal so we're gonna add \$95,000 plus \$20,000-\$21,000 something like that.

Councilmember Downes: So we saved about \$35,000. So we're at \$327,000 we'll say right?

Highway Superintendent VanWormer: Yup.

Supervisor Ruso: That's good.

Councilmember Downes: So we're \$7,000 under our CHIPS money correct?

Highway Superintendent VanWormer: Yeah and we'll use the balance that's left there to pay for part of this paving and then we'll take whatever the balance is after we're done paving and use it out of our Repair, pay it out of our Repair 5110.4.

Councilmember Downes: Right, but what I'm saying is you had \$95,000, you say we have another \$20,000 that's going there right? So that will give us \$115,000 right, plus \$156,000, that's only \$270,000 right, plus \$56,000 or \$60,000.

Supervisor Ruso: I see where you're going yeah.

Councilmember Downes: Is only \$330,000 so we have about \$5,000-\$6,000...

Highway Superintendent VanWormer: Our total is \$334,000, so we've got around \$4,000.

Councilmember Downes: Right, so you've got about \$5,000 left over.

Highway Superintendent VanWormer: Right, left over which we'll put toward the hot mix paving.

Councilmember Downes: For who?

Highway Superintendent VanWormer: For us, for either High Rock or Roberts Hill, it will probably be on the same bill. We'll do High Rock and then we'll shoot up and do Roberts Hill so it's probably gonna be on the same. So the balance, whatever balance we have after we pay all of our CHIPS money out will be paid out of the budget money.

Supervisor Ruso: If any.

Highway Superintendent VanWormer: Right.

Supervisor Ruso: You might have more savings we don't know about.

Councilmember Downes: So that \$155,000 only goes to Roberts Hill correct?

Highway Superintendent VanWormer: Correct, correct.

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Councilmember Downes: So then we're going to finish what we can.

Highway Superintendent VanWormer: High Rock is \$155,025. That's the price that he just gave me which I think is less than what they quoted.

Councilmember Downes: Which would be you're 'b' correct?

Highway Superintendent VanWormer: Yes, yes, 'b'.

Councilmember Downes: Okay, so you're saying that we're gonna add an extra \$5,000 to that?

Highway Superintendent VanWormer: Roberts Hill Road is \$56,913.55.

Councilmember Downes: I'm missing something because if I add up these three, I come up with \$330,000 basically. We have an extra \$5,000 that's just sitting out there that we're doing nothing with?

Highway Superintendent VanWormer: In CHIPS money?

Supervisor Ruso: Yes.

Highway Superintendent VanWormer: No, we'll use it, but it won't cover the whole price of doing the rest of the paving. Our CHIPS money will be completely used up.

Councilmember Downes: As of when?

Highway Superintendent VanWormer: And what's left once we're done paving Roberts Hill and High Rock we'll be over our CHIPS money so the balance will be paid out of the budget fund.

Supervisor Ruso: I see what you're meaning.

Highway Superintendent VanWormer: Let me run down through this quick.

Councilmember Downes: We're only spent \$115,000 on 'a' correct? Yes, but he just told us we're we're only gonna spend \$115,000.

Supervisor Ruso: Yeah, that's right, he did say that. He said that that cost of \$150,000 came in better and it's down to actually \$115,000. That's the \$95,000 plus the \$20,000 for the chip seal.

Councilmember VanEtten: Okay, so that's \$115,000.

Supervisor Ruso: So that's a \$35,000 deduction from what it cost us.

Councilmember Downes: What we've got here.

Supervisor Ruso: Right and you said the CHIPS money was \$334,000.

Highway Superintendent VanWormer: \$334,717.56. Then Staco Road, our original cost was \$144,696.75. That's the original cost that it came out to be, but it came out... The paving itself came out less.

Councilmember Downes: At \$95,000 right?

Highway Superintendent VanWormer: Yes.

Councilmember Downes: And then you said we have another \$20,000 to go. Correct?

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Highway Superintendent VanWormer: Yes.

Supervisor Ruso: I think basically the question is what becomes of that other \$35,000?

Councilmember Downes: But if you add these three, we're about \$5,000 under right? Yeah, we're \$7,000 under our CHIPS money. So what are we going to do with that? Right? Is that what you're seeing?

George McHugh, Esq.: I just add them up and it comes to \$327,000.

Councilmember Downes: Right and that's our CHIPS money so we're about \$7,000 under what we're supposed to spend.

George McHugh, Esq.: So if you add those three up they're saying \$327,816.

Councilmembers Downes and VanEtten: Right.

George McHugh, Esq.: You got \$334,000.

Councilmember Downes: We won't be over our CHIPS money. We have about \$7,000.

George McHugh, Esq.: You have about \$7,000 difference.

Supervisor Ruso: I mean if you look at your page, Alan, let me try to focus you in this direction. You've got the \$56,000 in 'c'...

Highway Superintendent VanWormer: Correct.

Supervisor Ruso: \$56,900, plus \$155,902 so now we're up to about \$210,000, actually \$211,000 and change and then you were to add the \$115,000 that it took to do Staco or Sunset.

George McHugh, Esq.: Sunset.

Highway Superintendent VanWormer: Okay, I see what they did.

Councilmember Downes: It was Staco.

Supervisor Ruso: So \$115,000 plus the 2, it comes to about \$327,000. So I just want to let you see what we're seeing.

Highway Superintendent VanWormer: I think what I did was here on this 284 it should have been \$95,000 instead of \$150,000 because that's what it actually cost us. Well, \$120,000 because we still have to do the chip seal.

Councilmember Downes: It should be about \$115,000.

Highway Superintendent VanWormer: Right, we still have to do the chip seal.

Councilmember VanEtten: But she's asking what's gonna happen with the money that's left over?

Highway Superintendent VanWormer: We can use it somewhere or we'll just roll it over. They roll it over, you don't have to use (unable to understand).

Supervisor Ruso: Or there might be an extension or something.

George McHugh, Esq.: Some of these might go over.

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Councilmember Downes: Right, but we were all taking that we were over. We're not over. We're actually under.

Highway Superintendent VanWormer: Okay, yeah, that's my mistake.

Supervisor Ruso: You won't have to hit up the DA account.

Highway Superintendent VanWormer: It should be \$115,000 on 'a.'

Supervisor Ruso: Yeah, that's okay. That's what we're here for to ask you. That's what you've been helpful on.

Highway Superintendent VanWormer: You're right.

Supervisor Ruso: Okay, so I guess we're all good on this.

Councilmember Downes: Just one more question is how did we decide that we needed to do this work between 51 and 54?

Highway Superintendent VanWormer: The road needs to be paved. I mean it's not horrible, but it needs to be done before it gets horrible and it's also in close proximity to what we're doing so we can move wherever we end up, if we end up right here, go right up to Roberts Hill instead of having to pay mobilization to move the equipment out back somewhere because they charge us like \$750 every time we move their equipment.

Councilmember Downes: So do we have some kind of plan or listing of the roads like a five-year plan...

Ellie Alfeld: Anticipate it.

Councilmember Downes: To look at or they should be on a list that should be moving up? Is that how we do that?

Highway Superintendent VanWormer: That's what we try to do, yeah. I'm gonna try to do some down here and some out back each year. Next year I'm gonna try to do Featherbed which needs it bad and then we'll look around out here.

Councilmember Downes: So we don't have some kind of plan that we can just look at and say 'oh, okay, that's how we decided if we have extra money, we'll hit that next road or that road that will cost us only that much.'

Highway Superintendent VanWormer: Right.

Supervisor Ruso: So let's go back to his resolution we've already made a Motion and seconded so what I'm going to do is I'm gonna offer an amendment to this okay to amend the original resolution I make a Motion to adjust that figure on Section 2 a second line to \$115,000. I just want to make that Motion. Do I have a second?

Councilmember VanEtten: I'll second.

Supervisor Ruso: Is that acceptable by all here in this room? Is that true Mr. VanWormer?

Highway Superintendent VanWormer: Yes, sir.

Councilmember Downes: And in that way if it comes in above that we should be fine. That \$115,000 will definitely cover that.

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Supervisor Ruso: We have a Motion made and a Motion seconded, we have an Amendment made to the original Motion.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: Now let's go to the resolution in the first place. Do we have any more questions for Mr. VanWormer? Everybody's clear on all.

Councilmember Boehlke: Actually is all our chip seal money in? Have we received it?

Highway Superintendent VanWormer: Yes, yes, yup.

Supervisor Ruso: Okay, so then we have the Motion to approve Resolution 77 with amendments.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: We'll do the signing in a little bit, Mr. VanWormer.

Highway Superintendent VanWormer: Thank you.

Supervisor Ruso: Alright, that wasn't so bad, just gotta understand each other that's all.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 78-2023

JUNE 12, 2023

**RESOLUTION APPOINTING FULL-TIME
HIGHWAY DEPARTMENT EMPLOYEE**

WHEREAS due to vacancy, the Town of New Baltimore has advertised for Highway Department positions in the *Times Union*.

RESOLVED that Timothy Mayo is appointed as a Full-Time Heavy Motor Equipment Operator at a salary of \$18.31 per hour for a probationary period of six months.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 79-2023
JUNE 12, 2023

RESOLUTION TO AUTHORIZE THE HIGHWAY SUPERINTENDENT TO PURCHASE FUEL OIL PER GREENE COUNTY RESOLUTION 169-23

WHEREAS on Greene County Legislature advertised for bids for the furnishing of fuel, one bid was received, and the lowest responsible bidder meeting all specs was determined.

WHEREAS pursuant to Section 408-a of the New York State County Law, and any other political subdivisions, fire company or district may receive the Tank Car Price \$2.65, Delivery Charge \$0.289, Total Cost Per Gallon \$2.939. The bid price is subject to increase or decrease during the Contract period corresponding with the changes in the reseller's posted tank car price at the port of Albany as published in the Oil Price Daily for the date of delivery.

RESOLVED the Town Board hereby authorizes the purchase of fuel oil at the contract price offered by Greene County Resolution 169-23 for one year from June 1, 2023 to May 31, 2024 from Bottini Fuel.

Motion by Supervisor Ruso seconded by Councilmember Downes

Supervisor Ruso: Since the first of June where have you gotten your fuel?

Highway Superintendent Van Wormer: (unable to understand) What a difference a year can make in price? Last year we were paying \$5.

Supervisor Ruso: The tank car price can change all that.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 80-2023
JUNE 12, 2023

RESOLUTION TO AUTHORIZE HIGHWAY SUPERINTENDENT TO PURCHASE MATERIALS AND SUPPLIES BY GREENE COUNTY RESOLUTION 174-23

WHEREAS the Greene County Highway and Solid Waste Superintendent advertised for bids in the Albany *Times Union* for various materials and supplies to be used in the maintenance, construction and reconstruction of County roads and bridges under the jurisdiction of the County Highway Superintendent for one year.

RESOLVED the Town Board hereby authorizes the purchase of materials and supplies at the contract price offered by Greene County Resolution 174-23 for one year from May 22, 2023 to May 21, 2024.

Motion by Supervisor Ruso seconded by Councilmember Downes

Supervisor Ruso: Who is actually the supplier?

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Highway Superintendent VanWormer: There's lists for like stone, culvert pipe...

Town Clerk Finke: It's all different, depending on zones.

Highway Superintendent VanWormer: There's a big thick packet that they send out.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 81-2023
JUNE 13, 2023

**RESOLUTION TO AUTHORIZE HIGHWAY SUPERINTENDENT TO
PURCHASE WASHED AND SCREENED CRUSHED STONE
BY GREENE COUNTY RESOLUTION 175-23**

WHEREAS the Greene County Highway and Solid Waste Superintendent advertised for bids in the Albany *Times Union* for washed and screened crushed stone to be used in the maintenance, construction and reconstruction of County roads and bridges under the jurisdiction of the County Highway Superintendent for one year.

RESOLVED the Town Board hereby authorizes the purchase of washed and screened crushed stone at the contract price offered by Greene County Resolution 175-23 for one year from May 22, 2023 to May 21, 2024.

Motion by Supervisor Ruso seconded by Councilmember Downes and VanEtten

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 82-2023
JUNE 12, 2023

**RESOLUTION TO PLACE ADVERTISEMENT FOR
PART-TIME LABORER FOR BUILDINGS AND GROUNDS**

WHEREAS an advertisement will be placed in the Times Union for a part-time Laborer for repairs, maintenance, and assistance for Town Hall and other areas.

RESOLVED that the Town Clerk will place the following advertisement, approved by the Attorney for the Town, in the *Times Union*.

The Town of New Baltimore is accepting applications for a Part-Time Laborer for repairs and maintenance which may include painting, weeding, planting, shoveling, and other duties as needed. Please send letter of interest to Supervisor Jeff Ruso, 3809 County Route 51, Hannacroix, NY 12087 or jruso@townofnewbaltimore.org.

Motion by Supervisor Ruso seconded by Councilmember Downes

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AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 83-2023

JUNE 12, 2023

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

WHEREAS Sergey Sandul and Yevgeniy Sandul, representatives of J.B. Car Services, Inc. located at 241 Flatbush Road, West Coxsackie, New York, appeared before the Planning Board on June 11, 2023 for renewal of the Special Use Permit.

WHEREAS the Planning Board recommended the Special Use Permit for J.B. Car Services, Inc. be renewed for a one-year period expiring June 30, 2024.

NOW, THEREFORE BE IT RESOLVED, that J.B. Car Services Second Hand Junk & Auto Part Dealers' License be renewed for a one-year period expiring June 30, 2024.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 84-2023

JUNE 12, 2023

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 2023-06-01 to 2023-06-52, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2023-06-01 to 2023-06-52,

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

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

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General \$14,239.42, Highway \$6,713.40, Sewer 1 \$7,959.72, Sewer 2 \$322.29, Water 2 \$440, Street Lighting 1 \$2,022.29, Street Lighting 2 \$215.02, Ambulance 1 \$4,248.09, Ambulance 2 \$2,494.91, Total \$38,655.14

Upcoming Meetings

- June 26, 2023 Town Board Work Meeting at 7 PM
- July 5, 2023 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- July 10, 2023 Town Board Regular Meeting at 7 PM
- July 13, 2023 Planning Board Meeting at 7 PM
- July 15, 2023 Veterans Committee Picnic at Cecil Hallock Park at 12 PM
- July 24, 2023 Town Board Work Meeting at 7 PM
- August 12, 2023 Family Fun Day at Cecil Hallock Park at 12 PM
- September 16, 2023 Townwide Yard Sale Day at 9 AM

Public Comment Period/Community Events

Supervisor Ruso: Alan, I did ask you, you wanted some attachments for the skid steer and I know I emailed you, I said 'I can't describe your needs as well as you can' and I hope that you understand that. So I thought the Town Board should hear them instead of hearing it through me if you know what I mean. So if you would because I won't do it justice. I didn't want you to leave without doing so.

Highway Superintendent VanWormer: We'd like to purchase two attachments to go with our Bobcat skid steer. Right now we have just a bucket that goes with it. The first one would be a millhead or a planer, I think I've explained before what this is. It's like a rototiller that goes on the front of it and when you get bad spots in the road it actually grinds it up, you take the bad stuff out and put new stuff in instead of patching over top of the old. Being able to remove damaged pavement makes for a better and more permanent patch than just throwing blacktop over the damaged areas. We did some mill and fill patching on West Deans Mill and Deans Mill Road last year and it worked out very well. The second one it's called a sweeper box. It's a sweeper but it sweeps it into a box and then you pick it up and you dump it into a truck instead of just pushing it off to the sides of the road.

Supervisor Ruso: Will this replace the sweeper you've been getting from I can't remember who you rented it from?

Highway Superintendent VanWormer: No, it's wouldn't replace the sweeper that we rent each year because this one would be way too slow. This is like when we mill, they use this to sweep up what we mill or if we're sweeping a road before we pave it...

Supervisor Ruso: For that project okay.

Highway Superintendent VanWormer: Yeah, if we're sweeping a road before we pave it, but it's a pretty slow process. It would take us forever to do the whole Town with it so we would still have to rent a sweeper in spring to sweep our roadsides.

Councilmember VanEtten: What is the cost of these things?

Highway Superintendent VanWormer: On State contract the millhead is, they give me a total quote let's see, the sweeper is \$4,870.08. The millhead is \$14,475.72 and then they charge you extra for all the little blades I'll call them or points. There's \$3,128.16.

Councilmember VanEtten: How many do you need? Do you only need one of them?

Highway Superintendent VanWormer: How many?

Councilmember VanEtten: Of the \$3,000 thing.

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Highway Superintendent VanWormer: No, it's an 18 inch head. I think there's like 20 of them on it, but that's total for all of them not for just one.

Councilmember VanEtten: Oh, total. You made me nervous for a minute.

Highway Superintendent VanWormer: It says total items quoted \$22,473.96.

Supervisor Ruso: Well, we came up with \$22,473.80.

George McHugh, Esq.: You don't have any pennies after that \$31,000.

Supervisor Ruso: Oh, yeah, we didn't have the pennies in there so...

George McHugh, Esq.: So he's probably right \$22,473.90-something.

Councilmember VanEtten: And how often are you going to use them?

Highway Superintendent VanWormer: We'll use it a lot. In the summertime we'd use it a lot and every time we pave, we have to cut rebates on every blacktop driveway, everywhere there's a road that intersects. We would use it a lot. There's a Dealer PDI, I'm not sure what that means.

Supervisor Ruso: I would welcome the rest of the Town Board to ask questions about this \$22,000. Ask questions and go ahead.

Councilmember Boehlke: So, Alan, what do you currently using to do these jobs, to do these connections and driveways?

Highway Superintendent VanWormer: Last year we borrowed a millhead from the County to try it and see how we liked it. They let us borrow one.

Councilmember Boehlke: What were you doing before that?

Highway Superintendent VanWormer: We didn't. We just put blacktop over the bad spots and it doesn't really work out that well, but instead of taking the bad spots out, we just went over them and it's not the ideal way to do it. If you take a ride up West Deans Mill, you'll see the patches we did last year. They're still there just like the day we put them there.

Deputy Supervisor Dellisanti: Alan, where are we on the repairs on the trucks and the hydraulics on the lawnmower?

Highway Superintendent VanWormer: We had two trucks that are repaired. One still needs to go, but I'm having a hard time getting anybody to give me an estimate to do it. The two tractors were down, one is back up and running and the other one we're just waiting on parts and we'll fix it ourselves.

Deputy Supervisor Dellisanti: What kind of money are we talking about?

Highway Superintendent VanWormer: The boom mower actually didn't cost us much at all. We were able to fix it in-house. What did we buy for that? Actually, no, I don't think we bought anything for it. I think we fixed it all in-house. We didn't have to buy anything. I did order some blades for it today.

Deputy Supervisor Dellisanti: What about the trucks?

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Highway Superintendent VanWormer: The truck, I have one down still. It's a plow truck and like I said I'm having a hard time I've contacted a mobile mechanic that we've used to do work for us. He doesn't get back to me with an estimate.

Supervisor Ruso: Which one is it by the way?

Highway Superintendent VanWormer: It's the one we bought from the Town of Catskill, the 2002 International. It's got either a blown head gasket or it's got an O ring bad in one of the piston sleeves and it dumped all the antifreeze in the oil.

Supervisor Ruso: Nobody wants to fix it?

Highway Superintendent VanWormer: Nobody seems to want to. I'll get an estimate from Gallagher's again and I'll see if I can get one from Allegiance Truck, but Allegiance Truck I don't even like working with them anymore.

Supervisor Ruso: Well, that's not so much part of a Town Board decision or whatever.

Councilmember VanEtten: Tri-County doesn't do that?

Supervisor Ruso: We've got to get things fixed, but it's good to know.

Highway Superintendent VanWormer: Never even thought of him. I don't even know if he does engine work like that or not.

Councilmember Downes: Where do we stand with the trucks?

Highway Superintendent VanWormer: Speaking of trucks, the new truck should be here hopefully by the end of the month. It's done, I got a call two days ago and he said it's done. They're doing two little wiring things and it will be done. So hopefully we'll see it by the end of the month, but we'll see.

Supervisor Ruso: July 5.

Councilmember Downes: And then the other truck?

Highway Superintendent VanWormer: That's not even gonna be start building until February '24.

Councilmember Downes: And that's the plow truck?

Highway Superintendent VanWormer: That's the plow truck, yeah. So, unfortunately, this other plow truck we have to fix or we're gonna be short on plow trucks.

Supervisor Ruso: I'm glad you brought that up because I've had correspondence with the County Administrator just a few days ago because they're inquiring the use of the \$100,000 from the County ARPA monies that was to be applied to this truck and all I did was tell them 'it's soon.' So if you give me an absolute date I can have a follow-up correspondence with Mr. Groden in the County. I do need to do that.

Highway Superintendent VanWormer: I tried calling today, but he didn't answer. I'll try calling (**unable to understand**) again tomorrow from HL Gage. I tried calling him today, but he didn't answer.

Supervisor Ruso: Alright, I'm gonna go back to the skid steer. What is, anybody else on the Board have any questions about this device or these attachments? Anybody else on the Board have questions about the skid steer tonight?

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Deputy Supervisor Dellisanti: I have one more question. What did we spend on the repairs for the two trucks that have been repaired?

Highway Superintendent VanWormer: Not off the top of my head. I have it written down, but I don't know it off the top of my head.

Supervisor Ruso: Yeah, we'll have to look that up. Do I have any bills that have come in on that lately or they're not in yet?

Deputy Supervisor Dellisanti: I saw one for \$4,800.

Supervisor Ruso: Yeah, talking about the accumulation of them.

Councilmember Boehlke: Well, I think what we're getting at is that we probably ought to table this until we know what our...

Supervisor Ruso: Yeah, I just wanted to at least get him a chance to let us mull it over because I'm not gonna ask the right questions is the point.

Councilmember Boehlke: I mean it sounds like to me the equipment might be useful, it's just that it may not be affordable right now until we find out what repairs are gonna be required on these trucks and...

Supervisor Ruso: I think that's where Mr. Dellisanti was going, just to make sure we had enough money for repairs of those trucks. I'll have to do some math, I'll do some math. I'll give you're a call.

Highway Superintendent VanWormer: Alright that sounds fine, thank you.

Supervisor Ruso: See where we are in things. Alright, have we anything left for the Town Board to do here tonight?

Highway Superintendent VanWormer: Jeff, can I just make one more

Supervisor Ruso: Sure.

Highway Superintendent VanWormer: Comment on record?

Supervisor Ruso: Yeah.

Highway Superintendent VanWormer: First of all I want to apologize to all of you for Mr. Vadney's actions tonight. I commend you on how you handled it. I just want you all to know that I had no idea that that was coming.

Supervisor Ruso: I knew it was coming.

Ellie Alfeld: I don't think you have to apologize for his bad manners.

Supervisor Ruso: Well, thank you for that. I was not expecting much difference.

Councilmember VanEtten: You've got to expect that.

Councilmember Boehlke: We didn't take it as coming from you.

Highway Superintendent VanWormer: I didn't like it at all so...

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Supervisor Ruso: Well, as a point it should be on the record we did have a meeting on April 20 and I will put in the record that I did ask him ‘what is it we can do for you?’

Highway Superintendent VanWormer: Yes, you actually did.

Supervisor Ruso: And he said ‘the fact you asked me that question tells me you’re not prepared’ to which I didn’t know what to say.

Highway Superintendent VanWormer: How are we supposed to correct the problem when we don’t know what the problem is?

Ellie Alfeld: The Hazardous Materials is coming up for Greene County people on the 24th I believe and I don’t think you have it.

Town Clerk Finke: Pat didn’t have it for the newsletter so...

Ellie Alfeld: That’s okay.

Town Clerk Finke: I did put something in there about it.

Ellie Alfeld: That’s first and my second thing is on this sit-down meeting with the Department of Transportation or whatever the hell it was are you going to invite any of the people that...?

Supervisor Ruso: No, I asked them specifically. This meeting is no. This is just a planning session.

Ellie Alfeld: I heard that.

Supervisor Ruso: They plan on having a rigorous or something to that effect or an active public process, but not initially. They want to lay some things out before they get to that point.

Ellie Alfeld: And that’s all I want to know.

Supervisor Ruso: And they made it clear to me when I spoke to ‘em.

Adjournment

Motion by Councilmember Downes seconded by Councilmember VanEtten, the meeting was adjourned at 7:53 PM

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk