

6:45 PM Public Hearing on proposed Local Law 1 of 2023 to Establish a New Schedule of Real Property Tax Exemptions for Persons Sixty-Five (65) Years of Age or Over and Persons with Disabilities and Limited Incomes

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

JANUARY 9, 2023

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Correspondence

- Town of Coeymans Notice of Public Hearing on Proposed Amendment to the Zoning Code for Reference, Public Hearing to be held on January 12, 2023 at 6 PM

Approval of Minutes

- December 28, 2022 Town Board Work Meeting
- January 1, 2023 Organizational Meeting

Public Comment Period

New Business

- Resolution to Adopt Local Law 1 of 2023, A Local Law to Establish a New Schedule of Real Property Tax Exemptions for Persons Sixty-Five (65) Years of Age or Over and Persons with Disabilities and Limited Incomes
- Resolution to Place Advertisement for Member of Planning Board and Zoning Board of Appeals
- Audit of Claims

Upcoming Meetings

- January 23, 2023 Town Board Work Meeting at 7 PM
- February 1, 2023 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- February 9, 2023 Planning Board Meeting at 7 PM
- February 13, 2023 Town Board Meeting at 7 PM
- February 20, 2023 Town Offices Closed for Presidents Day
- February 27, 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 1/2/2023**
COUNTY OF GREENE **Adopted 1/23/2023**
TOWN BOARD PUBLIC HEARING ON PROPOSED LOCAL LAW 1 of 2023
TO ESTABLISH A NEW SCHEDULE OF REAL PROPERTY TAX EXEMPTIONS
FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OVER
AND PERSONS WITH DISABILITIES AND LIMITED INCOMES
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
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Supervisor Ruso opened the Public Hearing by reading Proposed Local Law 1 of 2023. Also attending Councilmembers Boehlke, Downes, and Irving; Deputy Supervisor Dellisanti; Town Attorney George McHugh; Town Clerk Finke; Assessor Dawn DeRose; Highway Superintendent VanWormer; and 4 members of the public who signed the attendance book.
Absent: Councilmember VanEtten

Supervisor Ruso: That's what we have for today. Dawn, I would welcome you to step up and you describe it better than we do.

Assessor DeRose: For the Senior Exemption you would use the 2021 income tax return, last year's. A lot of people don't get it done by March 1st so that's why the State allows us to go one year behind. You have to be 65 and it's full income. So for the Seniors it's full Social Security, full pension. We do take some of your IRA. So everything that's added together for the sliding scale, it's not just the set amount for the Advanced.

Ellie Alfeld: What do you mean by you take part of your IRA?

Assessor DeRose: So when you get your letter in December on how much you paid, we only take a percentage of it. So just the taxes that you paid. We don't take the full amount that you took out and then we add that all together and see where you stand for the Senior.

Ellie Alfeld: My question is how are we to determine, know I know it's gonna be the bottom line on the income tax, your total income?

Assessor DeRose: That's for the enhanced STAR, yes.

Ellie Alfeld: When it comes to the medical expenses, copays, and what have you we have to present that proof to you and how we gonna go about that because I can image all the seniors in the Town have got copays and other medical expenses they need to have deducted off of their total income?

Assessor DeRose: So normally the insurance company will print out a page of what you paid out and we can use that or just save your receipts throughout the year.

Ellie Alfeld: Okay and would cancelled checks be acceptable?

Assessor DeRose: Yes.

Ellie Alfeld: What about pharmaceuticals? Those are all medical expenses.

Assessor DeRose: So bring everything in. Usually your pharmacy can print out what you paid out of pocket.

Ellie Alfeld: And are we gonna need an appointment to see you to make these copies?

Assessor DeRose: No, you can just come on in.

Ellie Alfeld: With the receipts?

Assessor DeRose: Yes, and then I'll make all the copies for you.

Ellie Alfeld: And give us back the originals?

Assessor DeRose: Yes.

Supervisor Ruso: I think it would be wise to call ahead anyhow in case she's in the middle with someone else.

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Ellie Alfeld: As I said to Barbara she said ‘make an appointment’ and then I said ‘yes, I understand.’

Assessor DeRose: I always take walk-ins too.

Ellie Alfeld: Well, I understand, but I mean at this point in time it’s rather difficult to just walk in and get taken care of.

Eilleen Vosburgh: I have two questions. So the maximum income limit, now if two people are on the deed...

Assessor DeRose: Both income.

Eilleen Vosburgh: So this should say combined income?

Assessor DeRose: It’s always on the forms that say combined.

Eilleen Vosburgh: Combined okay. The other question is on the law right here it says ‘tax exemptions for people sixty-five (65) ... age or over and for real property owned by a person with a disability.’ Shouldn’t that be an or?

Assessor DeRose: We can change it to or if you want to instead of and.

Supervisor Ruso: You can’t have it both.

Assessor DeRose: Well, yeah, that’s what it is so if you are a senior and you’re on the sliding scale and you’re disabled too you can only get one. It’s the same sliding scale.

Eilleen Vosburgh: But at the same time this to me kind of reads that you know you have to have an age limit and you have to have a disability.

Assessor DeRose: Okay, so can we change that to or?

Supervisor Ruso: This is not the resolution that we will, we will read the resolution later. This is the Public Hearing to hear...

Eilleen Vosburgh: So it is combined.

Assessor DeRose: Yes, it’s combined.

Ellie Alfeld: Are we gonna have a sheet with the printout as he just announced starting at \$34,000...

Town Clerk Finke: It’s back there.

Ellie Alfeld: Well, I didn’t see it because I came in that door.

Town Clerk Finke: They’re on both.

Assessor DeRose: Any questions on it?

Supervisor Ruso: Any from the Board? We’ve done this multiple times in times gone by. The limits have risen. Aside from that it pretty much is the same resolution. So it is five minutes to 7, hearing no further comments, I’ll draw this meeting to a close.

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Motion by Supervisor Ruso seconded by Councilmember Downes to close the Public Hearing at 6:54 PM.

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk

TOWN OF NEW BALTIMORE **Draft 1/22/2023**
COUNTY OF GREENE **Adopted 1/23/2023**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
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OPENING OF REGULAR MEETING

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, and Irving; Deputy Supervisor Dellisanti; Town Attorney George McHugh; Town Clerk Finke; Highway Superintendent VanWormer; and 6 members of the public who signed the attendance book. Absent: Councilmember VanEtten

Correspondence

Town of Coeymans ‘PLEASE TAKE NOTICE pursuant to Town Law § 264(2) that the Town of Coeymans proposes to amend Town Code Chapter 165, Zoning Code, Section 165-3 to add the following definitions to the Zoning Code: (i) FUEL STORAGE TERMINAL and (ii) TRUCKING TERMINAL; and further proposes to amend Town Code Chapter 165, Attachment 5 entitled “Schedule of District Zoning Regulations” to regulate said land uses. A copy of the proposed local law is enclosed. A public hearing will be held on the proposed local law on January 12, 2022 at 6:00p.m., at the Town Hall, 18 Russell Avenue, Coeymans, New York.

Supervisor Ruso: So if anyone has any interest in seeing their amendment to their local law, you’re so noticed.

Town Attorney McHugh: Do you want me to give the Board a quick summary? Just wanted the Board members to know what it is, it’s just two definitions. One is for a Truck Terminal which is in our Code but not defined. The other is for a Bulk Fuel Storage Facility which is not in our Code anywhere, but we’re gonna put it in our Code and define it and where it would be allowed. So because of the zoning changes it will affect the entire Town of Coeymans. We have to let all of the municipalities that surround us; we have to give them notice. So that’s what it is, it’s two definitions.

ADOPTION OF MINUTES

The December 28, 2022 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember Downes. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

ADOPTION OF MINUTES

The January 1, 2023 Town Board Organizational Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember Boehlke. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

Public Comment

Eilleen Vosburgh: Just wondering if you had made a decision on including the retirees in the HRA, reinstating it?

Supervisor Ruso: That has now been put forth on the negotiating table and it will not be resolved until negotiations are resolved.

Eilleen Vosburgh: How does that affect retirees?

Supervisor Ruso: That’s a good question, but I did not submit it under the negotiating table. It was not submitted by ourselves for negotiation.

Eilleen Vosburgh: So what does that mean?

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Ellie Alfeld: The other guy did it.

Supervisor Ruso: It means I'm not going to negotiate it in public. I have to wait for the negotiations to finish.

Eilleen Vosburgh: Okay so you will negotiate that?

Supervisor Ruso: It's on the table, yes.

New Business

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 34-2023
JANUARY 9, 2023

RESOLUTION TO ADOPT LOCAL LAW 1 OF 2023
TO ESTABLISH A NEW SCHEDULE OF REAL PROPERTY TAX EXEMPTIONS
FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OVER
AND PERSONS WITH DISABILITIES AND LIMITED INCOMES

LOCAL LAW #1 OF 2023

A LOCAL LAW TO ESTABLISH A NEW SCHEDULE OF REAL PROPERTY TAX
EXEMPTIONS FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OVER AND
PESONS WITH DISABILITIES AND LIMITED INCOMES

BE IT ENACTED by the Town Board of the Town of New Baltimore, as follows:

SECTION 1. This Local Law is adopted pursuant to the authority of Real Property Tax §459© and §467. All definitions, terms and conditions of such statute shall apply to this Local Law and are incorporated herein.

SECTION 2. Local Law #1 of 2020 is HEREBY REPEALED.

SECTION 3. The Town Board of the Town of New Baltimore does hereby establish the following sliding scale of property tax exemptions for real property owned by persons sixty-five (65) years of age or over or for real property owned by a person with a disability whose income is limited by such disability, and used as the legal residence of such person, based on the income limits set forth below:

<u>Maximum Income Limit</u>	<u>Property Tax Exemption</u>
\$34,000.00	50%
\$34,000.01-\$34,999.99	45%
\$35,000.00-\$35,999.99	40%
\$36,000.00-\$36,999.99	35%
\$37,000.00-\$37,899.99	30%
\$37,900.00-\$38,799.99	25%
\$38,800.00-\$39,699.99	20%
\$39,700.00-\$40,599.99	15%
\$40,600.00-\$41,499.99	10%
\$41,500.00-\$42,399.99	5%

SECTION 4. Any person who qualifies for a property tax exemption as a person with a disability shall not be eligible for a property tax exemption as a person who is sixty-five (65) years of age or over.

SECTION 5. The maximum income limit set forth in Section 3 above shall be offset by medical and prescription drug expenses actually paid which are not reimbursed or paid for by insurance.

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SECTION 6. This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: Van Etten

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 35-2023

JANUARY 9, 2023

**RESOLUTION TO PLACE ADVERTISEMENT FOR MEMBER OF
PLANNING BOARD AND ZONING BOARD OF APPEALS**

WHEREAS an advertisement will be placed in the *Times Union* for positions that are currently unfilled or whose term of office expired on December 31, 2022.

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

The Town of New Baltimore is seeking applicants who are residents of the Town for one position on the Planning Board and Zoning Board of Appeals where annual training is required. Please send letter of interest or resume outlining experience to Supervisor Jeffry Ruso, 3809 County Route 51, Hannacroix, NY 12087, jruso@townofnewbaltimore.org, or call (518)756-6671 Ext. 7.

Motion by Supervisor Ruso seconded by Councilmember Downes

Councilmember Boehlke: So it's members or member?

Supervisor Ruso: There is one spot open in each of those two boards.

Ellie Alfeld: Can the Planning Board and the Zoning Board actually meet and make a determination since terms have expired?

Supervisor Ruso: There is only one vacancy on each so assuming a quorum is present they can make decisions.

Ellie Alfeld: They can vote on it, that's what I'm questioning.

Supervisor Ruso: Yes. There are six other members of the Planning Board.

Ellie Alfeld: I'm not questioning the remaining members, sir. I am questioning whether the people whose terms have expired can vote.

Supervisor Ruso: No, they cannot if they're not on the Board at the time on issues that come before them. If they're not on the Board at the time, no. The answer is no.

AYES: Ruso, Boehlke, Downes, Irving

NAYS:

ABSTAIN:

ABSENT: VanEtten

Motion Carried

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 36-2023
JANUARY 9, 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 2023-01-01 to 2023-01-29, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2023-01-01 to 2023-01-29.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until February 28, 2023.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

General \$19,349.41, Highway \$5,563.29, Sewer 1 \$2,384.28, Sewer 2 \$40.38, Street Lighting 1 \$2,454.10, Street Lighting 2 \$351.22, Total \$30,147.68

Upcoming Meetings

- January 23, 2023 Town Board Work Meeting at 7 PM
- February 1, 2023 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- February 9, 2023 Planning Board Meeting at 7 PM
- February 13, 2023 Town Board Meeting at 7 PM
- February 20, 2023 Town Offices Closed for Presidents Day
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Public Comment Period/Community Events

Patty Hildebrandt: I'm here speaking for the Highway Department Town of New Baltimore. They have five employees and I believe they deserve a raise and if they had a raise from what their making from what Town of Coeymans is making they wouldn't have problems getting employees to work for them. It would bring more people in if the price sounds good and what they're willing to pay. These five guys are out plowing all these road just five of 'em. You know how many roads we have? And they're doubled and all the roads working all night long and I feel they deserve a raise to get more people in there to help.

Supervisor Ruso: Thank you.

Councilmember Downes: March 13 the Medway Congregational Church is gonna do a blood drive so I just want to get that out there. I'll double check on the date, but I believe it's the 13th.

Ellie Alfeld: I saw the notice in the *Times Union* available as a Public Notice of all the meetings scheduled for the Town of New Baltimore whether it be Town Board, everybody.

Town Clerk Finke: And it was half the price as the *Daily Mail*.

Ellie Alfeld: I caught it.

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Motion by Councilmember Downes seconded by Councilmember Boehlke, the meeting was adjourned at 7:13 PM

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk