

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
WORK MEETING  
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**DRAFT**

**OPENING OF MEETING**

The meeting was called to order at 7:30 pm by Supervisor Susan O'Rorke and followed by the Pledge of Allegiance. In attendance: Councilwoman Finke, Councilmen Byas, Meredith and Norris, Highway Superintendent Jordan, Town Clerk Brooks, and 22 members of the public who signed attendance sheet. Absent.

**MONTHLY REPORTS**

Supervisor announced there would be end-of-year housekeeping this night; committee reports should have been received and will be abbreviated. The town holiday party of some 30 attendees yielded \$50 donation to local food pantry and \$25 to Capital City Rescue Mission; gifts were counted by Diane Jordan and Ellie Alfeld and money orders were purchased and sent. Local resident Eric Hoglund has been named to the Greene County IDA Board, making good representation for the Town of New Baltimore. The Greene County Legislature has passed a resolution providing that the county will pick up 20% of college chargebacks in 2011 and increase to 100% over 5 years.

County Legislator was not in attendance.

Town Clerk Brooks reports 2 building permits \$190.00; 2 certificate of occupancy searches \$30.00; 11 conservation fees \$45.43; 15 dog licenses \$97.53; 6 certified copies \$60.00; 10 photocopies \$2.50; recycling fees \$48.00; for total to Supervisor of \$473.46, to county treasurer \$19.97, to NYS Ag and Markets \$3.00; and to NYSDEC \$778.57. Also, new dog licenses have arrived, a renewal mailing has been done, and the 1<sup>st</sup> update from BAS (software vendor) was received providing followup letters and license renewals. Additionally, work is being completed for attorney for the Town regarding litigation, an increasing number of calls from vendors who ask for date and check number for payments made by the Town, and local law was filed with attorney for the Town.

Highway Report for November 22 – December 30 2010: Picked up leaves in hamlet for last time; Repaired storm drain on Pitchler Lane; Wed, Nov 24 high winds, cleared limbs from roadways; Washed 2 ten wheeler dump trucks and put away for winter; Wed, Dec 1 heavy rain, checked all roads for flooding; Patched small washouts from heavy rain; Cleaned ditches on Staco Road and Alcove Road; Cut dead trees along roads; Cleaned up pile left behind by contractor at Town Hall; Wed, Dec 8 called in all at 3:30 am for snow, plowed and sanded all roads; Switched sander from 85 International to 91 International for spare winter truck; Put up No Parking sign on Roberts Hill Road; Sun, Dec 12 called in all at 3:30 am for ice, sanded all roads; Dec 14 called in all at 3am for snow, plowed and sanded all roads; Replaced hydraulic line on 89 International; Installed new block heater on 85 Oshkosh; Called in Nortrax for small oil leak on John Deere loader, repaired at no charge; Changed oil and filter on 2006 F350; Dec 16 called in all at 3:30 for snow, plowed and sanded all roads; Replaced wheel seal on Ford backhoe; Greased all trucks and loader; Changed cutting edge on 89 International; Changed oil and filter on 80 Oshkosh; Changed air dryer cartridges on all trucks; Installed new carbide cutting edge on plow for 85 Oshkosh; Replaced air compressor and oil cooler on 85 Oshkosh; Repaired exhaust leak on Oshkosh plow truck; Sun, Dec 26 called in all at 5pm for snow, worked until 3:30 pm on Mon, Dec 27; Tues, Dec 28 called in all at 4am, plowed snow drifts and sanded where needed; Checked all trucks, cleaned insides.

Wastewater Treatment Plant – functioning with no issues, no written report.

Historian- no report.

Building Inspector/Code Enforcement Officer Cashin reports for November, 2010: New Building Permit Applications Received – 1; Building Permits Issued – 2; Building Inspections – 17; Mobile Home Permits Issued – 1; Demolition Permits Issued – 1; Certificates of Occupancy granted – 4; Certificates of Compliance Granted – 6; Junk

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Vehicle Complaints – 2; Zoning Violation Investigations – 1; Code Violation Investigations – 3; Application Fees for Month of November, 2010: \$190.00; Total Fees for Year to Date: \$14,336.04.

Assessor Gordon Bennett reports for November: All renewable exemption applications have been mailed out as of December 15<sup>th</sup>. March 1 is the deadline for all applications to be returned. With the unexpected loss of John Cashin to the Town of Catskill, Gordon will be completing the remaining data collection. We wish John all the best! Around the office, Julie is happy to report that the property files have been culled, removing all grievance forms that reached 6year retention; these papers are slated for destruction by Records Management Officer, freeing up much needed space in the file cabinets. The assessor's office wishes everyone a healthy and joyous new year!

Agriculture Committee reports that NYS Ag and Markets' John Brennan talked about farmland trusts and farmland protection plans with NYS Ag and Markets' Ron Rouse, and Town resident Charlotte Carter spoke on farm dispute mediation at the December 2, 2010 meeting. Next meeting will be January 3, 2011 at Town Hall.

Planning Board Chair Lee Davis reports that the Regular Monthly Meeting of the Planning Board was held on December 9, 2010. The board prepared the semi-annual report to the Town Board; it will be submitted separately.

Zoning Board of Appeals met on November 3, 2010, with the following business transacted: ...Heard the Variance Application of William Brandt to allow for a roof height of 39 ½ feet at its highest point for the assisted living facility he proposes to construct on property he owns on Route 9W. This height, over and above what is allowed by Town Code, is necessary to accommodate the required snow load factor here in the northeast. Held discussion on what should be included in semi-annual report to Town Board; it will be submitted separately.

Building and Grounds/Recycling Operator Spencer Sebert reported having cleared off flower beds, changed light bulbs and exit sign bulbs, repaired toilet twice, and cleaned gutters and catch basin for basement. For Recycling, received 1 microwave, 12 tires, 25 60 gallon bags of plastic, 11 55gallon drums of cans, 82 bundles of magazines, 61 bags of newspaper, 8 bags of shredded paper, 29 bundles of cardboard were received for a total of \$28.00. Highway Department removed 18 tires from the Center.

Animal Control Officer Joe Tanner reports having traveled 302 miles in October and November, complaints were 17 dog, 8 cat, 1 skunk, and 10 for dogs and livestock out in the cold. He thanks the Town Board for the much-needed chip reader.

Fire, EMS and Law Enforcement reported that 756-3300 was activated for the Dec 27 storm. At the December 14th Greene County EMS meeting the board reviewed and approved a lease agreement for the Cairo station, a new location that will house the Chief of Operation and a spare fly car along with Medic 7. EMS stations Catskill (Leeds), Windham and Coxsackie were also reviewed, and the proposed 5 year contract with Greene County which was approved. The next meeting will be January 15, 2011. In November the Town had 3 ALS calls; year- to- date total, as of November 30, 2010: 56.

Parks-Agfest had no report.

Promotion and Economic Development / Grants reports putting on the website: *The newly formed Town of New Baltimore Economic Development Committee will have its first meeting Wednesday, January 12, 2011, at 7pm at Town Hall, 3809 CR 51, Hamacroix, NY. Interested business owners, town residents, elected officials and other stakeholders are invited to attend. The New Baltimore Economic Development Committee's mission is to enhance the quality of life for town residents by fostering an*

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*environment that will create and retain jobs, increase the tax base and promote economic growth.*

Newsletter/Web Site and Technology had no report.

Personnel- no report.

Insurance- no report.

Town Courts -no report.

Bicentennial Committee -no report.

Farmers' Market reported that the committee will have its annual market meeting with all the vendors on January 25, 2011 at Pegasus Restaurant, Route 9W, Coxsackie.

Seniors- no report.

**NEW BUSINESS**

- Resolution to Pay Claims

Supervisor reviewed procedure as the Town Board shares fiduciary responsibilities, that an item/service was received as ordered and at negotiated price; she wanted to be sure Town Board understood. The Town attaches a voucher, person ordering makes sure vendor has a voucher, signed by vendor indicating they have provided the Town with the product or service, approval by department/committee that product or service was received, 3 members of the Board must approve and check that department head has signed, and payments are made from the abstract. Councilman Byas may have put a voucher for the woodwork done in meetingroom into the sewer folder; it did not get paid. The approval process can be done ahead of the meeting date. Some town boards begin the meeting by signing vouchers; Supervisor would like not to do that.

**RESOLUTION  
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**RESOLUTION TO AUTHORIZE SUPERVISOR TO PAY AUDITED CLAIMS**

WHEREAS, the Town Clerk has presented claims to the Town Board for audit and review and,

WHEREAS, the Town Board has audited claims G2010/12b 01-18 (with G2010/12b04 removed); H2010/12b 01-09; and S2010/12b 01-09, for a total amount of \$34,129.84, it is

RESOLVED, that the Supervisor is hereby authorized to pay claims totaling \$34,129.84.

BE IT FURTHER RESOLVED that the Town Clerk has prepared an abstract and holds it for public review until January 21, 2011.

**Councilman Norris moved and Supervisor seconded.** With no discussion, the adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE:** BYAS-AYE  
NORRIS-AYE

FINKE-AYE  
O'RORKE-AYE

MEREDITH-AYE

**Adopted**

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Ellie Alfeld asked whether the resolution discussed and pulled at a previous meeting, as it exceeded the contract price, was in fact included and being paid this night. Supervisor answered no, it is still being investigated.

- Review of recent Work Place Violence Incident and Recommendations

Town Board has received their copies of Workplace Violence report of November 15 Town Hall incident, now to consider recommendations from the Coordinator Alan VanWormer. Supervisor thanked Alan, doing a thankless job for the Town; he responded to a call from the Town Clerk's office and took written statements from 4 Town Hall employees, which have been given to Board members along with photos of the mail slots. Alan suggests all mail slots be secured inside clerk's office, logged and date stamped to be verified upon pickup. Those receiving mail by email may continue to do so. Alan suggests that all employees be treated with respect, all 4 felt threatened, against Town policy and, as no one saw the mail slots break, the Town will pay cost of replacement. Coordinator VanWormer closed by stating he would like to put issue to rest for the good of the Town of New Baltimore.

Supervisor stated Councilwoman Finke indicated at last meeting she did not have a copy of the policy; Supervisor put another copy of the policy. Councilwoman Finke did not remember getting any training; Supervisor said new Board members have not gotten that yet. Anyone may come in and copy at leisure; Councilwoman Finke had not seen it. Supervisor will schedule new training with Councilman Meredith.

Public Sector HR has provided a quote; Board members will look at recommendations. Councilman Meredith said HR would not have followed this process and did not agree with reading this in public. Supervisor and Coordinator Van Wormer consulted the attorney for the Town; all would be discussed in public. Jean Horn asked who decides it was violence, feels several incidents in Town Board meeting were raised to higher level, odd to discuss here, and doesn't come near what she considers violent. Supervisor said Department of Labor puts out information and Alan thoroughly investigated. Once someone submits a claim, a process is followed and a recommendation made. This is fairly new and does also apply to members of the public; Supervisor agrees that sometimes comments in public meeting can get out of hand and hopes to be civil and respectful going forward as Town Board has the job to insure that employees are in a safe and secure work environment. Councilwoman Finke said Attorney Wukitsch told her the policy was very vague with no steps as to how policy is handled. Councilwoman Finke took a 3hour class and was told this was not workplace violence but a reaction to something done to someone else, and doesn't like the way it was handled. Supervisor called Public Sector HR to overview and they felt it was handled appropriately; they work with Town of Coeymans and Town of Catskill. Councilwoman Finke got Greene County's copy today, thinks this process needs to be revisited because someone's reputation is on the line, doesn't like the way it has gone. Alan answered that it was modeled from the state; one of the lines is "shouting, yelling, and intimidating behaviours". Councilman Meredith asked if there were others who had heard this. Supervisor said Board is discussing tonight the issue of mail not being in Board members mailboxes; where can mail be put as staffing and space in Town Clerk's office is very limited. Councilman Norris said Alan did a nice job on the matter and agreed with Councilwoman Finke, as it is so new, look at it again and agrees with recommendations so no one person is discriminated against. Will the Building Committee look at this? No other recommendations; tabled and move on.

Bill Johns said the Town is in serious shape, no substance to it, upsetting to many, and making all look bad. Alan stated our people could be information collectors; give information to an outside firm to make recommendations. Councilwoman Finke said a reputation was hurt.

Supervisor said this policy's intent is to make workplace safe and protect what is going inside.

- Review of Town Policies and Procedures

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Going into 2011, there is an error on website, confidentiality issues, a reminder to look at Town's procurement policy, and the auditing of vouchers is a responsibility of Town Board. A recently reported audit in the news was of claims for payment and a procurement policy; bookkeepers and Village of Athens recommend all documents be attached to voucher.

- Highway Truck Purchase

At last meeting the replacement of the Highway's F550 was discussed; Councilman Meredith came in to discuss. This vehicle has not lived up to expectations. In 2011, the replacement of 2002 F350, Town Board has specifications for a quote, the vehicle has 110,000 miles on it. Councilman Norris asked Highway Superintendent what the concerns were; sparks, coils, transmission work, and the dump body is rotting. Councilman Meredith asked if he would want to replace F550; Superintendent Jordan said it can't get around corners, he had provided Board members with specs, depending on warranty, \$81-88,000. This past Sunday/Monday storm, the snow was fluffy and it didn't burn oil. Councilman Byas said one month ago the 2003 F550 Ford was discussed. Superintendent Jordan said International 4by4, two different trucks, and not buying both. Supervisor said 2011 Budget included \$40,000 for equipment purchase, will roll over into Fund Balance. These are the next two to be replaced. The larger truck would require 3 months to get; ordering during winter would allow time to build the box and yield a \$6-7,000 savings. Councilman Byas asked diesel or gas; answer: gas. State contract? yes. Arlene McKeon asked if current equipment could be sold as surplus; yes, for \$3,000 or sell outright for more. Perhaps \$15,000 could be gotten for F550. Town of Athens just purchased single action; he cannot guarantee the other truck will make it through 2011.

- Revised 284 Agreement

Regarding the 284 Highway Agreement, Highway Superintendent had been in contact with blacktop company that they were looking to close a week, work had come in under budget, and a week before Town Board meeting, Superintendent Jordan wanted to repair Shady Lane. With an email to Board members and note to Councilman Byas, and no response in objection, he assumed all to be alright. Supervisor understands that 3-6 revisions a year is typical for a 284 Agreement.

**284 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 \$132,000 shall be set aside to be expended for primary work and general repairs upon 16.2 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 Alcove Road and leading to County Route 26, a distance of 1.8 miles, there shall be expended not over the sum of \$ 119,260.  
Type: Paved Width of traveled surface: 20 feet  
Thickness: 1 1/2" Subbase: N/A

(a) On the road commencing at Paradise Hill Road and leading to County Route 51, a distance of .72 miles, there shall be expended not over the sum of \$ 18,270.  
Type: Stone and Oil Width of traveled surface: 18 feet

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Thickness: Three-quarters inch Subbase: N/A

- (b) On the road commencing at Valley View Drive and leading to Reservoir Road, a distance of .50 miles, there shall be expended not over the sum of \$ 22,000.  
Type: Stone and Oil Width of traveled surface: 18'  
Thickness: Three-quarters inch Subbase: N/A
- (c) On the road commencing at Independence Lane and leading to State Route 144, a distance of .46 miles, there shall be expended not over the sum of \$ 18,275.  
Type: Stone & Oil Width of traveled surface: 18'  
Thickness: Three-quarters inch Subbase: N/A
- (d) On the road commencing at Jennings Road and leading to County Route 54, a distance of .4 miles, there shall be expended not over the sum of \$ 24,105.67.  
Type: Grader Patch Width of traveled surface: 12' to 18'  
Thickness: 0 to 3" Subbase: N/A
- (e) On the road commencing at Shady Lane and leading to Gedney Hill Road, a distance of .4 miles, there shall be expended not over the sum of \$10,537.44.  
Type: Grader Patch Width of traveled surface: 12' to 18'  
Thickness: 0 to 3" Subbase: N/A

Executed in duplicate this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

_____ Supervisor	_____ Councilman
_____ Councilman	_____ Councilman
_____ Councilman	_____ Councilman
_____ Councilman	_____ Councilman
_____ County Superintendent of Highways	_____ Town Superintendent

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.

**RESOLUTION  
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**RESOLUTION TO AMEND HIGHWAY 284 AGREEMENT**

RESOLVED, that the 2010 Highway 284 Agreement is hereby amended per the attached.

**Supervisor moved, seconded by Councilman Norris.** Councilwoman Finke thinks there should be better communication; Councilman Norris asked for her suggestion. Councilwoman Finke said the Board's meeting was scheduled for the following week; Councilman Norris asked whether she received that email. Councilwoman Finke was worried that it was done that way and talked to the attorney. Supervisor said if she has concerns, please reach out to someone, the Highway Superintendent was working on the assumption that plant was closing and wouldn't have gone forward if he couldn't meet budget amount, the Town Board was notified and could email back, and call the Board. Councilman Byas said, when 284 agreement is signed, it is the Town Board's responsibility to break it if the Board does not want to approve, no right to spend the money, what happened was underhanded, it was due for Jennings Road and the surplus was spent on another road; if Superintendent had come to the Board that would have been

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fine. Councilman Norris said he'd gotten a phone call, reach out to councilpeople, budget was not being exceeded, no funds were transferred, and it was good to get more Town roads done and wasn't wasteful at all. Ellie Alfeld suggests, if email is so difficult, to get on the phone and talk to each other. Councilwoman Finke said the approval was already given on her email. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-NAYE FINKE-NAYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-AYE**

**Adopted**

- Town Procurement Policy

Regarding the Town's Procurement Policy, Supervisor asked for Councilman Byas' specifications, as he [Byas] had taken over the meetingroom renovation project as stated in resolution. Justice Cosenza wanted a different look, trying to do right with energy savings.

Councilman Meredith said what Justice Cosenza wanted was over budget and others who gave quotes were over budget. Supervisor thought at the end of the day it wasn't a good thing to do, better to meet requirements in front of us. Town meetingroom project ended up going over \$10,000; Councilman Byas said Justice Cosenza was supposed to do it.

- Town Heating Oil Supplier-Highway Garage

Supervisor said C.A. Albright's Oil has asked to provide heating oil. A local business, although they are not on state contract, they are willing to offer state contract price and to provide same-day printout of that price and attach to invoice, said Councilman Norris. Supervisor said the resolution should come out of Building Committee; Councilman Byas and Councilman Meredith agreed. Arlene McKeon said they could not meet state bid previously; Rich Guthrie is in favor of doing business with local businesses and Albright's will require no contract. Councilman Byas said he had spoken to Albright's Randy Lent in the fall and thought Albright's was on state bid.

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**RESOLUTION TO AUTHORIZE SUPERVISOR TO USE ALBRIGHT & SONS  
FOR HEATING OIL**

WHEREAS, the Highway Garage uses fuel oil for heat, and

WHEREAS, the town has purchased fuel oil under state contract, and

WHEREAS, a town business, C.A. Albright and Sons, LLC is not on the state contract list; however, is willing to match the state contract price.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Supervisor to execute any necessary arrangements to purchase fuel oil from C.A. Albright and Sons, LLC with verification that state contract pricing is matched.

**Councilman Meredith moved, seconded by Councilman Norris.** The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-AYE**

**Adopted**

- Resolution to Hire John Cashin as Interim Code Enforcement Officer

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Supervisor read her letter to the Board regarding her abstention from this matter as she is married to John Cashin. Deputy Supervisor Norris read.

RESOLUTION  
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RESOLUTION AUTHORIZING SUPERVISOR TO APPOINT CODE  
ENFORCEMENT OFFICIAL ON AN AS-NEEDED BASIS

WHEREAS the Town's Code Enforcement Officer, John Cashin, resigned effective December 13, 2010 with no replacement hired to date, and

WHEREAS several issues have arisen within the Building Department for a code enforcement officer/building inspector to be available to the Town on an as-needed basis,

NOW THEREFORE, BE IT RESOLVED that the Town Board of Town of New Baltimore will appoint John Cashin as a Code Enforcement Officer on an as-needed basis at his previous pay rate of \$16.86 per hour to provide needed service in the Building Department.

Councilman Norris moved, seconded by Councilman Meredith. Councilman Norris said he had reached out to Councilman Byas with no objection. Ellie Alfeld said applications require experience and training and had requested Code Enforcement Officer perform the data collecting; she asked that this appointment also perform data collecting for detailed information and accuracy. Alan VanWormer asked if Town of Cocksackie agreement was still intact; Councilman Norris said John Cashin could execute inspections for his [Cashin] open permits on an interim basis. Councilman Norris said Don Daoust was willing to fill in for data collecting if needed. Alta Turner suggested, in the interest of continuity, that John Cashin be involved in the interview process; it has been a smooth-running machine. Councilmen Norris and Byas had no objection to Mr. Cashin sitting in. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-Abstention

Adopted

- Resolution to Accept Resignation

Supervisor read a letter of resignation effective January 5, 2011 from full-time Justice Clerk Sheri Jourdin, who has accepted another position after 11.5 years in New Baltimore Town Court. Councilman Norris moved to accept resignation, seconded by Supervisor. The adoption of the foregoing Resolution was duly put to a vote and the vote was as follows:

VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-AYE

Motion Carries

- Resolution to Hire Full-Time Justice Clerk

Supervisor read a letter from the Town Justices (on file). Lynn Taylor is now Tax Collector and January is very busy for her. One deputy justice clerk will be away on vacation, the other deputy clerk is on the job only 8 months. Town Court liaison Councilman Norris is impressed with this candidate and recommends.



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RESOLUTION

RESOLUTION APPOINTING FULL TIME JUSTICE CLERK

WHEREAS, a vacancy position exist in the Justice Court, and

WHEREAS, the Courts are short staffed requiring immediate assistance, and

WHEREAS, the Town has found a candidate with experience, and

WHEREAS, the Town Justices, along with the Town Board's Court Liaison and Town Supervisor have interviewed the prospective candidate for this position, and

WHEREAS, the Justices and Court Liaison and Supervisor have recommended that this position be filled by Shelly Cardinale who meets the qualifications for this position.

NOW, THEREFORE, BE IT RESOLVED that Shelly is hereby appointed to a position as a Full Time Justice Clerk for the Town of New Baltimore Justice Court, effective December 28, 2010, at an hourly wage of \$14.75 per hour, provided that said appointment shall be on a probationary until a six month satisfactory review is completed and upon that satisfactory review the pay will be increased to \$15.50 per hour.

**Councilman Norris moved, seconded by Supervisor.** In the past this had been a salaried position; it could be more or less hours at \$26,845/year. Councilwoman Finke spoke to Lynn Taylor, who would be happy to stay after and would volunteer her help at no cost for court at night. Supervisor also spoke to her in that she would be here at Town Hall taking taxes. Councilman Byas asked for a change in the title. Councilman Norris suggests an amendment to the wording. Councilman Byas wants to advertise and wondered if Lynn Taylor would do the job for the interim. Councilman Byas asked what would be a normal advertising run in the paper. Councilman Norris suggests inserting in 6<sup>th</sup> paragraph, following "Justice Court", *"on an interim basis, so the Town can place an ad in the newspaper and open the process to anyone who may be interested in this position."* Alan VanWormer asked if someone will ask Shelly to do this job on an interim basis; Supervisor said that would be taking a chance. Councilman Byas is satisfied. Bob Knighton asked if the Board would want to risk losing those qualifications; Councilman Norris felt this resolution is consistent with policy set last year of advertising open positions. Supervisor, having talked to justices and sheriff, said if there was someone available we would know and it is unlikely that we would want someone with less experience. Ellie Alfeld said she spoke to Sheri Jourdin and there had just been recent opening north of town. Rich Guthrie felt it was important to recognize there are consequences to closing the Town Court, to defendants, prosecutors, and the finances of the Town. Janet Angelis felt it is not a wise use of the Town's money to not hire the most qualified person in hand. Ellie Alfeld said if the candidate doesn't meet expectations, the justices will know. Jean Horn said a new applicant's resume would be put up against the interim candidate, if indeed the policy to advertise has been set. Jeff Russo said to keep the same policy; Supervisor said it was not a written policy; Councilman Norris said the policy seems to be applying to all things. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-AYE

**Adopted**

Town Justices will write the classified advertisement.

- Discussion of ZBA and Planning Board Appointments

Supervisor asked for discussion about appointments. Ellie Alfeld suggests adding the names of involved parties to the ZBA calendar of events listing, Clerk Loux forwards information to the Technology Committee to post on the website. Clerk Brooks still

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needs applications from last Planning Board appointment considerations. Councilman Byas spoke to Chair Meave Tooher and she is willing to continue. Planning Board members are willing to continue serving. Rich Guthrie asked how many positions were open on Planning Board; answer: 3, 2 sitting members have requested reappointment, leaving one vacancy. Councilwoman Finke said it could be all three; two have submitted a letter of interest. Ellie Alfeld asked if there will be any new appointments, those interested people should be in attendance at those meetings, last year this room was empty and anyone in this room would go to these jobs and know what was expected of them. Councilman Meredith said serving on the Town Board was not what he expected. Councilwoman Finke said there may be people out there who have time on their hands. Councilman Norris said it is nice to have so many on the Planning Board; does the committee have a recommendation about the size of the Board? Councilwoman Finke said state law said one change per year to the Board requires public hearing. Councilman Norris recommends keeping the current 7 members.

- Discussion Regarding Better Communication in 2011

The public has been heard; how can communication efforts be improved among Board members? Councilman Norris said phone calls. John Cannon said email is superior, if it doesn't get through there is a record and eventually will be mandated, like volunteering and not being able to use the phone, if you told any company you didn't use email, you'd be out of a job. Ellie Alfeld added that when email is sent, it is not received. Supervisor said email is preferable with her schedule as it allows a thought to be shared, a record created, and confirmation of receipt; not all her phone calls are returned and she is willing to listen. Councilwoman Finke asked when [Supervisor] is at Town Hall; Supervisor said changes do occur in her schedule, Councilman Meredith comes in on Saturdays and Councilman Norris comes in during the week. Councilman Byas said the telephone worked in other administrations; when he is out of area he checks his messages, but doesn't call Supervisor if he doesn't need to; Councilman Norris said that he recently returned a call. Supervisor sends out a request to Board member for items desired on the agenda. Councilwoman Finke suggests rules for meetings; the meetings are out of control and need guidelines regarding respect. Supervisor commented better communication for 2011. Councilman Meredith asked whether public comment would be moved to close of meeting; Supervisor said the Town has had an open policy of public comment. Councilwoman Finke said she attended training; it should not be combative or demeaning to the Board. Supervisor said it is tough to take comment throughout the meeting and had not been a past practice of the town. Councilman Meredith likes it at the end; Councilman Norris agrees with Councilman Meredith, adding that in the past only one person made comment, it does slow the meeting, and he likes the interaction with public. Supervisor said public comment in the beginning allows someone to state their concern and leave; if it occurs at the end, the Board may have already voted. John Cashin asked for public comment at beginning and end of meeting. Rich Guthrie feels public comment may clarify and help the Board. Diane Louis said civility and cursing is different. Jean Horn felt public comment in beginning should be shortened as it has become partisan. Bill Johns commented that many comments are not civil or constructive and, at some point, there may be insight. Supervisor asked for committee; Councilman Meredith and Councilwoman Finke will be the committee.

- Review of 2011 Organizational Resolutions

January 3 Organizational Resolutions were offered to the Board. Councilwoman Finke said Planning Board Meeting is September 8, 2011, not 18, on Resolution #17. The reappointment of Stephen Hassett, MD, has been added. Code Enforcement Officer/Building Inspector will not be in place. Attorneys are needed for Planning Board and ZBA; the Town Board is responsible to negotiate fee. For Justice Clerk, vacation is removed as it is now an hourly appointment. Auditing of Claims resolution defines deadline for vouchers for end of business on Thursday prior to Regular Meeting. To Committee Appointments, Resolution #27, add Seniors and Economic Development.

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**DRAFT**

- Attendance by Attorney for the Town at 2011 Meetings

The retainer for legal services is \$250/meeting. Councilman Byas asked the attorney for the Town for two proposals: 1) not attending any Board meetings, and 2) attending all Regular Meetings. Councilman Byas felt meetings ran smoother and recommends spending the extra money to have him at every Regular Meeting. Councilman Norris agrees to retain for Regular Meetings.

- Budget Transfers

**RESOLUTION  
DECEMBER 30, 2010**

**RESOLUTION TO AMEND 2010 BUDGET**

RESOLVED, that the following amendments to the 2010 budget are hereby adopted:

**GENERAL FUND EXPENDITURES:**

ACCOUNT	CURRENT BUDGET	AMENDED BUDGET	CHANGE
A7140.2	1500.00	0	1500.00
A9901.9	0	1500.00	1500.00
TOTAL CHANGE			1500.00

**Supervisor moved and Councilman Meredith seconded.** The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE:** BYAS-AYE      FINKE-AYE      MEREDITH-AYE  
                         NORRIS-AYE      O'RORKE-AYE

**Adopted**

**RESOLUTION  
DECEMBER 30, 2010**

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS  
FROM GENERAL FUND TO HIGHWAY FUND**

RESOLVED, that the Supervisor is hereby authorized to transfer \$71,500 from the General Fund to the Highway Fund to provide sufficient funding for the Highway Fund in accordance with the current 2010 Town Budget.

**Supervisor moved and Councilman Meredith seconded.** The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE:** BYAS-AYE      FINKE-AYE      MEREDITH-AYE  
                         NORRIS-AYE      O'RORKE-AYE

**Adopted**

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TOWN OF NEW BALTIMORE  
WORK MEETING  
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**DRAFT**

**RESOLUTION**

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS  
TO CAPITAL RESERVE FUNDS**

WHEREAS, the 2010 Budget includes various appropriations for the transfer of funds to Capital Reserve Funds, and

WHEREAS, the Supervisor, in preparing the 2011 Budget, has recommended additional transfers of projected surplus funds to Capital Reserve Funds to plan for the future specific needs of the Town without impacting taxes.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to transfer the following amounts:

\$10,000 from the Highway Fund to the Capital Reserve Fund for Highway Equipment

\$1,500 from the General Fund to the Capital Reserve Fund for Parks Equipment

Councilman Norris moved, seconded by Councilman Meredith. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE      FINKE-AYE      MEREDITH-AYE  
                         NORRIS-AYE      O'RORKE-AYE

Adopted

- Resolution In Support of Property Tax Reform

**RESOLUTION  
DECEMBER 30, 2010**

**RESOLUTION REQUESTING THE GOVERNOR AND MEMBERS OF THE  
STATE LEGISLATURE TO FUND AND/OR ELIMINATE STATE MANDATES,  
REFORM THE REAL PROPERTY TAX SYSTEM AND ADDRESS COST  
DRIVERS FOR LOCAL GOVERNMENTS**

WHEREAS, towns provide services to more than eight million New Yorkers, yet account for less than 15% of the overall real property tax burden; and

WHEREAS, towns are uniquely dependent upon the real property tax to fund town services, more so than counties, cities and villages in that towns do not have the authority to levy sales taxes, occupancy taxes, gross receipts taxes or income taxes; and

WHEREAS, non-property tax revenues (e.g. mortgage recording taxes [fell by \$164 million from 2006 to 2008], sales taxes [declined by \$30 million from 2008 to 2009], and state/federal aid/grant programs [State AIM decreased by 5%]) are subject to market fluctuations and the ability of the federal, state and county governments to share revenue with towns; and

WHEREAS, the costs to provide town services and to fund town operations continue to increase despite declining revenues, such as:

- Health Care- Over \$143,000 per year
- Transportation/Water/Wastewater- Cost of Road Maintenance \$337,000 annually
- Pension Costs- \$70,000 annually, this accounts for 12% of our payroll services

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TOWN OF NEW BALTIMORE  
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**DRAFT**

**WHEREAS**, many town expenses are dictated by compliance with federal and state mandates, most notably: prevailing wage, procurement requirements, and the administration of real property exemptions; and

**WHEREAS**, New York State has primarily provided real property tax relief through ad hoc property tax exemptions rather than comprehensive property tax reform, resulting in a tax shift rather than a tax reduction as well as additional administrative and litigation costs; and

**WHEREAS**, simply capping property taxes will not reduce the cost of health care, mandate compliance, pension contributions or the public's expectation of governmental services; and

**WHEREAS**, the Town of New Baltimore has taken initiative in lowering property taxes through staff and salary freezes and program cuts;

**NOW, THEREFORE, BE IT RESOLVED** that based upon Home Rule principles the Town of New Baltimore calls upon the Governor and Members of the State Legislature to fund and/or eliminate state mandates, reform the real property tax system and address cost drivers in the provision of local government services/operations before implementing a property tax cap; and

**BE IT FURTHER RESOLVED**, that in order for a real property tax cap to lower property taxes while ensuring the delivery of essential services the program must include, at a minimum:

- Exemptions for structured costs such as pension contributions, debt service, contract obligations, reductions in state or federal aid and emergencies and costs associated with unfunded and underfunded mandates;
- Hardship relief on a case by case basis;
- Mandate relief and reform;
- Increased and predictable state revenue sharing and aid formulas;
- Additional locally-generated revenue streams;
- A defined floor of four percent with the possibility of an increased cap based upon a percentage of inflation; and
- Local override by supermajority vote of the town board.

**Supervisor moved and Councilman Norris seconded.** Councilwoman Finke asked what it means. Councilman Norris asked if he agreed with property tax cap. Councilman Byas felt that we haven't done this. Supervisor said Association of Towns would like action as soon as possible. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE:** BYAS-NAYE    FINKE-NAYE    MEREDITH-NAYE  
                         NORRIS-AYE    O'RORKE-AYE

**IS NOT ADOPTED.**

**ADJOURNMENT**

Economic Development Committee will meet on January 12, 2011 at Town Hall. Rob VanEtten announced a meeting on January 13, 2011 at 7pm at the Ravena-Coeymans Grange, Route 143, Coeymans Hollow.

**Councilman Norris moved to adjourn and was seconded by and Councilwoman Finke.** The adoption of the motion was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE:** BYAS-AYE    FINKE-AYE    MEREDITH-AYE  
                         NORRIS-AYE    O'RORKE-AYE

**Motion Carries**

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TOWN OF NEW BALTIMORE  
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**DRAFT**

The meeting was adjourned at 9:50 pm.

Respectfully submitted,

Janet A. Brooks  
Town Clerk