

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 1**

**DRAFT**

**OPENING OF REGULAR MEETING**

The meeting was called to order at 7:32 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 24 members of the public who signed the attendance sheet.

**APPROVAL OF MINUTES**

Councilman Norris moved and Supervisor seconded the approval of **Minutes of August 8, 2011, Public Hearing on Local Law 3 of 2011 (Distributed 8/17)** submitted by the Town Clerk. 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 FINKE-AYE MEREDITH-AYE  
NORRIS-AYE O'RORKE-AYE  
Adopted**

Councilman Norris moved and Supervisor seconded the approval of **Minutes of August 8, 2011, Regular Meeting (Distributed 8/17)** submitted by the Town Clerk. Councilwoman Finke could not read hers and did not bring copy; Supervisor said the printer was down this night. **-TABLED-**

**PUBLIC COMMENT**

No comment from the public.

**CORRESPONDENCE**

From US Senator Kirsten Gillibrand, information regarding a variety of different federal emergency relief programs.

From US Department of the Interior, announcement of annual harvest day program at Lindenwald, Kinderhook, September 17, 1-5pm.

From NYS Department of Environmental Conservation, notice of a permit effective August 24, 2011-March 1, 2014 for Mill Street Hudson River shoreline.

From NYS Department of Environmental Conservation, notice of permit extension to November 1, 2013 for Mirror Lake Pond, for sediment.

From CPA Brian Fitzgerald, invoice for extra time required for 2 additional abstracts (July and August); Supervisor responded that the Board has made changes and this will not continue, 2 abstracts/month; Mr. Fitzgerald will hold off on additional billing.

From Greene County Board of Elections, announcement of several municipalities with primaries in Greene County on September 13, 2011, polls open from 12noon-9pm. In New Baltimore: Gill Road Fire Station, Town Hall, and Medway-Grapeville Fire Station.

From Greene County Soil and Water, cancellation notice of their 50<sup>th</sup> Anniversary celebration due to reconstruction efforts after tropical storm 'Irene'.

From NYS Tax and Finance, notice of the Town's new equalization rate, 71.5; this is up from last year; Supervisor recalls 64.8.

**OLD BUSINESS**

With the Board's permission Supervisor reminded all of the Barn Round, Square Dance and Dinner which will occur before Work Meeting, on September 24, 5:30-9:30 at the Flegel Farm, County Route 51, with old fashioned apple pie contest (cash prizes), steamed clams, and chicken dinner catered by Frese, 5:30, 6:30 and 7:30pm, \$20/person. Councilwoman Finke said it is on website and newsletter is out. Councilman Norris said volunteers are needed for 10am Friday and Saturday setup.

**NEW BUSINESS**

1. Recap of Storm Damage from Irene

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 2**

**DRAFT**

Supervisor reviewed that the Town had fared well from tropical storm Irene because didn't experience the weather gotten on the mountaintop. Also, the Town fared well due to the coordination of Town employees and volunteers, Emergency Management Officer Alan Van Wormer who gathered committee the Friday before storm, Councilman Norris and Supervisor, 2 fire chiefs, seniors representative Ellie Alfeld, 2 ladies auxiliaries, good response from both fire departments, and Town Clerk Brooks. Supervisor thanked Town Clerk whose computer was down all day getting installed and her laptop produced the Resources Directory with changes and updates for everyone in attendance; Deputy Clerk Jordan covered the office during meeting and updates. Alan Van Wormer prepared everyone for Sunday with phone numbers, lists, locations, tasks, Councilman Norris was at Medway Fire Station, Supervisor was at Town Hall and at Gill Road Fire Station; the Highway crew was out Saturday, Sunday and Monday, closing roads or keeping roads open and repaired. Town Clerk Brooks, EMO Alan Van Wormer, and Councilman Norris worked in tandem; Alan texted information for Clerk Brooks who had power and internet to email, reporting outages, and if she needed information she would text Councilman Norris who used the E911 sign list. The resources we assembled really worked. Supervisor specially thanked fire departments, their help evacuating part of hamlet on Monday afternoon and helping evacuate the marina Monday morning, quick decision to sandbag Mill Street Pump Station which processes 70% of flow, about 20 minutes between highway department and 2 fire departments to coordinate sand, bagging, and sandbagging. Forgotten too often, Jim Polverelli puts in time back and forth to plant and station around the clock worrying about his 'bugs', didn't lose any, cell phone and alarms for generator and indicating high flow were put to good use. Thanks to all Town employees who do a good job in long hours and our volunteer fire companies. Ellie Alfeld offered hope of 50 years til the next 'Irene'-type storm.

**2. Budget Amendments**

This is a tradition and scheduled in the 2011 Budget. Supervisor read.

**RESOLUTION  
SEPTEMBER 12, 2011**

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

RESOLVED, that the Supervisor is hereby authorized to transfer \$70,000 from the General Fund to the Highway Fund to provide sufficient funding for the Highway Fund in accordance with the current 2011 Town Budget.

Councilman Norris moved, seconded by Supervisor. The Highway accounts for about 70% of the budget. 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**

**3. Parks Fund Raising – Toni Campbell**

Supervisor commented that Toni Campbell had expected to be present but spent a great deal of time with ladies' auxiliary volunteering at Prattsville and mountaintop and asked to reschedule to next month; they are concerned with the budget and have ideas for fundraising for the Summer Rec Program.

**4. Resolution to Approve the Sale of Surplus Highway Equipment**

COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 3

**DRAFT**

RESOLUTION  
SEPTEMBER 12, 2011

**RESOLUTION TO AUTHORIZE ADVERTISEMENT FOR BIDS  
FOR SALE OF USED EQUIPMENT NO LONGER NEEDED  
BY TOWN HIGHWAY DEPARTMENT**

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids in the Catskill Daily Mail for the sale of the following surplus equipment no longer needed by the Town Highway Department:

1986 International Single Axle Dump - minimum bid \$2,000  
2003 Ford, F-550 Dump - minimum bid \$9,500

Said bids are to be submitted no later than 4 pm on Monday, October 10 at the Town Clerk's Office, New Baltimore Town Hall, 3809 County Route 51, Hannacroix, NY 12087, and opened at 7:15 pm on October 10, 2011.

**Councilman Norris moved, seconded by Supervisor.** Supervisor reminded 1986 International, 2003 F-550, and October 10 clarified. Councilman Byas thought there was a way to do on internet, Cocksackie did, enlarge it, and asked wholesale prices. Previously Councilman Norris has put items on craigslist free or ebay. Highway Superintendent said 1986 would be valued as junk and F550 priced at \$9,500. Clerk Brooks asked for same 'as is, where is' terminology as past surplus ads. Supervisor asks to insert "The Town Board reserves the right to reject any and all bids," as recommended by attorney for the Town. **Supervisor moved as amended, Councilman Norris seconded.** Supervisor and Highway Superintendent had prepared new schedule, but experienced printer problems this night, and will deposit in mailpockets. 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**

Councilman Byas asked if it would be a good idea to make a resolution every time we have something to sell, we don't do that all the time. Supervisor clarified, a piece of equipment to sell, we do have a resolution. Councilman Byas asked how the photocopier was handled [microfilm reader], no resolution on that; Supervisor said that was done by resolution and still awaits the County Clerk; she is not aware of any item that has been sold without a resolution.

5. Resolution to Approve Payment of Claims

Councilwoman Finke asked for another stack; Councilman Meredith said he had two to add.  
**TABLED-**

6. Resolution to Appoint BAR Member

Councilman Meredith didn't reach him, contacted the wrong person, who became interested; he will contact the named person. **TABLED-**

7. Resolution to Approve Attendance at Annual Planning Federation Training

Supervisor read.

COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 4

**DRAFT**

**RESOLUTION  
SEPTEMBER 12, 2011**

**RESOLUTION TO AUTHORIZE ATTENDANCE BY PLANNING BOARD  
MEMBERS AT NY PLANNING BOARD FEDERATION ANNUAL TRAINING**

RESOLVED, that the Town Board does hereby authorize Kathy Rundberg and Bill Johns to attend the NY Planning Board Federation Annual Training School Oct 9 –11, 2011. The Conference is held at the Crowne Plaza in Albany. Attendance fee is \$110 per person.

**Councilman Norris moved, seconded by Councilwoman Finke.** Supervisor stated that in addition to education this provides excellent networking to learn how other towns do things. Councilwoman Finke asked whether this includes the hours needed for this year; Planning Board Chair Rundberg answered they have completed above and beyond the hours needed. 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**

**8. Resolution to Appoint a Special Committee to Review Subdivision and Zoning Regulations**

Supervisor received this today from Councilwoman Finke; Councilwoman Finke said she just received it a short time ago; all of the Town Board met with the Alliance, a group of individuals who have looking through the zoning, it has taken awhile, and is an arduous process. Councilwoman Finke said, of the suggestions given, was the need to set up a committee, each have suggested names, need to move forward, this is a very good thing, and she read.

**RESOLUTION  
SEPTEMBER 12, 2011**

**RESOLUTION APPOINTING A SPECIAL COMMITTEE TO REVIEW THE ZONING  
AND SUBDIVISION REGULATIONS FOR THE TOWN OF NEW BALTIMORE**

**WHEREAS** the Town Board of the Town of New Baltimore is aware of and recognizes the need for revisions and reform that should be made to § 112 Zoning and § 115 Subdivision Regulations of the Town Code, and

**WHEREAS**, the Town Board of New Baltimore seeks to provide for an orderly process to identify and evaluate such revisions, and

**WHEREAS**, the Town Board of the Town of New Baltimore believes it is best to designate a group of its residents to provide it with such revisions,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby appoints the following individuals Robert Knighton, Robert Turan, Kathleen Rundberg, Jeffrey Flack, John Cashin, William Johns, Diane Johns, Donna Carlson, William Albright, Shelly Van Etten, Robert VanEtten, Timothy Walsh, and Christina Walsh as a Zoning Advisory Committee to provide the Town Board (or Planning Board) with proposals to §112 Zoning and §115 Subdivision Regulations of the Town Code.

Attorney Wukitsch suggests there was a [Zoning Committee] involved in the process that went into enactment of present zoning code revisions, and thought it would be good to keep historical perspective by retaining one or more of those individuals; is there anyone in this room who participated? **Councilwoman Finke moved, seconded by Councilman Meredith.** John Cashin served on Comprehensive Plan Committee.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 5**

**DRAFT**

Arlene McKeon asked names be read again, said many served on different parts of Plan to Plan or Comprehensive Plan Advisory Group, one of 15 individuals, Bob Knighton was on CPAG, Bob Turan served on CPAG; neither served on Zoning Committee.

Ellie Alfeld asked from whom Councilwoman Finke received this this morning; answer: the committee, we have discussed this, have been discussing this, and the names were made final. Supervisor clarified it was said 'the board had met'; when she met the Alliance no other Board member was present, there were no meetings of the Town Board taking place outside of a publicly-noticed meeting; the Resolution states that the Town Board recognizes the need, but the Town Board has not tackled this, has not made any resolution, statement or action, and asks that be re-worded.

Ellie Alfeld asked if anyone from Economic Development Committee, with vested interests, is on the list; yes, Rob VanEtten, Kathy Rundberg, and John Cashin. Rob VanEtten said farmers, large landowners, business, hamlet are represented.

The Citizens' Alliance, said Diane Louis, is a private group; the Town Board has the power to name the committee separate from the Alliance.

Arlene McKeon commented hearing 3 married couples on that list, posed question to Attorney for Town, believes opinions from Attorney General exist, most appointments to advisory committee recognize a married couple as two bodies with one voice, might be suggestive to have one member of each of the couples, one voice, and result in better balance to the names there, and suggest someone who served the Zoning Committee; two members of the Zoning Committee, one and one, and hopes the Board considers this.

Shelly VanEtten didn't believe she and her husband could be considered as one voice.

Arlene McKeon said an individual may not, but the law does.

Attorney Wukitsch said he'd have to look into it, may be correct, doesn't know the opinions. Pastor Susan Kerr said boundary issues and best practices issues about couples and families, her understanding is that legally they are considered one voice, but pastorally, if they are not one voice, it poses possibility of dissention in the household; but becomes a public matter in a public forum.

William Johns said, as a participant, his hope is to come to consensus, build consensus, whatever the group comes up with are proposals to the Town Board, here's an idea, tried to find a combination of folk with input.

Bob Knighton said Alliance has been working on this a year and half, the committee was not; he was consulted in a phone call but has not been working on this before this night; believes there are 13, of which 9 are participants in Alliance and 4 are newcomers, suggests a bias; he wonders if that is the Board's intent to create a committee that is lopsided in favor of group with a singular purpose who've been working for a year and a half.

Lisa Benway clarified 'need for reform and revisions', it sounds like this is going 'to be done', and she suggests 'need to review', that will listen to input, and that will be done first.

Supervisor is concerned that it gives the impression that the Town Board has tackled the issue, and it has not; also give correct impression regarding adhering to Open Meetings Law, and refers to entire Chapter 112 Zoning Regulations, is it the goal of the group to tackle the entire Code, or does the Board want to have some more specific charges.

Rob VanEtten said that's why it has been a long process [unable to hear]; Bob Knighton was not part of it.

Councilwoman Finke said to start somewhere and move forward.

Rob VanEtten said to get someone from hamlet, outer districts, to have good cross-section, but a group too large won't get anything done.

Councilman Norris said he proposed this on April 10, 2010, the Board had a few names for the committee, who was named seemed to be the "stick in mud", 13 at the time. He has a little problem with 3 couples.

Councilwoman Finke said it has taken a long time to get to this point, and is now at a point where needs to move forward.

[unidentified] said it will take a long time, not going to be quick.

Bill Johns said the intention is to build consensus, to get a lot of ideas and input.

Arlene McKeon suggests the review of attorney for the Town, not prevent anyone from attending meeting, appoint one member of each couple, gives the appearance of stacking the deck, and get committee to size of 7, and go forward.

Councilman Byas understands that anyone can come before the Board with a suggestion, the Board has the power to pass it on.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 6**

**DRAFT**

Attorney Wukitsch did not write new zoning code; parts were from the old code; Elan Planning, with an attorney on staff, was hired to draft it, with input from the committee. Councilman Byas asked doesn't it come to Town Board, we have 30 days to give to Planning Board, then to Greene County Planning Board to get suggestions, then goes to public hearing, right? Yes, so not cut in stone.

Supervisor said Planning Board does not have legislative powers.

Attorney Wukitsch said Town Board is the legislative body, setting up a committee to make nonbinding recommendations.

Arlene McKeon said there must be an agreement within the Committee or it is not brought before the Board. There has to be balance with every committee, must do Town justice by bring that balance, that [s the Board's job.

Shelly VanEtten understands that anyone can bring anything to the Town to have it changed, whether a couple or family; then the Board would have the process go through.

Councilman Byas said that's what he said, suggestions aren't binding, could do at every monthly meeting, but go through Planning Boards for approval and come back for a vote, doesn't see how that's considered "stacking the deck".

Ellie Alfeld asked if this Committee's meetings will be open to the public; answer: yes. And remembers zoning initially, committees were made, suggestions came forward, but at least 3 public hearings that could be chaotic but everybody who had something to say, said it.

Everyone who believed in what the committee was trying to do, had opportunities to speak their minds- if this committee does the same thing, present their suggestions and then the Town Board holds public hearings so the taxpayers have chances to voice their opinions, she sees no problem with it.

Councilman Byas said that's how it's supposed to be.

Ellie Alfeld said public hearings weren't mentioned.

Supervisor said there is a difference between public meetings and public hearings, a local law requires a public hearing, in the past more than one public hearing has been done, and the Alliance is not looking to rush that process.

Councilman Norris asked who of the Town Board is going to be on the Committee?

Councilwoman Finke said yes, Councilman Byas will be chair and she will be liaison.

Councilman Norris asked Councilman Byas that it was kind of simple, anyone can bring up suggestion, and why didn't he vote for it on April 12, 2010 and start it then?

Councilman Byas said he doesn't think Town Board should be involved; it should be done by the residents; and Town Board is just here to vote on it.

Councilman Norris asked wasn't he going to be the chair? Wasn't that just said?

Councilman Byas said he didn't say anything.

Councilman Norris said Councilwoman Finke had said [he would be chair].

Councilman Byas said he doesn't plan on designing this from day one, and has stayed out of it since day one, and that we're going to move forward with this.

Bill Johns thought the committee would select its own chair; remembers Councilman Norris' proposal, it was too close, no one knew who would be on it and it was a surprise. He said it will be open meetings, public hearings after the Town Board, by law, and nothing to be sprung by surprise, and doesn't think married couples are a problem. He wished they were concerned about an open process a few years ago.

Diane Johns felt the committee would be open to more members, has asked around to see who some Board members might suggest; we don't want to get too big, and are very tired.

Supervisor suggests the committee pick their own chair; one or two liaisons to the Town Board; can be hard to step up and find the time. The committee determines whether to take public input, and must deliberate in public.

Arlene McKeon commented that the Planning Board Chair is included; did anyone seek the Zoning Board chair, who also served on the Zoning Committee.

Bill Albright thought it was inappropriate since there are 2 from Zoning Board of Appeals already.

Arlene McKeon suggests having one from each of the couples and add ZBA Chair Tooher.

Shelly VanEtten [unable to hear] .. been an open committee.

[unable to hear male voice]

Attorney Wukitsch thinks it is not wise that if there are Attorney General or Comptroller's opinions that criticize or fault a town board for naming a committee including spouses, why would you want to have a committee like that?

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 7**

**DRAFT**

Shelly VanEtten said having made comments about the original [zoning] and it went through anyway.

Arlene McKeon, having sat on Town Board for 8 years, said that everything you do opens you to potential suit.

Supervisor gavelled [unable to hear] and said there appears to be goal to move this forward tonight, looming, offered if 3 of the couples where one would be willing to serve, and if Attorney Wukitsch comes back knowing no issue from Attorney General's office that this is problem, add them back on.

Bill Johns said there will be arguments as to which spouse, and would rather do it the other way..

Supervisor said if there is a legal basis, then we'll revise.

Bill Johns said it will be interesting to see.

Supervisor said we'll see next month.

Attorney said anyone can come before the Board with a proposal; but when Board takes the step of appointing an advisory committee it is different- if the Board takes that step, the body should be representative to the community, with no legal impediment or restriction to anyone serving on the committee. If there is impediment, the Board should be concerned about it, because they passed a resolution setting it up.

Diane Louis commented if it is passed the way it is, it will be biased to have the Board vote this way, and it will not sit well in the Town.

Susan Kerr clarified- the thinking is to avoid conflict of interest, a couple with joint ownership of one property it becomes a special interest group. If they vote against each other it cancels it out. If they vote together, it is a stronger voice on the committee; and the perception of special interest becomes problematic.

Shelly VanEtten doesn't feel she gave away her individuality when she married, [unable to hear].

Arlene McKeon said that wasn't the point.

Supervisor felt she was talking about joint ownership of property, the same thing with business owners on a committee.

Councilman Norris said that when original zoning asked for more time, year or year and a half; maybe two more weeks to make suggestions to this, as it says DRAFT, if you think you can improve and get a consensus as Mr. Johns is saying, that would be a good thing. Make it better and stronger and something that everyone can work with, attorney can research it; rushing is not a wise thing based on past history.

Supervisor said Attorney Wukitsch is making revisions now.

Arlene McKeon asked if it is the purpose of the Alliance to have a voice in this committee, you have accomplished that. If it the purpose is to avoid legal impediment, still have a voice by attendance, maintain the appearance of propriety by not 'stacking the deck', she thinks the Board would be open to having one from each couple on the Board and thinks we can get there.

Shelly VanEtten is sure Rob would be glad to ..[unable to hear].

Arlene McKeon believes the Board can get there.

Supervisor asked for revised resolution.

Councilwoman Finke, who made motion, is in agreement with revisions.

**RESOLUTION  
SEPTEMBER 12, 2011**

**RESOLUTION APPOINTING A SPECIAL COMMITTEE TO REVIEW THE ZONING  
AND SUBDIVISION REGULATIONS FOR THE TOWN OF NEW BALTIMORE**

**WHEREAS** the Town Board of the Town of New Baltimore is aware of and recognizes the need for study of possible changes and revisions to § 112 Zoning and § 115 Subdivision Regulations of the Town Code, and

**WHEREAS**, the Town Board of New Baltimore seeks to provide for an orderly process to identify and evaluate such possible changes and revisions to § 112 Zoning and § 115 Subdivision Regulations, and

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 8**

**DRAFT**

**WHEREAS**, the Town Board of the Town of New Baltimore believes it is best to designate a group of its residents to provide it with such possible changes and revisions,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby appoints the following individuals Robert Knighton, Robert Turan, Kathleen Rundberg, Jeffrey Flack, John Cashin, William Johns, Diane Johns, Donna Carlson, William Albright, Shelly Van Etten, Robert VanEtten, Timothy Walsh, and Christina Walsh as a Zoning Advisory Committee to provide the Town Board (or Planning Board) with proposals to §112 Zoning and §115 Subdivision Regulations of the Town Code, and

**BE IT FURTHER RESOLVED**, that Art Byas and Barbara Finke shall be designated Town Board liaisons to the Committee, and

**BE IT FURTHER RESOLVED**, that if the Attorney for the Town uncovers legal authority which prohibits spouses from serving together on a town advisory committee then only one spouse shall be permitted to serve.

**Supervisor moved with revisions as read, seconded by Councilman Meredith.** No further 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    FINKE-AYE    MEREDITH-AYE  
NORRIS-AYE    O'RORKE-AYE  
Adopted**

Greene County Legislator VanSlyke spoke. There was a tragedy on the mountaintop, Prattsville is in bad way, Emergency Operations Center (EOC) in Cairo is standing down as of today, out-of-state helpers are going home, many problems remain, schools will open tomorrow, and 3pm meeting tomorrow to explain FEMA money to all government operations, Friday, 9:30am FEMA will designate representatives to the state and county, indicating where to send bills, very difficult picture. Also, Friday will be last day to accept flood trash with no tipping fee, dubbed "Mount Trashmore" in Catskill, but county must pay to get rid of that, hoping to be reimbursed but must have cutoff as it is getting out of control, hundreds and hundreds of tons of trash. There was damage to county buildings, Highway Department is the worst, and there is thought given to sell building and move the Highway, lost records also. Historic Catskill Point is damaged. Cairo Mental Health is second worst with 8' water in its basement; boiler and brand new condensate pumps (at \$40,000) must be replaced, probably borrowing money. Mountaintop towns are being contacted by banks. Greene County Sheriff lost substation and car in Prattsville. Highway conditions: 8 bridges still out, 6 temporary bridges put back in, 4 roads still closed (23, 17, 4 included). Chairman of legislature requests for Prattsville: there are sites that still need to be muddied out, there are open volunteer stations, tents are still up, or call Emergency Operations Center. This holds a scary future and price for the county:

Ellie Alfeld asked if legislature will consider a bond issue to raise money for repairs, maybe to public? Legislator VanSlyke will check, there are a couple of places looking for donations, raise money for businesses to start again, no businesses left in Prattsville, Windham is in a little better shape, but businesses have no inventory left. Greene County will probably have to borrow to pay up front since FEMA money will not come in for a couple months, and up to 2 years.

Supervisor and Alan VanWormer will attend meeting tomorrow; Federal government will reimburse 75%, asked if the state will continue the 12.5%? As far as Legislator VanSlyke knows, but that is the content of Friday meeting with FEMA to learn the details. FEMA is spread thin with Schoharie, Tioga, Broome, and Chenango Counties. Legislator commented on outstanding performance of emergency staff, county employees and volunteers working round the clock. There were people working on the roads in the flood, opening them back up. Contractors were called out, everyone pitched in, other than being a disaster, it was good to see how people work well in these conditions; now to pay for all of it. Supervisor commented that our town is fortunate, we do have resources and if we can help, we want to. Legislator VanSlyke thanked our fire company for going up to help.



**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 9**

**DRAFT**

Councilwoman Finke reminded that Town-Wide Yard Sale is this Saturday from 9am-4pm, with over 30 sales on the map. Councilman Norris asked also in District 2 Park; answer: yes, 2 sales now, and will set up past the pavilion; Farmers' Market will open one hour earlier at 8am.

Senior Picnic will be September 21, District 2 Park, 12noon to 3pm, all seniors welcome, bring covered dish and chair, with raindate the following day. Seniors tried to put it in the Ravena News Herald, was not printed.

Councilman Norris asked the new zoning committee for meeting date; [unable to hear] waiting for any legal ramifications of couples. Bill Johns will publicize it ahead of time.

Supervisor read.

**RESOLUTION  
SEPTEMBER 12, 2011**

**RESOLUTION TO APPROVE PAYMENT OF CLAIMS**

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

WHEREAS, the Town Board has audited claims 2011/09/01-92, it is

RESOLVED, that the Town Supervisor is hereby authorized to pay claims 2011/09/01-92.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until September 30, 2011.

**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**

**8. Executive Session Regarding On-Going Litigation**

**Supervisor moved to enter Executive Session to discuss ongoing litigation, seconded by Councilman Norris.** The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

**VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE**

**NORRIS-AYE O'RORKE-AYE**

**Motion Carries**

Town Board entered Executive Session at 8:54pm.

**Supervisor moved to open Executive Session, seconded by Councilman Norris.** Executive Session opened at 8:57pm.

**Councilman Norris moved to close Executive Session, seconded by Supervisor.** Executive Session was closed at 9:40pm.

**Supervisor moved to re-open the Town Board meeting, seconded by Councilman Meredith.** The meeting began at 9:41pm.

**MOTION  
SEPTEMBER 12, 2011**

**Supervisor moved to retain David J. Wukitsch's services with regard to litigation with Raj Sai, for possible pretrial settlement negotiations, at a rate of \$125/hour. Councilman Norris asked to amend to read 'Attorney for the Town David J. Wukitsch' and seconded**

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 12, 2011- page 10**

**DRAFT**

**the motion.** The adoption of the foregoing 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 Carried**

**ADJOURNMENT**

With no more from the Board, Supervisor moved to adjourn, seconded by Councilman Norris.

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

**Motion Carried**

The meeting was adjourned at 9:43 pm.

Respectfully submitted,

Janet A. Brooks  
Town Clerk