

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

**DECEMBER 9, 2019
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- November 25, 2019 Town Board Work Meeting

Public Comment Period

New Business

- Motion to Support Community Solar Program by Good Energy
- Resolution to Authorize the Supervisor to Establish a Segregated Account for Expenses to be Incurred for Improvements to be Made to Silver Lake District 3 Park Pursuant to the Grant Disbursement Agreement for \$100,000 with the New York State Dormitory Authority (Project ID:#13296), to Fund the Account, and to Expend the Funds Consistent with the Description of Improvements in the Grand Disbursement Agreement
- Resolution to Authorize the Supervisor to Establish a Segregated Account for Expenses to be Incurred for Improvements to the Joseph Wyche District 1 Park Pursuant to the Grant Disbursement Agreement for \$50,000 with the New York State Dormitory Authority (Project ID:#13297), to Fund the Account, and to Expend the Funds Consistent with the Description of Improvements in the Grand Disbursement Agreement
- Resolution to Set Organizational Meeting Date
- Motion to Close Town Hall at 12:00 PM on December 24, 2019
- Motion to Accept the Resignation of Justice Thomas Meacham
- Cell Phones for Soldiers
- Audit of Claims

Upcoming Meetings

- December 25, 2019 Happy Holiday
- January 1, 2020 Town Board Organizational Meeting at 2 PM
- January 8, 2020 Zoning Board of Appeals Meeting at 7:30 PM If Needed
- January 9, 2020 Planning Board Meeting at 7 PM
- January 13, 2020 Town Board Regular Meeting at 7 PM
- January 20, 2020 Town Hall Closed for Martin Luther King Day
- January 27, 2020 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.

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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 Downes, Irving, and VanEtten, Deputy Supervisor Dellisanti, Town Clerk Finke, and 4 members of the public who signed the attendance book. Absent: Councilmember Briody, Highway Superintendent VanWormer, and Tax Collector Jordan

ADOPTION OF MINUTES

The November 25, 2019 Town Board Regular Meeting submitted by Town Clerk Finke, Moved by Councilmember VanEtten and was seconded by Councilmember Downes. The adoption of the foregoing Motion was duly put to a vote and vote was as follows:

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody

Motion Carried

Public Comment Period

James Eckl: Mr. Supervisor, Ladies and Gentlemen, I had understood from the agenda that was posted on the Town's website that a representative of Good Energy was to be here to make a presentation.

Supervisor Ruso: Right, it was originally scheduled, yes. It was put off.

James Eckl: In any event at the November 25 Work Meeting there was a representative from Good Energy here; made a very brief presentation to the Board. You have just approved the Minutes of that meeting so they're not available on the website, but I was here and I remember generally what happened. The representative mentioned a concept called Community Distributed Generation abbreviated CDG and he also said that a proposal would be submitted. Now there is already in place here a program of Community Choice Aggregation which is abbreviated CCA. As I understand CCA concept was approved by some Public Service Commission Order in April of 2016 whereas the CDG concept was authorized by another Public Service Commission Order made July 2015 which suggests to me that they're distinct concepts and I will freely admit to all I don't understand what's going on here. Is it contemplated that the CDG that the representative of Good Energy was referring to will somehow replace the existing CCA program or is it contemplated that they will both exist side-by-side in competition with one another? In any event I had come here expecting that we would be seeing a Good Energy representative making a presentation and inasmuch as the representative who was here two weeks ago said that a proposal would be forthcoming, I rise primarily to ask whether or not a proposal has actually been received because I submit to you you certainly have no business making a decision on the Motion whether to not to approve or to support the proposal. If you haven't gotten it yet and even if you have gotten it, I submit to you that you ought to hear the public's input and that concludes my comments. Thank you for your attention. I didn't realize, of course, that the presentation had been stricken from the agenda.

Supervisor Ruso: It was unfortunately cancelled at the last...so you did see it on the website, but it was cancelled and it's put off until the 23rd at least last we understood. And just to be as prompt as possible, as clear as possible, it doesn't run contrary to and it doesn't run in competition with. It is run by the same organization. The Community Solar, Good Energy is buying, for lack of another word, or committing to certain solar companies. They're gonna buy what's produced, electricity that's produced, in a Community Solar Program. So the CCA that one already has, this will add another 10 percent discount to that program. That's how I understood it. It's not in competition, but it's just a complement to it is a better way to put it. So I think what we could do is we can listen to what Mr. Flores has to say when he comes on the 23rd. I think that will be best.

Town Clerk Finke: That's not his name, but... He's with Delaware.

Supervisor Ruso: It's Javier Barrios. I got my names mixed up. I think we can put that off until that next meeting. I think that would be most helpful and answer most of your questions in greater detail.

James Eckl: Thank you for your patience, sir.

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Councilmember Downes: And just to say I did ask them at the last meeting if we had to choose. He told us, no, that we had already submitted for the one that's in place at this point. He says you get that discount and then if we opt in to their program, we get an additional 10 percent.

Supervisor Ruso: For the individual, it is an opt-in.

Councilmember Downes: It's an opt-in.

Supervisor Ruso: It's an opt-in issue that goes along with the CCA that's already in existence. That's pretty much how it is, but we'll wait until he arrives on the 23rd.

Eilleen Vosburgh: I'm a little confused about which is which. What happened to the first group that came and we were supposed to get subscriptions, some people could get subscriptions? What happened to that group?

Supervisor Ruso: That was in the Planning Board. That was a Community Solar program that's being installed right now on the property by the cell phone tower and they are selling subscriptions.

Eilleen Vosburgh: But I thought we were supposed to apply for that. Remember that part?

Supervisor Ruso: Yes, you had to apply for those, yes. I've not seen anything on that, but they're no where's near ready.

Councilmember VanEtten: This is an opt-in program, too, so you'd also have to...

Eilleen Vosburgh: No, I want to know the other one. It's almost there. So when are they gonna let us know about applying for those subscriptions?

Supervisor Ruso: You know soon I hope. I don't have an answer for when they're going to ask for that. I think they can probably take them now, but they've not publicized it to my knowledge whatsoever.

Eilleen Vosburgh: What was the name of that group?

Councilmember VanEtten: The Planning Board has been...

Supervisor Ruso: This has been pursued by the Planning Board. The Town Board has had almost no involvement with that organization. I don't know if any of you were in attendance at the Planning Board Meeting?

Eilleen Vosburgh: Yea I was.

Supervisor Ruso: They didn't come and present here. They presented at the Planning Board so we didn't have them here before us.

Eilleen Vosburgh: But it's almost in production now?

Supervisor Ruso: They're already clearing land over there, yes.

Eilleen Vosburgh: Oh, they're clearing land so it is...

Supervisor Ruso: Last I know and I haven't surveyed the site so I can't say where they are in the process.

Eilleen Vosburgh: I think it would be nice if we knew what they all were, the different companies. and what they have to offer and how it's gonna benefit the taxpayer.

Supervisor Ruso: The energy user is a better way to put it.

Town Clerk Finke: That's up to them; they're the company coming in.

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Councilmember VanEtten: Yeah, it is up to the companies.

Supervisor Ruso: They offered it to the Town, they did back at that Planning Board meeting

Eilleen Vosburgh: Right, that one.

New Business

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 168-2019
DECEMBER 9, 2019

**RESOLUTION TO AUTHORIZE THE SUPERVISOR TO ESTABLISH A
SEGREGATED ACCOUNT FOR EXPENSES TO BE INCURRED FOR
IMPROVEMENTS TO BE MADE TO SILVER LAKE DISTRICT 3 PARK PURSUANT
TO THE GRANT DISBURSEMENT AGREEMENT FOR \$100,000.00 WITH THE
NEW YORK STATE DORMITORY AUTHORITY (Project ID: #13296), TO FUND
THE ACCOUNT, AND TO EXPEND THE FUNDS CONSISTENT WITH THE
DESCRIPTION OF IMPROVEMENTS IN THE GRANT DISBURSEMENT
AGREEMENT**

WHEREAS, the Town of New Baltimore (Town) has been awarded a \$100,000.00 grant from the New York State Dormitory Authority (DASNY) for improvements to the Silver Lake District 3 Park located at 3 Old Kings Road, as set forth in the Grant Disbursement Agreement, Application, project information sheet, project description, budget and timeline: and

WHEREAS, the Agreement has been entered into by the Town and DASNY on September 9, 2019, with an expiration date of September 9, 2022; and

WHEREAS, the Grant Agreement presupposes that the Town will comply with the terms and conditions of the Agreement, including but not limited to the establishment of a segregated account for payment of the eligible expenses; and

WHEREAS, the Grant funds shall reimburse the Town for eligible expenses actually incurred and paid for by the Town from the segregated upon presentation of the documents required in the Agreement;

WHEREAS, the Grant proceeds are to be applied solely for eligible expenses as set forth in said documents; and

RESOLVED that the Town is authorized to establish a segregated account solely to be used for the grant proceeds for the improvements to the Silver Lake District 3 Park; and be it

RESOLVED that the Town Supervisor is authorized to fund the segregated account to pay for the improvements set forth in the Agreement; and be it

RESOLVED that the Town Supervisor is authorized to pay for the described improvements and submit the necessary documentation to DASNY for reimbursement through the Grant.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody

Motion Carried

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 169-2019
DECEMBER 9, 2019

**RESOLUTION TO AUTHORIZE THE SUPERVISOR TO ESTABLISH A
SEGREGATED ACCOUNT FOR EXPENSES TO BE INCURRED FOR
IMPROVEMENTS TO THE JOSEPH WYCHE DISTRICT 1 PARK PURSUANT TO
THE GRANT DISBURSEMENT AGREEMENT FOR \$50,000.00 WITH THE NEW
YORK STATE DORMITORY AUTHORITY (Project ID: #13297), TO FUND THE
ACCOUNT, AND TO EXPEND THE FUNDS CONSISTENT WITH THE
DESCRIPTION OF IMPROVEMENTS IN THE GRANT DISBURSEMENT
AGREEMENT**

WHEREAS, the Town of New Baltimore (Town) has been awarded a \$50,000.00 grant from the New York State Dormitory Authority (DASNY) for improvements to the Joseph Wyche District 1 Park located at New Baltimore Road, as set forth in the Grant Disbursement Agreement, Application, project information sheet, project description, budget and timeline: and

WHEREAS, the Agreement has been entered into by the Town and DASNY on September 9, 2019, with an expiration date of September 9, 2022; and

WHEREAS, the Grant Agreement presupposes that the Town will comply with the terms and conditions of the Agreement, including but not limited to the establishment of a segregated account for payment of the eligible expenses; and

WHEREAS, the Grant funds shall reimburse the Town for eligible expenses actually incurred and paid for by the Town from the segregated upon presentation of the documents required in the Agreement;

WHEREAS, the Grant proceeds are to be applied solely for eligible expenses as set forth in said documents; and

RESOLVED that the Town is authorized to establish a segregated account solely to be used for the grant proceeds for the improvements to the Joseph Wyche District 1 Park; and be it

RESOLVED that the Town Supervisor is authorized to fund the segregated account to pay for the improvements set forth in the Agreement; and be it

RESOLVED that the Town Supervisor is authorized to pay for the described improvements and submit the necessary documentation to DASNY for reimbursement through the Grant.

Motion by Supervisor Ruso seconded by Councilmember Irving

Supervisor Ruso: This particular grant is going to help pay for the new drainage system that's been plaguing District 1 Park, amongst other tidbits, but that's the number one issue.

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody

Motion Carried

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 170-2019
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RESOLUTION TO SET DATE OF 2020 ORGANIZATIONAL MEETING

RESOLVED that the Town Board of the Town of New Baltimore will hold the 2020 Organizational Meeting on January 1, 2020 at 2:00 PM at the Town Hall, 3809 County Route 51, Hannacroix, New York.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody

Motion Carried

Supervisor Ruso: I'd also like to make a Motion, it's something we've done in the past, to close Town Hall at 12 noon on Christmas Eve, December 24, so our employees can get a start to the holiday. Do I have a second?

Councilmember VanEtten: I'll second.

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody

Motion Carried

Supervisor Ruso: Today I received a letter from Justice Thomas Meacham which I would like to read. 'Dear Supervisor Ruso, Please accept this letter as formal notification that I am resigning from the position of New Baltimore Town Justice on January 1, 2020 at midnight. I thank you and the voters of New Baltimore for the honor of serving as Town Justice and I would like to continue but due to some very serious family health issues I am not able to continue serving in this capacity.' I will speak for the entire Town Board in saying that our thoughts are with Justice Meacham and his family. I would like to make a Motion to accept his resignation. Do I have a second?

Councilmember Downes: I'll second.

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody

Motion Carried

Supervisor Ruso: Senator Amedore has sent, actually I received something in the mail at my home where we're accepting cell phones on behalf of veterans. We have a box out front. We've taken part of this program in the past. If you have a spare cell phone or old cell phone please consider dropping it off in the box and we'd like to get a good number of them in here. He presents them to veterans' organizations for their disbursement to people who need them.

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 171-2019
DECEMBER 9, 2019

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 2019-12-01 to 2019-12-35, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2019-12-01 to 2019-12-35,

BE IT FURTHER RESOLVED that the Town Clerk will prepare an Abstract and hold it for public review until January 31, 2020.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody

Motion Carried

General \$11,050.20, Highway \$3,076.69, Sewer 1 \$24,995.92, Sewer 2 \$32.53, Street Lighting 1 \$1,852.02, Street Lighting 2 \$188.41, Total \$41,195.77

Upcoming Meetings

- **December 23, 2019 Town Board Work Meeting at 7 PM**
- December 25, 2019 Happy Holiday
- January 1, 2020 Town Board Organizational Meeting at 2 PM
- January 8, 2020 Zoning Board of Appeals Meeting at 7:30 PM If Needed
- January 9, 2020 Planning Board Meeting at 7 PM
- January 13, 2020 Town Board Regular Meeting at 7 PM
- January 20, 2020 Town Hall Closed for Martin Luther King Day
- January 27, 2020 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

None

Motion by Councilmember VanEtten seconded by Councilmember Irving to adjourn the meeting at 7:19 PM

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Briody

Motion Carried

Supervisor Ruso: Goodnight. Thank you everybody.

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk