

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

**JUNE 8, 2020
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

New Business

- Water Main Break at Scheller Park
- Declaration of State of Local Emergency Water District #2 Transmission Water Main Failure
- Audit of Claims

Upcoming Meetings

- June 24, 2020 Town Board Work Meeting at 7 PM

Public Comment Period

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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Supervisor Ruso: Good evening everybody; welcome to our Board meeting. I have to read a notice that was posted in the *Daily Mail* and it is dated June 4. *'The Regular Town Board Meeting of the Town of New Baltimore will be held Monday, June 8, 2020 at the Cecil C. Hallock Park, 1508 County Route 54, Hannacroix, NY 12087 at 7PM to address the recent water main break in Scheller Park and payment of vouchers. By Order of the Town Board, Barbara M. Finke Town Clerk'* So those are the items on our Agenda for tonight.

OPENING OF REGULAR MEETING

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, Irving, and VanEtten, Deputy Supervisor Dellisanti, Town Clerk Finke, and 11 members of the public who signed the attendance book. Absent: Highway Superintendent VanWormer and Tax Collector Jordan

Supervisor Ruso: Well, the most pressing issue is the water main break at Scheller Park. MaryBeth Bianconi is not here who was very helpful and very knowledgeable as is her professional role brought forth and I think it was said clearly last week that the water main break could not have been in a worse place nor at a worse time. The issues, of course, being under the southbound lane of the Thruway, actually caused damage to the Thruway roadbed. They had to have lane closures and maintenance and so forth present on the scene. I got the phone call a week ago tonight at about 10:45 to tell me that water was bubbling up onto the lane and, of course, you folks know much of the rest of the story and your water was shut down. I didn't know if you had it Tuesday morning, I doubt it.

Many Responded: No.

Supervisor Ruso: Now one thing that has changed since last week -- and they did not send three as they discussed, three one-inch lines through the existing pipe. They instead sent one two-inch line. A little different than what they said, however, I'm assured that the volume of water is as much. Now if you folks, I'm just gonna ask, how is it? How is the water?

Shawn Burke: It's adequate.

Supervisor Ruso: Getting you through the day.

Shawn Burke: It's adequate. I do not actually notice a huge decrease in the pressure in any faucet or shower.

Supervisor Ruso: Really? Okay, well you do know that, and I can get information, has the Boil Water Advisory been lifted?

Many speaking at once.

Supervisor Ruso: They said they were going to get the Code Red and I talked to Mark Evans today from the Village of Coxsackie. He said he'd call me maybe later it will be open to remove the Boil Water, but he said, 'Don't bet on it.' But I didn't know.

Shawn Burke: I'm still boiling.

Supervisor Ruso: Yeah, I think that's wise, that's wise. So I think the biggest issue aside from what we discussed we all know what the problem is. It's an ancient pipe that was actually designed to go from Scheller Park into Coxsackie back in the 1880's was redesigned.

Shawn Burke: 1919 was that correct for the date?

Vince Cuzdey: Somewhere around there.

Shawn Burke: Vince, 1919?

Resident Responded: MaryBeth had that.

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Supervisor Ruso: Well, yes, she had details and then there were some things that changed with this pipe over the years and now they used the same pipe to feed back the other direction to yourselves on Sheller Park.

Shawn Burke: Correct.

Supervisor Ruso: And so there's lots of other issues associated with that, but the number one goal that everybody -- the engineers, Mark Evens with the Village, ourselves -- was let's get you folks some water. That's A#1. So they really worked a lot. Perhaps you went a number of days without anything, but they really did a lot of work to get water to...

Shawn Burke: I think it was four total days.

Supervisor Ruso: Yeah, right. That's just about right.

Shawn Burke: I think that's a fairly good response time.

Supervisor Ruso: Especially where this break was. Okay. Especially where this break was. It it was another pipe along the side of the road, where they needed to dig it up and so forth, they had trouble even digging it up because the Thruway is driving overhead and the pipe is 15' below ground. So that doesn't get accomplished promptly either or just adds to the length of time nevertheless. Okay, so you have water now. It's okay. The long-term fix is the problem that I have mostly for discussion tonight because this is going to involve the townwide. It has a townwide perspective, that's why this meeting is open to everybody. I don't know who else aside from Scheller Park people are here. Is there anyone besides from Ellie?

Shawn Burke: Is there anyone aside from a Scheller Park resident that's gonna be responsible for the financial outcome of this endeavor?

Supervisor Ruso: Yes. In the long haul, no; in the long haul, no; but in the short term, yes.

Shawn Burke: Explain, please.

Supervisor Ruso: Okay, first and foremost the contractors -- Callanan for the road repair, the Thruway road repair, and Bellamy for the plumbing, the running of new line. They're gonna bore laterally and put a new pipeline in. The Village of Coxsackie has contracted with both of those entities already.

Shawn Burke: Okay, does anybody know what that contract price is?

Supervisor Ruso: No, we do not know because the goal was to get things going. They wouldn't even start to dig to diagnose the problem until they had an agreement in place.

Shawn Burke: Well, if they already had an agreement in place, why is the number not being disclosed?

Supervisor Ruso: They didn't know how much it was going to be and they weren't going to start digging so there is no known bill right now.

Shawn Burke: But was there a starting bill? It will be no less than...

Supervisor Ruso: I got a rough note. No, there's none of those things. There was no time for bidding and all that jazz. I mean that's normally a process for a public works project. This doesn't have that timeframe.

Shawn Burke: Understood.

Supervisor Ruso: Okay, so that's one of the reasons why we are going to declare a formal notice of emergency so that it gives...

Shawn Burke: How does that affect us?

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Supervisor Ruso: Well, it affects you in the long haul. Okay, so let's start from the beginning. Cocksackie is going to get the bills for the construction of the new plumbing and for the road. The Thruway is not taking on that cost. In turn the Village of Cocksackie is going to bill the Town of New Baltimore which in turn has to bill the District. Just so you know by law, townwide General Funds cannot be used to pay for your stuff in a district whether it's the Water District or the Sewer District on the other parts of Town. They're not allowed to pay for it. We are allowed to loan money to those districts, but only for one year. Now there are some means by which it can be extended based upon an emergency, but also based upon the dollars that I'm hearing, we're going to have to bond this out. Okay, I have good reasons to believe there's going to be a couple hundred thousand dollars just for the plumbing and for the Thruway. Those two things are both given to me as a \$100,000 price tag. Okay. So the bonding will have to come subsequent to actual payment so that everybody can have restored. At the end of the day as MaryBeth pointed out, we are and they are seeking...

Shawn Burke: We and they are who?

Supervisor Ruso: Town of New Baltimore and Delaware Engineering, the Project Managers. They have a lot of good insights into State people and so forth and they are very good at finding funding. They've done this in other projects in the past within the Town, they've been able to get State funding and even Federal funding, and other sources. And that's what they plan on doing here. In the meantime, I and others are contacting our elected officials above and beyond us in the State as well as in the Federal government. I know that Congressman Delgato's office has been called, I know that Chris Tague's office has been called.

Shawn Burke: Yes, and I also plan on making some of those calls myself.

Supervisor Ruso: I would encourage that to do because you are constituents.

Shawn Burke: Everybody should band together and do this.

Supervisor Ruso: I would do that.

Tom Russo: One question, what about the Thruway taking some responsibility for not having that pipe shielded correctly in the first place because if it was shielded correctly we wouldn't have to pay for the Thruway repair?

Supervisor Ruso: Well, we agree with that point and that's some of the perspectives we're trying with our elected officials. At this moment the Thruway says 'no.'

Tom Russo: It's right on their plans.

Shawn Burke: They're clearly responsible at this point.

Supervisor Ruso: You and I agree, but in the meantime I want to get you folks water.

Many Responded: Thank you.

Supervisor Ruso: That's the first step. We are going to sort this stuff out as best we can to avoid a burden on the District as best we can. I can't make a promise. I know we'll get something, but I can't tell you what and I know we're gonna continue to pursue that, but I can't tell you what. And as MaryBeth pointed out, there will be at the end of the day some level of burden that will be on the district. Whether we get 50 percent paid for, if we get 60 percent, I can't answer that. Okay, but that's after the fact. So we have a little time before the District has to pay back the Town. The Town hasn't disbursed any money as of yet, but we have a year for the District to reimburse the Town. Now does the Town have the money? We had at the end of the year 2019, \$404,000 in the bank. Kind of like a Rainy Day Fund, just builds up every year if you're in surplus. If you're in deficit, it goes down obviously. We have not been in deficit, however, our surplus haven't been extraordinary.

Shawn Burke: Fair enough.

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Supervisor Ruso: Okay, if we receive no more money into the Town from now and through the end of the year and the taxes are paid right, there are other ancillary incomes that will occur as the year goes on. However, if we do not receive another dollar, we have enough money to pay for the Town bill through the end of December 31 and we have safely, I can sit here and say that we have \$132,000 in Town money, Town General money, that can be diverted to the District on a temporary basis. Now if other monies come in, okay one of the sources of revenue for the Town is the Town Courts and Courts have been closed since March and I'm hearing they're not even gonna open or think of opening until August. I heard July, I think that was your mouth said July, but my ears were hearing August just today. We did actually get a couple dollars in a couple days ago or we have a commitment from Greene County for our Mortgage Tax of \$23,000. Okay, we can add that to the list, but I have a responsibility also to the townwide people and obviously the people that live way up on Route 26 or whatever, they're not part of your District and that's not their responsibility. I've not heard anyone outside the District who's in the Town who has objections and leaving you guys hanging in the lurch. Nobody has said that to me. So I think that there's a lot of support from the people of the Town general to help keep you guys in water. So that's the background. We're going to have to declare a State of Emergency. The State of Emergency allows the Town Board to make decisions. Ultimately there will be a bond, whether it's a five-year BAN, bond anticipation note, or it's a more extensive bond -- 10 year, 20 year, whatever the case might be. That decision is going to be based upon how much the price tag is ultimately gonna be. We don't have the full answer to that yet. So the BAN is gonna be if it's small; the bond's gonna be if it's large. That's pretty much it.

Tom Russo: At the meeting you said you were going to call a State of Emergency.

Supervisor Ruso: We're doing that here.

Tom Russo: Thank you.

Supervisor Ruso: As a Town Supervisor, I can do those some of those things, but it's best to have the official Town Board vote on that so I'm just one person.

Tom Russo: I understand.

Shawn Burke: Is everybody on the Board in agreeance with you?

Deputy Supervisor Dellisanti: You'll find out in a minute.

Supervisor Ruso: I'm not supposed to be collusionary, but I don't think that there's anybody who isn't. You have all five of us here.

Shawn Burke: Fair enough.

Supervisor Ruso: So I'm not supposed to go around and count. That's against the Open Meetings provisos. Nevertheless, they've not said anything 'oh, I don't like that.' Not one person has said anything, but we'll find out when we vote. Okay so are there any other questions before I go forward? I provided the information so item #1 is taken care of so why don't I move into the declaration of local emergency okay?

Tom Russo: Can I say one thing?

Supervisor Ruso: Yes, of course.

Tom Russo: I think I can speak for everybody here that is in Scheller Park, when we bought our houses nobody was aware of the Sheller Park Water District, never heard of it, never signed any papers stating that this was part of the deal when we bought the house. Nobody. Myself, Shawn, Vince, Trisha, Travis.

Supervisor Ruso: The first time you found out was when you got a bill.

Tom Russo: First time I found out was...

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Shawn Burke: No, was when you sent a notice to our mailbox last week with the very first statement ever that I've ever seen Scheller Park Water District.

Supervisor Ruso: Well, it's actually Water District #2.

Shawn Burke: Is there a time or a date? If I'm out of turn, I'm sorry.

Tom Russo: 1978.

Shawn Burke: The first time that anyone ever presented Scheller Park Water District as a letterhead or a statement or on a bill. Has it every been presented before last week Scheller Park Water District? That's actually my question.

Supervisor Ruso: Not to my knowledge.

Tom Russo: Never heard of it.

Shawn Burke: It seems to us as residents...

Supervisor Ruso: If I may ask, have you folks not received a bill over these years?

Shawn Burke: It has never said Scheller Park Water District.

Tom Russo: It comes from the Town of New Baltimore.

Shawn Burke: Town of New Baltimore water bill.

Tom Russo: Diane Jordan.

Shawn Burke: We were just curious as to the actual first time...

Supervisor Ruso: Townwide, the letterhead, or...?

Shawn Burke: But was it created last week or was this something that's been for 25 years it's been Scheller Park Water District?

Ellie Alfeld: The point I wanted to make for these gentlemen is every year we have a budget. Every budget has the different Water Districts listed there as for the amount that you will have to pay whether you're District 1, District 2, District 3 and you're District has always been the Scheller Park Water District in the budget and I can attest to that since 1975.

Tom Russo: But we never knew that, we never knew the different water districts.

Ellie Alfeld: But it's a public meeting that the budget is discussed and all of this is open to the public.

Tom Russo: But we've never got notices about the meetings.

Supervisor Ruso: That's accomplished at a budget meeting, townwide budget meeting.

Tom Russo: Never heard of it.

Supervisor Ruso: At the Townwide Budget Meeting, to underscore what Ellie has to say, we announce every year 'okay budget meeting,' it's typically in November. It's for the upcoming year and we go through the Townwide budget, we discuss the Highway Department budget, we discuss the Lighting Districts, the Water Districts, the Sewer Districts, Ambulance Districts. So we go into each of those various subordinate places as well as the grand one and so that's a place where it is discussed in an open public meeting and sometimes Ellie's the only one who shows up. Am I right?

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Shawn Burke: Okay, my overall question is when was the first time that anyone has ever heard the term Scheller Park Water District because none of us as residents on Scheller Park have ever seen a piece of letterhead, piece of mail, a water bill or anything that said Scheller Park Water District? This happened last week is the first time any resident out of 34 of us has seen this term. Why all of a sudden are we seeing this term Scheller Park Water District?

Supervisor Ruso: Well, technically it is in our records, it's Water District #2, just technically. That's what's in our records. It is known as Scheller Park as well, but that's more verbal, but it is technically Water District #2.

Tom Russo: But thank you to Ellie explaining now that I know we're Water District 2, but by a piece of paper I didn't know that. I'm not a dumb person.

Shawn Burke: Me neither.

Ellie Alfeld: And clarification if I can, when you bought your property, I don't know when you bought your proper?

Tom Russo: 1989.

Ellie Alfeld: And in the Closing at that time, there's a good probability that you were billed for some of the expenses for the Scheller Park Water District.

Tom Russo: But nobody told me that it was a Scheller Park Water District and only 34 people were in the District.

Ellie Alfeld: And we have expanded it since then.

Tom Russo: I probably would not have bought the property.

Supervisor Ruso: Well we were 32 until a few years back; two people were added.

Shawn Burke: It was 29 when I moved in and that was approximately eight years ago and when I bought my home I was never aware of the fact that if a break on our road was to happen, that you'd be responsible for the repairs. I was never alerted to this or it was never in a contract, it was never noted to me, it was in no paper form whatsoever and then when we had a break in a fire hydrant about four years ago.

Supervisor Ruso: That's about right five years ago.

Shawn Burke: I drove by and I don't want to sound condescending, but I drove by laughing and mocking at the amount of people standing there milking and standing on shovels and a backhoe, and three dump trucks, and five pickup trucks with flashing lights on top of them and all the stuff going on and I'm going 'for a fire hydrant, this is ridiculous, they're milking it.' Then I found out I got the bill to pay them so us as residents had to pay these guys to do this and stand there and talk on their cell phones. So I'm concerned is the same thing happening this time? I'm not so sure it is and I'm saying it is, but I know for a fact that I felt like at that point after watching that fire hydrant being fixed by eight-plus people for a day-and-a-half and driving by going to the supermarket and coming back an hour later, they're still standing there.

Supervisor Ruso: I can't speak about the effectiveness or efficiency of the crew on hand...

Shawn Burke: Fair enough.

Supervisor Ruso: I will say this about this current project, Callanan Industries is doing the road work.

Shawn Burke: Top-notch industry by the way, Callanan.

Supervisor Ruso: Bellamy is doing the plumbing. The Village of Coxsackie Water District is who replaced that fire hydrant a number of years ago.

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Shawn Burke: That is correct.

Supervisor Ruso: This is being done by outside contractors hired to do the job, mostly because the job is too big for them anyhow.

Shawn Burke: Agreed.

Supervisor Ruso: Okay, so if it was a small job, I think we'd want it to be small, but it is not a small job. It's a big job. So nevertheless that's where I'm at. I mean I can't tell you how you were noticed and how you weren't noticed. I know that when I bought my house in 1990 that I knew I was not in a Water District because I had to have my well tested before I could buy the house and they had to do a flow test and all that stuff and so I'll say that in the absence of that it implies that you are in a Water District because you didn't have to worry about a wellhead and that it works.

Shawn Burke: Well, I agree with you on that.

Supervisor Ruso: But, nevertheless I can't speak about what was told to you in all these years. I do know that there's been information and I'm sorry to say that not everybody has been knowledgeable of where that information is gained. Again just at budget time happens to be one particular place. I will also say that in conversation going to the repair of the fire hydrants since you brought this up, back in 2012 I believe there was another fire hydrant that broke and the District back there went into arrears. Okay.

Shawn Burke: I remember that.

Supervisor Ruso: I came into the Town Board on January 1, 2014 and that one year where the Town had loaned them money to the District because they were in the red.

Shawn Burke: I remember that.

Supervisor Ruso: They were in the red, the Town loaned them money and it's supposed to be paid in a year except we had another break. So I know that we were in the red in 2014 and it took 'til 2015, I don't have the documents in front of me...

Shawn Burke: I believe you are correct.

Supervisor Ruso: That we were finally paid off. The debt that we already owed to the Town so that's been free and clear and we have a small O&M charge of \$40 a year, it's \$10 a quarter.

Shawn Burke: Right, agreed.

Supervisor Ruso: \$10 a quarter and we kept it there and it's not building up by a lot of money folks, \$10 a quarter per person.

Shawn Burke: You're talking \$340 a quarter.

Supervisor Ruso: \$340 a month.

Shawn Burke: A quarter. There's 34 of us that live on the road and we each pay \$10 a quarter.

Supervisor Ruso: In the reserve for the Water District, we have \$3,200 and as I said the other night ago, it's not gonna cut the cake by any stretch.

Shawn Burke: Clearly.

Supervisor Ruso: However, if we had more time who knows, but we didn't have that kind of time. It's only been out of the red since I'd say 2015.

Shawn Burke: Once again I agree with you that that's pretty accurate.

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Supervisor Ruso: So anyway that's what our status is at this moment.

Deputy Supervisor Dellisanti: The end of 2016.

Shawn Burke: I agree with that.

Annaliese Lydon: The only thing I wanted to say is I don't like it when you speak for me. I live in Scheller Park and I knew about the Water District.

Tom Russo: You knew about the Water District?

Annaliese Lydon: I did because I've been on the Town Board and going to the meetings and being on the Town Board for 3 ½ years, I was well aware and that was back in the '80s.

Supervisor Ruso: I didn't know that.

Tom Russo: Sorry I spoke...

Annaliese Lydon: Long time ago.

Shawn Burke: And me, too. If I'm speaking out of turn and anyone says anything wrong or I say anything wrong, let me know and I'll correct myself.

Annaliese Lydon: I just had a problem with that because I don't know who you are.

Shawn Burke: I agree with you.

Annaliese Lydon: I feel really uncomfortable that you were saying that because I think there are quite a few people in Scheller Park who know that there is a Scheller Park Water District. I lived in Scheller Park since '99 so.

Shawn Burke: Okay and I absolutely appreciate your statement. It's beneficial to everybody here. I do not want to insult anyone. Can I ask a question? Is there a contract between New Baltimore and Coxsackie as to the water bill and what year was that signed and how many years do we have in that contract?

Supervisor Ruso: It was last signed in 19.., oh I just saw it too, was it a 30-year?

Shawn Burke: It was a 40 year.

Supervisor Ruso: It's a 40 year. It was last signed in 1994 and expires in 2034.

Shawn Burke: Now are we as Scheller Park residents allowed to be charged more for our water than a resident of Coxsackie?

Supervisor Ruso and Others: Yes.

Shawn Burke: And how much is that percentage over and above a normal water bill, how much is the legal amount that we're allowed to be charged?

Supervisor Ruso: It's hard to say. I don't know the Coxsackie water bill so it's hard for me to answer that.

Shawn Burke: If I mentioned a hypothetical percentage of 220%. Would that be something that would ring a bell with you?

Supervisor Ruso: Not specifically.

Many speaking at one.

Louise Albertson: At a Board meeting a couple years ago it was brought out. It was a lot.

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Supervisor Ruso: I can't be sure of your numbers.

Shawn Burke: And that's an approximate number, but I do believe that it's fairly accurate.

Supervisor Ruso: You could be right. I know it's more than the Village of Coxsackie, but how much more I can't say.

Louise Albertson: The one time it was addressed at a Town Board meeting oh maybe 10-15 years ago, time goes by pretty fast, and they were talking about this and one man said 'why are we paying over twice as much for the water' and he held up a jar and the water was all brown and they're trying to say 'well, we're getting the same water.' I said, 'But you're getting it a lot cheaper.' We could tolerate it better that way. There's a lot that goes on. It's like I was telling them on the way over at one point I said I didn't think my meter was working right and could they check it for me. My response from them, them being whoever official I contacted, was 'no, not unless you pay us.' I forgot the number. It's not important, but it says free right in the contract which I have from, that was signed between...

Supervisor Ruso: It sounds like you were there the last time the contract was revised. Is that...?

Louise Albertson: Well, I've been here since 1989.

Shawn Burke: Yeah, it was '94, so...

Supervisor Ruso: It was 1994 is when the contract was last signed.

Louise Albertson: Well, I think it was after that somewhere when I asked.

Supervisor Ruso: It could have been.

Louise Albertson: They just didn't seem to want to address the issue, but you know little things come on that become big things. When we moved in, we were getting billed for several years by two fire departments. Two. And finally I looked at it really close one time because my husband was paying the bill and I didn't pay attention, but okay, then they agreed.

Supervisor Ruso: All I can say that since I've been on the Board, there's only been one fire district that you're billed for. I know that because I'm involved with that.

Louise Albertson: Well, they were billing me, it was Grapeville, Medway.

Shawn Burke: Medway Grapeville.

Louise Albertson: And then there was a different one that was on there and I was paying two of them and, of course, the Assessor didn't like that (unable to understand). I asked how about a refund, 'oh, no, we don't give money.'

Supervisor Ruso: Some of these thing I know that I know a lot of the history of the Town, but the details of the conversation back in whatever year, I'm afraid that I can't... Even if I was there, I'm reluctant to go by my own recollection. I like to see the documents because what I recall and you recall and we're at the same meeting would not necessarily be the same thing.

Louise Albertson: I worked for lawyers for over thirty years and I have a pretty good memory, but may I ask who is overseeing the whole project? You know I mean a lot of things have happened over the years that were really just like building the Thruway?

Supervisor Ruso: At this moment, the details of this are between ourselves – the Town of New Baltimore and the Village of Coxsackie. Mark Evans and I, the Mayor of Coxsackie and I, are on the phone I don't know just about every day. I think we missed yesterday, but we were on today and we talked on Saturday and so forth and most of it just to be in upkeep. The one who is really in charge of the repairs, that's being managed by the help of the lady we saw from the engineering company that the Town has contracted with over the years.

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Shawn Burke: MaryBeth.

Supervisor Ruso: MaryBeth. I think most of you who were here would agree that she really knows her stuff as the details of this project go.

Tom Russo: Can you extend our thank you?

Supervisor Ruso: Yes, I will. In fact I will.

Tom Russo: We appreciate everything she's done.

Shawn Burke: We do. I do, too. A couple of quick questions. I, along with I'm assuming many other Scheller Park residents, would like to see maintenance records that have been done on our road over the last ten years. Are there any maintenance records? Are we allowed to see them?

Supervisor Ruso: Most of those would be minor repairs and they would be accomplished...

Shawn Burke: Are they a public record?

Supervisor Ruso: Of course they are.

Shawn Burke: Okay so we can get those.

Supervisor Ruso: Those would be records that are kept with the Village of Coxsackie Water District.

Town Clerk Finke: You probably would have to FOIL them.

Supervisor Ruso: Yeah, from the Water District.

Shawn Burke: Okay, fair enough. I wrote down here I'm not a water pipe specialist, but I'm running my own business for 40 years. How do we get production from an employee and know they're doing an efficient job? Once again like you said MaryBeth is pretty much in control of engineering and...

Supervisor Ruso: Well, she's working with the construction people, both of the contractors, and she's been pretty much the go-between between all five parties – the Thruway, the construction people, the two different contractors, the Town of New Baltimore and the Village of Coxsackie. She's been the go-between and she's managing a lot of it.

Shawn Burke: Is she available for discussion at any point or is she...?

Supervisor Ruso: Let me call her because I know that she works on projects up and down the River.

Shawn Burke: So she's open for discussion.

Supervisor Ruso: I would generally say yes knowing MaryBeth.

Shawn Burke: Thank you.

Supervisor Ruso: But I don't want to say that because I'm not MaryBeth.

Shawn Burke: I understand, thank you, sir. I believe that is the extent of my questions for the evening. Oh, one more. How many people actually live on Scheller Park Road that would have an opinion on this? How many people live on Scheller Park Road right now? There's 34 of us and 1,2,3,4...

Supervisor Ruso: In the District let's call it that because not everybody lives on Scheller Park Road who's in the District.

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Shawn Burke: Okay, in the Scheller Park Water District, we have eight of us?

Supervisor Ruso: I see more than that.

Shawn Burke: 1-2-3-4-5-6-7-8, nine of us right now. There's 34 of us that live on that road. Is it possible before any finalization comes about if we can get together with our fellow residents and maybe have one more meeting before anything is in stone because I maybe feel like a lot of our residents on Scheller Park Road might be retirees, might not even know this meeting's going on. There's almost none of us here.

Supervisor Ruso: There were more people here the other night ago, there were other people who are not here tonight that were here the other night.

Shawn Burke: Okay, at the other meeting which I was not able to attend. I'm sorry.

Supervisor Ruso: Okay, I can say that before any bonding issues are proceeded with?

Shawn Burke: Yes.

Supervisor Ruso: The answer's yes.

Shawn Burke: Thank you.

Supervisor Ruso: That will be public.

Shawn Burke: Thank you.

Supervisor Ruso: In terms of getting the job done...

Shawn Burke: No, we all want it to be done.

Supervisor Ruso: We've got to get that done and they're still shooting for the end of the month when full service is put into place. Okay, so there you go.

Shawn Burke: Thank you, sir.

Supervisor Ruso: Anything more? Let's proceed.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 76-2020
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Declaration of a Local State of Emergency

Water District #2 Transmission Main Failure

WHEREAS, in 1974, the Town of New Baltimore (the Town) acted to create Water District #2 which encompasses generally the geography of Scheller Park in the Town; AND,

WHEREAS, the Town owns and operates a potable water system serving Water District #2 that includes a water transmission main as well as water distribution lines and appurtenances such as hydrants; AND,

WHEREAS, the source of potable water for Water District #2 is Village of Coxsackie water system via water mains owned and operated by the Town of Coxsackie to a point of interconnection with the water transmission main owned and operated by the Town; AND,

WHEREAS, the transmission main owned by the Town that serves Water District #2 is aged over 100 years, is pit cast iron, and bisects the Thruway Right of Way; AND,

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WHEREAS, on Monday, June 1, 2020, the Town was notified that the water transmission main serving Water District #2 was leaking in the vicinity of the New York State Thruway causing subsidence of the southbound travel lanes, in particular the passing lane, and that immediate action was necessary; **NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING,**

RESOLVED:

1. The break in the water transmission main owned by the Town that lies under the New York State Thruway constitutes a disaster and public emergency wherein the public safety is imperiled due to a lack of potable water in Water District #2.
2. The Declaration of a Local State of Emergency and any immediate related actions are Type II Actions under the State Environmental Quality Review Act as provided in 6 NYCRR Part 617.5(c)(33) which states: “emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part.”
3. Decisions made to fund, approve or undertake Actions taken to address the emergency situation on a permanent basis are also Type II Actions under the State Environmental Quality Review Act as provided in 6 NYCRR Part 617.5(c)(2) and (4) and (5) which state:
 - (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...unless such action meets or exceeds any of the thresholds in section 617.4 of this Part
 - (4) repaving of existing highways not involving the addition of new travel lanes
 - (5) street openings and right-of-way openings for the purpose or repair or maintenance of existing utility facilities
4. In accordance with Executive Law §24.1, a Local ‘State of Emergency’ is hereby declared commencing this date and extending for thirty days or until rescinded by the Town Supervisor, whichever comes first.
5. The Town Supervisor is hereby empowered to promulgate local emergency orders to protect life and property or to bring the emergency situation under control in accordance with Executive Law §24.1.
6. The declaration of a Local State of Emergency shall be published as soon as practicable in a newspaper of general circulation in the area affected by this order and transmitted to the radio and television media for publication and broadcast in accordance with Executive Law §24.2.
7. This Declaration and Order shall become effective immediately.

Motion by Councilmember VanEtten seconded by Councilmember Irving

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: We’re going forward guys, okay. We’ve got to do something so that’s where we’re at.

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 77-2020
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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 2020-06-01 to 2020-06-27, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2020-06-01 to 2020-06-27.

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

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

General \$7,671.42, Highway \$273.76, Sewer 1 \$93,214.01, Sewer 2 \$33.62, Lighting 1 \$1,716.18, Lighting 2 \$154.72 for a Total of \$103,063.71

Upcoming Meetings

- June 24, 2020 Town Board Work Meeting at 7 PM

Supervisor Ruso: The last thing we have here is we have a notice about Upcoming Meetings. For those that aren't as familiar, our Town Board meetings are on the second and fourth Mondays of each month. So I welcome you to attend in the nearby future. However, once in a while we have a change and that change is coming up. Our meeting that was otherwise scheduled for June 22 is moved to Wednesday, June 24. The reasons are there is a Primary on Tuesday and the Board of Elections is coming in to prepare the Meeting Room, that's where some of you may vote. I'm sure that you're in District 4, Election District 4, so you vote there, you know what I'm talking about. So the meeting is being moved to Wednesday, June 24. That's not typical either, we intend it to be in the Town Hall. We're hoping that the openings will happen, a little more clear by then.

Motion by Councilmember Downes seconded by Councilmember VanEtten to adjourn the meeting at 7:43 PM

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: Thank you everybody. Our meeting is over.

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk