

6:30 PM Public Hearing on the Proposed Town of New Baltimore Water District No. 3 Modification

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

MARCH 28, 2022

Please turn off all cell phones and electronic devices.

Reports

Supervisor

- Resolution Determining Significance of the Water District No. 3 Modification
- Resolution Authorizing Water District No. 3 Modification

County Legislator

Town Clerk

Historian

Agriculture/AgFest (Chair Boehlke/Member Irving)

Animal Control (Chair Irving, Member Ruso)

Assessment (Chair VanEtten/Member Ruso)

Audit and Budget (Chair Ruso/Member Downes)

- New York State Department of State Notification that Local Law 2 of 2022 was Filed on March 4, 2022

Buildings & Grounds/Recycling (Chair Irving/Member Boehlke)

Building Inspector/Code Enforcement Officer (Chair Downes/Member Ruso)

Fire, EMS & Law Enforcement (Chair Dellisanti/Member Downes)

Grants/Promotions/Economic Development (Chair VanEtten/Member Ruso)

Greene County Planning Board (Boehlke)

Highway (Chair Ruso/Member Downes)

Insurance (Chair Ruso/Member Downes)

Personnel (Chair Ruso/Member VanEtten)

Planning Board/Zoning Board of Appeals (Chair Boehlke/Member Irving)

Seniors (Chair VanEtten/Member Downes)

Technology/Website (Chair Downes/Member Boehlke)

Town Courts (Chair VanEtten/Member Ruso)

Veterans and Memorials (Chair VanEtten/Member Irving)

Wastewater Treatment (Chair Irving/Member Boehlke)

Youth, Parks and Recreation (Chair VanEtten/Member Boehlke)

Upcoming Meetings

- April 6, 2022 Zoning Board of Appeals Meeting is Cancelled
- April 11, 2022 Town Board Regular Meeting at 7 PM
- April 14, 2022 Planning Board Meeting at 7 PM
- April 25, 2022 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

Audit of Claims

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.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 77-2022
MARCH 28, 2022**

**RESOLUTION DETERMINING SIGNIFICANCE
OF THE WATER DISTRICT NO. 3 MODIFICATION**

WHEREAS, the Town of New Baltimore completed establishment of the Town of New Baltimore Water District No. 3, in the area of Kalkberg Commercial Park, on March 16, 2005;
and

WHEREAS, the New Baltimore Town Board (Town Board) authorized the preparation of a Map, Plan and Report modifying the New Baltimore Water District No. 3 in order to include all parcels that are benefited by the water system, and such a report was prepared and provided to the Town by a Professional Engineer licensed to practice in the State of New York; and

WHEREAS, the Town Board held a Public Hearing on the proposed Water District No. 3 Modification on March 28, 2022 and all persons were duly heard; and

WHEREAS, modification of a Water District is an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has completed and reviewed Part 1, 2 and 3 of the Short Environmental Assessment Form;

NOW THEREFORE BE IT RESOLVED

1. The Town Board is lead agency for this action in an uncoordinated SEQR review.
2. The Town Board determines that the action will not have a significant adverse impact on the environment based on the criteria contained in 6 NYCRR 617.7
3. The Town Supervisor shall sign the Short Environmental Assessment Form indicating thereon that this action will not result in any significant adverse environmental impacts.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Town of New Baltimore			
Name of Action or Project: Modification of Water District No. 3			
Project Location (describe, and attach a location map): Area of Kalkberg Commercial Park and surroundings			
Brief Description of Proposed Action: The Town of New Baltimore authorized the preparation of a Map, Plan and Report modifying the New Baltimore Water District No. 3 in order to include all parcels of land benefited by Water District 3 in the District.			
Name of Applicant or Sponsor: Town of New Baltimore		Telephone: 518-756-6671	
Address: 3809 County Route 51		E-Mail:	
City/PO: Hannacroix		State: New York	Zip Code: 12087
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 63.5 acres			
b. Total acreage to be physically disturbed? _____ 0 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Project is a modification of an existing water district, no change in connections are involved in the modification	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

Project: Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: _____

Date: _____

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The project is the modification of the existing Town of New Baltimore Water District No. 3, in order to include all parcels benefited by the District.
No construction is required for the modification. No adverse environmental impacts of the action have been identified.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of New Baltimore

Name of Lead Agency

Jeffrey R. Ruso

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Town Supervisor

Title of Responsible Officer

Tracey Ledder, Delaware Engineering DPC

Signature of Preparer (if different from Responsible Officer)



TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 78-2022
MARCH 28, 2022**

**RESOLUTION AUTHORIZING
WATER DISTRICT NO. 3 MODIFICATION**

WHEREAS, the Town of New Baltimore completed establishment of the Town of New Baltimore Water District No. 3, in the area of Kalkberg Commercial Park, on March 16, 2005; and

WHEREAS, the Town of New Baltimore and the Village of Coxsackie entered into a Forty (40) year intermunicipal agreement on March 16, 2005, which states that the Village will provide water through existing mains to users in the Town of New Baltimore Water District No. 3, and to such other users as may from time to time be added by extension of mains; and

WHEREAS, the term of the Agreement is forty years, ending March 16, 2045; and

WHEREAS, the New Baltimore Town Board (Town Board) authorized the preparation of a Map, Plan and Report modifying the New Baltimore Water District No. 3 to include certain parcels that are benefited by the water system, and such a report was prepared and provided to the Town by a Professional Engineer licensed to practice in the State of New York; and

WHEREAS, the boundaries of the proposed Water District No. 3 are shown on Attachment A; and

WHEREAS, proposed Water District No. 3 is comprised of 12 parcels which include 4 residential parcels, 3 vacant residential parcels, 1 commercial parcel, 1 industrial parcel and 3 commercial vacant parcels; and

WHEREAS, there is no cost to property owners or the Town of New Baltimore associated with this administrative modification; and

WHEREAS, the typical cost of water to single family property owners in Water District No. 3 will not increase and will be approximately Three-hundred and Sixty-Seven dollars (\$367) per year; and

WHEREAS, all Water District No. 3 parcels will be charged for Repair and Maintenance at Eighty dollars (\$80) per assigned Unit per year beginning in 2022. Residential and small commercial properties are assigned 1 Unit and large commercial and industrial properties are assigned 7.5 Units.

WHEREAS, Water District No. 3 parcels are not currently charged for annual Debt service, and

WHEREAS, an order was adopted by the Town Board on March 14, 2022, reciting the filing of said Map, Plan and Report, identifying the area of the proposed Water District No. 3 Modification, the estimated cost for typical properties, and specifying March 28, 2022 at 6:30 PM in the New Baltimore Town Hall as the time and place for a public hearing on the proposed modification; and

WHEREAS, such order was duly posted and published as required by law; and

WHEREAS, a hearing in the matter was duly held by the Town Board on March 28, 2022 commencing at 6:30 PM at the New Baltimore Town Hall and all persons desiring to be heard on the subject of the proposed water district modification have been heard; and

WHEREAS, the Town Board has given due deliberation to the hearing and the testimony and allegations presented concerning the same; and

WHEREAS, the Town Board has completed the SEQR review of this action and issued a Negative Declaration;

BE IT HEREBY RESOLVED AND DETERMINED:

1. The New Baltimore Town Board finds:
 - a. the notice of public hearing was published and posted as required by law, and is otherwise sufficient;
 - b. all the property and owners within the proposed district modification are benefited thereby;
 - c. all property and property owners benefited are included within the limits of the proposed modification; and
 - d. the modification of Water District No. 3 is in the public interest.
2. The New Baltimore Town Board approves the Water District No. 3 Modification as described in Attachment A.
3. The Town of New Baltimore Clerk shall file certified copies of this resolution and the Final Order Establishing the Water District No. 3 Modification with the Office of the Greene County Clerk and the Office of the New York State Department of Audit and Control within ten days as required by law.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 79-2022
MARCH 28, 2022**

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 2022b-03-01 to 2022b-03-, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2022b-03-01 to 2022b-03-.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until April 30, 2022.