

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

**AUGUST 8, 2022
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Moment of Silence for Former Councilmember Scott Briody

Approval of Minutes

- July 25, 2022 Town Board Work Meeting

Public Comment Period

New Business

- Resolution to Appoint Part-Time Laborer for Town Hall
- Resolution to Submit to Greene County a Request for ARPA Funding to be Applied to the Purchase of a New Highway Department Truck
- Audit of Claims

Upcoming Meetings

- August 22, 2022 Town Board Work Meeting at 7 PM
- September 7, 2022 Zoning Board of Appeals at 7:30 PM (If Needed)
- September 8, 2022 Planning Board Meeting at 7 PM
- September 12, 2022 Town Board Regular Meeting at 7 PM
- September 17, 2022 Townwide Yard Sale Day at 9 AM
- September 26, 2022 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.

TOWN OF NEW BALTIMORE **Draft 8/18/2022**
COUNTY OF GREENE **Adopted 8/22/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
AUGUST 8, 2022 – Page 1

OPENING OF WORK MEETING

Supervisor Ruso opened the Regular Meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Downes, Irving, and VanEtten; Town Clerk Finke; Highway Superintendent VanWormer; and 3 members of the public who signed the attendance book. Absent: Councilmember Boehlke and Deputy Supervisor Dellisanti

Moment of Silence for Former Councilperson Scott Briody

Supervisor Ruso: The Town of New Baltimore and the Town Board here has recently endured the terrible loss of a colleague, friend, neighbor, with the passing of former Councilman Scott Briody a week ago Friday. He had great insights, great questions. He was a resource for so many things. He knew construction, he knew engineering, he knew IT, computer issues. I still called him after he left the Board just two-and-a-half years ago. His passing was a terrible loss. We still feel the sting. Certainly our thoughts are now with his family and we just want to have a moment of silence on behalf of Scott and I think we should do that now.

Supervisor Ruso: Thank you everybody. I know that Scott's services are on Wednesday at 10-1. Certainly if you have the opportunity to pay your respects and speak to his family, I'm sure it will be appreciated.

ADOPTION OF MINUTES

The July 25, 2022 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember VanEtten. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke

Motion Carried

Public Comment Period

None

New Business

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 114-2022

AUGUST 8, 2022

RESOLUTION TO APPOINT PART-TIME LABORER

WHEREAS a vacancy exists for a part-time laborer position and the Town has advertised said vacancy.

RESOLVED that Karen Higgins is appointed to the position of Laborer at a salary of \$17 per hour.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke

Motion Carried

Supervisor Ruso: Now before we get into Resolution 115, I've asked our Town Highway Superintendent to join us if he could step up and be ready to answer our questions, sir. The next resolution is about a grant opportunity that we have to purchase a truck. Now to refresh everybody's memory we have committed to buying a truck last August for plowing to replace

TOWN OF NEW BALTIMORE **Draft 8/18/2022**
COUNTY OF GREENE **Adopted 8/22/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
AUGUST 8, 2022 – Page 2

one of our older vehicles. The economy and the labor factors and so forth and supplies have pushed that, they're not even gonna start building the truck that we ordered until December correct? And what's the anticipated delivery date?

Highway Superintendent VanWormer: Correct. They have no idea. Depending on how parts come in it could be soon, it could be not soon.

Supervisor Ruso: Now when we bought that truck and we discussed it in the past, the Town Board has, that we will have a need for another truck before long as our fleet is aging. So we have been in conversations multiple times about a second new truck, but what you have in mind is not a plow truck, you called it a haul truck.

Highway Superintendent VanWormer: Correct.

Supervisor Ruso: Maybe it was my own exuberance. I heard plow truck, that's what I thought it was all along until recently. Alan told me otherwise. So anyway I just want to make sure that the Town Board is okay and fine with that before we proceed. Does anyone have any thoughts or Alan ought to explain the need for that truck is probably a better point.

Highway Superintendent VanWormer: We've already ordered one truck, a plow truck. It's a six-wheel truck, it's not a tandem axle, all wheel drive for plowing. We've tossed it around. I've talked it over with the guys. With one additional new plow truck, I think that would put us in a good position as far as plow equipment goes for the near future. Our two haul trucks, our ten wheeler tandem axle trucks, one's an '85 and one's a '96. They're starting to get tired. In fact the '96 is at W&W right now, the transmission's out of it. I have no clue how much it's gonna cost to fix it. When I talked to Jeff on Friday, if it's not an exuberant amount to fix it, because the truck is actually in decent shape I would recommend fixing it, keeping that one and when the new one comes, get rid of the '85 because the '85 is the one we just rebuilt the motor in and right now knock on wood it's running like a Swiss watch but we don't know for how long. The pros on the tandem ten-wheeler, it will haul twice as much material as a single axle. I mean if we're hauling sand or we're hauling stone and we're hauling it with single axles, we're hauling nine maybe ten ton in a rig. On a tandem you're gonna haul 15 to 20 tons at a time. So it's gonna save a lot of wear and tear on those smaller trucks hauling stone. I mean you're making two loads to one if you're hauling with a tandem compared to hauling with a single axle. So it's gonna take a lot of wear and tear off the single axle trucks being able to haul material on a bigger truck.

Councilmember VanEtten: So this is a really big dump truck.

Highway Superintendent VanWormer: Yeah, like Robby's big red ones, it's just a little bit smaller than that.

Supervisor Ruso: Does anyone know the size of Robby's red ones? I certainly do not.

Councilmember VanEtten: I don't know the size and they're mine, too, but I don't know the size of them.

Highway Superintendent VanWormer: With the new plow truck, that will put us up to seven. That would include a spare. Right now we do not have a spare so if something breaks down in the winter, we usually try with either a pickup truck or a little truck to keep up with that route until we can get it fixed. That would give us a spare truck.

Supervisor Ruso: Are you suggesting you would want to purchase a plow truck, a haul truck, and then another plow truck is that what I thought I heard?

Highway Superintendent VanWormer: Yeah, like once these are paid off, well that will be after me. That will be up to the next guy.

TOWN OF NEW BALTIMORE **Draft 8/18/2022**
COUNTY OF GREENE **Adopted 8/22/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
AUGUST 8, 2022 – Page 3

Supervisor Ruso: Okay, yes, I think that the age of our fleet is bringing us to...

Highway Superintendent VanWormer: So we'll have one new plow truck, we'll have one new haul truck. That's a start.

Supervisor Ruso: Right now you're not proposing another plow truck thankfully.

Highway Superintendent VanWormer: No, no.

Councilmember Downes: So I guess I need to understand a little bit more of the difference between the plow truck and this haul truck. This haul truck we're only gonna use it in the summer correct so the plow truck we use summer and winter? We drop the plow.

Highway Superintendent VanWormer: Yes, we can, yes. It does have a dump body on it so that can be used in the summer as well. That will be a year-round truck.

Councilmember Downes: That will be a year-round truck, but because the dump is so much smaller...

Highway Superintendent VanWormer: Right. Say we're hauling material from Callahan to the Shop, they're gonna make two trips to every one if we're using a smaller truck.

Councilmember VanEtten: So you're saving on gas.

Highway Superintendent VanWormer: Correct. Yeah, gas, wear and tear, tires, everything really.

Supervisor Ruso: People.

Councilmember Downes: So do we have the manpower to run this truck? Do we have people that are experienced enough to run these trucks?

Highway Superintendent VanWormer: Oh, yeah, we have two of them already. They're just old. We have two tandems right now.

Supervisor Ruso: Any other questions for...?

Councilmember Irving: Can you outfit a tandem truck with a plow if you had to?

Highway Superintendent VanWormer: You could, but a lot of our roads aren't built for that, like our turnaround spots and stuff are very small. So getting a tandem axle truck turned around and headed back the other direction would be challenging. I mean we certainly could if we had wider and bigger roads.

Councilmember Downes: Could we reroute something so that that truck was specific for our larger roads?

Highway Superintendent VanWormer: Really I don't know where I would put it to be honest with you.

Supervisor Ruso: So what we have in mind here, I'll go to the resolution unless anyone has any other concerns.

Councilmember Downes: So who would be driving this specific truck?

Highway Superintendent VanWormer: Anybody could drive it. It would probably Scott, he's the one that normally drives the '96. It would probably be the '85 because if we're gonna put a

TOWN OF NEW BALTIMORE **Draft 8/18/2022**
COUNTY OF GREENE **Adopted 8/22/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
AUGUST 8, 2022 – Page 4

transmission in '96, I'm gonna keep it. I'm not gonna spend that kind of money on it and get rid of it so we would probably get rid of the '85 which is the one Gerard usually drives.

Councilmember VanEtten: And they all have CDL's and that's all that's required.

Councilmember Downes: Right, but I'm just looking at experience. We're putting all this money into a tandem truck, I just want to make sure we have the experience. We're not just dumping money into something and we don't have the experience to use it to it's capabilities I guess is my point on that. But we do at this point have two people that can run that truck without an issue.

Highway Superintendent VanWormer: No, it's not gonna be one of the new guys that's driving it.

Supervisor Ruso: Now you had told me that the turnaround time for ordering and receiving a haul truck is significantly different than the turnaround time for a plow truck.

Highway Superintendent VanWormer: That's correct.

Supervisor Ruso: So you're suggesting that even though if we order this truck soon that it will be received before the truck that we ordered last August.

Highway Superintendent VanWormer: That's correct. That's what they're telling...

Supervisor Ruso: Can you explain that to the Board better than I could.

Highway Superintendent VanWormer: That tandem axle believe it or not is a quicker, easier build than the single axel with all the plow equipment. The tandem is pretty much it's the cab and chassis with a dump body fairly easy, fairly quick to build where the single axle it's got all wheel drive which takes time to build, it's got all the plow equipment's got to be put on, the hydraulic system, the special electrical system. It just takes a lot longer to build one with all the plow and sanding equipment on it than it does a straight out dump truck.

Councilmember Downes: So even if we had flipped it and said let's get the haul truck loaded for snow, it would still take us a long...

Highway Superintendent VanWormer: Right, it would take longer actually.

Councilmember Downes: Right, as long to get the snow plow.

Supervisor Ruso: Did you have a rough receipt time were we to order it this month?

Highway Superintendent VanWormer: He told me we'd have it by March because that was a specific question I asked him if we would have it by March. I said 'we have this money coming, but we have to spend it by March' and he said 'you'll have it by March if you order it quickly.'

Supervisor Ruso: So something else for the Board to refresh your memory, we've been putting money into our Highway Reserve Account for a couple years and we have a few dollars in there, \$250,000 and some coins. The truck we've already ordered has a price of \$206,000 and the truck that Alan would like to have has a very similar price tag or do I have it flip-flopped?

Highway Superintendent VanWormer: No, it's \$208,000 for the first one, \$206,000 for the second one.

Supervisor Ruso: And we were going to pay for that out of our Reserve fund and would leave a bit, \$30-some-thousand, \$40,000, in our Reserve Account that would hopefully be built up towards the next truck. However, there is a grant opportunity and Greene County has excess

TOWN OF NEW BALTIMORE **Draft 8/18/2022**
COUNTY OF GREENE **Adopted 8/22/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
AUGUST 8, 2022 – Page 5

ARPA funds and they have offered to every Town in the County a grant of \$100,000. That \$100,000 must be used on ARPA-eligible purchases and I spoke with our Town Attorney and I asked if the purchase of a plow truck would be an acceptable ARPA project? And what was our Attorney's answer?

George McHugh, Esq.: Yes, it is.

Councilmember Downes: What you just said is acceptable for a plow truck, is it acceptable for a haul truck?

George McHugh, Esq.: Acceptable for anything with the Highway Department.

Supervisor Ruso: One of the strings on the County is that we have to have our application in by September. I think it was September 2nd and the commitment or expenditure must be made by the end of March so this gives us an opportunity to have much of this truck funded -- \$100,000 out of the \$206,000 – so this gives us \$100,000 that we don't have to worry about financing, don't have to worry about anything so in essence that's what the resolution we have before us.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 115-2022
AUGUST 8, 2022

RESOLUTION TO SUBMIT TO GREENE COUNTY A REQUEST FOR ARPA FUNDING TO BE APPLIED TO THE PURCHASE OF A NEW HIGHWAY DEPARTMENT TRUCK

WHEREAS, the Town of New Baltimore Highway Superintendent has identified the need for a new Haul Truck, and

WHEREAS, the new Haul Truck is a model 2023 HX620 Internal Truck, and

WHEREAS, the cost of said truck using New York State contract (# 8996) is priced at \$206,479; and

WHEREAS, the Greene County Legislature has adopted by Resolution No. 88-22 that each town and village in Greene County is offered the sum of One Hundred Thousand Dollars that would be expended toward an ARPA eligible project; and

WHEREAS, the guidelines for this purchase of highway equipment meets the requirements of ARPA;

NOW THEREFORE BE IT RESOLVED, The Town Supervisor shall submit to the Greene County Administrator the application to use the \$100,000 from Greene County to provide the Town of New Baltimore funding toward the purchase of said Highway Haul Truck.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Councilmember Downes: So just because of the way everything's been going with materials, could if we get waylaid for some reason and we can't finish it by March or we can't get the expenditure, can we use that \$100,000 as a down payment so that it gets out the door?

Highway Superintendent VanWormer: We actually talked that over a little bit too.

Supervisor Ruso: Right, we talked that over and even if the truck wasn't here, we could actually pay this ahead of time, this \$100,000 in anticipation of receipt of that truck so the answer is...

TOWN OF NEW BALTIMORE **Draft 8/18/2022**
COUNTY OF GREENE **Adopted 8/22/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
AUGUST 8, 2022 – Page 6

Councilmember Downes: So it's not one of those that we have to show we bought it and we received it and then we'll get our money back. I just want to make sure we don't lose it.

Supervisor Ruso: Right. We don't want to lose out on \$100,000. We have a good need for it.

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 116-2022

AUGUST 8, 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 2022-08-01 to 2022-08-30, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2022-08-01 to 2022-08-30,

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

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke

Motion Carried

General \$8,096.35, Highway \$20,486.94, Sewer 1 \$298.09, Sewer 2 \$306.57, Lighting 2 \$204.73, Total \$29,392.68

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Supervisor Ruso: I'm going to make a Motion that we go into Executive Session for discussion that will involve the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.

Councilmember VanEtten: Second.

TOWN OF NEW BALTIMORE **Draft 8/18/2022**
COUNTY OF GREENE **Adopted 8/22/2022**
TOWN BOARD REGULAR MEETING
TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087
AUGUST 8, 2022 – Page 7

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke

Motion Carried

The Town Board left for Executive Session at 7:21 PM.

Supervisor Ruso: Thank you everybody for your patience. I'll make a Motion to reconvene our Town Board Meeting.

Councilmember Downes: I'll second.

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Boehlke

Motion Carried

The Town Board meeting resumed at 7:40 PM.

Supervisor Ruso: We had an Executive Session the purpose of which is things we can't discuss in public, but there was no action taken during our Executive Session. That's all I can say at this time.

Public Comment Period/Community Events

None

Motion by Councilmember Downes seconded by Councilmember VanEtten to adjourn the meeting at 7:42 PM.

AYES: Ruso, Downes, Irving, VanEtten

NAYS:

ABSTAIN

ABSENT: Boehlke

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk