

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

FEBRUARY 13, 2023

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Correspondence

- New York State Department of State, Notification of Filing of Local Law 1 of 2023
- New Baltimore Board of Fire Commissioners Notice of Public Hearing of Proposed Local Law Providing Real Property Tax Exemption for Volunteer Firefighters and Ambulance Workers on February 24, 2023 at 7PM at the New Baltimore Fire House

Approval of Minutes

- January 23, 2023 Town Board Work Meeting

Public Comment Period

New Business

- Resolution to Set Public Hearing for Local Law 2 of 2023, a Local Law Providing Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-A of the Real Property Tax Law
- Resolution to Authorize the Town of New Baltimore to Participate in County Highway Purchases
- Audit of Claims

Upcoming Meetings

- February 20, 2023 Town Offices Closed for Presidents' Day
- February 27, 2023 Public Hearing on Local Law 2 of 2023 at 6:30 PM
- February 27, 2023 Town Board Work Meeting at 7 PM
- March 1, 2023 Zoning Board of Appeals Meeting at 7:30 PM if Needed
- March 9, 2023 Planning Board Meeting at 7 PM
- March 13, 2023 Town Board Meeting Regular Meeting at 7 PM
- March 27, 2023 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.

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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 Boehlke, Downes, Irving, and VanEtten; Deputy Supervisor Dellisanti; Town Attorney George McHugh; Town Clerk Finke; Highway Superintendent VanWormer; and 4 members of the public who signed the attendance book. Absent: Highway Superintendent VanWormer

Correspondence

Supervisor Ruso: This is in relation to Local Law #1 of 2023 specifically for those that don't know this, this was for the income-based exemption that we did last month.

Department of State 'RE: Town of New Baltimore, Local Law 1 2023, filed on

January 30 2023 Dear Sir/Madam: The above revered material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov. Sincerely, State Records and Law Bureau'

New Baltimore Fire Commissioners 'NOTICE OF PUBLIC HEARING New Baltimore Board of Fire Commissioners will hold a special meeting on February 24, 2023 at 7:00 pm at the New Baltimore Fire House located on Gill Road in New Baltimore for Proposed Local Law Providing Real Property Tax Exemptions for Volunteer Firefighters And Ambulance Workers Pursuant to Section 466-A Of The Real Property Tax Law. Lisa Johnston Secretary of Board of Commissioners'

ADOPTION OF MINUTES

The January 23, 2023 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember Downes. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Public Comment Period

TJ Davis: I'm just here to make sure you adopt that resolution. I was told I have to do a resolution which doesn't make any sense to me because we're the guys looking to benefit from it, but that's what I'm doing next Monday night which is what the Special Meeting is about. I was told we have to adopt that resolution.

\\TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 39-2023

FEBRUARY 13, 2023

**RESOLUTION SETTING PUBLIC HEARING FOR A PROPOSED LOCAL LAW
PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER
FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A
OF THE REAL PROPERTY TAX LAW**

BE IT RESOLVED, that the Town Board of the Town of New Baltimore will hold a Public Hearing on February 27, 2023 at 6:30 PM at the Town Hall, 3809 County Route 51, Hannacroix, New York to hear those members of the public who wish to be heard regarding proposed Local Law 2 of 2023, a Local Law providing real property tax exemptions for volunteer firefighters and ambulance workers pursuant to Section 466-A of the Real Property Tax Law.

PROPOSED LOCAL LAW #2 OF 2023

BE IT ENACTED by the Town Board of the Town of New Baltimore, as follows:

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SECTION I. Legislative intent and purpose.

- a. The Town Board of the Town of New Baltimore finds and determines that attracting and retaining quality volunteer firefighters and emergency medical personnel is one of the most critical problems facing our community and that maintaining effective emergency protection depends on the ability to train and retain volunteers.
- b. The Town Board finds and determines that it is essential for the Town to provide real property tax exemptions as an incentive to attract new volunteers and help combat a persistent and alarming decline in the number of volunteers serving as active responders to fire and medical emergencies and unless recruits are found to replace retiring volunteers and seasoned members are encouraged to continue their volunteer service, the health and safety of citizens served by the volunteer firefighter and emergency medical personnel corps may be jeopardized.
- c. The Town Board further finds and determines that real property tax exemptions are an appropriate way to recognize the personal sacrifices and dedication of these community-spirited men and women who unselfishly give their time and risk their safety to protect their neighbors without compensation.
- d. The purpose of this Local Law is to adopt the real property tax exemptions provided for volunteer firefighters and emergency medical personnel in accordance with Section 466-a of the Real Property Tax Law to read as follows.

Section 1. Real Property Tax Exemption. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the Town of New Baltimore shall be exempt from taxation to the extent of 10 percent of the assessed value of such property for Town purposes, exclusive of special assessments.

Section 2. Qualifications. Such exemption shall only be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance services if:

- (a) the applicant resides in the Town of New Baltimore and is a member of an incorporated volunteer fire company or fire department or incorporated voluntary ambulance service which provides service within the town.
- (b) the real property which is the subject of such exemption is the primary residence of the applicant.
- (c) the real property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this Local Law.
- (d) the applicant has obtained and displayed a certificate issued by the authority having jurisdiction for the incorporated volunteer fire company or fire department indicating that the applicant has been an enrolled member of such incorporated volunteer fire company or fire department for at least two years or the applicant has been certified by the authority having jurisdiction for the incorporated voluntary ambulance service as an enrolled member of such incorporated voluntary ambulance service for at least two years.

Section 3. Continuation of eligibility requirements. The applicant shall maintain continual eligibility for the exemption by being a continuously active member of the incorporated volunteer fire company, fire department, fire district, or incorporated voluntary ambulance service. An active member shall meet the requirements for active service as defined by each company, department or corporation. Annual attestation by such company, district or corporation is required to maintain this exemption.

Section 4. Twenty-year active members. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service, as defined in Section 3 hereof, and is so certified by the

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authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the Town of New Baltimore.

Section 5. Un-remarried Surviving Spouses of Volunteers killed in the line of duty. An un-remarried spouse of a volunteer firefighters or volunteer ambulance workers killed in the line of duty may receive the real property tax exemption if:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service who was killed in the line of duty; and.
2. Such deceased volunteer had been an enrolled member for at least five years; and.
3. Such deceased volunteer had been receiving the exemption prior to his or her death.

Section 6. Un-remarried Surviving Spouses of Volunteers with at least Twenty Years of Service. An un-remarried spouse of a volunteer firefighters or volunteer ambulance workers with twenty years of service may receive the real property tax exemption if:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service.
2. Such deceased volunteer had been an enrolled member for at least twenty years.
3. Such deceased volunteer and un-remarried spouse had been receiving the exemption of such property prior to the death of such volunteer.

Section 7. Application process.

1. Applications for such exemption shall be filed with the assessor of the town on or before the taxable status date on a form as prescribed by the New York State Commissioner for the Office of Real Property Tax Services.
2. The assessor of the town shall have the duty and responsibility of procuring and filing a copy of such certification prior to granting the exemption provided for by this Local Law.

Section 8. No diminution of current benefits. No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of law on the effective date of this Local Law shall suffer any diminution of such benefit because of the provisions of this Local Law.

SECTION II. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Supervisor Ruso: Any discussion, any questions? I will add that I was attending a Zoom meeting today. There's still a lot of questions, still a lot of forms. I see we have a representative from New Baltimore, I just spoke to Medway. There are some issues certainly. It doesn't grant any exemptions for people who serve our districts but live outside the Town and as was pointed out I cannot grant an exemption for the Town of Greenville or in the case of the person I spoke to earlier or for Coeymans. I can't do that. There are other things this has to be in the forms that we had, they must be in by March 1. Third point is the Fire District and I know you know this, but I think I need to reiterate that, I mean we're on camera too, you folks have to certify and it must be signed by an authority with a title. As I heard today some assessors have received in Greene County something off a notepad signed at the bottom and they don't know who signed it. It needs to be an authority of the fire district, commissioner of

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some sort which makes sense otherwise I certify you, you certify me and we're all good. But those are important points. So you need to get your list together and submit the letter to us and make sure your members if you could please get this in, we don't want to leave anybody out. The other questions were about the school districts which we still don't have an answer. I hear it's not gonna happen, Coxsackie-Athens will, but the other two school districts it is doubtful they'll have it before March 1.

George McHugh, Esq.: RCS will not.

Supervisor Ruso: They're not gonna do it at all?

George McHugh, Esq.: Well, they are, but they will not have it before March 1.

Supervisor Ruso: Well I heard the same thing, when you said not it was a surprise to me.

TJ Davis: I understand Coxsackie said they would be, I don't know what Ravena status was. That's a problem in this Town is that Ravena School District, Coxsackie and Greenville.

Supervisor Ruso: You're absolutely right, sir. But RCS won't have theirs until after...

George McHugh, Esq.: Next year.

Supervisor Ruso: It won't be effective until September of 2025 for them.

George McHugh, Esq.: September of 2025 for RCS because they're not gonna have it done until next year.

TJ Davis: That being said, I don't see a lot of guys... The worse part of our taxes, mine anyway, is RCS School District.

Supervisor Ruso: I'll reiterate some of the points you have and that is unless you are paying County and Town taxes to a level greater than \$2,000, you're losing money. So in those cases if your home is valued at higher, please fill out the form. But for those others, and I'm not here to tell people how to do their taxes, but I recognize your point and I don't know how to resolve that. I think that would have to be something between your members and the school district and I don't think they have the time.

TJ Davis: They're not even gonna make it by the deadline to have the paperwork in so it's all kind of senseless.

Supervisor Ruso: I was informed today and I don't know if this is exactly true but I know we have a certain number of days for a Public Hearing required of the towns. I'm informed that schools have a 30-day requirement and I don't know if that's true.

George McHugh, Esq.: I don't know. I just talked to a Board member and they said they definitely will not have it done before March 1 of this year.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: So we will proceed on this on the 27th.

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 40-2023
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**RESOLUTION TO AUTHORIZE THE TOWN OF NEW BALTIMORE
TO PARTICIPATE IN COUNTY HIGHWAY PURCHASES**

WHEREAS Greene County has contracted for certain highway materials, equipment and supplies for 2023 and has adopted Resolution 21-23 on January 18, 2023 authorizing municipalities to participate in County highway purchases.

WHEREAS the Highway Superintendent will continue to follow the Procurement Policy adopted on January 1, 2023.

RESOLVED that the Town Board authorizes the Highway Superintendent to purchase certain highway materials, equipment and supplies during the year 2023, subject to the rules heretofore and hereafter adopted by the County pursuant to Section 408-A of the County Law.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 41-2023
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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 2023-02-01 to 2023-02-52, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2023-02-01 to 2023-02-52.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until March 31, 2023.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

General \$684,628.74 which includes both payments to the Fire Districts, Highway \$16,780.85, Sewer 1 \$816.11, Sewer 2 \$274.52, Water 2 \$25,090.59, Street Lighting 1 \$2,584.19, Street Lighting 2 \$394.93, Total \$730,569.93

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Upcoming Meetings

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Public Comment Period/Community Events

Ellie Alfeld: Could I please ask what the checks were for for the fire companies?

Town Clerk Finke: We collect the tax, the tax part of that on the bill.

Supervisor Ruso: We collect taxes on their behalf. In terms of other upcoming events tomorrow I will be attending another meeting of the Greene County. I'm on the Greene County Advisory Committee for the Aging. As you probably well know it was quite awhile since we had a representative of New Baltimore who attended.

Ellie Alfeld: And I think that was noted when we had a meeting at Pegasus for Seniors by the Department of the Aged.

Supervisor Ruso: I know and by all the people there who said New Baltimore's here and when I show up and it was quite a surprise to them.

Ellie Alfeld: Well, yeah, we thought it was a party not a Town meeting.

Adjournment

Motion by Councilmember Downes seconded by Councilmember VanEtten, the meeting was adjourned at 7:22 PM

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk