

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

**JULY 10, 2023
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Moment of Silence for Todd Smith, Retired Highway Department Employee

Approval of Minutes

- March 27, 2023 Public Hearing on Local Law 4 of 2023
- March 27, 2023 Public Hearing on Local Law 3 of 2023
- March 27, 2023 Town Board Work Meeting
- April 26, 2023 Town Board Work Meeting
- June 26, 2023 Town Board Work Meeting

Public Comment Period

New Business

- Resolution to Authorize Town Supervisor to sign a contract with Fancy Face Creations for face painting on Family Fun Day.

Upcoming Meetings

- July 13, 2023 Planning Board Meeting at 7 PM
- July 15, 2023 Veterans Committee Picnic at Cecil Hallock Park at 12 PM
- July 24, 2023 Town Board Work Meeting at 7 PM
- August 12, 2023 Family Fun Day at Cecil Hallock Park at 12 PM
- August 14, 2023 Town Board Regular Meeting at 7 PM
- August 28, 2023 Town Board Work Meeting at 7 PM
- September 16, 2023 Townwide Yard Sale Day at 9 AM

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.

This policy will be amended by Majority vote of the Town Board.

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OPENING OF WORK MEETING

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, and VanEtten; Deputy Supervisor Dellisanti; Town Clerk Finke; and 9 members of the public who signed the attendance book.
Absent: Councilmember Irving and Highway Superintendent VanWormer

Moment of Silence for Todd Smith, Retired Highway Department Employee

Supervisor Ruso: Our first order of business is a bit of a somber point. We have the passing of one of our Highway Department employees, retired about five years ago thereabouts and that would be Todd Smith. Todd Smith joined us in January of 1999 and retired 2017-2016 in that range. So I think what we need to try to provide here is a Moment of Silence for Todd Smith and let's do that now. Thank you everybody.

ADOPTION OF MINUTES

The March 27, 2023 Public Hearing on Local Law 4 of 2023 submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmembers Boehlke and VanEtten. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Downes, VanEtten

NAYS:

ABSTAIN:

ABSENT: Irving

Motion Carried

The March 27, 2023 Public Hearing on Local Law 3 of 2023 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, VanEtten

NAYS:

ABSTAIN:

ABSENT: Irving

Motion Carried

The March 27, 2023 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, Boehlke, Downes, VanEtten

NAYS:

ABSTAIN:

ABSENT: Irving

Motion Carried

The April 26, 2023 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember Boehlke. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Downes, VanEtten

NAYS:

ABSTAIN:

ABSENT: Irving

Motion Carried

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The June 26, 2023 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember Boehlke. The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

AYES: Ruso, Boehlke, Downes, VanEtten

NAYS:

ABSTAIN:

ABSENT: Irving

Motion Carried

Public Comment Period

Harold Vadney: I'm a resident of New Baltimore, New Street, would like to briefly refer to my letter of July 7, 2023 to the Town Board, Town Council, Mr. VanEtten, Mr. Linger, Mr. VanWormer, and I'll proceed on the presumption that you've all reviewed and read that communication. It appears that the line separating the operations of the Town of New Baltimore and the role of Supervisor, Deputy Supervisor, County Legislature, and the members of the Town Board and the objectives of the New Baltimore Republican Committee has been blurred if not totally erased. Furthermore it appears also that the Town Supervisor, Mr. Jeffry Ruso, acting in the same time as Chairman of the New Baltimore Republican Committee, a committee including Mr. Nick Dellisanti, Mr. Pat Linger, and others close to Town administration including those present sitting at the front table now has abused this office and the duty of confidentiality of the interdepartmental operations of the Town of New Baltimore and the conduct of Town employees. Information he has been privileged, received or have access to in virtue of his public office as Town Supervisor and illicitly if not unlawfully to act in party political interests over and against the interests of the Town of New Baltimore and to publish otherwise privileged information relating to the operations of town government particularly the operations of the New Baltimore Highway Department, it's staff and employees, and it's duly elected Superintendent of Highways, Mr. Alan VanWormer. Since the allegations were published on a public platform to wit Facebook and thus made accessible to the broader public in and far beyond the Town of New Baltimore indiscriminately or in a manner indifferent to the privileged nature of those facts alleged and substantive facts relating thereto.

Supervisor Ruso: Alright, listen, hold on. You're talking about Facebook posts and that is not official Town business and that has no bearing on this meeting.

Harold Vadney: It's not about the Facebook post...

Supervisor Ruso: Secondly, secondly...

Harold Vadney: It's about your misconduct. Excuse me.

Supervisor Ruso: No, excuse me.

Harold Vadney: My Point of Order. Excuse me. Point of Order.

Supervisor Ruso: Listen, Bub, this is not a place for accusations.

Harold Vadney: My name is not Bub, have some decorum, my name is Harold Vadney.

Supervisor Ruso: I've heard you over for the last three minutes. You do not make accusations in this forum, there are other forums for you to do so. You can do that.

Harold Vadney: You do not make determinations unilaterally on behalf of this Town Council.

Supervisor Ruso: Alright, you're dismissed, sir. You are dismissed. You are dismissed. Okay, this is not a forum for accusations. There are courts, there are places you can file complaints with any place...

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Harold Vadney: Excuse me. Excuse me. This is a public forum. This is a public forum.

Councilmember VanEtten: Yeah, for the Agenda.

Supervisor Ruso: But it's not your public forum, it's for everybody.

Harold Vadney: This is a public forum for any citizen who shows up here.

Supervisor Ruso: You're not gonna come in here.

Harold Vadney: And duly addresses this Town Council about the conduct of this Town Council, the conduct of Town business whether or not you like it.

Supervisor Ruso: Have you read our proceedings on how to proceed in this case?

Harold Vadney: Your proceedings are in part unlawful and...

Supervisor Ruso: There's more accusations.

Harold Vadney: Your proceedings are in part unlawful and do not comply with the Open Meetings Law.

Supervisor Ruso: By the way, I apologize for calling you Bub, but nevertheless.

Harold Vadney: You don't have to apologize, it's in your nature. That's the way you conduct business here.

Supervisor Ruso: Thank you, sir. You're dismissed.

Harold Vadney: Okay, you can read this online on Facebook by the way.

Supervisor Ruso: Of course. That's a good forum to proceed with. That's perfectly right.

Harold Vadney: Exactly. You seem to like it a lot.

Supervisor Ruso: I do not.

Harold Vadney: Oh?

Supervisor Ruso: Yes, oh.

Harold Vadney: Oh?

Supervisor Ruso: I don't think I've posted anything in a year.

Harold Vadney: You posted something on the 25th of February, excuse me (many speaking at once).

Supervisor Ruso: Enough's enough, we're not talking about Facebook. But I don't post on Facebook just so you know.

Harold Vadney: Excuse me, excuse me. You're Chairman of the New Baltimore Republican Committee. Six members of this Town government are members of that Committee plus three appointed members.

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Supervisor Ruso: You're going to have to come in here and act appropriately okay. This is not a forum. I'm not gonna accept you to come in here and make accusations against anybody. I've gaveled people down when they've made public comments, accusations against other people and I'm not gonna have you continue to do that.

Harold Vadney: You have no rules of procedure here.

Supervisor Ruso: This is. There is, it's in front of you, sir.

Harold Vadney: You have no rules of procedure here. What rules of procedure are you following?

Supervisor Ruso: We have them and they're before you, sir.

Harold Vadney: What rules of procedure are you following? Are you following Roberts? What rules of parliamentary procedure are you following?

Supervisor Ruso: The ones decided on by this Town Board.

Harold Vadney: What are they?

Supervisor Ruso: They're right there. They're attached to the agenda.

Harold Vadney: Excuse me. Those are guidelines for people who come in here and presume that they have the right of public comment and if you read those, and I've already commented in writing on several points of your guidelines. Now I don't know who wrote those but they certainly weren't written with the advice of counsel. I'm not a lawyer but even I know that.

Janet Kash: As you all probably really know Matthews Point Road really got slammed on July 4. We had trees down into lines, lots of property damage. I have a claim in for my car because a tree fell on it. So, yeah, I just want to commend the Town Highway Department and the Cornell Fire Company for their amazingly quick response that went on for days you know reaching out to Central Hudson, working with the County Highway Department to get everybody back to where they needed to be. Um you know we were without power for awhile, but man, I mean the damage from that storm, it came out of nowhere. I mean we had heard that they just shut down the Empire State Plaza and told everybody to go inside so that they could avoid the storm and they stopped the fireworks, Sheila E. couldn't even play and then this thing. It's like we were sitting inside and I usually like to sit outside during a storm and my husband was outside drumming on the porch, I said 'you better get in here.'

Supervisor Ruso: Oh, you're outside your home okay.

Janet Kash: Yeah, we were sitting out on the porch, but you know it turned so black and then everything came and it was really like watching a monsoon, but...

Supervisor Ruso: It was like a squall of some sort.

Janet Kash: Yes.

Councilmember VanEtten: Thank God no one was hurt.

Janet Kash: It was crazy, but the amount of damage that was done to Matthews Point Road was extraordinary. I know 144 also ended up being closed, but the Town Highway Department and the fire department were just right there and I just want to commend them for their hard work.

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Supervisor Ruso: I saw them out late at night. I think I saw the excavator, I don't know who was driving it, at about 11:30 drive past my house. I don't know if it was Scott or Alan.

Janet Kash: Yeah, they were coming through.

Scott VanWormer: That was Alan with the backhoe.

Janet Kash: Yeah, he came and he cleared my debris which was very, very nice not that we had very much, but anyway that's just what I wanted to say.

Supervisor Ruso: When did the power come back on did you recall?

Janet Kash: Ours went out around 9 and I think we got ours back around 1 in the afternoon maybe so it wasn't as bad as other people had and our damage on our property wasn't as bad as it was down the hill and other places.

Supervisor Ruso: Well, it hit just down the river, down the hill.

Councilmember VanEtten: Coxsackie got hit pretty bad too.

Janet Kash: It was pretty awful and it came so fast and it was so loud.

Supervisor Ruso: And there were people two miles away what happened?

Janet Kash: Kathy Peacock had this great big stump that came down and almost killed her yucca plants, but that's okay.

Supervisor Ruso: Ellie just said nothing was at our house. We had a (unable to understand) storm.

Ellie Alfeld: Independence Lane didn't have anything but one broken tree and it was on somebody's lawn nowhere near a house or any destruction.

Supervisor Ruso: All's well that ends well. The most important thing is nobody got hurt and people could have easily got hurt.

Janet Kash: Yeah, everybody worked really hard. I just want to acknowledge everybody's hard work, everybody working together and just one more note which is slightly unrelated. As you know yesterday we had a big rainstorm again and we had to cancel the 2023 New Baltimore Music and Arts Festival, but we going to try to do that again in September when the weather is better and we'll be back to the Town Hall to get our permit and all of that going.

Supervisor Ruso: Okay, let us know the date, it's down at Cornell right?

Janet Kash: We do it at Cecil Hallock Park and we were glad to find out that because we cancelled, the baseball team was able to come in before the storm hit. But anyway thank you very much, just wanted to commend folks for all of their hard work.

Supervisor Ruso: Alright, very good. Okay, thank you.

Eilleen Vosburgh: I just wanted to get an update on the union contract. Is there any update?

Supervisor Ruso: Not really much. We just had some outreach from the union rep in the past number of days, within the last week. Is it before 4th of July or since 4th of July?

Deputy Supervisor Dellisanti: Saturday we had a conference call.

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Supervisor Ruso: Oh, yeah, with our attorney, but that was based upon an outreach from the union to him.

Deputy Supervisor Dellisanti: We're waiting for a date.

Supervisor Ruso: Yeah, we're trying to set a date. That's the last I know.

Eilleen Vosburgh: I saw in the newsletter that it was front page about the union negotiations. If I'm not mistaken there were many times when you said you couldn't discuss it, the union...

Supervisor Ruso: I can discuss dates and times yeah absolutely.

Eilleen Vosburgh: I thought you had said several times that you couldn't discuss the negotiations cause they were negotiations, but I want to say that I'm glad that you reached a figure of \$21.96 for the men and the last sentence or last two sentences...

Supervisor Ruso: That's not been approved just so you know.

Eilleen Vosburgh: Oh, okay. Well, hopefully, it would be that almost \$22 an hour, but the last number five, the last section it says 'The town offered to start paying the staff the new hourly increase right now and recognize that the remaining issue of the 5 day work week and the retro pay were left to be resolved at future mediations and the employees rejected that offer' and I just want to give my opinion I don't think any third grader would accept that offer to leave you know those two big points...

Supervisor Ruso: Okay.

Eilleen Vosburgh: That's my opinion no third grader would accept that offer.

Supervisor Ruso: Alright, thank you. Alright, let's proceed.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 88-2023
JULY 10, 23

**RESOLUTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN A
CONTRACT WITH FANCY FACE CREATIONS FOR FACE PAINTING ON
'FAMILY FUN DAY'**

WHEREAS the Town of New Baltimore will hold a 'Family Fun Day' beginning at 12 Noon on Saturday, August 12 at Cecil Hallock Park and Aubrey Tanner, Fancy Face Creations, will paint faces.

RESOLVED the Town Supervisor is authorized to sign a contract with Aubrey Tanner for \$427.00, \$100 deposit and the remaining \$327 at time of event.

Motion by Supervisor Ruso and was seconded by Councilmember VanEtten.

Ellie Alfeld: I would like to know who is sponsoring this because I've never heard of actually who is sponsoring a Fun Day.

Councilmember VanEtten and Supervisor Ruso: The Town is.

Councilmember VanEtten: In lieu of the children's program which last year we got no one to apply for. We got two kids to apply for the job so we couldn't have 15 year-year olds...

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Ellie Alfeld: I understand that, but I had never heard of using that money...

Supervisor Ruso: Actually, I'll back up a minute. We always had that for our day camp or lack of another term, but we can't get people to apply and in lieu of doing nothing because we budgeted the money towards that event, we're trying this idea of having a day or two just to try to get everybody in, have more of a splash event.

Ellie Alfeld: Can you tell me the amount that was budgeted because...?

Supervisor Ruso: \$2,000.

Councilmember VanEtten: It's not gonna be near that.

Supervisor Ruso: It's \$2,000. There's only 89 line items and I'm trying to remember exactly which one, but I think I was \$2,000 or was it \$2,500?

Councilmember VanEtten: I think it was \$2,500 because we had to pay salaries and stuff.

Deputy Supervisor Dellisanti: That was for the camp,

Supervisor Ruso: Yeah, but this is in lieu of that event so we're trying to have at least something and that's at this point.

Ellie Alfeld: And it's open to anybody in New Baltimore or anybody that wants to come?

Councilmember VanEtten: Yes, it is. Well, we can't really card people at the entrance.

Supervisor Ruso: I'm not gonna stop a kid, you come with your grandkids who live in Coeymans, I'm not gonna stop ya.

Councilmember VanEtten: And we have an entertainer coming.

Supervisor Ruso: It's focused on Town of New Baltimore, but kids are kids. Kids don't carry id anyway.

Why are you having trouble getting people to apply for the other programs (unable to understand)?

Councilmember VanEtten: We didn't have anybody apply for the positions of counselors, only two kids that couldn't run a camp for the children. They were 14 and 15, but we had no adults apply for the position.

Supervisor Ruso: And you need to have at least one adult and not two 15 year-olds run the program. I think our insurance would probably nix that.

AYES: Ruso, Boehlke, Downes, VanEtten

NAYS:

ABSTAIN:

ABSENT: Irving

Motion Carried

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Upcoming Meetings

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- August 12, 2023 Family Fun Day at Cecil Hallock Park at 12 PM
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- September 16, 2023 Townwide Yard Sale Day at 9 AM

Public Comment Period/Community Events

None

Scott VanWormer: Jeff, I just want to let you guys know that with the storm down in the hamlet, tomorrow we are going to be working in Cornell Park down there. We have the Town of Coeymans coming with their bucket truck to get that cleaned up. So we'll probably have part of that, a lot of that big area coned off so (unable to understand) and then also we'll be down at Matthews Point sometime this week to do cleanup, but them two areas are the main focus right now.

Supervisor Ruso: I saw that big tree that came down from was it Roger Cook's property? I can't remember who's property that was.

Scott VanWormer: Somebody between the Park and Roger. Not sure who owns it now. Athens is coming up tomorrow with their budget truck and we'll get that cleaned up and (unable to understand).

Councilmember Boehlke: Scott, did you guys get a contractor in at all to assist or anything?

Scott VanWormer: No, we were able to get the County bucket truck is now back up and operational for tree trimming so they actually came up and took care of the one that was the biggest threat down at Matthew Point.

Councilmember Boehlke: That's a huge savings.

Supervisor Ruso: So you're gonna cone it all off or tape it off whichever. So basically tomorrow no Cornell Park and anybody who can't notice why...

Scott VanWormer: I didn't know it was that bad until we actually went down and looked.

Supervisor Ruso: Alright, thank you.

Audit of Claims

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 89-2023
JULY 10, 2023

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 2023-07-01 to 2023-07-42, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2023-07-01 to 2023-07-42.

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

Motion by Supervisor Ruso seconded by Councilmembers Downes and VanEtten

AYES: Ruso, Boehlke, Downes, VanEtten

NAYS:

ABSTAIN:

ABSENT: Irving

Motion Carried

General \$17,588.04, Highway \$216,076.47, Sewer 1 \$406.04, Sewer 2 \$37.75, Water 2 \$3,800.00, Ambulance 1 \$25,905.96, Total \$263,814.26

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

AYES: Ruso, Boehlke, Downes, VanEtten

NAYS:

ABSTAIN:

ABSENT: Irving

Motion Carried

Supervisor Ruso: Thank you everybody.

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk