

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

**SEPTEMBER 11, 2023  
AGENDA**

*Please turn off all cell phones and electronic devices.*

**Pledge of Allegiance**

**Moment of Silence to Commemorate September 11**

**Approval of Minutes**

- August 28, 2023 Town Board Work Meeting

**Public Comment Period**

**New Business**

- Resolution to Authorize the Supervisor to Sign Renewal Agreement with MVP Health Care Insurance
- Resolution Appointing Full-Time Highway Department Motor Equipment Operator Trainee
- Resolution Appointing Temporary Part-Time Highway Department Laborer
- Resolution to Transfer Funds from Highway Reserve Fund to Highway Operating Account
- Opening of the Bid for New Highway Pickup Truck
- Discussion of Highway Surplus Equipment

**Upcoming Meetings**

- September 14, 2023 Planning Board Meeting at 7 PM
- September 16, 2023 Townwide Yard Sale Day at 9 AM
- September 25, 2023 Town Board Work Meeting at 7 PM
- October 4, 2023 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- October 11, 2023 Town Board Regular Meeting at 7 PM
- October 12, 2023 Planning Board Meeting at 7 PM
- October 23, 2023 Town Board Work Meeting at 7 PM

**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 7:03 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Downes, Irving and VanEtten; Deputy Supervisor Dellisanti; Town Clerk Finke; Highway Superintendent VanWormer; and 9 members of the public who signed the attendance book.

**Moment of Silence**

**Supervisor Ruso:** We are gonna do a Moment of Silence and I know it was 22 years ago today, for those of us who knew people and for those we didn't know, they should be remembered. So let's have a moment. Thank you everybody.

**ADOPTION OF MINUTES**

The August 28, 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**

**Supervisor Ruso:** I think it needs to be reasserted once in awhile, we have done this once or twice this year, and it's been a conversational point in the past, I'm gonna read the 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. 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 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 town 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. 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. Okay, so let's proceed, sir, Mr. Vadney.

**Harold Vadney:** Okay, the investigation report falsified payroll documents. I have the report issued by the investigator and it shows that there's a considerable amount of back-peddling going on here. The black letter in your statements on the Facebook page was falsified documents you stated to the investigator erroneous. what did you tell 'em, erroneous payroll documents. There's a hell of a difference between falsified payroll documents and erroneous documents. At any rate Mr. VanWormer confirmed in lock step as usual that there was misinterpretation of provisions of

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the Employee Handbook. I'll be FOILING the Employee Handbook and any other documents that I deem applicable to this inquiry; this is going by the way to the Comptroller's Office and to the Inspector General. The phantom dog catcher. We have a dog catcher here, a Dog Control Officer, who is a no show and a nonresponder. You're paying her \$3,250 a year for a no show. She's handling four to five communities, municipalities. She's covering approximately 500 miles of highway and a total area of approximately 175 square miles, a human population of 24,500 people and at least in the Town of New Baltimore 70 registered dogs and I don't know how many unregistered. This is just in the Town of New Baltimore. Cossackie has 115 and she's doing four to five communities plus holding allegedly a full-time job. I'd like to know how you can reconcile this person doing a decent job of dog control in this community when she's all over the place. It's physically impossible. Harassment of town officials. I'd like to revisit the incident report again and Ms. Finke was interviewed on August 17, 2023 relating to the falsified payroll documents. Her statements were that the payroll documents go through her and go to you for review and approval and then it goes to the accounting firm for issue of the documents. Now Ms. Finke made a statement to the investigator stating that there was an individual who was harassing town officials on a daily basis. She's making this to an investigating law enforcement. She's making this statement to an investigating law enforcement and she questioned him as to whether the individual making the complaint of the falsified payroll documents and requesting the investigation is the same individual. This is totally irrelevant to the investigation by the way. The investigator offered to take a complaint, send a Deputy up to take a complaint. Ms. Finke was very, very prudent in saying she wanted to speak to the Town Attorney first and that's a very, very good idea because there is a law against gratuitously making claims of this sort and plus this sounds not only in criminal law but also in tort law under the law of defamation. So basically if the information reported to the investigating officers is found to be false and the damages the individual's reputation whomever that person might be this would sound in defamation and make the publisher Ms. Finke liable. However, this outrageous statement that there's somebody in this community who's harassing town officials on a daily basis I think that Mr. Stanzione should be investigating this and I hope that you agree with me.

**Supervisor Ruso:** Thank you, sir.

**New Business**

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 102-2023**  
**SEPTEMBER 11, 2023**

**RESOLUTION TO AUTHORIZE THE SUPERVISOR TO SIGN RENEWAL AGREEMENT WITH MVP HEALTH CARE INSURANCE**

**WHEREAS** the MVP Health Insurance Company has offered to the to the Town of New Baltimore a renewal offering for health insurance for town employees; and

**WHEREAS** the offering for continuation of the existing plan of the MVP HMO Gold 2 HSA represents an increase to the town for health insurance of 13%. This will bring the total cost to the town for the coverage for the following class of persons:

- a. Single Person Coverage - \$825.90 per person
- b. Employee + Spouse - \$1651.80 per employee

**Supervisor Ruso:** These are all monthly figures by the way.

- c. Employee + Child - \$1404.03 per employee
- d. Employee Family Rate - \$2353.82 per employee

**Supervisor Ruso:** This once again is a monthly rate here.

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***THEREFORE, BE IT RESOLVED*** that the Supervisor is hereby authorized to renew the agreement with MVP for employee health insurance beginning December 1, 2023.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

**Councilmember VanEtten:** I think health insurance has gone up for everybody.

**Councilmember Downes:** Well, just so everybody's kind of aware just for health insurance the Town, let's go Employee + a Spouse is \$19,821 for the Town. By the time that the \$1,600 gets added in, the Town portion of that is \$21,039.44. And that's just middle of the road.

**Supervisor Ruso:** Yeah, that does not include the \$1,600 HRA for each person.

**Councilmember Downes:** No, that one does.

**Supervisor Ruso:** Each life covered or thereabouts.

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

**Supervisor Ruso:** Now we have something else that's come up here and I've asked Mr. VanWormer, actually I'll ask the Board is a better way to put it, it's a Resolution Appointing Full-Time Highway Department Motor Equipment Operator Trainee and also a Resolution Appointing Temporary Part Time Highway Department Laborer. We are gonna have to go into Executive Session to discuss the employment and appointment of a particular person. Public Officers Law 7 Open Meeting Laws says we could, would, should do that if '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' should happen in Executive Session.

Motion by Supervisor Ruso seconded by Councilmember VanEtten to go into Executive Session at 7:16 PM

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

Motion by Supervisor Ruso seconded by Councilmember Downes to reconvene the Regular Meeting at 7:45 PM

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

**Supervisor Ruso:** Minor results of our conversation, we have an applicant who the resolution to appoint is being tabled until all qualifications have been presented. That was Resolution 103.

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**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 104-2023**  
**SEPTEMBER 11, 2023**

**RESOLUTION APPOINTING TEMPORARY PART-TIME  
HIGHWAY DEPARTMENT LABORER**

*WHEREAS* the Town of New Baltimore has advertised for Highway Department positions in the *Times Union*.

*RESOLVED* that Highway Superintendent Alan VanWormer has recommended the appointment of George W. Travis as a temporary Part-Time Laborer for the Highway Department at a salary of \$17 an hour until December 31, 2023.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

**Ellie Alfeld:** Does this man have any experience?

**Supervisor Ruso:** No.

**Highway Superintendent VanWormer:** He's going to be a laborer (unable to understand).

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 105-2023**  
**SEPTEMBER 11, 2023**

**RESOLUTION TO TRANSFER FUNDS FROM HIGHWAY RESERVE FUND  
TO HIGHWAY OPERATING ACCOUNT**

*WHEREAS* CHIPS reimbursement funds will not be received by the Town of New Baltimore until approximately December 22, 2023; and

*WHEREAS* the expenses for the road repairs to be funded by the CHIPS reimbursement must be paid in a timely manner; and

*THEREFORE, BE IT RESOLVED.* that the Town of New Baltimore will transfer \$200,000 from the Highway Reserve Account on a temporary basis to be reimbursed upon receipt of the New York CHIPS funding.

Motion by Supervisor Ruso seconded by Councilmembers Downes and VanEtten

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

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**Bid Opening Sealed Bids for Pickup Truck**  
**DePaula Ford for Super Duty 350 \$49,000 MSRP \$49,960**

**Supervisor Ruso:** We have one bid and you contacted a number of different dealerships?

**Highway Superintendent VanWormer:** Yeah, Crossroads Ford, Lacy's, and (unable to understand)

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 106-2023**  
**SEPTEMBER 11, 2023**

**RESOLUTION TO PURCHASE F350 SUPER DUTY**  
**PICKUP TRUCK FROM DEPAULA FORD**

*WHEREAS* quotes were sought for the purchase of a Ford F350 Super Duty pickup truck;  
and

*WHEREAS* only one quote was received from DePaula Ford for a total cost of \$49,000.

*THEREFORE, BE IT RESOLVED*, that the Town agrees to purchase said vehicle from DePaula Ford for \$49,000.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

**Supervisor Ruso:** Yes, it's about surplus vehicles and I think, Mr. VanWormer, you can discuss this probably better than all of us and I just wanted you here so that if there's any questions you can clear it all up. Okay so we have surplus equipment that we want to put out for auction and they include a 1985 International Tandem axle dump truck Truck Number 9; Large V-Plow snow blade possibly two;

**Highway Superintendent VanWormer:** (Unable to understand.) I think we haven't used them in a couple years.

**Supervisor Ruso:** Are those the ones back there with weeds growing around them, saplings?

**Highway Superintendent VanWormer:** Yeah.

**Supervisor Ruso:** Okay, thought so.

1999 Agco-Allis 2024D Riding Lawn Mower with 60" mower Deck.

**Supervisor Ruso:** Well, it is 24 years old, is it...?

**Highway Superintendent VanWormer:** It still runs, it still moves. We will get something for it.

John Deere L115 Riding Lawn Mower with 42" mower deck; 2 Chamberlain Lift Master Commercial Garage Door Openers Once approved as surplus equipment I will make contact with Mike from Gov. Deals to have photos taken and post.

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**Supervisor Ruso:** Any rough idea as to, I mean I know it's an auction so it's hard to predict everything, but...

**Highway Superintendent VanWormer:** If I take a guess I'd say we're probably looking at \$12,000.

**Supervisor Ruso:** That's the total.

**Councilmember Downes:** Alan, that tandem axel dump truck, is that the new truck that we just received.

**Highway Superintendent VanWormer:** No, we're not gonna sell a new truck.

**Councilmember Downes:** I know, but is that...

**Highway Superintendent VanWormer:** That's the one that it replaced.

**Councilmember Downes:** It replaced, okay.

**Highway Superintendent VanWormer:** That's the one actually we changed the motor in a couple times. Right now it's running decent.

**Councilmember Downes:** Let's get it out the door.

**Supervisor Ruso:** Get some money for it while you can. Chuck, anything?

**Councilmember Irving:** It's been sitting out there quite awhile.

**Highway Superintendent VanWormer:** Actually, we talked once before about getting it weighed (unable to understand). I'm sure Brockett will probably weight it for us, give us an idea of how much they weight (unable to understand). We can always reject the bid and sell for scrap.

**Supervisor Ruso:** How old are those?

**Highway Superintendent VanWormer:** Our oldest truck, one of them was our oldest Osh Kosh. That was a 1960.

**Supervisor Ruso:** So that plow blades from 1960.

**Highway Superintendent VanWormer:** One of them.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 107-2023**  
**SEPTEMBER 22, 2023**

**RESOLUTION TO SURPLUS USED HIGHWAY EQUIPMENT**  
**THROUGH GOVDEALS, INC.**

**WHEREAS** the Highway Superintendent has identified a list of surplus equipment that he feels is unnecessary for continued operation of the Highway Department.

**WHEREAS** the Town would prefer to receive as much reimbursement for the surplus equipment as can be possible.

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***THEREFORE, BE IT RESOLVED***, that the Town approves the placement of identified surplus equipment on the GOVDEALS auction program.

Motion by Supervisor Ruso, seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

**Upcoming Meetings**

- September 14, 2023 Planning Board Meeting at 7 PM
- September 16, 2023 Townwide Yard Sale Day at 9 AM
- **September 20, 2023 Senior Picnic at Cecil Hallock Park at 12 PM**
- September 25, 2023 Town Board Work Meeting at 7 PM
- October 4, 2023 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- October 11, 2023 Town Board Regular Meeting at 7 PM
- October 12, 2023 Planning Board Meeting at 7 PM
- October 23, 2023 Town Board Work Meeting at 7 PM

**Community Events**

**Ellie Alfeld:** Might I add luncheons at the New Baltimore Reformed Church down in the hamlet will be starting next month that will be drive-up pickup and we will be posing the menus. It's a donation meal only.

**Alan VanWormer:** Sunday, September 24 Medway-Grapeville Fire Company is having a Community Day at their firehouse, a bunch of different activities if anybody wants to stop out.

**Audit of Claims**

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 108-2023**

**SEPTEMBER 22, 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 2023-09-01 to 2023-09-22, it is

***RESOLVED*** that the Supervisor is hereby authorized to pay claims 2023-09-01 to 2023-09-22.

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

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

General \$4,481.82, Highway \$234,821.09, Sewer 1 \$76.42, Water 1 \$312.50, Water 2 \$5,522.80, Lighting 2 \$258.04, Total \$245,472.67

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**Adjournment**

Motion by Councilmember Downes seconded by Councilmember VanEtten, the meeting was adjourned at 7:58 PM

AYES: Ruso, Boehlke, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

**Motion Carried**

**Supervisor Ruso:** Thank you everybody, have a good night.

Respectfully Submitted,

Barbara M. Finke RMC  
Town Clerk