

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

DECEMBER 27, 2023

Please turn off all cell phones and electronic devices.

Reports

Supervisor

County Legislator

Town Clerk

- December 11, 2023 Public Hearing on Local Law 5 of 2023
- December 11, 2023 Town Board Regular Meeting Minutes

Historian

Agriculture/AgFest (Chair Boehlke/Member Irving)

Animal Control (Chair Irving, Member Ruso)

Assessment (Chair VanEtten/Member Ruso)

- Resolution to Appoint Member of Board of Assessment Review

Audit and Budget (Chair Ruso/Member Downes)

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)

- Resolution to Temporarily Transfer Funds from the Highway Reserve to Highway Contractual Account

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

- January 1, 2024 Swearing-In and Town Board Organizational Meeting at 2 PM
- January 3, 2024 Zoning Board of Appeals Meeting at 7:00 PM if Needed
- January 8, 2024 Town Board Regular Meeting at 7 PM
- January 11, 2024 Planning Board Meeting at 7 PM
- January 15, 2024 Town Offices Closed for Martin Luther King Day
- January 22, 2024 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.

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OPENING OF WORK MEETING

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

Supervisor Jeff Ruso

I know the monthly financials for November were forwarded to all Board members and I hope everyone's had a chance to review them. I'm gonna make a Motion to accept the November financials.

Councilmember VanEtten: I'll second.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Supervisor Ruso: Couple things that have happened in my report. Our contractors for the Smart Streets Program, if that's the right name, were reviewed and interviewed and a preferred contractor has been identified. The next step is going to be a meeting that I'm having with the Department of Transportation going over the details cause they're gonna weigh in on this and we're gonna discuss funding. The project is going to cost \$100,000-ish.

Councilmember Boehlke: The study.

Councilmember VanEtten: The study, yeah Just the study.

Supervisor Ruso: The study, excuse me, yes, the study. The lowest cost of the project is \$2.5 million and they've made a lot of recommendations on how that's gonna be paid. All of it is gonna be paid by the residents of the Town of New Baltimore unless we get somebody else funded. Alan would be interested to note that the recommendation is that we use the CHIPS funds for the next six years. Well, in any event it's going to probably have to go to a Town referendum because we don't have the money to put up front. There are other possibilities, but I'm going to be meeting with DOT particularly about something secure in terms of outside funding that would help make it more better for everyone here in the whole Town. So that's where we are on that. We're looking at possibly having a public meeting with the contractor at the end of somewhere before the end of January so which we can hear from them plus what I can hear is how much of this can we do? What is the community support for it? Are we willing to give up our CHIPS funding? I didn't ask you, I'm talking about the Town. These are Town residents who have a choice in this okay. Is the Town willing to go into a bond for this? Are the property owners interested in having a number of feet of the front of their property...

Councilmember VanEtten: Taken.

Supervisor Ruso: Well, you know used for sidewalks basically in essence and is the entirety of the population in Town willing to pay for that. That's a referendum.

Councilmember VanEtten: Well, they have to take part of that one property to change the curbing around.

Supervisor Ruso: They have to take trees down, walls down, telephone poles or power poles have to be moved amongst other things and excavations and even in some places -- each of the contractors had some similarity -- in some cases retaining walls. We're all looking at, according to all three of them, a sidewalk along the west side of Route 144 from approximately near where the 61 hits 144 by the old school until we get to Cedar Lane, White Birch, whatever they call that there and the peoples' properties along the way. There is another aspect and potential and that is the creation of something called a Sidewalk District. It's not common, but the members of the Sidewalk District are the ones who will pay for that and the definitions of that are really deep weeds legal stuff in essence who's in the District. Is it people who live in that zone or is it only

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the people who have a sidewalk in front of their property? If it's only people who pay to have a sidewalk in front of their property, the collective group of those people have a \$2.5 million bill. That's at the lowest estimate and they get to vote whether they want to do this though it's a quagmire. There are a lot of loose ends and a lot of moving parts to this so it's not immediate and, of course, again the funding. I need to have some assurances from some of these outfits that we will have some of that. So there's a lot of stuff to figure out. Alright, that's my happy note for the day.

CORRESPONDENCE

State of New York Department of State: 'RE: Town of New Baltimore, Local Law 5 2023 filed on 12/19/2023 Dear Sir/Madam: The above referenced material was filed by this office as indicated. Additional local law filing form can be obtained from our website, www.dos.ny.gov. Sincerely, State Records and Law Bureau'

ADOPTION OF MINUTES

The December 11, 2023 Town Board Regular 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, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

The December 11, 2023 Town Board Public Hearing on Local Law 5 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, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

County Legislator Linger

I hope everyone had a Merry Christmas. In December, I attended 8 committee meetings, a site visit to the Cairo "county farm" property, two public hearings, and regular meeting number 12 for the year. At the regular meeting, we approved increasing the tax exemption minimum income limits to \$35,100 for Seniors and persons with disabilities. Both will maintain a decreasing sliding scale from 50 to 5 percent reduction. I have now completed my eighth year as your County Legislator and my fifth year as County Chairman. Due to a lack of providers and a growing waiting list, the Mental Health clinic has had to temporarily stop accepting new patients. This will not include mandatory assessments, which are statutorily required. We hope this will allow the clinic to get back on track as soon as possible. This is the second time in two years that we have had to take this course. There is an ever-increasing need for these types of mental health services, but a severe lack of available providers. We authorized the advertisement of bids for the Historic Catskill Point Stabilization Project. This work will need to be substantially complete by the May event season at that location. Money has been set aside for this project already, following the denial of FEMA assistance last year. We established a capital project and awarded a contract to Fitch & Associates to perform a comprehensive review and study of the current Ems and transport operations in Greene County. Given the fact that we don't have a hospital, we need to ensure the stability of our system to provide top-level Ems care across the county. Right now, we see a decline in new people entering this field, medical personnel working multiple jobs, and mutual aid response as a daily occurrence everywhere. The current system has unreliable redundance and is unsustainable in the long term. This study and subsequent report will generate options for the County to consider moving forward. In other regular business, we reappointed Warren Hart as Deputy County Administrator, reappointed Scott Templeton as GC Highway and Solid Waste Superintendent, and reappointed Brent Bogardus as Election Commissioner. We reappointed Legislator Ed Bloomer from Athens to the Greene EMS Board, and appointed Deborah Fromer to the GC Ethics Board. We approved the collective bargaining agreement with Solid Waste. We approved the Times Union and the Mountain Eagle as the officially designated newspapers. We approved the relevy of unpaid Village taxes of \$638,000

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and unpaid school taxes at just under \$8.5 million. We will make the villages and school districts whole with fund balances, rather than bonding the cost and paying additional interest. We also rescinded 2 prior resolutions to purchase 4 highway trucks after the vendor notified us they were unable to meet the specs. The Organizational Meeting for the GC Legislature is set for Wednesday January 3, 2024 at 6:00pm, and will be followed by our regular committee meetings. We set 2 public hearings for January 17, 2024 beginning at 6:15pm. The first is for the CDBG Microenterprise Assistance Program application and the second is for Community Development Block Grant activities. I would like to congratulate Supervisor Ruso on your reelection. I would also like to thank Chuck Irving and Bill Boehlke for your time spent on the Town Board. Your efforts and support are very much appreciated, and I wish you both the best. Happy New Year!

County Legislator Linger: I do have two additional items that came into my mailbox today. One is a request from Greene County Department of Human Services for volunteers to deliver home meals. We have a severe shortage right now of people to deliver Meals on Wheels. So if anybody is so inclined, they'll take it one day a week or five days a week, whatever someone has to offer. They're pretty flexible and mileage is reimbursable.

Supervisor Ruso: They have to be vetted, though.

County Legislator Linger: Oh, yeah, they're vetted.

Supervisor Ruso: Yeah, I know, anyone who volunteers.

County Legislator Linger: It's an application process that everybody has to go through, but we are looking for those volunteers and the second thing that I had that came in from the Champlain Hudson Power Express. I'm sure the Town probably got one as well, just some contact information for submitting questions and the like into that agency while they're doing construction on that line which is supposed to start sometime in January and that will run the full 20 miles of Greene County.

Supervisor Ruso: Yeah, but it starts in the Town of Bethlehem by the Port later in '24 roughly June I believe it was.

County Legislator Linger: Correct. Yeah, I believe they're in there already actually cutting brush and those sort of things. They're not doing installs yet, but they're clearing the way.

Supervisor Ruso: They're working their way south so it'll be awhile before they're here.

County Legislator Linger: But I do have contact information if anybody needs it.

Supervisor Ruso: I do have a question. When you talk about the providers for your Mental Health Clinic, are we talking about contractors or are these staff?

County Legislator Linger: Contractors for the most part, both actually, but the one's that are contracted have a set number of hours. They can't get what they need done in those hours and it turns over staff and that staff is hard to come by. We were doing well for quite awhile. We had this issue last year and then they were able to recruit some people and now we're back in the boat where we just can't keep up with the demand.

Supervisor Ruso: Who's the contractor?

County Legislator Linger: There's several of them that we use. I know Arthur McGinn offhand is one of them. There's multiple contractors that we contract with and the contractors, I know you're probably well aware, but we pay them \$180, \$190, \$200 an hour to do these services so. They're just not available, not even a question of cost. They're just not there.

Unable to understand audience question., Town Supervisor referred to County Legislator after meeting.

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Town Clerk Barb Finke

1 CO Search Compliance Residential \$125, 5 Building Permits \$1,670.88, 2 New Septic Systems \$75, 6 CO Searches \$300, 1 EZPass Tags \$25, 11 Hunting/Fishing Licenses \$45.86, 22 Dog Licenses \$162, 8 Late License \$40, 2 Marriage License \$35, 1 Sewer Repair \$40, 11 Certified Copies \$110, 26 Photo Copies \$6.50, Recycle Fees \$20, Total State, County & Local Revenues \$3,400.38, \$32 to New York State Department of Agriculture and Markets for the Spay/Neuter Program, \$45 to the New York State Department of Health for Marriages, \$668.14 to the New York State Department of Environmental Conservation for Hunting/ Fishing Licenses, Total to Supervisor \$2,655.24.

Assessment

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 139-2023
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RESOLUTION TO APPOINT BOARD OF ASSESSMENT REVIEW MEMBER

RESOLVED that Carol McBride is appointed to the Board of Assessment Review until September 30, 2024.

Supervisor Ruso: I spoke to her myself, she's happy to do it. Carol has been a Town Assessor in a few other towns in the community and she's a resident of New Baltimore.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Supervisor Ruso: Carol worked for the Town for awhile too.

Ellie Alfeld: Yeah, quite some time.

Supervisor Ruso: Motion Carried.

Audit and Budget

Supervisor Ruso: Audits are going to be starting up in January.

Recycling Center Operator Kirk Trombley

11/29/23-12/27/23 60 Gallon Bags of Plastic (No Hard Plastics) 9, 13 Bundles of Magazines & Phone Books, 47 Bags & Bundles of Newspaper, 98 Boxes & Bundles of Cardboard, 12/16/23 1 Dishwasher

Code Enforcement Officer Allan Jourdin

Summarization of Code Enforcement Officer activities for November, 2023, is as follows:

Building Inspections: 22, Total Permits Issued: 6, Building Permits Renewed: 2, Building Permit Renewal Letters Sent: 2 First Notice; 1 Second Notice, Certificate of Occupancy Search Requests: 7, Manufactured (Mobile) Home Permits Issued:1, New Building Permit Applications Received: 7, Building Permit Applications Awaiting Permit Issuance: 11, Open Building Permits: 221, New Septic System: 1, Septic Repair Permit: 1, Application Fees for November, 2023: \$1,785.88, Total Fees for Year to Date: \$27,724.71

Greene County EMS Representative Nick Dellisanti

The regular monthly meeting was held on Tuesday, December 19, 2023. There were 14 EMS calls in November for a total of 154 for this year 2023. We had 180 calls for all of 2022.

Deputy Supervisor Dellisanti: So we're doing a little better than we did in 2022.

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Councilmember Boehlke: This doesn't include December though, Nick.

Deputy Supervisor Dellisanti: No, we still have December to go, but...

Supervisor Ruso: Well, probably get another 10-12.

Deputy Supervisor Dellisanti: I hope it stays much lower than it is, but right now we're on track.

Supervisor Ruso: We get charged how much, sir, if you remind us all?

Deputy Supervisor Dellisanti: \$257.

Supervisor Ruso and Deputy Supervisor Dellisanti: Per call.

Supervisor Ruso: 10 less is \$2,500.

Highway Superintendent Alan VanWormer
TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 140-2023
DECEMBER 27, 2023

**RESOLUTION TO TEMPORARILY TRANSFER FUNDS FROM THE HIGHWAY
RESERVE TO HIGHWAY CONTRACTUAL ACCOUNT**

WHEREAS the Town Board of the Town of New Baltimore has been presented with an estimate of cost for the repair of Truck # 13, and

WHEREAS the amount of funds required for this repair is \$9936.00, which includes repair of brakes, hoses, and exhaust system

BE IT RESOLVED that the Town Board approves the payment for repairs of Truck # 13 for \$9936.00.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Councilmember Boehlke: What did they find out with the head on that, Alan?

Highway Superintendent VanWormer: This is a different one. Truck #3 we're still waiting on a week ago, it has to be approved as well. This is the truck #13, the one that Scott plows the hamlet with.

Councilmember Boehlke: Is that the one from Catskill?

Highway Superintendent VanWormer: No, the one from Catskill is the one that has the head problem. That one hasn't been approved yet.

Highway Report November 27th to December 27th 2023 Repaired windshield wipers on 1997 International plow truck, Replaced air filters in all leaf blowers, Picked up bagged leaves in Hamlet, Sucked leaves from ditches and drains in Hamlet, Patched large hole on Scheller Park extension with winter mix, Continued mowing along roads, Installed safety chains on two plastic sanders, Trimmed brush along roads, Tightened sander chain on 1985 Oshkosh, Serviced John Deere Loader, Replaced rear brake caliper on 2012 F350, Replaced brake master cylinder on Case tractor, Put summer equipment away for the winter, Cut two sections of blacktop on New

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Street to open up residents sidewalk and steps, Patched holes with winter mix, Picked up fallen tree on Kings Road, Cut and removed fallen tree on Alcove Road, Sandblasted and repainted rusted spots and wheels on John Deere Loader, Painted dump body on 2013 International Truck number 7, 12/6/23 light snow, sanded and salted all roads where needed, Had flat tire on roadside mower replaced, Checked and cleaned drains in Hamlet before heavy rain, 12/11/23 snow In western portion of town plowed and sanded where needed, Mixed magic minus with salt and put in shed, Washed trucks, and loader, Got 1993 International back from W&W and put plow back on, Cleaned leaves and debris from ditch at sewer plant, Applied spray in bed liner in 2023 F350, Replaced leaking transmission oil pan on 2011 F350, Repaired high beam headlights on 2011 F350, Installed new LED shop lights in highway garage, Washed 1996 International dump, and brought inside for paint, 12/18/23 Town had several flooded roads, some were closed for a period of time to allow water to recede, but no damage., Picked up garbage from Town Hall, Worked on locating and opening a blocked culvert on Saw Mill Road, we were able to find and open it, and it is working for now. Will be replaced in the spring., Salted icy spots as needed on various roads

Highway Superintendent VanWormer: A couple roads we have for some reason water coming up right out of them so every time it gets cold we gotta go out and put salt down so we're probably gonna be digging and putting some weeper pipes here in the near future to try to get that to stop. The auction items that we had, we didn't get rich. The Agco Allis lawnmower we got \$101 for, the old John Deere lawnmower we got more for that than the Agco Allis, we got \$150 for that, and \$3,550 for the dump truck which is less than what I thought, but...

Supervisor Ruso: I have a question, kind of was anticipating, because we had some email communications, maybe you should tell us the incident that you had with the sander.

Highway Superintendent VanWormer: Yup.

Supervisor Ruso: It happened in November right?

Highway Superintendent VanWormer: Yes. We were out salting. I was all around out back, up and down all the big hills, everywhere's out in the western part of town, I was going down to Swezey, and I went down Noble Street. I stopped at the stop sign, everything was fine, made a lefthand turn, heard a big noise, I looked in the mirror and the sander was sitting in the road. How it came loose, I do not know. The straps were still intact, they were wire-tied, they were tightened, wire-tied. How they came loose, how it fell off, I honestly do not know because the straps were all stills intact, none of them were broken. I don't even know how it happened, but we called Town of Cocksackie was also working that night. We called them and they came down with their loader, we picked it up slid it back in, brought it back to the Garage, replaced the section of the wiring harness because when it fell out it pulled and it pulled a couple wires, broke a couple wires and a wiring harness, so we had to replace the wiring harness but then by the next day it was back in service, loaded it up again.

Supervisor Ruso: I think that my biggest issue was that I can report these incidents or, it's not an accident per se, for insurance, but I found out from talking to someone in Cocksackie on 12/1 that this event happened on the 22nd thereabouts, 21st, 22nd?

Highway Superintendent VanWormer: 21st I think, yeah.

Supervisor Ruso: And so I know I don't know what to report to the insurance company and they told me it's a \$500 deductible. We had to pay the first \$500 and you told me there was no damages.

Highway Superintendent VanWormer: There was just a broken wiring harness. I mean we fixed it the next day.

Supervisor Ruso: Unless it's a different bill, this is for \$659 so I never submitted this. Is this the same thing?

Highway Superintendent VanWormer: May I see it?

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Supervisor Ruso: Of course. Sander harness from yourself, it's a bill.

Highway Superintendent VanWormer: There's two things (unable to understand).

Supervisor Ruso: If it's a different sander, then I don't...

Highway Superintendent VanWormer: No, this is the same one.

Supervisor Ruso: It's important to let me know so I can report these things.

Highway Superintendent VanWormer: \$549 for the wiring harness then \$110 labor.

Supervisor Ruso: The incidents themselves I need to have them for our...if it's possible for insurance reimbursement.

Highway Superintendent VanWormer: Yeah, I didn't think it was a major incident.

Supervisor Ruso: No, no, it's just for insurance is the main thing, but I didn't know about it for ten days or whatever it was and I never filed anything and there was nothing in you report from last month about this so... And the last question I have is I looked at the payroll for that day and nobody was paid for that day. There's no payroll hours for that entire day, for that week there's no off hours payroll.

Highway Superintendent VanWormer: Should have been. There was three of us that worked.

Supervisor Ruso: That's what I thought if everybody was in and people were... I mean I don't know what time of night this happened.

Highway Superintendent VanWormer: It as like 2 in the morning., I don't get paid extra but Huey and Scott should have been on there as well. They were both out.

Supervisor Ruso: Okay, I mean I just don't know why we wouldn't. Okay so look at the payroll because if people are working, they're supposed to get paid.

Highway Superintendent VanWormer: Why they didn't, why they didn't say something. Right, and I think they would have said something to me if they didn't.

Supervisor Ruso: Yeah, that's why the whole event is very curious here. Okay, alright, I guess. Anybody else have a question? Have any incidents, I got to report them. A shot in the dark works better than none at all, but I found out there was when you told me there was no repairs. I said don't worry about it, the \$500 deductible doesn't really matter, not that I would necessarily want to file a claim for \$659, I don't know what that would do to our insurance, but I don't think it would do anything because it's a group thing. On Personnel if I may ask, Alan, how are the guys doing with their CDL?

Highway Superintendent VanWormer: Good, they should be done soon. They go every Sunday, every Sunday morning. They do it on Sundays.

Supervisor Ruso: They have to take a test.

Highway Superintendent VanWormer: Yes, they have to do a certain amount of hours. They have two trainers and two testers. They have to do a certain number of hours of training including driving, then they go to this other person who does the test. They don't even have to go to Motor Vehicles when they're done. They do the whole thing right there.

Supervisor Ruso: So the testing, ETA, anything?

Highway Superintendent VanWormer: I am not sure, but I can check tomorrow.

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Supervisor Ruso: Yeah, just let us know because if they're done soon obviously we gotta do a resolution to up their pay to the standard MEO pay and all that stuff and they've already done their drug test so that's not necessary.

Insurance

Supervisor Ruso: On the Insurance side, we have been informed that our insurance company we've had here for I don't know 15 years called Trident is no longer going to be offering so we're going to be repping it out, but that's not due til March so we have time. Once again we'll have Marshall & Sterling kind of put it out there and let the companies make their offerings.

Planning Board Chair Rob VanEtten

The Planning Board met on December 14, 2023, with following business transacted: ...Present was Jason Singer from Nolan Engineering representing Cheema Petro, LLC. Revised Site Plan was presented for Board consideration and discussion. They had been before the Board in 2022 presenting application for a Convenient Store and Gas Pump facility on two-acre parcel on Route 9W. Plan submitted at that time did not appear to allow for all on the parcel and to meet required code requirements. They now have an option on adjacent two-acre parcel and plan presented reflected revised lay out over the four acres rather than the two acres. The Board made some recommendations and advised what additional items they still needed to see before moving forward with Site Plan application.

Supervisor Ruso: Sir, this is down by the Best Western?

Chair Rob VanEtten: Yes, right alongside of where Brandt's project was going to be. He still holds a two-acre parcel. Pete Borey has that little house that's in between. They are in the process of purchasing that, but they need additional acreage and they think they can buy that from Brandt and that would give them enough acreage that they can do the project.

Town Court

Town Clerk Finke: In November, Judge Huff \$2,287, Judge Konsul \$5,223, Total \$7,510, State \$3,410, County \$490, Town \$3,610. So totals so far for the year, Judge Huff \$85,934, Judge Konsul \$72,621, Total \$158,555, broken down State \$89,650, County \$800, Town \$68,105 through the end of November.

Supervisor Ruso: We've got one month to go.

Zoning Board of Appeals Chair Pat Linger

The Zoning Board of Appeals did not meet on December 6, 2023. The Board's long vacation with no applications is over. There are now two Variance Applications to be brought before the Board at its January 3, 2024, Meeting.

Supervisor Ruso: This as a particular point will be Mr. Linger's, no he's already had his last meeting whenever that was as Chair.

Chair Pat Linger: The applicant didn't show up to in November.

Supervisor Ruso: He is stepping down as of the 31st of December so thank you for your time.

Chair Pat Linger: Thank you.

Upcoming Meetings

- January 1, 2024 Swearing-In and Town Board Organizational Meeting at 2 PM
- January 3, 2024 Zoning Board of Appeals Meeting at 7:00 PM if Needed
- January 8, 2024 Town Board Regular Meeting at 7 PM
- January 11, 2024 Planning Board Meeting at 7 PM
- January 15, 2024 Town Offices Closed for Martin Luther King Day
- January 22, 2024 Town Board Work Meeting at 7 PM

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Public Comment Period/Community Events

Rob VanEtten: I'm concerned about roadsides. The branches are just in my estimation out of control. A lot of people don't realize it driving down the road in a normal-size vehicle especially this time of year when the foilage is off. You drive down in a full-size vehicle especially in the summer, your mirrors are beating the bushes a lot. The Town has the means to take care of this with their boom mower. It's a perfect time of year to do it. Foilage is off. Hopefully you have a little more time this time of year. I know Greene County Highway Department had pretty open winters last winter, so far this winter. They've been taking advantage of it. They ran that a lot last winter down Athens way. I was kind of hoping the Town of New Baltimore would follow suit likewise do the same. You know take advantage of not having foilage on, getting some of this stuff trimmed back. Last week I had saw the boom mower go up the road. I was real optimistic.

Supervisor Ruso: I saw it, too.

Rob VanEtten: But, unfortunately, got to the Town line and kept going. It was over in the Town of Coeymans mowing.

Supervisor Ruso: I saw it out on I think it was Flatbush a month ago, maybe three weeks back.

Rob VanEtten: The next day it did come down through the Town of New Baltimore. Unfortunately, as far as I'm concerned it didn't address any of the branches. It mowethe bushes, the weeds, grass, but the branches are still pretty well sticking out there. Summertime when you get the foilage on it, it's tough. I mean last summer I followed this poor guy in a Lowe's delivery truck down one of the back roads here and if he had any clearance lights left on that truck I don't know how.

Supervisor Ruso: Well, the mower does the brush, but who does the branches?

Rob VanEtten: Well, the mower. It's a boom mower. It can reach up and I realize it takes a lot of time when you start, but I mean it's not just like mowing one side. Gotta take the time to do it. The year before last or was it last year, one of the guys part-time came down West Deans Mill Road did some of that and did a great job. You won't have to worry about that for a couple years. Kind of hoping maybe under these conditions open winter. I mean it can turn around any minute. Last winter we had an open winter, too. Some of this can be addressed. Certainly makes roads safer, too. I know Greene County Highway Department was down to Farm to Market there getting a lot of them corners mowed back. But it would be nice with big trucks driving down the road to not be every time you meet a car, stick in your mirrors in the bushes, in the branches and that can be done. I realize it can't do all of it, I mean there's probably a lot of smaller trees that with a flagger could be safety dropped in the road and cleaned up. There again the Town's chipper and the means to do it. This is a problem that I think is gonna naturally is gonna keep growing. It's something I'm hoping that will be addressed. I brought this up before and I was hopeful it will be taken care of. So far I'm not seeing much done on it and the Town's taxpayers have spent a lot of money for this equipment and the manpower. Hope the winter stays open and we can get some of this done, certainly will help with the full-sized vehicle going down the road next year. Thank you.

Unable to understand conversation.

Supervisor Ruso: It's hard to capture all of this on the tape. Basically he said he'll do it next week.

Rob VanEtten: I don't know whether the guy needs further instructions or what.

Highway Superintendent VanWormer: The guy ran mower for the County for 13 years (unable to understand).

Rob VanEtten: Well, there was a guy that came in last year or the year before on West Deans Mill and he was excellent. He did a great job. The guy who came down Sodom, I don't know who he was, but unfortunately maybe he didn't have the time to do it.

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Highway Superintendent VanWormer: We'll get it out.

Rob VanEtten: Take a look (unable to understand).

Janet Kash: I'm here partly because of transparency to my soon-to-be constituents. I don't know that many people know in this Town that I'm still employed by the New York State Senate in addition to taking on this new role as a Town Councilmember and because I am under the restrictions of the New York State Public Officer's Law through the Senate there may be times that I will have to abstain from votes coming before the Board that have anything to do with any state actions. I am not allowed to take a position in any way for or against anything that is going on in the state level. I'm not allowed to meet with State Senators or Assemblymembers as a Town Councilmember in that capacity. So that there are restrictions you know on what I will or will not be able to although I don't see that being a really big deal cause I don't think that there are many things that come before the Board that are calling on the State to do or not do. I can vote in favor of home rule messags.

Supervisor Ruso: Well, I mean grants for road projects.

Janet Kash: But the other thing that I just wanted to mention is that under the New York State Public Officer's Law I am also very much restricted in what I can say and how I can treat people. I am not allowed to say anything against constituents in a public manner. I'm not allowed to denigrate them. I'm not allowed to say anything that could discredit the New York State Senate where I work. I know that as public officials we sometimes have difficulties with members of the public and there will be arguments, but I am prohibited by law from even responding to them in a way that provides any sort of denegration of them or to provide any sort of misinformation. It's basically a code of conduct for public employees and I don't know if the Town of New Baltimore has any sort of internal or external code of conduct.

Supervisor Ruso: Code of Ethics, it's in our handbook.

Janet Kash: Does it in any way address what public officials can or cannot say, say here at this meeting or on social media which we now have to accept whether we like it or not it is the village square and if a public official for example denegrates a constituent or provides misinformation to that constituent which may or may not lead to other people in the public misunderstanding an issue is there any way that we may in the future come up with a code of conduct without repressing anybody's freedom of speech but just to say that do not attack your constituents in public, do not provide misinformation because I do know that as a long-time employee of the New York State Senate when even one of our Senators behaved in that way, the Majority Leader would at least sit them down and say 'hey, don't do that anymore.' So I think that we as public officials, I will be joining you soon, we are held to a higher standard. We can't attack constituents. We cannot put out misinformation to constituents just to make a point. There is a way to disagree with people without being nasty.

Supervisor Ruso: I'm wondering where were you last year when all this stuff started? This is brand new? No, this is over a year this has been going on.

Councilmember VanEtten: Elected officials have put a lot on Facebook putting the Town Board down.

Janet Kash: I'm not entirely sure what you're talking about.

Supervisor Ruso: Oh, well, then maybe we ought to have a sit-down...

Janet Kash: Oh, yeah, we will.

Supervisor Ruso: And I could talk to you about those dozens upon dozens of violations of the exact thing you're describing. Dozens.

Janet Kash: Um, can you give me a specific examples of what you're talking about?

Supervisor Ruso: Not right here, no.

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Janet Kash: Because I'm not sure what forum you're talking about.

Councilmember VanEtten: Facebook.

Supervisor Ruso: We're talking social media.

Janet Kash: There is Facebook and, yes, you know it can be used for the greater good, it really can to get out information to people. It can also be a place where people just take out bats and beat each other over the head.

Councilmember VanEtten: Right and that's been going on all through the election all this of year.

Janet Kash: Oh, it's been going on since forever and it's not just here, it's everywhere.

Councilmember VanEtten: Well, I mean specifically in the Town there's been sites that have come up that's nothing but bashing.

Supervisor Ruso: This is not new stuff, this has been Town officials.

Councilmember VanEtten: I think it started last year.

Janet Kash: We cannot control constituents, we can control our behavior as elected officials.

Supervisor Ruso: I'm talking about Town officials, Town=appointed officials.

Janet Kash: Yeah, I don't know about that.

Supervisor Ruso: Oh, yeah, you do. If you didn't, then you haven't been reading this stuff. Inclusive of appointees as well. Well, maybe we ought to start a new way of thinking. I mean I'm not objectionable to that.

Janet Kash: I do agree with you because I am an employee of the Senate. I am not an elected Senator, but I do know that my behavior as an employee is under great scrutiny all of the time and perhaps if we do decide to put a code of conduct in place why would it not cover the employees as well. When they are talking about providing misinformation,,,

Supervisor Ruso: Yes, indeed.

Janet Kash: I mean opinions are one thing, but when you provide misinformation that's entirely different.

Councilmember VanEtten: There's been misinformation printed on Facebook and it has not been by us.

Janet Kash: I agree with you. Well, there's been misinformation.

Supervisor Ruso: Not me anyway.

Councilmember VanEtten: Not by me, I've never put anything on it.

Supervisor Ruso: Anyway, I agree, maybe what we can do after the first of the year let's...

Janet Kash: Well, that's what I'm saying, but I think that a code of conduct that would cover both public officials that are elected and perhaps public employees because I live under that.

Supervisor Ruso: How about you and I after the first of the year we sit down and we'll go over our current existing code of ethics, our social media policy, and let's review it and we can start from there.

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Janet Kash: Yeah, no, I think that that's a great idea. You know it's like after 40 years in the New York State Senate you can imagine that occasionally I've had some issues with constituents.

Supervisor Ruso: Sure.

Janet Kash: And what I most remember is the time that the guy was yelling at me for a really long time and I basically said 'do you kiss your mother with that mouth' and I told my boss because I felt terrible that I was talking to a constituent that way, but he backed me up because of those circumstances.

Supervisor Ruso: Sure.

Janet Kash: So I'm just saying that going forward you know we might want to look for a code of conduct for both public officials on this Board and for public employees of this Town. You know I am held to that under any circumstances under the New York State Public Officers Law, but I think that probably we can trickle that down to the Town level it might be better for everyone.

Supervisor Ruso: Alright, well we'll sit down and we'll go over what we have. Very good. And the last I have is from Deb Sottolano, also soon to be part of the Town Board. 'Just request update on selecting traffic assessment.' I kind of spoke of it a bit, we're stuck in 'where's the money coming from mode' for lack of another way to describe it because then if we don't have money coming in, then we've got big issues.

Deb Sottolano: The one thing I would ask you is it an all or nothing proposal? I mean is there some work that can be done, not going the whole \$2.5 million or whatever?

Supervisor Ruso: Well, first I can't say 'yes' or 'no' to that. I think that I have no intention of going into this, spending \$100,000 on a study, and not going forward with the project. I mean that's my intentions from the front end.

Councilmember VanEtten: And there's no guarantee that we're going to be reimbursed.

Supervisor Ruso: Oh, no, I'm looking to get some assurances, that's what I'm looking to get.

Deputy Supervisor Dellisanti: Take the CHIPS money.

Supervisor Ruso: Well, they did say it, they didn't throw that out 'you can use your CHIPS money.' I said 'I don't know how well the Town is gonna feel about that.' I wasn't even thinking about Alan VanWormer, I was thinking about everybody. No, but no problem. But, again, this will happen under your clock as well as mine so.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 141-2023
DECEMBER 27, 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 2023b-12-01 to 2023b-12-32, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2023b-12-01 to 2023b-12-32.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until January 31, 2024.

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Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

BSENT: Downes

Motion Carried

General \$13,960.07, Highway \$12,448.95, Ambulance 1 \$4,750.83, Ambulance 2 \$2,790.17,
Total \$33,950.02

Supervisor Ruso: Well, thank you for that. Okay, almost last, I just want to make a comment regarding my two gentlemen colleagues here, Mr. Irving and Mr. Boehlke. I need to tell you I appreciate you so much, I can't thank you enough, and all I can say is you won't have to put up with me talking too much anymore, but it's been a pleasure. Again, the thanks are mine and let's see four years and eight years, good heavens, but thank you so much both of you.

Councilmember Irving: It's been a pleasure. Thank you, Jeff.

Adjournment

Motion by Councilmember VanEtten seconded by Supervisor Ruso, the meeting was adjourned at 7:53 PM

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC CTO
Town Clerk