

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
JANUARY 9, 2012- page 1**

DRAFT

OPENING OF MEETING

Supervisor O'Rorke called the meeting to order at 7:30 pm and the Pledge of Allegiance was said. Also attending: Councilwomen Benway and Finke, Councilmen Meredith and Norris, Highway Superintendent Jordan, Town Clerk Brooks, and 26 members of the public who signed the attendance sheet. Absent:

**PRESENTATION -- Rene Van Schaack -- Interim Executive Director, Greene County
IDA-- Update on proposed Water Park Resort, 400-room hotel and waterpark**

Supervisor reminded all that the only action at this point is before the county legislature, not the Town Board, and that this is not a public hearing. When it comes time for the Town Board to act, public outreach will occur and a public hearing will be held at a point in the future. If time permits, questions may be taken but only from the Town Board. Supervisor introduced Mr. Van Schaack.

Rene thanked for opportunity and is experiencing items popping up at every venue. Project is in newspapers, there are now a few documents out to describe the project, going up on Friday this week. Rene thanked George Leveille, Leveille Development and Planning, Delmar, the primary face of the developer and who additionally serves on his own local planning board.

First meeting, December 8 in Catskill, went pretty well. The county is taking good steps and has engaged another consultant to do independent review of IDA's financials. This is good news and welcomes another look with the study coming out in early February.

The proposal is consistent with the SEQR process; Rene is comfortable with not leaving loose ends and now needs the county to take a conditioned vote. This is a conservative approach, debt and revenues, all very favorable, looking with hope for confirmation by secondary consultant. The county is conditioned by developer raising his money; the developer has assembled qualified team who knows how to raise money, there is money out there, people are not investing in traditional stock.

If, however, the developer cannot raise the money, we cannot have the project. Second: before any money is spent to turn over dirt, there will have to be a definitive agreement between county, IDA and developer to spell out everything: fiscal assurances, on time and on schedule for all parties, sewer plant and hotel coordination, lay all out in agreement-- then we go to bank for simultaneous closing, borrowing at the same time and breaking ground at the same time. Two months after the county vote, the developer must advance IDA \$500,000. And that is for the local approval and wetland approval; the IDA must deliver a permitted project. If IDA does not get the permitting done, it must pay back the developer.

IDA feels it worked very well with the Town and was diligent to the SEQR process. IDA will help the Town with consultants to get through the PDD process. The idea behind the project was to take some high impact activity and concentrate on one portion of the Town. The 'proof of the pudding' is the county taking the vote; Rene is meeting one on one now to describe things, Duff and Phelps did a study regarding the location, our study says the same thing: how many people will come and pay that room rate to generate these revenues.

The 'jewel' for Rene personally was bringing the Medway-Grapeville meeting to commonality and consensus. IDA is continuing to answer questions; he has a draft of answers from the public meeting at www.greenewaterpark.com where documents will be posted. The full body of studies must be requested by email and identify the town of origin of requestor.

Supervisor asked for his comment regarding the bond that Greene County (not the Town) is being asked to hold; Rene said the Town is not being asked to use its bonding authority, but there is some allocation in cash flow pro forma for Town to contribute to Village of Coxsackie to help with recent \$4million for water service; the Village of Coxsackie has been very benevolent considering they're pushing water into New Baltimore. Rene reminded that New Baltimore knows the difficulty of making a water district. Whether Greene County does one or two series of bonds, absolute maximum is \$15.6, there are also closing costs, \$1.4 of capitalized interest borrowed up front. Total construction is about \$11 mil, 30 % contingency, \$13.25 million total cap. IDA is asking county to do a maximum not to exceed authorization, with the understanding that \$3/4 million can be shaved off, hopefully more if state money can be

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gotten. It is strictly public infrastructure; sewer line will go to the curb. It will create, with Ravena to the north and Coxsackie to the south, water lines will have to be run. But wastewater is the tough one because infrastructure is more cost-intensive. If this works, we will have a state-of-the-art wastewater treatment processing 150,000 gallons/day. Resort needs 92 and leave 60,000 gallons/day to do retail and others onsite. But want the head numbers to be larger, allowing for additional treatment trains, membrane system is much different than existing technology in plants, with membrane filter, fits on a smaller footprint, lower O+M costs. We can look at expanding the system out US Route 9W from the base. With enough development, another 150,000 gallon treatment train can be added in the future; it will be highest [inaudible] system in the county and easily expandable. No money invested with private developer at all. Supervisor said with Kalkberg the Town is not in a position to build since Village of Coxsackie is under consent order from NYSDEC. Rene said a strategy has been implemented to address Village of Coxsackie's INI problem. IDA has 14-16 acres left in New Baltimore/Kalkberg, and 2.5-3 acres left in Coxsackie to build.

Supervisor asked regarding the permitting process and hoping the county does move the project along, Rene said there will then be 60 days for developer to come up with funding and the developer will be credited back on the purchase price of the land at the time the project is done. From the day a check is received from developer, IDA has 365 days with one 3-month extender; IDA has sat with PDD law and can do it if we move expeditiously, no lollygagging. Rene is comfortable with the permitting and feels he has a good handle and can control that.

Supervisor asked whether it was possible that a permit application would be received this summer? Rene answered, yes, the Town will know in advance, have joint planning zoning and town board meeting first and talk about the timeline, and, additionally, special meetings may be requested. He added that every question will be answered. Rene understands concerns about the project, here or in Durham, and has said that, if we don't do something proactive and with confidence, he can guarantee where we're going as a county; some towns have even spent their reserve funds.

Supervisor said this Town Board tried to do 5-year projections in the fall and, without any economic development or new revenue, outlook is grim to control the tax base. Rene commented that people ask how much the PILOT (Payment In Lieu Of Taxes) actually saves the developer; the IDA will eventually have that number but the developer will go somewhere else! City of Albany tried to snag this project from New Baltimore about 8 months ago; Rene is playing the same game as everyone else. But it is not the same game for the secondary developers; folk need to understand how important the water park is as a catalyst. David Wukitsch said, with VISTA in Bethlehem, even retail is getting warmer treatment; do they need this favorable tax treatment?

George said that that park is mixed use, this is a farm field. He added a desire to see that projects are real and in place, you invest in those first projects while hoping that the rest will come and pay full price. David Wukitsch said once you have an anchor there, the retail comes along, and hopes this group is progressive on behalf of these taxpayers.

George projects 400,000 guests in first year; Rene said diligence is needed to take full advantage of those customers and work with the locals to maximize the benefit, ie, oil leaks fixed, etc. Rene said it may appear we took "a beating" on the warehouses, but Empire Merchants is spending nearly \$1million each year locally. Paul's Pizza credits the warehouses with their staying "out of the hole". Also the florists, caterers who are nearby, so we want to keep an eye out, and not be as aggressive on the PILOTS. Stores at VISTA/Bethlehem are equivalent to our Waterpark. Rene said his personal preference is to locate another attraction into the facility, since warehouses do not pay sales tax. Greene County is picking up chargebacks and emergency services and we are all in better position if we help to create wealth for the county. Rene would love to see 5acre batting cages, golf carts, climbing walls, and activities that support the resort industry, and are available to the rest of us, and would be more aggressive if that's what it took to get it, and also to support the ski industry. Local summer resorts will not be able to send visitors here for a day inside, and it would help Great Wolf and the Maar property. Straight retail and restaurants will not get quite so much.

Supervisor commented that members of the fire departments are present in audience and said PILOT does not include the special districts; fire, ambulance districts would tax at full. There

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are projections in reports of what the current value would be if this land stays vacant, and one caveat, said Rene, is that numbers will actually be a little lower; this place will come in a little under ½ of total valued assessment in the entire Town; if you add another 50% value to the total assessment, unless you're spending like crazy, it will result in a different tax rate, including fire districts, and he suggests the Town use the opportunity to improve services.

Councilwoman Finke asked if there was a date yet in February for the county vote; Rene said no, working toward it, 3rd week is Presidents' week, must pass Finance and Government Operations Committees first. She asked to see him Thursday or Friday; Rene asked her to call Peggy in IDA office.

Councilman Norris asked, regarding bonding process, is it 3 steps; Rene answered that the county will take its conditional vote on the bond, developer goes to the bank, developer gets deposit/advance money to IDA for permitting, and need the county to commit to the bond. Councilman Norris asked then the responsibility is on Maar to build investors' money (pension funds, insurance companies, trusts), and Rene said once the investors are signed on there is still an 18-month period before the doors open. Councilman Norris asked then the investors have been looking at information provided to them; Rene said they've been looking at it for over a year, then, once all terms and conditions of the conditional approval are met, they will have simultaneous closings. He continued that given the economic and financial markets, more studies may be commissioned by experts; there are months to work.

Councilman Norris asked we'll be helping Cossackie out with water with new money helping? Rene said what the Town nets is far above what the vacant land is netting; if we don't put water and sewer in; this is a tough land project and not likely to be snatched up in the near future.

[Man from audience] read Great Wolf's financials didn't look so good; Rene said that is a specific point to be looked at by consultant; there are a lot of ways to selectively look at information; their 10K Filings to Securities Exchange Commission indicated no net profit in 7 years. In this market, people are not putting money in and losing in publicly traded companies, and net operating income is not necessarily an indicator, as debt is being written down. They are writing numbers down as low as possible to take down gross income before taxes, and that is what they've been working on. It is not true that two properties went bankrupt; all payments were made on time and, like many houses 3 years ago valued at \$350,000 and now \$100,000, it is an issue 'on paper' and they did not fail. Rene said if you follow Sarbanes Oxley Act, when EnRon was admonished for reporting, literally every lawyer was called to cover every way til Sunday. Also, typically people follow sectors of the market; 3 people specialize in watching water parks; recent evaluations' recommendation is 'buy, buy and hold'. Great Wolf is moving into operation and management licensing. One fellow present at the last meeting was fiscal officer for Empire Merchants who understands what [Great Wolf] real fiscal health is, but the report will be vetted by an independent.

[Man from audience] said if we get stuck with a white elephant a few years down the road; Rene offered that this is not a 'cookie-cutter', cheap-per-square-foot; this is a very high end build; these investors put in \$115 million and are not readily going to allow this to go down the tubes. When parent company of Athens Gen went belly up, 1/3 in process, the investors stepped in and finished; when they borrow, they don't walk out with cash, a trust is established, all investors have roles, and there are many oversights for the investment. There are other national-named operators out there and, in worst case scenario, if the building is finished, another operator could jump in at a discount, attractive due to the strength of the market demographics. George said that the Poconos facility, an exact model of this build, opened at full occupancy and stayed full for a year; Great Wolf cannot expand at the Poconos location. Great Wolf is the industry leader, but they are not the owner of the project, they are the operator. Rene said once the public approval process gets moving, there are public hearings and meetings during the PDD process and, once begun, please stop in or call the IDA office with questions and problems.

APPROVAL OF MINUTES

Supervisor moved and Councilman Norris seconded the approval of Minutes of December 12, 2011 Public Hearing regarding proposed Local Law 4 of 2011 (distributed 12/21 at 3:05

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pm) submitted by the Town Clerk. Councilman Norris noted that Pledge of Allegiance was said after the public hearing, please strike. **With that change**, the adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-Abstain FINKE-AYE MEREDITH-Absent
NORRIS-AYE O'RORKE-AYE
Adopted**

Supervisor moved and Councilman Norris seconded the approval of **Minutes of December 12, 2011 Regular Town Board Meeting** (distributed 12/21 at 3:05 pm) submitted by the Town Clerk. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-Abstain FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE
Adopted**

PUBLIC COMMENT PERIOD

Ellie Alfeld announced the Community Food and Fun Luncheon this Wednesday at New Baltimore Reformed Church; a western theme, meatloaf menu, call for reservations, and much effort is being made to establish a "buddy system" to provide rides.

CORRESPONDENCE

From Greene County Public Health- quarterly minutes and their follow-up to storm 'Irene'.
From Congresswoman Kirsten Gillibrand- announcement of a sponsored January 19, 2012, webinar/ seminar for FEMA mitigation, to be held in New Paltz.
From NYS Association of Towns- announcement of an annual meeting on Presidents' weekend in New York, New York.
From Greene County- resolutions passed regarding chargebacks, delinquent water, sewer, and sidewalk charges, taxes, community college reimbursements, school tax relieves, all affecting the towns in Greene County.
From Government Finance Officers Association- invitation to membership in GFOA; their annual conference is April 3-5, 2012.

NEW BUSINESS

1. Resolution to Pay Claims

Supervisor asked if all Board members had opportunity to audit all claims; hearing all, she read.

**RESOLUTION
JANUARY 9, 2012**

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 2012 01/01-66, it is

RESOLVED, that the Supervisor is hereby authorized to pay claims 2012 01/01-66.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until January 31, 2012.

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Councilman Norris asked for January 31, 2012, and moved, Supervisor seconded. Supervisor asked if there were any questions or changes to be made; Councilman Norris noted that one had been pulled. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE
Adopted**

2. Six Month Update from ZBA

ZBA and Planning Board were directed by previous board at the time new zoning was enacted to report semiannually and indicate any implications of the new zoning revisions.

**ZONING BOARD OF APPEALS
Semi-Annual Report to Town Board
December, 2011**

Nothing has come before the Zoning Board of Appeals in the past six months which has been affected by the Zoning changes enacted in 2008. Therefore, the Board has nothing to report at this time.

Meave Tooher, Chair

3. Six Month Update from Planning Board

**PLANNING BOARD
Semi-Annual Report to Town Board
December, 2011**

Nothing has come before the Planning Board in the past six months which has been affected by the Zoning changes enacted in 2008. Therefore, the Board has nothing to report at this time. I do look forward to the roundtable with code enforcement, planning, zoning and town board.

Kathy Rundberg, Chair

4. Appointment of Lee Davis to Planning Board

**RESOLUTION
JANUARY 9, 2012**

RESOLUTION TO APPOINT PLANNING BOARD MEMBER

RESOLVED, that Lee Davis is hereby appointed to the New Baltimore Town Planning Board, said term expiring on December 31, 2014.

Councilwoman Benway moved, and was seconded by Councilman Norris. Supervisor stated there are three vacancies on the Planning Board; Alta Turner has asked to not be reappointed after serving a number of years; Ken Kuder's and John Murray's busy schedules prohibited them from completing the required training prior to reappointment, and left 3 vacancies. With issue of having a quorum, Supervisor noted that Lee has a number of years of experience. Councilwoman Finke asked why appoint this candidate and then interview; Councilwoman Benway offered that Lee's many years of experience will come in handy. Councilwoman Finke doesn't know whether she agrees with the process; Supervisor asked what procedure, Councilwoman Benway said 5 more are seeking seats, Supervisor asked do they have years of service, Councilwoman Benway said no. Councilman Norris asked if current chair was approached regarding possible conflict with previous chair; Supervisor met with Chair Rundberg, who was gracious and welcomed Lee with his many years of experience, was welcome immediately in order to avoid quorum problems. [Member of the audience] asked why process of meeting with Councilwoman Finke in the past was changed. Supervisor answered she is still rather new, Councilman Norris has served longer, and believes the Town Board has handled it in a variety of ways with no written policy; prior Town Board member

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Arlene McKeon said there have been years they've gone begging for individuals to serve. Councilwoman Benway and Finke serve as the Planning Board committee of the Town Board and these appointed Planning Board members serve at the pleasure of the Town Board. Ellie Alfeld has been watching the Planning Board for many years and doesn't know when it was easy to find individuals to serve, can be very time-consuming position; sometimes it can be very difficult to find people who can commit to serve. Councilman Norris is concerned there is only 4 on now, making a quorum could be difficult and here is a very qualified person, a meeting this Thursday, and a project, and more seats are available. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-AYE FINKE-NAYE MEREDITH-NAYE
NORRIS-AYE O'RORKE-AYE**

Adopted

5. Resolution to Authorize Supervisor to Renew Contract for Columbia-Greene Animal Shelter

Supervisor reminded that this animal shelter has been used for about 2 years.

**RESOLUTION
JANUARY 09, 2012**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH
COLUMBIA-GREENE HUMANE SOCIETY**

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute an agreement with the Columbia-Greene Humane Society/SPCA for the period of January 1, 2012 to December 31, 2012 for shelter services.

Councilman Norris moved, and was seconded by Supervisor. Councilwoman Finke asked if the rate had increased; no, and it only applies to actual use of the agreement. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

6. Resolution to Authorize Supervisor to Sign Inter-Municipal Agreement with Greene County

Supervisor met with Greene County Administrator, Village and Town of Coxsackie, Athens, and Greenville, to have inter-municipal agreements with entities within the county. This concept arose after 'Irene' when it surfaced that the Town does not have an inter-municipal agreement with the County or towns in the county; this is sought by FEMA to have in place prior to its reimbursement regulations. This was previously distributed for feedback in December.

**RESOLUTION
JANUARY 09, 2012**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
WITH GREENE COUNTY**

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the attached Inter-Municipal Agreement with Greene County.

Councilman Norris, and was seconded by Councilwoman Benway. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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**ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE
Adopted**

7. Resolution to Authorize Supervisor to Renew EMS Contract
Established over 10 years ago, said Councilman Norris, this is 3rd contract.

**RESOLUTION
JANUARY 9, 2012**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
GREENE COUNTY EMERGENCY MEDICAL SYSTEMS FOR ADVANCE LIFE
SUPPORT SERVICES**

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute an agreement with Greene County Emergency Medical Systems, Inc. for the period January 1, 2012 to December 31, 2014 for advanced life support services provided to New Baltimore Ambulance District No. 1 and No. 2.

Councilman Norris moved and Supervisor seconded. Supervisor contacted President Mark Evans regarding insurance and indemnification; she will write to request changes to Article 8. Councilman Norris said major change is now it will be a three-year contract and not 5-year. Supervisor said it is split between Ambulance District 1 and 2, and was reviewed at the time of the budget. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE
Adopted**

8. Resolution to Approve JB Car Service Junk Yard Permit

Supervisor said code enforcement officer checks height of tires, fencing, condition of yard, etc. for the Planning Board for annual special use permit renewing; Town Board requires same items to be checked for the issuance of junkyard permit and has received memorandum from the Planning Board recommending issuance. Planning Board Chair Rundberg commented that CEO's comments and photos were very positive and the yard looks very clean.

**RESOLUTION
JANUARY 9, 2012**

**RESOLUTION APPROVING ISSUANCE OF SECOND HAND JUNK
& AUTO PARTS DEALERS' LICENSE FOR J.B. CAR SERVICES**

WHEREAS James Brockett is the operator of J. B. Car Services, Inc. located at 241 Flatbush Road, West Coxsackie, New York; and

WHEREAS, Mr. Brockett requires a Second Hand Junk & Auto Parts Dealers' License, renewable annually; and

WHEREAS, Code Enforcement Officer Blaisdell completed the required inspection, found all to be in order and recommended to Town Board issuance of renewal;

NOW, THEREFORE, BE IT RESOLVED that J. B. Car Services Second Hand Junk & Auto Parts Dealers' License is renewed for the term ending December 31, 2012.

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Councilman Norris moved, and was seconded by Councilwoman Benway. No discussion. Supervisor commented this business provides a place for the town to take items. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**
Adopted

9. Discussion regarding Official Town Newspaper

In recent years the Town chose only the Catskill Daily Mail, but doesn't necessarily serve the entire town, in addition to the Town Clerk's bulletin board and Town website. Local weekly papers have as much as 10-day lead time, making postings difficult. Supervisor said if Planning Board had to post a public hearing and no official paper was chosen; Attorney Wukitsch said the Town would choose a paper, in addition to the bulletin board, adding that towns are moving away from non-daily newspapers; he asked whether the website is used for posting. Supervisor said yes; Councilwoman Finke keeps that up-to-date. Councilwoman Finke said many people do not have or use computers. Supervisor reminded that there have been difficulties with invoices and affidavits. Councilwoman Finke said keep Daily Mail since we've always had it; Supervisor said no, not always used. Councilman Norris remembers the Greenville Press originally. Ellie Alfeld offered that if a notice is put in News Herald, lost 'in a sea', and asked if cost is passed to individual for ZBA or Planning Board public hearings. Town pays for special meeting notices, surplus equipment, and the like. Ellie said bulletin board must be maintained regardless, and prefers Daily Mail because a notice can be found. Councilman Norris said it is a daily if not a daily. Jim Van Slyke said by making it the official paper, people will buy it and will know where to go for information.

**RESOLUTION #17
JANUARY 9, 2012**

OFFICIAL TOWN NEWSPAPER

RESOLVED, that the Daily Mail is hereby designated as the official newspaper of the Town of New Baltimore for the year 2012.

Supervisor moved, and was seconded by Councilman Finke. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**
Adopted

Councilman Norris responded to Councilwoman Finke's question about the cost of the EMS contract; was \$17,000 in 2011 and is \$17,190 for 2012.

**10. Use of Highway Property by New Baltimore Fire District (Cornell Hook and Ladder)
for Training Purposes**

Supervisor noted that intra-municipal cooperation to use the highway yard has been past practice, in discussing with attorney, has an application for use of Town Hall that is easy to convert to facilities use form for anyone who wished to use and come before the Town Board for approval. This way the Highway is notified, Town Clerk is filing officer, assets of the Town are protected against loss, and, in the event of injury, there would be a paper record with certificate of insurance, and Supervisor has discussed it with the Fire District just like using the fire station for Bicentennial. Councilman Norris asked has this has been used for many years; answer: yes.

Supervisor moved to make that change on the application from Use of Town Hall to Application for Facility Use, and was seconded by Councilman Meredith. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

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ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE
Adopted

11. Budget Amendments

RESOLUTION
JANUARY 09, 2012

RESOLUTION AUTHORIZING SUPERVISOR TO MAKE THE FOLLOWING
AMENDMENTS TO THE 2011 BUDGET

RESOLVED, that the following amendments to the 2011 Budget are hereby adopted,

	Increase- Appropriations Decrease-Est. Revenue	Decrease- Appropriations Increase-Est. Revenues
General Fund		
A1110.11 JUSTICE CLERK		1,867.00
A1990.4 CONTINGENT		14,000.00
A7989.4 CULTURAL PROGRAMS		480.00
A8020.11 PLANNING CLERK		1,229.00
A1110.4 JUSTICE	1,867.00	
A1330.4 TAX	2,634.00	
COLLECTION	325.00	
A1410.4 TOWN CLERK	974.00	
A1420.4 ATTORNEY	4,241.00	
A1620.4 BUILDINGS	10.00	
A1670.4 CENTRAL PRINTING	44.00	
A3010.4 PUBLIC SAFETY	1,016.00	
A3620.4 SAFETY INSPECTION	116.00	
A5010.4 SUPT OF HIGHWAYS	2,651.00	
A5132.4 GARAGE	1,278.00	
A7140.2 PLAYGROUNDS	1,126.00	
A8010.11 ZONING CLERK	103.00	
A8010.4 ZONING	84.00	
A8020.4 PLANNING	612.00	
A8160.1 REFUSE & GARBAGE	100.00	
A9040.8 WORKERS COMP	395.00	
A9055.8 DISABILITY INSURANCE		
	<u>17,576.00</u>	<u>17,576.00</u>

The Town Board authorizes the Supervisor to make the preceding budget amendments to the 2011 Budget.

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Councilman Norris moved, and was seconded by Supervisor. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

Highway Budget Amendments- **TABLED** to discuss with Brian Fitzgerald.

**RESOLUTION
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**RESOLUTION AUTHORIZING SUPERVISOR TO MAKE THE FOLLOWING
AMENDMENTS TO THE 2011 BUDGET**

RESOLVED, that the following amendments to the 2011 Budget are hereby adopted:

	Increase- Appropriations Decrease-Est. Revenue	Increase-Est. Revenues Decrease- Appropriations
Sewer District #1		
SS8110.4 ADMINISTRATION	441.00	
SS8130.4 TREATMENT & DISPOSAL	14,734.00	
SS9040.8 WORKERS COMP	58.00	
SS9901.9 TRANS TO REPAIR RESERVE		15,233.00
	<u>15,233.00</u>	<u>15,233.00</u>

The Town Board authorizes the Supervisor to make the preceding budget amendments to the 2011 Budget.

Councilman Norris moved, seconded by Supervisor. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

Sewer District #2

**RESOLUTION
JANUARY 09, 2012**

**RESOLUTION AUTHORIZING SUPERVISOR TO MAKE THE FOLLOWING
AMENDMENTS TO THE 2011 BUDGET**

RESOLVED, that the following amendments to the 2011 Budget are hereby adopted:

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
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DRAFT

	Increase- Appropriations Decrease-Est. Revenue	Increase-Est. Revenues Decrease- Appropriations
Sewer District #2		
SS8110.4 ADMINISTRATION	33.00	
SS8130.4 TREATMENT & DISPOSAL	2,269.00	
SS 02702 IDA REIMBURSEMENT		2,302.00
	<u>2,302.00</u>	<u>2,302.00</u>

The Town Board authorizes the Supervisor to make the preceding budget amendments to the 2011 budget.

Councilman Norris moved, seconded by Councilman Meredith. IDA offered to reimburse for these unexpected expenses incurred when the Town took over ownership; may be in by end of this month. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE
Adopted

Water District #3

RESOLUTION
JANUARY 09, 2012

RESOLUTION AUTHORIZING SUPERVISOR TO MAKE THE FOLLOWING
AMENDMENTS TO THE 2011 BUDGET

RESOLVED, the following amendments to the 2011 Budget are hereby adopted:

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	Increase- Appropriations Decrease-Est. Revenue	Increase-Est. Revenues Decrease- Appropriations
Water District # 3		
SW8320.42 SOURCE OF SUPPLY	525.00	
SW 04400 REVENUE FROM OTHER GOV		525.00
	525.00	525.00

The Town Board authorizes the Supervisor to make the preceding budget amendments to the 2011 budget.

Councilman Norris moved, seconded by Supervisor. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**
Adopted

12. Discussion on Property Tax Cap for 2013 Budget

Supervisor was at Association of Towns training school in Rochester last week; there are still many questions outstanding relating to this, and Board will need to look at this for 2013. We had been told by Comptroller's office, that Special Districts subject to fee are not part of tax levy, but

- any fee assessed for debt service, not for use, is considered a tax assessment; there are some in Sewer District No.1,
- lawsuits other than tort, and including tax certiorari, are not exempt from the tax cap.
- conflicting information on the Consumer Price Index (CPI), formula can vary,
- the growth factor from the Comptroller's Office doesn't come out until end of October when the Board is well into its budget,
- Payments in Lieu of Taxes (PILOTS) are not exempted when they roll over onto the tax roll. County Chargebacks, not sure what Greene County did, but the Comptroller's Office say whoever levies the chargebacks- on the towns' behalf- it looks like that goes back on the county; 1.5% town tax decrease but the county chargebacks "ate up" that decrease.

Many factors go into this and when Supervisor reported the tax cap, she didn't take the retirement advantage that we could have going into 2013 and that will impact us going forward. The 2012 Budget may not get audited by Comptroller's Office until 2018, 2019, and it makes impact in 2013, it would have impact for the town. The Comptroller's Office, when and if they audit, they can require a town take the cash and put it in a reserve fund and pay it back to the taxpayers in the next year. If the Town Board chooses to use its Fund Balance to reduce the tax levy, it is possible the Board would have to borrow to pay the bills. In October, Town Supervisor will create a worksheet, when voting on Preliminary Budget, and as a body the Board will have to agree what the tax levy is going to be and what exceptions the

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Town will claim, regardless of who the supervisor or the town's accountant is at the time. The Town Board can pass a local law prior to voting on the budget exempting us for the property tax cap, then the Comptroller's Office would have no reason for audit. Councilman Meredith asked what was the idea behind the Property Tax Cap; Councilman Norris felt it was the school districts were out of control spending. Supervisor reminded that if the Town was found to have overtaxed, it would then be liable to refund that money, not changing the levy or the process for setting the budget, and, when the legislature passed this, no relief was given for unfunded mandates.

The Daily Mail called Jim Van Slyke, Governor's office had talked about mandate relief; Jim VanSlyke said that the mandate relief had not helped and more people and services would have to be cut, felt it was a joke, puts pressure on the unions, taught everyone to watch pennies, but if no mandate relief cannot meet 2% with the health insurance. Now the minority leader from the county legislature will meet with the governor but without mandate relief the county cannot meet the 2% with the growth in health insurance. Supervisor reminds of retirement buy-backs, Town pays their share in that number of bought back years; override of the tax cap for that year must be done, including the public hearing, before the adoption of the budget for that year. Supervisor said it may not be known for years due to the backlog of audits by the Comptroller's Office; she worries about the cumulative effect.

Arlene McKeon asked about signs for Town parks reflecting the Local Law-set policy of "Closed Dusk to Dawn"; Councilwoman Benway answered that the signs were ordered and they should be up this week. Arlene and Councilman Norris have discussed with sheriff's deputies.

ADJOURNMENT

With no further business to come before the Board, with one tabled resolution, **Councilman Norris moved to adjourn, Councilman Meredith seconded.** No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

**BENWAY-AYE
NORRIS-AYE**

**FINKE-AYE
O'RORKE-AYE**

MEREDITH-AYE

Motion Carried

The meeting was adjourned at 9:14 pm.

Respectfully,

Janet A. Brooks
Town Clerk