

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
WORK MEETING  
JULY 23, 2012- page 1**

**DRAFT**

**OPENING OF MEETING**

Supervisor O'Rorke called the meeting to order at 7:43 pm and the Pledge of Allegiance was said. Attending: Councilwomen Benway and Finke, Councilmen Meredith and Norris, Town Clerk Brooks, and 6 members of the public who signed the attendance sheet. Absent: Highway Superintendent Jordan and Attorney Wukitsch.

Supervisor noted about 100 homes in New Baltimore are out of power this night; Highway Superintendent is out cutting trees and limbs that have fallen in roadways.

**MONTHLY REPORTS**

County Legislator Van Slyke reports a busy July: public hearing set for Columbia-Greene Community College Operating Budget, August 15, 6:15pm at Greene County Legislature; public hearing will follow for proposed Local Law 3 of 2012, a local law imposing additional ½% mortgage recording tax that must be done every year; legislature authorized a contract with corrections unit that came out to small stipend, in line with other contracts, no increase in costs, holding cost on retirement; awarded bid for gasoline, diesel and propane (Nolan); awarded quick quotes for paving CR26 in Town of New Baltimore, Grapeville region, within next 4 weeks. Legislator Van Slyke was asked about guard rails, and county is working on them. Legislature Chair Speenburgh is looking for new ideas and has formed a new committee for economic and tourism. Ellie Alfeld reminded that the old Armstrong farm is being bought by Scenic Hudson, possibly managed by the New Baltimore Conservancy, for recreation; the contract is not final.

The County has authorized replacement of 6 bridge replacement of CR83; bonding has been allocated; Ski Bowl Road has slope problem like CR61; CR61's slope problems were scheduled to be repaired before hurricane *Irene*. Reimbursements for community college at 40% county, 60% town; haven't put the total on agenda; next year will be 60% paid. County has had good sales tax quarter, 12.5% over for month of July 2011, and is projected at 5.2% over last year's budget. Legislator Van Slyke said the shared Greene County chargebacks is a version of sharing.

Regarding the Town's first significant year with new voting machines, Supervisor asked whether, with primaries, there will be significant increase in Town's chargebacks; answer: Resolution #26: \$402 is New Baltimore's election chargeback per primary. Cost is \$.50/ballot for every voter. New machines were moved to new county building basement and are serviced every 90 days. Supervisor asked whether whatever New Baltimore gets this year should be a little less in 2013; answer: yes. Supervisor has a tourism/recreation idea that connects with the Zoom Flume.

Supervisor reports Hudson River Interpretive Trail FEMA funds were placed in Highway Fund and must return to General Fund and some budget amendments; accountant to prepare and will come before Board at August meeting. FEMA checks have been arriving in bits and the checks are confusing. NYS Comptroller's Office wants to come in next week or following week, waiting to see what they want to look at. A resident outside of Schellér Park Water District No.2, two lots away, has very bad water problem, want to act quickly, hardship, interest in hooking up to district, 1200 hundred feet, conversations with agreeable Village of Cossackie, but need to verify sufficient water pressure and must change Water District by local law. Resolution creating Water District No. 2 has no reference to rules as to what people have to do to hook up; in Sewer District No. 1 there are rules whether there is debt in the district or line definition. Looking back Water District No. is much the same; someone went to Village of Ravena and paid for the line to be run across Acquetuck.

Town Board must go back and revisit Water District No. 1 and look at the kind of requirements and rules we want to have; the party that extended Water District No. 1 ran small pipe, maybe permitting only one more house to be added. If the line is extended, maintenance will fall back on town; maybe a line size and pipe size restriction is good. Supervisor will have this on August Regular Meeting agenda; resolutions are being sought for 1972 and 1954. The party looking for water from Water District No.2, once approved by the Village of Cossackie, would like to act as soon as possible since their 4<sup>th</sup> well has failed.

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Councilwoman Finke asked about the noise ordinance. Supervisor said she had no discussion, one person wrote a letter to the Town Board, persons have approached her privately to express concerns, there is an appeal that will be going to ZBA for site plan for this one location; Supervisor continued that if Town Board wants to take it up, noise ordinances are not easy to enforce and, having spoken to the sheriff, it would fall back on the Town to enforce. Supervisor offered, if Town Board wishes, she will put on agenda for August meeting as ordinance or other avenue; Councilman Norris received a phone call today, escalating; could we permit live music? Yes, a local law could be written for that. Member of the public said that would hamper some business. Supervisor explained it would apply to individuals or groups, if church has an outside service, and the fire company's community day. Councilman Norris asked whether it could just apply to hamlet? Supervisor said a local law is needed for permit if it is a new fee, and that needs time for a public hearing. Councilwoman Benway asked whether the pay for the enforcement needs to be taken into account, Ellie added it becomes like a rolling stone; and rather than be caught on this tonight, Supervisor will put it on August Regular agenda.

Town Clerk reports for month of June: 12 building permits \$2,262.10; 2 conservation fees \$3.20; 20 dog licenses \$136.00; 1 marriage license \$17.50; 3 beer permits \$60.00; 1 demolition permit \$75.00; 5 park permits \$125.00; 5 certified copies \$50.00; 5 photocopies \$1.25; recycling fees of \$17.50 for a total to Supervisor of \$2747.55, to NYS Ag and Markets for spay/neuter program \$22.00; to NYS Dept of Health for marriages \$22.50; and NYSDEC \$54.80. Many FOILS in process this month, clerk thanks the various Town Hall offices for their cooperation in these searches. She attended 35 hrs of classes at Cornell University's Community and Regional Development Institute (CaRDI) Municipal Clerks Institute July 8-11. I have also completed several OCR searches using the scanning done in recent years. Councilman Norris commented on so many FOIL requests, has read that many towns are bogged down with requests, Supervisor explained somewhat hand-tied in terms of what may be charged. Councilman Norris asked worthwhile to go to state legislators to ask for revision. Clerk Brooks added that the principal is to identify and find the documents that are responsive to the request. Councilman Norris added that it is not just our town affected recently by these requests.

Highway (Chair: O'Rorke, Member Norris) Superintendent Jordan reports June 21 to July 23: Grader patched Deans Mill Road with blacktop; Cut up large fallen tree on Flatbush Road; Mowed and weed eat parks; Fix kayak/boat launch at Cornell Park; Replaced NO PARKING signs on Old State Road; Mowed along roads; Cleaned ditches on Roberts Hill Road and Scheller Park Road; Sandblasted 2 snow plow trucks and re-primed and painted frames; Took rear end out of 1993 International, cracked housing sent out for repair; Mowed and weed eat all cemeteries; Replaced rear brakes in 2006 F350; Cleaned beaver dams from culvert on West Deans Mill Road; Had *Town of New Baltimore* decals installed on new pickup at Access Safety; Picked up about 15 bags of garbage on Deans Mill Road, Found some names and gave to Greene County Sheriff's deputy; Installed 18"x40" culvert on Haas Hill Road; Fixed driveway aprons on New Baltimore Road; Fixed flat tire on 91 International; Replaced hydraulic lines and air lines on 85 Oshkosh; Replaced alternator on Champion grader; Started to mount plow equipment on new International truck; Took tires from Recycling Center to W&J; Put sanders back on trucks that were sandblasted; Grader patched on School Hill Road; Hand patched with blacktop on Deans Mill Road. Councilwoman Benway added that the crew has put up the new Greene County Public Health TICK signs in the Town parks. Councilman Norris explained that so much work is done by the crew; Councilman Meredith thought not the sandblasting; no, done in-house as well as painting; sandblaster may be rented. Highway Superintendent is absent; he is cutting up trees and limbs that have fallen this day.

Buildings & Grounds/Recycling (Chair Norris/Member Meredith) for Town Hall Maintenance, Spencer reports changing air and water filters and changing light tube in hallway. For Recycling, 2 microwaves: \$8.00; 6 tires: \$12.00; 60 gallon bags of plastic: 18; 55-Gallon drums of cans & aluminum: 8; Bundles of magazine/phone books: 40; bags & bundles of newspaper: 67; Bags of shredded paper: 10; Boxes & bundles of cardboard: 16; clean jars & bottles (no window glass): 6 ton. Councilman Norris will request he trim bushes in front of court windows.

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Ellie Alfeld added that NYS Thruway rest area encroaches on homes on SR 144; she suggests prisoners be used for trash pickup. Councilwoman Finke answered that sometimes that program doesn't work, depending on funding. Clerk Brooks added that the Roadside Cleanup orange bag signup was dramatically less this year, was happy the tick signs were accepted, and expressed fear of tick bites. Ellie added that after pickup, two-three days later more trash is at the roadside.

Building Inspector/Code Enforcement Officer Blaisdell summarizes of activities for June: Building Inspections: 20; Building Permits Issued: 2; Building Permits Renewed: 6; Certificates of Compliance Issued: 7 - 6 by Blaisdell; 1 by Cashin; Commercial Site Fire Inspections: 5; Compliance Orders: 5; Demolition Permit Applications Received: 1; Demolition Permits Issued: 1; Manufactured (Mobile) Home Permits Issued: 1; Travel Trailer Temporary 45-Day Permit: 1; New Building Permit Applications Received: 2; Pool Permit Applications Received: 2; Pool Permits Issued: 3; Code Violation Investigations: 3; General Complaints- 8; Application Fees for June: \$2,337.10; Budgeted Building Department Revenue for 2012: \$11,000.00; Total Fees Collected Year to Date: \$11,018.80. Ellie asked that Ray be commended for following up at residences with visible junk in yards.

Insurance (Chair O'Rorke/Member Benway) had no report.

Wastewater Treatment (Chair O'Rorke/Member Norris) chief operator Jim Polverelli reports: APRIL: processed .661845 gallons, decant digester 2358 gal, pumped sludge to bed#1 2358 gal, calibrated suspended solids meter, decant digester 3144 gal, DEC inspection, decant digester 3537 gal, Bullock in to pump station to adjust controls, cleaned RAS pump, cleaned flow meter PT, Slack Chemical in to set up polymer system, ultraviolet system online for season, decant digester 2882 gal, pumped sludge to bed 2 3406 gal; MAY: processed 0.664357 gal, preventive maintenance on blowers, decant digester 2358 gal, cleaned flow meter PT; JUNE: pumped sludge to bed 3 4454 gal, decant digester 5109 gal, power pole down of SR144- emergency power on, decant digester 4192 gal, pumped sludge to bed# 1 4454 gal, cleaned grit at inflow box. Supervisor added the selection of Delaware Engineering at last Board meeting, a week to get grant in to pay for engineering services, got application logged in with state. Councilman Norris asked if polymer was set up yet; not certain; purpose is to dry out faster.

Planning Board Chair M. Kathleen Rundberg reports Planning Board met on July 12 with the following business transacted: Received Site Plan/Special Use Permit Application from Scenic Hudson for establishment of public accessible open space land for passive recreation on a 76.4-acre parcel located on east side of Route 61; The land has been purchased by Scenic Hudson and will be managed by the New Baltimore Conservancy; Application was deemed complete and required Public Hearing scheduled for 7:30 pm, August 9; Held initial discussion with Surveyor Sal Santo of Santo Associates regarding a proposed three-lot subdivision of property on east side of Route 61. Discussion will be continued at the August Planning Board Meeting; Continued discussion on NYS Thruway's sign regulations vs. the Town's regulations for signs erected near the Thruway.

Zoning Board of Appeals Chair Meave Tooher reports Zoning Board of Appeals met on July 11 and heard the application for an Area Variance for Katherine Chapman on Roberts Hill Road; additional information has been requested before application can be deemed complete and Public Hearing scheduled.

Assessment Assessor Bennett reports for July: Final Roll has been completed; totals are as follows:

	<u>2012</u>	<u>2011</u>
Total Assessed Value	\$244,263,604	\$242,312,073
Town Taxable Value	\$213,190,485	\$211,988,023
Number of Parcels	2,073	2,070
Equalization Rate	75.5%	71.5%

Supervisor added that Town was served this day with another lawsuit; very successful with prior three.

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Economic Development Committee Chair Norris thanked National Bank of Coxsackie and Bank of Greene County for paying for the 43 attendees of the business appreciation breakfast. No meeting planned.

Grants Chair Finke said committee is trying to get together.

Fire, EMS & Law Enforcement

Greene County EMS meeting scheduled for July 17 was rescheduled to July 24; Councilman Norris will report on that next month. Emergency Management Officer Alan VanWormer reports July: Completed paperwork requested by New York State Emergency Management Office to start cash flow for hurricane *Irene*; Spoke with a resident of Middle Road, a private road off Matthews Point Road regarding her neighbor blocking access to her property with a gate. She was concerned fire and EMS would not be able to gain access in an emergency. [Alan] assured her fire department would gain access in emergency; Also advised her to contact her lawyer regarding right of way issue; Please note: there is a ban on ALL residential burning in New York State effective until October 10 per the NYS Governor's office. They have implemented a 'no questions asked' mandatory \$250.00 fine for violators. Supervisor, Councilman Norris and EMO VanWormer attended a Town of Coeymans meeting, the subject of which was the financial condition of Ravena Rescue Squad; Supervisor said either way probably looking at increases for Ambulance District No. 1 and will report back to Board. Councilman Norris added that 2 commissioners and the fire chief from Ambulance District No. 1/Cornell Hook and Ladder were also present at meeting. Councilwoman Finke asked to put up the burning ban message on the website; Supervisor said it is available on the NYS Governor's Office website. Clerk Brooks had the burning ban message on 756-6600, prior to that had put on the heat advisory message; from her Cornell classes she emailed request for EMO meeting to update the Resources Directory. Regarding E911 signs, Councilman Norris and EMO Van Wormer previously delivered, now they are picked up from the Town Clerk's Office in a two-week window; 90 large (3-5 digit) and nearly 90 small (1-2 digit). Original program did not provide enough for every parcel. Clerk Brooks also asked to thank Alan and Scott Van Wormer for their help delivering blue 911 signs to doorsteps.

Technology/Website Chair Meredith said he had no time now to work on website, as soon as his buddy and he have time, they will. Councilwoman Benway has been looking at it and has ideas, sometimes hard to find things.

Newsletter Chair Finke may move up publication date due to the following Memorial Committee event.

Memorial Committee Chair Benway met with 7 members on July 19, next meeting August 8 at 630pm, tentatively scheduled an installation ceremony for Sunday, September 30 at 2:00pm, has written a letter and needs some family addresses. Supervisor asked whether Committee had established policy for who may be candidate for a stone, looking to add any additional members and submit list for August 13 Regular Meeting. Councilman Norris asked about street sign installations; committee has not discussed that yet. Supervisor understands the Memorial Committee checkbook was opened using the Town tax ID number; any account opened with that number must be handled by Supervisor and follow voucher process for disbursements, otherwise must be changed to a non-Town ID number, wants to have this resolved. Councilwoman Benway and Supervisor will meet on Saturday to determine this account.

Newsletter Chair Finke thought first week of September for deadline.

Animal Control Chair Benway and Member O'Rorke said with another Greene County Public Health bite report, they will meet to set parameters for the dog census. Ellie Alfeld asked whether these bites are in the hamlet? No, distributed over town. Ellie feels leash law should be enforced in the hamlet where neighbors are close. Councilwoman Benway said this census is about NYS licensing and vaccination for rabies. Supervisor said NYS Ag and Markets estimates were 80% under represented on licenses. Ellie remembers years ago 20-25 individuals per week come before Town justice for not having licenses. Councilwoman Benway reminded that licensing is a NYS law, not Town.

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Councilwoman Benway inserted the changes, sent to Attorney Wukitsch for approval. Supervisor pointed out the inclusion of Town parks, with the Planning Board Chair's comment that Wyche/District No. 1 Park is not in the hamlet and the law applies to the hamlet and the Town parks. Councilwoman Benway noted, too, that waste must be disposed of immediately. Supervisor asked Councilwoman Finke to add to website. Supervisor asked if it was necessary to read; no, to post on required bulletin boards and on website.

**PROPOSED LOCAL LAW NO. 2 OF 2012**

**A LOCAL LAW ESTABLISHING A LEASH LAW FOR THE HAMLET & TOWN  
PARKS OF NEW BALTIMORE AND PROVIDING FOR THE DISPOSAL OF  
CANINE WASTE THROUGHOUT THE TOWN**

Be it enacted by the Town Board of the Town of New Baltimore, County of Greene, as follows:

**Section 1. Purpose**

The Town Board finds that dogs running at large in the hamlet and *Town Parks* of New Baltimore pose a risk to the health and safety of its residents. Further evidence demonstrates that canine waste may cause serious health problems throughout the Town.

**Section 2. Unleashed Dogs Prohibited**

No person keeping, owning or having possession, charge, custody or control of any dog shall cause, or permit, suffer or allow the dog to stray, run, be or go, in any manner at large, *to be* upon any public property such as but not limited to: street(s), thoroughfare, sidewalk(s), school yard(s) or grounds, public grounds, park(s) or private property, except such dog that may be on public property under control by means of a chain or leash, not longer than six (6) feet in length. This is also to include the private property of others, unless there is express consent of the owner of such private property. This prohibition shall only apply in the *Town Parks* and in the hamlet of New Baltimore as defined by the town zoning map.

**Section 3. Violations and Penalties for Leash Law**

A violation of this law shall be punishable by a fine of \$50 for the first offense, \$100 for the second offense, and \$250 for the third or subsequent offense.

**Section 4. Removal and Disposal of Canine Waste**

**A. Removal/Disposal**

It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his/her dog on any sidewalk, gutter, street, park or other public area, or on any private property neither owned nor occupied by said person. No person who owns, possesses or controls such dog shall appear with such dog on any sidewalk, gutter, street, park or other public area, or on any private property neither owned nor occupied by said person, without the means of removal of any feces left by such dog. For the purpose of this section, the means of removal shall be any tool, implement or other device carried for the purpose of picking up or containing such feces in a manner that such feces shall be unexposed to said person in public. *Disposal shall be accomplished at such time immediately after it occurs.* Disposal shall be accomplished by transporting such feces to a suitable place.

**B. Penalties for Failure to Remove/Dispose**

Any person who violates or permits a violation of this law shall be subject to a fine of two hundred fifty dollars (\$250) to be assessed for each and every violation.

**Section 5. Effective Date**

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This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

**RESOLUTION  
JULY 23, 2012**

**RESOLUTION SETTING PUBLIC HEARING DATE  
FOR PROPOSED LOCAL LAW 2 OF 2012 ESTABLISHING LEASH LAW FOR  
THE HAMLET AND TOWN PARKS OF NEW BALTIMORE AND PROVIDING  
FOR THE DISPOSAL OF CANINE WASTE THROUGHOUT THE TOWN**

BE IT RESOLVED that the Town Board of the Town of New Baltimore will hold a public hearing on August 13, 2012 at 7:30 p.m. at the Town Hall, County Route 51, Hannacroix, New York, to hear those members of the public who wish to be heard regarding proposed Local Law No. 2 of 2012, a Local Law Establishing Leash Law for the Hamlet and Town Parks of New Baltimore and Providing for the Disposal of Canine Waste Throughout the Town.

**Supervisor moved, 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:

**BENWAY-AYE      FINKE-AYE      MEREDITH-AYE  
                         NORRIS-AYE      O'RORKE-AYE**

**ADOPTED**

Supervisor asked Clerk Brooks to notice in newspaper.

Parks Chair Meredith reported having heard nothing, appears to be going well, first day 29 attended, must be a Town resident; Board did not provide for Town of Greenville children.

Councilman Meredith introduced a long-range idea: considering Silver Lake/District 3 park's mowing, frequency of use, and broken water lines, that park could be closed. He and Supervisor discussed selling back/north of Joseph Wyche/District 1 park and clearing more ground of Cecil C. Hallock/District 2 Park. All the parks were bought in some fashion, and the pavilions were paid for by the Town; Silver Lake has deed restrictions, could be 'forever wild' or passive park, and be brushhogged couple times each year. If Town comes into more resources and if District 1 closed, its pavilion could be moved to District 2. Silver Lake has nothing of value, and Conservancy has 2-3 areas for green. Ellie added that most people in New Baltimore have green space due to the zoning. District 1 is 11 acres, Supervisor hopes 1-2 acres would be retained, offer playground equipment, for the hamlet residents. Regarding build-ability, topsoil was removed, it is outside Sewer District 1.

Kathy Rundberg said if drainage ditch is not kept open, it impacts Kathy's and her son-in-law's property. Town put in the ditch and is obligated to maintain it.

Supervisor said this all would be a pretty big change for the Town, well worth having a public hearing to hear from residents. Playground equipment does not meet today's standard. Supervisor will put on agenda for August Regular.

Clerk Brooks expressed gratitude that Board will hold public hearing on this idea and added that til a few years ago, Silver Lake/District 3 park was the most used park- if you remove the Farmers' Market from the reservation schedule. Supervisor said input is needed from the public. Councilman Norris asked if records were available; answer: yes.

Personnel Chair O'Rorke said a tentative date is set to get together with EMO Van Wormer and Dawn Palmateer for Workplace Violence Prevention training.

Agriculture Committee (Chair Norris did not meet in summer; will resume in October.

Seniors Committee Ellie Alfeld said the core group will meet at Town Hall on August 8, 1:30 pm, to determine whether there is interest in a December luncheon. Clerk Brooks said there are a few court dates approaching; schedule meeting room use early.

Ag Fest Committee (Finke) meet in September.

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Town Courts Liaison Benway said accounts are balanced and all is going smoothly.

Historian Hilscher reports for June: Attended second day of AgFest for about four hours; talked to lots of folks, displayed historic local farming implements, sold Heritage Books; Borrowed from a town resident (copied and returned) a historic photo of a home on Staco Road. Supervisor asked who owns the Heritage Books; did the Town pay for the Heritage Books? No. Town Historian may sell but not as a Town property; Supervisor will discuss with Ted Hilscher.

**ADJOURNMENT**

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

<b>BENWAY-AYE</b>	<b>FINKE-AYE</b>	<b>MEREDITH-AYE</b>
	<b>NORRIS-AYE</b>	<b>O'RORKE-AYE</b>

**Motion Carried**

The meeting was adjourned at 8:59 pm.

Respectfully,  
Janet A. Brooks  
Town Clerk