

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

JULY 8, 2019

AGENDA

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Update of the Wastewater Treatment Plant Project by Robert Flores of Delaware Engineering

Approval of Minutes

- June 24, 2019 Town Board Work Meeting

Correspondence

- Letter from the New York State Department of Transportation Notice of the Extreme Winter Recovery Program for SFY 2019-20 is \$27,682.64

Public Comment Period

New Business

- Resolution Approving Issuance of Second Hand Junk & Auto Parts Dealers' License for J.B. Car Services
- Resolution to Accept Grants from the Bank of Greene County
- Resolution to Approve Emergency Purchase at the Wastewater Treatment Plant
- Motion to Transfer Court Grant Purchase from A111041 to General Fund Court Expense A1110.4, Voucher 2019b-02-17 for \$68.50
- Audit of Claims

Upcoming Meetings

- July 11, 2019 Planning Board Meeting at 7 PM
- July 17, 2019 Community Choice Aggregation Informational Meetings at 4 PM and 7 PM
- July 22, 2019 Town Board Work Meeting at 7 PM
- August 7, 2019 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- August 8, 2019 Planning Board Meeting at 7 PM
- August 12, 2019 Town Board Regular Meeting at 7 PM
- July 17, 2019 Information Meeting on the Community Choice Aggregation Program at 4PM and 7PM
- August 26, 2010 Town Board Work Meeting at 7 PM
- September 21, 2019 Townwide Yard Sale 9 AM
- September 22, 2019 Honor of Service Ceremony at 2 PM

Public Comment Period/Community Events

Adjournment

****** Agenda Subject to Change******

GUIDELINES FOR PUBLIC CONDUCT DURING TOWN BOARD MEETINGS

1. The Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall be the acting Supervisor. In the event both the Supervisor and the Deputy Supervisor are absent, the other members shall designate one of their members to act as temporary chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. Town residents who wish to speak shall fill out a card at the entrances of the meeting room listing their name, contact information, and the subject matter in which they would like to speak. These cards will be collected prior to the beginning of the Town Board meeting and given to the Town Supervisor or Deputy Supervisor in the absence of the Supervisor.

3. Speakers must be recognized by the presiding officer and then proceed to the lectern and state their name and address. They must limit their remarks on official town business to up to three minutes on a given topic and may not yield any remaining time to another speaker. They must address their remarks to the Board as a body and not to any member thereof and not to other members of the audience in the form of a debate.
4. Speakers should present their remarks in a courteous manner and may not make disparaging remarks or personal comments about public officials, town residents, or others. All speakers will observe the commonly accepted rules of courtesy, decorum, dignity, and good taste with no cursing, swearing, clapping, booing, finger pointing, bullying, whispering, or talking that disrupts the proceedings of the business of the Town Board.
5. Any speaker who disregards the directives of the presiding officer in enforcing the rules, disturbs the peace at a meeting, makes impertinent or slanderous remarks, or generally conducts themselves in an inappropriate manner shall be barred from further participation and will forfeit any balance of time remaining for their comments.
6. After a final warning, if a speaker willfully refuses to step down, the Town Supervisor shall contact the appropriate authorities to remove the speaker from the meeting room and to restore order.
7. The Town Supervisor, or in their absence the Deputy Supervisor, shall ensure compliance with these rules.

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

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OPENING OF REGULAR MEETING

Supervisor Ruso opened the meeting at 7:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Briody, Downes, Irving, and VanEtten, Deputy Supervisor Dellisanti, Town Clerk Finke, and 7 members of the public who signed the attendance book. Absent: Tax Collector Jordan

Update of the Wastewater Treatment Plant Project

Supervisor Ruso: We have a speaker for tonight; we have Mr. Flores. He's going to give us an update on our Wastewater Treatment Plant project. Robert Flores from Delaware Engineering.

Robert Flores: Thank you. It has been awhile since I've been here. I'll give you an update. Construction has started at the Wastewater Plant and they're well on their way. I would probably estimate about 25 percent into the project and construction will continue all the way through December. That's what's planned right now and I would expect at the end of the year would be what we call substantially complete which means all the major components are installed and operational and there would probably be a punch list and some restoration items they will have to be done potentially until spring. If you make a side trip to the Treatment Plant today you would see a lot of equipment, a lot of holes, structures around. It's a pretty tight site, but the guys are making the best of it, making it work. I should knock on wood four times here, but so far we haven't had any major problems or major surprises and so things are continuing smoothly. As of right now you don't have a pay application from either one of the contractors, I would expect you'll start getting them for next month, a few more really when you're paying the big bills. Does anybody have any questions about the project or how we're going?

Councilmember Downes: Just a quick question. How will weather -- I'm talking about like October, that type of weather -- will that affect the progress or we will be far past that?

Robert Flores: We'll be past that the work that it could affect would be the concrete work and that will be all done by then and it will just be putting equipment inside tanks that would already have been built. As always if anybody has any questions or concerns, please contact me email, phone calls, cell.

Richard Guthrie: Just a simple basic question. Will this be addressing any of the issues which I understand we don't have with regard to stormwater bypass overflow. Will that be an issue that will be addressed and first off is there an issue with regard to that as some of the other towns in the Hudson Valley are faced and will this address that (unable to understand)?

Robert Flores: So you don't have a problem as combine sewer overflow or stormwater overflow. That's not an issue that you have. You do have, the flows do go up when it rains, but not where it overflows.

Richard Guthrie: So it's not broken; let's not fix it.

Robert Flores: What we're fixing at the Plant is basically what we call end of useful life as we call it, so it's equipment that's 40-40+ years old. Some of it wasn't working any more, some of it was about to break.

Richard Guthrie: This is all good, I understand that. I just wanted to make sure that we weren't facing... I'm sorry to prolong the question.

Robert Flores: That's a good question because obviously the other communities along the River have that problem, combined sewer overflows and sanitary sewer overflows. They got to do upgrades to address that.

Richard Guthrie: Thank you.

Supervisor Ruso: Just on a related note as it goes to the Wastewater Treatment Plant, not a question for you but more about operations, Wastewater Treatment Plant Operator, Lou Betke, had showed me some pretty pictures of what happens to those wipes that people use as opposed to toilet paper. So a notice will be put out in our next bill please do not use them because they

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do not degrade. They clog up the system causing more problems as we go along. The use of wipes is a seemingly popular or more popular than it has been so a notice will be out in the next bill for the wastewater treatment people.

Richard Guthrie: That, of course, is a major problem in some of the larger cities around the world – New York and London.

Supervisor Ruso: The problems aren't to that extreme, but we don't want them to get to that extreme, though. I thought it would be important to point out and he just told me that this evening.

ADOPTION OF MINUTES

The June 24, 2019 Town Board Work Meeting submitted by Town Clerk Finke, Moved by Supervisor Ruso and was seconded by Councilmember VanEtten. The adoption of the foregoing Motion was duly put to a vote and vote was as follows:

AYES: Ruso, Briody, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Chris Frey: I went to the Work Meeting, the last one, and I've never seen a Legislative report before so I'm a little naïve about that and Pat Linger gave his Legislative report. My question is probably a legal question. It seemed to me there was awful lot of editorializing on the jail issue during that report, an awful lot of opinion. My question is is the Legislator allowed to encourage to give opinions rather than a pure recitation of facts in that report?

Councilmember VanEtten: It seems to me that the previous County Legislator also gave opinions when he gave his report.

Supervisor Ruso: I don't know, I've not examined that. I would have to address it with the County Legislator.

Chris Frey: I don't know so I'm just asking.

Supervisor Ruso: He gives his report; we don't tell him what to write. We usually get a printed copy or computer email copy and he reads pretty much verbatim from that.

Chris Frey: I just didn't know if that was appropriate or not, but if you're saying historically or customarily people give opinions you know that's the way it is.

Supervisor Ruso: Since I've been on the Board they express their points and there's been two different Legislators since I've been on the Board.

Chris Frey: Okay, that's all I want to know, thanks.

Supervisor Ruso: I would prefer probably the best to call him on that and again I don't proceed through his whatever he puts down. I don't pick and choose what he can say.

Chris Frey: I can't argue, there are plenty of forums to argue about the jail and I just didn't know if this was one of them so thank you very much.

Correspondence

Letter from the **New York State Department of Transportation** Notice of the Extreme Winter Recovery Program for SFY 2019-20 is \$27,682.64

Public Comment Period

Richard Guthrie: As you know I'm a member of the American Legion and the American Legion is a proud sponsor and supporter of youth baseball not only in New York State but around the Country and I have no qualms about Outlaw Baseball here in New Baltimore, New York, but I do have a question about the use of the park. They do have sort of a schedule of events at the park. Is the use of the park, is that paid for? Is there a fee that the Town collects for the use of the park as it does for the residents?

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Supervisor Ruso: No, not for the baseball team, no.

Richard Guthrie: The Outlaw baseball when they reserve the Park are not charged a fee?

Councilmember VanEtten: No, they're not. They maintain the Park, do much of the maintenance, they put a lot of money into the park when we first redid District 2.

Richard Guthrie: Understood. Is there some sort of a contract with regard to that, some sort of an agreement that we have made with them?

Supervisor Ruso: Yes.

Richard Guthrie: Is there a date period for that contract, is that...?

Supervisor Ruso: Every two years.

Deputy Supervisor Dellisanti: Two years.

Richard Guthrie: Two years? Each two years it's renewable?

Supervisor Ruso: Correct. I think we are on our second two-year agreement.

Richard Guthrie: I just wanted to clarify. I wasn't sure what the status of that arrangement, that agreement was. Thank you.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 108-2019
JULY 8, 2019

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

WHEREAS Edwin Brockett is the operator of J. B. Car Services, Inc. located at 241 Flatbush Road, West Coxsackie, New York and appeared before the Planning Board on June 13, 2019 for renewal of a Special Use Permit.

WHEREAS the Planning Board recommended the Special Use Permit for J.B. Car Services, Inc. be renewed for a one-year period expiring June 30, 2020.

NOW, THEREFORE, BE IT RESOLVED that J.B. Car Services Second Hand Junk & Auto Parts Dealers' License be renewed for a one-year period expiring June 30, 2020.

Motion by Supervisor Ruso seconded by Councilmember Downes

Supervisor Ruso: This comes up every year for those that have been with us for awhile.

AYES: Ruso, Briody, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 109-2019
JULY 8, 2019

**RESOLUTION TO ACCEPT GRANT FROM
THE BANK OF GREENE COUNTY**

WHEREAS Supervisor Ruso and Councilmember VanEtten applied for two grants from the Bank of Greene County for the Summer Recreation Program and the Veterans Committee.

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RESOLVED that the Town of New Baltimore accepts a \$750 grant to the Summer Recreation Program and \$500 to the Veterans Committee.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Briody, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 110-2019

JULY 8, 2019

**RESOLUTION TO APPROVE EMERGENCY PURCHASE FOR
THE WASTEWATER TREATMENT PLANT**

WHEREAS the Town Board adopted a Procurement Policy on January 1, 2019 concerning the procurement of goods and services.

WHEREAS the contractors have started work on the EQ Tank at the Plant and it was taken off line and drained. It was determined that with only one tank it could not deliver enough air to the plant and an aeration system was needed to supplement the system and additionally to be used in an emergency if there is a problem with aerators in the tank.

WHEREAS due to the emergency condition of this purchase and according to Procurement policy 6 b, Section 103(4) of the General Municipal Law, this repair had to be performed immediately and an alternative proposal might threaten the life, health, safety or welfare of the residents.

BE IT RESOLVED that the Town Board of the Town of New Baltimore approves said emergency purchase from USA Bluebook for \$1,475.00 plus shipping.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Briody, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: I would like to make a Motion to Transfer from Court Grant Purchase A111041 to General Fund Court Expense A1110.4, Voucher 2019b-02-17 for \$68.50. This purchase was a deadbolt expenditure to JJJ Locksmithing. We originally charged it to the wrong account and we are fixing that. I will make a Motion to transfer that money from one account to the other. Do I have a second?

Councilmember VanEtten: I'll second.

AYES: Ruso, Briody, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 111-2019
JULY 8, 2019

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 2019-07-01 to 2019-07-32, it is

REVOLVED that the Supervisor is hereby authorized to pay claims 2019-07-01 to 2019-07-32.

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until August 31, 2019.

Motion by Supervisor Ruso seconded by Councilmember Downes

AYES: Ruso, Briody, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

General \$31,943.47, Highway \$2,594.16, Sewer 1 \$2,092.09, Sewer 2 \$178.10, Streetlighting 1 \$1,720.66, Streetlighting 2 \$172.81, Total \$38,701.29

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Supervisor Ruso: There will be a mailing going out to the Town residents in the next couple days identifying a few different things going on including the CCA meeting and notice of the meeting for July 17 giving them nine days' notice so hopefully they'll have received it by then including other tidbits of information as well. So that will be sent out rather promptly.

Richard Guthrie: Do we know what the agenda for that Community Choice meeting will be and what the options will be available?

Supervisor Ruso: I think it's gonna be somewhat redundant to the last meeting that they had five weeks ago, four weeks ago, but they will certainly take questions from yourselves and whoever shows up, but they're going to be running the meeting, it's not an agenda that I'm putting together. They're doing that.

Richard Guthrie: Will there be decisions made that evening that citizens might want to be prepared to come on board with a personal decisions or signup?

Supervisor Ruso: I think the decisions can be made by the individual, it's just information to help people make decisions is the best I would expect.

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Richard Guthrie: Okay, I just didn't want anybody to be foreclosed by not being prepared.

Supervisor Ruso: You don't have to come and sign any papers. No, none of that. No, it's information.

Ellie Alfeld: Can't be foreclosed.

Richard Guthrie: Wrong choice of words, left out. In any event just so that the citizens who attend the meeting might be informed beforehand.

Supervisor Ruso: That's precisely the point.

Richard Guthrie: Exactly, thank you.

Motion by Councilmember Briody seconded by Councilmember VanEtten to adjourn the meeting at 7:20 PM

AYES: Ruso, Briody, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Supervisor Ruso: Good night everybody.

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk