

FINAL

**MINUTES OF
TOWN OF RENSSELAERVILLE TOWN BOARD
REGULAR MEETING
JULY 12, 2011**

The Regular Meeting of the Town Board of the Town of Rensselaerville was held on the 12th day of July, 2011 at 7:06 o'clock in the evening at the Rensselaerville Town Hall, 87 Barger Road, Medusa, NY. The meeting was convened by Supervisor Dermody and the roll was called with the following results:

PRESENT WERE: Supervisor Marie Dermody, Councilman Robert Bolte, Councilman Gary Chase, Councilwoman Marion Cooke, Councilman John Kudlack, Town Attorney Joseph Catalano, Town Clerk Kathleen A. Hallenbeck Also present were Acting Superintendent David Potter and 32 interested citizens.

AUDIENCE COMMENTS:

- Margaret Sedlmeir would like to have a Town Wide Community Calendar to be housed at the Town Hall to allow various organizations, committees, fire companies etc. to put their events on this calendar. This way things would be better coordinated. She would like to volunteer to coordinate this project and contact the people.

Supervisor Dermody mentioned that the only thing she could see as a potential problem would be, if we have a master calendar here, we don't need a lot of phone calls each week asking the office staff to check the calendar to see which dates are available. We do have a community calendar on line.

Mrs. Sedlmeir agreed.

Supervisor Dermody mentioned that this item will be discussed further in the meeting.

PRESENTATION – HELDERBERG HILLTOWN ASSOCIATION – BARBARA HUSEK & TIM LIPPERT

Barbara Husek is on the steering committee of the Helderberg Hilltowns Association. They are introducing themselves to the surrounding Town Boards of all the Hilltowns. The Helderberg Hilltowns Association consists of people from Berne, Knox, Rensselaerville, and Westerlo working together to help preserve and promote local farms, businesses, and organizations. They have held workshops and a meet and greet table at the Berne Fire Company Annual Roast Beef Dinner. The Dudley Observatory came to them searching for a site to establish their observatory. They are based in Knox. Mrs. Husek explained that they have had a number of events already. The Helderberg Hilltowns Association website is, www.hilltowns.org. At this point their activities are free.

They are in the planning stage for making a fall farm and artisan tour to encourage people off the hill to visit our farms, crafters and businesses. The preliminary date is September 10th and 11th.

Mrs. Husek mentioned that their future goals are to encourage people to buy local when they can, to have a central booth to give people information on local businesses and where they can buy local products and do recreational activities. They do have a local calendar.

The application form will be put in the newsletter.

MINUTES:

A motion was made by Councilman Chase to accept the minutes for the Work Meeting held on June 9, 2011; 2nd by Councilwoman Cooke. *Motion Carried. Ayes (4) Dermody, Bolte, Chase, Cooke; Nays (0) Abstained (1) Kudlack*

A motion was made by Councilman Bolte to accept the minutes for the June 14, 2011, Public Hearing; 2nd by

Councilman Kudlack. *Motion Carried. Ayes (3) Dermody, Bolte, Kudlack; Nays (0); Abstained (2) Chase, Cooke*

Councilman Bolte mentioned that on page 4 the Board made a motion to put the trucks on the internet for sale; the motion was seconded and carried and never done. It was never rescinded.

Supervisor Dermody mentioned that the motion was made, seconded and passed; that is correct in the minutes.

A motion was made by Councilman Bolte to accept the minutes of the Regular Meeting of June 14, 2011; 2nd by Councilman Kudlack. *Motion Carried. Ayes (3) Dermody, Bolte, Kudlack; Nays (0); Abstained (2) Chase, Cooke*

Attorney Catalano mentioned in the minutes for the Special Meeting the Board agreed to advertise for bids locally; this is correct.

A motion was made by Councilman Chase to accept the minutes for the Special Meeting of June 23, 2011; 2nd by Councilman Kudlack. *Motion Carried. Ayes (4) Dermody, Chase, Cooke, Kudlack; Nays (0); Abstained (1) Bolte*

TRANSFERS:

A motion was made by Councilman Kudlack to make the following transfers:

From	To	Amount
SS8120.4 Sanitary Sewer	SS8130.4 Treatment/Disposal	\$41.14

SS8110.4 Administration
Central Hudson Bill
2nd by Councilman Bolte. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

SS8130.4 Treatment/Disposal

8.53

ABSTRACT 2011- VOUCHERS,BILLS

The General Fund	Highway Fund	Lighting District	Sewer District	Water District
Total				

A motion was made by Councilman Bolte to pay all signed vouchers; 2nd by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

CORRESPONDENCE

- Claire Neuroth – Thank You & Donation
- Ellen Moak – Resignation – Grievance Board of Assessment Review due to health reasons.
A motion was made by Councilman Chase accepting Mrs. Moak’s letter of resignation from the Board of Assessment Review; 2nd by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

Supervisor Dermody will send a letter acknowledging her resignation and thanking her for her many years of service. We will also need to put a notice in the newsletter seeking letters of interest from people who might want to serve on this Board.

- Brookside Rural Cemetery Association – Funding

Supervisor Dermody mentioned that when we were doing the budget last year we had three cemeteries; Brookside had asked for \$2400.00. We realized that there were two cemeteries not getting any funding, we ended up with 5 cemeteries, funding at \$1500.00 a year. We received this letter from Brookside Rural Cemetery Association mentioning that the \$1500.00 does not cover their costs and they were never aware of the decrease in their budget allotment. They are asking us to reinstate the \$900.00.

Councilman Bolte would like to see if all 5 cemeteries are equal in size; and if they are not, maybe there is a different way of doing the funding rather than \$1500.00 for each one of them.

The money is used for mowing, trimming, cost of fuel for the mowers.

Barry Cooke mentioned that it cost the Cemetery \$3600.00 to keep the grounds maintained.

A motion was made by Supervisor Dermody that we grant the request from the Brookside Rural Cemetery Association for the additional \$900.00 in funding, and that they approve a transfer from the contingency account to go into the Brookside Rural Cemetery Association’s budget line for this year; 2nd by Councilman Chase. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

- Wayne Teter – Siren

Supervisor Dermody mentioned that she spoke to Mr. Teter and told him that this was not a Town issue. She mentioned that she received a copy of the letter sent to Mr. Teter from the Tri-Village Fire Company explaining their position.

- Helen Kosorek – “Gasland”

Ms. Kosorek has gotten approval to show the film. We need to set a date and place to show the film and who to invite. The Town Board discussed these issues. The Board decided that everyone in Town should be able to see this film.

Attorney suggested that the Town Board decide on a range of dates and get a place to show the film and let Supervisor Dermody make the arrangements.

Tim Lippert will try and contact the Conkling Hall contact and get back to the Board later in the meeting.

This discussion was tabled until further on in the meeting.

REPORTS

SUPERVISOR DERMODY

- FINANCIAL REPORT: Supervisor Dermody mentioned that right now half of our vouchers are in the old system, half are in the new system, and some of them are in both. Tomorrow the County Auditors will be here, we will be going live, we will do our first check run. Supervisor Dermody would like you not to consider approving the Abstract of Vouchers. In August there will be a presentation on how the Munis Program differs. Supervisor Dermody explained how the Munis system works in breaking down the line items and costs.

- OPERATING STATEMENT FOR JUNE AND SUMMARY OF ACCOUNTS: The Operating Statement for June is from the old system and the Summary of Accounts are okay. They can be approved this evening.

Councilwoman Cooke asked about the \$50,000.00 that we were going to move.

Supervisor Dermody will check on this.

Councilman Bolte asked why we keep transferring funds in the Sewer District for the Central Hudson bill when there is money in there.

Supervisor Dermody mentioned that we are only moving it around within their funds.

A motion was made by Councilman Kudlack to approve the Operating Statement and Summary of Accounts; 2nd by Councilman Chase. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

A motion was made by Supervisor Dermody to table the approval of the Abstract of Vouchers because of the dual system and do it in August; 2nd by Councilman Kudlack. *Motion Carried. Ayes, (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

- **PAYROLL AUDITS:** Councilman Kudlack will do the April and May Payroll Audits; Councilwoman Cooke will do the June and Councilman Bolte will do July.
- **WORKPLACE VIOLENCE AND SEXUAL HARRASSMENT TRAINING:** Supervisor Dermody mentioned that Jay Lewandowski, our Loss Prevention Specialist from Wright Risk Management, has offered to do the 4th training. This will be held on Tuesday, July 26th at 7 PM at the Town Hall. We have about 20 people who haven't taken the training yet; letters will be sent to them notifying them of the July 26th training.
- **MUNIS:** Supervisor Dermody reported that we will have our first check run on Wednesday and begin training on payroll and hope to go live with payroll in October. At the August meeting there will be a presentation on the Munis System.
- **JOB DESCRIPTION: CLERK 1: CLERK TO HIGHWAY SUPERINTENDENT:** Supervisor Dermody mentioned that the Board went over the Job Description for the Clerk to the Highway Superintendent at the Work Meeting and made some changes. In front of the Board tonight is the revised Job Description based on general Civil Service tasks as well as specific tasks of the job.

A motion was made by Councilman Kudlack to approve and adopt the job description for the Clerk to the Highway Superintendent as presented tonight; 2nd by Councilwoman Cooke. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*
- **AUD:** Supervisor Dermody mentioned that there is quite a mess to straighten out. The County Auditors are helping to get the General Fund straightened out, the Accountant is working on the AUD and we are working on the Trust & Agency Account. We are making progress. There are issues that need to be resolved. This is the first year that you cannot submit the report with critical errors.
- **VFW GARDEN:** Supervisor Dermody reported that Dave Dillworth, from Phase III Electric in East Durham did the electrical work on the VFW Memorial Garden without charge to the Town. The initial materials have been ordered and received. Supervisor Dermody thanked Acting Superintendent Potter and his crew for continuing to do the ground work. The Committee will meet Wednesday night. Mailers will be sent out soon officially seeking donations to help fund the project.
- **AUTHORIZING A COOPERATIVE PURCHASING AGREEMENT WITH ALBANY COUNTY – RESOLUTION – R071211A ALBANY COUNTY AGREEMENT FOR PURCHASING SUPPLIES:** Supervisor Dermody presented the Town Board with an Excel sheet showing the cost of office supplies from W. B. Mason who has the County bid price and Reliable Office Supplies. There is quite a difference in price.

The following resolution was made by Councilman Bolte and seconded by Councilman Kudlack:

WHEREAS, the Albany County Legislature has authorized Albany County to enter into a Cooperative Purchasing Agreement with all Municipalities within Albany, and

WHEREAS, it is in the best interest of Town of Rensselaerville and Albany County taxpayers for government entities to obtain quality goods and services at the most economical price; and

WHEREAS, significant savings may be achieved through a Cooperative Purchasing Agreement with Albany County, wherein commodity and service needs are combined to offer prospective vendors higher volume opportunities which result in lower costs, and

WHEREAS, the Town Board believes it is in the best interest of the Town of Rensselaerville taxpayers to have the option when appropriate to purchase commodities and services through cooperative purchasing with Albany County and other participating Municipalities in order to keep costs down;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Rensselaerville hereby authorizes the Town Supervisor to enter into a Cooperative Purchasing Agreement with Albany County; and be it further RESOLVED, that the Town Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, that the Town Clerk is directed to forward certified copies of this resolution to the appropriate County Officials.

Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)

- GIS: Supervisor Dermody reported that the final report is in. She is finishing up the paperwork to get the remaining \$6, 923.00 of our Grant money.

- CIVIL SERVICE: Supervisor Dermody reported that on June 15th, she, Town Clerk Hallenbeck, and Bookkeeper Hunt met with representative from Civil Service. It was an excellent meeting. Many issues were clarified. We received a list of our positions and classifications and the Civil Service job descriptions for most of the positions in town government. As we move forward with updating our job descriptions, we will take those civil service items and put where appropriate.

A motion was made by Councilman Chase to accept the Supervisor's report; 2nd by Councilman Kudlack.

Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)

TOWN ATTORNEY: "GASLAND". Attorney Catalano mentioned that the Board should authorize Supervisor Dermody to make the arrangements for this film showing.

A motion was made by Councilman Chase to authorize Supervisor Dermody to schedule the viewing of the movie "Gasland" sometime in August or the first available date; 2nd by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

Attorney Catalano had no more business to bring before the Town Board.

HIGHWAY DEPARTMENT

- BIDS – USED EQUIPMENT: Supervisor Dermody mentioned that we opened bids at 6:30 this evening. A motion was made by Supervisor Dermody to award the bids to the Highest Bidders for the following equipment:

- the 1990 International 2574 Dump/Sander Body, 4x2 (plow frame) for the bid price of \$868.00;

- the 1992 International 2574 Dump/ Sander Body, 4x2 for \$701.00;

- the 1999 Ford F350 Dump with Sander, 4x4 (plow) for \$1202.00; 2nd by Councilman Chase.

Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)

There were 5 bids submitted for the 2000 Ford F250 Pickup Truck; two bidders submitted the same bid amount.

A motion was made by Supervisor Dermody to reject all bids for the 2000 Ford F250 Pickup 4x4 (plow) and that this item be rebid for the August meeting; 2nd by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

- JULY 3RD STORM: On July 3rd we received a lot of rain; they had some culvert issues and some roads impassible for a short time.

- CULVERTS: They changed some culverts on Edwards Hill Road and on Tanglewood Road.

- BLACKTOP: Seibert Road has been blacktopped; the County is going to help do the shoulders.

- PEARSON ROAD EXTENSION: The County is completing the paper work. They are going to give up Pearson Road Extension; the land will go back to the property owner.

- TEMPORARY EMPLOYEES: Acting Superintendent Potter reported that Ralph Marsh has used up his 250 hours. He has been a good help to us. Acting Superintendent Potter asked if Doyle Shaver could have an additional 100 hours.

A motion was made by Supervisor Dermody to extend Doyle Shaver's temporary employment by 100 hours of work, no benefits, no overtime, maximum 30 hours per week and getting truck driver's pay; 2nd by Councilman Chase. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

- BATTERIES STOLEN: Acting Superintendent Potter reported that we had two batteries stolen out of the bulldozer that was being used at the Kenyon Road site. He would like to put a lock on the gate and give the fire companies a key so that they can still use the training facility. This was reported to the Sheriff's Department and Insurance Company. The equipment is no longer left up there.

The Town Board mentioned that this gate was supposed to be locked.

- TRUCK WASHING PAD: Acting Superintendent Potter asked the Board if he could put in a truck washing pad at the end of the garage by the employee's parking lot. They have been washing the trucks out front and the water is running onto the road. He would like to put in a 16 by 20 foot concrete pad, the cost would be about \$1500.00 and it would be inspected by CEO Overbaugh.

Councilman Bolte asked where the water would go.

Acting Superintendent Potter mentioned that it would go into a blacktopped ditch at that side of the building.

A motion was made by Councilman Chase to allow Acting Superintendent Potter to install a 16 by 20 foot concrete pad at the end of the highway garage for the purpose of washing town trucks, cost around \$1500.00; 2nd by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

- WARRANTY ON NEW TRUCK: Acting Superintendent Potter asked the Board about getting an extended warranty on the new truck, the cost would be \$2560.00.

Councilman Bolte asked if this is the truck you have had problems on.

Acting Superintendent Potter mentioned that it was; the problem has been fixed and it was under warranty. The Town Board would like Acting Superintendent Potter to get more information on this warranty before making any decisions.

- **COMPUTER:** Acting Superintendent Potter asked if he is going to get his computer back

Supervisor Dermody mentioned that i.t.s. is working on it.

A motion was made by Councilman Kudlack to accept the Superintendent's report; 2nd by Councilman Chase.

Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)

TOWN CLERK: Town Clerk Hallenbeck reported the following collected and paid out for the month of June 2011: Town Clerk Department – Total Collected \$1174.14. Paid to the Supervisor - \$906.84 (fees); Paid to NYS Department of Agriculture and Markets - \$53.00 (Dogs - State Surcharge); Paid to NYS Departmental Conservation - \$191.80 (sporting license); Paid to NYS Department of Health - \$22.50 (marriage license). Water Rents Collected - \$0.00. Sewer Rents Collected - \$514.00.

A motion was made by Councilwoman Cooke to accept the Town Clerk's Report for the month of June 2011; 2nd by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Chase, Bolte, Cooke, Kudlack; Nays (0)*

CODE ENFORCEMENT OFFICER/BUILDING INSPECTOR: CEO Overbaugh reported the following collected for the month of June 2011: New Home Construction – 1; Home Addition – 1; Deck – 1; Total Collected \$294.64.

- **CONCRETE PAD:** CEO Overbaugh mentioned that the pad should be a bit longer, 16 by 24 feet.

A motion was made by Supervisor Dermody to amend the motion concerning the concrete pad to change the size from 16 by 20 foot to 16 by 24 foot; 2nd by Councilman Kudlack. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

- **ACCIDENT:** CEO Overbaugh briefly spoke about the fatal accident of a 26 year old man on Kenyon Road last weekend. This was a very tragic accident.

- **BOARD OF HEALTH :** CEO Overbaugh mentioned that he has been working with Health Protective Services and the Board of Health on a problem house with adults in it. He also met with the DEPARTMENT OF AGRICULTURE & MARKETS concerning issuing permits.

- **911 PROBLEMS:** CEO Overbaugh reported that a couple of homes did not have 911 numbers. These have been taken care. Barry Cooke does the measuring for the numbers.

A motion was made by Councilman Kudlack to accept CEO Overbaugh's report; 2nd by Councilwoman Cooke.

Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)

ASSESSING DEPARTMENT: No Report.

WATER/SEWER COMMITTEE: No Report

REFUSE/RECYCLING: Refuse/Recycling Coordinator Whitbeck reported the following for the month of June 2011: Green Fiber (paper products) – 9.96 tons, Rensselaer Iron & Steel – 3.63 tons; Tires – 40, City of Albany Landfill – 66.55 tons, Sierra Fibers (comingled) – 5.56 tons and Waste Oil collected – 14 gallons.

Councilman Kudlack asked if there is a cost for us to get rid of tires.

Residents must pay to dispose of the tires here and we have to pay to get rid of them.

A motion was made by Councilman Kudlack to accept Recycling Coordinator Whitbeck's report; 2nd by Councilwoman Cooke. *Motion Carried. Ayes (5) Dermody, Bolte, Case, Cooke, Kudlack; Nays (0)*

CURRENT EVENTS:

- Blood Drive - There is a blood drive on July 22, 2011, 1 to 8 PM, at the Tri-Village Fire House.

OLD BUSINESS

MYOSOTIS LAKE ROAD – RESCIND LAST MONTH'S MOTION – CORRECT ROAD NAME – MYOSOTIS

LAKE LANE: A motion was made by Supervisor Dermody to modify last month's motion concerning the naming of

Myosotis Lake Road and correcting the road name to Myosotis Lake Lane; 2nd by Councilman Bolte. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

NEW BUSINESS

- **FURNACES:** Councilman Bolte suggested that we get rid of the two furnaces in the Highway Garage and put in a larger hot air furnace and take out the electric heat in the Superintendent Office and put in piping from the hot water furnace by the meeting room down to the break room and superintendent's office. Councilman Bolte also mentioned that we have to come up with a more efficient way to collect the waste oil. Councilman Bolte would like to work with Mr. Bowdish on the collection of the waste oil; he is familiar with the DEC rules.

There will be saving on service contracts and electricity with these changes.

Councilman Bolte, Councilman Kudlack, and Mr. Bowdish will work on these issues.

Attorney Catalano suggested including Recycling Coordinator Whitbeck in your waste oil discussions since he is the person who deals with the collection of the oil.

- **MILEAGE REIMBURSEMENT RATE - \$0.555:** The new reimbursement rate for mileage is \$0.555.

- **PLANNING BOARD MEMBER APPOINTMENT:** Supervisor Dermody reported that the Town Board interviewed 4 people interested in the position to fill the unexpired term of Raymond Welsh, term to expire on 12/31/2013. A motion was made by Councilman Bolte to appoint Walter Cook to fill an unexpired term on the Planning Board, term ending on 12/31/2013; 2nd by Councilwoman Cooke. Motion did not pass. *Ayes (2) Bolte, Cooke; Nays (3) Dermody, Chase, Kudlack*

A motion was made by Supervisor Dermody to appoint Roger Gifford to the unexpired term of Raymond Welsh on the Planning Board, term to end 12/31/2013 contingent on his resignation from the Zoning Board of Appeals; 2nd by Councilman Kudlack. *Motion Carried. Ayes (3) Dermody, Chase, Kudlack; Nays (2) Bolte, Cooke*

The Town Board asked Mr. Gifford if he is willing to resign his position on the Zoning Board of Appeals.

Mr. Gifford said he is willing to resign his position on the Zoning Board of Appeals.

Attorney Catalano mentioned perhaps the Board should contact the people who were interested in the position on the Planning Board to see if they are interested in the open position on the Zoning Board of Appeals.

COMMUNITY WIDE CALENDAR: The Town Board discussed this issue and decided to do it on a trial basis. The Town Hall staff will not deal with the phone calls concerning the calendar. Mrs. Sedlmeir volunteered to have her number available for people to call concerning the calendar.

A motion was made by Councilman Kudlack to have a Community Wide Calendar located at the Town Hall and do it on a trial basis until 12/31/11; 2nd by Councilman Bolte. *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

AUDIENCE COMMENTS

- Mr. Cook asked if Acting Superintendent Potter had the name of the Officer to whom he reported the stolen batteries. He had some stolen out of his tractor.

Acting Superintendent Potter will give Mr. Cook the name after the meeting.

- Mr. Tollner asked for the names of the bidders. He can get this information after the meeting.

EXECUTIVE SESSION

A motion was made by Councilman Chase to go into Executive Session to discuss the Union Contract and that Attorney Catalano attend; 2nd by Supervisor Dermody. (8:35PM) *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays (0)*

A motion was made by Supervisor Dermody to come out of Executive Session; 2nd by Councilman Bolte. (8:44PM) *Motion Carried. Ayes (5) Dermody, Bolte, Chase, Cooke, Kudlack; Nays(0)*

ADJOURNMENT: A motion was made by Councilman Bolte to adjourn the meeting at 8:45PM; 2nd by Councilman Kudlack. *Motion Carried.*

RESPECTFULLY SUBMITTED,

Kathleen A. Hallenbeck
Town Clerk