

**MINUTES  
OF  
THE TOWN OF RENSSELAERVILLE TOWN BOARD  
REGULAR MEETING  
AUGUST 14, 2014**

The Regular Meeting of the Town Board of the Town of Rensselaerville was held on the 14<sup>th</sup> day of August, 2014 at 7 o'clock in the evening at the Rensselaerville Town Hall, 87 Barger Road, Medusa, NY. The meeting was convened by Supervisor Valerie Lounsbury and the roll was called with the following results:

PRESENT WERE: Attorney Tom Fallati  
Supervisor Valerie Lounsbury  
Councilman Robert Bolte  
Councilwoman Margaret Sedlmeir  
Councilman Gerald Wood  
Town Clerk Victoria H. Kraker

ABSENT WAS: Councilwoman Marion Cooke

Also present were Highway Superintendent Randy Bates, Code Enforcement Officer/Building Inspector Mark Overbaugh, Assessor Richard Tollner, Water/Sewer Treatment Officer Doug Story, Recycling Coordinator Jon Whitbeck, and Sergeant Mance from the Albany County Sheriff's Department; along with 9 interested citizens.

**AUDIENCE COMMENTS**

1. Marie Dermody recognized the Town's good-faith efforts in advertising for a Code Enforcement Officer/Building Inspector's Clerk, but encouraged the Board to review and re-evaluate the practice of having one individual hold more than one position within the Town. Although this has been done in the past, problems can arise when and if an extended illness, vacation, or leave of absence occurs.

2. Ernest Kuehl inquired as to whether the Town could remove a sign that was illegally placed in the middle of Olmo Road at the point where it becomes a Qualified Abandonment. The sign states that it is private property and is placed on a post in the middle of the road which would preclude a fire truck from getting through and is also in violation of the terms of the agreement made in February of this year. Mr. Kuehl believes that because it is still considered Town property, the Town should be able to remove the sign. He also is concerned about the fact that the gate, which was previously able to be opened, is now zip-tied shut; another violation of the agreement. \*\*\*

Mr. Kuehl had contacted Supervisor Lounsbury regarding this matter and she in turn contacted Attorney Fallati. As a matter of courtesy, Attorney Fallati has relayed this concern to the attorney for the landowner, and will be following through.

## **MINUTES**

A motion was made by Councilwoman Sedlmeir to approve the minutes of the following meetings:

July 1, 2014 – Special Meeting Zoning Review

July 8, 2014 – Work Meeting

July 10, 2014 – Regular Meeting

July 15, 2014 – Special Meeting Zoning Review

July 21, 2014 – Special Meeting Zoning Review

July 21, 2014 – Executive Session Union Negotiations

July 29, 2014 – Special Meeting Health Insurance Package; 2<sup>nd</sup> by

Councilman Bolte.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

## **TRANSFERS**

A motion was made by Councilman Bolte to approve the following transfers:

From ‘FEMA Irene & Lee’ A 4187 to ‘Bayard Elsbree Park’ A7140PHE 44999 in the amount of \$796.65 for replacement of three memorial benches;

From ‘Bayard Park Savings’ A 1277 to ‘Bayard Elsbree Park’ A7140PHE 44999 in the amount of \$531.10 for two new memorial benches (Donald Snyder Jr. and Michael Mulqueen);

From ‘Water District’ SW 7031 to ‘General Fund’ A 8449 in the amount of \$45,550.00 for repayment to General Fund for loan to make repairs on the Impoundment Dam;

From ‘General Gifts/Donations’ A 1220R 02705 to ‘Buildings Misc. Contractual’ A1620E 44999 in the amount of \$73.50 for donations to cover Town Picnic expenses;

From ‘Program for Aging Revenue’ A7610R 02770 to ‘Vehicle Maintenance’ A7610E 44072 in the amount of \$1,359.79; for reimbursement from Lenny’s Tire to cover bus accident;

From ‘HRV Farm Brewery Grant’ A7120R 03020 to ‘HRV Farm Brewery’ A7120E 44057 in the amount of \$5,000.00 for Hudson River Valley Farm Brewery Grant; and

From ‘Gifts/Donations’ A 1220R 02705 to ‘Paramedics’ A4560E 44001’ in the amount of \$2,908.38 for Emergency Medical Services Agreement;

2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

**ABSTRACTS/VOUCHERS**

General Fund	\$54,057.99
Highway Fund	60,083.09
Lighting District	667.10 (Preston Hollow \$318.61; Rensselaerville \$348.49)
Sewer Fund	386.04
Water Fund	217.50
Trust Fund	<u>3,741.41</u>
Total Abstracts	\$119,153.13

A motion was made by Councilman Wood to pay all signed vouchers; 2<sup>nd</sup> by Councilman Bolte.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

**CORRESPONDENCE**

Supervisor Lounsbury received an email from Kimberly Graff seeking volunteers for the 75<sup>th</sup> Anniversary of the Rensselaerville Fire Department. Anyone wishing to set up a table to share information, activities, etc. for the event is encouraged to do so. Donations, gift certificates, and/or baskets are being sought for the raffle. Also, volunteers would be greatly appreciated for children’s activities.

**REPORTS**

**SUPERVISOR**

1. Councilwoman Cooke has volunteered to audit payroll.
2. Department Budget Requests will be sent out next week.
3. Supervisor Lounsbury would like to remind all that there will be a Special Meeting on August 27<sup>th</sup> to continue the review of the Zoning regulations.
4. The review of the Board of Ethics procedures is headed for completion. At the last meeting on August 7<sup>th</sup>, comments and suggestions were received by the Board of Ethics members and Town Board members as well, and those changes are reflected in the final draft. Attorney Fallati announced that a ‘clean copy’ is available. A resolution should be ready to be voted on in September. Attorney Fallati also noted that the timeline is not part of the existing Code. It was separately adopted by the Board of Ethics, but would become incorporated into the Code’s final draft. The only substantial change to the Code will be ‘Schedule A’ which is the timeline; there were no proposed changes to the existing Code, items A through F.

A motion was made by Councilman Bolte to accept the Supervisor's report; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

**ATTORNEY**

1. Attorney Fallati read the

RESOLUTION OF THE TOWN OF RENSSELAERVILLE  
TO:  
COMPLY WITH THE SOLID WASTE MANAGEMENT PLAN FOR  
THE CAPITAL REGION SOLID WASTE MANAGEMENT PARTNERSHIP

WHEREAS, in order to promote the public health, safety and welfare and further the purposes of the New York State policy on solid waste management articulated in New York Environmental Conservation Law §27-0106, the Town of Rensselaerville is a member of the Capital Region Solid Waste Management Partnership Planning Unit ("Planning Unit"), formerly the Albany New York Solid Waste Energy Recovery System (ANSWERS) Solid Waste Management Planning Unit; and

WHEREAS, on behalf of the Planning Unit, and with the guidance of a Steering Committee consisting of representatives from each municipality in the Planning Unit, among other stakeholders, the City of Albany had prepared a Solid Waste Management Plan (SWMP) which had been submitted for acceptance to the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the City of Albany Common Council was designated Lead Agency for the review of the Draft SWMP pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the city of Albany prepared a Final Generic Environmental Impact Statement (FGEIS), including responses to all comments received during the public comment period, in accordance with SEQRA regulations 6 NYCRR 617.10 and submitted a copy of the FGEIS to each member of the Planning Unit; and

WHEREAS, the City of Albany Common Council passed a resolution on February 7, 2011 declaring the FGEIS complete in accordance with SEQRA regulations 6 NYCRR 617.10; and

WHEREAS, the City of Albany Common Council, as Lead Agency, passed a resolution on March 11, 2011 in which it adopted a Statement of Findings pursuant to 6 NYCRR Part 617.11 of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town of Rensselaerville accepted and adopted the FGEIS, SWMP and Findings Statement adopted by the City of Albany Common Council, and agreed to accept and adopt those documents as representing the long-term plan for the Planning Unit; and

WHEREAS, the Town of Rensselaerville extended its membership in the Planning Unit by authorizing the Mayor to enter into and execute the Intermunicipal Agreement with the members of the Planning Unit; and

WHEREAS, in response to comments received from the New York State Department of Environmental Conservation on September 26, 2012, the City of Albany submitted a Revised Draft Solid Waste Management Plan to the NYSDEC on October 7, 2013; and

WHEREAS, the city of Albany has submitted a 2-volume Solid Waste Management Plan (SWMP) dated January 2014 which contains all of the changes agreed to by the NYSDEC and which have been deemed approvable, pending the Common Council, as Lead Agency, filing an amended findings statement; and

WHEREAS, by Resolution dated March 3, 2014, the City of Albany Common Council, as Lead Agency, accepted and adopted the Solid Waste Management Plan dated January 2014 as Final and authorized that it be submitted to the New York State Department of Environmental Conservation as representing the long-term plan on behalf of the Capital Region Solid Waste Management Partnership Planning Unit;

NOW, THERFORE, BE IT RESOLVED, that the Town Board of the Town of Rensselaerville hereby accepts and adopts the Solid Waste Management Plan dated January 2014 as the long-term plan for the Planning Unit.

BE IT FURTHER RESOLVED, that the Town of Rensselaerville will implement the solid waste management programs, projects and plans as identified in the final Solid Waste Management Plan dated January 2014.

Upon a motion made by Robert Bolte, seconded by Margaret Sedlmeir the foregoing Resolution was duly adopted by the Town Board on August 14, 2014 by vote of a majority of its members as follows:

<u>Town Board Member</u>	<u>Yes</u>	<u>No</u>	<u>Absent/Abstain</u>
Robert Bolte, Councilman	<u>X</u>		

Marion Cooke, Councilwoman	<u>X</u>
Margaret Sedlmeir, Councilwoman	<u>X</u>
Gerald Wood, Councilman	<u>X</u>
Valerie Lounsbury, Supervisor	<u>X</u>

A motion was made by Councilman Wood to accept the Attorney's report; 2<sup>nd</sup> by Councilman Bolte.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

### **HIGHWAY DEPARTMENT**

1. Highway Superintendent Bates reported that the highway department is about 90% complete as far as the C.H.I.P.s program is concerned. The motor-pave portion of the program is finished and base reconstruction of four miles of roadway is complete.

2. The Highway is currently paving Hale Road with the Town's own paver in order to preserve the integrity of what is there. Next year, Superintendent Bates will cover it with one inch of finish coat. Superintendent Bates estimates that by using our own paver, the Town has saved about \$30,000; a pretty nifty figure for a \$4,000 machine.

3. The Town is grateful to the Towns of Knox and Westerlo for their assistance during our motor-pave operation. In return, when the work was complete here, we sent trucks to Knox to help them with their paving and in September, we will be assisting Westerlo with their C.H.I.P.s program.

4. The Town has a need for a road-widener. For the Town to rent a widener would cost approximately \$4,000. However, the Town of New Scotland has a widener which they are willing to lend us in exchange for our paver.

5. Equipment repair has been non-ending; the Highway will continue paver-patching, mowing, and ditching.

Supervisor Lounsbury sincerely thanked the Highway Department for their assistance with installing the memorial benches at the Park.

A motion was made by Councilman Wood to accept the Highway Superintendent's report, 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

**TOWN CLERK**

Town Clerk Kraker reported for the month of July as follows:

Town Clerk Department – Total Collected \$1,259.14

Paid to the Supervisor - \$1,183.02 - the breakdown is as follows:

Clerk Fees	91.38
Recycling	140.00
Dog Licenses	183.00
Building Permits	553.64
Zoning	65.00
<u>Planning</u>	<u>150.00</u>
Total	\$1,183.02

Fees paid to NYS Department of Agriculture & Markets for the ‘Animal Population Control Program’ aka ‘dog surcharge’: \$30.00

Electronic sweep from the Town Clerk’s checking account for the NYS Department of Environmental Conservation for sporting licenses: \$23.62

Fees paid to NYS Health Department for Marriage Licenses: \$22.50

Water Rents paid for the month of July: \$5,220.13 which includes \$56.70 in late fees; and Sewer Rents paid for the month of July: \$5,862.86 which includes 83.53 in late fees.

A motion was made by Councilman Bolte to accept the Town Clerk’s report; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

**CODE ENFORCEMENT OFFICER/BUILDING INSPECTOR**

Code Enforcement Officer/Building Inspector Overbaugh reported that several accessory building permits have been issued. Also, the first new home permit of 2014 was issued during the month of July as well as a few solar panel permits. Otherwise, Officer Overbaugh has been busy with inspections and following through on violations.

A motion was made by Councilman Bolte to accept the Code Enforcement/Building Inspector’s report; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

**ASSESSORS**

1. Assessor Tollner reported that everything was running smoothly in the Assessor’s Department and that their new clerk, Linda McCormick was working out great.

A motion was made by Councilman Wood to accept the Assessor's report; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

### **WATER/SEWER COMMITTEE**

1. Water/Sewer Treatment Officer Doug Story reported that 438,000 gallons of water was filtered (an average of 14,000 gallons/day) at the top of the hill; and 219,000 gallons was pumped (an average of 7,000 gallons/day) at the bottom of the hill. These numbers indicate that a major leak still has not been located. Otherwise, Officer Story reported that everything was running smoothly and that the turbidity has been very low.

2. Officer Story is seeking the Board's approval to appoint John Rice as the new Deputy Water/Sewer Treatment Officer. Officer Story has worked with John Rice in excess of 20 years and finds him to be dependable, quite intelligent and enthusiastic about the new position. Officer Story has given Mr. Rice the paperwork to get started with the certification process.

A motion was made by Councilman Bolte to approve John Rice as the Deputy Water/Sewer Treatment Officer; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

A motion was made by Councilman Bolte to accept the Water/Sewer Treatment Officer's report; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

### **REFUSE/RECYCLING**

Recycling Coordinator Whitbeck reported the following for the month of July:

Green Fiber: 10.61 tons

Rensselaer Iron & Steel: 6.29 tons

Tires: 59

City of Albany Landfill: 69.95 tons

Sierra Fibers: 6.09 tons

Oil: 16 gallons

Recycling Coordinator Whitbeck also reported that he was visited by New York State Department of Conservation on July 11<sup>th</sup>. The transfer station got a satisfactory grade, they are pleased with the operation, and have sent a nice letter as well.

A motion was made by Councilman Wood to accept the Recycling Coordinator's report; 2<sup>nd</sup> by Councilman Bolte.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

## **CURRENT EVENTS**

Councilwoman Sedlmeir would like to present a proclamation from the Town honoring the Rensselaerville Volunteer Fire Company's 75<sup>th</sup> Anniversary and their service to the Town.

## **OLD BUSINESS**

1. A motion was made by Councilman Bolte to appoint Mary Carney to the permanent position of Code Enforcement Officer/Building Inspector's Clerk; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

2. The notice which will be sent out requesting email addresses in order for residents to receive the *Rensselaerville Newsletter*, has been revised and is ready for mailing.

A motion was made by Councilman Bolte authorizing the use of the Bulk Mail permit to send the notices out to all residents; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

3. Councilman Bolte spoke out about the R'ville Community Newsletter wherein the editors have indicated that the 'little red car' which was obtained by donations from the community was being used inappropriately. Councilman Bolte stated that the 'little red car' was obtained solely by a grant of \$15,000 from Senator Breslin's office, *not* with any donations from the community. The former Town Supervisor was in office and should have known that it came from a grant and not community collections. The car is being used occasionally by the Highway Department to pick up parts as opposed to using their trucks and by the Town Clerk. The car gets 29 miles to the gallon and this is a direct savings to the Town.

## **NEW BUSINESS**

1. A motion was made by Councilman Wood to approve Justin Pine as the newest Junior member of the Medusa Fire Department; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

2. A motion was made by Councilman Wood to approve the bus trip for seniors and others of Rensselaerville and Westerlo to the United States Military Show at the Times Union Center on September 20, 2014; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

Town Clerk Kraker received a call from Janet Haseley requesting the use of the bus to transport school children from the Carey Center to the village of Rensselaerville for an educational program. Councilman Bolte stated that although the Board would like to help, it is actually illegal for the Town bus to be used as a school bus.

3. Highway Superintendent Bates spoke on the facts of obtaining an Oshkosh truck. A new Oshkosh would cost in the vicinity of \$150,000 to \$175,000. On Auctions International, a truck in good condition can be obtained for \$5,000 to 15,000; one-tenth of their replacement value. The opportunity to obtain this equipment at a fraction of the cost, on an as-needed basis from another municipality at auction, is what Superintendent Bates is looking for.

A motion was made by Councilman Bolte to authorized Highway Superintendent Bates to bid up to \$20,000 which is the amount available to him on the equipment line item; 2<sup>nd</sup> by Councilwoman Sedlmeir. In the interim, Attorney Fallati will look into drawing up a resolution which would allow the Highway Superintendent to bid a given dollar amount on *Auctions International* without having to hold a Special Meeting.  
*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

### **AUDIENCE COMMENTS**

Guy Degennaro, of Degennaro's Fuel Service offered his assistance and services, as a contribution to the Town, in transporting the truck (if Superintendent Bates is the winning bidder) from its location to Town Hall.

Sergeant Mance from the Albany County Sheriff's Office has been at the Altamont Fair and all the presentations and demonstrations will be offered again at the Rensselaerville Fire Department's 75<sup>th</sup> Anniversary celebration on September 6, 2014.

Supervisor Lounsbury praised Sergeant Mance on how well received and well done her Albany County Sheriff's Department's Community Newsletter was.

### **ADJOURNMENT**

A motion was made by Councilman Bolte to adjourn the meeting at 7:57 PM; 2<sup>nd</sup> by Councilwoman Sedlmeir.

*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Wood; Nays (0)*

### **RESPECTFULLY SUBMITTED;**

Victoria H. Kraker  
Town Clerk

2014 August Regular 081414  
FINAL

\*\*\*Correction: The posted sign was placed on the *gate*, *not* on the *post* .