

DRAFT

MINUTES OF THE TOWN OF RENSSELAERVILLE TOWN BOARD REGULAR MEETING NOVEMBER 13, 2014

The Regular Meeting of the Town Board of the Town of Rensselaerville was held on the 13th day of November, 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
Councilwoman Marion Cooke
Town Clerk Victoria H. Kraker

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 Investigator Tracy Mance from the Albany County Sheriff's Department. Also present were four interested citizens.

AUDIENCE COMMENTS

Marie Dermody inquired as to the status of the final version of the proposed Zoning Law. Supervisor Lounsbury stated that it is in the Town's possession, but copies still need to be made and distributed.

MINUTES

A motion was made by Councilman Bolte to approve the minutes of the following meetings:

October 7, 2014 – Work Meeting
October 9, 2014 – Regular Meeting
October 7, 2014 – Budget Workshop
October 15, 2014 – Budget Workshop

October 16, 2014 – Budget Workshop
October 20, 2014 – Budget Workshop
October 23, 2014 – Budget Workshop
October 28, 2014 – Special Meeting – Tax Cap Override; the motion was
2nd by Councilwoman Sedlmeir.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

TRANSFERS

Supervisor Lounsbury announced that the transfers would not be able to be addressed due to the fact that the computer program, MUNIS, has been down since Tuesday.

ABSTRACTS/VOUCHERS

General Fund	\$65,830.56
Highway Fund	42,438.39
Lighting District	728.38 (Preston Hollow \$347.92; Rensselaerville \$380.46)
Sewer Fund	130.12
Water Fund	5,089.01
<u>TA Fund</u>	<u>1,125.14</u>
Total Abstracts	\$115,341.60

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

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

CORRESPONDENCE

None

REPORTS

SUPERVISOR

1. Supervisor Lounsbury reported that Vector Security had completed their annual inspection.

2. The Town has received one application for the Planning Board/Zoning Board of Appeals Clerk. The candidate will need to be interviewed.

3. Because the retirees' health insurance premiums have increased so significantly, Erin Nevins from Nevins Insurance Agency has done some research regarding this issue.

She has agreed to come in on November 18, 2014 at 6:30 PM to present her findings to the Board.

4. The MUNIS system has been down since Tuesday and therefore the vouchers could not be entered. However, the checks will be processed as soon as possible. Supervisor Lounsbury stated that the transfers would be submitted for approval at the November 18th meeting due to the fact that MUNIS is down.

Councilman Wood inquired into the duration of the MUNIS contract. He asked if there was any way the Town could get out of it because it has cost such a large sum of money. Supervisor Lounsbury indicated that the contract is in effect for 2015 and 2016.

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

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

ATTORNEY

1. Attorney Fallati read as follows:

RESOLUTION OF THE
TOWN OF RENSSELAERVILLE
TOWN BOARD

WHEREAS, Chapter 97 of the Laws of 2011 of New York State established a 'tax cap' that generally limits the increase in the Town's assessment for Fiscal Year 2015; and

WHEREAS, the tax cap statute permits a local government to override the limit for the upcoming fiscal year through adoption of a local law; and

WHEREAS, the Town Board conducted a public hearing on the attached proposed Local Law No. 1 of 2014 on November 6, 2014; and

WHEREAS, after consideration of the issue and the entirety of comments at the public hearing, the Town Board has determined that it may be necessary to adopt a budget for Fiscal Year 2015 that incorporates a tax increase in excess of the tax cap;

NOW THEREFORE, BE IT RESOLVED that the duly convened Town Board of the Town of Rensselaerville, Albany County, New York, ordains and enacts the attached Local Law No. 1 of 2014, which is incorporated herein.

By motion made by Marion Cooke, and seconded by Gerald Wood, the foregoing resolution was adopted by a majority of the members of the Town Board of the Town of Rensselaerville on the 13th day of November, 2014 as follows:

<u>Town Board Member</u>	<u>Yes</u>	<u>No</u>	<u>Absent/Abstain</u>
Valerie Lounsbury, Supervisor	X		
Marion Cooke, Councilwoman	X		
Robert Bolte, Councilman		X	
Margaret Sedlmeir, Councilwoman	X		
Gerald Wood, Councilman	X		

2. At the last meeting Attorney Fallati reviewed the information provided by the New York State Department of Environmental Conservation relating to flood insurance. A draft of a Local Law must be submitted by December 16, 2014. Attorney Fallati will have a resolution prepared for the Regular Town Board meeting in December in order to approve a draft.

A motion was made by Councilwoman Sedlmeir to accept the Attorney's report; 2nd by Councilwoman Cooke.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

HIGHWAY DEPARTMENT

1. In some locations, school buses are now picking up students at 5:45 AM. It puts a huge burden on the Highway Department to have the roads as safe as possible by that time. Superintendent Bates may have to move up start-time up to 4:00 AM.

2. Superintendent Bates reported that the sand/salt shed is full; the trucks, plows, and spreaders are ready to go; and salt deliveries have been confirmed.

3. Plow trucks need all the space possible to maneuver and in some instances there have been obstructions in the roadway. Superintendent Bates will be notifying a number of residents of ongoing issues with parking and other impediments.

4. The Highway Department has been trimming trees to prevent hanging branches from striking mirrors and windshields, and signage has been placed to indicate snow plow turn-arounds.

5. A notice must be placed in the paper listing the Seasonal Roads for this season.

A motion was made by Councilman Wood to accept the Highway Superintendent's report, 2nd by Councilman Bolte.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

TOWN CLERK

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

Town Clerk Department – Total Collected \$2,295.40

Paid to the Supervisor - \$1,067.86 - the breakdown is as follows:

Clerk Fees	147.46
Recycling	86.00
Dog Licenses	122.00
Building Permits	572.40
Zoning	100.00
Senior/Youth Bus Donation	40.00
<u>Total</u>	<u>\$1,067.86</u>

Fees paid to NYS Department of Agriculture & Markets for the ‘Animal Population Control Program’ aka ‘dog surcharge’: \$20.00

Electronic sweep from the Town Clerk’s checking account for the NYS Department of Environmental Conservation - Sporting licenses: \$1,207.54

Water Rents paid for the month of October: \$1,152.00 which includes \$16.83 in late fees***; and Sewer Rents paid for the month of October: \$1,312.53 which includes \$19.40 in late fees.

*** \$2.91 has been transferred from former Town Clerk Hallenbeck’s Water Rent account into Town Clerk Kraker’s account for a check that was never cashed.

A list of all unpaid Water and Sewer rents as of November 1, 2014 has been prepared as follows:

Unpaid Water Rents \$5,050.16 plus 5% interest (\$252.49) for a total of \$5,302.65.

Unpaid Sewer Rents \$4,849.26 plus 5% interest (\$242.46) for a total of \$5,091.72.

A list of these unpaid rents will be submitted to the County to be relieved onto the 2015 Property Tax bills.

A motion was made by Councilwoman Cooke to accept the Unpaid Water Rents and Unpaid Sewer Rents; 2nd by Councilman Bolte.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

A motion was made by Councilwoman Cooke to accept the Town Clerk’s report; 2nd by Councilwoman Sedlmeir.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

CODE ENFORCEMENT OFFICER/BUILDING INSPECTOR

Code Enforcement Officer/Building Inspector Overbaugh reported for the month of October: one commercial repair, one home edition, two accessory buildings, one home replacement, two wood stoves, one building repair, and three solar panel permits. Officer

Overbaugh continues to work on Certificates of Occupancy and Certificates of Compliance.

A motion was made by Councilman Wood to accept the Code Enforcement/Building Inspector's report; 2nd by Councilman Bolte.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

ASSESSORS

1. Assessor Tollner reported that the Assessor's Office was preparing for the 2015 tax roll.

2. He wished to remind all Seniors to make sure they apply for the Senior Star and Enhanced Senior Star program by March 1, 2015. Tax returns for 2013 are required.

3. There were a number of home sales during the last quarter

4. The Assessor's Office has been receiving quite a few inquiries/complaints regarding the school portion of the taxes, which the Town does not control. Greenville Central School will be holding six budgetary meetings which are open to the public. Assessor Tollner encourages taxpayers to attend and show their interest.

A motion was made by Councilman Bolte to accept the Assessor's report; 2nd by Councilwoman Cooke.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

WATER/SEWER COMMITTEE

1. Water/Sewer Treatment Officer Story reported that for the month of October, 663,100 gallons of water was filtered (an average of 21,390 gallons/day); and 174,100 gallons of sewage was pumped (an average of 5,616 gallons/day).

2. Officer Story has done a comparison of the most recent recordings. For October the filter needed to be raked five times: in September it was raked four times (filtering an average of 18,700/day). Officer Story expected to see a corresponding rise in the sewer. However, September's readings (189,360) were quite a bit higher than October's (174,000). Everything is going in the wrong direction. He does not expect to get through the winter unless the leak is located. Officer Story is trying to get the Committee to agree to isolate the leak by pressurizing the system. He hopes to accomplish this within a week or so. There will be an interruption of service to perform this task. Rural Water will also have to be contacted so that they can come out with their listening apparatus.

3. The good news is that the tank is maintaining a level of 100 inches which is equivalent to 40,000 gallons.

A motion was made by Councilman Wood to accept the Water/Sewer Treatment Officer's report; 2nd by Councilwoman Cooke.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

REFUSE/RECYCLING

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

Green Fiber: 11.28 tons

Rensselaer Iron & Steel: 4 tons (the price of metal is down to \$185/ton from \$230/ton in January)

Tires: 57 (22 were actually paid for and 35 had been discarded on Roney and Kenyon Roads) City of Albany Landfill: 64.56 tons

Sierra Fibers: 4.2 tons

Oil: 25 gallons

E-waste: 1.7 tons

Recycling Coordinator Whitbeck needs authorization to purchase new tires for truck No. 7. He has done research and located the best tire for the best price: \$577.58 at both Lenny's and McCarthy's. He will rotate the tires so that they wear evenly and can get the most out of them. The new tires will be put on the front; the existing front tires will be put on the right side; and the existing right side tires will be recapped. The end result will be that he will have spare tires which he never had before.

A motion was made by Councilwoman Sedlmeir to authorize Recycling Coordinator Whitbeck to purchase two tires and two rims; and recap two tires; 2nd by Councilwoman Cooke.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

A motion was made by Councilwoman Sedlmeir to accept the Recycling Coordinator's report; 2nd by Councilman Bolte.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

CURRENT EVENTS

None

OLD BUSINESS

1. Supervisor Lounsbury reported that Local Law No.1 for 2014 – the Tax Cap Override - has passed. It has been advised to pass the Tax Cap Override for the reason that there can be changes in the tax levy once it goes to the County. Several Board

members expressed their concerns over the Preliminary Budget. They would like to keep it under the tax cap and therefore, Supervisor Lounsbury has lowered some figures. She spoke to the accountant and has decided to take more money out of the unexpended balance. This brings the Town's budget down to 1.3%. The Town is allowed 1.56% so it is a good thing that the Tax Cap Override was passed. The final figures have not been entered, but Supervisor Lounsbury will have a final copy and she will deliver it by hand over the weekend so that the Board members have time to review it before the Special Meeting on Tuesday. The Board thanked Supervisor Lounsbury for her hard work.

NEW BUSINESS

1. Supervisor Lounsbury reminded all about the Special Meeting on November 18th at 6:30 PM to adopt the 2015 Budget and to address any other matters before the Board. Erin Nevins will be attending to present her findings on alternative health insurance plans for the Town's retirees. Transfers will also have to be addressed at this time.

2. There will be a Public Hearing on the Gas Drilling at 7:00 PM for the purpose of extending the Moratorium for another year.

3. Allyn Wright would like to complete the term of Alden Pierce which runs through the end of 2015.

A motion was made by Councilwoman Sedlmeir to appoint Allyn Wright to the Board of Ethics; 2nd by Councilman Bolte.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

4. Secretary to the Planning Board/Zoning Board of Appeals, Mary Carney, has extended her date of resignation through November 26, 2014.

A motion was made by Councilman Bolte to accept Mary Carney's resignation from the Planning Board/Zoning Board of Appeals effective November 26, 2014; 2nd by Councilwoman Sedlmeir.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

Councilman Bolte expressed his concerns over the parking on Main Street in the hamlet of Rensselaerville. Highway Superintendent Bates stated that he has been informed by the Department of Transportation that the Town Board needs to pass a resolution regarding the parking. DOT would then place 'no-parking' signs along the road. However, the State did not place white lines on that particular section of highway to avoid the controversy of creating a parking enforcement issue.

Councilman Bolte addressed the issue of the parking being in violation of New York State Law. Investigator Mance stated that no one has ever enforced this law. It has

been ‘understood’ that residents were allowed to park ‘on the street’ due to the fact that some do not have driveways, and it has been grandfathered in.

Councilman Bolte addressed the safety issue of emergency response vehicles. Investigator Mance agreed that it is an extreme hazard. Councilman Bolte also noted that if one were to cross the double yellow lines out of necessity, and if an accident occurs, you are at fault. Did the State not place white lines on the section of highway to avoid the controversy of creating a parking enforcement issue?

Highway Superintendent Bates informed everyone of the structural issue with the retaining wall on the mill which keeps failing. Almost 100% of the traffic travels on that side of the road due to what would be ‘illegal parking’.

Supervisor Lounsbury recommends that the Town seeks the direction of the Attorney for the Town before any action is taken. She feels that the residents should be provided an alternative solution to parking on the State Highway.

AUDIENCE COMMENTS

1. On behalf of all the taxpayers and herself as well, Marie Dermody thanked Supervisor Lounsbury for the hard work that was done in getting the budget down under the tax cap and noted that it could not have been an easy task. Also, it is her understanding that in order for taxpayers to be eligible to receive the tax refund, the Tax Cap law needs to be rescinded. Supervisor Lounsbury will check into that matter and also thanked Mrs. Dermody for her acknowledgements.

Supervisor Lounsbury expressed her concerns over what the financial state of the Town will be down the road. Taking extra from the ‘rainy day fund’ makes her very nervous about the future.

2. Investigator Tracy Mance from the Albany County Sheriff’s Department reported that she received a small promotion. Her Sergeant/Civil Service status was reinstated and she was given title of Investigator. She thanked everyone for their help with the newsletter comments and support; it has all been very heartwarming and appreciated. Supervisor Lounsbury thanked her for all she has done for the Town.

3. Investigator Mance announced that she had the pleasure of 80 fifth graders from New Scotland Elementary at the Federal Court House to instruct them on stranger awareness and internet dangers. She will still be out there and busy in the Community.

ADJOURNMENT

A motion was made by Councilman Bolte to adjourn the meeting at 8:01 PM; 2nd by Councilwoman Sedlmeir.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)

RESPECTFULLY SUBMITTED;

Victoria H. Kraker
Town Clerk