

**MINUTES  
OF  
THE TOWN OF RENSSELAERVILLE TOWN BOARD  
REGULAR MEETING  
SEPTEMBER 11, 2014**

The Regular Meeting of the Town Board of the Town of Rensselaerville was held on the 11<sup>th</sup> day of September, 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, and Recycling Coordinator Jon Whitbeck. Seven interested citizens were also present, joined by another at 7:30 PM.

**AUDIENCE COMMENTS**

None

**MINUTES**

A motion was made by Councilwoman Cooke to approve the minutes of the August 7, 2014 – Special Meeting - Board of Ethics; 2<sup>nd</sup> by Councilman Wood.  
*Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)*

A motion was made by Councilwoman Cooke to approve the minutes of the August 12, 2014 – Work Meeting; 2<sup>nd</sup> by Councilman Bolte.  
*Motion carried: Ayes (4) Lounsbury, Bolte, Sedlmeir, and Cooke; Nays (0); Councilman Wood abstained.*

A motion was made by Councilman Wood to approve the minutes of the August 14, 2014 Regular Meeting\*; 2<sup>nd</sup> by Councilman Bolte.

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

*\*Correction made – see Final Minutes*

A motion was made by Councilwoman Cooke to approve the minutes of the August 27, 2014 Special Meeting – Zoning Review; 2<sup>nd</sup> by Councilwoman Sedlmeir.  
*Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, and Cooke; Nays (0); Councilman Wood abstained.*

### **TRANSFERS**

None

### **ABSTRACTS/VOUCHERS**

General Fund	\$16,827.32
Highway Fund	158,769.45
Lighting District	684.18 (Preston Hollow \$326.66; Rensselaerville \$357.52)
Sewer Fund	438.45
Water Fund	185.90
Trust Fund	<u>4,620.76</u>
Total Abstracts	\$181,526.06

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

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

### **CORRESPONDENCE**

None

### **REPORTS**

#### **SUPERVISOR**

1. A motion was needed to approve the use of the bus for a trip to Saratoga for the seniors.

A motion was made by Councilman Bolte to approve the use of the Senior/Youth bus for the senior trips to Saratoga on October 7<sup>th</sup> and October 21<sup>st</sup>; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

2. Supervisor Lounsbury has sent out the budget requests and is pleased that she has received almost 95% of them back.

3. Recently, there has been a problem with one of the toilets not flushing properly. Robert Bolte was called upon and found the problem to be in one of the pump station's float switches under the floor in the kitchen area. Mr. Bolte donated his time and also the parts to fix the problem. The only cost the Town incurred was to have the septic tank pumped out.

6. Also, Mr. Bolte has ordered and installed two new batteries for the emergency lighting in the hallway and the meeting room.

7. Mr. Bolte is preparing a map of Town Hall to show the location of the septic tank, grinder pumps, plumbing, electrical wiring, etc. This will be kept in a notebook in Town Hall along with information regarding the batteries for the emergency lighting, etc., so that it is readily available when needed.

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

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

## **ATTORNEY**

1. The proposed revisions to the Code of Ethics have been completed. Attorney Fallati read the Resolution as follows:

WHEREAS, the Town Board has undertaken a review of the procedures set forth in Schedule A of the Town of Rensselaerville Code of Ethics; and

WHEREAS, the Town Board has held public meetings and has received input on proposed revisions from current members of the Board of Ethics and other interested citizens; and

WHEREAS, the Town Board believes that the revisions to Schedule A of the Town of Rensselaerville Code of Ethics, as set forth in the attachment hereto, would provide clarity and efficiency for the conduct of investigations of complaints;

NOW THEREFORE, BE IT RESOLVED by the duly convened Town Board of the Town of Rensselaerville, Albany County, New York, the (i) Schedule A of the Town of Rensselaerville code of Ethics is revised, as set forth in the attachment hereto; and (ii) the Town Clerk is hereby directed to update the existing Town of Rensselaerville Code of Ethics to conform to the revisions.

By motion made by Margaret Sedlmeir and seconded by Robert Bolte, the foregoing resolution was adopted by a majority of the members of the Town Board of the Town of Rensselaerville on the 11<sup>th</sup> day of September, 2014 as follows:

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

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

2. Attorney Fallati also addressed the issue of the Highway Superintendent's authority to participate in on-line auctions without prior approval of the Town Board. Attorney Fallati read the Resolution as follows:

WHEREAS, from time-to-time, the Highway Superintendent has requested from the Town Board approval to bid on equipment available in an on-line auction; and

WHEREAS, the Town Board has found the auction process to be financially beneficial, allowing the Highway Superintendent to acquire useful equipment at a fraction of the cost of the acquisition of comparable new equipment; and

WHEREAS, the timing of such auctions often requires prompt action by the Highway Superintendent; and

WHEREAS, Section 142(1) of the Highway Law permits the Town Board to authorize the Highway Superintendent to purchase equipment, tools and other implements to be used for highway maintenance, construction or reconstruction, snow plows or other devices for the removal of snow from the highways from monies appropriated for that purpose without prior approval of the Town Board, and in an amount or amounts to be fixed, from time to time, by the Town Board; and

WHEREAS, the Town board has determined that it is in the public interest to grant the Highway Superintendent such authority;

NOW THEREFORE,, BE IT RESOLVED by the duly convened Town Board of the Town of Rensselaerville, Albany County, New York, that (1) the Highway Superintendent is authorized to bid on, and to purchase, equipment, tools and other implements to be used for highway maintenance, construction or reconstruction, snow

plows or other devices for the removal of snow from the highways from monies appropriated for that purpose without prior approval of the Town Board, through December 31, 2014, up to an amount of \$20,000.00; (2) this resolution may be reviewed and re-approved quarterly; (3) the Highway Superintendent shall provide the Town Supervisor prompt notice of any bids and purchases made pursuant to this resolution; and (4) nothing in this resolution is intended to limit the Town Board's authority, by subsequent resolution, to modify or rescind this authority generally or with respect to a particular prospective purchase.

By motion made by Robert Bolte and seconded by Margaret Sedlmeir, the foregoing resolution was adopted by a majority of the members of the Town Board of the Town of Rensselaerville on the 11<sup>th</sup> day of September, 2014 as follows:

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

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

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

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

## **HIGHWAY DEPARTMENT**

1. Highway Superintendent Bates reported that the Highway has been looking into snow and ice removal products and has been receiving flyers advertising pre-season prices on various supplies. Due to the severity of last year's weather, many items were unobtainable by mid-winter. So that the Town is ready at the onset, Superintendent Bates has drawn up a list of needed products and will be ordering them so that they arrive in November.

2. Using the Town's paver, Hale Road has been prepared for next year's overlay. Also using the Town's paver, Stevens Road and South Street have been paved; and portions of Camp Medusa Road, Rau Lane, and Gifford Hollow Road have been patched. Also, a chip seal has been applied to Johnny Cake Hill Road, portions of Sayre, Roney, and Travis Hill Road including the hill. The hill on Travis Hill Road was Superintendent Bates' first opportunity to actually do preservation work as opposed to reconstruction work. The hill was done a number of years ago with a course aggregate/hot asphalt;

those types of asphalt binders need to be sealed to keep water out during freezing and thawing. Superintendent Bates was pleased to say that CHIP's funding was used for this project.

3. The Highway Department has performed pothole patching as time allows.

4. Dirt roads which have been graded include Pucker Street, Rugg Road, Bates Lane, Cook Road, Kelly Road and Davis Mountain Road. Shale and crusher run were applied where necessary.

5. Next week the Town will be using the road widener lent to us by the Town of New Scotland, along with their operator. In return we will help them pave with our paver. Thus far, the Town of Rensselaerville has worked cooperatively with the Towns of Knox, Westerlo, and New Scotland.

6. Repairs have been very difficult and very expensive on the Hyundai excavator. Everything is wearing out. Superintendent Bates has been looking for a used excavator for almost three years. Most recently, he has located one, available at auction from the Town of Oswego. Superintendent Bates has gone to see the machine and has been informed that it has been used on a daily basis and there are no known problems.

7. The Highway will pave the entrance to the dry hydrant, aka, 'honor roll', but not before approval is received from the Fire Department. Dennis Wood, will be getting in touch with Superintendent Bates regarding the approval.

Supervisor Lounsbury thanked Superintendent Bates and the Highway Department for all the work that has been done. Councilman Wood thanked Superintendent Bates for the significant improvement the brush cleanup and the mowing has made to the 'honor roll'.

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

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

### **TOWN CLERK**

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

Town Clerk Department – Total Collected \$2,335.49

Paid to the Supervisor - \$807.77 - the breakdown is as follows:

Clerk Fees	134.53
Recycling	73.00
Dog Licenses	174.00
Building Permits	181.24

Zoning	45.00
Senior/Youth Bus Donation	200.00
Total	\$807.77

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 - Sporting licenses: \$1,497.72

Water Rents paid for the month of August: \$592.63 which includes \$2.89 in late fees; and Sewer Rents paid for the month of August: \$323.27 and \$0.00 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 (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)*

### **CODE ENFORCEMENT OFFICER/BUILDING INSPECTOR**

1. Code Enforcement Officer/Building Inspector Overbaugh reported one new garage permit, one new home permit, one pool permit, and one permit for an addition for the month of August.

2. Officer Overbaugh is still working on older Certificates of Occupancy and Certificates of Compliance.

3. There is a two-day seminar in October which Officer Overbaugh will be attending. The Towns of Rensselaerville and Greenville will be sharing in this expense.

4. Officer Overbaugh will be going to Court in Schoharie on September 23, 2014 and will be accompanied by Attorney Dana Salazar.

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

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

### **ASSESSORS**

1. Assessor Tollner reported that everything was going well in the Assessor’s Office.

2. Supervisor Lounsbury raised a question regarding the Senior Star Exemptions. Assessor Donna Kropp has investigated this and found that the school district had lowered their income level structure. The school districts used to be on the same level as the County, but some districts have chosen to lower the ‘low-income’ guidelines. Each

school district can determine its own level. Some residents that had previously received a Senior Star Exemption were not receiving as much of a reduction this year and questioned the difference.

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

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

### **WATER/SEWER COMMITTEE**

1. Water/Sewer Treatment Officer Doug Story reported that they were successful in finding a leak, however, it was not enough to make much of a difference. Officer Story's theory is that there are several smaller leaks; not one larger one.

2. For the month of August, 489,700 gallons of water was filtered (an average of 15,800 gallons/day); and 202,680 gallons of sewage was pumped (an average 6,538 of gallons/day).

3. The Committee has gone through and identified the valves that will need attention before the State comes in to pave. Some of the 30-35 year old valves will be dug up and replaced before the road is paved. Paving is tentatively scheduled for the week of the 22<sup>nd</sup>. The valve work will be done immediately before that and Phil Pearson will dove tail his work with the State so as to keep the disruption of traffic to a minimum.

4. Former Deputy Water/Sewer Treatment Officer Steve Carney has volunteered a ton of his time to help locate leaks. Mr. Carney has been very generous with his time and some of the very expensive equipment that he carries has saved the Town a huge amount of money. The rate to hire an outside company is in the vicinity of \$1,800 per day.

5. The filter is still being pushed beyond capacity. Officer Story has managed to raise the water level in the tank for the first time in about a year to over 6 feet.

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

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

### **REFUSE/RECYCLING**

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

Green Fiber: 9.47 tons

Rensselaer Iron & Steel: 3.35 tons

Tires: 31

City of Albany Landfill: 62.99 tons

Sierra Fibers: 5.36 tons  
Oil: 78 gallons

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

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

### **CURRENT EVENTS**

1. The proclamation for the Rensselaerville Volunteer Fire Company's 75<sup>th</sup> Anniversary has been presented to them.

2. Jack Long announced that the Rensselaerville Historical Society is holding a pot-luck dinner on Saturday, September 13, 2014 in Medusa. Also, a presentation on the history of firefighting in the Town of Rensselaerville will be held after the business meeting.

### **OLD BUSINESS**

1. The Newsletter notices have been printed and should be ready for mailing either tomorrow, September 12<sup>th</sup> or Monday, September 15<sup>th</sup>. Supervisor Lounsbury needs approval to spend the funds necessary to go forward with the mailing. It will cost \$220.00 for the bulk mail permit and .156 per piece to mail.

A motion was made by Councilman Bolte to authorize the Town Supervisor to spend the necessary funds to go forward with the mailing; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

### **NEW BUSINESS**

1. The bike path in the Bayard Elsbree Memorial Park needs to be sealed. The Town received three estimates:  
Simpson Sealing \$1,800.00;  
Hannan's Paving and Sealing, Inc. \$1,800.00; and  
Brand's Paving, Inc. \$1,325.00

A motion was made by Councilman Bolte to go with Simpson Sealing (based on the Copeland Premium Action Pave sealer with Targel sealer additive that Simpson uses); 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

\*\*\*Supervisor Lounsbury abstains due to the fact that she sits on the Park Committee

2. The Agreement for Shared Bus Services between the Town of Rensselaerville and the Town of Westerlo must be renewed. The terms of the Contract are the same as they were last year. The Contract is valid through the end of December 2014 and the rates shall be adjusted on an annual basis in January.

A motion was made by Councilman Bolte to renew and sign the Shared Bus Services Contract; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

3. Supervisor Lounsbury announced that it has been established that the Town's car was purchased with grant money. Also, as long as the car was not being used for seniors on any given day, the Town has occasionally allowed the use of the car for the Highway Department to pick up parts or for the Town Clerk to go to the bank or the post office. It is more economical to use the car which gets approximately 29 miles/gallon than to pay mileage or for the highway to use the pick-up truck. Supervisor Lounsbury needs a motion to be put on record which dictates the use of the car.

Councilman Bolte stated that the car belongs to the Town of Rensselaerville, was purchased through a grant from Senator Breslin, and is a savings to the Taxpayers. Supervisor Lounsbury reiterated that it is not often that the car is used for other than transporting seniors and it would certainly not be used if it were scheduled to transport someone to the doctor or otherwise. A motion is needed so that the uses of the car are put on record.

A motion was made by Councilman Bolte to allow the car to be used occasionally, by the Highway Department and the Town Clerk, for Town business, when it is not being used/or scheduled to be used to transport seniors; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

4. The Standard Work Day Resolution for New York State Retirement has been completed by Sarah Hunt, Clerk 1. Supervisor Lounsbury read the Resolution as follows:

BE IT RESOLVED, that the Town of Rensselaerville hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities.

A motion was made by Councilwoman Cooke to accept the Standard Work Day Resolution; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

**AUDIENCE COMMENTS**

Marie Dermody encourages the Town to ensure that the use of the Town car for different departments is not a 'cross-over' of funds.

**ADJOURNMENT**

A motion was made by Councilman Bolte to adjourn the meeting at 8:05 PM; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

**RESPECTFULLY SUBMITTED;**

Victoria H. Kraker  
Town Clerk