

**MINUTES
OF
THE TOWN OF RENSSELAERVILLE TOWN BOARD
REGULAR MEETING
JANUARY 9, 2014**

The Regular Meeting of the Town Board of the Town of Rensselaerville was held on the 9th day of January, 2014 at 7 o'clock in the evening at the Rensselaerville Town Hall, 87 Barger Road, Medusa, NY. The meeting was convened by Supervisor Lounsbury and the roll was called with the following results:

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

Also present were Highway Superintendent Randy Bates, Building/Code Inspector Mark Overbaugh, Assessor Richard Tollner, Water/Sewer Treatment Officer Doug Story, Recycling Coordinator Jon Whitbeck and six interested citizens.

AUDIENCE COMMENTS

Kathleen Hallenbeck thanked everyone for the wonderful reception in honor of her forty years of dedicated service to the Town.

MINUTES

A motion was made by Councilman Bolte to accept the minutes of the Public Hearing on December 10, 2013; the Work Meeting on December 10, 2013; and the Regular Meeting on December 12, 2013; 2nd by Councilwoman Sedlmeir.
Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood and Cooke; Nays (0)

TRANSFERS

A motion was made by Councilwoman Cooke to approve the following transfers:

From 'Honor Roll Grant' Acct. #4738 to 'Emergency Disaster Assistance' DA511OR 04960 in the amount of \$105,858.00 to pay for Honor Roll Project;
From 'FEMA Irene/Lee' Acct. #4187 to 'Emergency Disaster Assistance' DA511Or 04960 in the amount of \$22,442.00 to pay for Honor Roll Project;
2nd by Councilwoman Sedlmeir.

Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood and Cooke; Nays (0)
Supervisor Lounsbury reported that the balance of the NRCS grant is still expected.

ABSTRACTS / VOUCHERS

General Fund	\$ 47,487.01
Highway	107,640.18
Ambulance	9,610.00
Fire Companies	24,926.00 (Medusa \$ 8,308.00; Rensselaerville \$8,309.00; Tri-Village \$ 8,309.00)
Lighting District	708.96 (Preston Hollow \$331.52; Rensselaerville \$377.44)
Sewer District	645.00
Water District	1,378.80
Trust Fund	702.09
Pre-pays	1,179.14
Total Abstracts	\$194,277.18

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

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

CORRESPONDENCE

1. Trident Insurance expects a possible 13-18% increase in automobile insurance premiums; and deductibles increasing from \$500.00 to \$1,000.00.
2. Go Green Day is scheduled for April 26, 2014 at the Farnsworth Middle School in Guilderland from 8:00 AM to 2:00 PM; this is sponsored by NRCS
3. John Clarkson has updated the status on the HVCC chargebacks. They have been lowered but are still being worked on.

REPORTS

SUPERVISOR LOUNSBURY

1. Councilman Wood and Supervisor Lounsbury will be attending the Newly Elected Officials Training in Albany on January 15th, 16th, and 17th, 2014.
2. The Association of Towns Annual Conference will be held February 16th through 19th, 2014. The Town no longer pays for this; however, anyone wishing to attend may do so at their own expense. No one has come forward and shown interest in attending up to this point.
3. We are most grateful to Gerald and Brenda Wood for the mopping of Town Hall and to Margaret and Peter Seldmeir for their organizing of Kathy Hallenbeck's retirement reception. Also, much gratitude to those who contributed to any and all incidentals which made the event go so smoothly. The event was extremely well attended.
4. The paper shredder that was ordered from Staples arrived damaged and will be returned. Robert Bolte has offered the Town a commercial shredder for \$250.00 and will warranty it.

A motion was made by Councilman Wood to purchase the shredder from Councilman Bolte for \$250.00; 2nd by Councilwoman Sedlmeir.

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

Councilman Bolte has abstained from voting.

5. The Town is in receipt of a disclosure from Marion Cooke which reads as follows:

I, Marion Cooke, would like to disclose that I work for a vendor, GNH Lumber, Inc., that the Town of Rensselaerville does business with. I have no controlling interest in the company and I am only an employee of GNH Lumber, Inc.

I will not sign any vouchers and will abstain on voting on any bids or other matters that involve GNH Lumber, Inc. as long as I am a member of the Town Council.

Sincerely,
Marion Cooke
Town Council

A motion was made by Councilman Bolte to accept Councilwoman Cooke's disclosure; 2nd by Councilman Wood.

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

Councilwoman Cooke has abstained from voting.

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

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

TOWN ATTORNEY

Attorney Fallati has reported that in regards to the Public Hearing on Olmo Road that was held on January 7, 2014; a consent letter has been received by the Albany County Highway Superintendent and the statutory requirements have been met for the Qualified Abandonment of Olmo Road.

A Resolution was adopted on January 7, 2014 and reads as follows:

RESOLUTION OF THE TOWN OF RENSSELAERVILLE TOWN BOARD

WHEREAS, on January 7, 2014, the Town Board of the Town of Rensselaerville held a duly noticed public hearing on a proposed qualified abandonment, pursuant to Section 205(2) of the Town Highways Law, of the portion of Olmo Road in the Town from a point .25 miles from the intersection of Olmo Road and County Route 353 to a point at the back or northern boundary of the parcel with tax identification number 135.-2.-14, where an existing gate is located; and

WHEREAS, it appears to the highway Superintendent and the Town Board of the Town of Rensselaerville, Albany County, New York, that the portion of Olmo Road that is the subject of the proposed qualified abandonment (1) has not, for the past two years, been usually traveled by more than two vehicles daily, in addition to pedestrians and persons on horseback; and (2) has not been, during the months of June to September inclusive of the two prior years, been usually travelled along the greater part thereof by more than ten pedestrians daily.

WHEREAS, the Highway Superintendant of Albany County, New York has found that the proposed qualified abandonment complies with the requirements of Section 205(2) of the Town Highways Law; and

NOW THEREFORE, BE IT RESOLVED by the fully convened Town Board of the Town of Rensselaerville, Albany County, New York, that (1) the above referenced portion of Olmo Road is hereby declared qualifiedly abandoned pursuant to Section 205(2) of the Town Highways Law; and (2) the Town Clerk is directed to file and record in the Town Clerk's Office a certificate stating that the portion of Olmo Road in the Town from a point .25 miles from the intersection of Olmo Road and County Route 353 to a point at the back or northern boundary of the parcel with tax identification number 135.-2.-14, where and existing gate is located is qualifiedly abandoned pursuant to Section 205(2) of the Town Highways Law.

By motion made by Valerie Lounsbury, 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 9th day of January, 2014 as follows:

Supervisor Lounsbury	Yes
Councilwoman Cooke	Yes
Councilman Bolte	Yes
Councilwoman Sedlmeir	Yes
Councilman Wood	Yes

END RESOLUTION

Attorney Fallati discussed the proposed conveyance of a parcel of land in Potter Hollow which reads as follows:

**RESOLUTION OF THE
TOWN OF RENSSELAERVILLE
TOWN BOARD**

WHEREAS, by resolution dated August 9, 2007, the Town Board of the Town of Rensselaerville, Albany County, New York, approved the purchase of a parcel of land in Potter Hollow ("Parcel"), more specifically described in the attached proposed deed; and

WHEREAS, the Town subsequently acquired the Parcel; and

WHEREAS, the Town Board is considering conveyance of the Parcel to the Greenville Central School District without consideration, pursuant to Section 72(h) of the General Municipal Law, under terms set out in the attached proposed deed;

NOW THEREOFRE, BE IT RESOLVED by the duly convened Town Board of the Town of Rensselaerville, Albany County, New York, that (1) the Town Attorney is authorized to provide to council for the Greenville Central School District the attached proposed deed for discussion purposes; and (2) the Town Board's approval of the

conveyance will be subject to a separate resolution and may include the execution of a contract including any other terms desired by the Town Board.

A motion was made by Supervisor Lounsbury to authorize Attorney Fallati to provide to council for the Greenville School District the attached proposed deed for discussion purposes; and the Town Board's approval of the conveyance will be subject to a separate resolution and may include the execution of a contract including any other terms desired by the Town Board; 2nd by Councilwoman Cooke.

By motion made by Supervisor Lounsbury, and seconded by Councilwoman Cooke, the foregoing resolution was adopted by a majority of the members of the Town Board of the Town of Rensselaerville on the 9th day of January, 2014 as follows:

Supervisor Lounsbury	Yes
Councilwoman Cooke	Yes
Councilman Bolte	Yes
Councilwoman Sedlmeir	Yes
Councilman Wood	Yes

END RESOLUTION

A motion was made by Councilman Bolte to accept Town Attorney Fallati's report; 2nd by Councilwoman Sedlmeir.

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

HIGHWAY DEPARTMENT

1. Superintendent Bates addressed the issued of the extremely icy road conditions on the morning of January 6, 2014. Despite being advised of the hazardous conditions, the Middleburgh Central School District did not delay the opening of school. Two Middleburgh buses got stuck and the Town received several calls from parents expressing their fears about the dangerous road conditions. Supervisor Lounsbury would like to send a letter to the District expressing our concerns.

2. Superintendent Bates has expressed his difficulty in obtaining salt. There is a shortage state-wide. He has contacted several suppliers repeatedly but to no avail. However, Superintendent Bates was able to get sand from Carver due to an order that was not fulfilled.

A motion was made by Supervisor Lounsbury to allow Superintendent Bates to purchase approximately 700 tons of salt from Carver Sand & Gravel for \$50.75 per ton; 2nd by Councilwoman Sedlmeir.

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

Supervisor Lounsbury stated that although there is a procurement policy in place, for safety reasons, this is a one-time modification.

3. The loader needs new tires. The tires that are on now are cracked and dangerous. Superintendent Bates has received several quotes all plus or minus \$4,000.

4. Cost of repairing/replacing the axle on the Oshkosh is unknown at this point. Superintendent Bates is having difficulty obtaining parts for this also. The Oshkosh is old but is an important member of the team.

5. A paver screed is needed. Superintendent Bates has done extensive research and has located one for a cost of \$1,100.00.

A motion was made by Supervisor Lounsbury to allow Highway Superintendent Bates to purchase a paver screed for \$1,100.00; 2nd by Councilwoman Sedlmeir;

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

Superintendent Bates noted that the Town has saved Over \$18,000.00 by doing the paving ourselves instead of hiring outside contractors.

6. A propane cook-range has been donated to the highway department. A propane tank will need to be installed and the estimated cost per year is \$25.00.

A motion was made by Councilman Bolte to allow Margas or Nolan Propane to install the propane tank; 2nd by Councilwoman Sedlmeir.

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

A motion was made by Councilman Bolte to accept Highway Superintendent Bates' report; 2nd by Councilwoman Sedlmeir.

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

TOWN CLERK

1. Town Clerk Kraker read retired Town Clerk Hallenbeck's Annual report for 2013 as follows:

Total Collected/Deposits 2013		\$20,755.38
Total Paid to Supervisor	\$10,265.96	
Total Clerk Fees	1,662.55	
Total Recycling Fees	1,074.50	
Total Dog License/Kennel Fees	1,599.00	
Total Building Permits	2,565.35	
Total Zoning Fees	435.00	
Total Misc. (gas)	59.56	
Total Planning Board	1,160.00	
Total Senior Bus	1,685.00	
Total Veterans Memorial Donations	25.00	
	<u>\$10,265.96</u>	
Total Paid to Agriculture & Markets		
Dog Licenses – State Surcharge	\$254.00	
Total Paid to NYS DEC		
Hunting/Fishing Licenses	10,077.92	
Total Paid to NYS Department of Health		
Marriage Licenses	<u>157.50</u>	

Total Funds Paid Out	\$20,775.38
End of Year Balance	0.00

7 Marriage Licenses Issued
 9 Death Certificates Issued
 0 Birth Certificates Issued

Please Note: All unused checks (1219-1300), deposit tickets and stamp will be delivered to the Bank of Greene County after the December 2013 Bank Statement is reconciled. The Bank of Greene County will properly destroy these items in March of 2014.

Respectfully Submitted,

Kathleen Hallenbeck
 Town Clerk
 December 30, 2013

2013 WATER DISTRICT

2013 Water District Budget – Water Rents		\$46,625.00
Total Collected – Rents and Late Fees	\$40,980.03	
Less – Late Fees	157.87	
Plus – Unpaid Rents	5,840.40	
Less – Overpayments	<u>37.43</u>	
Total		\$46,625.13

Over Budget by \$0.13. This is due to the pennies in the amount due.

Please Note: All unused checks (1073-1300), deposit tickets and stamp will be delivered to the Bank of Greene County after the December 2013 Bank Statement is reconciled. The Bank of Greene County will properly destroy these items in March of 2014.

Respectfully Submitted,

Kathleen Hallenbeck
 Town Clerk
 December 30, 2013

2013 SEWER DISTRICT

2013 Sewer District Budget – Sewer Rents		\$43,649.00
Total Collected – Rents and Late Fees	\$37,981.23	
Less – Late Fees	144.11	
Plus – Unpaid Rents	5,819.13	
Less – Overpayments	<u>6.87</u>	
Total		\$43,649.38

Over Budget by \$0.38. This is due to the pennies in the amount due.

Please Note: All unused checks (1076-1300), deposit tickets and stamp will be delivered to the Bank of Greene County after the December 2013 Bank Statement is reconciled. The Bank of Greene County will properly destroy these items in March of 2014.

Respectfully Submitted,

Kathleen Hallenbeck
Town Clerk
December 30, 2013

A motion was made by Councilman Bolte 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 Mark Overbaugh reported for the months of November and December a total of \$141.00 for November's permits and \$10.00 for December's permits. Also, a total of \$2,698.47 for 2013.

A motion was made by Councilman Wood to accept Code Enforcement Officer/Building Inspector Overbaugh's report; 2nd by Councilwoman Cooke.

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

ASSESSING DEPARTMENT

Assessor Richard Tollner reported that New York State has extended the STAR renewal. He also put a reminder out that the Agricultural Assessments must be renewed annually.

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

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

WATER/SEWER COMMITTEE

1. Water/Sewer Treatment Officer Doug Story reported that 568,000 gallons of water was treated for the month of December; averaging 18,000 gallons per day; and 161,000 gallons of sewage was pumped for an average of 5,200 gallons per day.

2. The filter had been raked and cleaned after about four and a half weeks of use and must be done again soon.

3. There have been a few pipe breaks in homes due to the extreme weather conditions.

A motion was made by Councilwoman Sedlmeir to accept the Water/Sewer Committee report; 2nd by Councilman Bolte.

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

REFUSE/RECYCLING

Recycling Coordinator Jon Whitbeck reported the following for December, 2013:

Green Fiber: 1.97 tons

Rensselaer Iron & Steel: 2.75 tons

Tires: 46

City of Albany Landfill: 42.88 tons

Sierra Fibers: 4.34 tons

Oil: 17 gallons

Mr. Whitbeck summarized the year by saying that the gross profits were up for 2013.

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

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

OLD BUSINESS

1. Supervisor Lounsbury set a date of February 18, 2014 at 7:00 PM for the Special Meeting to review the Board of Ethics procedures.

NEW BUSINESS

1. The Annual Justice Reports will be audited and are set for approval in February.

2. In order to bill the residents of the Water and Sewer Districts, the Town Board must adopt the Warrants authorizing the billing and collection of rents for 2014.

A motion was made by Councilman Bolte to accept the Warrant authorizing the billing and collection of the Water District Rents in the amount of \$46,625.00; 2nd by Councilwoman Cooke.

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

A motion was made by Councilman Bolte to accept the Warrant authorizing the billing and collection of the Sewer District Rents in the amount of \$43,649.00; 2nd by Councilwoman Sedlmeir.

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

3. Gerald Wood presented a check to the Town in the amount of \$46,616.00 for the Albany County Paramedic service for 2014.

4. Last year's Town-Wide Picnic was a huge success and there has been interest in holding another one this year. Councilwoman Sedlmeir has offered to chair this event. A motion was made by Councilwoman Sedlmeir to hold the Town-Wide Picnic on June 1, 2014 from 2PM to 4PM at the Rensselaerville Town Hall; 2nd by Supervisor Lounsbury.

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

EXECUTIVE SESSION

A motion was made by Councilman Bolte to go into Executive Session at 8:25 PM to discuss personnel and legal matters; 2nd by Councilwoman Sedlmeir.

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

A motion was made by Supervisor Lounsbury to return from Executive Session at 8:47 PM; 2nd by Councilman Bolte.

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

A motion was made by Councilman Bolte to make the position of Recycling Coordinator an hourly instead of salaried position. The hours would be based on the average hours worked per month in the previous year.

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

ADJOURNMENT

A Motion was made by Councilwoman Sedlmeir to adjourn the meeting at 8:58 PM; 2nd by Supervisor Lounsbury.

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

Respectfully submitted,

Victoria H. Kraker
Town Clerk