

**MINUTES
OF
THE TOWN OF RENSSELAERVILLE TOWN BOARD
REGULAR MEETING
JANUARY 8, 2015**

The Regular Meeting of the Town Board of the Town of Rensselaerville was held on the 8th day of January 2015 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 Investigator Tracy Mance from the Albany County Sheriff's Department. Also present were seven interested citizens.

AUDIENCE COMMENTS

Jost Nickelsberg questioned why the parking in the hamlet of Rensselaerville was a Town issue. Supervisor Lounsbury responded by stating that it became a Town issue when it was discussed at a Town Board meeting. Prior to that, a complaint had been filed and Towns' people thought it stemmed from the Town Board.

MINUTES

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

December 9, 2014– Work Meeting
December 11, 2014 – Regular Meeting
December 16, 2014 – Special – Route 85 Parking
December 30, 2014 – Final Meeting of 2014

The motion was seconded by Supervisor Lounsbury.

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

TRANSFERS

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

From ‘General Contingency 2014’ A1990E44999 to ‘Ambulance Fund’ SA4540E89040 in the amount of \$484.00 (Moving balance from 2014 to cover increase in bill for 2015);
From ‘General Contingency 2014’ A1990E44999 to ‘Medusa Fire’ SF3410MD89040 in the amount of \$420.00 (Moving balance from 2014 to cover increase in bill for 2015);
From ‘General Contingency 2014’ A1990E44999 to ‘Rensselaerville Fire’ SF3410RN89040 in the amount of \$420.00 (Moving balance from 2014 to cover increase in bill for 2015);
From ‘General Contingency 2014’ A1990E44999 to ‘Tri-Village Fire’ SF3410TV89040 in the amount of \$420.00 (Moving balance from 2014 to cover increase in bill for 2015);
From ‘Programs for the Aged 2014’ A7610R 02770 to ‘Vehicle Maintenance’ A7610E 44072 in the amount of \$68.49 to cover the front-end alignment and rotation of tires.

The motion was seconded by Councilwoman Sedlmeir.

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

ABSTRACTS/VOUCHERS

General Fund	\$13,840.84
Highway Fund	64,456.62
Ambulance Fund	10,579.00
Fire Protection Fund	27,435.00
Sewer Fund	28,109.33
Water Fund	429.96
TA Fund	123.84
Total Abstracts	\$144,974.59

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

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

CORRESPONDENCE

Supervisor Lounsbury read an email from Diana Hinchcliff regarding the subject of polling locations. The cost of the elections was brought up at the November 2014 meeting and a suggestion was made to consolidate the three polling locations into one in

an effort to reduce costs. Ms. Hinchliff is opposed to this as she feels it would cause considerable confusion among the community the same as it did several years ago when the County reconfigured the election districts. As a result of the outcry, the County Legislature again reconfigured election districts which restored voters' rights to vote at their previous voting locations. She does not feel that consolidating is a good solution to resolve a financial issue. She suggested looking into other locations close to the current voting locations that could perhaps be rented at a lower cost or that charges could be negotiated.

REPORTS

SUPERVISOR

1. Supervisor Lounsbury received an email from Councilwoman Sedlmeir regarding the date for the Town-Wide Picnic.

A motion was made by Supervisor Lounsbury to hold the Town-Wide Picnic on June 7, 2015 from 2:00 to 4:30 PM; 2nd by Councilwoman Sedlmeir.

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

2. Councilwoman Sedlmeir would also like to see a procedure implemented that town's-people could follow if there is inclement weather on days that a Town Board meeting must be cancelled. Several suggestions were made such as notifying the library, posting a notice on the door of Town Hall, sending an email, posting notification on the website, and/or placing a recording on the phone at Town Hall. Although it was suggested that a cancellation be broadcasted on television or radio, Supervisor Lounsbury has investigated this, but has learned that sign-up must be done in the fall.

A motion was made by Supervisor Lounsbury that if there is a possibility that a Board meeting may be canceled due to inclement weather (or for other reasons), residents may check the website, call Town Hall, or check with the Library to find out the status of the meeting; 2nd Councilwoman Sedlmeir.

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

3. Supervisor Lounsbury has contacted Vector Security and has made all the updates necessary for 2015.

4. The contracts for the Fire Departments and the Ambulance have been sent out and should be returned as executed contracts that can be paid as soon as funds are available.

5. Payroll and Justice Court audits will need to be performed. Councilwoman Cooke and Councilman Wood will perform those audits.

6. Supervisor Lounsbury received a call from the County Comptroller, Frank Commisso Jr. He would like to have an informal meeting, either with the entire Board or just a few members, to discuss the Government Efficiency Plan that they are working on. January 21, 2015 at 10:30 AM was selected.

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

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

ATTORNEY

1. Attorney Fallati submitted a revised Draft to the Department of Environmental Conservation, of the proposed Local Law relating to the National Flood Insurance Program, with the changes that were previously discussed and agreed upon.

2. Attorney Fallati read the Resolution which rescinds Local Law No. 1 of 2014 as follows:

RESOLUTION OF THE TOWN OF RENSSELAERVILLE TOWN BOARD

WHEREAS, on November 13, 2014, the Town Board adopted Local Law No. 1 of 2014, which permitted the Town to override the limit in the increase in the Town's assessment for Fiscal Year 2015 pursuant to Chapter 97 of the Laws of 2011; and

WHEREAS, the Town Board has not incorporated a tax increase into its Fiscal Year 2015 budget in excess of the tax cap; and

WHEREAS, the Town Board wishes to rescind Local law No. 1 of 2014; and

WHEREAS, the Town Board conducted a public hearing on the attached proposed Local Law No. 1 of 2015, rescinding Local Law No. 1 of 2014 on January 6, 2015;

NOW THEREFORE, BE IT RESOLVED by the duly convened Town Board of the Town of Rensselaerville, Albany County, New York, ordains and enacts the attached Local Law No. 1 of 2015, which is incorporated herein.

By motion made by Valerie Lounsbury, 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 8th day of January 2015 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		

END RESOLUTION

Local Law No. 1 of 2015

A Local Law Overriding Local Law No. 1 of 2014 Relating to the Override of the Tax Levy Limit for Fiscal Year 2015

BE IT ENACTED by the Town Board of the Town of Rensselaerville as follows:

Section 1. Legislative Intent and Authority

The Town Board adopted by resolution on November 13, 2014 Local Law No. 1 of 2014, which overrode the tax levy limit for Fiscal Year 2015, pursuant to Chapter 97 of the Laws of 2011 of New York State, incorporated in Section 3-c of the General Municipal Law, but the Town Board has determined that it will not incorporate a tax increase into its Fiscal Year 2015 budget in excess of the tax cap.

Section 2. Rescission of Local Law No. 1 of 2014

Pursuant to Section 3-c of the General Municipal Law, Local Law No. 1 of 2014 is hereby rescinded.

Section 3. This local law shall take effect immediately upon filing with the Secretary of State.

END LOCAL LAW

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

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

HIGHWAY DEPARTMENT

1. Highway Superintendent Bates reported that due to the weather there has been a problem with mud especially on Davis Mountain Road. This 'spring' condition causes roads to become unstable and any attempt to repair them only makes the situation worse. Therefore, roads must be allowed to dry out and stabilize before any more permanent repairs can be performed.

2. This past weekend there were four trucks down – a result mostly of age and condition – three of them are back and running. Superintendent Bates wanted to put on record his acknowledgement of the quantity and quality of work the highway employees have been doing on these trucks. They have conveyor chains break and it's a miserable job to fix them; they fabricate the parts in the shop so that the trucks can be back in service almost immediately; they have rebuilt the front axle on truck #6, they pulled apart the differential gears, the axle, stripped it to the actual housing; repaired brakes; replaced hydraulic hoses; everything imaginable under extreme conditions. It's dirty, it's cold, and it's wet, but they continue on. Superintendent Bates could not fathom what the Town would do if it were not for the perseverance these men have shown.

3. Superintendent Bates apologized for not being aware that the resolution which was passed at the last meeting required him to inform the Town Supervisor of his intention to bid on equipment. He left the meeting early due to weather conditions and therefore did not hear the discussions, nor did he receive a copy of the resolution.

4. Superintendent Bates lost the bid on the excavator in Kingston. It went for \$21,200. It was in exceptional condition and to buy it new, would cost in excess of \$200,000. The limit set by the Board is \$20,000. The excavator the Town has now must be transported to the job site by loading it on a trailer. If it needs to be moved as little as a quarter of a mile, it must be reloaded. This is not sustainable during the construction season. Superintendent Bates will look into the possibility of rentals.

5. Superintendent Bates feels strongly that the Town needs to purchase a new truck. His reasoning is that during the construction season three trucks are typically used. One barely passed inspection this year. The Town's plow trucks and construction trucks have an average age of 19 years; the median age is 16 years. Typically trucks are in service from 12 to 15 years. The newer models will last a bit longer.

From 1998 to 2003, four trucks were purchased: a loader, a grader, an excavator, and a backhoe. Now all of that equipment is nearing the end of its life and all at the same time. For the highway department to maintain the roads, reliable equipment is necessary. Having the four trucks down this past weekend, the roads were a mess.

A new truck would cost roughly \$175,000 complete. In 2014, no money was spent on equipment. Superintendent Bates proposes selling truck #8 and #15. Potentially that could bring in \$15,000. Other options could be financing, using the 2006 and 2011

FEMA account, or CHIPS money. Superintendent Bates would be happy to provide quotes for the next meeting.

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

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

TOWN CLERK

Water and Sewer Warrants accepted by Supervisor Lounsbury; 2nd by Councilman Bolte.

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

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

Town Clerk Department – Total Collected \$363.71

Paid to the Supervisor - \$353.71 - the breakdown is as follows:

Clerk Fees	\$74.25
Recycling	39.50
Dog Licenses	70.00
Kennel Boarding	77.00
Building Permits	82.96
<u>Zoning</u>	<u>10.00</u>
Total	\$353.71

Fees paid to NYS Department of Agriculture & Markets for the 'Animal Population Control Program' aka 'dog surcharge': \$10.00

Electronic sweep from the Town Clerk's checking account for the NYS Department of Environmental Conservation - Sporting licenses: \$0

Authorization is needed to bill for the Water District in the amount of \$46,672.93 and the Sewer District in the amount of \$44,065.00. The billing year runs from January 1, 2015 through December 31, 2015, with payments accepted up through November 1st.

Supervisor Lounsbury made a motion to accept the warrants from the Town Clerk authorizing her to bill and collect for the Water District Warrant in the amount of \$46,672.93 and the Sewer District Warrant for \$44,065.00; 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 Councilman Bolte.

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 Home Addition and one Building Repair for the month of December.

2. Following through on the barn on Smith's Corners, Officer Overbaugh reported that the barn is being taken down.

3. Officer Overbaugh recently discovered that Dana Salazar of the law firm Tabner, Ryan, and Keniry has left the firm. Officer Overbaugh stated that tremendous progress was made during Dana's tenure as Zoning, Planning, and Building Department attorney. Officer Overbaugh wished to commend Ms. Salazar for a job well done and hopes that someone as good and as available as she made herself, becomes the Town's next attorney.

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

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

ASSESSORS

1. Assessor Tollner reported that the Assessor's office has been processing STAR and agricultural exemptions.

2. He wished to inform all residents to contact the Assessor's office if they have any questions and that the Assessor's will be in their office on Saturday mornings by appointment only, now through March.

3. Supervisor Lounsbury commended Assessor Tollner on his State Certification.

4. Assessor Tollner has started on continuing education credits as well.

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

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 December, 575,500 gallons of water was filtered (an average of 19,200 gallons/day); and an average of a little over 6,000 gallons of sewage was pumped.

2. The last storm which produced heavy, wet snow and then severe melting, caused a fallen tree to get carried onto the intake pipe. The perforations in the pipe were

covered with silt and rocks which has gotten caught up in the branches of the fallen tree. Officer Story removed the tree which allowed the water flow to resume.

3. Officer Story reported that there was a major leak in the Town of Westerlo. Since Westerlo has water meters, he was able to locate the property that had the leak within 5 to 6 hours. He feels that we are not going to be able to locate leaks here in Rensselaerville until we are able to measure the amount of water going through the system. Officer Story will bring this up to the Committee. He feels that, eventually, meters will need to be installed.

4. Melting snow and runoff has been getting into the septic system. Both pumps tripped their breakers. It was not until the next day that it was discovered that the level had reached a critical level. Somehow water is getting into the system and should not be. He feels it will become necessary to do inspections on individual houses to determine where the excess is coming from. He had contacted the Department of Environmental Conservation and has been warned that if we exceed our limit of 17,000 gallons/day, they will be looking at us.

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

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

REFUSE/RECYCLING

Recycling Coordinator Whitbeck was ill today so therefore there will be no report from the Recycling Department.

NEW BUSINESS

1. Supervisor Lounsbury read a letter from the Association of Towns. The 2015 training session will be held on February 15 through 18, 2015 in New York City. If any employee wishes to attend, they may do so at their own expense.

2. Bill Ryan along with Derek Selman will be taking Dana Salazar's place as Zoning and Planning Board attorney.

AUDIENCE COMMENTS ***

1. Jost Nickelsberg questioned what the Town was doing on an everyday basis to cut costs. Supervisor Lounsbury responded by stating that the heat has been kept low; purchasing is done in bulk and not unnecessarily; and every attempt is made to take advantage of special offers.

2. Jost Nickelsberg notes that Superintendent Bates has done a remarkable job with little money. He feels that it is a good idea to purchase a new truck as soon as possible. The Town needs to take advantage of Superintendent Bates' management skills while he is here.

3. Jost Nickelsberg suggests that the Highway Superintendent's salary be returned to what it was several years ago. He noted that Superintendent Bates is doing a stellar job and should be receiving a competitive wage among Town's our size.

4. Marie Dermody inquired about the billing of transitional work originally done by Dana Salazar. Supervisor Lounsbury and Attorney Fallati explained that the Town has a fixed retainer and that there would not be any extra charges.

5. Investigator Tracy Mance followed up on the parking issue in the hamlet of Rensselaerville. Now horn-blowing has become an issue

6. Highway Superintendent Bates inquired as to why more emphasis being placed on enforcement of a possible harassment charge than on parking.

7. Kenny Cooke, who is a volunteer driver, suggested that a log be kept in the Senior/Youth Bus indicating that either everything is okay or to list problems or concerns. This provides protection for everyone.

8. Councilman Bolte wanted to remind the Board that several years ago, that he offered the village of Rensselaerville free water meters on two occasions, but was refused.

*** Note: some of the above comments were made during the course of the meeting.

ADJOURNMENT

A motion was made by Councilman Bolte to adjourn the meeting at 8:22 PM; 2nd by Councilwoman Sedlmeir.

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

RESPECTFULLY SUBMITTED;

Victoria H. Kraker
Town Clerk