

**MINUTES  
OF  
THE TOWN OF RENSSELAERVILLE TOWN BOARD  
REGULAR MEETING  
MARCH 12, 2015**

The Regular Meeting of the Town Board of the Town of Rensselaerville was held on the 12<sup>th</sup> day of March 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 Donna Kropp, Water/Sewer Treatment Officer Doug Story, Recycling Coordinator Jon Whitbeck, and Investigator Tracy Mance from the Albany County Sheriff's Department. Also present were five interested citizens; one arriving at 7:45.

**AUDIENCE COMMENTS**

Marie Dermody had questions and comments regarding the January 21, 2015 meeting. She questioned the heading of the meeting as it was titled 'Special/Informal'. She thought this was misleading because any meeting of the Town Board in which a quorum exists is no longer informal and therefore should not be designated as an informal meeting.

Secondly, Mrs. Dermody questioned whether or not the Town Clerk was in attendance and stated that according to Town Law, the Clerk is required to be at all Town meetings. If the Clerk was not in attendance, the minutes should reflect that as 'absent'. Supervisor Lounsbury explained that the Clerk was in the building, but did not attend the meeting due to the time of day. Mrs. Dermody also noted that because the minutes were transcribed from an audio tape, the minutes should reflect that as well.

**MINUTES**

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

- January 21, 2015 – Informational Meeting Government Efficiency Plan \*\*\*
- February 10, 2015 – Public Hearing – National Flood Insurance Program
- February 10, 2015 – Work Meeting
- February 12, 2015 – Regular Meeting

\*\*\* With corrections as noted above.

The motion was seconded by Councilman Wood.

*Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)*  
*(Note: Councilwoman Cooke abstains from the 2/10/15 and 2/12/2015 meetings)*

### **TRANSFERS**

A motion was made by Councilwoman Cooke to approve the following transfer:  
From ‘Assessors Uncertified’ A1355E 12255 to ‘Assessor Certified’ A1355E 12256 in  
the amount of \$3,435.00;

The motion was seconded by Councilman Bolte.

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

### **ABSTRACTS/VOUCHERS**

General Fund	\$81,283.22
Highway Fund	25,055.13
Sewer Fund	494.99
Water Fund	416.27
TA Fund	5,721.67
Total Abstracts	\$112,971.28

A motion was made by Councilman Wood 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. Supervisor Lounsbury announced that she had received the executed contract from Auctions International which allows the Town to liquidate surplus assets. The contract is valid for two years.

2. The log books for the bus have been received. Councilman Bolte will advise the drivers on its use.

3. Albany County Rural Housing has notified Supervisor Lounsbury that they have submitted a grant to NYS Affordable Housing for \$350,000 that will assist low-income home owners throughout the County in rehabilitating their homes. If awarded, a public notice will be issued.

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

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

### **ATTORNEY**

1. Attorney Fallati reiterated that the updated Flood Insurance Law has been submitted to the Department of Environmental Conservation. The DEC will, in turn, forward it to FEMA. Attorney Fallati will be monitoring the progress.

2. The Town does not have any transactions that qualify for the class action suit that Attorney Fallati received, but a claim was submitted anyway.

3. The Zoning Law is in draft form and is in position to proceed.

4. Attorney Fallati read the Resolution renewing the Highway Superintendent's authority to participate in on-line auctions as follows:

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

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, 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 June 30, 2015, 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 12<sup>th</sup> day of March 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

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

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

### **HIGHWAY DEPARTMENT**

1. Superintendent Bates reported that for 22 out of the 28 days in February, the Highway Department has been actively engaged in snow and/or ice related activities. Also, there have been 42 consecutive days of below freezing temperatures.

2. 100% of the equipment is up and operational and 100% of all repairs have been done in-house. Also noteworthy considering the workload, the Highway Department has only used a total of 15 hours sick time. Despite how poorly they felt at times, the highway men nevertheless came to work.

3. The salt shed is at 75% capacity. The Town has salt, sand, and mix on hand. Superintendent Bates expects the usage to be similar to last year. Due to the temperatures, and the ineffectiveness of the sand/salt, the highway's priority was to keep the roads safe; not to establish bare pavement.

4. The five feet of frost is becoming apparent. Some roads are disintegrating, pavement is broken, pot holes and ruts are forming, and frozen culvert pipes are causing complications. Once the roads become stable and are able to bear the weight of heavy equipment, they can then be repaired.

5. Last year Governor Cuomo and the Legislature authorized funding (in addition to the CHIPS funding) for 'winter recovery'. Last year the Town received \$23,000, but Superintendent Bates has not heard anything thus far for this year.

6. The package for highway material bidding has been prepared.

7. Superintendent Bates repeated some aspects of the presentation he made at the Work Meeting regarding the new plow truck.

Supervisor Lounsbury has contacted Don MacCormack at the Bank of Greene County. The current interest rate is 1.99%. The Town would not be able to pay for the truck until the fall when it is complete, but the rate is not expected to go higher than 2.29%. The bank may be able to hold the interest rate at 1.99%, but there is no guarantee.

Supervisor Lounsbury reported that the Town would be able to pay all but \$50,000 for the truck. Payments on \$50,000 could be made for a term of either five or six years. Supervisor Lounsbury would have to get bond counsel so that the Town could move forward.

A motion was made by Councilman Wood to purchase the Western Star as recommended by Superintendent Bates for \$188,281; 2<sup>nd</sup> by Councilwoman Sedlmeir.  
*Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)*

A motion was made by Councilman Bolte to allow Supervisor Lounsbury to acquire a \$50,000 bond; 2<sup>nd</sup> by Councilwoman Sedlmeir.  
*Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)*

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

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

### **TOWN CLERK**

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

Town Clerk Department – Total Collected \$98.50

Paid to the Supervisor - \$67.16 - the breakdown is as follows:

Clerk Fees	\$26.66
Recycling	19.50
<u>Dog Licenses</u>	<u>21.00</u>
Total	\$67.16

Fees paid to NYS Department of Agriculture & Markets for the 'Animal Population Control Program' aka 'dog surcharge': \$3.00

Electronic sweep from the Town Clerk's checking account for the NYS Department of Environmental Conservation - Sporting licenses: \$28.34

Water Rents for the month totaled \$17,568.41 and Sewer Rents totaled \$22,783.13 which includes \$8.73 in penalties.

Town Clerk Kraker also reported that 75-80% of the 2015 property taxes have been collected and the Town's portion of the warrant was satisfied as of February 12, 2015.

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

*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 that there were no permits issued for the month of February.

2. The fees for RV permits have been coming in.

3. Officer Overbaugh will be taking a training class in Cairo and another in Clifton Park. There are no fees for either of these classes, but the mileage will be shared with the Town of Greenville.

4. Officer Overbaugh is also working on the year-end report for the State and the Federal year-end has been completed for the census. The Federal Census has chosen the Town of Rensselaerville to submit monthly reports also.

A motion was made by Councilman Wood to accept the Code Enforcement/Building Inspector's report; 2<sup>nd</sup> by Supervisor Lounsbury.  
*Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)*

### **ASSESSORS**

1. Assessor Kropp reported that the Assessors are preparing for the new roll which is due May 1<sup>st</sup>.

2. They will be performing site reviews over the next several weeks.

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

*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 February, 469,600 gallons of water was filtered (an average of 16,771 gallons/day); and 189,000 gallons of sewage was pumped (an average of 6,750 gallons/day). There is still a loss of 10,000 gallons per day.

2. When the weather breaks, Officer Story will be locating the curb stops and repairing those that are non-functional.

3. Officer Story received a call from Troy requesting assistance in thawing frozen pipes. The Town has located a de-icing machine which was originally thought to be a pressure washer, but it was not located in time to be of assistance to Troy. Officer Story will notify Rural Water so that next year Rensselaerville may be able to make some money renting the machine (with an operator) to neighboring towns.

4. Next week Officer Story will be attending a workshop at Columbia Greene Community College for funding infrastructure projects.

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

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

### **REFUSE/RECYCLING**

1. Recycling Coordinator Whitbeck reported that on the first warm day he had serviced the compactor. He also inspected and greased the Mac truck. He had hit a pothole which broke a clamp and one of the brake sensors. Coordinator Whitbeck

thanked Superintendent Bates for the assistance of one of his crew with the repair of the truck.

2. Recycling Coordinator Whitbeck reported that the paper business is defunct. The Town went from making \$25.00/ton with Green Fiber for the past four years to being charged \$200.00 to switch the bins. Coordinator Whitbeck has done some research and found that Sierra Fibers will take the cardboard and waste paper. This means that all recyclable paper that used to be placed in the paper bin will now go into the bin with the plastics and glass. However, it would be advantageous if residents would place cleaned tin cans in the iron and steel bin instead. Coordinator Whitbeck has spoken to everyone that has come to the recycling center so far about the changes. Flyers will also be distributed.

3. The iron and steel bin has been frozen for the winter, but is slowly thawing.

4. One tire was recycled; 37.75 tons went to the City of Albany Landfill; 3.84 tons went to Sierra Fibers (which will increase due to the changes); and three gallons of oil was collected.

A motion was made by Supervisor Lounsbury to accept the Recycling Coordinator's reports; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

### **CURRENT EVENTS**

Councilwoman Sedlmeir reminded everyone that Investigator Mance will attend the next Senior's lunch on April 14<sup>th</sup> and also, a reminder that the Town-wide picnic is the first Sunday in June from 2 to 4:30.

### **OLD BUSINESS**

The Town Justice Annual Reports have been audited by Councilman Wood and Councilwoman Cooke.

A motion was made by Councilman Bolte to accept the audited Annual Reports for the Town Justices; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

### **NEW BUSINESS**

1. The liability and vehicle insurance is due. The cost this year is \$37,176.

A motion was made by Councilman Bolte authorizing the renewal of the liability and vehicle insurance with Marshall & Sterling Insurance; 2<sup>nd</sup> by Councilwoman Cooke.  
*Motion carried: Ayes (5) Lounsbury, Bolte, Sedlmeir, Wood, and Cooke; Nays (0)*

2. The bidding packages for the highway and for the mowing and port-a-pots for the parks have been prepared.

A motion was made by Councilman Bolte authorizing the solicitation of bids for highway materials and for the mowing and port-a-pots for the parks; 2<sup>nd</sup> by Councilwoman Sedlmeir.

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

3. The Town has been working on a tardiness policy for its employees. Attorney Fallati has reviewed the policy and has made some suggestions. Supervisor Lounsbury has spoken to the Union and they will get back to her also.

4. The noise ordinance is also in the preliminary stages. Councilman Wood and Councilwoman Sedlmeir will be reviewing the ordinance as well as Attorney Fallati.

5. Supervisor Lounsbury has been approached by several residents of the hamlet of Rensselaerville who would like to have a posted speed limit of 20 mph in the hamlet. According to Doug Rose of the New York State Department of Transportation, such requests need to come from the Town Board. The DOT would then conduct an investigation and either approve or deny the request. Supervisor Lounsbury would like to send a letter to the Department of Transportation for their review. However, Superintendent Bates noted that things become complicated because there are County roads as well as Town roads that would be involved, not just the State.

6. It has been brought to the attention of the Town that a taxpayer has been incorrectly charged a 'hydrant district' tax on their property tax bills. The period of time covers 2007 through 2015 for a total of \$94.44. The Assessor's Office has made the correction so this will not happen again.

A motion was made by Councilman Bolte to reimburse Kenneth and Diana Fritz the \$94.44 for the erroneous charges; 2<sup>nd</sup> by Supervisor Lounsbury.

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

### **AUDIENCE COMMENTS**

1. Investigator Mance elaborated on the topics that will be covered at the Senior's luncheon such as safety issues, preparedness, special needs, and the protection of home and assets. She will be putting together a packet that will be available from Emergency Medical Service and Sheriff's Department personnel. She also informed all that the

Sheriff's Department has transformed a donated CDTA bus into a classroom. Inside is information on drugs and overdosing, and other awareness tips. Also inside is a replica jail cell.

2. Councilwoman Sedlmeir has heard that more money will be available for the HEAP program.

3. Marie Dermody questioned about the Town being reimbursed for the Preston Hollow Park when the park ran out of money last year. It was determined that it was not the park, but rather the Rensselaerville Lighting District. Supervisor Lounsbury will check into this.

4. Councilman Wood noted that the residents along Route 85 in the hamlet have done a great job keeping their vehicles clear of the highway.

### **ADJOURNMENT**

A motion was made by Councilman Bolte to adjourn the meeting at 8:07 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