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Video Sparks Clash, Deputies at Conesville Meeting

Major Raise Proposed for Employees

By Matthew Avitabile

CONESVILLE - The Conesville Town Hall was packed Monday well before the 7:30 town council meeting began. A dozen members of the public arrived early, including two deputies of the Schoharie County Sheriff's Office. In the pre-meeting preparations, there was a clear dividing line regarding the topic of livestreaming the meeting via video over the internet. Resident Fred Ruckel brought equipment in order to do so, quickly followed to the meeting by Town Supervisor Bill Federice and the two aforementioned deputies. Shortly thereafter, Town Attorney Michael West arrived.

Conesville's meetings have quickly become among the most interesting in Schoharie County, following a verbal back and forth at November's meeting and a terse, read statement by outgoing clerk Brenda Weaver regarding perceived bullying surrounding town government at December's meeting.

Prior to the meeting, the public wifi signal was cut off just as Mr. Ruckel assembled the video streaming device. As the meeting began, seven more members of the general public arrived,

making the room partially standing room only. Councilman Robert Proudman was unable to attend the meeting.

The meeting followed December's rare absence by Supervisor Federice due to COVID concerns. Also attending in person was Highway Superintendent Dave Porter, who wrote a blistering letter to the Town Board last month following a series of employee absences and what the Superintendent characterized as a lack of support by the town council. Mr. Porter was not present in December, but his letter was read aloud by then-Clerk Brenda Weaver.

Following the pledge of allegiance, there was only a single request for privilege of the floor by Mr. Ruckel. Supervisor Federice spoke beforehand, saying that the Town government received a request to livestream the meeting.

"We don't have any objection to that," Federice said.

Federice followed that with citing the State Open Meeting Law that "we are not opposed" to such an arrangement, but that the Town has the legal right in order to put in place regulation regarding such an ef-

fort. Mr. Federice said that the Town Board received an original request for streaming from Mr. Ruckel in February 2020, before the current state open meetings regulations were set in place. The Supervisor said that the Board asked for a meeting - a month's period - in order to set up elements regarding the broadcast.

Mr. Federice said that such an error required "arrogance and a bit of gall."

Mr. Ruckel then interjected, "You're breaking the law."

"For someone to decide they're not going to do this because they disagree - that's unbelievable," Mr. Federice said. However, "there are avenues to pursue those grievances. That's the way to do it," he said. The Supervisor again said that it was "arrogant" and insulting to the town board and the voters of Conesville. Federice then asked the Town Attor-

ney regarding the issue.

Town Attorney Michael West stated that the town board was acting appropriately.

"The bottom line is that this board has every right to do what it's doing," he said, "You're totally within the law." He added that the town was only postponing the issue, not refusing it.

When Mr. Federice asked Mr. Ruckel about whether or not he would shut the stream down, Mr. Ruckel disagreed. Mr. West then replied that the board was not breaking any law, nor "the spirit of any laws," the attorney said.

Following the attorney's last statement, the Town Supervisor said that the Town Board will meet with Mr. Ruckel in the near future.

"I've provided 724 days' notice," Mr. Ruckel said. He said that he described all of the equipment used, and is paying for the electronics

himself. Mr. Ruckel also cited the pandemic and the need for public information.

"You're making this obtrusive," said Mr. Ruckel. "You shut down the internet so I couldn't even stream it." He then said that multiple residents were "happy" that there was a chance to watch a livestream of the meeting.

"I'm trying to keep people safe," he said. "Stop community spread."

Mr. Ruckel then cited the statement retired Clerk (and current Deputy Clerk) Weaver read regarding accuracy in the minutes.

"That's what efficiency is," he said.

"You shut down the townspeople," he said. "Is that respectful during the pandemic, at twelve degrees?" he asked.

Councilman Kelly Smith then spoke up, saying that the Town Council asked for several days to set up a pro-

cedure.

"None of us are opposed," said Councilman Smith.

"You guys are making it into something you're not," said Fred Ruckel.

"I worry about whether or not you're trying to help the town," said Smith. He said, "your reputation is not as high as you think it is." Smith said that Mr. Ruckel previously privately recorded a past meeting and the Town Council asked Mr. Ruckel to remove content from the website Mr. Ruckel runs. The disagreement stemmed from a statement on the website regarding the Paris Accord climate agreement. "We supported the Paris Accord," said Mr. Ruckel. "Who is we?" asked Supervisor Federice.

Mr. Ruckel said that the issue was about the Town Board's "crony circle."

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Valley Briefs

SCS Basketball Fans

Need Pass for Entry to Games

Schoharie school basketball fans: All basketball games will require a Fan Pass to gain entry. This applies to all Schoharie home games for all levels; all WAC League away games and certain other away games per that site's policy. Any questions, please contact Shane Barton at the school

M'burgh Village Sets 2022 Meetings

MIDDLEBURGH-The Middleburgh village board last week set their meetings for 2022. Most meetings will be on the first Monday of the month starting at 7pm in the village hall on Main Street.

The meetings are scheduled for: January 3, February 7, March 7, April 11, May 2, June 6 (joint village and town), July 11, August 1, September 12, October 3 (budget workshops), November 7 (public hearing on budget), and December 5.

M'burgh to Hold Hearings on Wind Turbines

The Middleburgh town board will hold public hearings in January and February on whether to have wind turbines in the town.

The town board has passed a six-month moratorium on wind turbines and wind measuring towers.

The hearings will be held on:

* Thursday, February 10, 6pm.

The hearings will be held at the community center on Cotton Hill Road.

Town Names Marriage Officers

MIDDLEBURGH-At their re-organizational meeting on January 5, Middleburgh town board members appointed Bill Ansel-McCabe, Mike Guntert, and Wes Laraway as town marriage officers.

sSCS Elementary Students Focus on a Positive Bus Experience

SCHOHARIE - Students in grades kindergarten-fifth at Schoharie elementary school recently reviewed bus expectations as part of the district's PBIS (Positive Behavior Interventions and Supports) program.

The theme of PBIS is "Be Respectful. Be Responsible. Be Safe. Be a Community."

Working together, our students, teachers and staff are helping to make Schoharie Elementary a positive place for all. This includes on the bus to and from school.

Man Injured in Fulton Fire

FULTON - A man suffered burns in a fire off on Armlin Hill Road in the Town of Fulton Monday night.

Middleburgh Fire Department officials said that at about 8:15pm, a 911-caller reported their neighbor's house at 120 Katlyn Lane off of Armlin Hill Road was a fully involved fire and it was unknown if it was occupied.

Upon arrival, the chief first unit, on the scene at 8:20pm, confirmed that it was a fully involved one story log cabin and a reported man self-extricated himself with burn injuries. The EMS immediately transported the resident to Albany

Med. The first engine arrived at 8:37pm and started fire suppression operations laying in 1,000 ft. of five-inch hose down driveway to the structure.

The total MFD manpower at the scene was 21 and MFD units 1211, 1221, 1231, 1232, and 1281 responded, fire officials said. Fire units cleared the scene at 10:45pm. There were no reported fire department injuries.

There was first alarm activation and assistance from West Fulton FD, Blenheim FD, Town of Broome FD, Schoharie FD, MEVAC, SC Fire Coordinators, and SC EMS, officials said.



Schoharie Seeks Fireplace Grant

By Lora Newell

On a frigid Tuesday, the Schoharie Village Board meeting began with Mayor Larry Caza giving the privilege of the floor to Diane Jackson. Ms. Jackson, of the Schoharie Promotional association, spoke to the board regarding the condition of the fireplace and cooking area at Fox Creek Park. She reported there was a community grant available from SALT that could be used to rebuild it. Ms. Jackson requested that the board write a letter of support for their grant application. After a short discussion, the board and the mayor agreed.

Ms. Jackson then requested direction from the board concerning the community newsletter. She would like to get content for the newsletter from the village and the date that it will be mailed out as an insert in the water bill. The Deputy Clerk Debra Byrne responded that it would be going out by the 15th of February. Mayor Caza agreed to get her the village

newsletter content.

The previous discussion of the water/sewer bill mailing prompted a question from a resident asking if the village had debt service on the sewer and water systems. Village Clerk/Treasurer Leslie Price responded (via zoom) that the village is constantly repairing and upgrading the system and that debt service is always ongoing.

The mayor and the board then moved to open the Annual meeting. The mayor established that the meetings of the village board will take place on the second Tuesday of the month at 6:30 pm. Workshop meetings will take place the third Wednesday of the month at 6:30 pm. The board then appointed NBT and The Bank of Richmondville as the official banks for the village. Although the village does not have an official newspaper, the mayor stated that the village uses both the Mountain Eagle and the Times Journal for advertising. Personnel appointments were

also made for the year. The mayor concluded the annual meeting after a brief discussion of the written investment policy and making appointments to several committees.

After the adjournment of the annual meeting, a regular meeting of the board was opened. After approving the minutes, the mayor reported correspondence he received from the Schoharie Fire Department concerning a grant application. The grant is for the replacement of SCBA (self-contained breathing apparatus) that is over 15 years old. FEMA has funds available for this purpose, so John Borst is writing a grant for \$160,000.00. The fire company would like a letter of support which the board agreed to provide.

In other business, the board appointed Clerk/Treasurer Leslie Price as the CARES act designee for the reporting requirement for ARPA funds and approved sending a letter of engagement to the law firm of Young/Sommer, LLC.

The mayor inquired of the attendees if there was any new business and Deputy Clerk Byrne was acknowledged. She is concerned about public building access during this time of increased cases of Covid-19. An enclosed foyer is to be built which will alleviate some of the concerns, but that project is weeks away from completion. A trustee suggested completely closing the village office for two weeks. Mayor Caza asked the public who were attending the meeting for their comments. Three residents spoke up, none of them had any objections to the idea. The mayor asked Clerk/Treasurer Price what she thought, and she asked if more time could be taken to decide. The mayor agreed and it was decided to continue discussion the next day to come up with a plan to resolve the situation.

There being no further business, the mayor asked for a motion to adjourn.



Conesville, Continued from Page B1

Councilman Carl Fancher said that Mr. Ruckel "harasses" the board each month, including "coming to my place of work."

When Mr. Ruckel denied such an allegation, Mr. Fancher loudly stated, "Bullshit!"

"It is the Town of Conesville through the eyes of Fred Ruckel," said Mr. Smith. "That is no longer the Town website."

After the back and forth, Mr. Ruckel received five minutes of privilege of the floor.

"We can sit and we can talk," he said, now standing. He cited the current COVID infection numbers.

"You can't like me when I'm good for you then not like me when I'm not good for you," he said. When Mr. Ruckel finished speaking, a town resident asked if a small webcam was recording video, he responded affirmatively.

Town Clerk Carrie Sutton read aloud the Assessor's Report by Marie Stuber. It included a recommendation to extend STAR tax exemptions without new applications. Any residents that did not re-apply for the benefit can be taxed more if they had made certain changes to the property deed. The Town Board approved such an exemption later in the meeting.

The new Clerk began her first Town Clerk's report after taking office earlier in January. The Town paid out \$310 in disbursements out of the general fund in the last month.

Highway Superintendent Dave Porter spoke to the board regarding several "wind issues with a lot of freezing rain."

"Everybody knows, he said.

Mr. Porter reported that there was need for quick repairs to South Mountain Road and to a plow following plowing issues.

He continued, stating that he "missed out" on the reaction to his proposals regarding salary and re-creating a laborer's position at \$18 an hour at the December meeting.

"I'm guaranteeing that the union will not interfere with any upscaling at all." Mr. Porter then stated that he believes that the Town budget has enough money to follow through with his proposal.

Mr. Federice said that the Town Board was considering such an action, to be discussed later in the meeting.

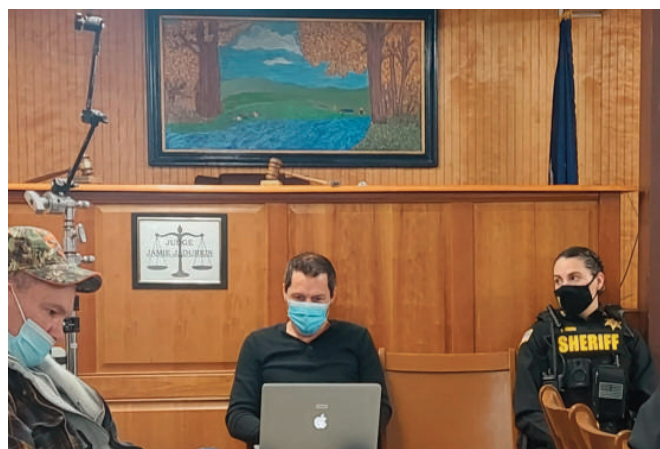
Mr. Porter followed by saying that since his return to the Town Government in June 2021, he has been careful not to step on toes. Between Mr. Porter's two stints in office, Jason Barry was the highway superintendent.

However, he said, "it's time."

He compiled a list of items bought "wrongfully."

"I can't say illegally," he said. He stated that this was done out of ignorance. This included the wrong types of wire, bolts, and motor oil. He cited that the oil was the wrong type for diesel engines and aluminum wire that was illegal to use in houses, but expected by the Town government to be used in its trucks. Mr. Porter cited an axle purchased that had the incorrect weight rating and wrong tires.

Following the end of the list of items he stated that were purchased incorrectly, he requested that the Town offer him benefits for the first time. He requested the existing health insurance buyout of \$2,000 in the existing contract. He said that in 2019 he was "refused the



Resident Fred Ruckel sets up the camera system that was the center of the ruckus

buyout" by the town because he was on Medicare. Porter cited another employee that received the buyout after receiving Medicare.

"Bill, don't give me that look," he said. "You said you didn't want to bring it out to the public."

Mr. Federice said that the Town Council said that it was hard for someone to "opt out of something they couldn't opt-in to."

The Supervisor stated that during Mr. Porter's first tenure, the Board offered a buyout which was followed by a claim by Mr. Porter to the state government regarding the issue, which was denied during his time away from office.

"You also made the comment, if you insist on doing this," said Mr. Federice, that the Town paid for health insurance, so why was he [Mr. Porter] ineligible. Mr. Federice said that the Town's previous Town reimbursement for Medicare costs was almost identical to what Mr. Porter requested.

"I'm arguing on principle," said Mr. Porter.

He then followed that there was the same Town Board as during his first tenure and that he left on "bad terms."

Mr. Federice then said that the Board was happy for his return, and that Mr. Porter "bailed us out."

"Why don't you give me what I'm due?" asked Mr. Porter.

Mr. Porter then requested an immediate, public discussion regarding the topic, stating that in the past his requests were never discussed in public session.

Councilman Kelly Smith echoed Mr. Federice's comments, saying that he was not eligible for such a buyout, which Mr. Porter disagreed with.

Mr. Federice said that he discussed the issue with the union, which believed that Mr. Porter was unlikely to receive such a buyout.

"It's because you offer the employees crap insurance," replied Mr. Porter.

The current disagreement, as agreed by both Mr. Porter and Mr. Federice toward the end of the discussion, was over a two-digit amount of reimbursement per quarter.

Councilman Smith offered consideration of a renewal of the Medicare reimbursement. Mr. Porter shook his head and opposed such an incomplete effort. Mr. Federice said that Mr. Porter was not eligible for a full buyout.

"Give me a number please," said Supervisor Federice.

The Supervisor then followed the conversation regarding the improperly purchased items.

"Your predecessor left such a disaster," Federice said. The Supervisor cited issues in DPW administrative work prior to Mr. Porter's return. "He felt it was beneath him."

The Supervisor also referenced an outstanding bill to a local business. He sought, and received, permission from the board to settle the claim.

"Part of the legacy of what you inherited," the Supervisor said.

Mr. Federice cited a case in which the previous Superintendent refused supply from another local company due to a personal issue during a snowstorm. The Town Board would look into it further, he said.

Cathy Riedl gave her first in-person Town Historian's annual report. She spoke of two visits to local cemeteries and would like to attend a statewide conference in Kingston later this year. She also recommended a future exhibit of "quilts in Conesville."

"Quilts tell stories," she said. "I am hopeful that [early residents'] descendants have their quilts tucked away and would be willing to display them."

She then stated that "as a former Supervisor of this town" that she was "extremely disappointed" in the division in the town.

"We have to get it together or we will go nowhere."

She cited Mr. Porter and said that "he saved us in a time of need and he must be compensated," followed by applause from part of the room.

Supervisor Federice followed a brief Tax Collector's report with his own. He cited the County Board's decision to opt-out of the state's COVID mandates. He said that the County does not have the resources to implement such measures. Health resources, he said, need to be directed elsewhere.

The Supervisor said that the state promised a number of COVID supplies that then never arrived.

"That really put a crimp on things," he said. Finally, after a delay, the supplies arrived on January 1st.

"That left the counties with a limited number" of tests, he said. Schoharie County received 1,395 test kits for 29,000 residents. The Town only received 15, which is partially reserved for the Town DPW crew.

The Supervisor then followed with a citation of current state COVID metrics. Schoharie County currently has one of the lowest rates per 100,000 residents in the state.

The Town Board discussed the opening for the Code Enforcement Officer position. One person is currently interested, Richard Irwin. Mr. Irwin is the Town of Jefferson Code Enforcer and is retiring from a posi-

tion at the DEP Mr. Federice nominated Caressa Dovigh to fill a vacancy as Planning Board Secretary. This recommendation was approved.

The Board discussed a potential DEP streamside acquisition property. The tract in question is a four acre swamp. While not thrilled about DEP operations as a whole, the Supervisor said that he was not opposed to such a purchase as it can't be built on nor hunted upon in most circumstances. The Board members present unanimously stated that they had no issue with such a purchase.

Supervisor Federice cited a \$35,000 grant to study erosion at Pangman Road being run by Soil and Water. The Town does not need to approve it, he said but mentioned it for public knowledge. He said that there is no current safety issue at the site.

The upcoming town payroll, which kicks in after March 1st, is approximately \$188,000, stated by Supervisor Federice. After benefits, the average compensation is \$23.47 per hour. The Supervisor responded to a claim last meeting that no employees would work for \$20 per hour. He added that the Town was also covering health insurance for full time employees. The Supervisor proposed a \$5 per hour raise of compensation for full-time employees using existing funds since there was one full-time employee position vacant.

The Supervisor also said that the Town was the second-smallest by population in the county but third largest by crew size. Supervisor Federice recommended keeping the one full-time position now vacant as-is. He also recommended a \$10,000 retention bonus for new employees who stay in for an entire year. This would be a five-fold increase over the current \$2,000 retention bonus.

The Supervisor called this proposal "quite generous" and within the existing Town budget.

"I can't believe that this is not the basis of a good opportunity for our guys," he said.

The Supervisor said that previous Town government errors, including nepotism and hiring employees "who couldn't get a job anywhere else" was catching up with the community now.

The crew, in particular, did an excellent job following the recent ice storm.

Supervisor Federice did not ask for a vote tonight and would review the existing numbers.

One DPW employee present stated that he hoped that the Highway Superintendent would be paid more.

The Town announced that the remainder of the 2022 meetings will be held at 7pm.

The meeting adjourned at 8:59.

M'burgh Cmte to Review Facade Law

By David Avitabile
MIDDLEBURGH - An ad hoc committee will review the nearly 20-year-old facade law in the Village of Middleburgh and will make recommendations on how to update it.

The original facade law for the village was adopted in 2004 and contains regulations, some of which are suggestions on what changes can be made to the front of homes and businesses on Main Street. Some suggestions included which paint schemes and colors would be allowed in the historic area.

There have been a lot of updates in technology since 2004, village officials and residents noted at the village meeting last Monday, some of which have affected how businesses look.

Mayor Trish Bergan noted that there was a lot of discussion about the facade law in the early 2000s. The committee, led by the late Pat White as well as Rich and Patti Beal worked hard to draft the law and after several public hearings, the village board adopted the plan in 2004.

Some of the recommendations and requirements may have been too rigid, such as the colors allows for homes, village officials said last week.

"We have new technology and we want businesses to advertise and be successful, but we also want to protect the historic character of the village," said Mayor Bergan. "There is room for compromise."

Trustee Bob Tinker said the original intent of the law was to retain a "small town feeling" in the village. "The problem is when you start when do you stop?," he said, adding, "and I don't disagree with them."

Trustee Sheryl Adams agreed with Trustee Tinker. "Flashing signs," she said, "take away from the village." she said she agreed with most of the law, though she admitted it "could be tweaked."

Last week's meeting was virtual due to the latest Coronavirus variant, but at least two residents spoke about the law.

Joan Wissert of the Middleburgh Area Business Association and Pearl "Ruby" Torres, who has a real estate office in the former theater on Main Street spoke about

the law and what should and could be changed.

Mayor Bergan noted that having huge video screen ads in windows is not allowed under the law.

There are lights display ads in Ms. Torres' windows on Main Street. The ads are similar to lighted iPads and they show homes and properties for sale.

"Are the lights on my signs the problem?" Ms. Torres asked virtually at the meeting. She said that she has had "lots of compliments on the sign and windows." She has also heard complaints on lighted signs.

"I am not the only on on the block with bright lights," she added. "She added that she had heard several complaints ab out the lighted sign by the supermarket "which can be blindly, especially at night."

Mayor Bergan added, "I think your window looks fantastic." Ms. Torres owns and operates the Keller Williams Realty office at 341 Main Street.

Ms. Wissert said MABA would like to be "part of the discussion bringing this ruling to 2022. Things are different Can we retain the character of Main Street but bring the law current?"

Mayor Bergan noted that new technology such as flat screen televisions have been introduced since the law was first written.

Many of the items that are allowed and not allowed in the law is up to individual tastes, she added.

"Everyone has a different idea on what's appropriate and what's not appropriate."

She brought up the idea of a committee to review the law.

The Mayor suggested some MABA representatives, village board members, residents, and members of the Historical Society.

The committee will be made up of Mayor Bergan, Trustee Adams, two people from the Historical Society, including Rusty Wissert, and three people from MADA, including Ms. Wissert, Ms. Torres, and Bobbi Ryan.

The first meeting is slated for Wednesday, February 12 at 6pm.

Mayor Bergan suggested that members of the committee bring pictures for ideas for what they want to see and not see in the facade law.

MCS COVID Tests Available

MIDDLEBURGH - At-home COVID-19 test kits can now be picked up at Middleburgh Central School.

New York State distributed at-home COVID-19 test kits to Middleburgh and Schoharie central schools last week. They are available for free to members of the school community. The purpose of dispersing these tests is to monitor the spread of COVID-19 as part of the ongoing effort to keep school buildings open for in-person instruction.

Anyone who would like to obtain a COVID-19 test kit should call and stop by the main office. Additional tests will be kept in the school health offices to be utilized, with parent/guardian permission, for symptomatic students or surveillance testing in order to keep students and staff in school safely.

Remember, if your child

has a symptom of COVID-19, they should be tested at home using a rapid test, or at a clinic, doctor's office or a testing site. Anyone with a positive test result should isolate and contact the Schoharie County Department of Health and your school nurse.

There is a two-step process to report positive test results: First, contact the Schoharie County Health Department at 518-295-8390 and follow the instructions provided; second, contact your school nurse.

In Middleburgh, if you are reporting a case out of the elementary school, please contact Brittany Pickett at 518-827-3600, extension 1686. If you are reporting a case out of the junior-senior high school, please contact Jennifer Adams at 518-827-3600, extension 2609.

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