

DRAFT

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
2011 ORGANIZATIONAL MEETING
JANUARY 3, 2011- page 1**

OPENING OF MEETING

Supervisor O'Rorke called the meeting to order at 7:42 pm and the Pledge of Allegiance was said. Also attending: Councilwoman Finke, Councilmen Byas, Meredith and Norris, Town Clerk Brooks and 13 members of the public. Absent: Highway Superintendent Jordan.

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**COUNTY OF GREENE
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RESOLUTION #1

FIDELITY BONDS

BE IT RESOLVED, that the Town of New Baltimore approve and file in the Office of the Greene County Clerk and the Town Clerk of the Town of New Baltimore the following official bonds:

Tax Collector \$700,000

Supervisor \$800,000

Other Officials, \$ 50,000
Including Deputy Supervisor,
Town Clerk,
Deputy Town Clerks,
Town Justices, Justice
Clerk, Deputy Justice
Clerk, Highway
Superintendent, Deputy
Highway Superintendent

Councilman Norris moved, seconded by Councilman Byas. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

Supervisor asked for Planning Board appointments. Councilwoman Finke said she had one more person to talk to. Supervisor asked if appointment was anticipated for January 10, 2011 Regular Meeting; answer: yes, 8 applications were received. Supervisor asked if all Town Board members have those applications; Councilwoman Finke said she will get the other 2 applications to Supervisor by end of week.

RESOLUTION #2

**PLANNING BOARD APPOINTMENTS
[Tabled to January 10, 2011 Regular Meeting]**

RESOLUTION #3

ZONING BOARD OF APPEALS APPOINTMENT

RESOLVED, that Meave Tooher is hereby re-appointed to the Town Zoning Board of Appeals for a five-year term ending December 31, 2015.

Under Town Law 271, subsection 7A and 7B, Supervisor asked for confirmation of her training to date; Councilman Byas didn't know whether he had it, but had asked Ms. Tooher for it. Zoning Board of Appeals Clerk Loux was certain that was in place.

Councilman Byas moved, seconded by Councilman Meredith. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

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RESOLUTION #4

GENERAL APPOINTMENTS

RESOLVED, that the following appointments be made for the year 2011, except where otherwise indicated, effective on January 1, 2011:

Deputy Superintendent of Highways:	Alan Van Wormer
Justice Clerk (Full Time)	Sheri Jourdin **
Justice Clerk (Full Time)	Shelly Cardinale
Justice Clerk (Part Time):	Patricia Monks
Deputy Justice Clerk (Part Time):	Pamela Trombley
Deputy Town Clerk:	Marjorie Loux
Deputy Town Clerk:	Diane Jordan
Assessor's Clerk:	Julie Fisk
Supervisor's Confidential Secretary:	Marjorie Loux
Planning Board Clerk:	Marjorie Loux
Zoning Board Clerk:	Marjorie Loux
Building Department Clerk	Marjorie Loux
Deputy Tax Collector:	Janet Brooks
Chair, Planning Board	tba
Chair, Zoning Board of Appeals:	Meave Tooher
Assessor's Data Collector:	tba
Animal Control Officer:	Joseph Tanner
Town Historian:	Ted Hilscher
Registrar of Vital Statistics:	Janet Brooks
Records Management Officer:	Janet Brooks
Records Management Clerk:	Diane Jordan
Summer Recreation Director:	tba
Emergency Management Officer:	Alan Van Wormer

**For period January 1 – 5, 2011

Supervisor asked if the Parks Committee wished to appoint a Summer Recreation Director; Councilman Byas wishes to wait until summer. **Councilman Byas moved, seconded by Supervisor.** Councilman Byas asked if Shelly Cardinale is working as the full-time justice clerk but she hasn't been appointed; Supervisor answered if she is not appointed tonight, she is not covered under Public Officers Law or Public Officials Policy. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

Supervisor read a letter to the Town Board regarding the appointment of her spouse, John Cashin, and Section 6 of the Town's Ethics Policy requiring her abstention from discussion and vote.

RESOLUTION #5 JANUARY 3, 2011

BUILDING INSPECTOR APPOINTMENT

BE IT RESOLVED, that John Cashin is hereby appointed to the position of Senior Building Inspector/Code Enforcement Officer for the year 2011, and shall be paid at the rate of \$16.86 per hour.

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Councilman Meredith moved, seconded by Councilwoman Finke. Councilman Norris added this is an interim appointment until a new inspector is on board. With that, Deputy Supervisor Norris asked for a call of vote. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-Abstains**

Adopted

RESOLUTION #6

**WASTEWATER TREATMENT PLANT OPERATIONS STAFF
APPOINTMENTS**

BE IT RESOLVED, that James Polverelli is hereby appointed to the position of Chief Wastewater Treatment Plant Operator (Part-Time) for the year 2011, with responsibilities including, but not limited to: overseeing, maintaining and operating the Town of New Baltimore's wastewater treatment plant and associated facilities on a day to day basis, to ensure that the condition of the Town's Permits and all other applicable law and regulations are complied with and met. Mr. Polverelli shall be paid an annual rate of salary of \$19,664.00, payable weekly. In addition to this salary, he shall accrue one paid sick day per month, and shall accrue ten paid vacation days annually, provided that notice in writing be given to the Supervisor when leave has been taken. Sick leave which is unused as of December 31, 2011 may be carried over to the following year exclusively for use as sick leave in the following year. Vacation leave may not be accrued beyond December 31, 2011, and

BE IT FURTHER RESOLVED, that Louis Betke is hereby appointed to the position of Part Time Wastewater Treatment Plant Operator, to work under the supervision of the Chief Wastewater Treatment Plant Operator, at a salary rate of \$13.19 per hour, and

BE IT FURTHER RESOLVED, that Kenneth Cymbalisty is hereby appointed to the position of Part Time Wastewater Treatment Plant Operator, to work under the supervision of the Chief Wastewater Treatment Plant Operator, at a salary rate of \$12.68 per hour, and

BE IT FURTHER RESOLVED, that Harriet Miller is hereby appointed to the position of Part Time Laborer, to work under the supervision of the Chief Wastewater Treatment Plant Operator, at an hourly rate of \$10.79.

Councilman Byas moved, seconded by Councilman Meredith. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #7
JANUARY 3, 2011**

2011 SALARIES FOR APPOINTEES AND ELECTED OFFICERS

RESOLVED, that the following salaries and contractual services payments be fixed for the year 2011:

Supervisor	\$ 7,925 annual salary, payable quarterly
Councilpersons (4)	\$ 4,100 annual salary, payable quarterly
Justices (2)	\$10,610 annual salary, payable quarterly

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Town Clerk	\$28,562 annual salary, payable weekly
Sole Assessor (Part-Time)	\$20,554 annual salary, payable weekly
Tax Collector	\$ 6,430 annual salary, payable weekly
Superintendent of Highways	\$52,476 annual salary, payable weekly
Deputy Town Clerk	\$ 12.37 per hour, payable weekly
Deputy Justice Clerk (part-time)	\$ 10.65 per hour, payable weekly
Assessor's Clerk	\$ 12.00 per hour, payable weekly**
Supervisor's Confidential Secy.	\$ 1,000 annual salary, paid quarterly
Planning Board Members (5)	\$ 750 annual salary, payable quarterly
Planning Board Chair	\$ 2,300 annual salary, payable quarterly
Planning Board Vice Chair	\$ 850 annual salary, payable quarterly
Planning Board Clerk	\$ 12.37 per hour, payable weekly
Zoning Board of Appeals (4)	\$ 300 annual salary, payable quarterly
Zoning Board of Appeals Chair	\$ 700 annual salary, payable quarterly
Zoning Board Clerk	\$ 12.37 per hour, payable weekly
Building Department Clerk	\$ 12.37 per hour, payable weekly
Animal Control Officer	\$ 3,950 annual salary, payable monthly
Board of Assessment Review (4)	\$ 200 annually + \$50 per mtg. over 2 mtg.
Board of Assessment Review Chair	\$ 250 annually + \$50 per mtg. over 2 mtg.
Summer Recreation Director	\$ 475 per week during Summer Rec Program
Historian	\$ 1,560 annual salary, payable quarterly
Emergency Management Officer	No Salary
Registrar of Vital Statistics	\$ 880 annually
Records Management Clerk	\$ 12.37 hour**

Supervisor clarified the raise for Assessor's Clerk, recommended by Assessor, was approved by Councilman Norris and Byas. Working approximately 21 hours per week, Ms. Fisk is starting her third year, prior year was \$11.28. Councilman Byas said it was a 6% increase. Councilman Norris said she's been helpful with E911 sign project, very efficient and effective, and recommended by Assessor. Councilman Byas asked if she would get the 1.5%, too; answer: yes. With no impact on 2011 budget, Diane Jordan was also clarified at \$12.37, records services are provided by the Town Clerk's office. Councilman Byas asked how many hours for Records Management Clerk; Supervisor explained there is \$1,000 in the budget. Councilman Meredith moved, seconded by Councilman Norris. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #8
JANUARY 3, 2011

APPOINTMENT OF ATTORNEY FOR THE TOWN

RESOLVED, that the position of Town Attorney is hereby abolished until midnight, December 31, 2011, and

BE IT FURTHER RESOLVED, that David J. Wukitsch is hereby retained as attorney for the Town of New Baltimore for the year 2011 at the annual rate of \$15,000.00, payable quarterly, to provide such legal services as the Town Board deems necessary pursuant to his proposal which is annexed hereto and is fully incorporated herein. The Supervisor is hereby empowered to accept said proposal.

[attachment]

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**COUNTY OF GREENE
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Supervisor moved, seconded by Councilman Meredith. Councilman Byas asked if this was equal to last year's or the year before; will he attend Board meetings. Supervisor said the proposal was attached, attendance at all Regular Board meetings, per Councilman Byas' request. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #9
JANUARY 3, 2011**

PROVISION OF BOOKKEEPING/ACCOUNTING/PAYROLL SERVICES

RESOLVED, that Brian P. Fitzgerald, CPA, is hereby appointed to provide Bookkeeping/Accounting/Payroll Services for the Town of New Baltimore for the period January 1, 2011, to December 31, 2011, at a rate of \$900.00 per month per his proposal annexed hereto and is fully incorporated herein. The Supervisor is hereby empowered to accept said proposal.

[attached]

Councilman Norris moved, seconded by Supervisor O'Rorke. Councilwoman Finke asked for the increase from last year; Supervisor said last year was \$825 per month, this rate was negotiated by Councilman Byas, and given to Town Board at November's Work Meeting. Supervisor believes this is the first increase since Mr. Fitzgerald began with the Town. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #10
JANUARY 3, 2011**

ESTABLISHMENT OF WORK WEEK FOR TOWN HIGHWAY DEPARTMENT

RESOLVED, that the work week for the Town Highway Department for the year 2011 shall be 40 hours, and that overtime be paid for hours worked by full time employees over 8 hours per day or 40 hours per week.

Councilman Meredith moved, seconded by Supervisor. This is the same resolution as last year. Councilman Byas thought overtime was only to be paid full-time employees who worked over 40 hours per week, and not over 8 hours per day. Supervisor did not believe that payment has been made over the 8 hour day. **Supervisor moved to strike the phrase "8 hours per day" and adopt the resolution, seconded by Councilman Meredith.** No further discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #11
JANUARY 3, 2011**

ESTABLISHMENT OF WAGE SCALE FOR TOWN HIGHWAY DEPARTMENT

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**COUNTY OF GREENE
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RESOLVED, that the wages for the Town Highway Department employees for the year 2011 will be as follows:

Working Foreman:	\$18.48 per hour
Heavy Motor Equipment Operator:	\$17.21 per hour
Laborer:	\$13.53 per hour
Part-Time Laborer:	\$11.67 per hour

Overtime shall be paid at 1 ½ times the regular rate of pay.

Supervisor moved, seconded by Councilman Byas. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

**RESOLUTION #12
JANUARY 3, 2011**

**APPOINTMENT OF PART-TIME EMPLOYEES FOR TOWN HIGHWAY
DEPARTMENT**

RESOLVED, that the Town Superintendent of Highways be empowered to employ the following individuals as part time laborers to assist the Town Highway Department for snow removal and other projects where their assistance is deemed necessary by the Superintendent of Highways:

Hugh Sterritt
Scott Benway
Jack Wallace
Francis McCarty

Councilman Norris moved, seconded by Councilman Meredith. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

**RESOLUTION #13
JANUARY 3, 2011**

**APPOINTMENT OF EMPLOYEES TO OPERATE RECYCLING CENTER
AND PERFORM BUILDINGS AND GROUNDS MAINTENANCE**

RESOLVED, that Spencer Sebert is hereby appointed to operate the Town's Recycling Center located at the Town Highway Garage, and perform building maintenance as may be required, at a salary of \$11.52 per hour, and

BE IT FURTHER RESOLVED, that Jennifer Kuder is hereby appointed to provide cleaning and maintenance services at the Town Hall at an hourly rate of \$11.84 per hour, and

BE IT FURTHER RESOLVED, that Kirk Trombley is hereby appointed to provide parks and grounds maintenance for the Town at a salary of \$11.02 per hour.

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Councilman Meredith moved, seconded by Councilman Byas. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #14
JANUARY 3, 2011**

MILEAGE REIMBURSEMENT RATE

RESOLVED, that mileage reimbursement for the use of private vehicles for the year 2011 will be at the same rate as allowed by the Internal Revenue Service.

Supervisor said, for 2011, it will be \$.51; if it changes, the Town will not need a new resolution. **Councilman Meredith moved, seconded by Councilwoman Finke.** The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #15
JANUARY 3, 2011**

2011 PAID HOLIDAYS

RESOLVED, that the following days shall be paid holidays for full time employees for the year 2011:

New Year's Day	December 31, 2010
Martin Luther King Jr. Birthday	January 17th
Presidents' Day	February 21st
Memorial Day	May 30th
Independence Day	July 4th
Labor Day	September 5th
Columbus Day	October 10th
Election Day	November 8th
Veterans' Day	November 11th
Thanksgiving Day	November 24th
Christmas	December 26
Floating Holiday	As Previously Arranged

Councilman Norris moved, seconded by Councilman Byas. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

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**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
2011 ORGANIZATIONAL MEETING
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RESOLUTION #16

LEAVE TIME FOR PART TIME CLERICAL STAFF

RESOLVED, that the Leave Time Policy for Part-Time Clerical Staff, adopted by the Town Board by its Resolution of August, 2005, shall remain in effect for the year 2011.

Supervisor moved, seconded by Councilman Meredith. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #17
JANUARY 3, 2011**

SCHEDULE OF MEETINGS

RESOLVED, that the regular monthly meetings of the Town Board of the Town of New Baltimore shall be scheduled to begin at 7:30 pm in the Town Hall Meeting Room on the following dates:

January 10, 2011	May 9, 2011	September 12, 2011
February 14, 2011	June 13, 2011	October 10, 2011
March 14, 2011	July 11, 2011	November 14, 2011
April 11, 2011	August 8, 2011	December 12, 2011

AND BE IT FURTHER RESOLVED, that the monthly Town Board work meeting shall be scheduled to begin at 7:30 pm in the Town Hall Meeting Room on the following dates:

January 24, 2011	May 23, 2011	September 26, 2011
February 28, 2011	June 27, 2011	October 24, 2011
March 28, 2011	July 25, 2011	November 28, 2011
April 25, 2011	August 22, 2011	December TBD

AND BE IT FURTHER RESOLVED, that pursuant to Section 103 of the Public Officers Law, these Town Board meetings shall be open to the general public. Nothing herein shall preclude the Town Board from conducting official business at its monthly work meeting where it is deemed to be necessary to do in the interest of expediency and where the public interest will be served,

AND BE IT FURTHER RESOLVED, that the regular monthly meeting of the Planning Board of the Town of New Baltimore shall be scheduled to begin at 7:30 pm in the Town Hall Meeting Room on the following dates:

January 13, 2011	May 12, 2011	September 8, 2011
February 10, 2011	June 9, 2011	October 13, 2011
March 10, 2011	July 14, 2011	November 10, 2011
April 14, 2011	August 11, 2011	December 8, 2011

AND BE IT FURTHER RESOLVED, that the Planning Board work meeting, if held, shall be scheduled to begin at 7:30 pm in the Town Hall Meeting Room on the fourth Thursday of each month,

AND BE IT FURTHER RESOLVED, that pursuant to Section 103 of the Public Officers Law, these Planning Board meetings shall be open to the general public,

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**COUNTY OF GREENE
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AND BE IT FURTHER RESOLVED, that the regular monthly meeting of the Zoning Board of Appeals of the Town of New Baltimore shall be scheduled to begin at 7:30 pm in the Town Hall Meeting Room on the following dates:

January 5, 2011	May 4, 2011	September 7, 2011
February 2, 2011	June 1, 2011	October 5, 2011
March 2, 2011	July 6, 2011	November 2, 2011
April 6, 2011	August 3, 2011	December 7, 2011

AND BE IT FURTHER RESOLVED, that pursuant to Section 103 of the Public Officers Law, these Zoning Board of Appeals meetings shall be open to the general public,

AND BE IT FURTHER RESOLVED, that the Justice Court of the Town of New Baltimore shall be held weekly on Tuesdays. Court sessions will start at 4:00 PM and be held in the Town Hall Meeting Room.

Councilman Norris moved, seconded by Councilman Meredith. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:
**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #18
JANUARY 3, 2011**

OFFICIAL TOWN NEWSPAPER

RESOLVED, that the Catskill Daily Mail is hereby designated as the official newspaper of the Town of New Baltimore for the year 2011.

Councilman Norris moved, seconded by Councilman Meredith. Discussion ensued. Supervisor said if a weekly paper was designated, it must be taken into account for posting legal notices. Councilman Byas said a paper could be added in a resolution for advertisement. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #19
JANUARY 3, 2011**

RENTAL OF POST OFFICE BOX

RESOLVED, that the Town of New Baltimore shall rent a post office box in the New Baltimore Post Office.

Councilman Norris moved, seconded by Councilman Meredith. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:
**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

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COUNTY OF GREENE
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RESOLUTION #20

PETTY CASH FUNDS

RESOLVED, that the following petty cash funds be established for the year 2011:

Town Clerk	\$300.00
Justice Clerk	\$400.00
Highway Superintendent	\$200.00
Summer Recreation Director	\$500.00
Recycling Center Operator	\$ 50.00
Tax Collector	\$200.00
Assessor's Clerk	\$ 75.00

The Tax Collector has been increased from \$60.00; Councilman Byas asked if that was for stamps. Supervisor said for tax and water district payments. **Councilman Byas moved, seconded by Councilman Meredith.** The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #21
JANUARY 3, 2011

DESIGNATION OF DEPOSITORIES

RESOLVED, that the following banks be designated as depositories of funds for the following officials:

Greene County Commercial Bank:	Supervisor
	Town Clerk
	Tax Collector

National Bank of Coxsackie:	Supervisor
	Town Clerk
	Tax Collector

In addition to the depositories named above, the Supervisor shall be empowered to invest Town funds in accordance with the Investment Policy for the Town of New Baltimore.

Councilman Meredith moved, seconded by Councilman Norris. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #22
JANUARY 3, 2011

REVIEW OF TOWN INVESTMENT POLICY

RESOLVED, that pursuant to the provisions of the General Municipal Law of the State of New York, the Town Board hereby adopts the attached Investment Policy dated January 5, 2009.

[attachment]

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**COUNTY OF GREENE
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Councilman Meredith moved, seconded by Supervisor O'Rorke. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #23
JANUARY 3, 2011**

REVIEW OF TOWN PROCUREMENT POLICY

RESOLVED, that pursuant to the provisions of Section 104-b of the General Municipal Law of the State of New York, the Town Board has reviewed the attached Procurement Policy adopted in 1992, as last amended in 1992, and finds that the Procurement Policy should remain in force and effect.

[attachment]

Councilman Meredith moved, seconded by Councilman Norris. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #24
JANUARY 3, 2011**

ATTENDANCE AT MEETINGS, CONFERENCES; TRAVEL ADVANCE

RESOLVED, that upon prior approval of the Town Board of the Town of New Baltimore, officials of the Town be empowered to attend schools, seminars, association meetings, etc., that are deemed necessary to better enable them to perform their official duties. Reasonable lodging expenses shall be paid by the Town should the attendance require an overnight stay. Should the attendance require an overnight stay of more than one night, the official may request a travel advance to defray the cost of meals and incidental expenses. The amount of the travel advance shall not exceed the standard per diem reimbursement rate for federal employees. If the official receives the maximum advance, the Town of New Baltimore shall be reimbursed by said official for the difference between the amount advanced, and the actual expenses incurred for which receipts are to be furnished by said official.

Supervisor moved, seconded by Councilman Meredith. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #25
JANUARY 3, 2011**

**AUTHORIZATION OF PENALTIES FOR LATE PAYMENTS ON WATER
BILLS**

RESOLVED, that the Town of New Baltimore is hereby authorized to charge a penalty of 5% for payments received after the due date stated by the Town of New Baltimore on

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**COUNTY OF GREENE
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bills issued by the Town to residents of the New Baltimore Water District #2, and shall be further authorized to compound said penalty quarterly until paid or re-levied.

Supervisor moved, seconded by Councilman Byas. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #26
JANUARY 3, 2011**

AUTHORIZATION OF SERVICE CHARGES FOR RETURNED CHECKS

RESOLVED, that pursuant to the provisions of Section 85 of the General Municipal Law of the State of New York, a service charge of \$20 shall be levied for any checks tendered for the payment of taxes or other charges which are subsequently returned by a bank for insufficient funds or other reason.

Councilman Meredith moved, seconded by Councilman Norris. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #27
JANUARY 3, 2011**

**FILING OF SUPERVISOR'S REPORT FOR YEAR ENDING
DECEMBER 31, 2010**

RESOLVED, that pursuant to subdivision 10-A of Section 29 of the Town Law of the State of New York, the Supervisor shall submit to the Town Clerk within sixty days after the close of the 2010 fiscal year, a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law of the State of New York, providing, however, that if the time for the filing of the annual report has been extended for a period of sixty days by the State Comptroller, then the time for submitting a copy of the report to the Town Clerk shall also be extended. Said report shall be submitted in lieu of the report required by Subdivision 10 of Section 29 of the Town Law of the State of New York.

Councilman Norris moved, seconded Councilman Meredith. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #28
JANUARY 3, 2011**

COMMITTEE APPOINTMENTS

RESOLVED, that the Town Board does hereby establish the following Town Board Committees and appointments to said committees for the year 2011:

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Highway	Chair:	Susan O'Rorke
	Member:	Chris Norris
Buildings & Grounds/ Recycling	Chair:	Art Byas
	Member:	Mike Meredith
Building Inspector/ Code Enforcement	Chair:	Chris Norris
	Member:	Art Byas
Insurance:	Chair:	Susan O'Rorke
	Member:	Chris Norris
Wastewater Treatment	Chair:	Susan O'Rorke
	Member:	Art Byas
Zoning and Planning:	Chair:	Barb Finke
	Member:	Art Byas
Assessment:	Chair:	Mike Meredith
	Member:	Susan O'Rorke
Promotion & Economic Development/Grants	Chair:	Chris Norris
	Member:	Barb Finke
Fire, EMS & Law Enforcement:	Chair:	Chris Norris
	Member:	Barb Finke
Newsletter/Technology/Website	Chair:	Mike Meredith
	Member:	Barb Finke
Animal Control:	Chair:	Art Byas
	Member:	Chris Norris
Parks:	Chair:	Art Byas
	Member:	Mike Meredith
Personnel:	Chair:	Susan O'Rorke
	Member:	Mike Meredith
Liaison to Town Courts:	Chris Norris	
Liaison to New Baltimore Agriculture Committee:	Chris Norris	
Liaison to New Baltimore Bicentennial Committee	Susan O'Rorke	
Liaison to Senior Citizens' Committee	Susan O'Rorke	

Councilman Norris moved, seconded by Councilman Meredith. Arlene McKeon asked for the Memorial Committee; Supervisor added:

Liaison to Memorial Committee Art Byas

With that correction, the adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

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TOWN OF NEW BALTIMORE
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RESOLUTION #29

APPOINTMENT OF DEPUTY TOWN SUPERVISOR

RESOLVED, that Christopher Norris is hereby appointed Deputy Town Supervisor of the Town of New Baltimore for the period ending December 31, 2011 and shall act in place of the Supervisor in the event that the Supervisor becomes incapacitated or is otherwise unavailable.

Councilman Meredith moved, seconded by Councilman Byas. Councilman Norris said he would, as he did last year. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

Regarding Resolution #30, Supervisor asked for volunteers. Councilman Norris hasn't attended previously and would like to. Councilman Meredith agreed to be alternate.

**RESOLUTION #30
JANUARY 3, 2011**

**APPOINTMENT OF VOTING REPRESENTATIVE
TO ASSOCIATION OF TOWNS ANNUAL MEETING**

RESOLVED, that Christopher Norris is hereby designated as the representative of the Town of New Baltimore to attend the Annual Meeting of the Association of Towns of the State of New York and is hereby authorized to cast the vote of the Town of New Baltimore at the Annual Business Session of the Association of Towns of the State of New York to be held on February 17, 2011, and

BE IT FURTHER RESOLVED, that in his absence, *Art Byas is hereby designated as the alternate to cast said vote on behalf of the Town of New Baltimore.

*Councilman Meredith remembered a conflict on the date; Councilman Byas had no problem putting his name down, but didn't know whether he could go. **Supervisor moved, seconded by Councilman Norris.** The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #31
JANUARY 3, 2011**

**APPOINTMENT OF VOTING REPRESENTATIVE
TO BOARD OF DIRECTORS, GREENE COUNTY
EMERGENCY MEDICAL SYSTEMS INC.**

RESOLVED, that Councilman Christopher Norris is hereby designated as the representative of the Town of New Baltimore to the Board of Directors of Greene County Emergency Medical Systems, Inc. for the year ending December 31, 2011.

Supervisor moved, seconded by Councilman Meredith. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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**COUNTY OF GREENE
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**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #32
JANUARY 3, 2011**

AUTHORIZATION FOR ADVANCE PAYMENTS

RESOLVED, that in accordance with the provisions of Section 118 of the Town Law, the Supervisor is hereby authorized to make payments in advance of the monthly audit of claims by the Town Board for recurring charges such as utility bills, postage, health insurance, telephone and fuel charges.

Councilman Meredith moved, seconded by Councilman Byas. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

Adopted

**RESOLUTION #33
JANUARY 3, 2011**

AUDIT OF CLAIMS

WHEREAS, the Town Clerk in a Town without a Comptroller is required to assign numbers to all claims and place on abstract for audit by Town Board Members; and

WHEREAS, Town Board Members are required to audit all submitted claims prior to the Regular Monthly Town Board Meeting; and

WHEREAS, the Town Board passes resolution at the Regular Monthly Town Board Meeting authorizing Supervisor to pay the audited claims for said month;

NOW, THEREFORE, BE IT RESOLVED, that all claims to be audited at said Regular Monthly Meeting must be submitted to the Town Clerk by 4 p.m. on the Thursday before said regular Monthly Town Board Meeting.

Supervisor moved, seconded Councilman Meredith. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

**ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE**

**RESOLUTION #34
JANUARY 3, 2011**

**RESOLUTION REAPPOINTING DR. STEPHEN HASSETT
AS TOWN HEALTH OFFICER**

RESOLVED that Dr. Stephen Hassett is hereby re-appointed as Town Health Officer for the period January 1, 2011 through December 31, 2013, and shall be paid a stipend at the annual rate of \$500.

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**COUNTY OF GREENE
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Supervisor moved, seconded by Councilman Norris. A health officer is required under state law; his is a 3-year term. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

ROLL CALL VOTE: BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

ADJOURNMENT

Town Clerk Brooks asked that the Index of Resolutions remain intact, with one tabled resolution; Supervisor confirmed. With that, **Councilman Norris moved to adjourn, Councilwoman Finke seconded.** No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

BYAS-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Motion Carried

The meeting was adjourned at 8:30 pm.

Respectfully,

Janet A. Brooks
Town Clerk

McNamee, Lochner,
Titus & Williams, P.C.

ATTORNEYS AT LAW

DAVID J. WUKITSCH

Direct Dial
(516) 447-3215

wukitsch@mltw.com

December 17, 2010

Hon. Susan O'Rourke
Supervisor Elect
Town of New Baltimore
3809 County Route 51
Hannacroix, New York 12087

Re: 2011 Retainer and Fees for Professional Legal Services

Dear Susan:

The following represents my proposal to provide legal and other services to the Town of New Baltimore for the period January 1, 2011 through December 31, 2011. I agree to provide such services on the terms and conditions outlined below.

(1) Payment of a retainer in the amount of \$15,000.00 to be disbursed by the Town in equal payments of \$3,750.00 each, upon submission of a voucher per our practice in prior years.

Retainer services shall include unlimited legal advice and counsel to you, members of the Town Board, members of the Planning Board and Zoning Board of Appeals, as needed. Basic research as well as written legal opinions shall be included in retainer services. Also, I agree as part of retainer services to attend a monthly meeting each month during 2011 as part of the retainer services, together with three additional meetings by mutual consent. Any additional meetings will be billed at a flat rate of \$250.00 per meeting.

(2) Excluded from the scope of retainer legal services are the following:

- (a) representation on litigation matters;
- (b) representation of the Town in bond matters; and
- (c) other major projects (i.e. sewer district, real estate, ambulance district).

The above non-retainer legal services shall be billed at the rate of \$135.00 per hour; my normal hourly rate is \$250.00 per hour.

Hon. Susan O'Rourke
December 17, 2010
Page 2

(3) Disbursements incurred in the performance of retainer and non-retainer legal services shall be billed on a regular basis. All disbursements incurred will be reasonable in amount. The amount of disbursements for which the Town is obligated shall be exclusive of, and in addition to, the total retainer referred to in (1) above.

If you and the members of the Town Board agree to the terms and conditions stated herein and agree to so obligate the Town of New Baltimore, please sign this letter and the enclosed copy thereof. Return the original to me; the copy is for your files.

Very truly yours,

David J. Wukitsch

DJW/jjf

BRIAN P. FITZGERALD, CPA PC
722 COLUMBIA TURNPIKE
EAST GREENBUSH, NY 12061

TELEPHONE/FAX: (518) 479-0274
EMAIL: BRIANFITZGERALDCPAPC@NYCAPRR.COM

Susan O'Rourke, Supervisor
Town of New Baltimore
3809 Route 51
Hannacroix, New York 12087

January 1, 2011

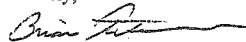
The following is a list of services that will be provided by Brian P. Fitzgerald CPA PC during 2011. We hope to better meet your expectations of service by clearly identifying the particular services to be provided and their frequency.

1. Maintain books and records, which will include the General Ledger, Cash Receipts Journal, and Cash Disbursements Journal.
2. Prepare and record disbursement checks from approved abstracts.
3. Prepare bi-weekly payrolls and checks, payroll tax deposits, and payroll reports using payroll information provided by the Town on employee data collection sheets.
4. Prepare monthly payroll reports for the New York State and Local Retirement System.
5. Prepare monthly budget reports.
6. Prepare bank reconciliations for all cash account on a monthly basis. The bank reconciliation for December 31, 2011 is not included because the required information will not be available until January 2012.
7. Prepare and file the 2010 Annual Report with the New York State Office of the State Comptroller. The 2011 Annual Report for the year ending 12/31/2010 is not included because the required information will not be available until January 2012.

Please note that no audit services will be provided, the services outlined above are only bookkeeping. Our fee for the above services will be \$10,800 per year. We will submit invoices of \$900 per month. Any other accounting services that you might require will be billed separately at \$75 per hour.

I appreciate this opportunity to provide our services to you. I am confident that we can achieve the high level of professional service that you expect. Please indicate your acceptance of the above understanding by signing below. A copy is enclosed for your records.

Sincerely,



Brian Fitzgerald

Accepted by: _____

Date: _____

INVESTMENT POLICY FOR THE TOWN OF NEW BALTIMORE

- I. This investment policy applies to all moneys and other financial resources available for investment on its own behalf.
 - II. The primary objectives of the Town of New Baltimore's investment activities are, in priority order:
 - to conform with all applicable federal, state and other legal requirements;
 - to adequately safeguard principal;
 - to provide sufficient liquidity to meet all operating requirements; and
 - to obtain a reasonable rate of return.
 - III. The Supervisor shall be responsible for the administration of the investment program.
 - IV. The Supervisor shall act responsibly as custodian of the public trust and shall avoid any transaction that might impair public confidence in the Town of New Baltimore. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.
 - V. It is the policy of the Town of New Baltimore to diversify its deposits and investments by financial institution, by investment instrument and by maturity scheduling wherever diversification is practical and practicable.
- It is the policy of the Town of New Baltimore for all funds coming into the Town to be deposited or invested within 10 days of receipt.

RESOLUTION TO ADOPT PROCUREMENT POLICY FOR TOWN OF NEW BALTIMORE

WHEREAS, Section 104-b of the General Municipal Law requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of Section 103 of the General Municipal Law or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with procurement.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town Board of the Town of New Baltimore does hereby adopt the following procurement policies and procedures:

Section 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of section 103 of the General Municipal Law. The evaluation shall include the estimation of the cumulative amount on an item of supply or equipment needed in a given fiscal year. The information gathered and conclusions reached shall be documented and maintained on file with the Town Clerk.

Section 2. All purchases of supplies or equipment which equal or will exceed \$10,000 in the fiscal year, or public works contracts of \$20,000 or more shall be formally bid pursuant to the requirements of section 103 of the General Municipal Law.

Section 3. For purchases of supplies or equipment which will be less than \$10,000 in the fiscal year, or public works contracts under \$20,000, the following procedures shall apply, except where no solicitation of proposals or quotations is required pursuant to Section 6. of this resolution:

- a) Estimated purchases of less than \$10,000 but greater than \$3,000 shall require a written request for proposal (RFP) and written quotes from at least three (3) vendors.
- b) Estimated purchases of less than \$3,000 but greater than \$1,000 shall require an oral request for the goods and oral quotes from at least two (2) vendors.
- c) Estimated purchases of less than \$1,000 but greater than \$250 are left to the discretion of the department head making the purchase.
- d) Estimated public works contracts of less than \$20,000 but greater than \$10,000 shall require a written request for proposal (RFP) and written quotes from at least three (3) vendors.
- e) Estimated public works contracts of less than \$10,000 but greater than \$3,000 shall require an oral request for the goods and oral quotes from at least (2) vendors.
- f) Estimated public works contracts of less than \$3,000 but greater than \$1,000 are left to the discretion of the department head making the purchase.
- g) Any written RFP issued pursuant to the requirements of this section shall describe the desired goods, quantity and the particulars of delivery. The department head making the purchase shall compile a list of all vendors from whom written or oral quotes have been requested pursuant to this section and the written or oral quotes offered.
- h) All information gathered in complying with the procedures outlined in this section shall be maintained by the department head making the purchase and shall be presented along with the voucher requesting payment for the goods or services.
- i) Where work is to be performed for the Town by contractors, the Town Board, where it is deemed to be in the Town's best interest, shall require the contractor to furnish a Certificate of Insurance naming the Town of New Baltimore as an insured party.

Section 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the department head making the purchase prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented. All justifications and other documentation required pursuant to this section shall be presented with the voucher requesting payment for the goods or services.

Section 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the department head making the purchase is unable to obtain the required number of proposals or quotations, the department head making the purchase shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Section 7. The unintentional failure to fully comply with the provisions of Section 104-b of the General Municipal Law or this resolution shall not be grounds to void action taken or give rise to a cause of action against the Town of New Baltimore or any officer or employee thereof.

Section 8. Except for emergency situations in Section 6 of this resolution, and for purchases made from State or County purchase contracts for supplies and materials used for snow removal and highway maintenance by the Town Highway Department, all purchases and public works contracts in the amount of \$1,600 or more shall be subject to the advance approval by the Town Board.

Section 9. The procurement policies included in this resolution shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as practicable.

Moved: Blakesley
Seconded: Rundberg
Councilwoman Blakesley: aye
Councilman VanSlyke: aye
Councilwoman Rundberg: aye
Councilman Staley: aye
Supervisor Barbers: aye