

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
2012 ORGANIZATIONAL MEETING
JANUARY 1, 2012- page 1**

DRAFT

SWEARING- IN CEREMONY

In the event of an arraignment or road issue, respectively, oaths were previously administered to:

- Joseph Farrell, Town Justice
- Denis Jordan, Highway Superintendent

Justice Farrell administered oath of office to:

- Susan O'Rorke, Town Supervisor
- Christopher Norris, Town Councilman
- Lisa Benway, Town Councilwoman

OPENING OF MEETING

Supervisor O'Rorke called the meeting to order at 2:00 pm and the Pledge of Allegiance was said. Also attending: Councilwomen Benway and Finke, Councilmen Meredith and Norris, Highway Superintendent Jordan, Town Clerk Brooks and 23 members of the public who signed the attendance sheet. Absent:.

INDEX OF RESOLUTIONS

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**RESOLUTION #1
FIDELITY BONDS**

BE IT RESOLVED that the Town of New Baltimore approves and files 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, Including Deputy Supervisor, Town Clerk, Deputy Town Clerks, Town Justices, Justice Clerk, Deputy Justice Clerk, Highway Superintendent, Deputy Highway Superintendent	\$ 50,000

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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

**RESOLUTION #2
GENERAL APPOINTMENTS**

RESOLVED, that the following appointments be made for the year 2012, except where otherwise indicated, effective on January 1, 2012.

Deputy Superintendent of Highways:	Alan Van Wormer
Justice Clerk (Full-Time)	Dawn Palmateer
Justice Clerk (Part-Time)	Katrina Miller
Deputy Justice Clerk (Part-Time):	Annette Muller
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	M. Kathleen Rundberg
Chair, Zoning Board of Appeals:	Meave Tooher
Assessor's Data Collector:	Raymond Blaisdell
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:	Antonia Campbell
Emergency Management Officer:	Alan Van Wormer

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Councilman Norris 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

Supervisor recused herself from discussion or action on Resolution #3 as she is married to John Cashin; Councilman Norris read.

RESOLUTION #3
BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER APPOINTMENT

BE IT RESOLVED, that Raymond Blaisdell is hereby appointed to the position of Building Inspector/Code Enforcement Officer for the year 2012, and shall be paid at the rate of \$13.25 per hour, and

BE IT FURTHER RESOLVED, that John Cashin is hereby appointed to the position of Building Inspector/Code Enforcement Officer on an "as need" basis at a rate of \$13.25 per hour for the 2012 year.

Councilwoman Benway 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-Abstain

Adopted

RESOLUTION #4
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 2012, 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 (1) paid sick day per month, and shall accrue ten (10) 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, 2012, 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, 2012, 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 Norris moved, seconded by Councilwoman Finke. Councilman Norris asked is notification before or after the leave is taken; Supervisor said wording is past practice and he

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notifies Supervisor before taking leave. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

Noting that Town of New Baltimore Adopted Budget for 2012 provides no increases in wages,
Supervisor moved to not read Resolution #5, Councilwoman Benway seconded.

VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Motion Carried

RESOLUTION #5
2012 SALARIES FOR APPOINTEES AND ELECTED OFFICERS

RESOLVED, that the following salaries and contractual services payments be fixed for the year 2012:

Supervisor	\$ 7,925 annual salary, payable quarterly
Councilpersons (4)	\$ 4,100 annual salary, payable quarterly
Justices (2)	\$10,610 annual salary, payable quarterly
Town Clerk	\$28,562 annual salary, payable weekly
Justice Clerk	\$15.50 per hour, payable weekly
Justice Clerk (Part-time)	\$10.00 per hour, payable weekly
Deputy Justice Clerk (Part-time)	\$10.00 per hour, payable weekly
Sole Assessor (Part-Time)	\$20,554 annual salary, payable weekly
Assessor's Data Collector	\$13.25 per hour, 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 moved to adopt, 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

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RESOLUTION #6
APPOINTMENT OF ATTORNEY FOR THE TOWN

RESOLVED, that the position of Town Attorney is hereby abolished until midnight, December 31, 2012, and

BE IT FURTHER RESOLVED, that David J. Wukitsch is hereby retained as attorney for the Town of New Baltimore for the year 2012 at the annual rate of \$16,000, 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.

Councilman Norris moved, seconded by Councilman Meredith. Councilwoman Finke asked if this was an increase; Supervisor answered this is an increase of \$1,000. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

DRAFT

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

ATTORNEYS AT LAW

DAVID J. WUKITSCH
Direct Dial
(518) 447-3215
wukitsch@mltw.com

December 22, 2011

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

Re: 2012 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, 2012 through December 31, 2012. I agree to provide such services on the terms and conditions outlined below.

(1) Payment of a retainer in the amount of \$16,000.00 to be disbursed by the Town in equal payments of \$4,000.00 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 2012 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, or major construction project).

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, or at another mutually agreed upon fee arrangement.

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(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

David J. Wukitsch

DJW/jjf

Accepted & Agreed:

Susan O'Rorke, Supervisor
Town of New Baltimore

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**RESOLUTION #7
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, 2012, to December 31, 2012, at a rate of \$900.00 per month.

Councilman Norris moved, seconded by Supervisor. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

**RESOLUTION #8
ESTABLISHMENT OF WORK WEEK FOR FULL-TIME HOURLY EMPLOYEES**

RESOLVED, that the work week for the Town Highway Department for the year 2012 shall be 40 hours, and that overtime be paid for hours worked by full-time employees over 40 hours per week; and

BE IT FURTHER RESOLVED, that the work week for the full-time Justice Clerk for the year 2012 be 35 hours per week and that overtime be paid for hours worked in excess of the 35 per week.

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Councilman Norris moved, seconded by Supervisor. Councilman Norris confirmed this was a change from last year; the justice clerk was simply added to the resolution. Councilman Meredith asked if Dave [Wukitsch] had approved the 35 hours; Supervisor confirmed that under Civil Service anything over 20 hours is considered to be full-time. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

RESOLUTION #9
ESTABLISHMENT OF WAGE SCALE FOR TOWN HIGHWAY DEPARTMENT

RESOLVED, that the wages for the Town Highway Department employees for the year 2012 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.

Councilman Norris moved, seconded by Councilwoman Benway. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #10
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
Francis McCarty
Roger Wilson

Councilman Norris 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: BENWAY-Abstain FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #11
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

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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; and

BE IT FURTHER RESOLVED that Roger Wilson is appointed to provide parks and grounds maintenance on an "as need" basis for the Town at a salary of \$11.02 per hour.

Councilman Norris moved, seconded by Councilman Meredith. Supervisor clarified that adding an "as-need" appointee is new; Highway Superintendent discussed this with Supervisor in order to cover for sick or vacation for staff. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

**RESOLUTION #12
MILEAGE REIMBURSEMENT RATE**

RESOLVED, that mileage reimbursement for the use of private vehicles for the year 2012 will be at the Federal Government rate.

Councilman Norris moved, seconded by Councilman Meredith. Supervisor checked Internal Revenue Service website, currently \$.555/mile for the year 2012. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

**RESOLUTION #13
2012 PAID HOLIDAYS**

RESOLVED, that the following days shall be paid holidays for full-time employees for the year 2012:

New Year's Day	January 2 nd
Martin Luther King, Jr. Birthday	January 16th
Presidents' Day	February 20th
Memorial Day	May 28th
Independence Day	July 4th
Labor Day	September 3rd
Columbus Day	October 8th
Election Day	November 6th
Veterans' Day	November 12th
Thanksgiving Day	November 22nd
Christmas	December 25th
New Year's Day	January 1, 2013**
Floating Holiday	As Previously Arranged

**Counts as paid Holiday for 2013.

Noting that New Year's Day 2013 will be counted toward paid holidays for 2013, Supervisor moved, seconded by Councilwoman Benway. 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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ROLL CALL VOTE: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #14
LEAVE TIME FOR FULL-TIME HOURLY EMPLOYEES

RESOLVED that the Leave Policy for full-time hourly employees, adopted by the Town Board by its February, 2001, Resolution and as amended on June 13, 2011, shall remain in effect for the 2012 year.

Councilman Norris 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #15
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 2012 year.

Councilman Norris 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

Correcting a typographical error, *January 22, 2012 should read January 23, 2012*, Supervisor moved to not read aloud Resolution #16, *Schedule of Meetings*, which will appear in a legal notice in newspaper, Councilwoman Benway seconded, who noted that meetings falling on holidays in Resolution #13 2012 Paid Holidays are indicated by 'TBD' or 'to be determined'.

RESOLUTION #16
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 9, 2012	May 14, 2012	September 10, 2012
February 13, 2012	June 11, 2012	October 8, 2012
March 12, 2012	July 9, 2012	November TBD
April 9, 2012	August 13, 2012	December 10, 2012

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 23, 2012	May TBD	September 24, 2012
February 27, 2012	June 25, 2012	October 22, 2012
March 26, 2012	July 23, 2012	November 26, 2012
April 23, 2012	August 27, 2012	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

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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 12, 2012	May 10, 2012	September 13, 2012
February 9, 2012	June 14, 2012	October 11, 2012
March 8, 2012	July 12, 2012	November 8, 2012
April 12, 2012	August 9, 2012	December 13, 2012

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,

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 4, 2012	May 2, 2012	September 5, 2012
February 1, 2012	June 6, 2012	October 3, 2012
March 7, 2012	July, 2012 TBD	November 7, 2012
April 4, 2012	August 1, 2012	December 5, 2012

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.

Supervisor moved, seconded by Councilman Norris. Supervisor noted "TBD" and those meetings determined to be necessary will need to be posted by the Clerk. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

Supervisor had researched: the Town is not required to have an official newspaper. If an official newspaper is selected, everything must be posted to that newspaper; if a paper is not selected, we would not have a legal requirement to do so. Towns similar to New Baltimore, who are not serviced by a daily newspaper, are making different choices. Councilman Norris asked the main difference in the change, Supervisor repeated above and posting to bulletin board and adding the possible use of website. Supervisor said there have been issues with invoicing and need for affidavits with the Daily Mail; Councilman Norris said his concern is the public and continuing to post public notices. Supervisor said this can be taken up at Board meeting.

RESOLUTION #17
OFFICIAL TOWN NEWSPAPER
--TABLED--

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RESOLUTION #18
RENTAL OF POST OFFICE BOX

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

Supervisor moved, seconded by Councilman Meredith. Councilwoman Finke asked if this was the post office on State Route 144; Supervisor said the Town justices have a box at Hannacroix, this is for Sewer District #1 Chief Operator. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

RESOLUTION #19
PETTY CASH FUNDS

RESOLVED, that the following petty cash funds be established for the year 2012:

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
Building/Planning/Zoning Clerk	\$100.00

Supervisor noted this year's change is the addition of petty cash for Building/Planning/Zoning Clerk's postage. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #20
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
	Justices

National Bank of Coxsackie:	Supervisor
	Town Clerk
	Tax Collector
	Justices

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.

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Councilman Norris moved, seconded by Councilwoman Benway. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #21
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.

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.

The banks and trust companies authorized for the deposit of moneys up to the maximum amount are:

Depository Name	Maximum Amount
Greene County Commercial Bank	\$2,000,000
Troy Commercial Bank	\$2,000,000
Chase Manhattan Bank	\$2,000,000
Evergreen Bank	\$2,000,000
Fleet Bank	\$2,000,000
HSBC Holdings	\$2,000,000

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Key Bank	\$2,000,000
Marine Midland Bank	\$2,000,000
M&T Bank	\$2,000,000
National Bank of Coxsackie	\$2,000,000
Trustco Bank	\$2,000,000

VI. All deposits of the Town of New Baltimore, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, shall be secured:

1. By a pledge of "eligible securities" as defined by General Municipal Law Section 10;
2. By an eligible "irrevocable letter of credit" as defined by General Municipal Law Section 10;
3. By an eligible surety bond as defined by General Municipal Law Section 10.

VII. Eligible securities used for collateralizing deposits shall be held by the depository named by the Town Board subject to security and custodial agreements, all in accord with the applicable provisions of General Municipal Law Section 10.

VIII. The Town Board authorizes the Supervisor to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

1. Special time deposit accounts
2. Certificates of Deposit
3. Obligations of the United States of America
4. Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America; and
5. Obligations of the State of New York

All investment obligations shall be payable or redeemable at the option of the Town within such times as the proceeds for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town within 2 years of the date of purchase.

IX. The Supervisor shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits as to the amount of investments which can be made with each financial institution or dealer. The Supervisor is responsible for evaluation the financial position and maintaining a listing of proposed depositories and custodians. Such listing shall be evaluated at least annually.

Revised: January 1, 2008

Councilwoman Benway moved, seconded by Supervisor. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

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RESOLUTION #22
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 hereby adopts the attached Procurement Policy dated August 8, 2011.

Procurement Policy

Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known, or can reasonably be expected, that the aggregate amount to be expended on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The decision that a purchase is not subject to competitive bidding will be documented in writing by the Town official making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchasing official indicating how the decision was arrived at, a copy of the contract, a memo from the Town official detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided.

The following method of purchase will be followed when required by this policy in order to achieve the highest savings:

Estimated Amount of Purchase Method:

<i>Under \$1,000</i>	<i>Left to the discretion of the purchaser</i>
<i>\$ 1,000 - \$ 2,500</i>	<i>3 Verbal Quotations</i>
<i>\$2501 - \$19,999</i>	<i>General Contracts: 3 Written Quotations</i>
<i>\$2,501 - \$ 34,999</i>	<i>Public Work Contracts: 3 Written Quotations</i>

A good faith effort shall be made to obtain the required number of Written proposals or quotations. If the purchasing Town official is unable to obtain the required number of written proposals or quotations, that official will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

Purchases of over \$ 2500 will require prior Board approval; except the Highway Superintendent where purchases over \$5000 will require prior Board approval.

Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offer. This documentation will include an explanation of how the award will achieve savings, how the offer was not responsible or why the offer was not responsive. Other exceptions can be made if the Purchaser provides 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. (For example, the second low bidder is a business in the town, paying town property taxes, and their quote was within 5% of the low bidder which is an out-of-state business or supplier). If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

In the following circumstances, it is not in the best interests of the Town of New Baltimore to solicit quotations or document the basis for not accepting the lowest bid.

- a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These

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qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category, the Town Board shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of attorneys; services of physicians; services of engineers; securing insurance coverage; services of accountants; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

b. It is not in the best interests of the Town to solicit alternate proposals for emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately because a delay to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

c. It is not in the best interest of the Town to solicit alternate proposals for purchases of surplus and second-hand goods. If alternate proposals are required, the Town is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

d. Purchases under State and County Contracts. When it is in the best interests of the Town it may pursue purchases from state, county and other municipal contracts. Where the purchase is through another municipality or the County, it shall be memorialized with an inter-municipal agreement.

e. Goods purchased from a correctional institution

f. Any goods or services under \$ 1,000 need not be purchased competitively. The time and documentation required to purchase through this policy may be more costly than the item in this type of circumstance and would therefore not be in the best interests of the taxpayer.

g. It is not in the best interest of the Town to solicit alternate proposals for the purchase of utility services or postage as they are sole source acquisitions.

This policy will be reviewed at least bi-annually by the Town Board.

Supervisor 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

**RESOLUTION #23
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

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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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #24
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 Norris moved, seconded by Councilwoman Benway. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #25
FILING OF SUPERVISOR'S REPORT FOR YEAR ENDING

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 2011 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.

Supervisor moved, seconded by Councilman Benway. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #26
COMMITTEE APPOINTMENTS

RESOLVED, that the Town Board does hereby establish the following Town Board Committees and appointments to said committees for the year 2012:

Highway	Chair:	O'Rorke
	Member:	Norris
Buildings & Grounds/ Recycling	Chair:	Norris
	Member:	Meredith

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Building Inspector/ Code Enforcement	Chair:	Norris
	Member:	Benway
Insurance:	Chair:	O'Rorke
	Member:	Benway
Wastewater Treatment	Chair:	O'Rorke
	Member:	Norris
Planning Board	Chair:	Benway
	Member:	Finke
Zoning Board of Appeals	Chair:	Finke
	Member:	O'Rorke
Assessment:	Chair:	Meredith
	Member:	O'Rorke
Economic Development Committee/Promotions	Chair:	Norris
	Member:	O'Rorke
Grants	Chair:	Finke
	Member:	O'Rorke
Fire, EMS & Law Enforcement:	Chair:	Norris
	Member:	Finke
Technology/Website	Chair:	Meredith
	Member:	Benway
Newsletter	Chair:	Finke
	Member:	Meredith
Animal Control:	Chair:	Benway
	Member:	O'Rorke
Parks:	Chair:	Meredith
	Member:	Benway
Personnel:	Chair:	O'Rorke
	Member:	Meredith
Agriculture Committee:	Chair:	Norris
	Member:	O'Rorke
Seniors	Chair:	Finke
	Member:	Benway
Memorial Committee	Chair:	Benway
	Member:	Finke
Ag Fest Committee:		Finke
Farmers' Market		Norris
Greene County EMS		Norris

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Town Courts

Benway

Councilman Norris 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

Prior to reading next resolution, Supervisor thanked Councilman Norris for his service of last two years as Deputy Supervisor, support and filling in at meetings in her absence.

**RESOLUTION #27
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, 2012 and shall act in place of the Supervisor in the event that the Supervisor becomes incapacitated or is otherwise unavailable.

Supervisor moved, seconded by Councilwoman Benway. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

Town Clerk Brooks added appreciation and thanks to Councilman Norris for his availability during Supervisor's absence to those working at Town Hall.

**RESOLUTION #28
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 22, 2012, and

BE IT FURTHER RESOLVED that, in his absence, Susan O'Rorke is hereby designated as the alternate to cast said vote on behalf of the Town of New Baltimore.

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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
 NORRIS-AYE O'RORKE-AYE

Adopted

**RESOLUTION #29
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, 2012.

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Supervisor moved, seconded by Councilwoman Finke. Councilman Norris asked if Councilwoman Finke will substitute if Councilman Norris is unable to attend; answer: yes. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #30
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 Norris moved, seconded by Councilwoman Benway. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #31
AUDIT OF CLAIMS

WHEREAS the Town Clerk, in a Town without a Comptroller, is required to assign numbers to all audited claims and place on abstract for 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 completed Department-approved vouchers to be audited at said Regular Monthly Meeting must be submitted to the Town Clerk by 4 p.m. on the Wednesday before each Regular Monthly Town Board Meeting.

Supervisor moved, seconded by Councilman Norris. Town Clerk Brooks asked whether first sentence is intended to read, *they are audited and then assigned*. Supervisor moved, seconded by Councilman Norris as amended above. 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

RESOLUTION #32
RESOLUTION RENEWING DESIGNATION OF ENGINEERS AUTHORIZED TO
PERFORM ENGINEERING REVIEW SERVICES ON BEHALF OF TOWN

WHEREAS, the Town Board hereby finds that there is a continued need for designation of licensed professional engineers to perform such engineering review work that may be required for projects under consideration by the Town in the course of its usual business.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Baltimore does hereby renew the designation of

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- CT Male Associates,
- Delaware Engineering,
- J. Kenneth Fraser & Associates, and
- Creighton Manning Engineering

as engineering firms that are eligible for retention by the Town Board, Planning Board or Zoning Board of Appeals for purposes of providing engineering services in conjunction with the review of projects that are under consideration by the Town Board, Planning Board or Zoning Board of Appeals, and

BE IT FURTHER RESOLVED that such designation shall expire on December 31, 2012.

Supervisor 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: BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-AYE O'RORKE-AYE

Adopted

ADJOURNMENT

Councilman Norris asked for resolution regarding the Town Health Officer; Supervisor answered it is a multi-year term. With no further business to come before the Board, Supervisor confirmed one tabled resolution for Regular Meeting and, with that, Councilwoman Benway moved to adjourn. Supervisor seconded. No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

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

Motion Carried

The meeting was adjourned at 2:48 pm.

Respectfully,

Janet A. Brooks
Town Clerk