

**AGENDA  
TOWN OF NEW BALTIMORE  
REGULAR TOWN BOARD MEETING  
June 10, 2013, Agenda**

**Public Hearings:** On Proposal for Increase and Improvement of Facilities at Town of New Baltimore

Sewer District #1 Mill Street Pump Station

**Opening Regular Town Board Meeting**

**Pledge of Allegiance**

**Approval of Minutes**

**Public Comment Period**

**Correspondence**

**Old Business**

**New Business**

Resolution and Order After Public Hearing Approving District Improvements for Sewer District #1 Mill Street Pump Station Improvements

Bond Resolution Authorizing Issuance of Serial Bonds for Sewer District #1 Mill Street Pump Station Improvements

Resolution to Approve Advertising for Highway Paving Material

Resolution to Approve Purchase of Lawn Mower for Parks Mowing

Resolution to Approve Revised Agreement for Expenditure of Highway Monies

Resolution Designating Person to Receive Notices of Claim

Resolution Authorizing Supervisor to Change Payroll Frequency & Establish Direct Deposit

Resolution Appointing Summer Recreation Program Staff

Eagle Scout Resolution

State Comptroller's Visit Update

**Adjournment**

**\*\*\*\* Agenda Subject to Change\*\*\*\***

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**RESOLUTION AND ORDER AFTER PUBLIC HEARING, APPROVING INCREASE  
AND IMPROVEMENT OF FACILITIES OF TOWN OF NEW BALTIMORE SEWER  
DISTRICT NO. 1 IN THE TOWN OF NEW BALTIMORE, IN THE COUNTY OF  
GREENE, STATE OF NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN  
LAW**

WHEREAS, the Town Board of the Town of New Baltimore (herein called "Town Board" and "Town", respectively), in the County of Greene, New York, on behalf of its Town of New Baltimore Sewer District No. 1 in the Town, requested Delaware Engineering, P.C., engineers duly licensed by the State of New York (herein called "Engineer") to prepare a preliminary engineering report for the increase and improvement of facilities of the Town of New Baltimore Sewer District No. 1, consisting of upgrading the Mill Street Pump Station, and including land or rights in land, original furnishings, equipment, machinery and apparatus required therefor; and pursuant to the direction of the Town Board, the Engineer has completed and filed with the Town Board such preliminary engineering report for the increase and improvement of facilities of Town of New Baltimore Sewer District No. 1, entitled "Wastewater System Evaluation" dated December 2012, Revised May 2013; and the Engineer has estimated the total cost of the Mill Street Pump Station Upgrade project not to exceed \$230,808; and

WHEREAS, the Engineer completed such engineer's report and filed the same with the Town Board, and the Town Board thereafter adopted an order describing in general terms the proposed increase and improvement of facilities, specifying the estimated total cost thereof and stating that the Town Board would meet to hear all persons interested in said increase and improvement of facilities on June 10, 2013 at 6:30 o'clock p.m. (Prevailing Time) at the Town Hall in the Town; and

WHEREAS, notice of such order, was published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 10th day of June, 2013 at 6:30 o'clock p.m. (Prevailing Time) at the Town Hall in the Town, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities; and

WHEREAS, the aforesaid purpose constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which are determined under SEQR not to have a significant impact on the environment; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of New Baltimore as follows:

1. On the basis of the information given at such hearing, it is hereby determined that it is in the public interest to increase and improve the facilities of the Town of New Baltimore Sewer District No. 1 as hereinabove described and referred to as the Mill Street Pump Station Upgrade Project at the estimated total cost of \$230,808.
2. It is hereby ordered that the facilities of the Town of New Baltimore Sewer District No. 1 shall be so increased and improved.
3. This Resolution shall take effect immediately.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS  
OF THE TOWN OF NEW BALTIMORE, GREENE COUNTY, NEW YORK  
IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$230,808  
PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE AN INCREASE  
AND IMPROVEMENT OF FACILITIES OF THE TOWN OF NEW BALTIMORE  
SEWER DISTRICT NO. 1  
IN THE TOWN OF NEW BALTIMORE, NEW YORK,  
AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE  
TOWN SUPERVISOR**

BE IT RESOLVED, by the Town Board of the Town of New Baltimore, Greene County, New York (the "Town") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The improvement to the facilities of the Town of New Baltimore Sewer District No. 1, consisting of upgrading the Mill Street Pump Station, and including land or rights in land, original furnishings, equipment, machinery and apparatus required therefor, is hereby authorized at an estimated maximum cost of \$230,808, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

SECTION 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which are determined under SEQRA not to have a significant impact on the environment.

SECTION 3. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five years from the original date of issuance of such obligation.

SECTION 4. The Town Board plans to finance the total cost of said purpose by the issuance of serial bonds of the Town in an amount not to exceed \$230,808, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 7. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section

52.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Town Clerk is hereby authorized to affix the corporate seal of the Town to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Supervisor is further authorized, in his or her discretion, to execute a project financing and loan agreement and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Environmental Conservation and/or the New York State Department of Health, and amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the specific object or purpose set forth herein, or a portion thereof, by a serial bond and/or bond anticipation note issue of the Town and the sale of such issue or issues to the New York State Environmental Facilities Corporation.

SECTION 11. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with; and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or
- (3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of

the Local Finance Law, in Catskill Daily Mail, being a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 13. This resolution shall take effect immediately.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**RESOLUTION TO AUTHORIZE ADVERTISEMENT FOR BIDS FOR PURCHASE OF  
PAVING MATERIAL**

RESOLVED that the Town Clerk is hereby authorized to advertise for bids for the purchase of paving material for use by the Town Highway Department for roads as follows:

Medway-Earlton Road – Approximately two miles from County Route 26 to the Cocksackie Town Line.

21 feet wide, two inch thick Type 6 Blacktop

Old Kings Road – Approximately one-half mile

20 feet wide, 1 ¾ inches thick Type 6 Blacktop

Deadline for receipt of sealed bids, 4 p.m. June 24, 2013

[Sealed bids must be received in the Town Clerk's Office by Monday, June 24, 4 p.m.]

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**RESOLUTION TO APPROVE PURCHASE OF TRACTOR FOR MOWING OF PARKS  
AND OTHER TOWN OWNED PROPERTY**

RESOLVED that the Town Board hereby authorizes the Highway Superintendent to purchase one John Deere Select Series X300 Tractor with 48X Edge Xtra Deck at a purchase price of \$2,787.18 for purpose of mowing the Town Parks and other Town owned property.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**AGREEMENT FOR THE EXPENDITURE  
OF HIGHWAY MONIES**

AGREEMENT between the Town Superintendent of the Town of New Baltimore, Greene County, New York, and the undersigned members of the Town Board. Pursuant to the provisions of Section 284 of the Highway Law, we agree that monies levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS.** The sum of \$200,000 shall be set aside to be expended for primary work and general repairs upon 30 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
  
2. **PERMANENT IMPROVEMENTS.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:

(a) On Mirror Lake Road, a distance of 700 feet, there shall be expended not over the sum of \$3,273.22.

Type: Stone and oil. Width of traveled surface: 12 feet  
Thickness: One-inch Sub-base: Stone & oil

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(b) On Haas Hill Road, a distance of 1,900 feet, there shall be expended not over the sum of \$14,458.72.

Type: Stone and oil. Width of traveled surface: 20 feet  
Thickness: One-inch Sub-base: Stone & oil

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Executed in duplicate this 10th day of June, 2013

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
County Superintendent of  
Highways

\_\_\_\_\_  
Town Superintendent

**NOTE:** This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. *COPIES DO NOT HAVE TO BE FILED IN ALBANY.*

Original: 5/13/2013

1<sup>st</sup> Revision: 6/10/2013

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**RESOLUTION APPROVING AGREEMENT FOR EXPENDITURE OF HIGHWAY  
MONIES (First Revision)**

RESOLVED, that the attached Agreement for Expenditure of Highway Monies (a/k/a 284 Agreement) bearing revision date of June 10, 2013, is hereby approved.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**RESOLUTION DESIGNATING PERSON TO RECEIVE NOTICES OF CLAIM**

WHEREAS General Municipal Law, Section 53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS General Municipal Law, Section 53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the Town's agent; and

WHEREAS pursuant to General Municipal Law, Section 50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

NOW THEREFORE IT IS RESOLVED that the Town Board of the Town of New Baltimore, County of Greene, designates Janet Brooks, in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at 3809 County Route 51, Hannacroix, New York, and e-mail at [jbrooks@townofnewbaltimore.org](mailto:jbrooks@townofnewbaltimore.org).

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the Town's designation and applicable time limitation for filing a notice of claim with the Town on or before July 14, 2013.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**RESOLUTION AUTHORIZING SUPERVISOR TO CHANGE PAYROLL  
FREQUENCY  
AND TO ESTABLISH DIRECT DEPOSIT**

RESOLVED, that the Town Board does hereby authorize the Supervisor to change the weekly payroll to a bi-weekly payroll and to further authorize the Supervisor to establish direct deposit for all employees' pay checks.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**RESOLUTION APPOINTING SUMMER RECREATION PROGRAM STAFF**

RESOLVED that the following counselors are hereby appointed to the Summer Recreation Program for a period of four weeks, commencing July 15, 2013, through August 9, 2013:

<u>Name</u>	<u>Position</u>	<u>Weekly Salary</u>
Kelsey Lenny	Assistant Director	\$312.50
—	Counselor	\$130.00

BE IT FURTHER RESOLVED if more than 50 participants sign up for the Summer Recreation Program \_\_ will be hired as a counselor for a weekly salary of \$130.

AND BE IT FURTHER RESOLVED that the following individuals are hereby appointed to the Summer Recreation Program as Alternate Counselors, to fill in as may be required in the absence of any Counselor, at a rate of pay of \$26 per day:

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION  
JUNE 10, 2013**

**CONGRATULATING DYLAN SMITH UPON THE OCCASION  
OF RECEIVING THE DISTINGUISHED RANK OF EAGLE SCOUT**

**WHEREAS** Dylan Smith, a resident of the Town of New Baltimore, through his diligence and rigorous efforts has achieved Scouting's highest and most prestigious rank,

**WHEREAS** the Boy Scouts of America and its members are dedicated to the development of character and leadership in our youth,

**WHEREAS** the highest achievement of leadership in Scouting, earned by less than four percent of all Boy Scouts, is the distinguished rank of Eagle Scout,

**WHEREAS** Dylan has been involved in Scouting for many years, has lived up to Scouting's ideals, and has attained all of the necessary achievements including an extensive project that Dylan planned, organized and managed that included the widening and leveling of a hiking trail at Columbia- Greene Community College,

**WHEREAS** this outstanding young man's perseverance in rising through the ranks to Eagle Scout is a strong indication of his ability to master difficult tasks and will enable him to emerge a leader who will be ready to meet the challenges facing us all in the future, and

**WHEREAS** this outstanding achievement brings great pride to his family and our community, and warrants special recognition.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Baltimore does hereby acknowledge this meritorious honor and extends its congratulations to Dylan Smith on the occasion of his achieving the rank of Eagle Scout.

**Adopted by the Town Board of the Town of New Baltimore on the tenth day of June 2013.**

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**Janet A. Brooks, Town Clerk**