

REVISED  
DRAFT

COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
2014 ORGANIZATIONAL MEETING  
JANUARY 1, 2014- page 1

**SWEARING- IN CEREMONY**

Providing for collection and for illness, respectively, oaths were previously administered to:

Diane Jordan, Tax Collector  
Janet Brooks, Town Clerk

Commissioned notary public of State of New York Ed Barber administered oaths of office to:

Shelly A. VanEtten, Town Councilwoman  
Jeffry R. Ruso, Town Councilman  
Nicholas A. Dellisanti, Town Supervisor

Ed Barber commented that 20 years ago this day he had taken his oath as town supervisor, along with Kathy Rundberg and Mac Staley, and wished the candidates the same pleasure of service.

**OPENING OF MEETING**

Town Supervisor Dellisanti thanked prior Town Supervisor O'Rourke for being present this day and for all the work she has done over the years, and her commitment to the town and to the Board. An honor and privilege to serve, Supervisor Dellisanti thanked everyone and wished all a healthy and happy new year. Supervisor Dellisanti thanked Supervisor Barber for his kind words and administering the oath of office and, taking a point of personal privilege, one topic that recurred during the campaign was taxes, quoting a couple who were retiring and leaving New York due to the high taxes. Supervisor read a paragraph, offering to change one word (nation to town),

*As great as our burden is, it has not kept pace with spending, for decades we have piled deficit upon deficit mortgaging our future and our children's future for the temporary convenience of the present. To continue this long trend is a guarantee for tremendous social, cultural and political and economic upheaval. You and I as individuals can, by borrowing, live beyond our means but for only a limited period of time. Why then should we think that collectively as a nation we are not bound by the same limitation. We must act today in order to preserve tomorrow and let there be no misunderstanding that we are going to begin to act beginning today. [from the inauguration speech of Ronald Reagan in 1981]*

He wanted everyone to be clear that we're all going to be moving in the right direction and thanked all.

Supervisor Dellisanti called the meeting to order at 12:00 noon and the Pledge of Allegiance was said. Also attending: Councilwomen Benway and VanEtten, Councilman Norris and Ruso, Tax Collector Jordan and 22 members of the public who signed the attendance sheet.

Absent: Highway Superintendent Jordan, Town Clerk Brooks (ill).

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**RESOLUTION #1**

**GUIDELINES FOR PUBLIC CONDUCT DURING TOWN BOARD MEETINGS**

1. The Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall be the acting Supervisor. In the event both the Supervisor and the Deputy Supervisor are absent, the other members shall designate one of their members to act as temporary chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. Town residents who wish to speak shall fill out a card at the entrances of the meeting room listing their name, contact information, and the subject matter in which they would like to speak. These cards will be collected prior to the beginning of the Town Board meeting and given to the Town Supervisor or Deputy Supervisor in the absence of the Supervisor.
3. Speakers must be recognized by the presiding officer and then proceed to the lectern and state their name and address. They must limit their remarks on official town business to up to three minutes on a given topic and may not yield any remaining time to another speaker. They must address their remarks to the Board as a body and not to any member thereof and not to other members of the audience in the form of a debate.
4. Speakers should present their remarks in a courteous manner and may not make disparaging remarks or personal comments about public officials, town residents, or others. All speakers will observe the commonly accepted rules of courtesy, decorum, dignity, and good taste with no cursing, swearing, clapping, booing, finger pointing, bullying, whispering, or talking that disrupts the proceedings of the business of the Town Board.

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5. Any speaker who disregards the directives of the presiding officer in enforcing the rules, disturbs the peace at a meeting, makes impertinent or slanderous remarks, or generally conducts themselves in an inappropriate manner shall be barred from further participation and will forfeit any balance of time remaining for their comments.
6. After a final warning, if a speaker willfully refuses to step down, the Town Supervisor shall contact the appropriate authorities to remove the speaker from the meeting room and to restore order.
7. The Town Supervisor, or in their absence the Deputy Supervisor, shall ensure compliance with these rules.

**This policy will be amended by Majority vote of the Town Board.**

Supervisor moved and was seconded by Councilwoman VanEtten. Councilwoman Benway asked, regarding #2, is that only public comment since there are folk who don't know they have a question until a topic is raised. Supervisor answered he will hold public comment at the beginning and at the end of the meeting because that does happen. Councilman Norris is confused between #2 and #3; 3 allows speaker to come up and be heard. Supervisor wants a card filled out and, if person has a comment on town business that won't be resolved at that meeting, he will send each person a letter stating that [certain person] has taken care of the complaint on [certain date] and keep a card catalog on every comment addressed. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- DELLISANTI, RUSSO, VAN ETTEN**

**NAYS- BENWAY, NORRIS**

**ABSTAIN-**

**ABSENT-**

**Adopted**

**RESOLUTION #2  
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 7:00 PM in the Town Hall Meeting Room on the following dates:

January 13, 2014	May 12, 2014	September 8, 2014
February 10, 2014	June 9, 2014	October 13, 2014
March 10, 2014	July 14, 2014	November 10, 2014
April 14, 2014	August 11, 2014	December 8, 2014

**AND BE IT FURTHER RESOLVED** that the monthly Town Board work meeting shall be scheduled to begin at 7:00 PM in the Town Hall Meeting Room on the following dates:

January 27, 2014	May 26, 2014	September 22, 2014
February 24, 2014	June 23, 2014	October 27, 2014
March 24, 2014	July 28, 2014	November 24, 2014
April 28, 2014	August 25, 2014	December 22, 2014

**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 7:00 PM in the Town Hall Meeting Room on the following dates:

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January 9, 2014	May 8, 2014	September 11, 2014
February 13, 2014	June 12, 2014	October 9, 2014
March 13, 2014	July 10, 2014	November 13, 2014
April 10, 2014	August 14, 2014	December 11, 2014

**AND BE IT FURTHER RESOLVED** that the Planning Board work meeting, if held, shall be scheduled to begin at 7:00 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 8, 2014	May 7, 2014	September 3, 2014
February 5, 2014	June 4, 2014	October 1, 2014
March 5, 2014	July 2, 2014	November 5, 2014
April 2, 2014	August 6, 2014	December 3, 2014

**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 and was seconded by Councilman Norris.** Councilman Norris pointed to the meeting scheduled on holiday, Columbus Day, asked if there was problem meeting on the holidays. Regarding the Zoning Board of Appeals meeting posted to the Town's website for tonight, Councilwoman Benway asked; Clerk Loux answered the meeting would have been January 8 and she notified the members that there were no applications to come before the ZBA. To Clerk Loux, Councilman Ruso clarified all the meetings but ZBA are scheduled for 7:00 PM; Clerk Loux answered ZBA is 7:30pm, the convenience of that Board. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

**Adopted**

**RESOLUTION #3**  
**AVAILABILITY OF AGENDAS AND RESOLUTIONS FOR**  
**TOWN BOARD MEETINGS**

1. The agenda, along with complete copies of all proposed resolutions, shall be made available to members of the Town Board no later than the Friday preceding a regularly scheduled meeting and, as practicable, not less than two days prior to a special meeting of the Town Board.
2. Copies of agendas and proposed resolutions shall be available to the public, within the same time frame, from the Town Clerk. This does not preclude later additions to the agenda, including proposed resolutions, from being added as deemed necessary by the Town Board.

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3. The agendas and resolutions will be posted to the Town's official website by the Town Clerk no later than the Friday preceding the regularly scheduled meeting and will appear on both the Home Page and on the Calendar of Events.

This policy will be amended by majority vote of the Town Board.

**Councilman Norris moved and was seconded by Councilman Ruso.** Councilwoman Benway pointed out that the Technology Committee (on which she has served previously) has posted for the last four years and asked is the Technology Committee not doing that anymore? Supervisor said he thought the Town Clerk gave it to her to put on. Councilwoman Benway said the Town Supervisor has sent the agenda and the resolutions to the Board and then Councilwoman Benway would post to the website and is agreeable to continue. Supervisor amends to read Technology Committee.

**The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

**Adopted**

**RESOLUTION #4  
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 and was seconded by Councilwoman Benway.** No discussion. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

**Adopted**

**RESOLUTION #5  
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 or at 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 PM. on the Wednesday before each Regular Monthly Town Board Meeting.

**Councilman Norris moved and was seconded by Councilman Ruso.** No discussion. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**  
**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

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NAYS-  
ABSTAIN-  
ABSENT-  
Adopted

RESOLUTION #6  
2014 SALARIES FOR APPOINTEES AND ELECTED OFFICERS

**RESOLVED** that the following salaries and contractual services payments be fixed for the year 2014:

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	\$29,136.10 annual salary, payable biweekly
Justice Clerk	\$15.82 per hour, payable biweekly
Justice Clerk (Part-time)	\$10.00 per hour, payable biweekly
Sole Assessor (Part-time)	\$20,759.54 annual salary, payable biweekly
Tax Collector	\$ 6,430 annual salary, payable biweekly
Superintendent of Highways	\$53,530.76 annual salary, payable biweekly
Deputy Town Clerk	\$12.61 per hour, payable biweekly
Assessor's Clerk	\$12.61 per hour, payable biweekly
Supervisor's Confidential Secretary	\$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	\$12.61 per hour, payable biweekly
Zoning Board of Appeals (4)	\$ 300 annual salary, payable quarterly
Zoning Board of Appeals Chair	\$ 700 annual salary, payable quarterly
Zoning Board Clerk	\$12.61 per hour, payable biweekly
Building Department Clerk	\$12.61 per hour, payable biweekly
Animal Control Officer	\$ 3,990 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.
Historian	\$ 1,560 annual salary, payable quarterly
Emergency Management Officer	No Salary
Deputy Building Dept Clerk	No Salary
Registrar of Vital Statistics	\$880 annually
Records Management Clerk	\$12.61 hour
Recycling Center Operator/Laborer	\$11.76 per hour, payable biweekly

Supervisor moved and was seconded by Councilman Ruso. Councilwoman Benway pointed that the Town Health Officer was not on the list; Supervisor said the contract does not expire until December 31, 2014. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

NAYS-  
ABSTAIN-  
ABSENT-  
Adopted

Supervisor Dellisanti complimented Councilman Norris on his years of service to the Town as deputy town supervisor, what he has done for the Town Board and for the Town, and asked the audience for a round of applause.

RESOLUTION #7  
APPOINTMENT OF DEPUTY TOWN SUPERVISOR

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**RESOLVED**, that Jeffry Ruso is hereby appointed Deputy Town Supervisor of the Town of New Baltimore for the period ending December 31, 2014, and shall act in place of the Supervisor in the event the Supervisor becomes incapacitated or is otherwise unavailable.

**AND BE IT FURTHER RESOLVED** that the Deputy Town Supervisor has full duties and powers if the Town Supervisor becomes incapacitated or is otherwise unavailable.

Supervisor moved and was seconded by Councilwoman VanEtten. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUso, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #8  
COMMITTEE APPOINTMENTS

**RESOLVED** that the Town Board does hereby establish the following Town Board Committees and appointments to said committees for the year 2014:

Agriculture Committee	Chair: Chris Norris Member: Lisa Benway
AgFest Liaison	Member: Jeff Ruso
Animal Control	Chair: Jeff Ruso Member: Chris Norris
Assessment	Chair: Nick Dellisanti Member: Chris Norris
Audit and Control/Finance	Chair: Jeff Ruso Member: Nick Dellisanti
Buildings & Grounds/Recycling	Chair: Jeff Ruso Member: Chris Norris
Building Inspector/Code Enforcement Officer	Chair: Shelly VanEtten Member: Lisa Benway
Fire, EMS and Law Enforcement	Chair: Nick Dellisanti Member: Shelly VanEtten
Grants/Promotions/Economic Development	Chair: Jeff Ruso Member: Shelly VanEtten
Greene County EMS Representative Greene County EMS Deputy Representative	Nick Dellisanti Chris Norris
Highway	Chair: Nick Dellisanti Member: Jeff Ruso
Insurance:	Chair: Lisa Benway Member: Shelly VanEtten
Memorial Committee	Chair: Lisa Benway

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	Member: Chris Norris
Personnel:	Chair: Jeff Ruso Member: Nick Dellisanti
Planning Board/Zoning Board of Appeals	Chair: Shelly VanEtten Member: Nick Dellisanti
Seniors and Veterans	Chair: Shelly VanEtten Member: Lisa Benway
Technology/Website	Chair: Lisa Benway Member: Shelly VanEtten
Town Courts Liaison	Member: Jeff Ruso
Wastewater Treatment	Chair: Chris Norris Member: Lisa Benway
Youth, Parks and Recreation	Chair: Shelly VanEtten Member: Nick Dellisanti

Councilwoman VanEtten moved and was seconded by Councilman Norris. Councilwoman Benway asked for description of Audit and Control/Finance Committee; Councilman Ruso answered that they want monthly, quarterly or annual reports to be sure they were all done, bank reconciliation and petty cash, different periodic points, a monitoring system, is not going to supplement the other committees, just to keep them all in one place, just to know they were done. Councilman Norris asked if it weren't a conflict of interest to have Supervisor sign the checks and audit himself; Councilman Ruso thought he [Ruso] was chair. Councilman Norris pointed out he [Dellisanti] was member; Supervisor said it was a fair question but felt he could do that with integrity. Councilman Ruso will make sure his [Dellisanti] audits are reviewed by him [Ruso]. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUso, VAN ETTEN  
NAYS-  
ABSTAIN-  
ABSENT-  
Adopted



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TAL G. RAPPLEYEA

ATTORNEY AT LAW

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rappleyealaw\_tal@berk.com

January 1, 2014

Hon. Nick Dellisanti, Supervisor  
Town of New Baltimore  
3809 County Route 51  
Hannacroix, NY 12087

RE: General Retainer

Dear Supervisor Dellisanti:

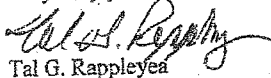
Please accept this letter as my retainer to represent the Town of New Baltimore as Attorney for the Town on all general matters for the calendar year 2104. This retainer is intended to cover and include attendance at regular Town Board meetings, and agenda workshop and special meetings and other Board meetings on an "as needed" basis, review of minor contracts, minor tax certiorari as needed (such need to be determined by the Town Assessor upon approval by the Town Board), minor local law drafting and review, minor real property conveyances, and general consultations and advice at a monthly fee of \$833.33 (\$10,000 annually), for which a standard voucher shall be submitted. I am and shall be treated as an "independent contractor" and shall pay my own withholdings and taxes. Additionally, as such I am not eligible for nor seek health or retirement benefits.

However, the above monthly general retainer amount is not intended to include litigation, major contracts and projects and major real property transactions or planning/zoning applications for which an escrow account is established by the applicant. In the event any situation arises wherein the work is deemed to not be included under the general retainer, any work/time performed on such matters will be charged at \$150.00 per hour. No matter shall be billed as an hourly item outside the retainer without prior approval by the Town Board. Such items shall also be billed on a monthly basis, with a standard voucher and itemization of the work performed.

This Letter of Engagement is furnished to you in accordance with Part 1215 of the Joint Rules of the Appellate Division. It is hereby acknowledged that we have reviewed the enclosed Statement of Client's Rights and the Statement of Client's Responsibilities and that you have no questions or concerns therewith.

By your countersignature below you are evidencing your acceptance of the above terms. If you have any questions please do not hesitate to contact me.

Very truly yours,

  
Tal G. Rappleyea

TGR/jjs

Town of New Baltimore, by Nick Dellisanti, Supervisor

Dated

Any disagreement or controversy arising out of or relating to this Agreement, including but not limited to any dispute concerning fees, can be submitted for resolution to arbitration before three arbitrators in accordance with the then prevailing Commercial Rules of the American Arbitration Association. The arbitration shall be held in Columbia County. The award rendered in said proceeding shall be made in writing and shall be final and binding upon both parties and judgment upon the award may be entered in any court having jurisdiction thereof. The arbitrators shall award reasonable attorneys' fees and the costs of the arbitration to the prevailing party, except that the fees and expenses of the arbitrators, if any, shall be borne equally by the parties. At the request of any party, the arbitration will be conducted in secret.

The arbitrators shall not have authority to amend, alter, modify, add to or subtract from the provisions of this Agreement. The award of the arbitrators, in addition to granting the relief prescribed above and such other relief as the arbitrators may deem proper, may contain provisions commanding or restraining acts or conduct of the parties or their representatives and may further provide for the arbitrators to retain jurisdiction over the Agreement and the enforcement thereof. If any party shall deliberately default in appearing before the arbitrators, the arbitrators are empowered, nonetheless, to take the proof of the party or parties appearing and render an award thereon. The arbitrators shall state in writing the reasons for their award.

**RESOLUTION #9  
APPOINTMENT OF ATTORNEY FOR THE TOWN**

**RESOLVED** that the position of Town Attorney is hereby abolished until midnight, December 31, 2014, and

**BE IT FURTHER RESOLVED** that Tal G. Rappleyea is hereby retained as Attorney for the Town of New Baltimore for the year 2014 at the annual rate of \$10,000, payable monthly, 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.

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Councilman Ruso moved and was seconded by Councilwoman VanEtten. Supervisor stated he had conversation with prior Attorney for the Town David Wukitsch who knows Tal Rappleyea well and said he would do an outstanding job for the residents and Town Board. Supervisor said David did a wonderful job for the Town and he thanked him personally and on behalf of the Board. Councilman Norris said he wasn't made aware of this until recently and asked why he felt David didn't do a good job. Supervisor doesn't think that, believed time to take it in a new direction, to someone he knows, who has a number of towns, a nice man, and do a wonderful job for the Town and the Board. Councilwoman Benway asked, regarding the retainer, whether he would only attend meetings on 'as needed' basis? Supervisor answered yes. Councilwoman Benway asked how many meetings the retainer covers? Supervisor said the Board meeting. Councilwoman Benway said that was not clear. Councilman Norris said he comments on minor local law drafting, if more than that, then hourly rate; Supervisor said yes, outside of routine things and he would let us know what is minor and what is major. Councilman Norris asked for phone calls, as prior attorney was unlimited; Supervisor said unlimited, but is not in retainer. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #10  
ESTABLISH HOURS OF THE TOWN CLERK'S OFFICE

**RESOLVED**, that the Town Board of the Town of New Baltimore hereby sets the hours for the Town Clerk's Office from 9:00 AM-4:00 PM Monday through Friday and meetings by appointment on the second and fourth Monday of the month from 5:30-6:45 PM.

**BE IT FURTHER RESOLVED** that modification of these hours will be by Town Board approval.

Councilman Norris recommended tabling this resolution until Clerk is present and can address this; she is ill. Supervisor said TABLED until next Board meeting

RESOLUTION #11  
PROCEDURE FOR ADOPTION OF MINUTES AND  
POSTING TO TOWN OF NEW BALTIMORE'S WEBSITE

1. Minutes subject to acceptance will be provided to members of the Town Board not later than 14 calendar days following the Town Board Meeting.
2. When adopted by the Majority of the Town Board at the Town Board meeting, they will be posted to the website by the Town Clerk as "ADOPTED" within two days of the Town Board Meeting.
3. However, if changes or corrections are requested by the Board, they will be made to the subject Minutes and will be considered for formal acceptance at the following Town Board Meeting then will be posted by the Town Clerk to the website as "ADOPTED" within two business days of the Town Board Meeting.

This policy may be amended by majority vote of the Town Board.

Councilman Ruso moved and was seconded by Councilwoman VanEtten. Councilman Norris asked must the minutes must be corrected before adoption; now they are not corrected in the actual, they are corrected in that meeting with the vote of the Board; Supervisor said that is

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correct, same here, they cannot be posted until they are corrected. Councilman Norris asked if he wanted the actual minutes corrected; say a misspoken word has to come out; Supervisor said that is not the intent of this. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

**Adopted**

**RESOLUTION #12  
GENERAL APPOINTMENTS**

**RESOLVED** that the following appointments be made for the year 2014, except where otherwise indicated, effective on January 1, 2014:

Deputy Superintendent of Highways:	Alan VanWormer
Justice Clerk (Full-Time)	Dawn Palmateer
Deputy Justice Clerk (Part-Time)	Gerard Ross
Deputy Town Clerk	Marjorie Loux
Deputy Town Clerk	Diane Jordan
Assessor's Clerk	Julie Fisk
Confidential Secretary to the Supervisor	Barbara Finke
Planning Board Clerk	Marjorie Loux
Zoning Board Clerk	Marjorie Loux
Building Department Clerk	Marjorie Loux
Deputy Building Department Clerk	Julie Fisk
Deputy Tax Collector	Janet Brooks
Chair, Zoning Board of Appeals	Meave Tooher
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
Emergency Management Officer	Alan VanWormer
Recycling Center Operator/Laborer	Spencer Sebert

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

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

**Adopted**

Supervisor complimented Barb Finke who served on the Board for many years and had almost 12 hours' time off from December 31, 2013 until today and asked for round of applause.

**RESOLUTION #13  
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 2014, 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 \$24,910.64,

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payable biweekly. 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, 2014, 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, 2014, 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 \$13.45 per hour, and

**BE IT FURTHER RESOLVED** that Steve Grimm 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 \$12.93 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 \$11.01.

Councilwoman VanEtten moved and was seconded by Councilman Norris. Councilman Norris commented that Jim does a great job, the staff does a great job at the sewer plant. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:  
AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-  
ABSTAIN-  
ABSENT-  
Adopted

RESOLUTION #14  
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 and was seconded by Councilman Ruso. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:  
AYES- DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-  
ABSTAIN- BENWAY  
ABSENT-  
Adopted

RESOLUTION #15  
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

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Councilwoman VanEtten moved and was seconded by Councilwoman Benway. [unable to understand]. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #16  
2014 PAID HOLIDAYS

**RESOLVED** that the following days shall be paid holidays for full-time employees for the year 2014:

New Year's Day	January 1
Martin Luther King, Jr. Birthday	January 20
Presidents' Day	February 17
Memorial Day	May 26
Independence Day	July 4
Labor Day	September 1
Columbus Day	October 13
Election Day	November 4
Veterans' Day	November 11
Thanksgiving Day	November 27
Christmas	December 25
New Year's Day*	January 1, 2015*
Floating Holiday as previously arranged.	

\*Counts as paid Holiday for 2015.

**AND, BE IT FURTHER RESOLVED**, if the holiday falls on a Saturday it will be observed on Friday and if it falls on Sunday, it will be observed on Monday.

Councilwoman Benway moved and was seconded by Councilman Ruso. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #17  
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, shall remain in effect for the 2014 year.

Councilman Norris moved and was seconded by Councilwoman Benway. Councilwoman Benway said Dawn Palmateer was added June 2011 to the Leave Time Policy, technically she would not be included unless we add the June 13, 2011 Resolution. Councilman Ruso offered that she would fall under the same provisos from February 2001; Councilwoman Benway said no, June 13, 2011 when the Leave Time Policy was revised; February 2001 alone will not include 2011 action of the Board. Supervisor said to make that change to include 2011; Councilwoman Benway moved to adopt with revision to include June 13, 2011 action, and was seconded by Councilman Ruso. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

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ABSENT-  
Adopted

RESOLUTION #18  
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 2014 year.

Councilwoman VanEtten moved and was seconded by Councilman Norris. As Assessor's Clerk Julie Fisk had been added to this Policy by resolution on December 19, 2013, Councilwoman Benway moved to revise to include her; Councilwoman VanEtten seconded. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #19  
ESTABLISHMENT OF WORK WEEK FOR FULL-TIME HOURLY EMPLOYEES

**RESOLVED** that the work week for the Town Highway Department for the year 2014 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 2014 be 35 hours per week and that overtime be paid for hours worked in excess of the 40 per week.

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

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #20  
ESTABLISHMENT OF WAGE SCALE FOR TOWN HIGHWAY DEPARTMENT

**RESOLVED** that the wages for the Town Highway Department employees for the year 2014 will be as follows:

Working Foreman:	\$18.85 per hour
Heavy Motor Equipment Operator:	\$17.55 per hour
Laborer:	\$13.80 per hour
Part-Time Laborer:	\$11.90 per hour

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

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

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

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ABSTAIN-  
ABSENT-  
Adopted

RESOLUTION #21  
MILEAGE REIMBURSEMENT RATE

**RESOLVED**, that mileage reimbursement for the use of private vehicles for the year 2014 will be at the Federal Government rate.

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

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-  
ABSTAIN-  
ABSENT-  
Adopted

RESOLUTION #22  
OFFICIAL TOWN NEWSPAPER

**RESOLVED**, that The Daily Mail is hereby designated as the official newspaper of the Town of New Baltimore for the year 2014.

Councilman Ruso moved and was seconded by Councilwoman VanEtten. 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 NORRIS-AYE DELLASANTI-AYE  
RUSO-AYE VAN ETTEN-AYE

Adopted

RESOLUTION #23  
RENTAL OF POST OFFICE BOX

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

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

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-  
ABSTAIN-  
ABSENT-  
Adopted

RESOLUTION #24  
PETTY CASH FUNDS

**RESOLVED**, that the following petty cash funds be established for the year 2014:

Town Clerk	\$400.00
Justice Clerk	\$500.00
Highway Superintendent	\$200.00
Summer Recreation Director	\$500.00
Recycling Center Operator	\$ 50.00



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Tax Collector	\$200.00
Assessor's Clerk	\$ 75.00
Building/Planning/Zoning Clerk	\$100.00

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

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #25  
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 Cocksackie:	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.

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

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

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#### 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 #26 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.

**Councilwoman VanEtten moved and was seconded by Councilman Ruso. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

**Adopted**

#### TOWN OF NEW BALTIMORE PROCUREMENT POLICY

##### Purpose

To ensure the prudent and economical use of the public's money for the purchase of goods and services of maximum quality at the most economical cost, and to guard against favoritism, improvidence, extravagance, fraud, and corruption, the Town New Baltimore, N.Y. is adopting

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internal policies and procedures governing all procurements which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103, or of any other general, special or local law.

Purchasing Ethics

To maintain a high standard of conduct and to protect the reputation of the local government, the following rules of conduct with apply:

1. To consider first the interests of the local government and the betterment of its government.
2. To obtain the greatest value for every dollar spent.
3. To be receptive to advice and suggestions from department heads, insofar as such advice and suggestions are not in conflict with legal or moral restrictions in purchasing procedures.
4. To strive for knowledge of equipment and supplies in order to recommend items that may reduce cost and/or increase efficiency.
5. To insist on and expect honesty in sales representation whether offered verbally or in writing, through the advertising or in a sample of a product submitted.
6. To give all responsible bidders equal consideration and the assurance of unbiased judgment in determining whether their product meets specifications.
7. To discourage the offer of, and to decline, gifts which might influence the purchase of municipal equipment and supplies.
8. To accord a prompt and courteous reception, insofar as conditions permit, to all who call on legitimate business missions.
9. To counsel and assist other purchasing agents in the performance of their duties wherever occasion permits.
10. To cooperate with governmental and trade associations in the promotion and development of sound business methods in the purchasing of equipment and supplies.
11. To seek or dispense no personal favors.

Competitive Bidding

1.) Every purchase to be made must be initially reviewed by each department 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 be reasonably expected that the aggregate amount to be spent 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. It is unlawful to artificially split or divide a contract or enter into a series of transactions, to avoid a competitive bidding threshold. The source of funds to be spent does not alter the requirements of competitive bidding i.e. Public Grants. No purchase can be made without the appropriate funding to support the purchase in place.

The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$10,000 and public works contracts under \$35,000.; emergency purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions, purchases under State and County contracts; surplus and second-hand purchases from another governmental entity, and Sole Source purchases. Sole Source purchases are done when a product or service is available from one source only, the product/service is uniquely required in public interest, or if there is no substantial equivalent.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the department making the purchase and presented to the Town Board.

2.) 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, except in the following circumstances: purchase contracts over \$10,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law, goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal law;

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purchases under county Contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.

3.) All procurement and rental/lease of equipment, materials, supplies and nonpersonal services shall be requisitioned through the Town Board, regardless of dollar amount, with the signed approval of the requisitioning department's supervisor prior to ordering.

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

Estimated Amount of Purchase Method

Under \$1,000	Left to the discretion of the purchaser
\$1,000 to \$2,500	An oral request for the goods and fax/email quotes from at least 2 vendors.
\$2,500 to \$10,000	A written RFP and written/fax/email quotes from at least 3 vendors
Greater than \$10,000	A formal bid pursuant to GML 103(1)

Estimated Amount of  
Public Works Contract

Estimated Amount of Public Works Contract	Method Required
\$ 1 - \$ 2,500	No quotation
\$2,501 - \$10,000	2 written/quotation
\$10,001 - \$25,000	3 written/quotation
\$25,001 - \$35,000	4 or more written/quotation
\$35,001 - over	sealed bid required

A good faith effort shall be made to obtain the required number of proposals or quotations. If the department is unable to obtain the required number of proposals or quotations, the department 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. All documentation shall be maintained by the requisitioning department for review by the Town Board.

4.) Documentation is required of each action taken in connection with each purchase.

5.) Documentation and written explanation is required whenever a contract is awarded to other than the lowest responsible bidder. This documentation will include an explanation of how the award will achieve savings or how the bidder was not responsible. A determination that the bidder is not responsible shall be made by the Town Board.

6.) Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotation will not be in the best interest of the municipality. In the following circumstances it may not be 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 taken based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. The 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 shall take into consideration the following guideline: (a) whether the services are subject to State licensing or testing requirements; (b) whether 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 an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance

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coverage and/ or services of an insurance broker; services of a certified public accountant; investment management services; services of an actuary; printing services involving extensive writing, editing or art work; management of a 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. 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 and a delay in order 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. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Town is precluded from purchasing surplus and secondhand 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. Goods and services under \$500. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such minimal contracts would be based on favoritism.

7.) Unintentional failure to fully comply with the provisions of Section 104-b or the Town Boards policies and procedures shall not be grounds to void action taken or give rise to a cause of action against the political subdivision or district or any officer or employee thereof.

8.) This policy shall go into effect upon approval by the Town Board and will be reviewed annually by the Town Board to determine if updates or changes should be made.

#### Return of Goods

Whenever the Town receives a parcel that is either a duplicate shipment or an item that is to be returned for credit, the Town (the department holding the goods) should request from the vendor a "Return Goods Authorization Number" or a letter of authorization to return the goods. This provides the Town with the appropriate documentation to obtain the proper credit as well as to inform the vendor of the nature of its return. If no authorization is required then a letter should accompany the shipment advising the vendor as to why it is being returned with the following information: Town Purchase Order #, vendor invoice number, and or name of contact at vendor's facility authorizing the return.

#### Purchase Requisition

A purchase requisition is a request to the Town Board for the purchase of goods or services. These requests are submitted in written/electronic format. All requisitions shall be authorized by the department head prior to submission to the Town Board in order to maintain internal control. In the absence of the Department head, a listing of authorized **PERSONS** to approve requisitions on their behalf shall be submitted to the Town Board annually. Each requisition shall include a brief description of the product or service being ordered, and the appropriate product or part number.

#### The Purchase Order

A purchase order is an official document that binds the Town to procure goods or services as specified on the document. Purchase orders must provide sufficient description of the product being ordered or service to be performed. It should detail order quantity, item description, part number (if available), unit cost, and departmental charge code to ensure billing to the correct department's general ledger.

Blanket Purchase Orders – This is a single purchase order that is issued to cover a specified period of time for repetitive purchases of the same goods or redundant services to be utilized. If a blanket purchase order is to be issued, indicate such on the requisition by typing "BLANKET

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ORDER”.

Requests for Proposal (RFP)

A Request for Proposal (RFP) is a competitive procurement with an award based on price and other criteria which may include negotiation. An RFP is not an alternative to competitive bidding, except when expressly authorized by the State Legislature. An RFP may be used if procurement is within exception to competitive bidding and permitted under the Town's procurement policies. They are most commonly used for professional service, true leases and licenses/concessions. Procedures include:

1. Establishment of evaluation criteria (i.e. price; experience; creditworthiness; approach to performance; staff availability; ability to perform; and time estimates).
2. Comprehensive, fair solicitation process.
3. Fair and equitable negotiation process.
4. Fair review/evaluation or rating process.

**RESOLUTION #27  
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 adopts the attached Procurement Policy originally adopted in 1992, as amended in 2010 and 2013.

**Councilwoman VanEtten moved and was seconded by Supervisor.** Councilman Norris asked if everyone will now do a purchase order; Councilman Ruso answered yes. Councilman Norris asked who is giving out the purchase orders and issuing the number; Supervisor answered similar to the voucher number. Councilman Norris asked if Highway needs to buy something, does he have to call; Supervisor answered the town clerk. Councilwoman Benway clarified that before purchasing anything you must get a purchase order; Supervisor answered a purchase order requisition. Councilwoman Benway asked if the attorney had reviewed; Councilman Ruso said he had put it together; Supervisor answered he wrote it. Councilwoman Benway is concerned that it seems confusing, and the Comptroller's Office interpretation of what the Town had before was different from what we intended, is worried this will do the same thing. Supervisor said this policy is used in a number of different towns that Mr. Rappleyea handles so we're going with this one. Councilman Norris asked whether this same policy is used in Prattsville; Councilman Ruso said he'd found a typo that read Town of Prattsville. Councilman Norris asked goods and services, so this would be gotten for any type of services also like Intelligent Technology; Supervisor answered for that particular one they will do a bid based on the money. Councilwoman Benway said before under \$1000 was left to discretion of purchaser; still reads the same, but in order to purchase something under \$1000, you must go and get a purchase order first; Supervisor answered correct. Councilwoman Benway asked who actually approves the purchase order beforehand, is approval needed beforehand? Councilman Ruso said not for under \$1000; Supervisor added it just must be documented in the file for \$900. Councilwoman Benway continued with brake pads and brake job on a truck, it will go up quick. Supervisor said it will not take long to do this. Councilman Ruso believes there is a proviso when it can be reasonably expected within a price range, in case of emergency, when you're talking about a brake job, not going to be \$800, \$1800, and you're not going to take the truck off the lift, there are provisions for that. Councilwoman Benway added for an emergency. Councilman Ruso could not find, but is sure he read that. Regarding RFPs, Councilman Norris asked are you suggesting we do not do, just bid out, is that the meaning of the last paragraph? Supervisor said we'll still do RFP, policy speaks of them. Councilman Norris read when 'an RFP is not an alternative to competitive bidding', made him misinterpret that. Supervisor answered that over a certain amount, Town still must go out for an RFP. Councilman Ruso added, looking at grid on page 2, see where the [ ] is required. Section 3, Councilman Norris pointed to purchase method, says \$1000-2500 all requests are faxed or emailed quotes, can it also be 'a written quote'? Supervisor said yes, Councilman Norris reminded it was not included, one said written and one does not; he continues asking that the one above may also be written? Councilman Ruso said from \$1000-2500 you're talking to some vendors, please send me something, you're orally asking for something; above

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\$2500 you need to send them something in writing that you're requesting something beforehand. The oral part is only about asking for them to reply in writing. Councilman Norris clarified that everything is wanted in writing. Councilman Ruso said when they respond, instead of just writing down, you being the purchaser, that is to avoid that. It would have to come from the official company whether email address would indicated the suppliers' name or on a fax.

Prior Supervisor O'Rorke gave her compliments to the Board, you've added good things to the policy; having spent some time with the Comptroller's Office over last several months there are a few things that she wanted to point out. The purchase order request you said came from the town clerk; the policy said it comes from the Town Board; a comment about documentation being held by the department head, that is not acceptable to the Comptroller's Office, the documentation must stay with the voucher and be held by the records manager/clerk. She also didn't see anything about state and county contracts, something the Town has availed itself of over past several years, taking advantage of the organization, and wondered if it was their intent to leave it out. Councilman Ruso said it was in there somewhere. Prior Supervisor O'Rorke did not see it in there, knows it requires an intermunicipal agreement, and wanted to point out.

Councilman Ruso said it was on the first page that it could be an exclusion to the procurement policy such as an RFP, next to last paragraph on the first page, purchases under a state or county contract. Prior Supervisor O'Rorke reminded but you need an intermunicipal agreement in place with the county. Councilwoman Benway suggests sending this to the Comptroller's Office as well, making certain they are not going to come in and interpret differently. Supervisor said that would be fine. Councilman Ruso said they were going to do that. Supervisor said approve today and then send. Councilman Ruso asked with the amendment if there is anything that may come. Councilman Norris said #9 talks about a purchasing agent; Councilman Ruso said that implies other department heads; if department is buying paper goods, another department is buying, you cooperate and get one big order; that was how the attorney explained it to him. Councilwoman Benway asked so the court clerk's, and the town clerk's and the assessor's clerk's office put one big order in; Supervisor answered correct. Councilman Norris said that's how it works now, a small town. Councilman Ruso said it means those who are allowed to purchase or make orders. Councilman Norris said this doesn't mean we're getting a purchasing agent; Supervisor answered no. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- DELLISANTI, RUSSO, VAN ETTE**

**NAYS- BENWAY, NORRIS**

**ABSTAIN-**

**ABSENT-**

**Adopted**

**RESOLUTION #28**

**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.

**Councilwoman Benway moved and was seconded by Councilman Norris. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSSO, VAN ETTE**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

REVISED  
DRAFT

COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
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Adopted

RESOLUTION #29  
AUTHORIZATION TO ATTEND ASSOCIATION OF TOWNS  
NEWLY-ELECTED OFFICIALS TRAINING SCHOOL

**RESOLVED** that Nicholas Dellisanti, Jeffry Ruso, and Shelly VanEtten are authorized to attend the Newly-Elected Officials Training School sponsored by the Association of Towns of the State of New York on January 15-17 at the Desmond Hotel and Conference Center, 660 Albany Shaker Road, Albany, New York, and will be reimbursed the registration fee up to \$200 each which includes tuition and materials.

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

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #30  
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 and was seconded by Councilman Ruso. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted

RESOLUTION #31  
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 2013 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 Ruso moved and was seconded by Councilwoman VanEtten. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:

AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN

NAYS-

ABSTAIN-

ABSENT-

Adopted



REVISED  
DRAFT

COUNTY OF GREENE  
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**RESOLUTION #32**

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

*RESOLVED* that Nicholas Dellisanti 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, 2014.

*AND, BE IT FURTHER RESOLVED*, if the representative is unable to attend this meeting, Christopher Norris is authorized to attend as the Town's official designee.

Councilman Ruso moved and was seconded by Councilwoman VanEtten. Councilman Norris said this is sent to the Greene County EMS for notification purposes. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

**Adopted**

**RESOLUTION #33**

**RESOLUTION RENEWING DESIGNATION OF ENGINEERS AUTHORIZED TO  
PERFORM ENGINEERING REVIEW SERVICES ON BEHALF OF THE 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

C.T. Male Associates, Delaware Engineering 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, 2014.

Councilman Ruso moved and was seconded by Councilwoman Benway. Councilman Norris asked if there were previously four; Supervisor said this was what they saw previously on resolution. Councilman Ruso said Clerk Loux said three. **The adoption of the foregoing Resolution was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

**ABSTAIN-**

**ABSENT-**

**Adopted**

**ADJOURNMENT**

Hearing no more from the Board or the public, Councilwoman VanEtten moved and was seconded by Councilwoman Benway. **The adoption of the foregoing Motion was duly put to a vote, and the vote was as follows:**

**AYES- BENWAY, DELLISANTI, NORRIS, RUSO, VAN ETTEN**

**NAYS-**

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ABSTAIN-  
ABSENT-  
Motion Carried

The meeting was adjourned at 1:17 pm.

Respectfully submitted,

Janet A. Brooks  
Town Clerk