

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE
2023 ORGANIZATIONAL MEETING
JANUARY 1, 2023**

PLEDGE OF ALLEGIANCE

**SWEARING-IN CEREMONY FOR
TOWN JUSTICE ANTHONY C. KONSUL
DEPUTY TOWN SUPERVISOR NICHOLAS DELLISANTI**

BY TOWN JUSTICE JAMES HUFF

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COUNTY OF GREENE **Adopted 1/8/2023**
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OPENING OF REGULAR MEETING

Supervisor Ruso opened the meeting at 2:00 PM and the Pledge of Allegiance was said. Also attending Councilmembers Boehlke, Irving and VanEtten; Deputy Supervisor Dellisanti; Town Attorney George McHugh; Town Clerk Finke; and 1 member of the public who signed the attendance book. Absent: Councilmember Downes

Supervisor Ruso: For those of you in the audience to know this is just where we set up various actions and undertakings for the year and as such there is no Public Comment Period.

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RESOLUTION 1-2023
APPOINTMENT OF DEPUTY TOWN SUPERVISOR

RESOLVED, that Nicholas Dellisanti is hereby appointed Deputy Town Supervisor of the Town of New Baltimore and shall act in place of the Supervisor and have full duties and powers in the event that the Town Supervisor becomes incapacitated or is otherwise unavailable.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

Supervisor Ruso: At 11 AM this morning Mr. Dellisanti was sworn in as Deputy Supervisor and also at 11 AM the new Town Justice, Anthony Konsul, was also sworn in.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 2-2023
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 9, 2023 | May 8, 2023 | September 11, 2023 |
| February 13, 2023 | June 12, 2023 | October 11, 2023 |
| March 13, 2023 | July 10, 2023 | November 13, 2023 |
| April 10, 2023 | August 14, 2023 | December 11, 2023 |

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 23, 2023 | May 22, 2023 | September 25, 2023 |
| February 27, 2023 | June 26, 2023 | October 23, 2023 |
| March 27, 2023 | July 24, 2023 | November 27, 2023 |
| April 24, 2023 | August 28, 2023 | December 27, 2023 |

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,

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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:

| | | |
|------------------|-----------------|--------------------|
| January 12, 2023 | May 11, 2023 | September 14, 2023 |
| February 9, 2023 | June 8, 2023 | October 12, 2023 |
| March 9, 2023 | July 13, 2023 | November 9, 2023 |
| April 13, 2023 | August 10, 2023 | December 14, 2023 |

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 4, 2023 | May 3, 2023 | September 6, 2023 |
| February 1, 2023 | June 7, 2023 | October 4, 2023 |
| March 1, 2023 | July 5, 2023 | November 1, 2023 |
| April 5, 2023 | August 2, 2023 | December 6, 2023 |

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 2:00 PM and be held in the Town Hall Meeting Room.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 3-2023
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 and dental insurance, insurance policies, telephone and fuel charges, payments to the Office of Court Administration, Village of Cossackie water billing, bond payments, and New York State Retirement System payments recurring on an annual basis or similar payments necessary to avoid late charges.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 4-2023
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 Town Board Work Meeting; and

WHEREAS, the Town Board adopts a resolution at the Regular Monthly Town Board Meeting and Town Board Work 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 and Town Board Work Meeting must be submitted to the Town Clerk by 4 PM on Friday prior to each regular monthly Town Board Meeting and Town Board Work Meeting to be included on the Audit of Claims.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 5-2023
2023 ANNUAL SALARIES FOR ELECTED OFFICIALS AND APPOINTEES

RESOLVED, that the following salaries and contractual services payments be fixed up to the following levels for the year 2023:

| | |
|-----------------------------------|---|
| Supervisor | \$12,300, payable quarterly |
| Councilpersons (4) | \$ 5,125, payable quarterly |
| Justices (2) | \$12,300, payable quarterly |
| Town Clerk | \$41,000, payable biweekly |
| Sole Assessor (Part-Time) | \$18,450, payable biweekly |
| Superintendent of Highways | \$58,425 payable biweekly |
| Deputy Superintendent of Highways | \$2,870, payable quarterly |
| Deputy Town Supervisor | \$2,870, payable quarterly |
| Town Attorney | \$18,000, payable biweekly |
| Planning Board Members (5) | \$789.25, payable quarterly |
| Planning Board Chair | \$2,378, payable quarterly |
| Planning Board Vice Chair | \$891.75, payable quarterly |
| Zoning Board of Appeals (4) | \$328, payable quarterly |
| Zoning Board of Appeals Chair | \$738, payable quarterly |
| Board of Assessment Review (4) | \$205 + \$50 per meeting over 2 meetings |
| Board of Assessment Review Chair | \$256.25 + \$50 per meeting over 2 meetings |

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 6-2023
COMMITTEE APPOINTMENTS

RESOLVED, that the Town Board does hereby establish the following Town Committees and appointments to said committees for the year 2023:

| | |
|---|--|
| Agriculture Committee/AgFest Liaison | Chair: Bill Boehlke Member: Chuck Irving |
| Animal Control | Chair: Chuck Irving Member: Jeff Ruso |
| Assessment | Chair: Shelly VanEtten Member: Jeff Ruso |
| Audit and Budget | Chair: Jeff Ruso Member: Kelly Downes |
| Buildings & Grounds/Recycling | Chair: Chuck Irving Member: Bill Boehlke |
| Building Inspector/Code Enforcement Officer | Chair: Kelly Downes Member: Jeff Ruso |
| Fire, EMS and Law Enforcement | Chair: Nick Dellisanti Member: Kelly Downes |
| Grants/Promotions/Economic Development | Chair: Shelly VanEtten Member: Jeff Ruso |
| Greene County Planning Board: | Bill Boehlke |
| Highway | Chair: Jeff Ruso Member: Kelly Downes |
| Insurance: | Chair: Jeff Ruso Member: Kelly Downes |
| Personnel: | Chair: Jeff Ruso Member: Shelly VanEtten |
| Planning Board/Zoning Board of Appeals | Chair: Bill Boehlke Member: Chuck Irving |
| Seniors | Chair: Shelly VanEtten Member: Jeff Ruso |
| Technology/Website | Chair: Kelly Downes Member: Bill Boehlke |
| Town Courts Liaison | Chair: Shelly VanEtten Member: Kelly Downes |
| Veterans and Memorials | Chair: Shelly VanEtten Member: Chuck Irving |

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Wastewater Treatment

Chair: Chuck Irving
Member: Bill Boehlke

Youth, Parks and Recreation

Chair: Shelly VanEtten
Member: Bill Boehlke

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 7-2023

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH
EVENING STAR BOOKKEEPING SERVICE FOR BOOKEEPING SERVICES**

WHEREAS Evening Star Bookkeeping Service has been providing bookkeeping services to the Town of New Baltimore since 2013.

WHEREAS according to the Procurement Policy of the Town of New Baltimore (6)(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, judgement integrity and moral worth.

WHEREAS the Town Attorney has determined that this Agreement is considered professional services.

RESOLVED that the Supervisor is authorized to sign an Agreement with Evening Star Bookkeeping Services for 2023.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 8-2023

ADOPTION OF EMPLOYEE HANDBOOK

RESOLVED the Employee Handbook originally adopted by the New Baltimore Town Board by Resolution on November 24, 2014 and updated as needed is in full force and effect for 2023.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Supervisor Ruso: I just want to note that for the year 2023 there have been no changes from last year to this year. In fact there hasn't been any changes for some years.

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AYES: Ruso, Boehlke, Irving, VanEtten
 NAYS:
 ABSTAIN:
 ABSENT: Downes
Motion Carried

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RESOLUTION 9-2023
2023 SALARIES FOR ELECTED OFFICERS AND APPOINTEES

RESOLVED, that the following salaries and contractual services payments be fixed up to the following levels for the year 2023; all appointments until December 31, 2023:

| | | |
|---|---------------------|----------------------------------|
| Assessor Clerk | Sandra Trombley | \$17.43/Hour Payable Biweekly |
| Building Department Clerk | Marjorie Loux | \$17.43/Hour Payable Biweekly |
| Court Clerk (Part Time) | Lynn Layman-Wallace | \$17.43/Hour Payable Biweekly |
| Court Clerk (Part Time) | Asia Irizarry | \$17.43/Hour, Payable Biweekly |
| Planning Board Clerk | Marjorie Loux | \$17.43/Hour Payable Biweekly |
| Records Management Clerk | Amanda Eldred | \$17.43/Hour Payable Biweekly |
| Records Management Clerk | Marjorie Loux | \$17.43/Hour Payable Biweekly |
| Records Management Clerk | Sandra Trombley | \$17.43/Hour Payable Biweekly |
| Zoning Board of Appeals Clerk | Marjorie Loux | \$17.43/Hour Payable Biweekly |
| Deputy Registrar of Vital Statistics | Amanda Eldred | \$17.43/Hour Payable Biweekly |
| Deputy Registrar of Vital Statistics | Marjorie Loux | \$17.43/Hour Payable Biweekly |
| Deputy Town Clerk | Marjorie Loux | \$19.48/Hour Payable Biweekly |
| Deputy Town Clerk | Amanda Eldred | \$19.48/Hour Payable Biweekly |
| Deputy Town Clerk | Sandy Trombley | \$19.48/Hour Payable Biweekly |
| Recycling Center Operator/Laborer | Kirk Trombley | \$17.43/Hour Payable Biweekly |
| Records Management Officer | Barbara Finke | No Salary |
| Registrar of Vital Statistics | Barbara Finke | No Salary |
| Emergency Management Officer | Alan VanWormer | \$400/Year Payable Annually |
| Health Officer | Dr. Stephen Hassett | \$500/Year Payable Annually |
| Deputy Superintendent of Highways: | Scott VanWormer | \$2,870/Year Payable Quarterly |
| Town Historian | Ted Hilscher | \$1,599/Year Payable Quarterly |
| Animal Control Officer | Sherry Vieta | \$3,331.25/Year Payable Biweekly |
| Code Enforcement Officer/Data Collector | Allan Jourdin | \$20,846/Year Payable Biweekly |

Motion by Supervisor Ruso seconded by Councilmember VanEtten
 AYES: Ruso, Boehlke, Irving, VanEtten
 NAYS:
 ABSTAIN:
 ABSENT: Downes
Motion Carried

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RESOLUTION 10-2023
WASTEWATER TREATMENT PLANT OPERATIONS STAFF APPOINTMENTS

BE IT RESOLVED, that Louis Betke is hereby appointed to the position of Chief Wastewater Treatment Plant Operator (Part-Time) for the year 2023, 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. Betke shall be paid a salary

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rate of \$21.58 per hour for up to 25 hours per week, payable biweekly. In addition, the Wastewater Treatment Plant Operator shall receive benefit time in accordance with the Town Handbook.

BE IT FURTHER RESOLVED, that David Varade 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 \$17.43 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 \$17.43 per hour, and

BE IT FURTHER RESOLVED, that all employees will notify their supervisor when leave time will be taken and the Chief Wastewater Treatment Plant Operator will provide the Supervisor and Town Clerk with written notice of said time including vacation and personal time.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 11-2023
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 Heavy Equipment Operators to assist the Town Highway Department for snow removal when their assistance is deemed necessary by the Superintendent of Highways:

Hugh Sterritt

James Meade

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 12-2023
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:

| | |
|----------------|-----------|
| Town Clerk/Tax | \$700,000 |
| Supervisor | \$800,000 |

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

Motion by Councilmember VanEtten seconded by Councilmember Boehlke and Supervisor Ruso
AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 13-2023
2023 PAID HOLIDAYS

RESOLVED, that the following days shall be paid holidays for full-time employees for the year 2023:

| | |
|----------------------------------|-------------|
| New Year's Day | January 1 |
| Martin Luther King, Jr. Birthday | January 16 |
| Presidents' Day | February 20 |
| Memorial Day | May 29 |
| Independence Day | July 4 |
| Labor Day | September 4 |
| Columbus Day | October 9 |
| Election Day | November 7 |
| Veterans' Day | November 11 |
| Thanksgiving Day | November 23 |
| Floating Holiday | November 24 |
| Christmas | December 25 |

If a holiday falls on Saturday it will be observed on Friday and if it falls on Sunday it will be observed on Monday.

Motion by Councilmember VanEtten seconded by Supervisor Ruso

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 14-2023
ESTABLISHMENT OF WORK WEEK FOR FULL-TIME HOURLY EMPLOYEES

RESOLVED, that the work week for the Town Highway Department for the year 2023 shall be 40 hours, and that overtime be paid for hours worked by full-time employees over 40 hours per week; and

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RESOLVED that the work week for full-time employees at Town Hall for the year 2023 shall be 32.5 hours per week and that overtime be paid for hours worked in excess of 40 hours per week.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 15-2023
ESTABLISHMENT OF WAGE SCALE FOR TOWN HIGHWAY DEPARTMENT

RESOLVED, that the wages for the Town Highway Department employees for the year 2023 will be as follows:

| | |
|--|------------------|
| Heavy Motor Equipment Operator | \$19.27 per hour |
| Heavy Motor Equipment Operator Hired 2/25/19 | \$18.97 per hour |
| Full-Time and Part-Time Heavy Motor Equipment Operator | \$18.31 per hour |

Overtime shall be paid at 1 ½ times the regular rate of pay at the 41st hour.

Motion by Councilmember Boehlke seconded by Supervisor Ruso

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 16-2023
MILEAGE REIMBURSEMENT RATE

RESOLVED, that mileage reimbursement for the use of private vehicles for the year 2023 will be at the Federal Government rate.

Supervisor Ruso: 65.5 cents per mile, an increase of 3 cents per mile.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 17-2023
DESIGNATION OF OFFICIAL TOWN NEWSPAPER

RESOLVED, that the *Times Union* is hereby designated as the official newspaper of the Town of New Baltimore for the year 2023.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 18-2023
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.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 19-2023
PETTY CASH FUNDS

RESOLVED, that the following petty cash funds be established for the year 2023:

| | |
|--------------------------------|----------|
| Town Clerk | \$400.00 |
| Justice Clerk | \$500.00 |
| Summer Recreation Director | \$500.00 |
| Recycling Center Operator | \$ 50.00 |
| Town Clerk/Tax | \$200.00 |
| Assessor's Clerk | \$ 75.00 |
| Building/Planning/Zoning Clerk | \$100.00 |

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 20-2023
DESIGNATION OF DEPOSITORIES

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

| | |
|--------------------------------|---|
| Greene County Commercial Bank: | Supervisor Deputy Supervisor Town Clerk Justices |
| National Bank of Cossackie: | Supervisor Deputy Supervisor Town Clerk 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.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 21-2023
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.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 22-2023
TOWN PROCUREMENT POLICY

RESOLVED, that pursuant to the provisions of Section 104-b of the General Municipal Law of the State of New York, the Town Board has reviewed the attached Procurement Policy originally adopted in 1992, as amended in 2010, 2013, 2014, and 2015 and finds that the Procurement Policy should remain in force and effect.

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Motion by Councilmember VanEtten seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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 of New Baltimore, New York is adopting 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.

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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; 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/quotations |
| \$10,001 - \$25,000 | 3 written/quotations |
| \$25,001 - \$35,000 | 4 or more written/quotations |
| \$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:

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(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 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 Board's 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 follow 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 ORDER".

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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.

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RESOLUTION 23-2023
ATTENDANCE AT MEETINGS, CONFERENCES; TRAVEL ADVANCE

RESOLVED, that upon at least four weeks 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.

RESOLVED the Town Board reserves the right to reject reimbursement for expenses not in compliance with this resolution.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

Supervisor Ruso: The most out of compliant we've even been is people decide not to give us the four weeks notice. Sometimes they don't even give us four days notice, but that's been awhile since that's happened.

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 24-2023
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.

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Motion by Councilmember VanEtten seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 25-2023
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 2022 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.

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 26-2023
APPOINTMENT OF VOTING REPRESENTATIVE TO BOARD OF DIRECTORS, 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, 2023.

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

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 27-2023
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, Crawford & Associates Engineering and Land Surveying P.C., 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, 2023.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 28-2023
REAPPOINT MEMBERS TO THE PLANNING BOARD

RESOLVED that Leland Salisbury and Ann Marie Vadney are reappointed to the Planning Board for a three-year term expiring December 31, 2025.

Motion by Councilmember Boehlke seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 29-2023
REAPPOINT CHAIR OF THE PLANNING BOARD

RESOLVED that Robert VanEtten is hereby reappointed as Chair of the Planning Board until December 31, 2023.

Motion by Supervisor Ruso seconded by Councilmember Irving

AYES: Ruso, Boehlke, Irving

NAYS:

RECUSE: VanEtten

ABSENT: Downes

Motion Carried

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RESOLUTION 30-2023
REAPPOINT CHAIR OF THE ZONING BOARD OF APPEALS

RESOLVED that Patrick Linger is hereby reappointed as Chair of the Zoning Board of Appeals until December 31, 2023.

Motion by Councilmember Boehlke seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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RESOLUTION 31-2023
EXTEND THE INTERMUNICIPAL AGREEMENT WITH THE
NEW BALTIMORE FIRE DISTRICT UNTIL DECEMBER 31, 2023

RESOLVED that the Intermunicipal Agreement between the Town of New Baltimore and the New Baltimore Fire District originally adopted on October 13, 2014 is hereby extended for a one year period until December 31, 2023.

Motion by Councilmember Boehlke seconded by Supervisor Ruso

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 32-2023
EXTEND THE INTERMUNICIPAL AGREEMENT WITH THE
MEDWAY GRAPEVILLE FIRE DISTRICT UNTIL DECEMBER 31, 2023

RESOLVED that the Intermunicipal Agreement between the Town of New Baltimore and the Medway Grapeville Fire District originally adopted on October 12, 2015 is hereby extended for a one year period until December 31, 2023.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

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TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION 33-2023
PROVIDE PLOWING SERVICES FOR HUDSON RIVER INTERPRETIVE TRAIL

WHEREAS the New Baltimore Conservancy has requested that the Town Highway Department continue to plow their parking lot located on the west side of State Route 144 just south of the New Baltimore/Coeymans Town line.

BE IT RESOLVED that the Town of New Baltimore agrees to provide plowing services for the parking lot owned by the New Baltimore Conservancy that serves the Hudson River Interpretive Trail (HRIT) until December 31, 2023.

Motion by Supervisor Ruso seconded by Councilmember Boehlke

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Supervisor Ruso: At this moment I'm going to ask the Town Board members if there's anything else they would like to have included in today's actions? Hearing none, do I have a Motion to adjourn?

On a Motion by Councilmember VanEtten seconded by Councilmember Boehlke, the meeting was adjourned at 2:40 PM

Motion by Supervisor Ruso seconded by Councilmember VanEtten

AYES: Ruso, Boehlke, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT: Downes

Motion Carried

Supervisor Ruso: Thank you and I look forward to serving another year with yourselves.

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk