

**AGENDA
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING**

September 9, 2013, Agenda

Opening Regular Town Board Meeting

Pledge of Allegiance

Approval of Minutes

July 22, 2013 Combined Regular and Work Meeting (tabled at the August 12, 2013 Regular Meeting due to insufficient attendance by Board members)

August 12, 2013 Regular Meeting

Public Comment Period

Correspondence

Old Business

1. Background Check Policy Resolution

New Business

1. Unsafe Building Resolution
2. Status of Water Rates for Water Districts #2 and #3
3. 2013 Budget Amendments
4. Transfer of Funds from General Fund to Highway Fund Resolution
5. Social Media Policy Resolution
6. Sovereign Citizen Resolution
7. Board of Assessment Review Appointment
8. Payment of Claims Resolution

Adjournment

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

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
RESOLUTION
SEPTEMBER 9, 2013**

**RESOLUTION ADOPTING BACKGROUND CHECK POLICY
FOR CANDIDATES FOR EMPLOYMENT**

RESOLVED, that the Town Board of the Town of New Baltimore does hereby adopt the attached Background Check Policy for candidates for employment dated September 9, 2013.

Town of New Baltimore Background Check Policy

The Town of New Baltimore may conduct reference checks, “investigative, consumer reports” and background investigations on all candidates for employment (volunteers) prior to accepting an applicant for employment, and may use a third party to conduct these background checks. The Town will obtain written consent from an applicant and/or employee prior to ordering reports from third parties, and will provide a description of applicant and/or employee rights and all other documentation as required by law to each applicant or candidate in accordance with Fair Credit Reporting Act and other applicable state and federal statutes. All background checks are subject to these notices and consent requirements.

An “investigative consumer report” compiles information on a candidate’s general reputation, personal characteristics or mode of living. This information may be gathered on line, through public or educational records, or through interviews with employers, friends, neighbors, associates, or anyone else who may have information about the employee or potential employee. In the pre-employment process, investigative consumer reports typically include such things as criminal record checks, educational verification and employment verification checks.

In addition to investigative consumer reports the Town may also work with other third parties, such as the Greene County Sheriff’s office, to obtain the following information

- Private and government agency reports to any history or criminal, dishonest, or violent behavior, and other reports that relate to the suitability for employment
 - Education (including degrees awarded and GPA)
- Employment history, abilities, reasons for termination of employment
 - Address history
 - Credit reports
 - Social security number scans
 - Civil court filings
 - Motor vehicle and driving records
 - Professional or personal references

This information may also be obtained at other times during employment, such as during changes of job responsibilities, promotion or following an accident.

The Town will conduct background checks in compliance with the Federal Fair Credit Reporting Act (FCRA), the American with Disabilities Act, and all other applicable local, state, and federal laws and regulations. Applicants and employees may request and receive a copy of reports provided by third parties.

A reported criminal conviction will not necessarily disqualify a candidate from employment. In order to disqualify a candidate the conviction must be job related or pose an unreasonable risk to the Town. The Town considers on the job relatedness the nature and seriousness of the offense, the date of the offense, the surrounding circumstances, rehabilitation and the relevance of the offense to the specific position and whether hiring, transferring or promoting the applicant would pose an unreasonable risk to the Town may be considered before a final decision is reached. The Town follows FCRA requirements, other applicable statutes, and responding applicants and employees regarding potentially adverse actions to third party reports.

The Town reserves the right to withdraw any offer of employment or consideration for employment, or discharge an employee, upon finding falsification, misrepresentation, or omission of fact on an employment applications, resume, other attachments or in verbal statements, regardless of when discovered.

Background check reports shall be maintained in employee files and will be confidential in compliance with the Town's record retention policy.

Last revised September 9, 2013

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
RESOLUTION
SEPTEMBER 9, 2013**

**RESOLUTION MAKING DETERMINATION REGARDING UNSAFE AND
DANGEROUS BUILDING**

WHEREAS, a complaint has been filed with the Town regarding a building owned by _____ located at 13022 U.S. 9 W in the Town of New Baltimore (Parcel #29.00-2-10), and

WHEREAS, the Town Code Enforcement Officer has contacted the property owner by letter on May 15, 2013, July 19, 2013, and

WHEREAS, a Compliance Order was issued by the Code Enforcement Officer on August 27, 2013 requiring contact by the property owner by September 6 or this matter would be turned over to the New Baltimore Town Board on September 9, 2013, and

WHEREAS, the Town Building Inspector on September 9, 2013, pursuant to the provisions of § 34-2 of the Town Code of the Town of New Baltimore, has made a formal inspection and has reported in writing to the Town Board regarding the unsafe condition of said building.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of New Baltimore does hereby determine that said building owned by _____ located at 13022 U.S. 9W in the Town of New Baltimore is unsafe and dangerous, and

BE IT FURTHER RESOLVED, that the Attorney for the Town is hereby directed to issue a notice to Hugh Sterritt in accordance with the provisions of § 34-4 to undertake such action as is necessary to make said building safe and secure in conformance with all applicable State and Local Building Codes and certified in compliance with said codes by a licensed professional engineer, or cause said building to be removed or demolished, with action to commence within thirty days of the serving of said notice by registered mail, return receipt requested.

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
RESOLUTION
SEPTEMBER 9, 2013**

RESOLUTION TO AMEND 2013 BUDGET

RESOLVED, that the following amendments to the 2013 budget are hereby adopted:

ACCOUNT CHANGE	CURRENT BUDGET	AMENDED BUDGET	
GENERAL FUND EXPENDITURES			
A1220.4 BOOKKEEPING SERVICE	10,800	13,800	3,000
A1620.4 BUILDING	7,500	13,000	5,500
A5132.4 GARAGE	28,500	19,500	(8,500)
TOTAL CHANGE			0
HIGHWAY FUND REVENUES			
DA3501 CHIPS	112,000	142,318	30,318
DA2665 SALE OF EQUIPMENT	0	11,100	11,100
TOTAL CHANGE			41,418
HIGHWAY FUND EXPENDITURES			
DA5112.4 CHIPS	112,600	142,318	30,318
DA5130.2 EQUIPMENT	0	57,087	57,087
DA5130.4 EQUIPMENT (20,000)	105,000	85,000	
DA5142.1 SNOW REMOVAL (10,000)	74,008	64,008	
DAR142.4 SNOW REMOVAL (15,987)	75,000	59,013	
TOTAL CHANGE			41,418

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
RESOLUTION
September 9, 2013**

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS
FROM GENERAL FUND TO HIGHWAY FUND**

RESOLVED, that the Supervisor is hereby authorized to transfer \$81,000 from the General Fund to the Highway Fund as provided for in the 2013 town budget to provide sufficient funding for the Highway Fund.

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE**

September 9, 2013

**RESOLUTION IN SUPPORT OF LEGISLATION RESTRICTING FALSE LIENS
AGAINST PUBLIC OFFICERS AND PUBLIC EMPLOYEES**

WHEREAS, a 2012 study by the National Association of Secretaries of State indicates a “dramatic rise” in bogus filings under the Uniform Commercial Code (UCC) in recent years mainly filed by the “sovereign citizens movement” and,

WHEREAS, recent court rulings have noted that phony filings by people in separatist groups or who believe they are not subject to government rules or control have ensnared public officials in all branches of government by filing property liens or tax forms that have triggered unwarranted credit reviews and IRS scrutiny, and,

WHEREAS, opponents of such “paper terrorism” indicate that the Uniform Commercial Code provides a way for creditors to record an interest in a debtor’s property through filing notice to debtor’s future creditors, and,

WHEREAS, the Uniform Commercial Code must accept each statement filed for recording and subsequently make it available for public viewing that later may be found to be fraudulent resulting in a negative result on a person’s credit statement and could be used as a tool to unjustifiably characterize a person as target of a false filing as a credit risk, and

WHEREAS, no person whether elected, or appointed properly acting in their roles as public servants should be subject to the personal financial and emotional stress caused by this conduct, therefore be it

RESOLVED, the Town Board of the Town of New Baltimore encourages local governments, county governments, law enforcement, the Association of Towns, New York Conference of Mayors and the Office of Court Administration to work together to provide the State Legislature with legislation that will protect public servants from exposure to this conduct and be it further

RESOLVED, that the New York State Assembly and the New York Senate expeditiously consider all legislation to solve this problem and be it further

RESOLVED, the Town Clerk of the Town of New Baltimore send copies of this resolution to all involved parties to accelerate enactment of any proposed legislation, and be it further

RESOLVED, that the Town Clerk of the Town of New Baltimore does hereby certify and support the proposed legislation that was passed on September 9, 2013, by a majority vote.