

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
2013 ORGANIZATIONAL MEETING
JANUARY 3, 2013- page 1**

DRAFT

SWEARING- IN CEREMONY

On December 12, 2012, Justice Farrell administered oath of office to
-Lee Davis, Town Justice

OPENING OF MEETING

Supervisor O'Rorke called the meeting to order at 7:00 pm and the Pledge of Allegiance was said. Also attending: Councilwomen Benway and Finke, Councilmen Meredith and Norris, Highway Superintendent Jordan, Town Clerk Brooks and 5 members of the public who signed the attendance sheet. Absent:

Supervisor reminded of turning off their electronic devices.

Supervisor asked Town Clerk for proof of publication; yes, affidavit received from Daily Mail of posted organizational meeting.

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33. APPOINTMENT OF SUPERINTENDENT OF PARKS
34. RE-APPOINTMENT OF TOWN HEALTH OFFICER

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Deputy Superintendent of Highways:	Alan Van Wormer
Justice Clerk (Full-Time)	Dawn Palmateer
Justice Clerk (Part-Time)	Katrina Miller
Deputy Justice Clerk (Part-Time):	Annette Muller
Deputy Town Clerk:	Marjorie Loux
Deputy Town Clerk:	Diane Jordan
Assessor's Clerk:	Julie Fisk
Supervisor's Confidential Secretary:	Marjorie Loux
Planning Board Clerk:	Marjorie Loux
Zoning Board Clerk:	Marjorie Loux
Building Department Clerk	Marjorie Loux
Deputy Tax Collector:	Janet Brooks
Chair, Planning Board	M. Kathleen Rundberg
Chair, Zoning Board of Appeals:	Meave Toohar
Assessor's Data Collector:	Raymond Blaisdell
Animal Control Officer:	Joseph Tanner

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Town Historian:	Ted Hilscher
Registrar of Vital Statistics:	Janet Brooks
Records Management Officer:	Janet Brooks
Records Management Clerk:	Diane Jordan
Emergency Management Officer:	Alan Van Wormer
Superintendent of Parks:	Denis Jordan

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

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

Adopted

Supervisor will abstain for Resolution #3, related by marriage to John Cashin. Councilman Norris read.

**RESOLUTION #3
BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER APPOINTMENT**

BE IT RESOLVED that Raymond Blaisdell is hereby appointed to the position of Building Inspector/Code Enforcement Officer for the year 2013, and shall be paid at the rate of \$13.38 per hour, and

BE IT FURTHER RESOLVED that John Cashin is hereby appointed to the position of Building Inspector/Code Enforcement Officer on an "as need" basis at a rate of \$13.38 per hour for the 2013 year.

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

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

Adopted

Supervisor pointed out that this was discussed during budget meetings; asking for more than a 1% increase is warranted, previously was based on 20 hours/week of work, and Supervisor asks for \$5,000 additional for the additional 5 hours per week, closer to 30+ hours per week.

**RESOLUTION #4
WASTEWATER TREATMENT PLANT OPERATIONS STAFF APPOINTMENTS**

BE IT RESOLVED that James Polverelli is hereby appointed to the position of Chief Wastewater Treatment Plant Operator (Part-Time) for the year 2013, 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 \$24,664.00, payable weekly. 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, 2013, 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, 2013, and

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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 \$13.32 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 \$12.80 per hour, and

BE IT FURTHER RESOLVED that Harriet Miller is hereby appointed to the position of Part-Time Laborer, to work under the supervision of the Chief Wastewater Treatment Plant Operator, at an hourly rate of \$10.90.

Councilman Norris moved, seconded by Councilwoman Benway. Councilman Norris added that Jim does a great job, expert in his field, and approaches it as a full-time job. Thanking him for his dedication. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

As discussed in budget hearings, the 1% pay increase includes the 2 full-time elected, but part-time elected and many part-time board members do not receive the increase. Assessor's Clerk, now here four years, was paid below the other clerks; Assessor Bennett requested increase to become level with other clerks.

**RESOLUTION #5
2013 SALARIES FOR APPOINTEES AND ELECTED OFFICERS**

RESOLVED, that the following salaries and contractual services payments be fixed for the year 2013:

Supervisor	\$ 7,925 annual salary, payable quarterly
Councilpersons (4)	\$ 4,100 annual salary, payable quarterly
Justices (2)	\$10,610 annual salary, payable quarterly
Town Clerk	\$28,847.62 annual salary, payable weekly
Justice Clerk	\$15.66 per hour, payable weekly
Justice Clerk (Part-time)	\$10.61 per hour, payable weekly
Deputy Justice Clerk (Part-time)	\$10.61 per hour, payable weekly
Sole Assessor (Part-Time)	\$20,759.54 annual salary, payable weekly
Tax Collector	\$ 6,430 annual salary, payable weekly
Superintendent of Highways	\$53,000.76 annual salary, payable weekly
Deputy Town Clerk	\$12.49 per hour, payable weekly
Assessor's Clerk	\$12.49 per hour, payable weekly
Supervisor's Confidential Secy.	\$1,000 annual salary, paid quarterly
Planning Board Members (5)	\$ 750 annual salary, payable quarterly
Planning Board Chair	\$ 2,300 annual salary, payable quarterly
Planning Board Vice Chair	\$ 850 annual salary, payable quarterly
Planning Board Clerk	\$12.49 per hour, payable weekly
Zoning Board of Appeals (4)	\$ 300 annual salary, payable quarterly
Zoning Board of Appeals Chair	\$ 700 annual salary, payable quarterly
Zoning Board Clerk	\$12.49 per hour, payable weekly
Building Department Clerk	\$12.49 per hour, payable weekly
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

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Emergency Management Officer	No Salary
Registrar of Vital Statistics	\$880 annually
Records Management Clerk	\$12.49 hour
Superintendent of Parks	No Salary
Town Health Officer	\$500 annually

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

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

Adopted

Supervisor reminded Board the stipend is same as 2012, agreement is attached.

**RESOLUTION #6
APPOINTMENT OF ATTORNEY FOR THE TOWN**

RESOLVED, that the position of Town Attorney is hereby abolished until midnight, December 31, 2013, and

BE IT FURTHER RESOLVED that David J. Wukitsch is hereby retained as attorney for the Town of New Baltimore for the year 2013 at the annual rate of \$16,000, payable quarterly, to provide such legal services as the Town Board deems necessary pursuant to his proposal which is annexed hereto and is fully incorporated herein. The Supervisor is hereby empowered to accept said proposal.

Councilman Norris moved, seconded by Councilwoman Benway. Councilman Meredith pointed to typographical 2012 in paragraph 1 of letter. With that change to the letter, the adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

DRAFT

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

ATTORNEYS AT LAW

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

September 5, 2012

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

Re: 2013 Retainer and Fees for Professional Legal Services

Dear Susan:

The following represents my proposal to provide legal and other services to the Town of New Baltimore for the period January 1, 2013 through December 31, 2013. I agree to provide such services on the terms and conditions outlined below.

(1) Payment of a retainer in the amount of \$16,000.00 to be disbursed by the Town in equal payments of \$4,000.00 each, upon submission of a voucher per our practice in prior years.

Retainer services shall include unlimited legal advice and counsel to you, members of the Town Board, members of the Planning Board and Zoning Board of Appeals, as needed. Basic research as well as written legal opinions shall be included in retainer services. Also, I agree as part of retainer services to attend a monthly meeting each month during 2012 as part of the retainer services, together with three additional meetings by mutual consent. Any additional meetings will be billed at a flat rate of \$250.00 per meeting and \$150.00 per hour for revisions and zoning changes with regard to the Comp Plan.

(2) Excluded from the scope of retainer legal services are the following:

- (a) representation on litigation matters;
- (b) representation of the Town in bond matters; and
- (c) other major projects (i.e. sewer district, real estate, ambulance district, or major construction project).

The above non-retainer legal services shall be billed at the rate of \$150.00 per hour; my normal hourly rate is \$250.00 per hour, or at another mutually agreed upon fee arrangement.

677 Broadway, Albany, New York 12207-2503 • (518) 447-3200 • Fax (518) 426-4260 • www.mltw.com

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(3) Disbursements incurred in the performance of retainer and non-retainer legal services shall be billed on a regular basis. All disbursements incurred will be reasonable in amount. The amount of disbursements for which the Town is obligated shall be exclusive of, and in addition to, the total retainer referred to in (1) above.

If you and the members of the Town Board agree to the terms and conditions stated herein and agree to so obligate the Town of New Baltimore, please sign this letter and the enclosed copy thereof. Return the original to me; the copy is for your files.

Very truly yours,

David J. Wukitsch

David J. Wukitsch

DJW/jjf

Accepted & Agreed:

Susan O'Rourke, Supervisor
Town of New Baltimore

Supervisor and Councilwoman Benway put together a Request for Proposals, and received two responses; one for software and one for payroll services. Supervisor made phone calls and learned how unique New Baltimore's bookkeeping is handled; most towns like New Baltimore have staff to provide bookkeeping services. Town of Athens has hired a full-time individual for \$33,000, and a CPA firm, and hope to lower their costs; Town of Greenville pays \$32,000 and benefits. Supervisor contacted one local firm; they are not interested in coming in to do what Brian Fitzgerald does. Supervisor is conflicted, current arrangement is good for budget to supply what we need (he knows municipal accounting and performs well on Annual Update Document), while frustrating to not own our software and to wait for responses to queries. She and he, preparing for this meeting, agree that he will provide a copy of monthly ledgers to run internal reports, will add as Item #8 on his letter of agreement. Payroll was noted as biweekly; Supervisor asked for reduction but he enters all at one time into the budget; biweekly would require re-entry.

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The Town of Athens (with Village of Athens inside) has general and highway funds and no special districts; with benefits, they pay over \$40,000 for bookkeeping. The Town Board has not budgeted for a significant increase for bookkeeping, the Annual Update Document is due in February 2013, Supervisor recommends retaining Brian, having no problem with Comptroller's Office for all the years he and his uncle have performed this service for Town of New Baltimore. She asked whether Board want to go to another option, and we do that prior to 2014 Budget; Councilwoman Benway believes this is best option for New Baltimore now. Supervisor reminded Board that he put together a great program for the budget this year for 2% cap and, when court had issues, he came in and did the job. Based on his research, Councilman Norris believes he is a good bargain for the Town, as long as Supervisor feels confident and gets answers as she needs; he has had no increase in about 4 years.

RESOLUTION #7
PROVISION OF BOOKKEEPING/ACCOUNTING/PAYROLL SERVICES

RESOLVED, that Brian P. Fitzgerald, CPA, is hereby appointed to provide Bookkeeping/Accounting/Payroll Services for the Town of New Baltimore for the period January 1, 2013, to December 31, 2013, at a rate of \$975.00 per month.

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

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

Adopted

DRAFT

BRIAN P. FITZGERALD, CPA PC
722 COLUMBIA TURNPIKE
EAST GREENBUSH, NY 12061

TELEPHONE/FAX: (518) 479-0274
E-MAIL: BRIANFITZGERALDCPA@NYCAP.RR.COM

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

January 1, 2013

The following is a list of services that will be provided by Brian P. Fitzgerald CPA PC during 2013. We hope to better meet your expectations of service by clearly identifying the particular services to be provided and their frequency.

1. Maintain books and records, which will include the General Ledger, Cash Receipts Journal, and Cash Disbursements Journal.
2. Prepare and record disbursement checks from approved abstracts.
3. Prepare bi-weekly payrolls and checks, payroll tax deposits, and payroll reports using payroll information provided by the Town on employee data collection sheets.
4. Prepare monthly payroll reports for the New York State and Local Retirement System.
5. Prepare monthly budget reports.
6. Prepare bank reconciliations for all cash account on a monthly basis. The bank reconciliation for December 31, 2013 is not included because the required information will not be available until January 2014.
7. Prepare and file the 2012 Annual Report with the New York State Office of the State Comptroller. The 2013 Annual Report for the year ending 12/31/2013 is not included because the required information will not be available until January 2014.

Please note that no audit services will be provided, the services outlined above are only bookkeeping. Our fee for the above services will be \$11,700 per year. We will submit invoices of \$975 per month. Any other accounting services that you might require will be billed separately at \$85 per hour.

I appreciate this opportunity to provide our services to you. I am confident that we can achieve the high level of professional service that you expect. Please indicate your acceptance of the above understanding by signing below. A copy is enclosed for your records.

Sincerely,


Brian Fitzgerald

Accepted by: _____

Date: _____

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

RESOLVED, that the work week for the Town Highway Department for the year 2013 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 2013 be 35 hours per week and that overtime be paid for hours worked in excess of the 35 per week.

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

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

Adopted

RESOLUTION #9
ESTABLISHMENT OF WAGE SCALE FOR TOWN HIGHWAY DEPARTMENT

RESOLVED, that the wages for the Town Highway Department employees for the year 2013 will be as follows:

Working Foreman:	\$18.66 per hour
Heavy Motor Equipment Operator:	\$17.38 per hour
Laborer:	\$13.66 per hour
Part-Time Laborer:	\$11.78 per hour

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

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

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

Adopted

RESOLUTION #10
APPOINTMENT OF PART-TIME EMPLOYEES FOR TOWN HIGHWAY DEPARTMENT

RESOLVED, that the Town Superintendent of Highways be empowered to employ the following individuals as part-time laborers to assist the Town Highway Department for snow removal and other projects where their assistance is deemed necessary by the Superintendent of Highways:

Hugh Sterritt
Scott Benway
Francis McCarty
Roger Wilson

Supervisor moved, seconded by Councilman Norris. Supervisor noted that Roger Wilson may have health issue. No further discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

RESOLUTION #11
APPOINTMENT OF EMPLOYEES TO OPERATE RECYCLING CENTER AND PERFORM BUILDINGS AND GROUNDS MAINTENANCE

RESOLVED, that Spencer Sebert is hereby appointed to operate the Town's Recycling Center located at the Town Highway Garage at a salary of \$11.64 per hour, and

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BE IT FURTHER RESOLVED that Roger Wilson is hereby appointed to provide parks and grounds maintenance for the Town at a salary of \$11.13 per hour.

Supervisor believes that Roger Wilson has asked to be removed from list and asks to strike paragraph # 2. **With that change, Supervisor moved, seconded by Councilwoman Benway.** Councilwoman Finke said Kirk Trombley is interested in returning, he has had to take care of parents, his mom passed in August, wife took family leave, older brother died few years ago, sister is in advanced stages of Alzheimer's, and he has lived in Town for 30+ years. Supervisor said paragraph 2 will be finalized on Jan 14. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

**RESOLUTION #12
MILEAGE REIMBURSEMENT RATE**

RESOLVED, that mileage reimbursement for the use of private vehicles for the year 2013 will be at the Federal government rate.

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

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

Adopted

Supervisor commented that July 4, Christmas and New Year's Day all fall mid-week in 2013; elected officials (justices and town clerk) may set their own office hours and did close at 12 noon on Christmas Eve, 2012. Regarding town hall, for example the assessor's clerk could be alone in building, which we try to avoid; only persons receiving holiday pay are the full-time court clerk and one part-time clerk. Supervisor reminded, with minimal cost, closing town hall erases concern about minimal staff, which is a security issue. Councilwoman Benway agrees with early closing for those days; other towns close for longer period. Ellie Alfeld felt good idea to give day off before holiday, as on county and state level. Councilwoman Finke and Meredith agree. Councilman Norris asked, going forward, to look at issue each year. Clerk Brooks added that New Year's Eve was busy because the staff made it busy.

**RESOLUTION #13
2013 PAID HOLIDAYS**

RESOLVED, that the following days shall be paid holidays for full-time employees and part-time eligible employees for the year 2013:

New Year's Day	January 1st
Martin Luther King, Jr. Birthday	January 21st
Presidents' Day	February 18th
Memorial Day	May 27th
Independence Day*	July 4 th
Labor Day	September 2nd
Columbus Day	October 14th
Election Day	November 5th
Veterans' Day	November 11th
Thanksgiving Day	November 28th
Christmas*	December 25 th
New Year's Day*	January 1, 2014**

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Floating Holiday

As Previously Arranged

**Counts as paid Holiday for 2014.

*Town Hall closes at noon on day before the holiday and will be a paid holiday for eligible town hall employees.

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

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

Adopted

**RESOLUTION #14
LEAVE TIME FOR FULL-TIME HOURLY EMPLOYEES**

RESOLVED, that the Leave Policy for full-time hourly employees, adopted by the Town Board by its February 2001, Resolution shall remain in effect for the 2013 year.

Councilman Norris moved, seconded by Councilwoman Benway. Councilman Meredith asked what the policy was; Supervisor will provide copy again. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

**RESOLUTION #15
LEAVE TIME FOR PART-TIME CLERICAL STAFF**

RESOLVED, that the Leave Time Policy for Part-Time Clerical Staff, adopted by the Town Board by its Resolution of August, 2005, shall remain in effect for the 2013 year.

Supervisor moved, seconded by Councilman Norris. Currently this policy applies to one employee. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

Supervisor reminded that the starting time for meetings was discussed at December Regular Meeting; the popular decision was to move to 7:00 pm. Also Regular Meeting dates again fall on holidays Columbus Day and Veterans' Day during budget season; however, May Work Meeting has been left TBD. Planning Board has also requested a 7:00 pm meeting time, and there appear to be no holiday conflicts. Zoning Board of Appeals Clerk Loux has discussed with ZBA; it will remain at 7:30 pm, and July 3, a half-day, causes the second Wednesday, July 10, to become the meeting date.

**RESOLUTION #16
SCHEDULE OF MEETINGS**

RESOLVED, that the regular monthly meetings of the Town Board of the Town of New Baltimore shall be scheduled to begin at 7:00 pm in the Town Hall Meeting Room on the following dates:

January 14, 2013
February 11, 2013

May 13, 2013
June 10, 2013

September 9, 2013
October 14, 2013

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November 11, 2013
December 9, 2013

Town Clerk will post immediately as a single legal notice.

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Supervisor stated that towns are not required to have an official paper, but if we do, we must post in it.

**RESOLUTION #17
OFFICIAL TOWN NEWSPAPER**

RESOLVED, that The Daily Mail is hereby designated as the official newspaper of the Town of New Baltimore for the year 2013.

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

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

Adopted

Supervisor reviewed that the post office boxes are to serve the Justice Court and the Sewer District No. 1.

**RESOLUTION #18
RENTAL OF POST OFFICE BOX**

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

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

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

Adopted

**RESOLUTION #19
PETTY CASH FUNDS**

RESOLVED, that the following petty cash funds be established for the year 2013:

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

Supervisor moved, seconded by Councilman Norris. Supervisor believes the only change since last year is Justice Clerk's; Clerk Brooks reports that the two changes are working well for Town Clerk and Justice Clerk. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

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**RESOLUTION #20
DESIGNATION OF DEPOSITORIES**

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

Greene County Commercial Bank: Supervisor
Town Clerk
Tax Collector
Justices

National Bank of 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, seconded by Councilwoman Benway. No discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

**RESOLUTION #21
REVIEW OF TOWN INVESTMENT POLICY**

RESOLVED, that pursuant to the provisions of the General Municipal Law of the State of New York, the Town Board hereby adopts the attached Investment Policy dated January 5, 2009.

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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.

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

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

Adopted

RESOLUTION #22
REVIEW OF TOWN PROCUREMENT POLICY

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

Procurement Policy

Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known, or can reasonably be expected, that the aggregate amount to be expended on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year.

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The decision that a purchase is not subject to competitive bidding will be documented in writing by the Town official making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchasing official indicating how the decision was arrived at, a copy of the contract, a memo from the Town official detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

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

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

Estimated Amount of Purchase Method

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

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

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

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

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

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

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

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

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

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e. Goods purchased from a correctional institution

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

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

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

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

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

Adopted

**RESOLUTION #23
ATTENDANCE AT MEETINGS, CONFERENCES; TRAVEL ADVANCE**

RESOLVED, that upon prior approval of the Town Board of the Town of New Baltimore, officials of the Town be empowered to attend schools, seminars, association meetings, etc., that are deemed necessary to better enable them to perform their official duties. Reasonable lodging expenses shall be paid by the Town should the attendance require an overnight stay. Should the attendance require an overnight stay of more than one night, the official may request a travel advance to defray the cost of meals and incidental expenses. The amount of the travel advance shall not exceed the standard per diem reimbursement rate for federal employees. If the official receives the maximum advance, the Town of New Baltimore shall be reimbursed by said official for the difference between the amount advanced and the actual expenses incurred for which receipts are to be furnished by said official.

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

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

Adopted

**RESOLUTION #24
AUTHORIZATION OF SERVICE CHARGES FOR RETURNED CHECKS**

RESOLVED, that pursuant to the provisions of Section 85 of the General Municipal Law of the State of New York, a service charge of \$20 shall be levied for any checks tendered for the payment of taxes or other charges which are subsequently returned by a bank for insufficient funds or other reason.

Supervisor moved, seconded by Councilman Norris. Councilwoman Benway asked if that was the maximum allowed; Supervisor reminded that banks do not charge us, but there is a workload involved and a service charge provides a deterrent. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

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RESOLUTION #25
FILING OF SUPERVISOR'S ANNUAL UPDATE DOCUMENT FOR YEAR ENDING
DECEMBER 31, 2012

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 2012 fiscal year, a copy of the update document to the State Comptroller required by Section 30 of the General Municipal Law of the State of New York, providing, however, that if the time for the filing of the annual report has been extended for a period of sixty days by the State Comptroller, then the time for submitting a copy of the report to the Town Clerk shall also be extended. Said report shall be submitted in lieu of the report required by Subdivision 10 of Section 29 of the Town Law of the State of New York.

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

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

Adopted

Supervisor thanked all Board members for their responses to appointments, did her best to get members on committees of interest, and believes we have good compromise for all committees.

RESOLUTION #26
COMMITTEE APPOINTMENTS

RESOLVED, that the Town Board does hereby establish the following Town Board Committees and appointments to said committees for the year 2013:

Highway	Chair:	O'Rorke
	Member:	Norris
Buildings & Grounds/ Recycling	Chair:	Norris
	Member:	Meredith
Building Inspector/ Code Enforcement	Chair:	Norris
	Member:	Benway
Insurance:	Chair:	O'Rorke
	Member:	Benway
Wastewater Treatment	Chair:	O'Rorke
	Member:	Norris
Planning Board	Chair:	Benway
	Member:	O'Rorke
Zoning Board of Appeals	Chair:	Finke
	Member:	O'Rorke
Assessment:	Chair:	Norris
	Member:	O'Rorke
Economic Development Committee/Promotions	Chair:	Norris
	Member:	O'Rorke
Grants	Chair:	Finke

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	Member:	O'Rorke
Fire, EMS & Law Enforcement:	Chair:	Norris
	Member:	Finke
Technology/Website	Chair:	Benway
	Member:	Meredith
Newsletter	Chair:	Finke
	Member:	O'Rorke
Animal Control:	Chair:	Meredith
	Member:	Finke
Parks:	Chair:	Meredith
	Member:	Benway
Personnel:	Chair:	O'Rorke
	Member:	Benway
Agriculture Committee:	Chair:	Norris
	Member:	Meredith
Seniors	Chair:	Finke
	Member:	Benway
Memorial Committee	Chair:	Benway
	Member:	Finke
Ag Fest Committee:		Finke
Greene County EMS		Norris
Town Courts		Benway

Supervisor moved, seconded by Councilwoman Benway. Councilman Meredith asked that the Summer Recreation grant should go to Grants Committee. With no further discussion, the adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

Supervisor added that with the switching committee chair and member, she and Councilwoman Benway began but did not mail Dog Census letters, and will mail them in next two weeks before handing off to new committee.

Supervisor thanked Councilman Norris for taking on this additional responsibility, always make himself available to sign payroll or fill in her place. Clerk Brooks added her thanks on behalf of those working at Town Hall, relying on Supervisor and Councilman Norris for timely responses to issues as they arise.

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**RESOLUTION #27
APPOINTMENT OF DEPUTY TOWN SUPERVISOR**

RESOLVED, that Christopher Norris is hereby appointed Deputy Town Supervisor of the Town of New Baltimore for the period ending December 31, 2013 and shall act in place of the Supervisor in the event that the Supervisor becomes incapacitated or is otherwise unavailable.

Supervisor moved, seconded by Councilwoman Benway. Councilman Norris said it is his honor and pleasure to continue in the position he's held these last several years. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

Supervisor will be attending Association of Towns on Sunday and Monday, but will not be attending on Wednesday to vote, in New York City. The **RESOLUTION #28, APPOINTMENT OF VOTING REPRESENTATIVE TO ASSOCIATION OF TOWNS ANNUAL MEETING**, was **TABLED**.

**RESOLUTION #29
APPOINTMENT OF VOTING REPRESENTATIVE
TO BOARD OF DIRECTORS, GREENE COUNTY
EMERGENCY MEDICAL SYSTEMS INC.**

RESOLVED, that Councilman Christopher Norris is hereby designated as the representative of the Town of New Baltimore to the Board of Directors of Greene County Emergency Medical Systems, Inc. for the year ending December 31, 2013.

Supervisor moved, seconded by Councilwoman Benway. Councilman Norris thanked Councilwoman Finke for attending in his stead and sit in for him if he is unable to attend. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

**RESOLUTION #30
AUTHORIZATION FOR ADVANCE PAYMENTS**

RESOLVED, that in accordance with the provisions of Section 118 of the Town Law, the Supervisor is hereby authorized to make payments in advance of the monthly audit of claims by the Town Board for recurring charges such as utility bills, postage, health insurance, telephone and fuel charges, as well as bond payments and NYS Retirement payments reoccurring on annual basis.

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

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

Adopted

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**RESOLUTION #31
AUDIT OF CLAIMS**

WHEREAS the Town Clerk in a Town without a Comptroller is required to assign numbers to all audited claims and place on abstract for Town Board Members; and

WHEREAS Town Board Members are required to audit all submitted claims prior to the Regular Monthly Town Board Meeting; and

WHEREAS the Town Board passes resolution at the Regular Monthly Town Board Meeting authorizing Supervisor to pay the audited claims for said month;

NOW, THEREFORE, BE IT RESOLVED that all claims to be audited at said Regular Monthly Meeting must be submitted to the Town Clerk by 4 p.m. on the Wednesday before each regular Monthly Town Board Meeting.

Councilman Norris moved, seconded by Councilwoman Benway. Supervisor added that the Town Clerk has been very generous accepting vouchers as late as possible; Clerk Brooks reminded the Board they are approving over 100 vouchers per month and some 130 account postings. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

Supervisor noted that from time to time engineering is needed for a project of a certain size.

**RESOLUTION #32
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, 2013.

Councilman Norris moved, seconded by Councilwoman Benway. Fraser Associates was removed from list. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

**RESOLUTION #33
RESOLUTION APPOINTING SUPERINTENDENT OF PARKS**

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RESOLVED, that Denis Jordan is hereby appointed Superintendent of Parks for the period January 1, 2013, through December 31, 2013.

Supervisor moved, seconded by Councilwoman Benway. This was already discussed at the time of the appointments resolution. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

As a four-year appointment, Supervisor contacted Dr. Hassett who has served in this role for some time, and is willing to serve and provide expertise needed by Code Enforcement Officer or Boards. His salary is set by population by Town law.

**RESOLUTION #34
RESOLUTION RE-APPOINTING TOWN HEALTH OFFICER**

RESOLVED, that Dr. Stephen Hassett is hereby re-appointed Town Health Officer to be effective for the period January 1, 2011, through December 31, 2014.

Supervisor moved, seconded by Councilman Norris. Kathy Rundberg reminded of past practice in cases of a rabid dog bit or well water testing: Ellie asked whether Town Court officer is annual appointment; no, it is a contract. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Adopted

Ellie asked what the bond rating is for the Town of New Baltimore; Supervisor will look into that. Bond rate is determined by the bank. Town of Watervliet has just achieved highest rating locally; many bonds are being called. Councilman Norris reminded the last time this came up for the Highway it was a very low rate.

Ellie commented this had been one of the better Town Board meetings in a while. Councilwoman Finke asked for newsletter articles. Photos from the Christmas party are available.

ADJOURNMENT

With no further business to come before the Board, Supervisor **moved to adjourn and was seconded by Councilwoman Benway.** No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

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

Motion Carried

The meeting was adjourned at 8:13 pm.

Respectfully,

Janet A. Brooks
Town Clerk