

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
REGULAR TOWN BOARD MEETING
FEBRUARY 11, 2013- page 1

DRAFT

BID OPENING (6:45 p.m.)

Regarding **1989 Used backhoe** Deputy Clerk Loux said the bid notice was published January 22, 2013 in Catskill Daily Mail.

- Douglas Face, Niverville, \$8,001.00
- Eric Hoglund, Eagle Associates, Hannacroix, \$8,100.00
- Kevin R Frick, \$10,101.00
- Charles Biers, Selkirk \$8,560.00
- Randy Lent, CA Albright & Sons \$11,100.00
- Rob Van Etten Excavating Inc, New Baltimore \$9,175.00
- Ron Burns, Ravena \$8,151.00

Yard and a half pickup sander bid notice was published January 22, 2013 in Catskill Daily Mail.

- Rob Van Etten Excavating Inc, New Baltimore \$535.00
- Eric Hoglund, Eagle Associates \$525.00

[see also

- **PUBLIC HEARING REGARDING PROPOSED LOCAL LAW #1 OF 2013
ESTABLISHING NEW SCHEDULE OF REAL PROPERTY TAX EXEMPTIONS
FOR PERSONS 65 OR OVER AND PERSONS WITH DISABILITIES AND
LIMITED INCOMES**
- **PUBLIC HEARING REGARDING PROPOSED LOCAL LAW #2 OF 2013
INCREASING ENUMERATION FEE FOR DOGS FOUND UNLICENSED IN
TOWN OF NEW BALTIMORE**
- **REGULAR TOWN BOARD MEETING]**

OPENING OF MEETING

Supervisor O'Rorke called the meeting to order at 7:08 pm and the Pledge of Allegiance was said. Also attending: Councilwomen Benway and Finke, Councilman Meredith, Attorney for the Town Wukitsch, Highway Superintendent Jordan, Deputy Town Clerks Loux and Jordan, and 13 members of the public who signed the attendance sheet. Absent: Councilman Norris, Town Clerk Brooks.

Supervisor asked Councilwoman Benway to introduce the presenter from Eastern; Councilwoman Benway reminded that last month a new copier and the NYSERDA grant were discussed; it has been extended to April 20.

PRESENTATION: EASTERN XEROX -Dustin Howe, Document Workflow Consultant

Since mid-January he has worked with Town of New Baltimore to find current points for **NETWORK PRINTER COPIER SCANNER FAX**; current machine is like a car. By moving some things and finding some leeway regarding price, space is important. First 17 pages are about machines; then breakdown. In order to receive the NYSERDA grant, two separate purchase orders are needed. First purchase: work center 6400 with work-level stand and finisher (staple and hole punch) will replace the Ricoh, for \$6,000. The NYSERDA grant applies to a machine costing up to \$4,999; the rebate being offered by Xerox is \$3,749 back, plus stand and finisher, after the rebate \$3,751, lower than the last price. Second purchase: Phaser 3635 to sit outside the town clerk's office, tabletop without stand, to do high capacity printing. Dustin would like to provide, at no cost, is machine for sheriff satellite where more is spent per month than any other machine in building due to the type of machine and type of ink, (\$40/month for ink). Rebate of \$1,875 for the Phaser 3635 yields a net price of \$625. In conclusion, with total price of \$10,000, less \$5,624 rebate, the net price to the town is \$4,376.

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Referring to final page for service contracts, Dustin reads current use of 7,000 prints/month at \$.0122/print; \$85.70/month. With the 6400 model, 7,000 prints/month for \$.0092/print; \$64.40/month, and will have color capability at \$.05/print; not a large color demand, but no longer will inkjets provide that color.

The sheriff satellite prints 210 black/white prints/month at \$.107/print or \$22.47/month; 140 color prints at \$.124/print or \$17.36/month; total per month \$39.83/month. Under the Managed print service at Eastern, a printer is provided at no cost for flat rate or \$25, and include as much toner as it needs and any service. If it breaks and cannot be fixed, it will be replaced, built into contract. Savings is \$14.83/month downstairs, \$35.90/month total, \$430.80/year, and \$2154 in five years. After subtracting \$2154 from this machine, \$5148, when the town owns the machine, the town will have spent overall \$3,000 for all the units. Price includes setup to any networked computer throughout the building, includes training for any persons who will be using it, not a single training session, he is in Albany and available.

Councilwoman Benway confirmed he would assist with the rebate form; yes. Supervisor reminded the status of the rebate is first-come-first-serve. Councilwoman Benway noted 'delivery of equipment must take place by March 12'; Dustin could have machine here next week. Councilwoman Finke asked whether he'd seen the rebates come through; Dustin said he is working with the Columbia County Clerk's Office also. There for a reason, rebate needs to be taken advantage of. Supervisor asked regarding the building inspector; he does very well at \$13/month, just as the assessor's office, so well as to not be put under a \$25/month plan. Supervisor asked whether they could be hooked up; yes, but they only provide laser so use would need to justify cost to the town. The Samsung printer in town clerk's office will replace current Canon unit at sewer plant, where inkjet is costing more money, at a savings of as much as \$30/month. Supervisor asked about the old Ricoh; after 5 years there is little value on that machine; the Ricoh is roughly 6 years old. The shipment of new machine does include removal of the old machine. Dustin finds Xerox to be better machine than Ricoh. Supervisor is unsure of arrangement with sheriff's office, asking Councilwoman Finke representing EMS committee; she did not know. Supervisor would like to check; Dustin had the list of all the purchasing done by the town clerk's office and that includes the ink for the satellite. Supervisor asked for questions from Board.

Supervisor asked for questions from the public.

Kingsley Greene asked whether one machine could serve the entire building; Supervisor answered this is networked. Sheriff satellite is 24 hours and downstairs. Town clerk's office did have extra copy for security issues, often printing confidential, and there are times when maintenance or a long project delays access. Dustin answered that new machines have security; print as much as you like but no result without password entered and person present calling for the job. Supervisor reminds the wait for a longer project and the call for a quick print. Dustin answered the hall model would have password; all have security capabilities. The main unit would have color capability. Service agreement 7000 prints is shared by the two units, and is based on current use.

Ellie Alfeld asked how fast to get service when problem comes; Dustin said past two years have absorbed 3 companies, including ComDoc, and more techs are coming on with current response time of five and half hours. Supervisor confirmed with deputy town clerks, service is better now with Eastern, when it goes down on Saturday and she reports, service usually comes on Monday. Dustin reminds new machine service will be minimal.

Deputy Town Clerk Loux reminded that with the one machine, even with new, a backup is needed, usually happening on her board meeting nights; Supervisor added budget season. Supervisor thanked Dustin for presentation; Board will consider.

APPROVAL OF MINUTES

Regarding the approval of Minutes of January 3, 2013 Organizational Meeting submitted by the Town Clerk, and reminding this set of minutes was back this night due to scanner feed problems, **Supervisor moved and was seconded by Councilwoman Benway. The adoption of the foregoing Motion was duly put to a vote, and the vote was as follows:**

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BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-Absent O'RORKE-AYE
Motion Carried

Regarding the approval of Minutes of January 14, 2013 Regular Meeting submitted by the Town Clerk, Supervisor moved and was seconded by Councilwoman Benway. The adoption of the foregoing Motion was duly put to a vote, and the vote was as follows:

BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-Absent O'RORKE-AYE
Motion Carried

Regarding the approval of Minutes of January 28, 2013 Work Meeting submitted by the Town Clerk, Supervisor moved and was seconded by Councilwoman Benway. The adoption of the foregoing Motion was duly put to a vote, and the vote was as follows:

BENWAY-AYE FINKE-Abstain MEREDITH-AYE
NORRIS-Absent O'RORKE-AYE
Motion Carried

PUBLIC COMMENT PERIOD

Member of the public had conversation with Animal Control Officer Tanner about dog bite case; Officer Tanner told him he'd spoken with Town Attorney, Supervisor asked whether this was topic of message on her voicemail. Hearing yes, Supervisor said she would be happy to speak with him, miscommunication, if prosecuting attorney were needed. He said he would have to hire; Supervisor clarified if prosecuting attorney were needed, the Town would have to hire. Attorney Wukitsch added that if member of the public wanted an attorney to represent his personal interests, member of the public could hire one, there is no restriction from doing so, and prosecuting the case for the Town would not be the responsibility of the member of the public. Attorney Wukitsch went on to say that there has not been an attorney in the past to prosecute animal cases and he has been connected to this town since 1987; it has always been responsibility of the animal control officer to prosecute cases. Member of the public said the defendant has an attorney who has filed motions that our town laws on the books for dog control are unconstitutional. Attorney Wukitsch advised the Town not to discuss details of a particular case which is in court, unwise. Supervisor agrees and will be happy to discuss outside of a public meeting. Attorney Wukitsch reminded it is not before the Town's court, it was reassigned. Member of the public asked as a procedure if the situation was such that it had to go before a judge, and an attorney was filing motions, Mr. Tanner is not qualified to quote law and answer motions from an attorney. Attorney Wukitsch said the Town court would have to decide whether to spend taxpayer dollars to hire an attorney. Member of the public asked whether to bring it up under New Business. Attorney Wukitsch said the details of the case should not be discussed, if hiring an attorney were to be discussed, Supervisor interrupted that it is not on the agenda for this Town Board meeting, repeating that the Town has never hired a prosecuting attorney for a dog or animal control or for code violation; the building inspector prosecutes code enforcement violations. Supervisor continued that there are towns who hire prosecuting attorneys; it is an expense the Town could look at, but not on this evening's agenda. Member of the public asked, explaining he is looking for a resolution because clock is ticking and Mr. Tanner hasn't answered his motion.

CORRESPONDENCE

From Assemblyman Michael Kearns 142nd District- requesting support of two foreclosure bills A88 A824 that have been referred to Judiciary Committee of the NYS Assembly. Assembly is looking for a way for towns to get in touch with banks when properties go into foreclosure, a few instances here in town, abandoned, becomes run-down, building inspector tries to get ahold of

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owner, they no longer own it, and foreclosure is a long process. When bank takes ownership they become responsible for the property, making it difficult for town to contact them, return phone calls, so the bill proposed requires banks to provide contact information for the towns. Town Board may look at pursuing support.

OLD BUSINESS

Resolution to accept bid to sell yard and a half sander

**RESOLUTION
FEBRUARY 11, 2013**

RESOLUTION TO ACCEPT BID TO SELL YARD AND A HALF PICKUP SANDER

WHEREAS the Town Board of the Town of New Baltimore has solicited bids for the sale of a yard and a half pickup sander to be received by 4 p.m. on Monday, February 11, 2013, with bid opening to take place at 6:45 pm on February 11, 2013; and

WHEREAS bid opening did take place on date and at time stated above;

NOW, THEREFORE, BE RESOLVED that the Town Board of the Town of New Baltimore agrees to sell the yard and a half pickup sander to Rob Van Etten for the amount of \$535, and

BE IT FURTHER RESOLVED that payment for this sander is to be made to the Town Clerk by cash or good funds on or before February 25, 2013.

Councilwoman Benway moved and was seconded by Supervisor. No discussion. Supervisor expressed thanks for the bids. 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-Absent O'RORKE-AYE

Adopted

Resolution to accept bid to sell 1989 Ford backhoe

**RESOLUTION
FEBRUARY 11, 2013**

RESOLUTION TO ACCEPT BID TO SELL 1989 FORD BACKHOE

WHEREAS the Town Board of the Town of New Baltimore has solicited bids for the sale of a 1989 Ford Backhoe to be received by 4 p.m. on Monday, February 11, 2013, with bid opening to take place at 6:45 pm on February 11, 2013; and

WHEREAS bid opening did take place on date and at time stated above,

NOW, THEREFORE, BE RESOLVED that the Town Board of the Town of New Baltimore agrees to sell the 1989 Ford Backhoe to CA Albright/Randy Lent for the amount of \$11,100, and

BE IT FURTHER RESOLVED that payment for this backhoe is to be made to the Town Clerk by cash or good funds on or before February 25, 2013.

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Councilwoman Benway moved and was seconded by Supervisor. 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-Absent O'RORKE-AYE
Adopted**

Resolution on Proposed Local Law #1 of 2013

JANUARY 14, 2013

PROPOSED LOCAL LAW #1 of 2013

**A LOCAL LAW TO ESTABLISH A NEW SCHEDULE OF REAL PROPERTY TAX
EXEMPTIONS FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OVER AND
PERSONS WITH DISABILITIES AND LIMITED INCOMES**

BE IT ENACTED by the Town Board of the Town of New Baltimore, as follows:

SECTION 1.

This Local Law is adopted pursuant to the authority of Real Property Tax Law §459(c) and §467. All definitions, terms and conditions of such statute shall apply to this Local Law and are incorporated herein.

SECTION 2.

Local Law #2 of 2011 is HEREBY REPEALED

SECTION 3.

The Town Board of the Town of New Baltimore does hereby establish the following sliding scale of property tax exemptions for real property owned by persons sixty-five (65) years of age or over and for real property owned by a person with a disability whose income is limited by such disability, and used as the legal residence of such person, based on the income limits set forth below:

Maximum Income Limit	Property Tax Exemption
\$22,500.00 or less	50%
\$22,500.01-\$23,499.99	45%
\$23,500.00-\$24,499.99	40%
\$24,500.00-\$25,499.99	35%
\$25,500.00-\$26,399.99	30%
\$26,400.00-\$27,299.99	25%
\$27,300.00-\$28,199.99	20%
\$28,200.00-\$29,099.99	15%
\$29,100.00-\$29,999.99	10%
\$30,000.00-\$30,899.99	5%

SECTION 4.

Any person who qualifies for a property tax exemption as a person with a disability shall not be eligible for a property tax exemption as a person who is sixty five (65) years of age or over.

SECTION 5.

The maximum income limit set forth in Section 3 above shall be offset by medical and prescription drug expenses actually paid which are not reimbursed or paid for by insurance.

SECTION 6.

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This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

**RESOLUTION
FEBRUARY 11, 2013**

**RESOLUTION TO ADOPT LOCAL LAW 1 OF 2013 ESTABLISHING A NEW
SCHEDULE OF REAL PROPERTY TAX EXEMPTIONS FOR PERSONS SIXTY-FIVE
(65) YEARS OF AGE OR OVER AND PERSONS WITH DISABILITIES AND LIMITED
INCOMES**

WHEREAS the Town Board of the Town of New Baltimore has held a Public Hearing on February 11, 2013, regarding proposed Local Law 1 of 2013, a local law to establish a new schedule of real property tax exemptions for persons sixty-five (65) years of age or over and persons with disabilities and limited incomes, at which time the public was given an opportunity to speak regarding this proposed local law,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Baltimore does hereby adopt Local Law 1 of 2013 Establishing A New Schedule of Real Property Tax Exemptions for Persons Sixty-Five (65) Years of Age or Over and Persons With Disabilities and Limited Incomes.

Councilwoman Benway moved and was 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-Absent O'RORKE-AYE
Adopted**

Resolution on Proposed Local Law #2 of 2013

**JANUARY 14, 2013
PROPOSED LOCAL LAW NO. 2 of 2013**

**A LOCAL LAW AMENDING TOWN CODE §42-31 TO INCREASE
THE ENUMERATION FEE FOR DOGS FOUND UNLICENSED
IN THE TOWN OF NEW BALTIMORE**

Be it enacted by the Town Board of the Town of New Baltimore, County of Greene, as follows:

Section 1. Purpose

The administrative cost of a dog inventory or enumeration has increased and it is in the public interest to increase the dog enumeration fee from the present fee of \$5.00 to reflect higher administrative costs.

Section 2. Amendment

The current Town Code §42-31 is hereby repealed and replaced with a new Town Code §42-31 to provide as follows:

“When the Town Board determines the need for a dog enumeration or inventory, a fee of \$75.00 will be assessed by the Town to the owner of any dog found unlicensed or renewed at the time the enumeration is conducted.”

Section 3. Effective Date

DRAFT

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This Local Law shall take effect immediately upon filing in the office of the New York Secretary of State.

RESOLUTION
FEBRUARY 11, 2013

RESOLUTION TO ADOPT LOCAL LAW 2 OF 2013 AMENDING TOWN CODE
SECTION 42-31 TO INCREASE THE ENUMERATION FEE FOR DOGS FOUND
UNLICENSED IN THE TOWN OF NEW BALTIMORE

WHEREAS the Town Board of the Town of New Baltimore has held a Public Hearing on February 11, 2013, regarding proposed Local Law 2 of 2013 amending Town Code Section 42-31 to increase the enumeration fee for dogs found unlicensed in the Town of New Baltimore, at which time the public was given opportunity to speak regarding this proposed local law,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Baltimore does hereby adopt Local Law 2 of 2013 amending Town Code Section 42-31 to increase the enumeration fee for dogs found unlicensed in the Town of New Baltimore.

Supervisor asked for discussion from the Town Board, currently the amount is \$50, up from \$5; adding that Attorney Wukitsch expressed concern that if the fee is too high it has the appearance of a fine. Attorney Wukitsch felt that if it were over \$100 that would be the case, \$100 or less would be a penalty. Having heard public comment, Supervisor asked Board if their wish was a higher amount than \$50; Councilman Meredith added that he knows there are a lot of dogs out there from his experience campaigning. Councilwoman Benway asked was it 372 reported by the clerk's office, [many voices speaking], Supervisor felt \$50 was the least. Clerk Loux suggested \$75; all agreed.

Supervisor read the proposed Local Law 2 of 2013, and reread the above resolution.

Councilwoman Benway moved to adopt and was seconded by Supervisor. 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-Absent O'RORKE-AYE
Adopted

NEW BUSINESS

Resolution to authorize attendance at NY Planning Federation 2013 Annual Conference

RESOLUTION
FEBRUARY 11, 2013

RESOLUTION TO AUTHORIZE ATTENDANCE AT THE NEW YORK PLANNING
FEDERATION ANNUAL CONFERENCE

RESOLVED, that the Town Board does hereby authorize Planning Board Chair Rundberg and Supervisor O'Rorke to attend the Annual Conference and Training School of the New York Planning Federation April 21-23, 2013, and authorizes reasonable expenses for transportation and meals.

Supervisor added this was a local conference; Councilwoman Benway moved and was seconded by Supervisor. Supervisor asked whether any other Board member wished to attend. No further Discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

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

Councilwoman Finke asked whether it counted for training; yes.

ITS Contract renewal

FEBRUARY 11, 2013
RESOLUTION

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH
INTELLIGENT TECHNOLOGY SOLUTIONS, INC.**

Supervisor asked if there was comment from the Town Board regarding the contract providing service for Town's computers. Councilwoman Benway said committee had reduced contract last year from \$3,000 to \$2,000; did not exceed the hours covered. Councilman Meredith had no additions. Supervisor asked for satisfaction.

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to execute an agreement with Intelligent Technology Solutions, Inc. for the period January 1, 2013 to December 31, 2013 for computer services for \$2,000 annually and \$500 quarterly.

Councilwoman Benway moved and was 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-Absent O'RORKE-AYE
Adopted

Discussion of Summer Rec Program

As last year, the 2013 Adopted Budget does not fully fund the Summer Recreation Program, Supervisor believes there was discussion as to how to handle that going forward: look for summer rec director to be involved in that fundraising and planning. Councilwoman Benway has received inquiries regarding the director position and hopes to advertise for that position as well. By April at the latest, have appointments in place and fundraising can begin. Supervisor clarified the advertisement would only be for the director position, not the counselor positions; Councilwoman Benway asked whether to include the assistant director or would the director choose the assistant? Supervisor believes past practice is for director to choose assistant.

MOTION

Supervisor moved to authorize Town Clerk to place ad for summer recreation director and was 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:

Ayes- 4
Nays- 0
Absent-1
Motion Carried

Executive Session for Personnel Matter

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At 7:50 pm, with no more from the Town Board or the public, Supervisor moved to adjourn to executive session for the purpose of personnel matter and was seconded by Councilwoman Benway.

Ayes- 4

Nays-0

Absent-1

Motion Carried

Executive session began at 7:50 p.m.

Motion to close executive session was made by Councilwoman Finke and was seconded by Councilman Meredith.

Ayes-4

Nays-0

Absent-1

Motion Carried

Executive session was closed at 8:07 p.m.

Supervisor moved to re-open the Board meeting, seconded by Councilwoman Benway.

Ayes-4

Nays-0

Absent-1

Motion Carried

The meeting was re-opened at 8:10 p.m.

Supervisor offered that there was one item to be pulled, Councilwoman Benway added to simply cross off that item for now.

RESOLUTION
FEBRUARY 11, 2013

RESOLUTION TO AUTHORIZE SUPERVISOR TO PAY AUDITED CLAIMS

WHEREAS the Town Clerk has presented claims to the Town Board for audit and review, and

WHEREAS the Town Board has audited claims 2013 02/01-52, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2013 02/01-52, and

BE IT FURTHER RESOLVED that the Town Clerk will prepare an abstract and hold it for public review until February 28, 2013.

Supervisor moved and was 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-Absent O'RORKE-AYE
Adopted

Review of Tax Collector books for 2011, 2012 and Town Justice books for 2011, 2012

Councilman Meredith asked that someone could be gotten from outside to perform the review. Supervisor felt that finding someone to accomplish that task for the budgeted amount of dollars would be difficult, adding that it is supposed to be done by the Town Board. Supervisor would offer to serve on committee but that she, as town supervisor, receives funds from these same

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elected officials; if it is to be done by committee, should be two Town Board members other than Supervisor. Councilwoman Benway asked to see what is necessary to be done. Attorney Wukitsch offered for the justice court it is a checklist of what needs to be done; Councilwoman Benway offered to serve and do that. Supervisor asked for another volunteer. Councilman Meredith asked when it had to be done. Councilwoman Benway asked for Saturday morning. Councilman Meredith asked about the door being open. Attorney Wukitsch said he would have both justices present. Councilwoman Benway said she would also do the tax collector books on a Saturday morning. Supervisor reminded that the tax collector had resigned. Attorney Wukitsch said the court clerks. Councilwoman Benway thought just one clerk present; Attorney Wukitsch offered that the clerk who was most familiar with the books, cash book and bank statements. Saturday morning or evenings best for Councilwoman Benway. Attorney Wukitsch reminded to have access to their computers, without sharing identities, but would require access to the criminal docket, part of their audit. Supervisor offered the court review committee as Councilwoman Benway and Councilman Meredith. For the tax collector committee, Councilwoman Benway asked Councilman Meredith, offering her hope to complete on Saturday morning; he consented.

MOTION

**MOTION TO ESTABLISH COMMITTEE TO PERFORM TAX COLLECTOR AND
TOWN JUSTICE ANNUAL REVIEWS FOR 2011 AND 2012**

Supervisor moved that the Town Board establish a committee to do the reviews of tax collector and town justices for years 2011 and 2012; said committee will consist of Councilwoman Benway and Councilman Meredith. The motion was seconded by Councilman Meredith.

The adoption of the foregoing Motion was duly put to a vote and the vote was as follows:

Ayes- 4

Nays- 0

Absent-1

Motion Carried

Member of the public asked what difference it would make to call the dog item a **fee** or a **fine**; Attorney Wukitsch answered a fine would be imposed by a judge; a penalty or late fee, this is more like a late fee because you are required to have your dog licensed and if not done in a timely way the Town can impose a penalty charge for someone who doesn't do that in a timely way. A fine may have a minimum and a maximum, with judge's discretion as to the severity.

Councilwoman Benway asked regarding the laborer position; Supervisor believes Councilman Norris was handling that and is in out-of-town. Supervisor believes he has not yet contacted town clerk with authorization. Councilwoman Benway added that February 5 reply-by date must be changed, too. Councilwoman Finke asked whether there are any resumes for the planning board and zoning board of appeals positions; Supervisor answered yes, town clerk has letters of interest, and asked Deputy Town Clerk Jordan to photocopy or scan.

Member of the public asked, regarding the committee established to perform annual reviews, what is their responsibility to the Town; they are verifying what? Supervisor answered that the committee will review the financial books of the elected town justices and town tax collector. Member of the public asked whether the money that came in is posted to a book somewhere; Supervisor answered that there is a checklist of requirements including how quickly deposits are turned over to town supervisor, how well records are kept, reconciled, and properly reviewed. Member of the public clarified it is our town board reviewing the records; Attorney Wukitsch reminded it is required by state law. Supervisor added that in the past the Board has hired our CPA; for a variety of reasons it isn't working out and that is function of the committee that was just established.

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ADJOURNMENT

Supervisor moved for adjournment, 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-Absent	O'RORKE-AYE

Motion Carried

The meeting was adjourned at 8:20 pm.

Respectfully,
Janet A. Brooks
Town Clerk

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