

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

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**TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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RESOLUTION #1

GUIDELINES FOR PUBLIC CONDUCT DURING TOWN BOARD MEETINGS

1. The Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall be the acting Supervisor. In the event both the Supervisor and the Deputy Supervisor are absent, the other members shall designate one of their members to act as temporary chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. Town residents who wish to speak shall fill out a card at the entrances of the meeting room listing their name, contact information, and the subject matter in which they would like to speak. These cards will be collected prior to the beginning of the Town Board meeting and given to the Town Supervisor or Deputy Supervisor in the absence of the Supervisor.
3. Speakers must be recognized by the presiding officer and then proceed to the lectern and state their name and address. They must limit their remarks on official town business to up to three minutes on a given topic and may not yield any remaining time to another speaker. They must address their remarks to the Board as a body and not to any member thereof and not to other members of the audience in the form of a debate.
4. Speakers should present their remarks in a courteous manner and may not make disparaging remarks or personal comments about public officials, town residents, or others. All speakers will observe the commonly accepted rules of courtesy, decorum, dignity, and good taste with no cursing, swearing, clapping, booing, finger pointing, bullying, whispering, or talking that disrupts the proceedings of the business of the Town Board.
5. Any speaker who disregards the directives of the presiding officer in enforcing the rules, disturbs the peace at a meeting, makes impertinent or slanderous remarks, or generally conducts themselves in an inappropriate manner shall be barred from further participation and will forfeit any balance of time remaining for their comments.
6. After a final warning, if a speaker willfully refuses to step down, the Town Supervisor shall contact the appropriate authorities to remove the speaker from the meeting room and to restore order.
7. The Town Supervisor, or in their absence the Deputy Supervisor, shall ensure compliance with these rules.

This policy will be amended by Majority vote of the Town Board.
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RESOLUTION #2
SCHEDULE OF MEETINGS

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

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

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

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

AND BE IT FURTHER RESOLVED, that pursuant to Section 103 of the Public Officers Law, these Town Board meetings shall be open to the general public. Nothing herein shall preclude the Town Board from conducting official business at its monthly work meeting where it is deemed to be necessary to do in the interest of expediency and where the public interest will be served,

AND BE IT FURTHER RESOLVED, that the regular monthly meeting of the Planning Board of the Town of New Baltimore shall be scheduled to begin at 7:00 PM in the Town Hall Meeting Room on the following dates:

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

AND BE IT FURTHER RESOLVED, that the Planning Board work meeting, if held, shall be scheduled to begin at 7:00 PM in the Town Hall Meeting Room on the fourth Thursday of each month,

AND BE IT FURTHER RESOLVED, that pursuant to Section 103 of the Public Officers Law, these Planning Board meetings shall be open to the general public,

AND BE IT FURTHER RESOLVED, that the regular monthly meeting of the Zoning Board of Appeals of the Town of New Baltimore shall be scheduled to begin at 7:30 PM in the Town Hall Meeting Room on the following dates:

January 8, 2014	May 7, 2014	September 3, 2014
February 5, 2014	June 4, 2014	October 1, 2014

March 5, 2014
April 2, 2014

July 2, 2014
August 6, 2014

November 5, 2014
December 3, 2014

AND BE IT FURTHER RESOLVED, that pursuant to Section 103 of the Public Officers Law, these Zoning Board of Appeals meetings shall be open to the general public,

AND BE IT FURTHER RESOLVED, that the Justice Court of the Town of New Baltimore shall be held weekly on Tuesdays. Court sessions will start at 4:00 PM and be held in the Town Hall Meeting Room.

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RESOLUTION #3

**AVAILABILITY OF AGENDAS AND RESOLUTIONS FOR
TOWN BOARD MEETINGS**

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

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

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**RESOLUTION #4
AUTHORIZATION FOR ADVANCE PAYMENTS**

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

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**RESOLUTION #5
AUDIT OF CLAIMS**

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

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

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

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

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**RESOLUTION #6
2014 SALARIES FOR APPOINTEES AND ELECTED OFFICERS**

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

Supervisor	\$ 7,925 annual salary, payable quarterly
Councilpersons (4)	\$ 4,100 annual salary, payable quarterly
Justices (2)	\$10,610 annual salary, payable quarterly
Town Clerk	\$29,136.10 annual salary, payable biweekly
Justice Clerk	\$15.82 per hour, payable biweekly
Justice Clerk (Part-time)	\$10.00 per hour, payable biweekly
Sole Assessor (Part-Time)	\$20,759.54 annual salary, payable biweekly
Tax Collector	\$ 6,430 annual salary, payable biweekly
Superintendent of Highways	\$53,530.76 annual salary, payable biweekly
Deputy Town Clerk	\$12.61 per hour, payable biweekly
Assessor's Clerk	\$12.61 per hour, payable biweekly
Supervisor's Confidential Secretary	\$1,000 annual salary, paid quarterly
Planning Board Members (5)	\$ 750 annual salary, payable quarterly
Planning Board Chair	\$ 2,300 annual salary, payable quarterly
Planning Board Vice Chair	\$ 850 annual salary, payable quarterly
Planning Board Clerk	\$12.61 per hour, payable biweekly
Zoning Board of Appeals (4)	\$ 300 annual salary, payable quarterly
Zoning Board of Appeals Chair	\$ 700 annual salary, payable quarterly
Zoning Board Clerk	\$12.61 per hour, payable biweekly
Building Department Clerk	\$12.61 per hour, payable biweekly
Animal Control Officer	\$ 3,990 annual salary, payable monthly
Board of Assessment Review (4)	\$ 200 annually + \$50 per mtg. over 2 mtg.
Board of Assessment Review Chair	\$ 250 annually + \$50 per mtg. over 2 mtg.
Historian	\$ 1,560 annual salary, payable quarterly
Emergency Management Officer	No Salary
Registrar of Vital Statistics	\$880 annually
Records Management Clerk	\$12.61 hour
Recycling Center Operator/Laborer	\$11.76 per hour, payable biweekly

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**RESOLUTION #7
APPOINTMENT OF DEPUTY TOWN SUPERVISOR**

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

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

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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**RESOLUTION #8
COMMITTEE APPOINTMENTS**

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

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

Personnel:

Chair: Jeff Ruso

Member: Nick Dellisanti

Planning Board/Zoning Board of Appeals

Chair: Shelly VanEtten

Member: Nick Dellisanti

Seniors and Veterans

Chair: Shelly VanEtten

Member: Lisa Benway

Technology/Website

Chair: Lisa Benway

Member: Shelly VanEtten

Town Courts Liaison

Member: Jeff Ruso

Wastewater Treatment

Chair: Chris Norris

Member: Lisa Benway

Youth, Parks and Recreation

Chair: Shelly VanEtten

Member: Nick Dellisanti

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

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

BE IT FURTHER RESOLVED, that Tal G. Rappleyea is hereby retained as Attorney for the Town of New Baltimore for the year 2014 at the annual rate of \$10,000, payable monthly, to provide such legal services as the Town Board deems necessary pursuant to his proposal which is annexed hereto and is fully incorporated herein. The Supervisor is hereby empowered to accept said proposal.

TAL G. RAPPLEYEA

ATTORNEY AT LAW

4 Maple Lane

P.O. Box 793

Valatie, NY 12184

(518) 758-8034 • FAX: (518) 758-8038

rappleyealaw_tal@berk.com

January 1, 2014

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

RE: General Retainer

Dear Supervisor Dellisanti:

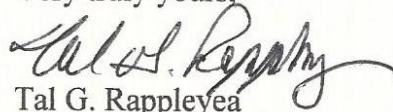
Please accept this letter as my retainer to represent the Town of New Baltimore as Attorney for the Town on all general matters for the calendar year 2104. This retainer is intended to cover and include attendance at regular Town Board meetings, and agenda workshop and special meetings and other Board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

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

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

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

Very truly yours,


Tal G. Rappleyea

TGR/jjs

Town of New Baltimore, by Nick Dellisanti, Supervisor

Dated _____

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

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

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RESOLUTION #10

ESTABLISH HOURS OF THE TOWN CLERK'S OFFICE

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

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

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RESOLUTION #11

**PROCEDURE FOR ADOPTION OF MINUTES AND
POSTING TO TOWN OF NEW BALTIMORE'S WEBSITE**

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

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

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**RESOLUTION #12
GENERAL APPOINTMENTS**

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

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

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RESOLUTION #13
WASTEWATER TREATMENT PLANT OPERATIONS STAFF APPOINTMENTS

BE IT RESOLVED, that James Polverelli is hereby appointed to the position of Chief Wastewater Treatment Plant Operator (Part-Time) for the year 2014, with responsibilities including, but not limited to: overseeing, maintaining and operating the Town of New Baltimore's wastewater treatment plant and associated facilities on a day-to-day basis, to ensure that the condition of the Town's Permits and all other applicable law and regulations are complied with and met. Mr. Polverelli shall be paid an annual rate of salary of \$24,910.64, payable biweekly. In addition to this salary, he shall accrue one paid sick day per month, and shall accrue ten paid vacation days annually, provided that notice in writing be given to the Supervisor when leave has been taken. Sick leave which is unused as of December 31, 2014, may be carried over to the following year exclusively for use as sick leave in the following year. Vacation leave may not be accrued beyond December 31, 2014, and

BE IT FURTHER RESOLVED, that Louis Betke is hereby appointed to the position of Part- Time Wastewater Treatment Plant Operator, to work under the supervision of the Chief Wastewater Treatment Plant Operator, at a salary rate of \$13.45 per hour, and

BE IT FURTHER RESOLVED, that Steve Grimm is hereby appointed to the position of Part-Time Wastewater Treatment Plant Operator, to work under the supervision of the Chief Wastewater Treatment Plant Operator, at a salary rate of \$12.93 per hour, and

BE IT FURTHER RESOLVED, that Harriet Miller is hereby appointed to the position of Part Time Laborer, to work under the supervision of the Chief Wastewater Treatment Plant Operator, at an hourly rate of \$11.01.

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RESOLUTION #14

APPOINTMENT OF PART-TIME EMPLOYEES FOR TOWN HIGHWAY DEPARTMENT

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

Hugh Sterritt
Scott Benway
Francis McCarty
Roger Wilson

RESOLUTION #15
FIDELITY BONDS

BE IT RESOLVED, that the Town of New Baltimore approve and file in the Office of the Greene County Clerk and the Town Clerk of the Town of New Baltimore the following official bonds:

Tax Collector	\$700,000
Supervisor,	\$800,000
Other Officials,	\$ 50,000
Including Deputy Supervisor,	
Town Clerk,	
Deputy Town Clerks,	
Town Justices, Justice	
Clerk, Deputy Justice	
Clerk, Highway	
Superintendent, Deputy	
Highway Superintendent	

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**RESOLUTION #16
2014 PAID HOLIDAYS**

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

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

*Counts as paid Holiday for 2015.

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

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**RESOLUTION #17
LEAVE TIME FOR FULL-TIME HOURLY EMPLOYEES**

RESOLVED, that the Leave Policy for full-time hourly employees, adopted by the Town Board by its February 2001 Resolution, shall remain in effect for the 2014 year.

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**RESOLUTION #18
LEAVE TIME FOR PART-TIME CLERICAL STAFF**

RESOLVED, that the Leave Time Policy for Part-Time Clerical Staff, adopted by the Town Board by its Resolution of August 2005, shall remain in effect for the 2014 year.

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

RESOLVED, that the work week for the Town Highway Department for the year 2014 shall be 40 hours, and that overtime be paid for hours worked by full-time employees over 40 hours per week; and

BE IT FURTHER RESOLVED, that the work week for the full-time Justice Clerk for the year 2014 be 35 hours per week and that overtime be paid for hours worked in excess of the 40 per week.

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**RESOLUTION #20
ESTABLISHMENT OF WAGE SCALE FOR TOWN HIGHWAY DEPARTMENT**

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

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

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

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**RESOLUTION #21
MILEAGE REIMBURSEMENT RATE**

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

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**RESOLUTION #22
OFFICIAL TOWN NEWSPAPER**

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

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**RESOLUTION #23
RENTAL OF POST OFFICE BOX**

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

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**RESOLUTION #24
PETTY CASH FUNDS**

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

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

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**RESOLUTION #25
DESIGNATION OF DEPOSITORIES**

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

Greene County Commercial Bank:	Supervisor Town Clerk Tax Collector Justices
National Bank of Coxsackie:	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.

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**RESOLUTION #26
REVIEW OF TOWN INVESTMENT POLICY**

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

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.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE
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**RESOLUTION #27
TOWN PROCUREMENT POLICY**

RESOLVED, that pursuant to the provisions of Section 104-b of the General Municipal Law of the State of New York, the Town Board adopts the attached Procurement Policy originally adopted in 1992, as amended in 2010 and 2013.

TOWN OF NEW BALTIMORE PROCUREMENT POLICY

Purpose

To ensure the prudent and economical use of the public's money for the purchase of goods and services of maximum quality at the most economical cost, and to guard against favoritism, improvidence, extravagance, fraud, and corruption, the Town New Baltimore, N.Y. is adopting 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 reasonable 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; good purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions, purchases under State and County contracts; surplus and second-hand purchases from another governmental entity, and Sole Source purchases. Sole Source purchases are done when a product or service is available from one source only, the product/service is uniquely required in public interest, or if there is no substantial equivalent.

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

2.) All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$10,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law, goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal law; 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

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 Prattsville, to solicit quotations or document the basis for not accepting the lowest bid:

a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be taken based on accountability, reliability, responsibility, skill, education and training,

judgment, integrity, and moral worth. The qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category the Town shall take into consideration the following guideline: (a) whether the services are subject to State licensing or testing requirements; (b) whether formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/ or services of an insurance broker; services of a certified public accountant; investment management services; services of an actuary; printing services involving extensive writing, editing or art work; management of a municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

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

c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Town is precluded from purchasing surplus and secondhand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

d. Goods and services under \$500. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such minimal contracts would be based on favoritism.

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

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

Return of Goods

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

Purchase Requisition

A purchase requisition is a request to the Town Board for the purchase of goods or services. These requests are submitted in written/electronic format. All requisitions shall be authorized by the department head prior to submission to the Town Board in order to maintain internal control. In the absence of the Department head, a listing of authorized 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”.

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.

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

**RESOLUTION #28
ATTENDANCE AT MEETINGS, CONFERENCES; TRAVEL ADVANCE**

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

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

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

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

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

**RESOLUTION #30
AUTHORIZATION OF SERVICE CHARGES FOR RETURNED CHECKS**

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

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

**RESOLUTION #31
FILING OF SUPERVISOR'S REPORT FOR YEAR ENDING**

RESOLVED, that pursuant to subdivision 10-A of Section 29 of the Town Law of the State of New York, the Supervisor shall submit to the Town Clerk within sixty days after the close of the 2013 fiscal year, a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law of the State of New York, providing, however, that if the time for the filing of the annual report has been extended for a period of sixty days by the State Comptroller, then the time for submitting a copy of the report to the Town Clerk shall also be extended. Said report shall be submitted in lieu of the report required by Subdivision 10 of Section 29 of the Town Law of the State of New York.

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

RESOLUTION #32

**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, 2014.

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

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

RESOLUTION #33

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

WHEREAS, the Town Board hereby finds that there is a continued need for designation of licensed professional engineers to perform such engineering review work that may be required for projects under consideration by the Town in the course of its usual business.

NOW THEREFORE, BE IT RESOLVED, THAT THE Town Board of the Town of New Baltimore does hereby renew the designation of C.T. Male Associates, Delaware Engineering and Creighton Manning Engineering as engineering firms that are eligible for retention by the Town Board, Planning Board or Zoning Board of Appeals for purposes of providing engineering services in conjunction with the review of projects that are under consideration by the Town Board, Planning Board or Zoning Board of Appeals, and

BE IT FURTHER RESOLVED, that such designation shall expire on December 31, 2014.