

**Minutes of the Regular Town Board Meeting of the Town of Arietta held January 5<sup>th</sup>, 2014 at the Piseco Community Hall, commencing at 6:00pm.**

**Others present:**

**Supervisor Wilt opened the meeting at 6:00pm.**

**Roll Call:**

**Barry Baker present**  
**Michael Knapp present**  
**Jackie Grier present**  
**Christy Wilt present**  
**Richard Wilt present**

**TOWN OF ARIETTA**

At a regular meeting of the Arietta Town Board at the Piseco Community Hall on Old Piseco Road in the Town of Arietta, Hamilton County, New York on:

January 5, 2015 at 6:00pm

Resolution # 15 - 01 - 02

Subject: **Investment Policy Update**

Resolution Offered By: M. Knapp

**WHEREAS:** General Municipal Law (GML) requires every town to adopt internal policies and procedures governing investment procedures

**THEREFORE, LET IT BE RESOLVED:** that the Town of Arietta does hereby adopt the following investment policy:

**TOWN OF ARIETTA  
INVESTMENT POLICY**

- I. **SCOPE** – This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.
- II. **OBJECTIVE** – The primary objectives of the local government’s investment activities are, in priority order,
  - a. to conform with all applicable federal, state and other legal requirements (legal);
  - b. to adequately safeguard principal (safety);
  - c. to provide sufficient liquidity to meet all operating requirements (liquidity); and
  - d. To obtain a reasonable rate of return (yield).
- III. **DELEGATION OF AUTHORITY** – The governing board’s responsibility for administration of the investment program is delegated to the Town Supervisor, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees.
- IV. **PRUDENCE** – All participants in the investment process 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 or investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.
- V. **DIVERSIFICATION** – It is the policy of the Town of Arietta to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.
- VI. **INTERNAL CONTROLS** - It is the policy of the Town of Arietta for all moneys collected by any officer or employee of the government to transfer those funds to the Supervisor within 30 days of deposit, or within the time period specified in law, whichever is shorter. The Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable,

but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition that transactions are executed in accordance with management's authorization and recorded properly and are managed in compliance with applicable laws and regulations.

**VII. DESIGNATION OF DEPOSITARIES** - The banks and trust companies authorized for the deposit of monies up to the following maximum amounts are:

VIII.	<u>Depository Name</u>	<u>Maximum Amount</u>	<u>Officer</u>
IX.	NBT Bank	\$2,900,000.00	Connie Bucknell
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

**X. COLLATERALIZING OF DEPOSITS** – In accordance with the provisions of the General Municipal Law, ~10, all deposits of the Town of Arietta, including Certificates of Deposit and special time deposits, in excess of the amount insured under the provision of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of “eligible securities” with an aggregate “market value”, or provided by General Municipal Law, ~10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

**XI. SAFEKEEPING AND COLLATERALIZATION** - Eligible securities used for collateralizing deposits shall be held by NBT Bank and M & T Investment Group and/or a third party bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company or agent of and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation or eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**XII. PERMITTED INVESTMENTS** – As authorized by General Municipal law ~11, the Town of Arietta authorizes the Town Supervisor to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following investments:

- Special time deposit accounts
- Certificates of deposit
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of New York State
- Obligations of issued pursuant to LFL~24.00 or 25.00 with approval of the State Comptroller by any municipality, school district or district corporation other than the Town of Arietta;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COP) issued pursuant to GML ~6-c,6-d,6-e,6-g,6-h,6-j,6-k,6-l,6-m, or 6-n;

All investment obligations shall be payable or redeemable at the option of the Town of Arietta within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of

bonds or notes, shall be payable or redeemable at the option of the Town of Arietta within two years of the date of purchase.

**XIII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS** – The Town of Arietta shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition at the request of the Town of Arietta. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

**XIV. PURCHASE OF INVESTMENTS** - The Supervisor is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.

2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion #88-46, and the specific program has been authorized by the governing board.

3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be held pursuant to a written custodial agreement as described in General Municipal Law ~10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**XV. REPURCHASE AGREEMENTS** – Repurchase agreements are authorized subject to the following restrictions:

All repurchase agreements must be entered into subject to a Master Repurchase Agreement.

Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.

No substitution of securities will be allowed. The custodian shall be a party other than the trading partner.

Seconded by: B. Baker and put to a vote, which resulted as follows:

AYES:

Barry Baker \_\_\_\_\_ x  
Jacquelyn Grier \_\_\_\_\_ x  
Michael Knapp \_\_\_\_\_ x  
Christy Wilt \_\_\_\_\_ x  
Richard Wilt \_\_\_\_\_ x

NOES:

Barry Baker \_\_\_\_\_  
Jacquelyn Grier \_\_\_\_\_  
Michael Knapp \_\_\_\_\_  
Christy Wilt \_\_\_\_\_  
Richard Wilt \_\_\_\_\_

\_\_\_\_\_, Town Clerk Date January 2<sup>nd</sup>, 2015

## Town of Arietta

### PROCUREMENT POLICIES AND PROCEDURES PURSUANT TO SECTION 104-b OF THE GENERAL MUNICIPAL LAW

*Resolution 15-01-03*

Every Town Officer, Department Head or Employee authorized to purchase goods or services for or on behalf of the Town of Arietta and not required to be bid pursuant to Section 103 of the General Municipal Law shall make such purchases in accordance with the following policies and procedures:

- a. A determination will be made whether the procurement of goods or services is subject to the competitive bidding pursuant to Section 103 of the General Municipal Law. Except as otherwise expressly provided, all contracts involving an expenditure of more than Thirty Five Thousand Dollars (\$35,000.00) are subject to competitive bid. In determining whether the threshold has been or will be met by the contemplated purchase, past purchases and anticipated future purchases of like goods and services in the calendar year will be taken into consideration. The purchaser shall consult with the Town Supervisor, Town Board and/or the Town Attorney.

The decision that the purchase is not subject to competitive bidding will be documented in writing by the individual contemplating making the purchase and submitted to the Supervisor for his review. The written documentation will contain all the facts relied upon and necessary in making the determination that the particular purchase of goods or services is not subject to competitive bidding.

- b. Except for procurements made pursuant to the General Municipal Law, the State Finance Law, or policies and procedures adopted herein, alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes set forth in Section 104-b of the General Municipal Law.
- c. The following method of procurement will be utilized taking into account which method will best further the purposes of Section 104-b of the General Municipal Law and the cost effectiveness of the method:

Estimated Amount of  
Purchase Contract

Method

\$0 - \$1,999

Purchases may be made by the Department Head or Town official providing an appropriation has been made in the current year's budget for said goods or services.

\$2,000 - \$ 3,999

2 Written quotations

Purchases may be made by the Department Head or Town official providing an

*[Signature]*  
Town Supervisor

*[Signature]*  
11/5/15



appropriation has been made in the current year's budget for said goods or services.

\$4,000 - \$ 9,999

- 3 Written quotations or written request for proposals and advance written authorization by the Supervisor, and there has been an appropriation made in the current year's budget for the said goods or services.

\$10,000 - \$35,000

- 3 Written quotations or written request for proposals & Board Resolution

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser 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.

- d. Written documentation of the actions taken by the person in connection with each such method of procurement will be filed with the Town Clerk.

- e. The contract for the purchase of goods or services shall be awarded to the lowest responsible vendor/contractor. If the contract is not offered to the lowest responsible vendor/contractor written justification and documentation setting forth the reasons for not awarding the contract to the lowest responsible vendor/contractor shall be submitted to the Supervisor by the person desiring to make the award, and the Supervisor will review the justification and documentation and approve or disapprove the making of said award.

- f. Pursuant to General Municipal Law Section 104-b (2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations 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 to solicit quotations or document the basis for not accepting the lowest bid:

1. 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, judgment, 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 purchaser 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 performances of the services; and 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 or physician; technical services or 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; 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 or pre-packaged software.

2. 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.
3. Purchases of surplus and second hand goods from any source if alternate proposals are required. The purchaser 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.
4. Purchases of parts, services, and labor by the Town of Arietta Highway Department in connection with a major repair of large trucks, machinery, or equipment of the department up to a total of Ten Thousand Dollars (\$10,000.00). The reason for this exclusion is that the truck, machinery, and equipment needs to be transported to a repair shop and disassembled prior to being able to make a determination as to exactly what the cost of repairs will be. The Town of Arietta Highway Department, at least annually will review the work performed in the preceding year by the various repair shops on large trucks, machinery, and equipment, and determine in consultation with the Town Board which repair shops will be used for the initial repair of large trucks, machinery, and equipment for the ensuing year.

Motion by: D. Baker

Seconded by: C. Wilt

AYES:  
Baker X  
Grier X  
Knapp X  
C. Wilt X  
R. Wilt X

NAYES:  
Baker  
Grier  
Knapp  
C. Wilt  
R. Wilt

Kenneth Parsons  
TOWN CLERK

Date: 11/5/15

**TOWN OF ARIETTA**

At a regular meeting of the Arietta Town Board at the Piseco Community Hall on Old Piseco Road in the Town of Arietta, Hamilton County, New York on:

January 5, 2015 at 6:00pm

Resolution # 15 – 1 – 04

**Subject: Elimination of the position of “Road Supervisor” from the Town of Arietta Highway Department Roster of Current, Active Employee Job Descriptions**

Resolution Offered By: B. Baker

**WHEREAS:** the Town of Arietta Town Board created by resolution a Road Supervisor position and corresponding job description to meet certain perceived operational needs of the Town of Arietta Highway Department at the time the position was created, and

**WHEREAS:** the Arietta Town Board has determined that current circumstances and needs of the Town of Arietta Highway Department do not require a Road Supervisor as a full-time employee position and job description that is separate and distinct from the duties, functions and obligations of the Town Superintendent of Highways, then

**THEREFORE, LET IT BE RESOLVED:** that the Town Board, Town of Arietta has eliminated the position of Road Supervisor as a full-time employee position from its roster of current, active job descriptions for the Town of Arietta Highway Department effective January 1, 2015, and until such further action as may be required by the Arietta Town Board.

Seconded by: J. Grier and put to a vote, which resulted as follows:

AYES:

Barry Baker	<u>      x</u>
Jacquelyn Grier	<u>      x</u>
Michael Knapp	<u>      x</u>
Christy Wilt	<u>      x</u>
Richard Wilt	<u>      x</u>

NOES:

Barry Baker	<u>      </u>
Jacquelyn Grier	<u>      </u>
Michael Knapp	<u>      </u>
Christy Wilt	<u>      </u>
Richard Wilt	<u>      </u>

\_\_\_\_\_, Town Clerk      Date January 2<sup>nd</sup>, 2015

**TOWN OF ARIETTA**

At a regular meeting of the Arietta Town Board at the Piseco Community Hall on Old Piseco Road in the Town of Arietta, Hamilton County, New York on January 5, 2015 at 6:00pm

Resolution # 15-01-01

**Subject: Organizational Meeting of the Arietta Town Board for the year 2015**

Resolution Offered By: C. Wilt

**WHEREAS:** the Town Board of Arietta will make the following appointments and designations:

**Richard Wilt-** Purchasing Agent  
**Mel LaScola** - Code Enforcement Officer ***MEL LASCOLA, This notification confirms your registration in the following Certification: Program: NYS Code Enforcement Official - Certification Program Code: 759200 Confirmation number: 9434006 Registration Status: Completed***

~~**Mel LaScola**~~-----Building/Safety Inspector  
~~**Barry Baker**~~-----Deputy Zoning Officer  
**Ken Parslow**-----Animal Control Officer  
**Ken Parslow**-----Registrar of Vital Statistics  
**Bryan Rudes**-----Town Historian  
**Joyce Page**-----Justice Clerk  
**Barry Baker**-----Deputy Supervisor  
**William Parslow Jr.**--Deputy Highway Superintendent  
~~Road Supervisor~~  
**Jodie Small**-----Deputy Tax Collector

**Councilperson Baker** – Property, Liability, and Health Insurance

**Councilperson Grier** – Chairman for the Chamber of Commerce and Street Light

**Councilperson Knapp**- Chairman of the Committee for the Snowmobile Trail & Town Buildings

**Supervisor Wilt** - Chairman of the Committee for the Airport

**Councilperson Wilt** - Chairman of the Committee for Youth & Website

**Dr. Robert Brandis of Nathan Littauer** - will be appointed as Health Officer for the Town of Arietta

**Michael Knapp & Barry Baker**-to the Employees Negotiating team

All town employees, elected and appointed officials will be paid on a bi-weekly basis.

All town equipment and property will be identified and labeled as such.

The regular monthly meeting of the Town Board will be held on the first Monday of each month at 6:00pm, unless otherwise noted, and all bills will be submitted prior to 12 noon on the Friday before.

NBT, or any commercial bank designated by the Board in resolution will be the official bank of the Town of Arietta

The Hamilton County News and the Leader Herald of Gloversville will be designated as the official newspapers of the Town of Arietta

The Town Board will review the financial books of the Supervisor, Justices, Town Clerk, and Tax Collector at the February 2015 meeting

The Supervisor is authorized to invest idle town funds in NBT Bank Certificates of Deposit or Money Market Accounts

Any Town Official (authorized by the Town Board) may attend the Association of Towns Meetings in New York City as well as attending other meetings & training that pertain to Town business and the town will reimburse any official charges.

The Supervisor is authorized to pay utility bills, postage and payroll prior to audit of the Town Board and these bills will be audited at the following Town Board Meeting

The reimbursable mileage rate for approved charges is **\$ .575 per mile.**

Salaries for Elected Officials and Appointed Personnel 2015 are set forth as established in the 2015 Town Budget:

- Town Supervisor
- Town Councilperson (each)
- Town Justice (each)
- Town Clerk
- Tax Collector
- Superintendent of Highways
- Deputy Supervisor
- Deputy Hwy. Superintendent
- Assessor
- Code Enforcement /Safety Office
- Animal Control Officer
- Registrar of Vital Statistics
- Recreation Director
- Town Historian
- Health Officer

1.75 % increase in the Wage and Salary Structure adopted by the Town Board in 2015 for the following Grade 1-8 positions:

- Laborer (General, Highway & Airport)
- Account Clerk, Account Clerk/Typist

**Motor Equipment Operator**

- Heavy Equipment Operator
- Automotive Mechanic
- Carpenter
- ~~Road Supervisor~~

**THEREFORE, LET IT BE RESOLVED:** the Town Board, Town of Arietta approves the above appointments, salaries, wages and standards.



Seconded by: M. Knapp and put to a vote, which resulted as follows:

AYES: 5

NOES: 0

\_\_\_\_\_, Town Clerk Date January 2<sup>nd</sup>, 2015

**Mr. Baker** told the board as they were going over the Organizational Meeting Resolution that he didn't think the Road Supervisor position at the highway department was necessary. He said that it over laps the Highway Superintendent's duties and is redundant. He said that according to the Town handbook the only two people allowed to have a town vehicle at their residence are the Highway Superintendent and the Road Supervisor. He said that the Highway Superintendent has 30 days to put that employee whose title will change into another title position that already exists in the Town's employee handbook. The board was in agreement with Mr. Baker.

**Mrs. Grier** told the board that she was not comfortable with Mr. Baker being the Deputy Zoning Officer and Deputy Supervisor. She feels there is too much to do with both positions. Mr. Baker was removed from Deputy Zoning Officer. Mr. Baker said that he had suggested William Hotaling to be Deputy Zoning Officer because of his familiarity with the zoning issues. Mr. Wilt said they will wait for Mr. LaScola to give them another name.

**Motion was offered by:** B. Baker

To accept the minutes of the December 2<sup>nd</sup> and 22<sup>nd</sup>, 2014 Town Board meeting minutes as presented by the Town Clerk.

**Second was offered by:** C. Wilt

**Ayes:** Baker, Grier, Knapp, C. Wilt and R. Wilt. **Nays:** none

**Mr. Baker** said being that the highway department employees walked out of the PERMA safety training held earlier this fall he called the instructor to find out what could be done to get the training done. He said that the training could be done at no cost to the Town as long as they are a member of PERMA. The board agreed to schedule the training for April 15<sup>th</sup>, 2015 for any Town of Arietta employees that didn't receive the training this fall.

**Motion was offered by:** B. Baker

To notify the Town of Arietta Highway Superintendent that if he is not able to attend the Town of Arietta Town board meetings that he needs to send a representative in his place.

**Second was offered by:** M. Knapp

**Ayes:** Baker, Grier, Knapp, C. Wilt and R. Wilt. **Nays:** none

**Mrs. Grier** reported that she will be attending a Chamber of Commerce meeting to see if anything has changed.

**Motion was offered by:** J. Grier

To pay the bills of the month as follows:

General fund: no. to no.

**Second was offered by:** B. Baker

**Ayes:** Baker, Grier, Knapp, C. Wilt and R. Wilt. **Nays:** none

**Motion was offered by:** J. Grier

To accept the financial statement of the Supervisor for the month of December 2014 as submitted.

**Second was offered by:** B. Baker

**Ayes:** Baker, Grier, Knapp, C. Wilt and R. Wilt. **Nays:** none

**John Casey**-Zoning Officer gave his end of year report as follows: 74 building permits 3 of which were new homes, 4 replacements homes, 14 new septic systems and 10 water well permits. The board thanked Mr. Casey for all of his service.

**Mr. Wilt** reported that there will probably be a special meeting in February between the Town Board and the School Board to go over the possibility of moving the Town offices into the school building.

**The next Town Board meeting will be February 2<sup>nd</sup>, 2015.**

**Motion was offered by:** J. Grier

To adjourn the meeting at 6:30pm.

**Second was offered by:** B. Baker

**Ayes:** Baker, Grier, Knapp, C. Wilt and R. Wilt. **Nays:** none

**Entered by:**

**Kenneth Parslow, Town Clerk**