

TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution No. _____ of 2026

A RESOLUTION ADOPTING THE TOWN OF BERNE EMPLOYEE HIRING POLICY AND PROCEDURES (06-2026)

WHEREAS, the Town Board of the Town of Berne seeks to ensure that the recruitment and hiring of Town employees is conducted in a fair, transparent, and merit-based manner; and

WHEREAS, New York State Civil Service Law, Albany County Civil Service Rules, New York Town Law, and guidance from the Office of the State Comptroller establish requirements governing municipal hiring, appointments, and payroll administration; and

WHEREAS, the Town Board has reviewed the proposed **Town of Berne Employee Hiring Policy and Procedures (06-2026)**, which establishes uniform procedures for job classification, recruitment, selection, appointment, onboarding, probation, and recordkeeping, while recognizing the independent statutory hiring authority of the elected Highway Superintendent under Town Law §140; and

WHEREAS, adoption of this policy will promote compliance with applicable law, enhance internal controls, ensure consistency across Town departments, and protect the integrity of the Town's personnel practices;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne hereby adopts the **Town of Berne Employee Hiring Policy and Procedures (06-2026)**, attached hereto and made a part of this resolution; and

BE IT FURTHER RESOLVED, that this policy shall apply to all Town departments, officers, employees, appointing authorities, and hiring managers, except where superseded by specific statutory authority as set forth in the policy; and

BE IT FURTHER RESOLVED, that nothing in this policy shall be construed to limit or abridge the independent appointment authority of the elected Highway Superintendent as provided by New York Town Law §140, provided that all such appointments comply with Civil Service Law and applicable payroll and recordkeeping requirements; and

BE IT FURTHER RESOLVED, that this policy shall take effect immediately upon adoption; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to maintain the adopted policy as an official Town record and make it available for public inspection; and

BE IT FURTHER RESOLVED, that the Town Board shall review this policy periodically and amend it as necessary to remain in compliance with New York State law and best municipal practices.

Adopted this _____ day of _____, 2026

AYES NOES ABSENT

TOWN OF BERNE TOWN BOARD

Town Supervisor

Councilmember

Councilmember

Councilmember

Councilmember

ATTEST:

Town Clerk

MEMORANDUM

TO: Town Board Members

FROM: J Giebelhaus, Town Supervisor

DATE: 1/1/2026

RE: Adoption of Employee Hiring Policy and Related Forms 6-2026

I am pleased to present the Town of Berne Employee Hiring Policy and supporting forms, ensuring compliance with New York State Civil Service Law, Albany County Civil Service rules, and New York State Comptroller guidance.

Background:

- The Town of Berne, like all municipalities in New York State, is required to fill positions in accordance with Civil Service Law and the rules of its local civil service commission (Albany County).
- The Office of the State Comptroller provides payroll and personnel guidance to ensure proper financial controls, accurate payroll processing, and audit readiness.
- Previously, hiring practices within the Town have been handled on a department-by-department basis, without a single standardized written policy. This can create inconsistencies, compliance risks, and gaps in documentation.

Summary of Policy:

The proposed policy:

- Establishes a uniform hiring procedure for all Town departments.
- Requires classification verification with Albany County Civil Service before any recruitment.
- Standardizes job postings, interview procedures, conditional offers, and onboarding steps.
- Provides required forms and checklists to guide staff through each stage of hiring.
- Strengthens payroll internal controls and recordkeeping to meet Comptroller standards.
- Ensures compliance with equal employment opportunity and non-discrimination laws.

Benefits to the Town:

- Promotes fairness, transparency, and accountability in hiring.
- Reduces legal and audit risk by aligning with State law and Comptroller guidance.
- Provides clear expectations for department heads and appointing authorities.
- Creates a complete documentation trail for all hires, supporting financial audits.

I respectfully request the Board's formal adoption of this policy, with an effective date of 1/1/2026 and recommend annual review so it remains aligned with state law and best practices.

Thank you

Town of Berne

Employee Hiring Policy and Procedures 06-2026

Adopted by the Town Board on [Date]: _____

I. Purpose:

To establish a uniform, transparent, merit-based hiring process for the Town of Berne that complies with New York State Civil Service Law, Albany County Civil Service rules, and NYS Comptroller guidance, while acknowledging the statutory hiring authority of the elected Highway Superintendent.

II. Scope:

This policy applies to all Town of Berne departments, appointing authorities, hiring managers, supervisors, and personnel involved in recruiting, selecting, appointing, and onboarding employees, except for positions in the Highway Department where the elected Highway Superintendent has independent appointment authority under NYS Town Law §140.

All Highway Department appointments must still comply with Civil Service Law and Comptroller payroll and recordkeeping requirements. In accordance with the scope of this policy, the Highway Superintendent is greatly encouraged to incorporate all segments of this policy as best management practices.

III. Job Classification and Authorization:

- Confirm civil service classification with Albany County Civil Service before recruitment.
- All new positions or changes require Town Board approval (if required) and civil division review. In addition, if a job title is represented by collective bargaining agreement, any and all promotional/hiring covenants will be adhered to.
- Highway Department hires: Superintendent retains statutory hiring authority; civil service verification is still required. The Superintendent, if serving in an alternate capacity, does not have the appointment authority described in NYS Town Law §140 for non-highway departments (i.e., solid waste, parks, maintenance, etc).

IV. Recruitment and Posting:

- Competitive positions: must use civil service eligible list.
- All vacancies will be publicly posted, with job descriptions, for a period of not less than two weeks. The posting shall include minimum requirements, rate of compensation and necessary work hours.
- All employees (including Highway Department employees) must be properly classified (competitive, non-competitive, labor, exempt) and appointed from civil service list when required. Provisional, temporary or seasonal appointments must follow Civil Service rules.

V. Candidate Screening and Selection:

- Job-related qualifications determine hiring decisions.
- Interview panels are recommended but optional for Highway Department hires.

VI. Provisional Appointments:

- Allowed only under Civil Service Law. Highway Department hires may be provisional if eligible lists are unavailable.

VII. Conditional Offers, Background Checks, and Pre-Employment Requirements:

- Conditional offers must be in writing and comply with civil service eligibility, background checks, and payroll onboarding. Background checks will be conducted after a conditional offer of employment; final offer of employment will be contingent upon review of background checks.
- Highway Superintendent is required to complete these steps.

VIII. Appointment, Documentation and Payroll Setup:

- All hires require civil service verification (if competitive), payroll setup, and documentation submission.
- Highway Superintendent hires: maintain all records, submit payroll forms, and comply with Comptroller guidance.

IX. Probation, Training and Evaluation:

- All new hires, including Highway Department employees, will serve a minimum probationary period of one-hundred and eighty (180) calendar days. The Town reserves the right to extend that period. Should the employee's performance not meet expectations, the town reserves the right to extend the probation period for an additional six months (with an approved employee performance improvement plan) or terminate the employee.

X. Equal Employment Opportunity and Non-Discrimination:

- All hires must comply with federal, state, and local anti-discrimination laws.

XI. Recordkeeping and Internal Controls:

- Maintain job postings, applications, interview notes, appointment paperwork, civil service verification, payroll forms, and probation evaluations.
- Highway Department hires: records must be submitted to Town Clerk / Payroll Officer to ensure audit-ready compliance.

XII. Appointing Authority Responsibilities:

- Department heads must follow this policy except where overridden by statutory authority (Highway Superintendent).

- Highway Superintendent: retains independent hiring authority but must provide documentation for civil service, payroll, and Comptroller compliance.

Appendices

- Job Posting Templates (Competitive & Non-Competitive)
- Hiring Checklist
- Interview Scoring Form
- Conditional Offer Letter Template
- Payroll Onboarding Checklist

Employee Hiring Policy — Appendices

Appendix A — Job Posting Templates

A.1 Competitive Class Posting (Civil Service Eligible List Required)

Position Title: [Civil Service Title]

Department: [Department]

Location: Town of Berne, NY

Classification: Competitive — Must be reachable on an Albany County Civil Service eligible list.

Salary/Hourly Rate: \$[range or per union contract]

Minimum Qualifications: As specified by Albany County Civil Service for this title.

Application Deadline: [Date]

How to Apply: Submit a completed Town of Berne employment application and résumé to:

[Department Head / Town Clerk Office Address / Email].

Notes: Candidates must be reachable on the Albany County Civil Service eligible list for [title]. Appointment is subject to Civil Service approval and successful completion of a probationary period.

A.2 Non-Competitive / Labor / Exempt Class Posting

Position Title: [Civil Service Title]

Department: [Department]

Location: Town of Berne, NY

Classification: Non-Competitive / Exempt / Labor (per Civil Service classification).

Salary/Hourly Rate: \$[range or per union contract]

Minimum Qualifications: [Insert specific qualifications, licenses, or experience].

Application Deadline: [Date]

How to Apply: Submit a completed Town of Berne employment application and résumé to:

[Department Head / Town Clerk Office Address / Email].

Notes: Appointment subject to verification of qualifications, background/reference checks, and successful completion of a probationary period.

Appendix B — Hiring Checklist

- Confirm job title and classification with Albany County Civil Service.
- Obtain Town Board authorization (if required) and verify budgeted funds.
- Draft job posting using appropriate template.
- Post vacancy (civil service, Town website, Clerk's office, additional postings as allowed).
- Collect applications and verify civil service eligibility (if competitive).
- Screen candidates for minimum qualifications.
- Conduct interviews using standard questions.
- Complete interview scoring forms and maintain records.
- Select finalist; document selection decision.
- Issue conditional offer letter (pending background, references, tests).
- Complete background/reference checks (with applicant consent).
- File civil service appointment paperwork with Albany County Civil Service.
- Complete payroll onboarding checklist (I-9, W-4, NYS tax, direct deposit, ID reservation).
- Provide new hire with Town policies and employee handbook.
- Begin probationary period evaluation process.

Appendix C — Interview Scoring Form

Position Title: _____

Candidate Name: _____

Date of Interview: _____

Evaluation Criteria (score 1–5; 5 = excellent):

- Job-related knowledge: _____
- Relevant experience: _____
- Communication skills: _____
- Problem-solving/initiative: _____
- Professionalism: _____
- Overall suitability: _____

Panel Member Name: _____ Signature: _____

Comments/Notes:

Appendix D — Conditional Offer Letter Template

[Date]

[Applicant Name]
[Applicant Address]

Dear [Applicant Name],

We are pleased to extend to you a conditional offer of employment with the Town of Berne for the position of [Title]. This offer is contingent upon:

1. Verification of your qualifications and civil service eligibility (if applicable).
2. Successful completion of required background/reference checks.
3. Completion of pre-employment forms (I-9, W-4, NYS tax forms, direct deposit).
4. [If applicable: successful completion of drug/alcohol testing or medical examination as required for this position.]

Your anticipated start date is [Date], subject to completion of the above conditions and approval by Albany County Civil Service. The position is subject to a probationary period of [X months] as defined by Civil Service Law.

Please confirm your acceptance of this conditional offer by signing below and returning a copy to the Town Clerk's Office.

Sincerely,
[Appointing Authority Name/Title]

Accepted by: _____ Date: _____

Appendix E — New Hire Payroll Onboarding Checklist

- Completed and signed I-9 (with acceptable documents verified).
- Completed W-4 and NYS tax form (IT-2104).
- Direct deposit form (with voided check or bank letter).
- Signed acknowledgment of Town policies and employee handbook.
- Benefit enrollment forms (health, retirement, if eligible).
- Civil service appointment confirmation filed with Albany County.
- Employee ID reserved and hire transaction entered into payroll system.
- Notify Town Board (if required) of hire and effective date.
- Create personnel file with all hiring documentation.