PENFIELD TOWN BOARD AGENDA
Wednesday, September 17, 2014, 7:30 PM
Supervisor R. Anthony LaFountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing #1 – To Allow a 9,120 +/- Square Foot Office Building at 2154 Fairport Nine Mile Point Road

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – August 20, 2014

VII Petitions

VIII Resolutions by Function

Law and Finance
14T-163 2014 Handbook Revisions
14T-164 2014 Budget Amendment - Consolidated Highway Improvement Program
14T-165 2014 Budget Amendment - Salt Budget

Public Works - None

Public Safety - None

Community Services
14T-166 Authorization for Supervisor to Sign Recreation Contracts

IX Old Business

X New Business

XI Public Participation

XII Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, September 17, 2014 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present: R. Anthony LaFountain  Supervisor
Linda Kohl    Councilwoman
Paula Metzler  Councilwoman
Andrew Moore   Councilman
Robert Quinn   Councilman

Also Present: Jim Costello   Director of Developmental Services
Richard Horwitz   Town Attorney

Absent: Amy Steklof   Town Clerk

Supervisor LaFountain called the meeting to order - Pledge of Allegiance

Public Hearing #1  To Allow a 9,120 +/- Square Foot Office Building at 2154 Fairport Nine Mile Point Road

Jim Costello, Director of Developmental Services read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 4, 2014 and was posted on the Town Website and Town Clerk Bulletin Board. 35 postcards were mailed and three (3) Homeowners Associations were notified.

Eric Schaff, Engineer from Marathon Engineering, and Trevor Harrison, HBT Architects and Tom Masachi, Owner of DHD Ventures discussed the project for the office building.

The parcel is a 1.4 acre portion of the plaza, located north of Doodlebugs daycare. The parcel is part of an Incentive Zoning parcel which was approved in 2006. They are requesting approval for a 9,120 sq. ft. office building.

Lighting will be building mounted and will be of shoe box style. An access road will be added to connect north to the Fallone property. The building will house three (3) tenants including a healthcare office and a professional office. There will be shared parking with the other tenants of the complex. Parking spaces will be 9’ x 18’ in size.

Revisions to the plan include widening of the sidewalk to 7’ along the side of the building. They propose the narrow drive aisle to change from 23’ to 24’. The grass median will be widened to 4.7’. The setback has been reduced from 75’ to 73’. The applicant will submit a defined landscape plan. An alternative design for the median would be to go from 4.7’ to 2.5’. Two (2) parking spaces were added to the south side of the building. They are also reviewing lowering the lighting fixtures. The lights will be located to the southern edge to mitigate light spillage.

The applicant will discuss utilities and road design with Fallone. Drainage design occurred during the development of Doodlebugs and will comply with the overall plan. Services for gas and electric are subject to approval by R G & E and plans have been submitted.

Councilwoman Metzler asked what is the plan for drainage.

Eric Schaff addressed the stormwater pond design. He added that the overall amount of water is less than what was originally proposed.

Supervisor LaFountain asked Mr. Schaff to address the Environmental Assessment Form (EAF).

Eric Schaff stated that the EAF has been submitted to the agencies for review. The professional office building will not have a significant effect on environment.

The fire hydrant location has been approved.
Trevor Harrison of HBT Architects, addressed the building design. The height will be 21’ to the top of the main roof and 26’ to the top of the copula. The building will be brick along the base and the roof will have asphalt shingles and a standing seam bronze metal roof. Windows will be anodized aluminum.

Councilwoman Metzler asked the applicant to address the east side of the building.

Eric Schaff stated that it will be similar materials to the rest of the building including brick with castone and a landscaping buffer with doors.

Supervisor LaFountain stated emergency lighting is required along with alarmed doors.

Supervisor LaFountain spoke regarding the landscaping in the rear. Town Landscape Consultant, Bruce Zaretsky will review the plan. The design will match both the properties to the north and Doodlebugs for continuity.

Eric Schaff said he will coordinate with Bruce Zaretsky and that the owner has committed to do the landscaping.

Councilwoman Metzler asked that the additional landscaping be better than the Doodlebug’s landscaping.

Councilman Quinn asked if vegetation will be removed.

Eric Schaff said some vegetation will be removed and additional trees will be planted.

Supervisor LaFountain inquired about the traffic component.

Eric Schaff stated that Parrone Engineering designed the layout in January of 2006, and then was revised in May of 2006. Feedback from the NYSDOT has not yet been received. There should not be a significant increase in traffic. 342 trip ends are proposed for the building uses.

Supervisor LaFountain stated that the NYSDOT had requested a traffic report from Fallone prior to development.

Councilwoman Kohl asked where the HVAC system will be located.

Eric Schaff stated that it will be located on the eastern side of the building by the doors. The dumpster will be located at the northwest corner of the parking lot. The enclosure will be designed similar to the building.

Karin Wilson, 52 Braunston Drive asked if Doodlebugs is lined up to the rear setback for the new building.

Eric Schaff said they are aligned, but he is asking for a 73’ setback rather than the 75’ setback at Doodlebugs.

Karin Wilson stated she would like to have egress doors on the ends of the building to reduce access to the rear area. Wilson added that Doodlebugs has their garbage picked up at 4:00 AM. She also requested that there not be outside speakers added. She asked if there will be HVAC on the roof.

Trevor Harrison stated that the condenser for the air conditioning will be on the ground.

Councilwoman Metzler asked what will be the size of the condensers.

Trevor Harrison stated they are not sized yet.
(Public Hearing #1 – Continued)

Karin Wilson stated that Doodlebugs planted pine trees around the condensers, and would like the same done for this proposal. She also asked when construction will begin?

Eric Schaff said the start date has not yet been determined.

Karin Wilson asked for removal of the parking spaces between Doodlebugs and the new building. She would also like larger trees planted.

Councilman Quinn stated an array of three (3) separate doors which would need an internal hallway connecting each unit would be necessary, but if there are only two (2) tenants then two (2) doors could be installed on either end of the building.

Eric Schaff stated the applicant is willing to work with the Town to accommodate the neighbors.

Supervisor LaFountain stated this will be discussed further at the October 8, 2014 Work Session.

Hearing closed.

Communications and Announcements

1. The Monroe County Clerk's Office, along with County Legislators Debbie Drawe and Dan Quatro, and Town Clerk Amy Steklof will be hosting “Passport Night in Penfield” on Tuesday, September 23, 2014 from 5:30 PM to 7:30 PM at the Penfield Town Hall. For more information, please call 585-340-8629.

2. The Family First Penfield 5K Challenge XII will be held on Sunday, September 28, 2014 starting at 9:00 AM from the Penfield Community Center. Register online at www.penfieldrec.org.

3. Penfield's free “Drive Electric” day is Thursday, September 18, 2014 from 2:00 PM to 7:00 PM at the Penfield Town Hall, 3100 Atlantic Avenue. The event is hosted by the Town’s Energy and Environmental Advisory Committee, Genesee Region Clean Communities, and the New York State Electric Auto Association. Electric car owners who wish to participate may register at www.pluginday.org.

4. Councilwoman Kohl’s next Community Chat will be held on Tuesday, October 21, 2014 from 5:30 PM to 7:30 PM at the Penfield Library, 1985 Baird Road.

5. A Bike Drop will be held at the Penfield Community Center, 1985 Baird Road from 10:00 AM to 2:00 PM. The event is free and open to the public and sponsored by the Penfield Rotary and Penfield Recreation. For more information visit www.rcommunitybikes.net.

6. The Town will host a one-day recycling event on Saturday, October 4, 2014 from 9:00 AM to 3:00 PM. Penfield Residents may recycle metals, destroy confidential documents, and dispose of residential brush at the Public Works Complex, 1607 Jackson Road. Clothing donations can also be made to the on-site St. Pauly Textile Shed near the Sewer Building.

7. Saturday, September 27, 2014, the Penfield-Perinton Kiwanis club will host an electronics recycling event to benefit Golisano Children’s Hospital. The event will be from 9:00 AM to Noon at the Public Works Complex, 1607 Jackson Road. For more information visit www.penfield.org.
8. The first program of the new Environmental Discussion series, Recycling and Creatively Reusing in Monroe County, will be held on September 22, 2014 at 6:30 PM at the Penfield Town Hall. Russ Rutkowski from Monroe County’s Solid Waste division will talk about how recycling works in Monroe County, and Deb Muratore from Greenovation will demonstrate ideas to creatively reuse products that have outlived their original purpose. There are six sessions in total.

9. A Proclamation was presented at Heathwood Sr. Living Facility last week in honor of Assisted Living Week.

Public Participation

Tim Murphy, 48 Corral Drive read a statement regarding Irene Gossin.

Tom Trevett, 47 Canyon Trail gave background information on Irene Gossin and her life. Mr. Trevett discussed Irene Gossin’s involvement with environmental preservation, environmental good works, framed legislation and EPDP’s and the Conservation Board and development of the first Irondequoit Bay Plan. She was responsible for Penfield having the first Conservation Board and worked on the CDBG funding. She was progressive and intelligent in planning. She worked to develop local golf courses. Mr. Trevett suggested a public facility be named in her honor and submitted exhibits to the Board with suggestions of what could be named after her.

Bob Reid, 275 Parkview Drive stated that he seconds Tim and Tom’s presentation. He suggests that Lucien Morin Park be renamed to Irene Gossin Park because she initiated the County effort to have that land included into the park system.

Bob Reid continued to speak about solving the odor problem with Baker Commodities.

Supervisor LaFountain stated that he spoke with Paul D’Amato yesterday and his people were at the facility on Monday and Tuesday. A report will be coming to the Town. The Monroe County Health Department is investigating the plant and will get back to the Town soon.

Bob Reid continued to say he is concerned that the NYSDEC determined that the permit was in compliance and would like an oath from the DEC representative that made that determination. He also said that the SCP Control, Inc. looked at the scrubbers and he was hoping for a second opinion.

Supervisor LaFountain stated that the Town Board wanted a different contractor than SCP.

Councilwoman Metzler stated she would be concerned if SCP continues to be used.

Lidia Palmer, stated that she had suggested that a local University participate in some environmental testing, but Supervisor LaFountain has not gotten back to her yet.

Supervisor LaFountain asked Dr. Byron Kennedy, Director of the Monroe County Health Department to get involved.

Bob Reid said he requested the emissions standards be reviewed. Bob Reid submitted an article to the Board for review that was from Rendering Magazine dated June of 2005. The publication is from Guelph, Ontario Canada regarding biofiltration and bioremediation technologies. The article states that the equipment has a ten year life span. Bob Reid also submitted a letter from Senator, Ted O’Brien. Reid continued to say instituting fines for violations is essential, and that there has not been any consequences for Baker Commodities. Reid said budget funds could be set aside for plant evaluation and testing.
Supervisor LaFountain stated that the NYSDEC could hire a consultant and Baker Commodities would pay for it.

Councilman Quinn stated that the Town should not be responsible for creating a fine system and that it is the responsibility of the NYSDEC.

Bob Reid said that in the past nine (9) years there have been 180 complaints per year. He stated that it is not acceptable and the NYSDEC needs to do more. Reid feels more oversight is necessary.

Ed Lindskoog, 18 High School Drive stated that there were odor problems at Baker Commodities in the 1960’s.

Ed Lindskoog stated that Penfield High School has completed improvements to High School Drive and that he has noticed that vehicles have increased in speed. He asked Supervisor LaFountain to suggest in an upcoming column that the public slow down on High School Drive.

Supervisor LaFountain said he would speak about the issue to the Penfield School’s Superintendent when he meets with him next week.

Ed Lindskoog added that at 2014 Five Mile Line Road piping needs to be done, and that the street sign is missing on High School Drive.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of August 20, 2014 Councilman Moore seconded and all voted “Aye.”

Petitions – A Petition signed by Penfield residents to recognize former Supervisor Irene Gossin by naming an outdoor facility after her.

Resolutions by Function

Law and Finance

#14T-163  2014 Handbook Revisions by Moore

WHEREAS, the Penfield Town Board adopted an Employee Handbook on January 3, 1989 and the Board is committed to keeping this information up to date,

NOW, THEREFORE, BE IT RESOLVED, that the following revisions and additions on file with the Town Clerk are approved for inclusion in the Employee Handbook effective October 1, 2014.

Revisions:

11. HOURS OF EMPLOYMENT, ATTENDANCE, ABSENCES

   A. Work Schedule

      Page 11-1

      The regular work week for a Town employee is from Monday to Friday starting at 12:01 AM Monday as follows:

      Town Hall and Community Center:

      Full-Time  9:00 AM to 5:00 PM with 1-hour unpaid lunch
      Part-Time  9:00 AM to 1:00 PM with no lunch break
      or
      1:00 PM to 5:00 PM with no lunch break
Department of Public Works - Variable Shifts including weekends

A-Shift
Monday - Friday 5 days/8 hours/day
7:00 AM to 3:30 PM with ½ hour unpaid lunch

B Shift
Monday - Friday 5 days/8 hours/day
2:30 PM to 11:00 PM with ½ hour unpaid lunch

Other Shifts
Sunday - Saturday Variable shifts staffed according to department needs.
(15-40 hour work week)

Department of Public Works - Clerical Staff

Full-Time
Monday - Friday 5 days/7 hours/day = 35 hours/week
7:30 AM – 3:30 PM with 1 hour unpaid lunch
Lunch Period 12:00 – 1:00 PM

Part-Time
Monday - Friday 5 days/4 hours/day = 20 hours/week
9:00 AM – 1:00 PM with no lunch break
or
11:30 AM – 3:30 PM with no lunch break

The Town has established a forty (40) hour work week, based upon (4) ten (10) hour days or (5) five (8) hour days. Scheduled hours or days may vary by department or within a department for those employees required to work a four (4) day work week.

Scheduling of hours or days is based on the need of each department with the approval of the Town Supervisor.

Full-time hourly employees who work a 40-hour work week are entitled to a paid 10-minute morning and afternoon break as the flow of work permits. An employee who works a shift of more than six (6) hours is entitled to a thirty minute unpaid meal period.

In some instances such as the evening or weekend dispatchers, where only one person is on duty, one employee shifts, it is customary for the employee to have a meal period without being relieved. This meal period is paid.

C. Call-In-Time
Page 11-2, Paragraph 1, 2, and 3

Employees who are called to work outside their scheduled working hours, except for snow emergency duty, shall be paid a minimum of one (1) hour worked or for the actual hours worked at the overtime rate if applicable. Employees who are called back to work may be required to perform their regular work or other work assigned by Supervision which they are capable of performing.

Employees who are called for snow emergency duty, outside their scheduled working hours, shall be paid for the hours worked or three (3) hours at their normal hourly wage rate, or for the actual hours worked at the overtime rate if applicable, whichever is higher.
If an employee wishes to leave before the completion of the minimum call-in-period, one hour regular duty or three hour snow emergency duty, and Supervision approves the request, the employee shall only be paid for actual time worked at the overtime rate if applicable.

Employees directed by Supervision to leave before the completion of the one (1) hour or three (3) hour minimum call-in-period shall be paid for the one hour minimum or three hour minimum period.

G. Sick Leave,

One-half day sick accruals may be earned. Time accrued will be pro-rated, based on the number of working days in that calendar month. Employees must work at least one-half of the scheduled work days in the same calendar month in order to earn a half day of sick leave credits.

Eligible employees must work (6) months before accumulated paid sick leave allowance applies.

Sick time accruals begin the first month following the employee’s hire date.

Regular full-time and regular part-time employees are eligible to accrue sick leave allowance with pay equal to one-fifth (1/5) of weekly scheduled work hours, (i.e. 20, 35, 40) per month, after being continuously employed for six (6) months. The maximum annual accrual period will be twelve (12 days) per calendar year until a total of one year is reached. Calculations noted below are based on hourly scheduled work week. Total maximum accruals are noted below.

- 20 hour-work week = 48 hrs. per year accrued sick leave = 1040 hrs. MAX sick leave
- 35 hour work week = 84 hrs. per year accrued sick leave = 1820 hrs. MAX sick leave
- 40 hour work week = 96 hrs. per year accrued sick leave = 2080 hrs. Max sick leave

Sick leave shall be taken only for the personal illness of the employee.

Salary employees must report illness within one hour after their normal starting time on the first day of the absence.

Hourly employees must report illness fifteen (15) minutes prior to their normal starting time on the first day of absence.

Sick leave may be used in no less than one-half (1/2) day increments as defined by current work schedule.

Absence from work for established or uncontested Workers’ Compensation, New York State disability, or sick time absences shall not be considered time served for computing sick leave allowance.

For illness within the immediate family requiring the care or attendance of the employee, the employee may request:

- Family Medical Leave (FMLA)
- Vacation time
- Personal time
- Excused Absence without pay - providing the employee has no vacation or personal leave available.
Employees are required to complete the required paperwork or forms according to established procedures.

If an employee is permanently disabled, and unable to return to work, accumulated sick leave will be paid or applied toward disability payments until accumulated sick time is exhausted. For retirement purpose, accumulated sick leave used shall be considered as continuous service. In order for sick leave payment to be issued, the required supporting documentation and forms must be submitted to the Personnel Department from the attending physician(s), employee or insurance carrier. In the event of termination of employment, for any reason, accumulated sick leave will not be paid.

For any absence of more than three (3) days a physician’s certification may be requested. If an illness is of long duration, the Town reserves the right to request an examination by the Town physician or other accessible evidence to verify that the duration of the absence is consistent with the illness.

A physician’s note stating the employee is ready to return to work may also be requested.

The following scale for sick time absences are to be used to determine the performance appraisal rating, for each annual evaluation period, in the category of “Dependability”.

- **Fully Satisfactory:** Maintain a standard level of attendance, eight (8) days or fewer absences.
- **Above Average:** Maintains a higher standard level of attendance, five (5) days or fewer absences.
- **Outstanding:** Maintains the highest standard level of attendance, three (3) days or fewer.

Absences due to illness, injury or a surgical procedure requiring hospitalization will be considered on an individual basis. These will be referred to as “extended absences”. In order for an absence to be considered “extended” the following criteria must be met:

- The employee must have been hospitalized or had a surgical procedure for illness/injury that required emergency room treatment or outpatient care.
- Scheduled procedures that required hospitalization or outpatient care, a physician’s written excuse documenting dates/times of the absences, and purpose is to be submitted to the Personnel Department prior to the procedure.
- Injuries or illness that required emergency room treatment, hospitalization, or outpatient care, a written excuse from the attending physician must be submitted to the Personnel Department, within 48 hours of the injury/illness, from the attending physician.
- Approval by the Town Supervisor.

Only one “extended” occurrence will be considered for each annual evaluation period. An extended absence that resulted in six weeks or more may have an impact on the overall “Dependability” rating. Each incident will be reviewed individually.
(Resolution #14T-163 – Continued)

H. Personal Time Off
Page 11-5, Heading, and Second Paragraph-Sixth bullet

- Unused personal days/hours will be added to accumulated sick leave at the end of the payroll year.

I. Nursing Mothers
Page 11-6, Paragraph 2, First Sentence

Reasonable unpaid break time is permitted break time to express breast milk.

M. Bereavement Policy
Page 11-7

Full-time or regular part-time employees who have served over six months employed may be granted three (3) working days with pay, for the purpose of planning/attending services due to a death in the employee’s immediate family, upon satisfactory evidence of such (copy of obituary). The immediate family shall include the employee’s father, mother, grandparent, brother, sister, spouse, child (natural, adopted or step), grandchild, father/mother-in-law or son/daughter in-law, and same gender partner-legally married in the State of New York.

In the case of other close relatives of the employee, time up to one day may be taken with pay to attend services upon satisfactory evidence of such (copy of obituary), and the approval of the Department Head and HR Director: aunt, uncle, niece, nephew or step mother/father, step brother/sister who permanently resided in the employee’s household and who was raised with the employee.

T. Vacation
Page 11-10, First Paragraph – First Bullet

- Persons commencing work on or after May 1st are not eligible for any vacation in that calendar year. They will be granted ten (10) working days of vacation during the next calendar year which can be taken anytime during the same calendar year. Employees in this category, however, must work six (6) months before such vacation is granted.

Page 11-10, Fifth Paragraph

Omit the second bullet in the paragraph

111. COMPENSATION

A. Pay Period
Page 111-1, First Paragraph

All employees except appointed paid board members are paid bi-weekly, every other Friday. Appointed paid board members are paid monthly.

D. Step Increase
Page 111-2 – Paragraphs 1-9

Employees in this category will be reviewed annually on their employment anniversary date. They may be considered for a step increase upon receiving an overall performance rating of learning, fully satisfactory, above average, or outstanding in the four main categories: Quantity, Quality, Dependability, and Job Knowledge. As part of the performance process all step increases will be effective the first day of the month following the employee annual employment anniversary date.
The overall rating is determined on the rating issued in the following four categories: Quantity, Quality, Job Knowledge and Dependability. Example: A rating of “fully satisfactory” is required in each of these four categories in order to achieve an overall rating of “Fully Satisfactory”. This would apply for an “Above Average” or “Outstanding” rating. If a “Needs Improvement” or “Not Acceptable” rating is given in any of the other categories, this may impact the overall rating.

Employees paid below step five (5) of their rate range will be considered for a step increase on their annual employment anniversary, upon receiving learning, fully satisfactory or better overall performance rating.

In order to be considered for a step increase to step 5 or step 6 of a rate range, an overall performance rating of “fully satisfactory” or better overall rating is required.

In order to be considered for a step increase to step 7 or step 8 of a rate range, an overall performance rating of “above average” or better overall rating is required.

An overall rating of “outstanding” is required in order to be considered for a step increase to step 9 or 10 of a rate range.

Employees with less than two (2) years of service will be reviewed at least every six (6) months and be considered for a step on their annual employment anniversary date upon receiving a rating of “learning” or better overall performance rating.

An employee will not be eligible for a step increase on their annual employment anniversary date upon receiving an overall performance rating of “not acceptable” or “needs improvement”.

The scale for sick time absences is to be used to determine the performance appraisal rating for each annual evaluation period, in the category of “Dependability”, located in Section 11.page 4 under Sick Leave.

Seasonal and On Call employees may be entitled to advance to the next step, within their grade, yearly. There are separate pay schedules for employees that fall within this category. It is the responsibility of the Department Head to submit to Personnel/Payroll a payroll change request form. Employees will be considered for a step increase on their annual employment anniversary. The yearly step will go into effect the first day of the following month. Seasonal or On Call employees must work for the Town the prior year in order to advance to the next step.

E. Promotional Step
   Paragraph 2, Delete

IV. Benefits and Family Protection

M. Clothing Allowances
   Page IV=16

In effort to promote employees safety, visibility and Town identification the Town shall provide the following group of employees with work clothing according to the following categories and specifications, excluding clerical staff. Work clothing which is funded by the Town and purchased by the employee shall be consistent with these goals.
Penfield Town Board, September 17, 2014

(Resolution #14T-163 - Continued)

Basic Work Category Typical Work Function Annual Employee Allowance

Production Staff Cable TV Up to $50.
Recreation Staff Director/Supervisors Up to $50.
Seasonal Staff Bulk Orders
Field Staff Engineers Up to
Building Inspectors $100.
Assessment Staff

****All field personnel in the Building and Engineering Department are given an additional $100 annual allowance for steel toed safety shoes.

Department of Public Works

Parks
Sewer
Operations Staff Highway Service Laundered Uniform
Maintenance
Security
Animal Control

All Department of Public Works employees utilize a laundered uniform service.

Individuals within the Field Staff, Production Staff and Recreation Staff Categories place bulk orders as a unit.

Safety Shoes

All eligible full-time employees within the Department of Public Works, except Security, categories are given an additional $100 annual allowance for steel toed safety shoes.

Safety Equipment

The above allowances do not include regular safety equipment such as, gloves, safety glasses, hearing protection, rain gear, and mud boots, blaze T-shirts. These items are provided to the employees on an as needed or periodic basis. Jackets may be provided to the employees on a periodic basis (2-3 years), subject to budget allowance.

Additions:

1, EMPLOYMENT POLICIES AND PRACTICES

T. Loss of Driver’s License

Page 1-16

An employee who is required to possess a driver’s license or CDL license in order to perform certain job duties and responsibilities must immediately notify the appropriate Department Head and Personnel Director in the event the license is suspended or revoked. The loss or suspension of the driver’s license or CDL license may affect the employee’s employment with the Town. The Town will utilize the NYS Department of Motor Vehicles’ “License Event Notification Service” (LENS) to monitor activity that may negatively impact an employee’s ability to maintain a required license or be covered under the Towns’ insurance policy.
11. HOURS OF EMPLOYMENT, ATTENDANCE, ABSENCES

G. Sick Leave
New Paragraph

Unused sick leave may be added to credited service and used in the benefit calculation if the employee is a member of the New York State and Local Retirement System.

If applicable, up to 165 days (7 ½ months) of unused, unpaid sick leave may be credited. The credit is calculated on a 260 annual workday basis (165 days divided by 260 days = 7 ½ months = .63 of a year additional credit).

The additional credit cannot be used to meet eligibility requirements for retirement or for an improved benefit.

IV. BENEFITS AND FAMILY PROTECTION

F. Hospital, Surgical and Medical Benefits
Page IV-.5
Paragraph 2

Employees are responsible to notify the Personnel Department immediately of family status changes for medical. Employees will be responsible for any premium differences resulting in late notification.

Page IV-6
Paragraph 2

Retirees will be required to pay the full amount of their medical contribution by the date stated on the invoice, no later than the 25th of the billing month.

G. Dental Benefits
Page IV-7
New Paragraph - Following Paragraph 4

Employees are responsible to notify the Personnel Department immediately of family status changes for dental. Employees will be responsible for any premium differences resulting in late notification.

Page IV- New York State Retirement Paragraph 1.

Option 1. No Change

Option 2.

Legislation put in place a new Tier V1 pension plan that includes a Voluntary Defined Contribution Plan (VDCP) Retirement Option for State, Local Government and Public Authority employees who join the workforce on or after July 1, 2013, and who are non-unionized, with salaries of $75,000 and above.

The New York State Voluntary Defined Contribution Program (VDC) is a defined contribution Retirement Plan and is an alternative option to the defined benefit plan, Option 1 -Employee Retirement System (ERS). Employees will have 30 days after their hire date into a position with mandatory Retirement System participation to enroll in the VDC Program. If an employee does not enroll within the 30 days of hire, they will default into the States' Defined Benefit plan (ERS) and will not have the option to enroll in the VDC program in the future. Employee that elect this option cannot change to Option 1 during their New York State employment.
Eligibility for the NYS VDC Program is limited to unrepresented employees of the New York State public agencies hired on or after July 1, 2013 with an estimated annual salary rate of $75,000 or greater.

The VDC Program includes an employee and employer contribution. The employee contribution rate varies based on the employee current salary (currently 3% - 6%). The employer will also be required to contribute a set percentage of your gross salary. Your retirement benefits will depend on the value of individually owned retirement contracts purchased and issued by one or more of the authorized investment providers.

For further information about the program, please visit [www.vdc.ny.gov](http://www.vdc.ny.gov).

Revised Exhibits:

Index
Exhibit M. Town of Penfield Organizational Chart
Exhibit U. Bereavement Request Form

Moved: Moore
Seconded: Kohl

Vote: Kohl  Aye   LaFountain  Aye
       Metzler Aye   Moore   Aye
       Quinn  Aye
Adopted

#14T-164  2014 Budget Amendment – Consolidated Highway Improvement Program by Moore

WHEREAS, the New York State has increased the Consolidated Highway Improvement (CHIPS) Program State Aid from $206,000 to $231,000 during 2014, and

WHEREAS, the Highway department has requirements to fund additional town roads during 2014, and

WHEREAS, the Highway Department expenditures are to be funded from the CHIPS program, and

BE IT RESOLVED, that the following Budget Amendment be approved as follows:

**Highway Fund Revenues:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Increase Amount</th>
<th>Revised Amount</th>
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<tr>
<td>CHIPS State Aid</td>
<td>$26,000</td>
<td>$231,000</td>
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<tr>
<td>Highway Fund Appropriations</td>
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<td>CHIPS Capital Projects</td>
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<td>02-5110-0003-3000</td>
<td></td>
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</tr>
</tbody>
</table>

Moved: Moore
Seconded: Quinn

Vote: Kohl  Aye   LaFountain  Aye
       Metzler Aye   Moore   Aye
       Quinn  Aye
Adopted
WHEREAS, during 2014 there was a severe winter, and
WHEREAS, during 2014 there is a need for additional salt in 2014, and
WHEREAS, the Town Board desires to have an accurate estimate of expenditures and revenues for 2014,
NOW BE IT RESOLVED, that the following Budget Amendment be approved as follows:

**Highway Fund Revenues:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Increase Amount</th>
<th>Revised Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriated Surplus</td>
<td>$151,000</td>
<td>$151,000</td>
</tr>
<tr>
<td>02-1000-6000-0000</td>
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<td></td>
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<tr>
<td><strong>Highway Fund Appropriations</strong></td>
<td>$151,000</td>
<td>$466,000</td>
</tr>
<tr>
<td>Salt Account</td>
<td></td>
<td></td>
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<tr>
<td>02-5140-0004-4102</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Moved: Moore  
Seconded: Metzler

Vote:  
Kohl   Aye  LaFountain   Aye  
Metzler   Aye   Moore   Aye  
Quinn   Aye

Adopted

Public Works - None
Public Safety - None

**Community Services**

#14T-166  Authorization for Supervisor to Sign Recreation Contacts by Kohl

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following Recreation Contracts:

Lifespan of Greater Rochester Inc., 1900 S. Clinton Ave., Rochester, NY 14618, c/o Ann Marie Cook, provide Eldersource Care Management for Town of Penfield residents in the 2014 calendar year for a fee of $700.00. Voucher to be submitted on 10/1/14.

Dick Seils, 23 Brookshire Lane, Penfield, NY 14526, Instructor for Beginning Euchre, 9/22 - 11/10/14 and 11/17 - 12/15/14 for Pickleball classes 9/22 - 10/27/14 and 11/17 - 12/15/14 at 12:30 PM and 3:30 PM for a fee of 70% of total program revenue. Voucher to be submitted on 11/5/14 and 12/17/14.

Usah Shah, 688 East Ave. Apt. 7c, Rochester, NY 14607, Instructor for Healing Power of Meditation Using Sound Energy 10/6 - 11/10/14 and QiGong Exercises for Optimum Health 9/23 - 10/2/14 for a fee of 70% of total program revenue. Vouchers to be submitted on 11/5/14.

Donovan Shilling, 1765 Five Mile Line Rd., Penfield, NY 14526, Instructor for the Marvels and Myths of Rochester Series on 9/24, 10/1, 11/5, 12/3/14 for a fee of 70% of total program revenue. Vouchers to be submitted at the end of each month.

Joyce Bossard, 841 Corwin Rd., Rochester, NY 14610, Instructor for Beginning Knitting on 10/20 - 12/8/14 for a fee of $10.00 per registered student. Voucher to be submitted on 12/3/14.

Penfield Town Board, September 17, 2014

(Resolution #14T-166 – Continued)

Karen Noske, 626 Adeline Dr., Webster, NY 14580, Guest Speaker for Thursday Lecture Series “A Century of Fashion” on 10/16/14 for a fee of $50. Voucher to be submitted 10/1/14.


Rosemary Irwin, 10 Blossom Circle West, Rochester, NY 14610, Facilitator for Optimizing Brain Fitness 11/7 – 12/19/14 and Guest Speaker for Thursday lecture series on 9/18 Longevity - The Long and Short of It and on 12/4/14 Jane Austin Fact and Fiction for Today’s World, for a fee of $250.00. Voucher for $50 to be submitted on 10/1/14 and for $200 on 12/17/14.

Doris Adamek, 2500 East Ave., Rochester, NY 14610, Guest Speaker for 2014 Fall Lecture Series on 11/13/14 for a fee of $35. Voucher to be submitted on 11/5/14.

Luz Marie Herrera, 15 Cricket Hill Dr., Pittsford, NY 14534, Arthritis Exercise Instructor for the fall sessions 10/7 – 12/16/14 for a fee of $25 a class. Vouchers to be submitted on 12/3/14.

Lois Mae E. Kuh, 5 Highledge Dr., Penfield, NY 14526, Instructor for Beginning Mah Jongg, 10/1 – 11/5/14 for a fee of $26 per registered student. Voucher to be submitted on 10/1/14 and 10/15/14.


John Kowiak, 33 Charisma Drive, Rochester, NY 14606, Guest Speaker for Thursday Lecture Series on 9/25/14 America’s Spiritual Soul and 10/23/14 History of Dreaming for a fee of $70. Voucher to be submitted on 10/15/14.

Allen Hopkins, 111 Newcastle Road, Rochester, NY 14610, Halloween Entertainer, 10/17/14, for a total fee of $100.00. Voucher to be submitted 10/1/14.

Kelly Bilow, 489 Spring Meadow Lane, Webster, NY 14580, Instructor for Saturday Youth Soccer, 9/6/14 – 10/4/14, for a fee of $30.00 per session. Voucher to be submitted 10/1/14.

Tiffany Weil, 48 E Pointe, Fairport, NY 14450, Instructor for Yoga in the Park, 7/14/14 – 8/25/14 for a fee of 70% of total program revenue. Voucher to be submitted 10/1/14.

Moved: Kohl
Seconded: Quinn

Vote: Kohl Aye LaFountain Aye
       Metzler Aye Moore Aye
       Quinn Aye

Adopted

Old Business - None

New Business - None

Public Participation

An email was received from Mike Young, 46 Braunston Drive asking where will the HVAC/air conditioning units be placed for the proposed office building and where will the dumpster be placed and when will trash pickups be made.
Councilwoman Kohl read a Proclamation in honor of Constitution Week, September 17 – 23.

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 9:25 PM.

Amy Steklof, RMC/CMC
Town Clerk