PENFIELD TOWN BOARD ORGANIZATIONAL MEETING AGENDA

Wednesday, January 6, 2016   7:00 PM

Supervisor R. Anthony LaFountain, presiding

I  Call to Order – Pledge of Allegiance – Roll Call

II Communications and Announcements

III Public Participation

IV Additions and Deletions to Agenda

V Approval of Minutes – None

VI Petitions

VII Resolutions by Function

Law and Finance
16T-001 Adoption of Town Board Rules of Procedure for 2016
16T-002 Adoption of Wage and Salary Schedule and Appointment of Officials and Employees for 2016
16T-003 Bonding of Town Officials and Employees
16T-004 Authorization for the Town Comptroller to Attend the Annual Meeting and the Board of Governors Meeting
16T-005 Banking Arrangements for the Town of Penfield for 2016
16T-006 Appointment to Zoning Board of Appeals
16T-007 Appointment of Chair – Zoning Board of Appeals
16T-008 Appointment to the Planning Board
16T-009 Appointment of Chair to the Planning Board
16T-010 Town Membership in Various Organizations in 2016
16T-011 Setting Rate for Reimbursement of Mileage
16T-012 Filing Annual Financial Report
16T-013 Authorization for Contract with Counsel to Town Attorney
16T-014 Continuation of Petty Cash Funds
16T-015 Setting 2016 Salary for Chairs and Members of the Planning, Zoning, Conservation and Historic Preservation Boards
16T-016 Monthly Reports to Town Board
16T-017 Setting Holidays for Non-Union Employees for 2016
16T-018 Setting Holidays for Union Employees for 2016
16T-019 Appointment of 2nd Deputy Receiver of Taxes
16T-020 Authorization to Sign Contracts with Court Stenographer
16T-021 Authorization for Supervisor to Re-new the Agreement with the North East Quadrant Advanced Life Support, (NEQALS), Inc.
16T-022 Designation of Official Newspaper for 2016
16T-023 Town of Penfield Policy Book Revisions
16T-024 Appointments to Ethics Board
16T-025 Naming of a Labor Relations Consultant to the Town of Penfield
16T-026 Employee Handbook Revisions
16T-027 Authorization to Sign a Lease with Penfield Fire Company
16T-028 Appointment of Temporary Members to the Board of Assessment Review
16T-029 Appointment of Kevin Kane to the Board of Assessment Review
16T-030 Appointment of Town Comptroller

Public Works
16T-031 Naming of Landscape Consultant to the Town of Penfield
16T-032 Naming of a Planning Consultant to the Town of Penfield
16T-033 Setting Sewer Entrance Fees for 2016
16T-034 Appointments to Energy & Environmental Advisory Committee
16T-035 Appointments to the Watershed Management Committee
16T-036 Appointments to Conservation Board
16T-037 Appointment of Chair – Conservation Board
16T-038 Appointment to Historic Preservation Board
16T-039 Appointment of Chair to Historic Preservation Board
16T-040 Naming of an Architectural Consultant to the Town of Penfield
16T-041 Authorization to Extend Contract with the Greater Rochester Chapter of the American Red Cross to store one Disaster Equipment Trailer at 1607 Jackson Road
16T-042 Authorization to Extend 2015 Amendatory Agreement: “All Seasons County and Town Agreement.”

Public Safety
16T-043 Appointments to the Transportation Committee
16T-044 Authorization of Temporary Assignment of Judges
16T-045 Court Enforcement Officer Appointments
16T-046 Appointment of Town Veterinarian
Community Services
16T-047  Authorization for Supervisor to Sign Contract for Dayton’s Corners School Coordinator
16T-048  Appointments to the Library Board
16T-049  Appointment of Local History Room Advisory Committee
16T-050  Authorization for Supervisor to Sign Penfield Community Television Contact

VIII  Old Business
IX   New Business
X    Public Participation
XI   Adjournment
A duly called Special Organizational Meeting of the Penfield Town Board was held on Wednesday, January 6, 2016 at 7:00 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:  
Amy Steklof  Town Clerk  
Richard Horwitz  Town Attorney  
Tracey Easterly  Budget Officer  
Margaret Revelle  Tax Receiver

Supervisor LaFountain called the meeting to order – The Pledge of Allegiance.

As provided for in the New York State Town Law, Supervisor R. Anthony LaFountain made the following appointments and assignments.

**One Year Term:**

Deputy Town Supervisor  Rob Quinn

**Two Year Term:**

Confidential Admin  Anna Knapton  
Town Attorney  Richard Horwitz  
Town Historian  Kathy Kanauer  
Tax Receiver  Margaret Revelle

The following Town Board Committees will be established at the Organizational meeting with the Chairperson as indicated:

Community Services  Linda Kohl  
Law & Finance  Andrew Moore  
Public Safety  Rob Quinn  
Public Works  Paula Metzler

The following Town Board Liaison to other Boards and organizations are effective for 2016:

Ambulance (Penfield Vol./NEQALS)  Rob Quinn  
Board of Assessment Review  Tony LaFountain  
Community TV  Andy Moore  
Conservation Board  Paula Metzler  
Energy & Environment Advisory Committee  Tony LaFountain  
Fire Districts  Quinn/LaFountain  
Friends of Dayton Corners School House  Linda Kohl  
Health & Wellness Committee  Tony LaFountain  
Heritage Association  Paula Metzler  
Historic Preservation Board  Paula Metzler

**Homeowner Associations:** *(registered with the town)*

Allen’s Creek/Corbett’s Glen  Town Board  
East Penfield Homeowners Association  Town Board  
Concord Square Homeowners Association  Town Board  
Justice Courts  Paula Metzler  
Library Board  Linda Kohl  
Local History Room Advisory Board  Linda Kohl  
Monroe County Sheriff  Quinn/LaFountain  
New York State Police  Quinn/LaFountain  
Penfield Business Chamber of Commerce  Tony LaFountain  
Penfield Little League  Andrew Moore  
Penfield Symphony Orchestra  Linda Kohl  
Penfield Youth Council  Rob Quinn

*(Appointments and Assignments - Continued)*

Planning Board  Tony LaFountain  
School Districts  Kohl/LaFountain  
Senior Citizens  Tony LaFountain  
Transportation Committee  Andrew Moore  
Veteran Organizations  Rob Quinn  
Zoning Board  Paula Metzler
Penfield Town Board, January 6, 2016

As provided for in New York State Town Law, Town Clerk Amy Steklof made the following appointments.

- **Deputy Town Clerk**: Lisa S. Grosser, RMC
- **Office Clerk III**: Kristine M. Shaw

On behalf of Tax Receiver Margaret Revelle, Town Clerk Steklof made the following appointment.

- **Office Clerk III**: Michelle L. Cunningham

**Communications and Announcements**

1. Neighborhoods should “adopt” a fire hydrant this winter season and clear hydrants in your neighborhood. Thank you in advance for assisting our emergency services providers.

2. The Town of Penfield takes non-artificial Christmas trees after the holiday season to be recycled. For more Department of Public Works services and information, please visit [www.penfield.org](http://www.penfield.org).

3. The Town offices will be closed on Monday, January 18, 2016 in observance of Martin Luther King, Jr. Day. The Penfield Library will be open its regular office hours.

4. The Penfield Trails Committee will be sponsoring a Free Guided Hike at Ellison Park on Saturday, January 9, 2016 from 10:00 AM to Noon. For more information please contact the Penfield Recreation Department at 340-8655.

5. Councilwoman Kohl’s next Community Chat will be held on Tuesday, January 19, 2016 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

**Public Participation**

Ed Lindskoog, 40 Willow Pond Way gave an update on the 6 ½ acres of woods behind Willow Pond Legacy that is overgrown and needs to be pruned and mowed. He stated he has notified Town Staff about standing water that is on the fire access road. He is aware that it is a code violation to have standing water there for more than two (2) days. He mentioned that standing water can also be found on the trails.

Supervisor LaFountain asked if the standing water is on the paved access road?

Mr. Lindskoog said that it is and that he had brought the issue up to Town Staff back in July, but no corrections have been made. Mr. Lindskoog also spoke about Town property that is at the end of all the cul-de-sacs surrounding the park. He stated that the Town owns the road and the adjacent turn around areas. He stated that some of the woods have grown right up to the edge of the road. He would like a conversation to occur between the Town and the homeowners to fix the problem. He stated that the trails are being taken care of by the Trails Committee and the Scouts. He stated that a Landscaping Plan had been approved by the Town but hasn’t been followed. The plan calls for a 10 foot border on each side of the trail. The Trails Committee is pitching in to help with that.

Supervisor LaFountain stated he will speak with the Fire Marshal tomorrow to find out what the status is on clearing the access road.

(Public Participation - Continued)

Mr. Lindskoog also stated that none of the fire exits from the Legacy are cleared regularly. He would like that issue addressed. Lastly, he mentioned that discussions have been had concerning Legacy residents that have difficulty getting out of bed and may end up stuck in the building if an emergency occurs. He suggested that a sticker be placed on the outside windows of those residents that need assistance.
Supervisor LaFountain stated that typically the facility manager would handle the issue along with the Fire Marshal’s office and the fire company that services that area.

Bob Reid, 275 Parkview Drive spoke about the Baker Commodities odor issue. He stated that the odors, although better this past year, have not gone away. He stated that Baker Commodities has made some changes, but for the most part, have not been helpful. He feels the Town and an outside, neutral consultant should take a look at how the plant works. He would like a consultant to conduct a long term analysis of the processing at the plant. He asked Supervisor LaFountain what the Town Board has done since odor complaints have been reported.

Supervisor LaFountain stated he speaks with the Department of Environmental Conservation on a regular basis. He also stated that he accompanies the DEC on inspections when he is available. He stated that the DEC is currently working on making updates to the permit. He also stated that he has encouraged DEC to schedule a Public Information Session to highlight the changes that have been made to the permit and what they hope to accomplish with those changes.

Mr. Reid asked if the Town Board has taken a look at the draft of the revised permit and whether they have compared it to the old permit?

Councilwoman Metzler stated that she had reached out to the DEC and has asked for a red lined copy of all the proposed changes, but was told a red line copy does not exist. She stated that because of that she is going through the permit page by page. She suggested Mr. Reid submit comments during this comment period. She would like to look over what comments are being submitted while she goes through the proposed changes. Councilwoman Metzler is frustrated with the DEC since they don’t seem to be giving any guidance or educating the public.

Bob Reid stated that Baker Commodities has submitted a new air quality control manual. He mentioned that in the late 1990’s Baker had submitted a detailed 13 page manual that updated the responsibilities of the plant to produce quality air. The newly revised air quality control manual has been condensed down to three (3) pages. It seems that DEC is not tightening up restrictions on the plant, but instead is loosening restrictions. He would like the Town Board to take action and to do their own detailed analysis. He would like the Town Board to look at the new air quality control manual.

Mr. Reid stated that besides submitting comments, they plan to call their own hearing. They are no longer confident that the DEC has their best interests at heart. They should be taking a stronger roll in the air quality control and don’t understand why they are not.

Mr. Reid stated that the ending date to submit comments to the DEC needs to be verified. He would like the Town Board to submit their own set of comments to help drive the process.

Additions and Deletions to Agenda - None

Approval of Minutes - None

Petitions - None

Resolutions by Function

Law and Finance

#16T-001 Adoption of Town Board Rules of Procedure by Moore

WHEREAS, pursuant to New York State Law, the Town Board has the ability to establish Rules of Procedure for their meetings;
NOW, BE IT RESOLVED, that the Rules of Procedure annexed hereto are hereby adopted, and

BE IT FURTHER RESOLVED, that a copy of the Rules of Procedure be available to the public on request from the Town Clerk, and that the Town Clerk will have available prior to each Town Board meeting a copy of the Rules of Procedure for review and inspection.

Amendment of time change of Town Board meeting from 7:30 PM to 7:00 PM.

Moved: Moore
Seconded: Kohl

As Amended

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

Adopted

See Attachment at end of Minutes

#16T-002 Adoption of Wage and Salary Schedule and Appointment of Officials and Employees for 2016 by Moore

BE IT RESOLVED, that the Town Board hereby adopts the Wage and Salary Schedules effective January 1, 2016. A listing of all Town Board approved positions for 2016, appointed officials, employees and their salaries is available in Personnel office.

Moved: Moore
Seconded: Kohl

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

Adopted

See Attachment at end of Minutes

#16T-003 Bonding of Town Officials and Employees by Moore

BE IT RESOLVED, that the following be bonded as to form, amount and sufficiency as to the surety for the year 2016.

Supervisor     $500,000
Deputy Supervisor     $500,000
Receiver of Taxes and Deputy Receiver of Taxes $500,000
Town Comptroller     $500,000
Town Clerk and Deputy Town Clerk     $100,000
All other Town employees and officials     $100,000
Blanket coverage per claim     $400,000

AND, BE IT FURTHER RESOLVED, that the Supervisor is authorized and directed to insure that this coverage is in force with the carrier currently engaged by the Town.

(Resolution #16T-003 - Continued)

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-004 Authorization for the Town Comptroller to Attend the Annual Meeting and the Board of Governors Meeting by Moore
WHEREAS, the Town Comptroller is a member of the New York State Government Finance Association, and

WHEREAS, the annual meeting will benefit the Town of Penfield,

NOW, BE IT RESOLVED, that Barbara Chirdo, Town Comptroller, be hereby authorized to attend the NYS Government Finance Officers Association Conference in Albany, New York. All reasonable expenses will be reimbursed upon submission of proper voucher with supporting documents. Funds have been budgeted in the 2016 budget.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-005 Banking Arrangements for the Town of Penfield for 2016
by Moore

BE IT RESOLVED, that the various accounts and other banking arrangements as listed below be continued:

CHECKING ACCOUNTS

Town Justice Account (2) M&T Bank
General Consolidated Account M&T Bank
(including amounts for other funds)
Trust and Agency Account M&T Bank
Debt Service Fund & Capital Account M&T Bank
Town Clerk Account M&T Bank
Town Clerk Account #2 M&T Bank
Receiver of Taxes Account M&T Bank
Receiver of Taxes Refund Account M&T Bank
Town of Penfield Checking Account First Niagara

SAVINGS ACCOUNTS

F.F. Hagreen Bequest M&T Bank
Town of Penfield Money Market M&T Bank
(Resolution #16T-005 - Continued)

Town of Penfield Money Market First Niagara

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-006 Appointment to Zoning Board of Appeals by Moore

BE IT RESOLVED, that Daniel DeLaus, 105 Guygrace Lane, Penfield, NY; and Andris Silins, 23 Edgewater Lane, Penfield, NY be appointed to the Zoning Board of Appeals for a three year term expiring December 31, 2018, at an annual salary as established by the Town Board.

Moved: Moore
Seconded: Kohl
Penfield Town Board, January 6, 2016

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

Adopted

#16T-007  Appointment of Chair - Zoning Board of Appeals by Moore

BE IT RESOLVED, that Daniel DeLaus, 105 Guygrace Lane, Penfield, NY, be appointed Chair of the Zoning Board of Appeals, for the year 2016 at an annual salary as established by the Town Board.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-008  Appointment to the Planning Board by Moore

BE IT RESOLVED, that Roseann Denoncourt, 51 Scarborough Park, Penfield be appointed to the Penfield Planning Board, for a three year term expiring December 31, 2018 at an annual salary as established by the Town Board.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-009  Appointment of Chair to the Planning Board by Moore

BE IT RESOLVED, that Allyn Hetzke Jr., 14 Silver Fox Drive, Penfield, be appointed Chair of the Planning Board for the year 2016, at an annual salary as established by the Town Board.

Moved: Moore
Seconded: Kohl

(Resolution #16T-009 - Continued)

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

Adopted

#16T-010  Town Membership in Various Organizations in 2016 by Moore

BE IT RESOLVED, that the following memberships for the Town of Penfield are hereby authorized for 2016 at the current annual dues:

1. Alliance for Community Media - Northeast, New York and US (ACM)
2. American Association for State & Local History
3. American Planning Association
4. American Public Works Association
5. American Society of Civil Engineers
6. Association of Public Historians of New York State
7. Association of Watershed and Stormwater Professionals
8. Cooperative Extension of Monroe County
9. Electrical Association of Rochester, Inc.
10. Finger Lakes Building Officials Association
11. Genesee Valley Parks and Recreation Society
12. Institute Management of Accountants
13. International Association of Assessing Officers (IAAO)
BE IT RESOLVED, that pursuant to Town Board Resolution #288 of May 1, 1978, which sets a policy regarding reimbursement to Town officials and employees who travel by private vehicle on Town business, that the rate of reimbursement for 2016 be $.54 per mile, which is consistent with current Internal Revenue Service guidelines, with tolls and parking in addition to mileage allowance.

BE IT FURTHER RESOLVED, mileage will only be reimbursed in instances where a Town vehicle is not available and with pre-approval of the Town Supervisor.

Moved: Moore
Seconded: Kohl

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

Adopted
Adopted

#16T-012 Filing Annual Financial Report by Moore

WHEREAS, Town Law requires that the Supervisor file an annual financial report within sixty days after expiration of each fiscal year with the Town Clerk, and

WHEREAS, the Town Board is required to dispense with such filing,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby empowered to file the Annual Financial Report for 2015 with the State Comptroller on or before April 1, 2016, with a copy for the Town Clerk, and

BE IT FURTHER RESOLVED, that within ten days following the submission of such report, the Town Clerk shall publish Notice that the Annual Report is available for inspection in her office.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-013 Authorization for Contract with Counsel to Town Attorney by Moore

WHEREAS, the Town desires to continue with the law office of McConville, Considine, Cooman & Morin, PC as Counsel to the Town Attorney and to pay their office a retainer for the duties specified and to pay an additional hourly fee for representing the Town in actions against various Town Boards, Officials and Employees, said fees to be approved by the Town Attorney, and

NOW, BE IT RESOLVED, that the Supervisor is authorized to sign a contract with McConville, Considine, Cooman & Morin, PC for 2016 under the following conditions:

1. To be covered by a retainer to be paid in equal monthly installments:
   a. Attend Planning Board and Zoning Board of Appeals meetings.
   b. Prepare/assist is preparation of Resolutions of the Planning Board and Zoning Board of Appeals.
   c. Handle first three (3) hours of all court actions assigned by the Town Attorney.
   d. Assist at the request of the Town Attorney in Ordinance and Local Law preparation and review.
   e. Render legal advice to the Planning Board, Zoning Board of Appeals, Historical Preservation Board and Conservation Board.
   f. Assume all duties of the Town Attorney in his absence.

2. Additional work maybe assigned by the Town Board and/or the Town Attorney and will be paid per hour after the first three (3) hours of any case. Cases may include tax certiorari, civil service, labor, Article 78/Declaratory Judgement and all court action against Town Boards and Employees.

Moved: Moore
Seconded: Kohl

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

Adopted
Penfield Town Board, January 6, 2016

#16T-014  Continuation of Petty Cash Funds by Moore

BE IT RESOLVED, that the following petty cash funds are authorized in 2016 as follows:

- Town Supervisor: $200.00
- Recreation Department: $250.00
- Director of Public Works: $200.00
- Town Clerk: $200.00
- Receiver of Taxes: $200.00

AND, BE IT FURTHER RESOLVED, that the policy established by the Town Board Resolution #66 of February 4, 1980 and last revised April 23, 2003 continues to apply and all persons affected should have a copy of that Policy so they may be familiar with it to insure compliance.

Moved: Moore  
Seconded: Kohl

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

Adopted

#16T-015  Setting 2016 Salary for Chairs and Members of the Planning, Zoning, Conservation and Historic Preservation Boards by Moore

BE IT RESOLVED, that the following annual salaries to be paid in twelve (12) equal monthly installments be in force for 2016:

- Chair, Planning Board: $3,439
- Member, Planning Board: 2,544
- Chair, Zoning Board: 2,913
- Member, Zoning Board: 2,018
- Chair, Conservation Board: 1,783
- Member, Conservation Board: 868
- Chair, Historic Preservation Board: 1,379
- Member, Historic Preservation Board: 401

Moved: Moore  
Seconded: Kohl

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

Adopted

#16T-016  Monthly Reports to Town Board by Moore

BE IT RESOLVED, that all Department Heads, including the Town Attorney, shall submit a written monthly report to the Town Board by the 10th of each following month. Reports should summarize progress in accomplishing approved priorities and goals and identify areas that may warrant special attention by the Town Board. Reports should also include a brief summary of major activities.

Moved: Moore  
Seconded: Kohl

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

Adopted

#16T-017  Setting Holidays for Non-Union Employees for 2016 by Moore
BE IT RESOLVED, that the following dates are to be observed as holidays in 2016 for Non-Union employees in accordance with the policy on holidays as written in the Employee's Handbook.

- Friday, January 1, 2016 - New Year's Day
- Monday, January 18, 2016 - Martin Luther King, Jr. Day
- Monday, February 15, 2016 - President's Day
- Friday, March 25, 2016 - Good Friday
- Monday, May 30, 2016 - Memorial Day
- Monday, July 4, 2016 - Independence Day
- Monday, September 5, 2016 - Labor Day
- Monday, October 10, 2016 - Columbus Day
- Friday, November 11, 2016 - Veteran's Day
- Thursday, November 24, 2016 - Thanksgiving Day
- Friday, November 25, 2016 - Thanksgiving Day After
- Monday, December 26, 2016 - Christmas Day

BE IT FURTHER RESOLVED, that the floating holiday will be observed on Friday, December 23, 2016.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-018 Setting Holidays for Union Employees for 2016 by Moore

BE IT RESOLVED, that the following dates are to be observed as holidays in 2016 for Union employees in accordance with the policy on holidays as written in the Employee's Handbook.

- Friday, January 1, 2016 - New Year's Day
- Monday, January 18, 2016 - Martin Luther King, Jr. Day
- Monday, February 15, 2016 - President's Day
- Friday, March 25, 2016 - Good Friday
- Monday, May 30, 2016 - Memorial Day
- Monday, July 4, 2016 - Independence Day
- Monday, September 5, 2016 - Labor Day
- Monday, October 10, 2016 - Columbus Day
- Friday, November 11, 2016 - Veteran's Day
- Thursday, November 24, 2016 - Thanksgiving Day
- Friday, November 25, 2016 - Thanksgiving Day After
- Monday, December 26, 2016 - Christmas Day

BE IT FURTHER RESOLVED, that the floating holiday will be observed on Friday, July 1, 2016.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-019 Appointment of 2nd Deputy Receiver of Taxes by Moore

NOW, THEREFORE, BE IT RESOLVED, that the Town of Penfield wishes to appoint M&T Bank, 255 East Avenue, 3rd Floor Rochester, NY 14604 as 2nd Deputy Receiver of Taxes for the Town of Penfield.

NOW, THEREFORE, BE IT RESOLVED, that this Resolution appoints M&T Bank 2nd Deputy Receiver of Taxes effective January 1st, 2016.

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
Penfield Town Board, January 6, 2016

Quinn  Aye

Adopted

#16T-020 Authorization to Sign Contracts with Court Stenographer
by Moore

BE IT RESOLVED, that the Supervisor is hereby authorized to sign a contract with Edie Forbes as Court Stenographer for Bench and Jury Trials effective January 1, 2016 to December 31, 2016, unless earlier terminated by either of the parties. Form of contract to be acceptable to Town Attorney. Funds are appropriated in the 2016 Budget.

(Resolution #16T-020 - Continued)

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

Adopted

#16T-021 Authorization for Supervisor to Re-new the Agreement with the North East Quadrant Advanced Life Support, (NEQALS), Inc.
by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby authorizes the Supervisor to sign an Agreement with the North East Quadrant Advanced Life Support, Inc., (NEQALS), that reflects the current interests of the involved parties, a copy of which is on file with the Town Clerk.

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

Adopted

#16T-022 Designation of Official Newspaper for 2016

BE IT RESOLVED, that the Penfield Post be designated as the official newspaper for the Town of Penfield for publication of Notices, Resolutions, Local Laws and Ordinances.

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

Adopted

#16T-023 Town of Penfield Policy Book Revisions
by Moore

WHEREAS, The Town of Penfield periodically reviews and revises certain Town Policies; and

WHEREAS, the following Town Policy revisions set forth in the attached are adopted immediately:

Town of Penfield Purchasing Policy
Town of Penfield Conference Policy

Moved: Moore
Seconded: Kohl
Vote: Kohl  Aye   LaFountain  Aye
       Metzler  Aye   Moore  Aye
WHEREAS, Town of Penfield Local Law #1 of 1970 provides for the establishment of an Ethics Board to perform duties as defined in this Local Law,

NOW, BE IT RESOLVED, that the following be appointed to the Ethics Board with a term expiring December 31, 2016:

Tracey Easterly, HR Director, Town of Penfield
John Hanratty, 17 Glen Valley Drive, Penfield
Steve Pellow, 15 Pond Valley Circle, Penfield

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

Adopted

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, additions and deletions on file with the Town Clerk are approved for inclusion in the Employee Handbook effective January 1, 2016.

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

Adopted
Adopted

See Attachment at End of Minutes

#16T-027 Authorization to Sign a Lease with Penfield Fire Company by Moore

WHEREAS, the Town Board wishes to continue to provide for municipal parking in the Four Corners area, and

WHEREAS, the Penfield Fire Company has agreed to continue to make available a portion of the parking at their site at 1838 Penfield Road, for use by the Town for municipal parking; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign a Five Year Agreement with the Penfield Fire Company, upon review and approval by the Town Attorney. Term of Lease shall be from January 1, 2016 until December 31, 2020. The Lease allows for three (3) additional five (5) year terms if both parties agree.

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-028 Appointment of Temporary Members to the Board of Assessment Review by Moore

WHEREAS, Article 5, Section 523-a of the New York State Real Property Tax Law allows the legislative body of any local government, in any year deemed necessary, to appoint temporary members to the Board of Assessment Review to serve as administrative hearing panel members as provided,

NOW, BE IT THEREFORE RESOLVED, that the Town Board of Penfield appoints the following Penfield residents to serve a one (1) year term as temporary members of the Board of Assessment Review as provided in Section 523-a of the New York State Real Property Tax Law. The term shall commence on September 30, 2015, and shall end on September 30, 2016.

Craig Schubmehl, 2042 Five Mile Line Road, Penfield, NY
Eugene T. Oliver, 90 City View Dr., Rochester, NY 14625

Moved: Moore
Seconded: Kohl

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

Adopted

#16T-029 Appointment of Kevin Kane to the Board of Assessment Review by Moore

WHEREAS, Kevin Kane, 11 Spring Side Lane, Penfield, NY 14625 has expressed his interest in serving on the Board of Assessment Review, and

WHEREAS, Kevin Kane will fill the unexpired term of Raymond Bliudnikas,

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Board of the Town of Penfield appoints Kevin Kane to the unexpired term on the Board of Assessment Review of the Town of Penfield, such term to expire on September 30, 2020.

Moved: Moore
Seconded: Kohl
Penfield Town Board, January 6, 2016

(Resolution #16T-029 – Continued)

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

Adopted

#16T-030  Appointment of Town Comptroller by Moore

BE IT RESOLVED, that Barbara E. Chirdo, MPA, 47 Northbridge Drive, Rochester, NY 14626 be appointed Town Comptroller for a term starting on December 1, 2016 and ending on December 31, 2017 at an annual salary as established by the Town Board.

Moved: Moore
Seconded: Kohl

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

Adopted

Public Works

#16T-031  Naming of Landscape Consultant to the Town of Penfield by Metzler

BE IT RESOLVED, that Bruce Zaretsky & Associates, 1965 Watson Hulburt Road, Penfield, NY 14502 be named Landscape Consultant for the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Bruce Zaretsky & Associates, as outlined in a letter, filed with the Town Clerk. This letter includes a schedule of fees for various services provided by Bruce Zaretsky & Associates, as Landscape Consultant to the Town of Penfield for 2016, and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to other qualified landscape architectural firms in addition to Bruce Zaretsky & Associates as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2016 at an agreed upon fee depending on the nature of the services performed.

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-032  Naming of a Planning Consultant to the Town of Penfield by Metzler

BE IT RESOLVED, that Douglas Fox, 560 Plank Road, Webster, NY 14580, d.b.a. Fox Planning Services, be named as Planning Consultant for the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Fox Planning as outlined in their letter on file with the Town Clerk and approved by the Town Attorney.

Moved: Metzler
Seconded: Moore

(Resolution #16T-032 – Continued)
Adopted

#16T-033 Setting Sewer Entrance Fees for 2016 by Metzler

WHEREAS, the Town Board established a Sewer Entrance Fee schedule for the Town of Penfield by adoption of Resolution #184 of 1979, and

WHEREAS, the Town of Penfield will collect a portion of these Sewer Entrance Fees for Monroe County Pure Waters, and

WHEREAS, these Sewer Entrance Fees shall be used to offset administrative expenses incurred through setting up new sewer accounts,

NOW, THEREFORE, BE IT RESOLVED, that the current Sewer Entrance Fee rate of $500 for residential properties and $600 for commercial properties will be extended through 2016, and

BE IT FURTHER RESOLVED, that the Town will remit $250 for each residential property and $350 for each commercial property to Monroe County Pure Waters.

Moved: Metzler
Seconded: Moore

Adopted

#16T-034 Appointments to Energy and Environmental Advisory Committee by Metzler

BE IT RESOLVED, that the following be appointed to the Penfield Energy and Environmental Advisory Committee for term ending on December 31, 2016.

Chairman: Supervisor LaFountain

Members:  
Cynette Cavaliere, 5 Split Rail Run, Penfield
Susan Poor, 1740 Salt Road, Penfield
Robert Kanauer, Jr., 1710 Sweeta Corners Road, Penfield
Matthew Piston, 2212 Five Mile Line Road, Penfield

Town of Penfield Staff:  
Phyllis Ely, Public Relations
Sabrina Renner, Recreation Dept.
Mark Valentine, Asst. Engineer

Moved: Metzler
Seconded: Moore

Adopted

#16T-035 Appointment to the Watershed Management Committee by Metzler

WHEREAS, the Town of Penfield has established a Watershed Management Committee to identify maintenance needs and erosion issues for its network of open watercourses, and

NOW, THEREFORE, BE IT RESOLVED, that the following persons be appointed to this committee for a term expiring December 31, 2016:

Mark Valentine, Chair  Town of Penfield Engineer
Edward Freeman  125 Sawmill Drive
Michael Guyon  126 Penfield Crescent
Mike Simon  3817 Atlantic Avenue
Penfield Town Board, January 6, 2016

Dennis Sanzotta  Town of Penfield Highway Dept.
Al Broccolo  2755 Penfield Road, Penfield
Davis Kreiser  15 Canyon Trail

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-036 Appointments to Conservation Board by Metzler

BE IT RESOLVED, that James Almstead, 44 Flower Valley Circle; Jeffrey Bartocci, 3 Robert Road; Rosanne Cohen, 2146 Gloria Drive; Burton Gorton, 47 Pine Brook Circle; Patricia Schichler, 44 Belvista Drive; J. Noel Schlageter, 1550 Creek Street; Mark Wood, 1671 Harris Road; Matthew Piston, 2212 Five Mile Line Road, Penfield, NY be appointed to the Conservation Board for a one year term expiring December 31, 2016 at annual salary as established by the Town Board.

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-037 Appointment of Chair – Conservation Board by Metzler

BE IT RESOLVED, that James Almstead, 44 Flower Valley Circle, Penfield, NY, be appointed Chair of the Penfield Conservation Board for a term of one year expiring December 31, 2016, at an annual salary as established by the Town Board.

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-038 Appointment to Historic Preservation Board by Metzler

BE IT RESOLVED, that Mira Mejibovsky, 35 Pine Brook Circle, Penfield, NY and Stephen Golding, 257 Valley Green Drive, Penfield, NY be appointed to the Historic Preservation Board for a term expiring December 31, 2020 at an annual salary as established by the Town Board.

Moved: Metzler
Seconded: Moore

(Resolution #16T-038 – Continued)

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

Adopted

#16T-039 Appointment of Chair to Historic Preservation Board by Metzler

BE IT RESOLVED, that Joan Belgiorno, 11 Mountain Road, Penfield, NY be appointed Chair of the Historic Preservation Board for the year 2016 at an annual salary as established by the Town Board.
Penfield Town Board, January 6, 2016

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-040  Naming of an Architectural Consultant to the Town of Penfield
By Metzler

BE IT RESOLVED, that Plan Architectural Studio, P.C. High Falls Building, Suite 102, 4 Commercial Street, Rochester, NY 14614 be named an Architectural Consultant for the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Plan Architectural Studio, PC, as outlined in their letter, on file with the Town Clerk, which includes a schedule of fees for various services provided by Plan Architectural Studio, PC, as an Architectural Consultant to the Town of Penfield for 2016, and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to other qualified architectural firms in addition to Plan Architectural Studio, P.C. as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2016 at an agreed upon fee depending on the nature of the services performed.

Moved: Metzler
Seconded: Moore

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

Adopted

#16T-041  Authorization to Extend Contract with the Greater Rochester Chapter of the American Red Cross to store one Disaster Equipment Trailer at 1607 Jackson Road by Metzler

WHEREAS, the Town of Penfield and the Greater Chapter of the American Red Cross enter into an agreement to extend the 2015 current contract one year (2016) to store one disaster trailer designated to the support of the residents in the Town of Penfield and the Northeast side of Monroe County and

THEREFORE BE IT RESOLVED, that the Director of Public Works is authorized to sign a one year extension for the 2016 year with the Greater Rochester Chapter of the American Red Cross located at 50 Prince Street, Rochester New York.

Moved: Metzler
Seconded: Moore

(Resolution #16T-041 - Continued)

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

Adopted

#16T-042  Authorization to Extend 2015 Amendatory Agreement “All Seasons County and Town Agreement” by Metzler

BE IT RESOLVED: that the Supervisor be and hereby is authorized to execute a one year extension to the 2015 Amendatory – All Seasons County/Town Work Agreement.

Moved: Metzler
Public Safety

#16T-043 Appointments to the Transportation Committee by Quinn

BE IT HEREBY RESOLVED, that the following be appointed to the Penfield Transportation Committee, to be chaired by Councilman Andrew Moore, for a term to expire December 31, 2016:

Laurie Enos
16 Talbot Drive
Penfield, NY 14526

Monroe County Sheriff’s Dept.
789 Linden Avenue
Rochester, NY 14625

Town of Penfield Engineering Department
3100 Atlantic Avenue
Penfield, NY 14526

Town of Penfield Highway Department
Ronnie Williams
Dennis Sanzotta
1607 Jackson Road
Penfield, NY 14526

Dan McCusker
124 Sawmill Drive
Penfield, NY 14526

Mary Sweeney
120 Beacon Hills Drive S
Penfield, NY 14526

Town of Penfield Fire Marshal
3100 Atlantic Avenue
Penfield, NY 14526

Terrance Rice
Monroe County Dept. of Transportation
City Place
50 W. Main Street
Rochester, NY 14614

Moved: Quinn
Seconded: Metzler

(Resolution #16T-043 - Continued)

#16T-044 Authorization of Temporary Assignment of Judges by Quinn

BE IT RESOLVED, that the Town Board consents to the temporary assignment of Town of Penfield Justices to preside in other city/town/village and family courts in the Seventh Judicial District as need arises during the year 2016, and

BE IT FURTHER RESOLVED, that the Town Board approves the temporary assignment of Judges from other city/town/village and family courts in the Seventh Judicial District.
Judicial District to the Penfield Justice Court as the need may arise during the year 2016.

Moved: Quinn
Seconded: Metzler

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

Adopted

#16T-045 Court Enforcement Officer Appointments by Quinn

WHEREAS, Town Board Resolution #148 of February 5, 1999 established the position of Town of Penfield Court Enforcement Officer (Process Server),

NOW, BE IT RESOLVED, that Sandy Macaluso, PO Box 67164, Rochester, NY 14617 and are appointed Town of Penfield Court Enforcement Officers for a term to expire December 31, 2016 at no salary and that duties and fees will be approved by the Town Board and Town Administrative Judge.

Moved: Quinn
Seconded: Metzler

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

Adopted

#16T-046 Appointment of Town Veterinarian by Quinn

BE IT RESOLVED, that Animal Hospital of Pittsford, PC, 2816 Monroe Avenue, Rochester, New York 14618, be appointed Town Veterinarian for 2016 to cover emergency situations, and to be paid for services performed.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign an annual contract with Animal Hospital of Pittsford to provide the aforementioned services.

Moved: Quinn
Seconded: Metzler

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

Adopted

Community Services

#16T-047 Authorization for Supervisor to Sign Contract for Dayton’s Corners School Coordinator by Kohl

BE IT RESOLVED that the Town Supervisor be authorized to sign a contract With Barbara Quinn, 68 Harwood Circle, Penfield as Coordinator of the Dayton’s Corners School from January 1, 2016 through December 31, 2016 for a fee of $3,500.00. Vouchers to be submitted monthly.

Moved: Kohl
Seconded: Quinn

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

Adopted

#16T-048 Appointments to the Library Board by Kohl
BE IT RESOLVED, that Amy Guiffrida, 11 Pearl Bush Drive, Penfield, NY and Neeraj Shah, 29 Pond View Lane, Penfield, NY be appointed to the Penfield Library Board for a term expiring December 31, 2020.

Moved: Kohl
Seconded: Quinn

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

Adopted

#16T-049 Appointment of Local History Room Advisory Committee by Kohl

BE IT RESOLVED, that the following be appointed to the Local History Room Advisory Committee for a one (1) year term expiring December 31, 2016:

Jan Braman
1411 Sweets Corners Road
Penfield, NY 14526

Anna Bundschuh
40 Cobbles Drive
Penfield, NY 14526

Don Nelson-Nasca
1661 Sweets Corners Road
Penfield, NY 14526

Diane Dayton Riley
48 Rossman Drive
Webster, NY 14580

Margery Salmon
2013 Webster Fairport Road
Penfield, NY 14526

Jay Thompson
149 New Wickham Drive
Penfield, NY 14526

Carolyn Wise
C/O 3121 Lake Road
Williamson, NY 14589

(Resolution #16T-049 - Continued)

Moved: Kohl
Seconded: Quinn

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

Adopted

#16T-050 Authorization for Supervisor to Sign Penfield Community Television Contract by Kohl

BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the following contract for videographer services:

Jason R. Darnieder
1331 Marsh Road
Pittsford, NY 14534

Ilya Vaynshteyn
Dynamic Reel Productions
PO Box 354
Webster, NY 14580

Mary Gilman
BE IT FURTHER RESOLVED, that the fee is $17.00 for each consecutive hour as determined by the Cable Coordinator and staff.

Moved: Kohl
Seconded: Quinn

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<th>Aye</th>
<th>LaFountain</th>
<th>Aye</th>
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<tr>
<td>Quinn</td>
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Adopted

Old Business - None

New Business - None

Public Participation - None

Adjournment

Supervisor LaFountain adjourned the meeting at 7:53 PM.

Amy Steklof, RMC/CMC
Town Clerk
RULES OF PROCEDURE
FOR
PENFIELD TOWN BOARD MEETINGS AND PUBLIC HEARINGS

I. TOWN BOARD MEETINGS & PUBLIC HEARINGS

A. TIME, DATE & PLACE

1. Regular Meetings:
   Penfield Town Board shall regularly meet the first and third
   Wednesday of each month at 7:00 PM in the Penfield Town Hall, Penfield, New
   York. The primary purpose of these meetings is for legislative actions.
   When such date falls on a legal holiday, the Town Board may set an alternate
date and time of said meeting, or may dispense with said meeting. For good
cause shown, the Supervisor is authorized to cancel Town Board meetings
subject to rescheduling thereof.

   Pursuant to Town Law #63, the Supervisor shall preside at the
   meetings of the Town Board. In the absence of the Supervisor, the Deputy
   Supervisor shall preside, or if no Deputy Supervisor has been appointed, or
   in the event the Deputy Supervisor is absent, then the other members of the
   Town Board 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. It is the obligation of every
member of the Board to vote on every issue, except where, in the judgement of
the Board member, he/she has a potential conflict of interest in which case
an abstain vote is in order.

   Such vote shall be taken by ‘‘ayes’’, or ‘‘yes’’ and ‘‘nays’’, or ‘‘no’’, and
   the name of every member present and their vote shall be entered in the
   Minutes. Every act, motion or resolution shall require for its adoption the
   affirmative vote of a majority of all members of the Town Board.

2. Public Hearings:
   Penfield Town Board shall regularly hold Public Hearings as
   required at the Penfield Town Hall, Penfield, New York. The primary purpose
   shall be to conduct Public Hearings required to be held by and before the
   Penfield Town Board.

3. Special Meetings:
   Special meetings may be called by the Supervisor from time to
time. The Supervisor shall call a special meeting within 10 days if
   requested in writing to do so, by not less than two (2) Town Board members.
   The time and date of the special meeting may be set at the discretion of the
   Supervisor provided that each Town Board member receives actual notice
thereof, not less than two (2) days prior thereto; said notice shall contain the proposed agenda items to be contemplated by said special meeting.

B. REGULAR AGENDA

The regular agenda shall be prepared by the Town Clerk and shall be available by 4:00 PM on the Friday before the scheduled Town Board Legislative Meeting. Said agenda shall be tentative only as to Town Board meetings, but shall be firm as to Public Hearings. Said agenda for Town Board meetings shall be tentative only, and items may be added, deleted or altered at the pleasure of the Town Board.

As nearly as possible, said agenda shall follow the following points and order:

1. Call to Order, Pledge of Allegiance, Roll Call
2. Communications and Announcements
   a) From the Supervisor
   b) From the Town Board Members
   c) From the Town Clerk and Town Attorney
3. Public Participation
4. Additions and Deletions to Agenda
5. Approval of Minutes of Prior Meeting
6. Petitions Received
7. Resolutions by Function
   a) Law & Finance
   b) Public Works
   c) Public Safety
   d) Community Services
8. Old Business
9. New Business
10. Public Participation
11. Adjournment

C. FUNCTIONAL COMMITTEES

1. Standing Functional Committees:

The following shall be designated as areas of responsibility of the Penfield Town Board and shall be standing committees of the Penfield Town Board:

   a) Law and Finance
   b) Public Works
   c) Public Safety
   d) Community Services

2. Ad Hoc Committees:
Pursuant to Town Law, the Supervisor may designate ad hoc committees and appoint the members thereof at times and from time to time as the need may arise.

3. **Composition Formation of Functional Committee:**

Pursuant to Town Law, it is the prerogative of the Supervisor to appoint all committees, and the Supervisor shall appoint chairpersons to all standing functional committees and also the composition of each committee, which shall be not less than the chairperson, and the rest of the Town Board, thereon.

**D. RESOLUTIONS**

1. Pursuant to the Town Law, any Town Board member or the Supervisor may offer a resolution for consideration by the Town Board. All resolutions shall be presented to the Town Clerk, who shall time stamp each resolution in consecutive number as received and list each resolution on the agenda under the appropriate function heading, as requested by the author of each resolution, in the order received in each function heading.

2. Routine requests for resolutions by Town staff members or by the Supervisor, and any proposed resolutions from Town staff, the Supervisor or Town Board members may be directed through the office of the Supervisor to the appropriate function chairperson. Review of such resolutions and requests for resolutions shall be by the function chairperson alone, or the Town Supervisor, or with the full Town Board, depending on the nature of the resolution and at the discretion of the function chairperson. The function chairperson shall author or cause to be authored all resolutions from requests for resolutions.

3. All resolutions shall be submitted to the Town Clerk by 12:00 noon of the Friday, or in the case of a holiday, shall be submitted the Thursday before, preceding the next regular Town Board Legislative Meeting, and unless so submitted, may not be acted upon at the discretion of the Town Board, unless of a serious and urgent matter. All proposed resolutions tabled from prior meetings shall be carried under "Old Business". Proposed resolutions received too late to be listed under functional committees, may be considered as "New Business".

**E. PARLIAMENTARY PROCEDURE & VOTING**

1. Voting by the Town Board on each issue shall be by alphabetical roll call vote.

2. Where not inconsistent with the Law of New York as contained in the Town Law, and elsewhere, or inconsistent with these rules, or any other rules adopted by the Penfield Town Board, procedural questions shall be
resolved by "Robert's Rules of Order". The Town Attorney shall serve as Parliamentarian.

II. MEETINGS OF STANDING COMMITTEES OF THE TOWN BOARD

A. TIME, DATE & PLACE

The Town Board shall meet in Work Session on the second and fourth Wednesday of each month at 7:00 PM at the Penfield Town Hall. Business will be conducted for each functional committee including Law and Finance, Public Works, Public Safety and Community Service.

When the scheduled date for such meeting falls on a legal holiday, the Town Board may set an alternate date and time of said meeting, or may dispense with said meeting. Pursuant to New York State Law, all committee meetings of the Town Board shall be open to the public; however, pertaining to certain business, as may be appropriate and permitted by State law, portions of such meetings may be closed to the public in so-called "Executive Sessions". For an Executive Session to occur, a motion to go to Executive Session must be made, seconded and carried by not less than three (3) members present and the purpose for the Executive Session must be clearly stated and recorded in the minutes of the committee meeting. No minutes of the Executive Session will be maintained except where a decision is made.

B. AGENDA

There will be a formal agenda for committee/work sessions, which shall be prepared by the Supervisor and Town Clerk. This agenda shall be available and distributed by the end of the day of the preceding Friday or in case of a holiday shall be submitted the Thursday before the scheduled committee meeting.

Each Committee Chairperson and Supervisor will submit agenda items to the Town Clerk by end of day Thursday prior to each scheduled work session. The agenda will include: a call to order, approval of minutes and functional committees broken down by (1) Action Items; (2) Information Items and (3) Held Items. If needed, there may be an Executive Session.

Items to covered by any time, and from time to time, shall include:

1. Reports from standing committee chairperson;
2. Meetings with various appointed boards and committees in the Town;
3. Meetings with department heads, the Town Engineer and other consultants;
4. Items referred to the committee by the Town Board;
5. Communications and other pertinent business relating to the standing committee;

6. Executive Sessions as set forth herein above.

III. PUBLIC HEARINGS

Public Hearings shall be held as prescribed by law and conducted on the dates scheduled therefore by the Penfield Town Board. The Supervisor and/or the Town Attorney shall give a concise statement of the purpose of the Public Hearing after the Town Clerk has read the notice thereof.

The purpose of a Public Hearing is to hear the public. No Town Board member, nor the Supervisor shall engage in prolonged discussion with any speaker, but shall listen to what each speaker has to say.

IV. CONDUCT OF THE PUBLIC

A. Any person recognized by the Supervisor shall give name, address and the nature of his or her business, briefly.

B. No such person has the right to demand an answer to a specific question from a member of the Board. All such questions should be directed to the Supervisor.

C. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of the Town Board meeting.

D. No member of the public shall be permitted to address the Town Board unless recognized by the Supervisor.

E. Any person speaking to the Town Board with the consent of the Supervisor shall address his remarks to the Town Board, not to other members of the audience in the form of a debate.

F. A Town Board meeting is an important Legislative session and it is expected that all members of the public will conduct themselves in a professional manner.

G. Any person wishing to speak at a Public Hearing may, prior to the start of said hearing, complete an "Intent to Speak" form available from the Town Clerk. The completed form shall be given to the Town Clerk who will recognize the speakers as the hearing progresses. Additionally, the Chair will recognize certain interests at the start of the hearing if such action will facilitate a more orderly and logical discussion of the subject of the hearing. In fairness to all members of the public, speakers are encouraged to focus on the facts of the matter at hand. Persons who have not indicated their intent to speak by completing the available form, may also have an opportunity to speak after all those who have signed forms have spoken. The public may also submit statements in writing. A speaker may be recognized to speak a second time by the Chair only after everyone who wishes to speak a first time has spoken.
H. Penfield Town Board agenda provide a segment of time for citizens to speak. Public Participation is allowed early on the agenda and at the end of the legislative session. Persons may speak on any subject and are not confined to items on the agenda.

I. No request for a show of hands or a “vote” of persons present on any matter is allowed.

J. Rules Letters “A”, “B”, “C”, “D”, “E” and “I” apply to Public Hearings, as well as to Town Board Meetings. Rule “G” applies only to Public Hearings, whereas Rules “F” and “H” do not apply to Public Hearings, as persons present are expected to express opinions and ask questions. A Public Hearing is not a legislative session.

V. MISCELLANEOUS PROVISIONS

A. FILE OF COMMUNICATIONS AND PROPOSED RESOLUTIONS

In order to enable the citizens of the Town of Penfield to be apprised of proposed resolutions and of communications received by the Town, and in order to reduce the need for reading of routine communications during Town Board meetings, the Town Clerk shall prepare, or cause to be prepared, a file of all proposed resolutions to be acted upon at a Town Board meeting. A copy of the Rules of Procedure and said file shall be available for inspections by the public, one-half hour before, in a convenient place within the meeting hall.

B. SAVINGS CLAUSE

In the event that any clause, paragraph or portion of these Rules shall be deemed to be invalid by any Court or any governmental agency or authority having jurisdiction hereof, the balance of these Rules shall continue nevertheless in full force and effect and shall survive such determination.

Effective: January 6, 2016
## 2016 FT & PT Salary & Wage Schedules

### Grade 1
- **Annually:**
  - Hourly: 58,889.13
  - Bi-Weekly: 2,901.66
  - Monthly: 53,236.26

### Grade 2
- **Annually:**
  - Hourly: 31,004.25
  - Bi-Weekly: 1,545.70
  - Monthly: 33,532.36

### Grade 3
- **Annually:**
  - Hourly: 41,577.21
  - Bi-Weekly: 2,072.86
  - Monthly: 43,028.38

### Grade 4
- **Annually:**
  - Hourly: 35,191.53
  - Bi-Weekly: 1,759.81
  - Monthly: 36,640.92

### Grade 5
- **Annually:**
  - Hourly: 19,934.16
  - Bi-Weekly: 1,006.91
  - Monthly: 21,440.92

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**Grade 6**
- Assessment Clerk
- Clerk II
- Office Clerk III
- Real Property Aide
- Senior Office Assistant Clerk
- Special Events Assistant

|                      | Annual  | $28,662.75 | $28,412.75 | $28,162.75 | $27,912.75 | $27,662.75 | $27,412.75 | $27,162.75 | $26,912.75 | $26,662.75 | $26,412.75 |
| Bi-Weekly            | $1,432.00 | $1,426.00 | $1,418.00 | $1,410.00 | $1,392.00 | $1,386.00 | $1,378.00 | $1,370.00 | $1,362.00 | $1,356.00 | $1,350.00 |
| Hourly              | $16.58  | $16.43  | $16.28  | $16.13  | $15.98  | $15.83  | $15.68  | $15.53  | $15.38  | $15.23  | $15.08  |
| Overtime            | $16.17  | $16.02  | $15.87  | $15.72  | $15.57  | $15.42  | $15.27  | $15.12  | $14.97  | $14.82  | $14.67  |

**Grade 7**
- Assistant Assessment Clerk
- Clerk IV
- Local History Room Coordinator
- Office Accounting Clerk
- Office Clerk II
- Production Assistant
- Real Property Aide
- Recreation Assistant
- Secretary-Village Preservation Board
- TV Graphics Design Assistant

**Grade 8**
- Office Clerk IV

|                      | Annual  | $21,491.74 | $21,219.53 | $20,947.32 | $20,675.10 | $20,402.88 | $20,130.66 | $19,858.44 | $19,586.22 | $19,314.00 | $18,961.00 |
| Bi-Weekly            | $1,098.00 | $1,089.00 | $1,079.00 | $1,069.00 | $1,059.00 | $1,049.00 | $1,039.00 | $1,029.00 | $1,019.00 | $1,009.00 | $999.00  |

**Grades 9-10**
- Foreman: Big-Motion Cleaners, Security
- Foreman: Roads

|                      | Annual  | $24,374.42 | $24,166.04 | $24,026.64 | $23,887.24 | $23,747.84 | $23,608.44 | $23,469.04 | $23,329.64 | $23,190.24 | $23,050.84 |
| Bi-Weekly            | $1,218.20 | $1,210.80 | $1,203.40 | $1,196.00 | $1,188.60 | $1,181.20 | $1,173.80 | $1,166.40 | $1,159.00 | $1,151.60 | $1,144.20 |
| Hourly              | $16.20  | $16.05  | $15.90  | $15.75  | $15.60  | $15.45  | $15.30  | $15.15  | $15.00  | $14.85  | $14.70  |
| Overtime            | $15.79  | $15.65  | $15.50  | $15.35  | $15.20  | $15.05  | $14.90  | $14.75  | $14.60  | $14.45  | $14.30  |

**Grade 10**
- Auto Mechanic Foreman
- Electrician
- Foreman: Sewer
- Police Foreman
- Working Foreman

|                      | Annual  | $36,589.28 | $36,361.02 | $36,132.76 | $35,904.50 | $35,676.24 | $35,448.00 | $35,221.50 | $34,994.00 | $34,766.50 | $34,540.00 |
| Bi-Weekly            | $1,829.50 | $1,820.50 | $1,811.50 | $1,802.50 | $1,793.50 | $1,784.50 | $1,775.50 | $1,766.50 | $1,757.50 | $1,748.50 | $1,739.50 |
| Hourly              | $56.97  | $56.82  | $56.67  | $56.52  | $56.37  | $56.22  | $56.07  | $55.92  | $55.77  | $55.62  | $55.47  |
| Overtime            | $56.56  | $56.41  | $56.26  | $56.11  | $55.96  | $55.81  | $55.66  | $55.51  | $55.36  | $55.21  | $55.06  |

**2016 FT & PT Salary & Wage Schedule**
- 1.2% Over 2015
- Grades 3-9 FT: 30 Hr/wk
- Grades 9-10 FT: 40 Hr/wk

Penfield Town Board, January 6, 2016

Page 29
### Penfield Town Board, January 6, 2016

#### 2016 FT & PT Salary & Wage Schedules
1:20 AM over 2015
Grades 1-4: FT = 35 hr/wk
Grades 5-8: FT = 40 hr/wk

#### Grade 11
- **Auto Mechanic**
  - Annual: $24,786.04
  - Bi-Weekly: $1,919.64
  - Hourly: $24.76
  - Overtime: $31.23
- **Machinery Maintenance**
  - Annual: $24,786.04
  - Bi-Weekly: $1,919.64
  - Hourly: $24.76
  - Overtime: $31.23
- **Senior Motor Equipment Operator**
  - Annual: $24,786.04
  - Bi-Weekly: $1,919.64
  - Hourly: $24.76
  - Overtime: $31.23

#### Grade 12
- **Gravel Equipment Operator**
  - Annual: $24,786.04
  - Bi-Weekly: $1,919.64
  - Hourly: $24.76
  - Overtime: $31.23
- **Maintenance Mechanic III**
  - Annual: $24,786.04
  - Bi-Weekly: $1,919.64
  - Hourly: $24.76
  - Overtime: $31.23
- **Motor Equipment Operator**
  - Annual: $24,786.04
  - Bi-Weekly: $1,919.64
  - Hourly: $24.76
  - Overtime: $31.23

#### Grade 13
- **Animal Control Officer I/Security Supervisor**
  - Annual: $41,340.10
  - Bi-Weekly: $3,445.01
  - Hourly: $21.37
  - Overtime: $30.18
- **Skilled Laborer**
  - Annual: $24,786.04
  - Bi-Weekly: $1,919.64
  - Hourly: $24.76
  - Overtime: $31.23

#### Grade 14
- **Animal Control Officer II/Laborer**
  - Annual: $36,666.36
  - Bi-Weekly: $2,903.86
  - Hourly: $18.59
  - Overtime: $27.84

#### Grade 15
- **Guard**
  - Annual: $31,548.14
  - Bi-Weekly: $2,629.01
  - Hourly: $16.86
  - Overtime: $25.47
- **Light Laborer**
  - Annual: $31,548.14
  - Bi-Weekly: $2,629.01
  - Hourly: $16.86
  - Overtime: $25.47
- **Part Security Guard**
  - Annual: $31,548.14
  - Bi-Weekly: $2,629.01
  - Hourly: $16.86
  - Overtime: $25.47

#### Grade 16
- **Cleaner**
  - Annual: $31,548.14
  - Bi-Weekly: $2,629.01
  - Hourly: $16.86
  - Overtime: $25.47

---

### Pay Scales

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<td>$35,130.84</td>
<td>$36,286.44</td>
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### Average Wages

- **Employee Average:** $24,786.04
- **Outstanding:** $24,786.04

---

*Note: The above table represents the salary and wage schedules for Penfield Town Board, January 6, 2016.*
### 2016 FT & PT Salary & Wage Schedules

1.20% over 2015
Grades 1-8: 40 Hr/week
Grades 9-18: 35 Hr/week

#### Grade 12

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Building Service Worker
## 2016 On-Call and Seasonal Pay Scale

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### 2016 On-Call and Seasonal Pay Scale

**Department of Public Works**

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<td>$9.70</td>
<td>$10.00</td>
<td>$10.30</td>
<td>$10.60</td>
</tr>
<tr>
<td></td>
<td>Groundskeeper</td>
<td>$13.50</td>
<td>$13.70</td>
<td>$13.80</td>
<td>$13.90</td>
<td>$14.00</td>
<td>$14.20</td>
</tr>
</tbody>
</table>
### 2016 On-Call and Seasonal Pay Scale

<table>
<thead>
<tr>
<th>Grade</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
<th>Year 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade 1 SE</td>
<td>Hourly: $32,430</td>
<td>$33,710</td>
<td>$35,030</td>
<td>$36,220</td>
<td>$37,620</td>
<td>$38,920</td>
</tr>
<tr>
<td></td>
<td>Overtime: $48,645</td>
<td>$50,595</td>
<td>$52,545</td>
<td>$54,430</td>
<td>$56,430</td>
<td>$58,380</td>
</tr>
<tr>
<td>Grade 2 SE</td>
<td>Hourly: $17,030</td>
<td>$28,120</td>
<td>$29,180</td>
<td>$30,270</td>
<td>$31,350</td>
<td>$32,430</td>
</tr>
<tr>
<td></td>
<td>Overtime: $40,545</td>
<td>$42,165</td>
<td>$43,785</td>
<td>$45,405</td>
<td>$47,025</td>
<td>$48,645</td>
</tr>
<tr>
<td>Grade 3 SE</td>
<td>Hourly: $21,530</td>
<td>$23,420</td>
<td>$24,320</td>
<td>$25,220</td>
<td>$26,130</td>
<td>$27,030</td>
</tr>
<tr>
<td></td>
<td>Overtime: $33,780</td>
<td>$35,130</td>
<td>$36,460</td>
<td>$37,830</td>
<td>$39,125</td>
<td>$40,545</td>
</tr>
<tr>
<td>Grade 4 SE</td>
<td>Hourly: $18,780</td>
<td>$19,530</td>
<td>$20,270</td>
<td>$21,020</td>
<td>$21,770</td>
<td>$22,510</td>
</tr>
<tr>
<td></td>
<td>Overtime: $38,170</td>
<td>$39,295</td>
<td>$40,405</td>
<td>$41,530</td>
<td>$42,650</td>
<td>$43,760</td>
</tr>
<tr>
<td>Grade 5 SE</td>
<td>Hourly: $15,640</td>
<td>$16,270</td>
<td>$16,900</td>
<td>$17,520</td>
<td>$18,150</td>
<td>$18,770</td>
</tr>
<tr>
<td></td>
<td>Overtime: $23,460</td>
<td>$24,405</td>
<td>$25,350</td>
<td>$26,280</td>
<td>$27,225</td>
<td>$28,150</td>
</tr>
<tr>
<td>Grade 6 SE</td>
<td>Hourly: $14,950</td>
<td>$15,550</td>
<td>$16,140</td>
<td>$16,740</td>
<td>$17,340</td>
<td>$17,940</td>
</tr>
<tr>
<td></td>
<td>Overtime: $22,425</td>
<td>$23,325</td>
<td>$24,210</td>
<td>$25,110</td>
<td>$25,610</td>
<td>$26,910</td>
</tr>
<tr>
<td>Grade 7 SE</td>
<td>Hourly: $13,030</td>
<td>$13,550</td>
<td>$14,070</td>
<td>$14,590</td>
<td>$15,110</td>
<td>$15,630</td>
</tr>
<tr>
<td></td>
<td>Overtime: $19,545</td>
<td>$20,125</td>
<td>$20,105</td>
<td>$21,885</td>
<td>$22,665</td>
<td>$23,440</td>
</tr>
<tr>
<td>Grade 8 SE</td>
<td>Hourly: $11,360</td>
<td>$11,820</td>
<td>$12,270</td>
<td>$12,730</td>
<td>$13,180</td>
<td>$13,640</td>
</tr>
<tr>
<td></td>
<td>Overtime: $17,040</td>
<td>$17,725</td>
<td>$18,405</td>
<td>$19,095</td>
<td>$19,770</td>
<td>$20,460</td>
</tr>
<tr>
<td>Grade 9 SE</td>
<td>Student Helper Hourly: $9,000</td>
<td>$9,000</td>
<td>$9,000</td>
<td>$9,000</td>
<td>$9,000</td>
<td>$9,000</td>
</tr>
<tr>
<td></td>
<td>Overtime: $13,500</td>
<td>$13,500</td>
<td>$13,500</td>
<td>$13,500</td>
<td>$13,500</td>
<td>$13,500</td>
</tr>
</tbody>
</table>
# TOWN OF PENFIELD – CONFERENCE REQUEST FORM

**FROM:** __________________________ ***DATE:** _____________

Request the following employees (indicate title):

________________________________________

Be allowed to attend the following conference/seminar:

**Name of conference/seminar:**

________________________________________

**Dates/times of conference/seminar:**

________________________________________

**Location of conference/seminar:**

________________________________________

For the following purpose or to achieve the following results:

________________________________________

________________________________________

**The cost of which is detailed as follows:**

Please complete only those items that apply to the conference.

<table>
<thead>
<tr>
<th>REGISTRATION</th>
<th>Number</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per Person</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Group Rate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VEHICLE USE</td>
<td>Miles</td>
<td>Days</td>
</tr>
<tr>
<td>Personal Vehicle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car Rental</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MEALS</td>
<td>Days</td>
<td>Per Diem Rate*</td>
</tr>
<tr>
<td>Per Diem Meals</td>
<td>Breakfast = .25 days Lunch = .25 days Dinner = .50 days</td>
<td></td>
</tr>
<tr>
<td>Special Conf. Meals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LODGING</td>
<td>Number of Rooms</td>
<td>Nights Staying</td>
</tr>
<tr>
<td>Single Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Double Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRAVEL</td>
<td>Number</td>
<td>Trip Cost</td>
</tr>
<tr>
<td>Air Fare</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cab Fare Reimb.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MISCELLANEOUS</td>
<td>Tolls</td>
<td>Parking</td>
</tr>
<tr>
<td>Reimbursements</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Receipts are required for any reimbursements to the employee.  
*Note: Per Diem Rate is based on the Federal Rate Schedule.*

**Notes/Vendor Information**

<table>
<thead>
<tr>
<th>ESTIMATE</th>
<th>ACTUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOTALS:**

**Account being charged:** ________________________________

**Approvals Obtained Prior to Attendance:**

____________________________________  ______________________________________

Department Head       Town Supervisor

____________________________________

Town Comptroller

# TOWN OF PENFIELD

## EXTENDED CONFERENCE PROCEDURES

The Town conference procedures for conferences/seminars lasting **more than one day**, are outlined below. Please remember any time an employee attends conferences or seminars requiring time away from his or her standard daily duties, a conference request form must be completed. This requirement pertains to all conferences even when there is no cost to the Town.
1. Employee or other responsible party completes the conference request form attaching conference description and cost details including a mileage estimate prepared in MapQuest (or similar) if a personal vehicle is to be used. Mileage will be reimbursed per the current IRS mileage rate. Employees are required to use a Town vehicle unless prior approval is given by the Department Head and the Town Supervisor.

2. The Department Head reviews and if approves, submits the packet to the Comptroller. Please allow at least 15 business days prior to conference for approval. The packet must include:
   a. Department Authorized Conference Request Form

3. Comptroller reviews packet and verifies funding. If documentation is sufficient and funding available, it is forwarded to the Supervisor for authorization. If not approved, entire packet is returned to originating department.

4. Once approved by the Supervisor, packet is returned to department for processing. The Department Head is responsible for placing conference on a Town Board agenda, if necessary. If the conference requires air travel or hotel accommodations, the Town credit card must be used to secure the airfare and booking. Please see the Comptroller for use of the credit card.

5. Finance Department prepares checks for mailing. Any documents that need to be included with the check must be brought to Finance at least two days before check processing. Petty cash reimbursement for parking, etc. will be reimbursed post conference.

6. Pertaining to payment for meals not included as part of conference, the Town uses the Federal GSA per diem schedule published in October of each year. Please refer to the GSA website http://www.gsa.gov/portal/content/104877 to determine the daily rate for the specific town or city in which the conference is being held. Please note, the Town will only pay the per diem for conferences requiring overnight stay. The first and last calendar day of travel is calculated at 75%.

7. Upon return to work from the conference, attendee must submit receipts for parking, tolls, etc. for reimbursement.

TOWN OF PENFIELD

PURCHASING POLICIES
FINANCE DEPARTMENT
2016
TOWN OF PENFIELD
PURCHASING POLICIES

SECTION I
INTRODUCTION TO THE PURCHASING PROCESS

INTRODUCTION:
This manual has been developed to assist Town personnel in the purchase of goods and services for the Town. The information is broken down into several sections organized for the ease of the reader. Each section is dedicated to a particular aspect of the purchasing process beginning with bidding requirements and ending with the steps necessary to process the several different types of payments available to the Town.

Section I (this section) is an introduction to the purchasing process, describing the Town’s purchasing structure and listing the responsibilities of the purchaser.

Section II Competitive Bidding - describes the bid process in accordance with bidding requirements set by Town Board and New York State Law. This section contains information such as when to bid, documentation needed, legal requirements, and reasons for rejecting bids.

Section III Request For Proposal (RFP) - contains information on the development of an RFP, and the award process associated with such proposals.

Section IV Purchases - reviews the procedures for purchase orders and vouchers, and includes a detailed description of what is required.

Appendix A describes important New York State Laws regarding purchasing.

THE TOWN’S PURCHASING ORGANIZATION:
Section 104-b of the NYS General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML 103 or any other law.

The Town of Penfield relies upon State and County contracts to satisfy many of its purchasing needs, and is able to avoid the necessity of having a centralized purchasing system. The Town relies upon a decentralized system where individual departments assist in the creation and processing of bids.

By law, the Town is allowed to purchase off of State and County bids, including “piggybacking” as defined by the NYS Comptroller. Various Town departments access State bids and County via the Internet for purchases. When making such a purchase, the bid award number must be placed on the purchase order or voucher and a copy of the contract sent to the Finance Department to be attached to the vendor master file. For State purchases, visit http://www.ogs.ny.gov/ and use the State & Local Government link under Core Services, for Monroe County, http://www.monroecounty.gov/ and go to Purchasing under the list of Departments.

When a purchase is made using a Town of Penfield awarded bid, the approved resolution for the purchase or service contract must be attached to the purchase order or a straight voucher.

THE RESPONSIBILITIES OF DEPARTMENTAL PURCHASERS:
Each department designates one or two people to handle the paperwork necessary for the processing of departmental purchases. The designees are responsible for verifying bidding procedures, reviewing packing slips and vouchers as well as monitoring the department’s expenditures. Invoices must be signed and dated by the department head. Packing slips, where practical, are to be signed by the recipient of the goods or the Department Head.
ETHICAL CONDUCT:

It is expected that all public servants will conduct themselves at all times in an ethical fashion. For individuals involved in purchasing, this requires impartiality and a dedication to finding the best possible product or service for the lowest possible price. In no instance should any individual involved in purchasing engage in activities that could be construed as unethical.

To further avoid the perception of impropriety/unethical purchasing, quote solicitations not subject to the rules of public bidding, can only be obtained and used from a vendor related to a Town employee by blood or marriage/domestic partnership upon review and prior approval of the Town Supervisor and Town Comptroller.

SECTION II
COMPETITIVE BIDDING

The purpose of competitive bidding is to guard against favoritism, improvidence, fraud and corruption and to foster honest competition in order to obtain the best goods and services at the lowest possible price.

There are general rules in the bidding process:

• Cannot artificially split or divide contract, or enter into a series of transactions, in avoidance of competitive bidding threshold.
• Consider the aggregate amount reasonably expected to be spent in the year for the same or similar commodities/services. Example: various stationary, lumber, auto parts.

As a NY municipality, the Town of Penfield is required by law to purchase commodities and services from Preferred Sources first if a Preferred Source offering meets our needs for form, function and utility. This type of procurement is not subject to the rules of the competitive bid process. New York has three Preferred Source organizations:
1. New York State Department of Correctional Services Division of Industries—Corcraft, provides employment opportunities for inmates.
2. New York State Preferred Source Program, provides employment opportunities for blind and visually impaired New Yorkers.
3. New York State Industries for the Disabled, provides employment opportunities for both disabled New Yorkers and veterans.

Note, these rules are viewed Town-wide not on a department by department purchase history, because of this, use of County and State bids is encouraged.

BIDDING REQUIREMENTS

Below are the thresholds to be used by all departments. Public Work projects/contracts are those projects with a direct benefit to the residents, ex. road rehabilitation, or sanitary sewer replacement/rehabilitation.

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 shall document the vendors solicited and indicate the reason for no proposal or quotation.

For the purchase of Goods or Services

Annual Expenditures Requirements – ALL DEPARTMENTS EXCEPT DPW

<table>
<thead>
<tr>
<th>Expenditures</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to $1,000</td>
<td>Purchases may be made at the discretion of the Department Head.</td>
</tr>
<tr>
<td>$1,001 to $2,499</td>
<td>Documented telephone or written quotes from three or more vendors.</td>
</tr>
<tr>
<td>$2,500 to $9,999</td>
<td>PURCHASE ORDER REQUIRED. Three written quotes on vendor’s letterhead, final approval by Comptroller and Town Supervisor</td>
</tr>
<tr>
<td>$10,000 to $20,000</td>
<td>Preparation of a “Request for Quote” or “Request for Proposal”, as applicable, prepared by the Department, formal written responses from three or more vendors must be on respondent’s letterhead. RFQ OR RFP WITH EXPECTED RESPONSE IN EXCESS OF $15,000 REQUIRE REVIEW BY FINANCE DEPARTMENT PRIOR TO SOLICITING RESPONSES.</td>
</tr>
<tr>
<td>Above $20,000</td>
<td>Public bid as required by GML-103, awarded by Town Board.</td>
</tr>
</tbody>
</table>
Annual Expenditures Requirements – DPW ONLY

Up to $1,000  
Purchases may be made at the discretion of the Department Head.

$1,001 to $4,999  
Documented telephone or written quotes from three or more vendors.

$5,000- $9,999  
PURCHASE ORDER REQUIRED. Three written quotes on vendor’s letterhead, final approval by Comptroller and Town Supervisor.

$10,000-$20,000  
Preparation of a “Request for Quote” or “Request for Proposal”, as applicable, prepared by the Department, formal written responses from three or more vendors must be on respondent’s letterhead. RFQ OR RFP WITH EXPECTED RESPONSE IN EXCESS OF $15,000 REQUIRE REVIEW BY FINANCE DEPARTMENT PRIOR TO SOLICITING RESPONSES.

Above $20,000  
Public bid as required by GML-103, awarded by Town Board.

For Public Work Projects/Contracts:

$20,001-$35,000  
Preparation of a “Request for Quote” or “Request for Proposal”, as applicable, prepared by the Department, formal written responses from three or more vendors must be on respondent’s letterhead. RFQ OR RFP WITH EXPECTED RESPONSE IN EXCESS OF $25,000 REQUIRE REVIEW BY FINANCE DEPARTMENT PRIOR TO SOLICITING RESPONSES.

Above $35,000  
Public bid as required by GML-103, awarded by Town Board.

For the Purchase of Professional Services/Consultants:

Annual Expenditures  
Requirements

Up to $50,000  
Written proposals should be obtained from three qualified professional firms or consultants, if available, and when time allows. If three proposals are not to be solicited, the Town Supervisor must approve this action.

Above $50,000  
Proposals to be obtained by RFP from at least three (3) vendors (if available).

All Professional Services/Consultants contracts must be presented and reviewed by the Town Supervisor, Town Attorney and in some circumstances the Town Comptroller, when requested by the Supervisor. After a thorough review, the Department Head and Supervisor will make a recommendation to the Town Board for the award of a contract.

QUOTES:

All quotes, received in writing or orally, must contain the following information: name and address of the firm, name and phone number of the contact person, and the date of the quote. In addition, written quotes must contain the signature of the contact person.

Quoted prices are normally for one time purchases only; however, if such purchases are routinely made during the year, quoted prices can be used for the duration of that year. In this case, departments are to request the quote in writing.

THE BID PROCESS:

The bid process is rather involved and proceeds along the following steps:

1. Departmental purchasers should check the State and County websites for the service or commodity.
2. If a Town bid is needed, the purchasing department must verify sufficient funds are available for the purchase or contract. The department then asks the Town Clerk to set a bid opening date at the next Town Board meeting. This date is contingent upon public posting of the bid and other legal requirements, which are described below. Departments should contact the Town Clerk to determine when the date can be set.

3. The department should begin work on its bid package prior to the setting of the bid opening date. The Comptroller will assist any department in the preparation of bid packages.

4. The Town Clerk prepares a Notice of Bid to appear in the publications of record.

5. There must be a minimum of five (5) intervening business days between the Notice of Bid and the bid opening date. The bid opening date is typically scheduled for a Thursday. All bids must be received by the Town Clerk prior to 11:00. Bids are opened by the Town Clerk’s Office at 11:00, at the Town Hall.

6. The Town Clerk tallies the results and sends this information to the originating department. The Department Head then determines a successful bidder for the award. Any bids rejected must be documented as to why. This information is returned to Town Clerk.

7. Town Board awards the contract on the Department Head’s recommendation, and the Town Clerk assigns a bid award number, typically the Board Resolution number. This number is to be used whenever the contract is referenced in a purchase.

8. This entire process normally takes one to one and a half months.

9. Below is a diagram of the bid process.

---

**The Bid Process**

- **Department**: Notification of need to bid. Develops bid specifications.
- **Department/Finance**: Verify availability of funds.
- **Town Board/Town Clerk**: Bid date set via Town Board resolution
- **Town Clerk**: Bid issued. Receives bids, tallies.
- **Department**: Determines successful bidder.
- **Town Board**: Bid award. Notification of award.
- **Town Clerk**: Assigns award number.
- **Department**: Funds are encumbered.

**LEGAL REQUIREMENTS:**

The State of New York has passed certain legal requirements when bidding. These laws are described in Appendix A. The two most important laws are GML #103 and New York State Labor Law Article 8, Section 220 and Article 9 Section 230.

**General Municipal Law #103:**

GML 103 requires an advertised bid for public work expenditures in excess of $35,000, and all other purchases except professional services/consultants in excess of a yearly aggregate expenditure of $20,000. Professional services/consultants use a different process from the normal bid as competitive bidding is not required. Another exception to the competitive bidding is the use of certain State or county contracts for materials, supplies, equipment or services. The use of county contracts is not limited to Monroe County. Any County’s contracts may be used provided the specifications extend the use to political subdivisions. There is no similar exception to competitive bidding for federal GSA contracts or contracts of other local governments. Inter-municipal agreements may be entered into with other political subdivisions to do
collective purchasing. Under such agreements, each individual bid package must include that the bid is open to use by other political entities.

**Article 8 Section 220 and Article 9 Section 230 of New York State Labor Law:**

**Prevailing Wages**
When the Town contracts with an outside contractor, the payment of prevailing wages is almost always required. The two articles that cover this requirement are Article 8 and Article 9 of New York State Law.

**Article 8 – Construction and Repair Services**
Article 8 covers labor that is associated with the construction and building trades. This can be anything from the construction of infrastructure to the erection of a public building (even a shed). It also covers repairs to these items. Essentially, if the work was covered by Article 8 at the time of construction, it will be covered under Article 8 when it is repaired or replaced. This work may be anything from fixing duct-work, to replacing a broken window. If it is attached to the building, it is covered. Objects that are free standing, however, typically are not covered. All projects covered under Article 8, regardless of dollar amount, are subject to prevailing wages.

To summarize, all of the following are covered under Article 8:
- Building construction.
- Heavy and highway construction.
- Sewer and waterline construction.
- Alteration, expansion, or repair to any of the above.
- Demolition.
- Maintenance of plant and equipment, plumbing, fixtures, and anything else affixed to the building.

**Article 9 – Building Services**
Article 9 covers labor that is associated with services rendered in and around a building. These generally relate to maintaining the use and functionality of the building and grounds. These are paid to those doing work to sustain building operations. There is an exemption for contracts that do not exceed $1,500. These contracts are not covered under Article 9 and do not require the payment of wages at prevailing rates.

The following are covered under Article 9:
- Exterminators and fumigators.
- Fuel oil delivery.
- Guards and watchmen.
- Janitor, porter, cleaners, elevator operation (not repair).
- Landscapers, mowers.
- Movers of furniture and equipment.
- Stationary engineer.
- Trash and refuse removal.
- Window cleaners.

**Requesting a PRC (Prevailing Rate Case) Number:**
This is done using a PW-39, however, it is strongly recommended that you use the online request system located at the NYS DOL website and not use the paper form and postal mail. Online submissions are much faster and easier to complete.

[http://www.labor.state.ny.us/workerprotection/publicwork/PWReqforOWS.shtm](http://www.labor.state.ny.us/workerprotection/publicwork/PWReqforOWS.shtm)

Bookmark this site so you can visit it whenever you have a need. You will want to fill out the online form. Once this is submitted, you should receive a PRC# within 5 minutes via e-mail. Keep this e-mail from NYS DOL as it will provide a link that you will want to use to quickly access the specific rate case so you can complete the PW-16 and PW-200 at the appropriate time.

When requesting a PRC# you can also request a wage schedule that will be available for download. You will need this schedule when you bid out the project and review invoices. Include the assigned PRC # in your bid specifications so interested vendors may print the schedules.

Prior to awarding your bid, you must reference the debarred list for the appropriate Article, as well as the Workers Compensation Board debarred list. If the name of a bidder appears on either list, you may not award the bid to them. They cannot participate in public work until they have been removed from the list.

Once you have awarded the contract, you will need to return to your PRC online and update the information by providing the details of the bid award. This is done on a PW-16. This is important as NYS DOL may audit the case and may wish to investigate the company. In some cases, a company may be added to the
debarred list after you have awarded the contract and they have begun work. In such cases, they may complete the project they have been awarded, but may not receive additional bid awards until they are no longer on the contract.

When the project is complete, you will need to return to your PRC online and complete the PW-200 that will close out the PRC. Once this is done, you are finished with this particular case.

Certified Payrolls
As part of the law regarding public work, a contractor must provide you with a certified payroll report (PW-12 date 03-07) each week. This consists of a list of employees, their addresses and social security numbers, the occupation they filled, the hours they worked, the wage they were paid, and the gross amount earned. The certification is on the second page, and must be completed and signed. An incomplete certified payroll is not to be accepted, and no payment may be made to the contractor without a properly completed certified payroll.

You must attach a copy of the certified payroll to your vouchers in order for payment to be processed. A copy must also be scanned into the LOGICS system as well. Keep a hard copy for your files. Certified payrolls must be retained for 5 years. Archive them appropriately as the Department of Labor may request copies at any time within that five year period.

Labor Covered
Everyone who works on a public works project must be listed on a certified payroll. There are a couple of exceptions. As noted above, Article 9 only covers those contracts that exceed $1,500 on an annual basis. Contracts of less than that amount for Article 9 work, does not require payment of prevailing wages. Also, contracts with the following entities do not require the payment of prevailing wages.

Sole Proprietor: A firm that has no employees other than the owner is a sole proprietorship. Such a firm is not subject to prevailing wage law. No certified payrolls need be submitted.

Partnership: A firm that is a partnership (small firm where all “employees” are owners) is subject to prevailing wage law, with the exception that the senior partner is not subject to the wage rates. You must determine who the senior partner is, and the senior partner must be listed on the certified payroll as the senior partner when he works on the project.

50/50 Partnership: A firm that is a 50/50 partnership (two partners with equal standing in the firm) is not subject to prevailing wage law. Both partners are exempt. You must verify that this is the case, and must verify that the two partners do not have any other employees.

In cases above, a letter from the firm declaring an exemption should be sent to you. All partners or owners should be listed on it, and should sign the letter.

In some cases, you may receive a certified payroll in which the owner is listed along with other employees and no information is given for hours or pay for the owner. In this case, the owner is to list his hours and pay.

If you are unsure if either Article applies or have any questions, contact the local office for NYSDOL at (585)258-4505 for assistance.

REJECTION OF BIDS:
As defined by New York State, a responsible bidder meets the vendor responsibility criteria of Financial stability, Legal authority, Integrity and satisfactory past Performance (FLIP criteria) (State Finance Law 163(9)(f).

If a department rejects a bid, the reason must be documented in a memo to the Town Clerk. Bids can only be rejected when they do not meet the specifications, exceed budget limits, or are higher than a qualifying responsible bidder. It is possible for all bids to be rejected, and for no award to be issued. In such circumstance, the Board will reject by resolution.

Under no circumstances allow a bidder to change their bid offer in order to be accepted. Bid offers may not be changed after they have been submitted, nor may bid specifications be materially altered. This constitutes negotiation, and is prohibited by law.

EXCEPTIONS TO POLICY:
In the case of a true emergency, the competitive bidding process may not need to be followed. An emergency
as defined by New York State is such:

An urgent and unexpected situation where health and public safety or the conservation of public resources is at risk. Such situations may create a need for an emergency contract. Pursuant to the Procurement Council Guidelines, an agency's failure to properly plan in advance which then results in a situation where normal practices cannot be followed does not constitute an emergency.

When such an emergency exists, the Department Head must contact the Supervisor or Town Comptroller to request authorization to make an immediate purchase from a reputable vendor for the procurement of the necessary goods or services. Documentation as to the nature of the emergency shall be sent to the Director of Finance or his staff within five (5) working days of such a purchase.

SECTION III
REQUEST FOR PROPOSAL (RFP)

WHAT IS AN RFP:

An RFP, or Request for Proposal, is a set of “soft” bid specifications. It may be very general in nature, describing the scope of the project or service, highlighting what is needed and when, cost requirements, and the expertise needed to achieve the task. Professional services require advanced degrees, specialized skills, training, expertise, professional judgment, discretion or a high degree of creativity. References are required.

WHEN TO USE AN RFP:

RFPs are required for projects/purchases with an estimated cost between $10,000 and $20,000/$35,000, and also for all professional services contracts. If you are unsure whether to use it or not, contact the Finance Department. RFP may also be used in smaller Public Works projects and Professional Service contracts, if desired.

USING THE RFP:

RFPs are not bid specifications. They are typically sent to persons or firms with expertise in providing specialized services. It is usually very costly for these firms to respond to competitive bid requests, and they will necessarily avoid the normal bidding process. A selected list of perhaps a half dozen, or more firms should be developed and a technical bid asked for in RFP form. The RFP responses are evaluated based on experience, the standards put forth in the RFP as well as cost. The chosen contractor is to be the best value as defined in State Finance Law 163: A best value award is one which optimizes quality, cost and efficiency and typically applies to complex services and technology contracts.

DEVELOPING AN RFP:

Prior to writing an RFP, due consideration should be given as to the amount and type of expertise needed to do the project. This will assist in determining if the RFP should be broad, or narrow in scope. If the amount and type of expertise is large, a broad RFP should be drawn up and sent to large firms able to handle its scope. If the project requires limited expertise, then smaller firms may also be used, and a more narrowly developed RFP should be sent.

Suggested elements for an RFP:

1. A complete description of the problem and the objectives of the project.
2. An estimate, as close as possible, of the extent of the services required, including staff and resources and an indication of any monetary limits.
3. Require a description of the overall work plan the consultant is expected to carry out, and an explanation of the relationship between the consultant and government staff.
4. A requirement for the starting and completion dates for each phase of the work plan.
5. A requirement for a breakdown of estimated project costs, listing separately those attributable to expenses for such things as travel and phones, etc., and those for consultant services, by class of consultant.
6. Require the identification and background of each member of the consultant firm expected to work on the project.
7. Request a list of clients for whom the consultant(s) has performed similar services.

Of course, simple projects may not need all of the above topics to be covered. A set of simple sentences may be all that is needed for simple projects.

**THE RFP PROCESS:**

While RFPs are not bids, they still follow a process similar to that of bids

1. Department Head considers need for RFP by examining problem and determining the type of service needed. The project and approach is discussed with the Town Supervisor.

2. With direction from the Supervisor, an RFP is developed and sent to appropriate firms.

3. Department receives technical proposals, reviews and distributes copies to the Supervisor, and as directed, the Comptroller.

4. The proposals are reviewed and evaluated. If a contractor is chosen, the Department Head makes a recommendation to the Town Board for award.

Below is a diagram of the RFP process:

**The RFP Process**

- **Department Head**: Has need for service, presents to Supervisor
- **Department Head**: Sends out RFP
- **Consultant**: Prepares proposal based on RFP and returns to department.
- **Department Head**: Reviews and distributes copies.
- **Supervisor/Dept. Head**: Reviews and makes its recommendation
- **Town Board**: Formally awards contract
- **Consultant**: Authorized to begin work.

**SECTION IV PURCHASES**

**PURCHASE ORDERS:**

Both purchase orders (PO) and vouchers are used when paying for goods and services. The use of these two documents is required by New York State Law. Purchase orders are used to **reserve** funds for a particular purchase. These reserved funds remain in the account even after a fiscal year has ended, but only for that purchase. It is important to encumber funds in this manner when an expense is expected and the amount can be reasonably estimated. A voucher is used to make payment and is the actual document referred to when generating a check. Vouchers may be used to liquidate purchase orders (expend reserved funds). They can also be used by themselves for payment of an invoice. A **purchase order should be used whenever the total purchase price exceeds $2,500/$5,000.**

The following procedure is to be used when making purchases in excess of $2,500/$5,000 annually:

1. Department completes purchase order. PO and supporting documentation is sent as an attachment. PO is approved by Department Head, Comptroller and/or Supervisor.

2. PO is reviewed by the Finance Department. Provided documentation is sufficient the PO is approved.

3. Once goods are received the PO department page, the signed invoice and signed packing slip are attached to the voucher. Voucher is approved by originating department and sent to Finance.
5. Final voucher approval is done by the Finance Department and Supervisor. A listing of the vouchers to be paid is prepared (abstract) reviewed and approved by the Town Comptroller and Town Clerk’s representative before the checks are issued.

PARTIAL PAYMENTS:

In some instances, it is not feasible to wait for the completion of delivery or service to pay a vendor. This most commonly occurs in contracts lasting a year or more. Regular payments may be made monthly, quarterly, or on occasion. In this case, a partial payment may be made against the PO.

STRAIGHT VOUCHERS:

For individual purchases below $2,500/$5,000, bearing in mind the yearly aggregate issue, a straight voucher may be used for payment. Use of a straight voucher still requires signatures and approvals as outlined above, items 4 and 5. This eliminates the step of encumbering the funds through a Purchase Order.

PAYMENT IN ADVANCE OF AUDIT:

Section 118 of New York Town Law authorizes the payment of claims for public utility services, postage, freight and express charges prior to the audit of such claims. However, the pre-paid claims are included in the next abstract as a recorded expenditure.

APPENDIX A

NEW YORK STATE LAW

The following is a synopsis of the sections of the General Municipal Law and New York Labor Law which apply to Town purchases. The wording of these laws has been altered slightly to better the understanding of the reader. The words Town and County are used in place of the more general legal terminology.

General Municipal Law

S 100: Definitions

As used in this article: “Political subdivision” means a municipal corporation, school district, district corporation and board of cooperative educational services.

S 100-a. Declaration of Policy

It is declared to be the policy of this state that this article shall be construed in the negotiation of contracts for public works and public purchases to which political subdivisions or any district therein is a party so as to assure the prudent and economical use of public moneys for the benefit of all the inhabitants of the state and to facilitate the acquisition of facilities and commodities of maximum quality at the lowest possible cost.

S 101: Separate Specifications for Certain Public Work

When entering into contracts for the erection, construction, reconstruction, or alteration of buildings where the entire cost of such work is expected to exceed fifty thousand dollars ($50,000), separate specifications must be prepared for the following four subdivisions of the work to be performed:

1. General construction
2. Plumbing and gas fitting
3. Heating, ventilating and air conditioning
4. Electric wiring and standard illuminating fixtures

Such specifications shall be drawn so as to permit independent bidding on each of the four subdivisions of work. Each subdivision shall be awarded to the lowest responsible bidder for that category.

S 102: Deposits on Plans and Specifications

Specifications for public work contracts may require a deposit by the vendor in order to guarantee the return of plans and specifications in original, unaltered condition. This amount is not to exceed one hundred dollars
If a bid or proposal is duly submitted by the vendor, including the required bid security, and the plans and specifications are returned in good condition within thirty (30) days after contract award, the full amount of the deposit shall be returned to all vendors including the successful bidder. Vendors will be fully reimbursed for no more than one set of plans and specifications each.

Partial reimbursement in an amount equal to the full amount of such deposit for one set of plans and specifications per unsuccessful bidder or non-bidder less the actual cost of reproduction of the plans and specifications as determined by the Town Clerk, shall be made for the return of all other copies of the plans and specifications in good condition within thirty (30) days following the award of the contract or the rejection of the bids covered by such plans and specifications.

S 103: Advertising for Bids, Letting of Contracts, criminal Conspiracies

All contracts for public work involving an expenditure of more than thirty-five thousand dollars ($35,000) and all purchase contracts involving a yearly aggregate expenditure of more than twenty thousand dollars ($20,000) shall be awarded to the lowest responsible bidder furnishing the required bid security after advertisement for sealed bids in the manner provided by this section.

In any case where a responsible bidder’s gross price is reducible by an allowance for the value of used machinery, equipment, apparatus or tools to be traded in by the Town, the gross price shall be reduced by the amount of such allowance, for the purpose of determining the low bid. In cases where two or more responsible bidders furnishing the required bid security submit identical bids as to price, the Town may award the contract to any of such bidders, or may reject all bids and re-advertise for new bids.

2. Advertisements for bids shall be published in the publication of record and shall contain a statement of the time and place where all bids received will be publicly opened and read. At least five days must elapse between the first publication of such advertisement and the date so specified for the opening and reading of bids.

A record of all bids will be made at the time of the opening, and an official summary will be publicly posted and sent to all bidders.

3. Any officer, board or agency of the Town may make purchases through the County Purchasing Department, provided the Town shall accept sole responsibility for any payment due the vendor. The Town may not make purchases through the County when bids have been received for such purchase by the Town. The County bid may be used once the Town’s contract obligated amount has been met.

4. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the Town require immediate action which cannot await competitive bidding, the Department Head, with approval from the Supervisor, may take action to obtain the necessary goods or services without going through the bid process.

5. Surplus and second hand supplies, material or equipment may be purchased without competitive bidding from the Federal Government, the State of New York, or from any other political subdivision, district, or public benefit corporation.

6. A person or corporation who conspires to prevent competitive bidding on a contract for public work or purchase advertised for bidding shall be guilty of a misdemeanor as provided in s103-e of the General Municipal Law.

S 103-d: Statement of Non-Collusion in Bids and Proposals

Every bid or proposal shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury.
S 103-f: Security Bonds: Municipal Projects

Whenever a security bond is posted by a successful bidder for the faithful performance of a municipal project, for which state aide is approved, the name and address of the bonding company or person issuing the security bond, the number of such bond, and any other required information shall be transmitted to the appropriate state agency. The original of such bond shall remain with the Town.

S 104: Purchase through Office of General Services

Any political subdivision or district within the State of New York may make purchases through the Office of General Services subject to such rules which may establish limitations and conditions of a purchase by the State, provided that the subdivision or district shall accept sole responsibility for any payment due the vendor.

If bids have been received for such purchase by the Town, no purchase may be made through the State, unless it may be made upon the same terms, conditions and specifications at a lower price through the State contract.

S 105: Disposition of Deposit Accompanying Bid

Whenever a bid deposit of a certified check, money, bonds or other obligations is a required condition for consideration of a bid, a person or corporation submitting a bid may withdraw the same if no award of the contract is made within forty-five (45) days after the receipt thereof and upon withdrawal such deposit shall be forthwith returned. Any such bid deposit shall be retained by the Town Clerk until returned to the bidder or forfeited.

S 108: Worker’s Compensation Insurance on Public Works

Each contract, which is of such a character that the employees engaged thereon are required to be insured under the provisions of Worker’s Compensation Law, shall contain a stipulation that such contract shall be void unless the person or corporation making such contract shall secure compensation for the benefit of, and keep insured during the life of such contract, such employees, in compliance with provisions of the Worker’s Compensation Law.

S 109: Assignment of Public Contracts

A clause shall be inserted in all specifications or contracts prohibiting any contractor to whom any contract shall be awarded, from assigning, transferring, conveying, subletting or otherwise disposing of the same, or of his right, title, or interest, or his power to execute without the previous consent, in writing, of the Town. Failure to obtain such written consent prior to taking any of the actions noted above shall result in the contract being declared null and void, and the Town would be relieved of any and all liability to the contractor.
Attachment for Resolution 16T-026

**Employee Handbook Revisions**

1.) **Article II E – Attendance – Department Head Responsibilities**
   a. Amend ¶4 to: If there is persistent absenteeism on the part of an employee, the department head is to counsel him/her regarding this problem and duly record such counseling. A pattern of absenteeism or excessive absenteeism may be grounds for disciplinary action, may impact the employee’s performance appraisal rating and/or result in termination.

2.) **Article II F – Holidays**
   a. Add “Day After Thanksgiving” to holiday list.
   b. Amend 2 Floating Holidays – Determined by the Board to One (1) Floating Holiday – Determined by the Board.

3.) **Article II G – Sick Leave**
   a. Amend page II-4, ¶7 to: Sick time will be reduced on a proportionate basis if the employee’s no pay absences from work are equal to or exceed twenty (20) working days.
   b. Delete page II-5, ¶2, ¶3 and ¶4

4.) **Article II H – Personal Days Off**
   a. Delete ¶2, bullet 7.

5.) **Article II M - Bereavement Policy**
   a. Amend ¶2, to include brother/sister-in-law.

6.) **Article II T – Vacation**
   a. Amend page II-10, ¶5, bullet 1, to: Employees commencing work prior to May 1st will have five (5) working days of vacation as a result of work performed in that calendar year, but that vacation may not be taken until after the completion of six (6) months employment.
   b. Amend page II-10, ¶5, bullet 2, to: Employees 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, however, that vacation may not be taken until after the completion of six (6) months of employment.
   c. Delete page II-11, bullet 1, sub-bullet 1.
   d. Amend page II-11, bullet 2, sub-bullet 2 to: Employees may accumulate a total of three (3) weeks of unused vacation, based on the employee’s work schedule. Unused vacation time may be added to the vacation in which the employee is entitled during the following year.
   e. Amend page II-11, bullet 5 to: An employee’s allowable vacation shall be reduced on a proportionate basis if his or her no-pay absences from work during the prior calendar year is equal to or exceeds twenty (20) working days.

7.) **Article III D – Step Increase**
   a. Amend ¶1 to: Employees will be reviewed annually on the anniversary of the appointment date of their current title. Employees may be considered for a step increase upon receiving an overall performance rating of Learning, Fully Satisfactory, Above Average or Outstanding. As part of the performance process, all step increases will be effective on the first day of the pay period following the anniversary date or on the anniversary date if such date is the first day of a pay period.
   b. Delete ¶9.

8.) **Article II F – Cost of Living Adjustment (CPI)**
   a. Delete ¶2.

9.) **Article III L – Direct Deposit**
   a. Amend ¶1 to: All wages are paid via direct deposit. The employee must be an authorized account holder of the checking or savings account to which deposits are made. Deposits may be split among multiple accounts. Paystubs are available online only.