December 30, 2010

Pursuant to Section 62 of the New York State Town Law, I am hereby scheduling a Special Town Board Organizational Meeting to be held on Wednesday, January 5, 2011 at 7:30 PM in the Penfield Town Hall Auditorium, 3100 Atlantic Avenue. The purpose of this meeting is to handle organizational matters and to deal with any other business that may come before the Board.

R. Anthony LaFountain
Town Supervisor

Cc: Town Board
   Town Clerk
   Town Attorney
   Receptionist
   Media
A duly called Special Organizational Meeting of the Penfield Town Board was held on Wednesday, January 5, 2011 at 7:30 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

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

Also Present: Amy Steklof   Town Clerk
Richard Horwitz  Town Attorney
Robert Beedon  Town Comptroller
Geoff Benway  Town Engineer
James Costello  Director of Developmental Services
James Fletcher  Highway Superintendent
Rose Iascone  Personnel Director
Kathy Kanauer  Town Historian
Lisa Grosser  Deputy Town Clerk

Supervisor LaFountain called the meeting to order – The Pledge of Allegiance was led by Town Staff.

Supervisor LaFountain recognized Councilman Robert Quinn who was sworn into office by Town Justice, James Mulley.

Councilman Quinn thanked friends, family, residents and the Town Board for all of their support.

Councilman Quinn summed up the Town’s accomplishments of the past year.

Councilwoman Metzler said a few words in support of Councilman Quinn.

Communications and Announcements

1. Supervisor LaFountain made the following appointments and assignments:

   Deputy Town Supervisor    Andrew Moore
   Confidential Secretary   Anna Knapton
   Town Historian    Kathy Kanauer

Supervisor LaFountain stated the following Town Board Committees have been established with the Chairperson as indicated:

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

Supervisor LaFountain stated the following Town Board Liaison to other Boards and organizations are effective for 2011:

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

Homeowner Associations:

   Allens Creek/Corbitt’s Glen Preservation Group/ Ahskwa Sanctuary    Tony LaFountain
   Allens Creek Homeowners Association  Andrew Moore
   Beacon Hills Homeowners Association  Andrew Moore
   Common Grounds Tenant’s Association  Paula Metzler
   Concord Square Homeowners Association  Andrew Moore
Devonshire Homeowners Association  Rob Quinn  
East Penfield Homeowners Association  Tony LaFountain  
Huntington Meadow Residents  Andrew Moore  
Leedale Neighbors  Paula Metzler  
Shadow Pines Homeowners Association  Linda Kohl  
Windsor Square Homeowners Association  Andrew Moore  
Woodside Dr/Harmon Rd Neighborhood Assoc.  Tony LaFountain  
Library Board  Linda Kohl  
Local History Room Advisory Board  Linda Kohl  
Monroe County Sheriff  Tony LaFountain  
New York State Police  Tony LaFountain  
Parks & Recreation Advisory Board  Linda Kohl  
Penfield Business Association  Tony LaFountain  
Penfield Chamber of Commerce  Tony LaFountain  
Penfield Little League  Andrew Moore  
Penfield Symphony Orchestra  Quinn/Kohl  
Penfield Youth Council  Rob Quinn  
Planning Board  Tony LaFountain  
School Districts,(Penfield/Webster)  LaFountain/Kohl  
Senior Citizens  Tony LaFountain  
Transportation Committee  Andrew Moore  
Veteran Organizations  Rob Quinn  
Zoning Board  Paula Metzler  

2. Town Clerk Amy Steklof made the following appointments for personnel in the Town Clerk’s office for 2011:

- Deputy Town Clerk and Secretary  Mrs. Lisa Grosser
- Office Clerk III with Typing  Mrs. Carol Smith

3. The Dog Licensing and Animal Control Law came into effect January 1, 2011. The new Dog Licensing fee changes are as follows:

<table>
<thead>
<tr>
<th>Type</th>
<th>Fee</th>
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</thead>
<tbody>
<tr>
<td>Spayed/Neutered</td>
<td>$10.00</td>
</tr>
<tr>
<td>Unspayed/Unneutered</td>
<td>$20.00</td>
</tr>
<tr>
<td>Spayed/Neutered Senior Owner</td>
<td>$5.00</td>
</tr>
<tr>
<td>Unspayed/Unneutered Senior Owner</td>
<td>$15.00</td>
</tr>
</tbody>
</table>


5. A new State Law requires all drivers passing stopped Emergency personnel to move over a lane to give space and safety to them.

6. The Penfield Recreation Winter/Spring Programs brochure is now available. To sign up for programs go to [HYPERLINK "http://www.penfield.org"] or sign up in person at the Recreation Department in the Penfield Community Center.

7. The Town of Penfield offices will be closed on Monday, January 17, 2011 in observance of Martin Luther King Day.

8. Supervisor LaFountain was the guest caller for the High Stakes Bingo at Atria today. The (2) two top winners received $2.00 each and a coffee mug. Supervisor LaFountain recognized the participants and thanked the Atria family.

9. The Town of Penfield winter parking rules are in effect until April 1, 2011. No parking is allowed on all roads and highways between 2:00 AM to 7:00 AM.

10. The “Memories of Penfield” book is still for sale and can be purchased at the Town Clerk’s office or the Penfield Recreation center for $15.00 each or two for $24.00.
11. Councilwoman Kohl will conduct a joint Community Chat with Penfield School Board Member, Marie Cinti, liaison to the Town Board on Tuesday, January 18, 2011 from 5:30 to 7:00 PM at the Penfield Library, 1985 Baird Road.

12. The Penfield Trails Committee will sponsor a Free Cross Country Ski and Snowshoe outing on Saturday, January 8, 2011 from 10:00 AM to Noon. Anyone interested should meet at Ellison Park at the north side of Blossom Road. All participants should register at Penfield Recreation, 340-8655.

Public Participation

Tom Trevett, 47 Canyon Trail recognized Jean Baric, Rose and Mike Hanscom, Dick Hammann, Terry Rothfuss and Dave Woodward as great examples of neighbor serving neighbor.

Tom Trevett, challenged the Town Board to adopt a Resolution authorizing the County Legislature to put in place a non-partisan board of citizens to redraw the County Legislature Districts.

Additions and Deletions to Agenda

Councilman Moore moved to delete Resolutions #11T-010, #11T-029, #11T-032 and #11T-033.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of December 1, 2010. Councilwoman Metzler seconded all voted “Aye”.

Petitions - None

Resolutions by Function

Law and Finance

#11T-001 Authorization for Workers Compensation Coverage 2011 by Moore

WHEREAS, the Town Board requested that the workers compensation insurance proposals be obtained so that selection could be made for January 1, 2011 to December 31st 2011, and

WHEREAS, the BMA Consulting Services Inc., acting as consultant to the Town has evaluated the (3) three proposals for our workers compensation insurance coverage’s for the 2011 insurance year on our Workers Compensation Insurance for the January 1, 2011 fiscal year,

NOW, BE IT RESOLVED that the insurance quote of $189,623 from the Public Employer Risk Management Association, Inc. is approved as they met all the specifications for the Town of Penfield’s workers compensation needs for the 2011 insurance year.

Moved: Moore
Seconded: Kohl

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

Adopted
#11T-002 Authorize the Supervisor to Sign Agreement with the Penfield Central School Districts Office for the Purchase of Fuel
By Moore

WHEREAS, the Penfield Central School District and the Town of Penfield entered into an Agreement, whereby the Penfield Central School District agreed to provide fuel services to the Town of Penfield at the Penfield Central School District Transportation Department at 2075 Five Mile Line Road, and

WHEREAS, the Penfield Central School District wish to extend the term for a period from December 1, 2010 through June 30, 2012, and

NOW, BE IT RESOLVED, that the Supervisor is authorized to sign the agreement of the terms, with the approval of the Town Attorney, with the Penfield Central School District Administration Office located at 2590 Atlantic Avenue, Rochester, New York 14625.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-003 Appointment of Temporary Members to the Board of Assessment Review by Moore

WHEREAS, each year the Town of Penfield Board of Assessment Review meets, in accordance with the New York State Real Property Tax Law, to hear grievances on assessments, and

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, and

WHEREAS, the Town Board of Penfield, in order to facilitate the assessment grievance process, deems it necessary to appoint temporary members to the Board of Assessment Review,

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, 2010, and shall end on September 30, 2011.

Eugene T. Oliver, 90 City View Dr., Rochester, N.Y. 14625

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-004 Appointment of Raymond Bliudnikas to the Board of Assessment Review by Moore

WHEREAS, Raymond Bliudnikas, 1 Peakhill Drive, Penfield, New York, has served on similar Boards of Assessment Review for the last ten plus years as a Member, and
WHEREAS, Raymond Bliudnikas has provided expertise to those Boards of Assessment Review, and

WHEREAS, Raymond Bliudnikas has expressed his interest in serving on the Board of Assessment Review,

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Board of the Town of Penfield appoint Raymond Bliudnikas to a five (5) year term on the Board of Assessment Review of the Town of Penfield, such term to expire on September 30, 2016.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-005 2012 Assessment Update by Moore

WHEREAS, Section 305 of New York State Real Property Tax Law mandates uniform and equitable assessments; and

WHEREAS, technical advice, and financial assistance are available by cooperative agreement with the New York State Office of Real Property Services; and

WHEREAS, the Town Board is committed to maintaining uniform and equitable assessments, therefore recognizes that an update is necessary to comply with Section 305 of the New York State Real Property Tax Law

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF PENFIELD, NEW YORK, AS FOLLOWS:

1. That the Assessor of the Town of Penfield is hereby directed to undertake and implement an update for the 2012 Assessment Roll. The Board supports the assessor having the RPS file in house in order to accomplish the 2012 update.

2. That the Assessor is authorized to enter into any necessary agreements to achieve this purpose. Any agreements resulting in expenditure by the Town of Penfield must first be approved by the Town Board.

This Resolution shall take effect immediately.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-006 Appointment of 2nd Deputy Receiver of Taxes by Moore

WHEREAS, 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. Amending and superseding previous appointment announcement of action taken on January 6, 2010.

NOW, THEREFORE, BE IT RESOLVED, that this Resolution appoints M&T Bank 2nd Deputy Receiver of Taxes effective January 5, 2011.
Penfield Town Board, January 5, 2011

(Resolution #11T-006 – Continued)

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-007 Appointment to the Library Board by Moore

BE IT RESOLVED, that Karen Wood, 1671 Harris Road, Penfield, NY be appointed to the Penfield Library Board for a term expiring December 31, 2015.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-008 Reappointments to Zoning Board Of Appeals by Moore

BE IT RESOLVED, that Joseph Grussenmeyer, 1484 Creek Street, Penfield, NY; Carole Mulcahy, 59 Old Pond Road, Penfield, NY, are re-appointed to the Zoning Board of Appeals for a term expiring December 31, 2013, 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

#11T-009 Reappointment of Chair – Zoning Board of Appeals by Moore

BE IT RESOLVED, that Daniel DeLaus, 105 Guygrace Lane, Penfield, NY, be reappointed Chair of the Zoning Board of Appeals, for the year 2011 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

#11T-010 Authorize the Supervisor to Sign Agreement with the Penfield Central School Districts Office for the Purchase of Fuel by Moore – WITHDRAWN

#11T-011 Continuation of Petty Cash Funds by Moore

BE IT RESOLVED, that the following petty cash funds are authorized in 2011 as follows:

- Town Supervisor $200.00
- Director of Recreation $250.00
- Director of Public Works $100.00
- Town Clerk and Receiver of Taxes $205.00
Penfield Town Board, January 5, 2011

(Resolution #11T-011 - Continued)

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  

Moved: Moore  
Seconded: Kohl  

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

Adopted

#11T-012  Town Membership in Various Organizations in 2011 by Moore

BE IT RESOLVED, that the following memberships for the Town of Penfield are hereby authorized for 2011 at the current annual dues:

1. Alliance for Community Media - Northeast, New York and US (ACM)  
2. American Planning Association  
3. American Public Works Association  
4. American Society of Civil Engineers  
5. Association of Public Historians of New York State  
6. Association of Watershed and Stormwater Professionals  
7. Cooperative Extension of Monroe County  
8. Electrical Association of Rochester, Inc.  
9. Finger Lakes Building Officials Association  
10. Genesee Valley Parks and Recreation Society  
11. Institute Management of Accountants  
12. International Association of Assessing Officers (IAAO)  
13. International Erosion Control Association  
14. Landmark Society of Western New York  
15. Monroe County Assessors Association  
16. Monroe County Association of Town Clerks, Tax Receivers and Collectors  
17. Monroe County Association of Town Supervisors of Highways  
18. Monroe County Court Clerks Association  
19. Monroe County Fire Marshals and Inspectors Association  
20. Monroe County’s Historian’s Association  
21. Monroe County Magistrates Association  
22. Monroe County Supervisor’s Association  
23. Monroe County Town Finance Association  
24. National Animal Control Association  
25. National Arbor Day Foundation  
26. National Association of Telecommunications Officers and Advisors  
27. National Government Finance Association  
28. National Public Employees Labor Relations Association  
29. National Recreation and Parks Association  
30. National Trust for Historic Preservation  
31. New York Conservation Officers Association  
32. New York Planning Federation  
33. New York State Animal Control Association, Inc.  
34. New York State Assessor’s Association (NYSAA)  
35. New York State Association of Tax Receivers and Collectors  
36. New York State Association of Town Highway Superintendents  
37. New York State Association of Towns  
38. New York State Building Officials Conference  
39. New York State Court Clerks Association  
40. New York State Fire Marshals and Inspectors Association  
41. New York State Historical Association  
42. New York State Institute of Assessing Officers (IAO)  
43. New York State Magistrates Association  
44. New York State Recreation and Park Society  
45. New York State Public Employees Labor Relations Association  
46. New York State Town Clerks Association  
47. New York State Turf Grass Association  
48. New York Parks and Trails
Penfield Town Board, January 5, 2011

(Resolution #11T-012 – Continued)

49. New York State Wildlife Management Association
50. NYS Floodplain & Stormwater Managers Association
51. NYS Government Finance Officer’s Association
52. Penfield Business Association
53. Penfield Chamber of Commerce
54. Professional Grounds Management Society
55. Seaway Trail, Inc.
56. Society of Broadcast Engineers (SBE)
57. Western New York Association of Historical Agencies
58. Youth Services Quality Council of Rochester & Monroe County

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-013 Designation of Official Newspaper for 2011 by Moore

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

#11T-014 Setting Rate for Reimbursement of Mileage by Moore

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 2011 be $.51 per mile, which is consistent with current Internal Revenue Service guidelines, with tolls and parking in addition to mileage allowance.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-015 Appointments to Ethics Board by Moore

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, 2011:

Anna Bundschuh, 40 Cobbles Drive, Penfield, NY
Richard Horwitz, 300 Panorama Trail, Penfield, NY
James Peters, 39 Bella Drive, Penfield, NY
Penfield Town Board, January 5, 2011

(Resolution #11T-015 - Continued)

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-016  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 2010 with the State Comptroller on or before March 1, 2011, 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

#11T-017  Reappointment of Chair – Historic Preservation Board by Moore

BE IT RESOLVED, that George Shaw, 1700 Jackson Road, Penfield, New York 14526 be reappointed Chair of the Historic Preservation Board for the year 2011 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

#11T-018  Reappointment to Historic Preservation Board by Moore

BE IT RESOLVED, that Mira Mejibovsky, 35 Pine Brook Circle, Penfield, NY; George Shaw, 1700 Jackson Road, Penfield, NY be re-appointed to the Historic Preservation Board for a term expiring December 31, 2015 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
Penfield Town Board, January 5, 2011

#11T-019 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 (Joseph A. Platania, Esq. of Counsel) as Counsel to the Town Attorney and to pay his 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,

NOW, BE IT RESOLVED, that the Supervisor is authorized to sign a contract with Mr. Joseph A. Platania for 2011 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 in preparation of Resolutions of the Planning Board and Zoning Board of Appeals.
   c. Handle first (3) three 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 (3) three hours of any case. Cases may include tax certiorari, civil service, labor, Article 78/Declarartory Judgement and all court action against Town Boards and Employees.

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye Metzler Aye Quinn Aye

Adopted

#11T-020 Reappointment of Chair – Conservation Board by Moore

BE IT RESOLVED, that James Almstead, 44 Flower Valley Circle, Penfield, NY, be appointed Chair of the Penfield Conservation Board for a term of (1) one year expiring December 31, 2011, at an annual salary as established by the Town Board.

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye Metzler Aye Quinn Aye

Adopted
Penfield Town Board, January 5, 2011

#11T-021 Reappointments to Conservation Board by Moore

BE IT RESOLVED, that James Almstead, 44 Flower Valley Circle, Penfield, NY; Jeffrey Bartocci, 3 Robert Road, Penfield, NY; Roseann Cohen, 2146 Gloria Drive, Penfield, NY; Burton Gorton, 47 Pine Brook Circle, Penfield, NY; Patricia Schichler, 44 Belvista Drive, Penfield NY; J. Noel Schlageter, 1550 Creek Street, Penfield, NY; Mark Wood, 1671 Harris Road, Penfield, NY be re-appointed to the Conservation Board for a two (2) year term expiring December 31, 2012 at annual salary as established by the Town Board.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-022 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 2011.

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
Director of Recreation $100,000
(each) blanket bond
Secretary to the Supervisor $100,000
Director of Public Works $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.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-023 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 Robert P. Beedon, Town Comptroller, be hereby authorized to attend the NYS Government Finance Officers Association Conference, and that all reasonable expenses be reimbursed upon submission of proper voucher with supporting documents. Funds have been budgeted in the 2011 budget.

Moved: Moore
Seconded: Kohl
Penfield Town Board, January 5, 2011

(Resolution #11T-023 - Continued)

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

Adopted

#11T-024 Banking Arrangements for the Town of Penfield for 2011
   by Moore

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

CHECKING ACCOUNTS

General Consolidated Account       #9840346283 M&T Bank
(including amounts for other funds)
Trust and Agency Account      #9840346291 M&T Bank
Debt Service Fund & Capital Account    #9840346275 M&T Bank
Town Clerk Account        #9840346267 M&T Bank
Town Clerk Account #2        #9840346259 M&T Bank
Receiver of Taxes Account       #9848617263 M&T Bank

SAVINGS ACCOUNTS

F.F. Hagreen Bequest     #15004211816804  M&T Bank
Town of Penfield Money Market      #15004211816812  M&T Bank
Town of Penfield Money Market          #777694824       JP
                                      Morgan/Chase
Town of Penfield Money Market    #587659947 HSBC

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-025 Authorization for Supervisor to Sign an Agreement with New
   Energy Works Design for a Timber Frame Bridge by Moore

BE IT RESOLVED, that the Town Board of the Town of Penfield hereby
authorizes the Supervisor to sign a contract with New Energy Works, 1180
Commercial Drive, Farmington, NY, for a timber frame bridge to be
located at 2514 Penfield Road. A copy of the Agreement is on file with
the Town Clerk in a format acceptable to the Town Attorney.

Moved: Moore
Seconded: Kohl

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

Adopted
Penfield Town Board, January 5, 2011

#11T-026  Appointment of Delegate to Association of Towns' Annual Meeting and Authorization for Certain Town Officials to Attend Meeting at Town Expense by Moore

BE IT RESOLVED, that Robert P. Beedon or his designated alternate, be appointed the official delegate of the Town of Penfield to the Association of Towns’ 2011 Annual Meeting in New York City. Partial reimbursement will be paid by the Town and partial reimbursement will be paid by PERMA. Authorized expenses will be reimbursed by the Town upon presentation of a properly completed voucher with supporting documents.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-027  Adoption of Town Board Rules of Procedure for 2011 by Moore

WHEREAS, it is the prerogative of the Town Board pursuant to New York State Law to establish Rules of Procedure,

NOW, BE IT RESOLVED, that the Rules of Procedure annexed hereto are hereby adopted, and

NOW, 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.

Moved: Moore
Seconded: Kohl

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

Adopted


BE IT RESOLVED, that the Supervisor is authorized to engage the firm of Raymond Wager, CPA, to prepare the Annual Financial Report audit for 2011 at a cost not to exceed $20,300.00 provided for in the approved 2011 Budget, and

BE IT FURTHER RESOLVED, that the firm of Raymond Wager, CPA review the Town of Penfield Justices' accounts for the year ended December 31, 2010 at a cost not to exceed $1,500.00 provided for in the approved 2011 Budget.

Moved: Moore
Seconded: Kohl

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

Adopted

#11T-029  Authorization for Workers Compensation Coverage 2011 by Moore – WITHDRAWN
#11T-030 Appointment of Chair to the Planning Board by Moore

BE IT RESOLVED, that Arsen Markarian, 7 Mapleview Circle, Penfield, be appointed Chair of the Planning Board for the year 2011, 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

#11T-031 Appointments to the Planning Board by Moore

BE IT RESOLVED, that Susan Kreiser, 15 Canyon Trail, Penfield; Jim Burton, 235 Watson Road, Penfield; be appointed to the Penfield Planning Board, for (3) three year term expiring December 31, 2013 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

#11T-032 Appointment to Zoning Board of Appeals by Moore – WITHDRAWN

#11T-033 Reappointment to the Library Board by Moore – WITHDRAWN

#11T-034 Reappointments to the Planning Board by Moore

BE IT RESOLVED, that John Albright, 207 Henderson Drive, Penfield; be re-appointed to the Penfield Planning Board, for one year term expiring December 31, 2011 at an annual salary as established by the Town Board.

Moved: Kohl
Seconded: Quinn

Vote: Kohl   Aye  LaFountain   Aye
      Metzler   Aye  Moore   No
      Quinn   Aye

Adopted

#11T-035 Appointment to the Planning Board by Moore

BE IT RESOLVED, that Douglas McCord, 2129 Five Mile Line Road, Penfield be appointed to the Penfield Planning Board, for term expiring December 31, 2012 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
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, 2011:

Geoffrey Benway   17 Green Pine Lane
Edward Freeman   125 Sawmill Drive
Michael Guyon   126 Penfield Crescent
Dick Vendel    1339 Salt Road
Terry Rothfuss    1865 Salt Road
Sue Kreiser   15 Canyon Trail
Tom Robinson   45 Woodcrest Drive

Moved: Metzler
Seconded: Moore

Adopted

WHEREAS, the "Sewer Rent Ordinance" in Section 22-4 of the Town Ordinance states that the Town Board shall annually establish Sewer Rental rates based on the annual Sewer Department Operation and Maintenance Budget as adopted, and

WHEREAS, the Town Board is also charged with setting the annual Debt Service rate for the Penfield Consolidated Sanitary Sewer District, based on the annual Debt Service budget as adopted,

NOW, THEREFORE, BE IT RESOLVED, that based on the Sewer Department Operation and Maintenance Budget adopted on 10/20/10 the Town Board established a 2011 Sewer Rental rate of $39.50/sewer unit, and

BE IT FURTHER RESOLVED, that based on the Consolidated Sewer District Debt Service Budget adopted on 10/20/10, the Town Board established a 2011 Debt Service rate of $67.04/sewer unit.

Moved: Metzler
Seconded: Moore

Adopted

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 2011, 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

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

Adopted

#11T-039 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 2011, 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 2011 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

#11T-040 Naming of Consulting Engineer to the Town of Penfield
By Metzler

BE IT RESOLVED, that MRB Group, P.C., 2480 Browncroft Blvd., Penfield, NY 14625 be named Consulting Engineer for the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with MRB Group, P.C., as outlined in their proposal, on file with the Town Clerk, which includes a schedule of 2011 fees for various services provided by any principal, employee or associate of the firm, and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific projects to internal staff and to qualified engineering firms in addition to MRB Group, P.C. as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2011 at an agreed upon fee depending on the nature of the services performed.

Moved: Metzler
Seconded: Moore
Penfield Town Board, January 5, 2011

(Resolution #11T-040 - Continued)

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

Adopted

#11T-041 Setting Operational Permit Fees for 2011 by Quinn

WHEREAS, the Town Board is authorized to set and amend fees from time to time; and

WHEREAS, the Fire Marshal has made the following recommendation to ensure that the Town of Penfield remains competitive with similarly sized communities within Monroe County; and

WHEREAS, the Town Board has reviewed said recommendations and concurs with the Town staff’s findings;

NOW, THEREFORE, BE IT RESOLVED that the 2011 Operational Permit Fee be established.

Operational Permit Fee $50.00/year

Moved: Metzler
Seconded: Moore

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

Adopted

#11T-042 Establishment of The Energy & Environmental Advisory Committee by Metzler

BE IT RESOLVED, that the following be re-appointed to the Penfield Energy and Environmental Advisory Committee for term ending on December 31, 2011:

Chairman: Supervisor LaFountain

Members:  Bob Haak, Jr., 91 Timberbrook Lane, Penfield
         Robyn Miller, PO Box 25238, Penfield
         Susan Foor, 1740 Salt Road, Penfield
         Robert Brumbaugh, 1565 Jackson Road, Penfield
         Pietro Furgiuele, 1045 Whalen Road, Penfield
         Robert Kanauer, Jr., 1710 Sweets Corners Rd, Penfield
         Ann McCarthy, Harris Road, Penfield
         Stacey Decker, 14 Surrey Place, Penfield

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

Moved: Metzler
Seconded: Moore

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

Adopted
Public Safety

#11T-043 Adoption of Wage and Salary Schedule and Appointment of Officials and Employees for 2011 by Quinn

BE IT RESOLVED, that the Town Board hereby adopts the Wage and Salary Schedules effective January 1, 2011. A listing of all Town Board approved positions for 2011, appointed officials, employees and their salaries is available in Personnel office.

Moved: Quinn
Seconded: Metzler

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

Adopted

See Attachment at End of Minutes

#11T-044 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 2011 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

#11T-045 Setting 2011 Salaries for Chairs and Members of the Planning, Zoning, Conservation and Historic Preservation Boards by Quinn

BE IT RESOLVED, that the following annual salaries to be paid in twelve (12) equal monthly installments be in force for 2011:

- Chair, Planning Board: $3,322
- Member, Planning Board: 2,457
- Chair, Zoning Board: 2,813
- Member, Zoning Board: 1,949
- Chair, Conservation Board: 1,722
- Member, Conservation Board: 844
- Chair, Historic Preservation Board: 1,332
- Member, Historic Preservation Board: 464

Moved: Quinn
Seconded: Metzler

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

Adopted
Penfield Town Board, January 5, 2011

#11T-046 Monthly Reports to Town Board by Quinn

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: Quinn
Seconded: Metzler

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

Adopted

#11T-047 Setting Holidays for 2011 by Quinn

BE IT RESOLVED, that the following dates are to be observed as holidays in 2011 for labor/operative in accordance with the policy on holidays as written in the Employee's Handbook.

Thursday, December 30, 2010 New Year's Day
Monday, January 17, 2011 Martin Luther King, Jr. Day
Monday, February 21, 2011 President's Day
Monday, May 30, 2011 Memorial Day
Monday, July 4, 2011 Independence Day
Monday, September 5, 2011 Labor Day
Monday, October 10, 2011 Columbus Day
Thursday, November 10, 2011 Veteran's Day
Thursday, November 24, 2011 Thanksgiving Day
Monday, December 26, 2011 Christmas Day Holiday

Moved: Quinn
Seconded: Metzler

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

Adopted

#11T-048 Setting Holidays for 2011 by Quinn

BE IT RESOLVED, that the following dates are to be observed as holidays in 2011 for regular employees in accordance with the policy on holidays as written in the Employee's Handbook.

Friday, December 31, 2010 New Year's Day
Monday, January 17, 2011 Martin Luther King, Jr. Day
Monday, February 21, 2011 President's Day
Friday, April 22, 2011 Good Friday
Monday, May 30, 2011 Memorial Day
Monday, July 4, 2011 Independence Day
Monday, September 5, 2011 Labor Day
Monday, October 10, 2011 Columbus Day
Friday, November 11, 2011 Veteran's Day
Thursday, November 24, 2011 Thanksgiving Day
Friday, November 25, 2011 Thanksgiving Floater
Monday, December 26, 2011 Christmas Day Holiday

BE IT FURTHER RESOLVED, that the extra floating holiday will be observed on Friday, December 23, 2011.

Moved: Quinn
Seconded: Metzler
Penfield Town Board, January 5, 2011

(Resolution #11T-048 – Continued)

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

Adopted

#11T-049 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 John Soldi, Jr., PO Box 288, North Greece, NY 14515 are
appointed Town of Penfield Court Enforcement Officers for a term to
expire December 31, 2011 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

#11T-050 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, 2011:

Jim Fletcher, Director of Public Works
Town of Penfield
1607 Jackson Road
Penfield, NY 14526

Laurie Enos
16 Talbot Drive
Penfield, NY 14526

Charles W. Fox
1555 Harris Road
Penfield, NY 14526

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

Engineer
Town of Penfield
3100 Atlantic Avenue
Penfield, NY 14526

Dan McCusker
124 Sawmill Drive
Penfield, NY 14526

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

Terrance Rice
Monroe County Dept of Transportation
City Place
50 W. Main Street
Rochester, NY 14614
Penfield Town Board, January 5, 2011

(Resolution #11T-050- Continued)

Moved: Quinn  
Seconded: Metzler

Discussion: Amend to add:

Mary Sweeney  
20 Beacon Hills Dr. South  
Penfield, NY 14526

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

Adopted

#11T-051 Employee Handbook Revisions by Quinn

WHEREAS, the Penfield Town Board adopted an Employed 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, 2011.

Revisions:

Index - Page 1 & 2

1. Employment Policies and Practices

11. Hours of Employment, Attendance, Absences

A. Work Schedule

Page 11-1, Second Paragraph

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

In some instances where only one person is on duty, one employee shifts, it is customary for the employee to have a meal period without be relieved. This meal period is paid.

C. Call-In-Time

Page 11-1

Employees who are called to work outside their scheduled working hours shall be paid three (3) hours at their normal hourly wage rate, or for the actual hours worked at the overtime rate if applicable, whichever is higher. Employees who are called back to work may be required to perform their regular work or other work assigned by Supervision which they are capable of performing.

If an employee wishes to leave before the completion of the minimum call-in-period and Supervision approves the request, the employee shall only be paid for the actual time worked at the overtime rate if applicable.

Employees directed by Supervision that they may leave before the completion of the three (3) hour minimum call-in-period shall be paid three (3) hours at the overtime rate.
E. Attendance
Page 11-2, paragraph 2.

All earned vacation, personal, sick leave credits and compensatory time will be calculated in hours. For the purpose of the variation of scheduled work hours among departments, the handbook states days, this will be converted to scheduled hours. (i.e. clerical staff 7 hours/workday, laborer 8 hours/workday).

G. Sick Leave
Page 11-3

Regular full-time employees are eligible to accrue sick leave allowance with pay equal to one-fifth (1/5) of weekly scheduled work hours, (i.e. 35, 40) per month, after being continuously employed for six (6) months. The maximum annual accrual period will be twelve (12) months per calendar year, until a total of one year is reached. For a 35 hour work week one year equals 1820 hours. For a 40 hour work week one year equals 2080 hours. (Weekly scheduled hours x 52)

Regular part-time employees are eligible to accrue sick leave allowance with pay on a pro rated basis based on their weekly scheduled work hours after being continuously employed for six (6) months. The maximum annual accrual period will be twelve (12) months per calendar year until one year is reached. For a 20 hour work week one year equals 1040 hours, etc. (weekly scheduled hours x 52)

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

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

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

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

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

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

H. Personal Days
Page 11-5

Personal leave is granted to employees for the purpose of transacting business or personal matters that require absence during regular working hours. Personal time may be taken in no less than one (1) hour increments. In cases that there may be a remainder of one half (.5) hour, leave may be used:

a. .5 hour increment
b. Used in conjunction with a remaining balance of one (1) hour.

These absences must have prior approval of the Department Head and at such time as the work of the department permits. A “request” form must be completed. Eligibility for personal leave is determined as follows:
After six (6) months of full-time or regular part-time employment, an employee accrues one (1) day per year, one fifth (1/5) of weekly scheduled work hours.

After one year (1) of full-time or regular part-time employment, an employee accrues two (2) days per year, Two-fifth (2/5) of weekly scheduled work hours.

If a new calendar year occurs during the first six (6) months of full-time or regular part-time employment, the employee will accrue two (2) personal days at the start of the New Year. However, the employee must actually work six (6) months prior to taking a personal day.

For purposes of accruing personal leave for regular full-time employees a day is defined as an employee’s normal weekly scheduled work hours, (i.e. 35, 40).

Regular part-time employees or full-time employees who work less than a 35 hour (salary) or a 40-hour (hourly) week are entitled to personal leave on a pro-rated basis.

Unused personal time will be added to cumulative sick leave at the end of the payroll year.

Established or uncontested Workers’ Compensation and NYS Disability absences shall not be considered time served for computing personal leave allowance.

M. Death In The Family

Full-time or regular part-time employees may be granted up to three (3) working days leave with pay if death occurs in his/her immediate family: spouse, parent, child (natural, adopted, or step), brother, sister, domestic partner, grandparent, grandchild, mother/father-in-law, son/daughter-in-law.

In the case of other close relatives of the employee, time up to one day may be taken with pay upon approval of the Department Head and the Town Supervisor: aunt, uncle, niece or nephew, step mother/father or step brother/sister who permanently resided in the employee’s household and who was raised or was raised with the employee.

Notice of death shall be furnished to the Employer by the employee upon request.

N. Jury Duty

Wages shall continue for all employees including part-time, temporary and seasonal while serving on jury duty during scheduled working hours only. In the event an employee misses only a portion of their scheduled work shift as a result of jury service, the employee is required to return to work for the remaining duration of the work shift. In order to be compensated, all employees are required to provide documentation from the County Court to the Personnel Office, the date(s) and time served.
Appendix
Page 1-8-13, Appendix V, No. 3

Third Party Administrator

Occupational Health Connection
687 Lee Road
Rochester, New York 14606

W. Compensatory Time
Page 11, Bullet 6

Compensatory time can only be taken in no less than one hour increments, and must have prior approval of the Department Head. Compensatory time “off” will be allowed as long as Town operations are not adversely impacted.

111. Compensation

F. Cost of Living Adjustment (CPI)
Page 111-3, Paragraph 1, 2 and 3

The Wage and Salary schedule will be reviewed annually. The second quarter Consumer Price Index, Northeastern U.S., will be used as one resource to determine scale adjustments. The Town Board may use a different percentage based on economic conditions.

As of January 1st of each year, employee wages will be adjusted accordingly, providing their most current performance appraisal rating is “Learning” or above and providing that they are not paid above their sustained performance level. A “Needs Improvement” overall rating may preclude a rate adjustment. A “Not Acceptable” overall rating will preclude a rate adjustment.

Seasonal and On Call schedules will be considered to be adjusted accordingly as of January 1st each year. It is the responsibility of the Department Head to submit to Personnel/Payroll a payroll change request form.

1IV. Benefits and Family Protection

A. Social Security
Page 1IV-1, Paragraph 3.

The Town is required by law to deduct Social Security and Medicare tax when an employee receives paid benefits directly by the Town while on sick leave or disability.

F. Hospital Surgical and Medical Benefits
Page 1IV-4, Paragraph 5.

Health Insurance Buy-Out: eligible employees, who elect not to participate in the Town’s health insurance plan, will receive an annual allowance of $1,500.00 for a family plan or $750.00 for a single plan. Payment, subject to tax, paid over the twenty-six annual pay periods, as part of payroll. There are key elements that must be met in order for the buy-out to take effect.

a. Eligible employees who opt out of the Town’s health insurance coverage must provide proof of alternative health coverage/insurance.
b. Employee must have worked for the Town for one year to qualify.

Page 1V-6, Paragraph 3

For the surviving spouse of a qualified retiree, single medical coverage will be extended and paid by the Town, consistent with the coverage the retiree had at time of death. Eligibility for medical coverage will cease in the event the surviving spouse re-marries.

H. New York State Retirement
Page 1V-8, Paragraph 3

Information is available in the Personnel Office about the different tiers. Additional information concerning your individual status may be obtained by writing to New York State Retirement System, 110 State Street, Albany, N.Y. 12244. A representative is also assigned to the Rochester area and is available by appointment only. Contact Personnel for additional information, schedule and location.

Additions:

Disclaimer

Whereas there are inconsistencies due to the four (4) day work week “Pilot” program, language in the Town of Penfield Employee Handbook will not reflect the terms and conditions of the “Pilot” program.

1. Employment Policies and Practices

Q. Non-Uniformed Dress Guidelines
Page 1-11, New Policy

This policy is designed to enhance the Town’s image by setting forth guidelines to assist our employees in projecting a professional image to our residents and customers. There is no substitute for neatness, propriety of dress, and good grooming.

As an employee of the Town employees have the responsibility to dress in a presentable manner suitable to the position held, the job responsibilities, interaction with residents/customers, and the work location.

Due to varied work assignments and working conditions, it is not practical to establish specific and absolute criteria as to what is appropriate dress. Formal business attire is expected for most meetings and appearances involving the public and/or for meetings held outside the organization when you are acting as a representative for the Town.

The attached list of unacceptable attire: (this list is illustrative and intended to be all inclusive):

Exercise clothing (e.g. shorts, gym clothes, sweat pants)

T-shirts or sweatshirts with vulgarity, violence, political statements

Low-cut or low-hanging clothing, cut-offs

Poor fitting clothing (e.g. too tight or too loose)

See through clothing without appropriate undergarments

Skorts/skirts shorter than mid-thigh
Tops that expose shoulders or stomachs (e.g. tank/muscle shirts, strapless or backless tops/dresses, thin/spaghetti straps, crop tops)

Beach shoes/thongs (e.g. flip flops)

Soiled/tattered clothing

Jeans – only when permitted (e.g. torn, shredded, holes, bleached or faded are not permitted)

Employees’ supervisors are responsible for monitoring compliance with these guidelines.

Supervisors will discuss inappropriate dress with individual staff members. If an employee is not in compliance with these guidelines, they may be sent home to change into appropriate clothing.

I. Nursing Mothers
Page 11-5 & 6

The Town of Penfield shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to express breast milk for her nursing child for up to three (3) years following child birth.

Reasonable unpaid break time is permitted to express breast milk. If requested by the employee, unpaid break time may run concurrently with regularly scheduled break or meal periods. The Town of Penfield shall provide a reasonable amount of breaks and break time to express milk.

Employees may elect to work before or after their normal shift to make up the amount of time used during the unpaid break time(s) for the expression of breast milk. This additional time requested must fall within the normal department’s work hours.

An employee may be required to postpone scheduled unpaid break time for no more than thirty (30) minutes if she cannot be spared from her duties until appropriate coverage arrives.

Employees wishing to avail themselves of this benefit are required to give the Town advance notice in writing. Such notice shall be provided to the Personnel Director prior to the employee’s return to work after childbirth. In order to establish a location and scheduled break times a reasonable notification is requested.

The Town of Penfield will make reasonable efforts and comply with NYS and Federal law to provide a location for the purpose of expression of breast milk.

Y. Tardiness
Page 11 -12, New Paragraph

Excessive tardiness may be grounds for disciplinary action, impact the performance appraisal rating, and/or result in termination. Tardiness will result in a “Needs Improvement” rating in the dependability category of the performance appraisal, preclude a step increase or CPI adjustment.

111. Compensation

E. Promotional Step
Page 111-2, New Paragraph
A Warning Notice, Counseling Memorandum, Suspension, Disciplinary Memo, or a “Needs Improvement” overall rating of performance, automatically disqualifies an employee to apply or be considered for a promotion for a minimum of one year, from the date of the most recent documentation on file.

Deletions:

111. **Compensation**

K. **Payroll Deductions**

Page 111-4, Paragraph 5

Participants in the Flexible Spending Account, annual medical/dental or dependent care contributions will be deducted pre-tax through equal payroll deductions.

IV. **Benefits and Family Protection**

I. **Dental Benefits - Retirees**

Page 1V-7, Paragraph 6-8 Omit

K. **Flexible Spending Account**

Page 1V-14, All to Be Omitted

Moved: Quinn

Seconded: Metzler

Vote: Kohl Aye LaFountain Aye

Metzler Aye Moore Aye

Quinn Aye

Adopted

**Community Services**

#11T-052 **Appointment of Senior Representative to the Parks and Recreation Advisory Board** by Kohl

BE IT RESOLVED, that Linda Sorrendino, 180 Fairhaven Road, Penfield, NY be appointed as the Senior’s Representative to the Parks and Recreation Advisory Board for a term expiring December 31, 2011.

Moved: Kohl

Seconded: Quinn

Vote: Kohl Aye LaFountain Aye

Metzler Aye Moore Aye

Quinn Aye

Adopted

#11T-053 **Contract with Penfield Symphony Orchestra for Concert Services** by Kohl

WHEREAS, the Town of Penfield wishes to continue with concert services with the Penfield Symphony Orchestra,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign a contract for services in 2011 for an amount not to exceed $1,500.00 with the Penfield Symphony Orchestra, Inc. as provided in the 2011 Budget.

Moved: Kohl

Seconded: Quinn
Penfield Town Board, January 5, 2011

(Resolution #11T-053 - Continued)

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

Adopted

#11T-054   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 contracts for videographer services:

Ilya Vaynshteyn  
80 Foxbourne Road  
Penfield, NY  14526

Mary Gilman  
149 Baxton Circle  
Penfield, NY  14526

Susan Hicks  
216 Elm Drive  
Rochester, NY  14609

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

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

Adopted

#11T-055   Reappointment to the Parks and Recreation Advisory Board by Kohl

BE IT RESOLVED, that John Taddeo, 143 Timber Brook Lane, Penfield, NY be re-appointed to the Parks and Recreation Advisory Board for a three year term to expire December 31, 2013.

Moved: Kohl  
Seconded: Quinn

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

Adopted

#11T-056   Authorization for Supervisor to Sign Contract for Daytons Corners School Coordinator by Kohl

BE IT RESOLVED, that the Town Supervisor be authorized to sign a contract with Karyn Y. Turner, 39 Westfield Commons, Penfield, NY as Coordinator of the Dayton’s Corners School from January 1, 2011 through December 31, 2011 for a fee of $2,500.00. Vouchers to be submitted monthly.

Moved: Kohl  
Seconded: Quinn
Penfield Town Board, January 5, 2011

(Resolution #11T-056 - Continued)

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

Adopted

#11T-057 Appointment of Student Representative to the Parks and Recreation Advisory Board by Kohl

BE IT RESOLVED, that Megan Bradley, 26 Bunker Hill Drive, Penfield, NY; be appointed as the Student Representatives to the Parks and Recreation Advisory Board for a term expiring June 30, 2011.

Moved: Kohl
Seconded: Quinn

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

Adopted

#11T-058 Appointment to the Parks and Recreation Advisory Board by Kohl

BE IT RESOLVED, that Susan L. Walsh, 2 Pond Valley Circle, Penfield, NY be re-appointed to the Parks and Recreation Advisory Board for a three year term to expire December 31, 2013.

Moved: Kohl
Seconded: Quinn

Discussion: Note that Susan L. Walsh is being appointed, not re-appointed as mentioned in the above paragraph.

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

As Amended

Adopted

#11T-059 Naming of Chair of the Parks and Recreation Board by Kohl

BE IT RESOLVED, that Councilwoman Linda Kohl be appointed as Chair of the Parks and Recreation Advisory Board for a one (1) year term expiring December 31, 2011.

Moved: Quinn
Seconded: Metzler

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

Adopted

#11T-060 Appointment of Chairperson to the Community TV Advisory Board by Kohl

BE IT RESOLVED, that Councilman Rob Quinn be appointed as Chair of the Community TV Advisory Board for a one (1) year term expiring December 31, 2011.

Moved: Kohl
Seconded: Metzler
(Resolution #11T-060 – Continued)

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

Adopted

Old Business - None

New Business

#11T-061 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 2011, 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 to the Penfield Justice Court as the need may arise during the year 2011.

Moved: Quinn
Seconded: Metzler

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

Adopted

#11T-062 Authorization to Sign Contracts with Court Stenographer by Quinn

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, 2011 to December 31, 2011, unless earlier terminated by either of the parties. Form of contract to be acceptable to Town Attorney. Funds are appropriated in the 2011 Budget.

Moved: Quinn
Seconded: Metzler

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

Adopted

Public Participation

Ed Lindskoog, 18 High School Drive, stated that Fort Schuyler will be open to the public on Saturday, January 8, 2011 as part of the Trails Committee Cross Country Ski and Snowshoe outing.

County Legislator Debbie Drawe, 5 Cobblestone Crossing congratulated Councilman Rob Quinn on his election victory.

Legislator Drawe also congratulated Councilwoman Kohl for taking over as Chairperson for the Parks and Recreation Board.

Legislator Drawe state she will be holding office hours with Legislator Dan Quatro on Monday, January 10, 2011 from 5:00 to 7:00 PM at the Penfield Community Center, 1985 Baird Road. Legislator Drawe can be reached at 586-8284 or at { HYPERLINK "mailto:ddrawe@gmail.com" }. 
Adjournment

Supervisor LaFountain adjourned the meeting at 8:30 PM.

Amy Steklof
Town Clerk
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<thead>
<tr>
<th>GRADE</th>
<th>POSITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Recreation Supervisor</td>
</tr>
<tr>
<td></td>
<td>Planning Technician</td>
</tr>
<tr>
<td></td>
<td>Deputy Town Clerk</td>
</tr>
<tr>
<td></td>
<td>Court Clerk</td>
</tr>
<tr>
<td>4</td>
<td>Assistant Building/Code Compliance Inspector</td>
</tr>
<tr>
<td></td>
<td>Receiver of Taxes</td>
</tr>
<tr>
<td></td>
<td>Planner</td>
</tr>
<tr>
<td></td>
<td>Junior Engineer</td>
</tr>
<tr>
<td></td>
<td>Fire Marshal</td>
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<tr>
<td>3</td>
<td>Building/Code Compliance Inspector</td>
</tr>
<tr>
<td></td>
<td>Assistant Recreation Director</td>
</tr>
</tbody>
</table>

**2011 Chart**

**WAGE/SALARY**

**EXEMPT/FULL TIME**

**TOWN OF PENFIELD**
GRADE 8  $24,199  $25,167  $26,134  $27,102  $28,070  $29,038  $30,006  $30,672  $31,740  $32,808  $33,876  $34,944  $36,012  $37,080  $38,148  $39,216  $40,284  $41,352  $42,420

GRADE 7  $22,775  $23,843  $24,911  $25,979  $27,047  $28,115  $29,183  $30,251  $31,319  $32,387  $33,455  $34,523  $35,591  $36,659  $37,727  $38,795  $40,080


RTE  RATE
STANDARD

2011
GRDES 6-8
WAGE / SALARY CHART
FULL-TIME
NON-EXEMPT
TOWN OF PENFIELD
<table>
<thead>
<tr>
<th></th>
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<tr>
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<tr>
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<td>$41.01</td>
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<td>$47.08</td>
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<td>$50.12</td>
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<table>
<thead>
<tr>
<th>Minimum Rate</th>
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<td>$51.64</td>
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Full/Part-Time
2011
Grades 1-8
Hourly Schedule
Town of Penfield
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<th>JOB TITLE</th>
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<td>13</td>
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<tr>
<td>12</td>
<td>GROUNDS EQUIPMENT OPERATOR</td>
</tr>
<tr>
<td>11</td>
<td>ANIMAL CONTROL OFFICER</td>
</tr>
<tr>
<td>10</td>
<td>SEWER CONSTRUCTION INSPECTOR</td>
</tr>
<tr>
<td>9</td>
<td>MAINTENANCE MECHANIC</td>
</tr>
<tr>
<td>8</td>
<td>AUTO MECHANIC</td>
</tr>
<tr>
<td>7</td>
<td>SENIOR MEO</td>
</tr>
<tr>
<td>6</td>
<td>PARKS/FACILITIES ELECTRICIAN</td>
</tr>
<tr>
<td>5</td>
<td>SEWER/LIGHTING ELECTRICIAN</td>
</tr>
<tr>
<td>4</td>
<td>WORKING FORERMAN</td>
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<tr>
<td>3</td>
<td>ROAD FORERMAN</td>
</tr>
<tr>
<td>2</td>
<td>BUILDING/MAINTENANCE/SECURITY FORERMAN</td>
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<tr>
<td>1</td>
<td>AUTO MECHANIC FORERMAN</td>
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<table>
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<th>MINIMUM RATE</th>
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<td>2011</td>
<td></td>
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<tr>
<td>GRADE 9-18</td>
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<tr>
<td>SCHEDULE</td>
<td></td>
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<tr>
<td>NON-EXEMPT HOURLY</td>
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<tr>
<td>TOWN OF PENFIELD</td>
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</tr>
<tr>
<td>Grade</td>
<td>Position</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>18</td>
<td>Building Service Worker</td>
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<tr>
<td>17</td>
<td>Cleaner</td>
</tr>
<tr>
<td>16</td>
<td>Light Laborer</td>
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<tr>
<td>15</td>
<td>Park Security Guard</td>
</tr>
<tr>
<td>14</td>
<td>Laborer</td>
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</table>

**Note:** The rates listed are for full-time employees. Part-time rates are not shown in the table.
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<th>Grade</th>
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<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
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<td>$20.30</td>
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<td>$18.77</td>
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<td>$15.83</td>
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<td>7</td>
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<td>$11.92</td>
<td>$12.18</td>
<td>$12.45</td>
<td>$12.71</td>
<td>$12.95</td>
</tr>
<tr>
<td>12</td>
<td>$11.92</td>
<td>$12.18</td>
<td>$12.45</td>
<td>$12.71</td>
<td>$12.95</td>
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<td>$11.92</td>
<td>$12.18</td>
<td>$12.45</td>
<td>$12.71</td>
<td>$12.95</td>
</tr>
</tbody>
</table>

2011 Pay Schedule
ON CALL, SEASONAL
SEWER AND PARKS
PUBLIC WORKS
TOWN OF PELLETTED
### Exhibit A

2012

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td><strong>Grounds Keeper</strong></td>
<td>$8,990</td>
<td>$8,994</td>
<td>$8,997</td>
<td>$8,994</td>
<td>$8,997</td>
<td>$8,994</td>
<td>$8,997</td>
<td>$8,994</td>
<td>$8,997</td>
</tr>
<tr>
<td><strong>Building Service Worker</strong></td>
<td>$9,839</td>
<td>$9,839</td>
<td>$9,839</td>
<td>$9,839</td>
<td>$9,839</td>
<td>$9,839</td>
<td>$9,839</td>
<td>$9,839</td>
<td>$9,839</td>
</tr>
<tr>
<td><strong>Gardener</strong></td>
<td>$9,001</td>
<td>$9,004</td>
<td>$9,007</td>
<td>$9,004</td>
<td>$9,007</td>
<td>$9,004</td>
<td>$9,007</td>
<td>$9,004</td>
<td>$9,007</td>
</tr>
<tr>
<td><strong>Cleaner</strong></td>
<td>$9,010</td>
<td>$9,013</td>
<td>$9,016</td>
<td>$9,013</td>
<td>$9,016</td>
<td>$9,013</td>
<td>$9,016</td>
<td>$9,013</td>
<td>$9,016</td>
</tr>
<tr>
<td><strong>Light Laborer</strong></td>
<td>$10,011</td>
<td>$10,014</td>
<td>$10,017</td>
<td>$10,014</td>
<td>$10,017</td>
<td>$10,014</td>
<td>$10,017</td>
<td>$10,014</td>
<td>$10,017</td>
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<tr>
<td><strong>Laborer</strong></td>
<td>$11,072</td>
<td>$11,075</td>
<td>$11,078</td>
<td>$11,075</td>
<td>$11,078</td>
<td>$11,075</td>
<td>$11,078</td>
<td>$11,075</td>
<td>$11,078</td>
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</tbody>
</table>

**Note:** For the years 2011 and 2012, the pay schedule is for the Public Works Department at the Town of Penfield.
<table>
<thead>
<tr>
<th>Grade</th>
<th>1 YEAR</th>
<th>2 YEAR</th>
<th>3 YEAR</th>
<th>4 YEAR</th>
<th>5 YEAR</th>
<th>6 YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>$15.49</td>
<td>$16.11</td>
<td>$16.73</td>
<td>$17.36</td>
<td>$17.97</td>
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<td>4</td>
<td>$19.97</td>
<td>$24.96</td>
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<td>$34.66</td>
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<td>1</td>
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<td>$44.27</td>
<td>$50.66</td>
<td>$57.06</td>
<td>$63.47</td>
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**Exhibit A**

Recreation Supervisor

2011

ON CALL AND SEASONAL
GRADES 4-8
HOURLY SCHEDULE
TOWN OF PENFIELD
<table>
<thead>
<tr>
<th>Grade</th>
<th>Position</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Summer Intern Student</td>
<td>$11.25</td>
</tr>
<tr>
<td></td>
<td>Cable TV Production Attendant</td>
<td>$11.70</td>
</tr>
<tr>
<td></td>
<td>Recreation Attendant</td>
<td>$12.15</td>
</tr>
<tr>
<td></td>
<td>Telephone Operator</td>
<td>$12.60</td>
</tr>
<tr>
<td></td>
<td>Office Clerk</td>
<td>$13.05</td>
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<tr>
<td></td>
<td>Court Attendant</td>
<td>$13.50</td>
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<tr>
<td></td>
<td>Secretary-Supervisor</td>
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<tr>
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<td>Recreation Assistant</td>
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<td></td>
<td>Production Assistant</td>
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<td></td>
<td>Office Clerk 111</td>
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<td>Account Clerk with Typing</td>
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<tr>
<td>7</td>
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<tr>
<td></td>
<td>Office Clerk 11</td>
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<td>6</td>
<td>Non-Exempt</td>
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<td>Hourly Schedule</td>
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<td></td>
<td>Town of Penfield</td>
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NOTE: (Year - 1) Years of continuous service with the Town of Penfield with each Grade.
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<th>Title</th>
<th>Level</th>
<th>Level</th>
<th>Level</th>
<th>Level</th>
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<td>10:30</td>
<td>11:00</td>
<td>11:30</td>
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**PAY SCHEDULE**
**SUMMER SPORT CAMP**
**SUMMER DAY CAMP**
**TOWN OF PENFIELD**
<table>
<thead>
<tr>
<th>LEVEL</th>
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<th>3</th>
<th>4</th>
<th>5</th>
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<td>13.55</td>
<td>12.80</td>
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**Junior Water Safety Instructor**

**Senior Water Safety Instructor**

**Pool Supervisor**

**Program Instructors**

**Recreation Assistant/Speciaity**
### Pay Schedule

#### Aquatic Program

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<thead>
<tr>
<th>Level</th>
<th>Tier</th>
<th>Room Attendant</th>
<th>Front Desk/Locker</th>
<th>Lifeguard</th>
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**SUBSTITUTE ARE PAID AT THE YEARLY RATE**