Call to Order – Pledge of Allegiance – Roll Call

Communications and Announcements

Public Participation

Additions and Deletions to Agenda

Approval of Minutes – December 5, 2012

Petitions

Resolutions by Function

Law and Finance

13T-001 Adoption of Town Board Rules of Procedure for 2013
13T-002 Adoption of Wage and Salary Schedule and Appointment of Officials and Employees for 2013
13T-003 Bonding of Town Officials and Employees
13T-004 Naming of a Labor Relations Consultant to the Town of Penfield
13T-005 Authorization for the Town Comptroller to Attend the Annual Meeting and the Board of Governors Meeting
13T-006 Banking Arrangements for the Town of Penfield for 2013
13T-007 Appointment to Zoning Board of Appeals
13T-008 Appointment of Chair – Zoning Board of Appeals
13T-009 Appointments to the Planning Board
13T-010 Appointment of Chair to the Planning Board
13T-011 Town Membership in Various Organizations in 2013
13T-012 Designation of Official Newspaper for 2013
13T-013 Setting Rate for Reimbursement of Mileage
13T-014 Filing Annual Financial Report
13T-015 Authorization for Contract with Counsel to Town Attorney
13T-016 Continuation of Petty Cash Funds
13T-017 Setting 2013 Salary for Chairs and Members of the Planning, Zoning, Conservation and Historic Preservation Boards
13T-018 Employee Handbook Revisions
13T-019 Monthly Reports to Town Board
13T-020 Setting Holidays for 2013
13T-021 Setting Holidays for Regular Employees for 2013
13T-022 Appointment of 2nd Deputy Receiver of Taxes
13T-023  Authorization for New York State Disability Insurance Group plan
13T-024  Authorize the Supervisor to sign Lease Agreement with the Penfield Symphony Orchestra

Public Works

13T-025  Naming of Landscape Consultant to the Town of Penfield
13T-026  Naming of Architectural Consultant to the Town of Penfield
13T-027  Naming of a Planning Consultant to the Town of Penfield
13T-028  Setting Sewer Entrance Fees for 2013
13T-029  Sewer Rental and Debt Service Rates for 2013
13T-030  Appointments to Energy & Environmental Advisory Committee
13T-031  Appointments to the Watershed Management Committee
13T-032  Appointments to Conservation Board
13T-033  Appointment of Chair – Conservation Board
13T-034  Appointment to Historic Preservation Board
13T-035  Appointment of Chair to Historic Preservation Board
13T-036  Designated Representative to Monroe County Environmental Management Council

Public Safety

13T-037  Appointments to the Transportation Committee
13T-038  Authorization of Temporary Assignment of Judges
13T-039  Court Enforcement Officer Appointments
13T-040  Authorization to Sign Contracts with Court Stenographer
13T-041  Appointment of Town Veterinarian
13T-042  Authorization for Supervisor to Sign Penfield Community Television Contract

Community Services

13T-043  Authorization for Supervisor to Sign Contract for Daytons Corners School Coordinator
13T-044  Appointments to the Library Board
13T-045  Appointment of Local History Room Advisory Committee
13T-046  Contract with Penfield Symphony Orchestra for Concert Services

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 2, 2013 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  

Supervisor LaFountain called the meeting to order - The Pledge of Allegiance was led by Boy Scout, Jonathan Wieting from Troop 31, Third Presbyterian Church. Jonathan is in the process of earning the Citizen in Government Badge.  

Supervisor LaFountain asked for a moment of silence to remember West Webster Fire Fighters Lt. Michael Chiapperini and Tomasz Kaczowka who were killed by gunfire in the line of duty on Christmas Eve and to also keep in our thoughts fire fighters Joseph Scardino and Joseph Hofstetter who were struck and seriously injured that evening.  

Supervisor LaFountain also remembered Councilman Moore’s Mother, Louise Moore who passed away on Christmas night. Thoughts and prayers go out to the entire Moore family.  

Communications and Announcements  

1. Supervisor LaFountain made the following appointments and assignments:  

   **One Year Term:**  
   - Deputy Town Supervisor: Paula Metzler  
   - Confidential Secretary: Anna Knapton  
   - Town Historian: Kathy Kanauer  

   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 2013:  
   - Ambulance (Penfield Vol.): Rob Quinn  
   - Board of Assessment Review: Tony LaFountain  
   - Community TV: Rob Quinn  
   - Conservation Board: Paula Metzler  
   - Fire Districts: LaFountain/Quinn  
   - Friends of Dayton Corners School House: Linda Kohl  
   - Health & Wellness Committee: Tony LaFountain  
   - Heritage Association: Rob Quinn  
   - Historic Preservation Board: Paula Metzler  

   **Homeowner Associations: (registered with the Town)**  
   - Allen's Creek/Corbitt's Glen: Town Board  
   - East Penfield Homeowners Association: Town Board  
   - Library Board: Linda Kohl  
   - Local History Room Advisory Board: Linda Kohl  
   - Monroe County Sheriff: LaFountain/Quinn  

   (Communications and Announcements - Continued)  
   - New York State Police: LaFountain/Quinn  
   - Penfield Business Association: Tony LaFountain
2. Town Clerk Amy Steklof read the following appointments for personnel in the Town Clerk’s office for 2013:

**One Year Term:**

Lisa S. Grosser Deputy Town Clerk  
11 Bella Dr.

Kristine M. Shaw Office Clerk III  
1302 Penfield Center Road.

3. The Town and County Tax bills for 2013 were mailed on Monday, December 31, 2012. If you do not receive your bill by Monday, January 7, 2013 please contact the tax department at 340-8625.

4. The Town Clerk’s office will now accept Visa and American Express cards along with Mastercard and Discover card for over the counter transactions.

5. No parking allowed on all roads and highways between 2:00 AM and 7:00 AM through April 1, 2013 to allow highway crews to safely and effectively maintain roads.

6. New York State Vehicle and Traffic Law and New York State Highway Law prohibit depositing snow upon the highway or its shoulders.

7. Please consider keeping snow cleared from fire hydrants near your home.

8. The “Friends of the Penfield Library” is offering a Community Supported Agriculture (CSA) program with Wickham Farms on Monday, January 7, 2013 from 7:00 to 8:00 PM at the library. For more information log onto www.penfieldlibrary.org.


10. The Town offices will be closed on Monday, January 21, 2013 in observance of Martin Luther King Day.

11. The State of the Town address will be held on January 30, 2013 at 7:00 PM in the Town Hall Auditorium.

12. The Penfield Trails Committee will sponsor a free public hike/cross country ski at Monroe County’s Ellison Park on Saturday, January 12, 2013 beginning at 10:00 AM. Participants are asked to pre-register by calling Penfield Recreation at 340-8655, option 6.

13. Recreation Gift Certificates are available for purchase at the Recreation Office, 1985 Baird Road or over the phone with a credit card at 340-8655, option 6.

14. Councilwoman Kohl’s next Community Chat will be held Tuesday, January 15, 2013 from 5:30 to 7:00 PM at the Penfield Library.

Public Participation - None

Additions and Deletions to Agenda

Councilwoman Metzler moved to add Resolutions #13T-047 and #13T-048 as new business, Councilman Moore seconded.

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of December 5, 2012, Councilman Quinn seconded and all voted “Aye.”
Petitions - None

Resolved by Function

Law and Finance

#13T-001 Adoption of Town Board Rules of Procedure for 2013 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.

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-002 Adoption of Wage and Salary Schedule and Appointment of Officials and Employees for 2013 by Moore

BE IT RESOLVED, that the Town Board hereby adopts the Wage and Salary Schedules effective January 1, 2013. A listing of all Town Board approved positions for 2013, appointed officials, employees and their salaries are available in Personnel office.

Moved: Metzler
Seconded: Moore

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

Adopted

See Attachment at end of Minutes

#13T-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 2013.

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

(Resolution #13T-003 - Continued)

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: Metzler
Seconded: Moore
#13T-004 Naming of a Labor Relations Consultant to the Town of Penfield by Moore

BE IT RESOLVED, Bernard Winterman, Labor Relations Consultant, 314 Willowbend Road, Rochester, NY 14618, be named Labor Relations Consultant for the Town of Penfield, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with Bernard Winterman, Labor Relations Consultant for the Town of Penfield for an agreed upon fee depending on the nature of services rendered, and

BE IT FURTHER RESOLVED, that the Town Board reserves the option to assign specific Labor Relations Consulting to internal staff and to other qualified Labor Consultants in addition to Bernard Winterman as necessary to represent the Town. Such other qualified firms will be compensated for the business referred to them during 2013 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

#13T-005 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, April 10th - 12th in Albany, New York. All reasonable expenses will be reimbursed upon submission of proper voucher with supporting documents. Funds have been budgeted in the 2013 budget.

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-006 Banking Arrangements for the Town of Penfield for 2013 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 J.P. Morgan/Chase
Town of Penfield Money Market #587659947 First Niagara

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-007 Appointment to Zoning Board of Appeals by Moore

BE IT RESOLVED, that Daniel DeLaus, 105 Guygrace Lane, Penfield, and
Roseann Denoncourt, 51 Scarborough Park, Penfield, be appointed to the
Zoning Board of Appeals for a three (3) year term expiring December 31,
2015, 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

#13T-008 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 2013 at an
annual salary as established by the Town Board.

(Resolution #13T-008 - Continued)

Moved: Metzler
Seconded: Moore

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

Adopted
Penfield Town Board, January 2, 2013

#13T-009  Appointments to the Planning Board by Moore

BE IT RESOLVED, that Arsen Markarian, 7 Maple View Circle, Penfield and Doug McCord, 2129 Five Mile Line Road, Penfield, be appointed to the Penfield Planning Board, for a three (3) year term expiring December 31, 2015 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

#13T-010  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 2013, 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

#13T-011  Town Membership in Various Organizations in 2013 by Moore

BE IT RESOLVED, that the following memberships for the Town of Penfield are hereby authorized for 2013 at the current annual dues:

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. Congress for New Urbanism
10. Cornell Municipal Clerks Institute
11. Electrical Association of Rochester, Inc.
12. Finger Lakes Building Officials Association
13. Genesee Valley Parks and Recreation Society
14. Institute Management of Accountants
15. International Association of Assessing Officers (IAAO)
16. International Institute of Municipal Clerks
17. International Erosion Control Association
18. Landmark Society of Western New York
19. Monroe County Assessors Association
20. Monroe County Association of Town Clerks, Tax Receivers and Collectors
21. Monroe County Association of Town Superintendents of Highways
22. Monroe County Court Clerks Association

(Resolution #13T-011 – Continued)

23. Monroe County Fire Marshals and Inspectors Association
24. Monroe County Historians Association
25. Monroe County Magistrates Association
26. Monroe County Supervisors Association
27. Monroe County Town Finance Association
28. National Animal Control Association
29. National Association of Telecommunications Officers and Advisors
30. National Government Finance Association
31. National Public Employees Labor Relations Association
32. National Recreation and Parks Association
33. National Trust for Historic Preservation
34. New York Conservation Officers Association
35. New York State Assessors Association (NYSAA)
36. New York State Association of Tax Receivers and Collectors
37. New York State Association of Town Highway Superintendents
38. New York State Association of Towns
39. New York State Building Officials Conference
40. New York State Court Clerks Association
41. New York State Fire Marshals and Inspectors Association
42. New York State Historical Association
43. New York State Institute of Assessing Officers (IAO)
44. New York State Magistrates Association
45. New York State Recreation and Park Society
46. New York State Public Employees Labor Relation Association
47. New York State Town Clerks Association
48. New York State Turf Grass Association
49. New York State Parks and Trails
50. New York State Wildlife Management Association
51. National Public Employer Labor Relations Association
52. NYS Floodplain & Storm Water Managers Association
53. NYS Government Finance Officers Association
54. Penfield Business Association
55. Penfield Chamber of Commerce
56. Professional Grounds Management Society
57. Seaway Trail, Inc.
58. Society of Broadcast Engineers (SBE)
59. Society for Human Resource Management
60. Urban Land Institute
61. Western New York Association of Historical Agencies
62. Youth Services Quality Council of Rochester & Monroe County

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-012 Designation of Official Newspaper for 2013 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: Metzler
Seconded: Moore

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

Adopted

#13T-013 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 2013 be $.575 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: Metzler  Seconded: Moore

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

Adopted

#13T-014  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 2012 with the State Comptroller on or before March 1, 2013, 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: Metzler  Seconded: Moore

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

Adopted

#13T-015  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 2013 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.
   (Resolution #13T-015 - Continued)
   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 may be assigned by the Town Board and/or the Town Attorney and will be paid per hour after the first three 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: Metzler
Seconded: Moore

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

Adopted

#13T-016 Continuation of Petty Cash Funds by Moore

BE IT RESOLVED, that the following petty cash funds are authorized in 2013 as follows:

- Town Supervisor $200.00
- Recreation Department $250.00
- Director of Public Works $200.00
- Town Clerk and 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: Metzler
Seconded: Moore

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

Adopted

#13T-017 Setting 2013 Salary for Chairs and Members of the Planning, Zoning, Conservation and Historic Preservation Board by Moore

BE IT RESOLVED, that the following annual salaries to be paid in twelve (12) equal monthly installments be in force for 2013:

- 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 481

(Resolution #13T-017 - Continued)

Moved: Metzler
Seconded: Moore

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye
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, 2013.

REVISIONS:

1. Employment Policies and Practices

B. Employee Definitions and Categories

Regular Full Time Employees - An appointment is considered full-time if the position involves working a 35 or more hours in the work week. All clerical and salaried employees work a 35 hour week. Department of Public Works (DPW) and Animal Control hourly employees work a 40 hour work week.

Appendix V - Drug Testing Administrative Personnel and Services

1. Drug/Alcohol Program Manager (DAPM)

Town Human Resource Director
Town Director of Public Works

Drug and Alcohol Testing Policy

Department of Public Works

11. Hours of Employment, Attendance, Absences

A. Work Schedule

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

Town Hall and Community Center:

Full-Time - 9:00 AM to 5:00 PM with 1-hour lunch
Part-Time - 9:00 AM to 1:00 PM
or
10:00 AM to 2:00 PM

Dept. of Public Works - "Variable shifts including weekends"

Monday - Thursday 4 days/10 hours/day
6:00 AM to 4:30 PM with ½-hour lunch

(Resolution #13T-018 - Continued)

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

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

Dept. of Public Works - Clerical Staff
Full-Time – Start Time
6:45 AM or 7:30 AM

Monday - Thursday 4 days/8.75 hours/day = 35 hours/week
Monday - Friday 5 days/7 hours/day = 35 hours/week

Part-Time – Start Time
9:00 AM - 1:00 PM

Monday - Thursday 4 days/5 hours/day = 20 hours/week
Monday - Friday 5 days/4 hours/day = 20 hours/week

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

F. Holidays
Page 11-3, Paragraph 3 and 4

If a holiday falls on Saturday, the preceding Friday will be considered a holiday. If a holiday falls on a Sunday, the following Monday will be recognized as the holiday.

Regular part-time employees are entitled to holiday pay on a pro-rated basis if the Town observed holiday falls on a regularly official scheduled work day for that employee. Observed holidays are determined each year by Town Board Resolution

M. Death in the Family
Page 11-7, Paragraph 1 and 2

Full time or regular part time employees who have served over six (6) months employed may be granted three (3) working days with pay, for the purpose of planning/attending services due to a death in the employee’s immediate family, upon satisfactory evidence of such. The immediate family shall include the employee’s father, mother, grand parent, brother, sister, spouse, and child (natural, adopted or step), grandchild, father/mother-in-law or son/daughter in-law, and same gender partner – legally married in the State of N.Y.

In the case of other close relatives of the employee, time up to one (1) day may be taken with pay to attend services, upon satisfactory evidence of such, and the approval of the Department Head and the Town Supervisor: aunt, uncle, niece, nephew or step mother/father, step brother/sister who permanently resided in the employee’s household and who was raised with the employee.

X. Leave for Cancer Screening
Page 11-2, Paragraphs 1 and 2

Annually (between 1/1 and 12/31) eligible employees are entitled to take up to four (4) hours of paid leave for prostate cancer screening, as well as up to four (4) hours for breast cancer screening. This paid leave is not deducted from accrued leave. The allowed leave may include the travel time to and from the appointment and any subsequent follow up consultation visits. In addition the allowed leave may be staggered though out the year until the maximum allowance has been reached. Employees who undergo breast or prostate cancer screenings outside the regular work schedules or on a holiday are not granted compensatory time off.

(Resolution #13T-018 – Continued)

To properly request this absence, within five (5) days before the date on which you expect to be absent from work, the employee must submit the completed “Cancer Screening Leave Form” to their Department Head for approval.

111. COMPENSATION
A. Pay Period
Page 111-1, Paragraph 1

All employees except appointed paid board members are paid bi-weekly, every other Friday. Paid board members are paid on a monthly basis.

K. Payroll Deductions
Page 111-4, Paragraph 5

It is mandatory that all full-time employees join the NYS Retirement System. Member’s contribution of gross wages will be deducted each pay period. Part-time, temporary or seasonal employees must join the NYS Retirement system if they are vested or active members in the NYS Retirement System. Otherwise, part-time, temporary, or seasonal employees have the option of joining the plan.

L. Direct Deposit
Page 111-4, Paragraph

Direct deposit of your paycheck in a checking or savings account is mandated. Paystubs are available online only. Application to the Payroll Department is required.

IV. BENEFITS AND FAMILY PROTECTION

C. Worker’s Compensation Insurance
Page 1V-2, Paragraph 4, First Sentence

Wages will continue and shall be paid by the insurance carrier for lost time/disability that exceed seven (7) calendar days.

F. Hospital Surgical and Medical Benefits
Page 1V-4, 10 and 2nd Bullet

Health Insurance Buy-Out: Eligible full-time/permanent appointed employees, who elect not to participate in the Town’s health insurance plan, will receive an annual allowance of $1500 for a family plan or two (2) person plan or $750 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.

- Employee must have worked for the Town for one (1) year to qualify.
  Following the completion of one (1) year, employees will be eligible as of January 1st.

Page 1V-5, Paragraph 3

New employees will be eligible for benefits as of their date of employment. Upon termination of employment, benefits shall cease on the last day of the month. The Town will refund any unused premiums paid by the employees.

(Resolution #13T-018- Continued)

G. New York State Retirement
Page 1V-7, Paragraph 1-6

The Town of Penfield provides a retirement benefit to all full-time employees with the NYS Retirement System. Benefits under this system were first initiated on October 10, 1947. Employees belong to one (1) of the six (6) Tiers, depending on date of hire.
Tier 1 - Hired prior to July 1, 1973
Tier 2 - Hired from July 1, 1973 to June 30, 1976
Tier 3 - Hired from July 1, 1976 to August 31, 1983
Tier 4 - Hired after September 1, 1983 to December 31, 2009
Tier 5 - Hired on/after January 1, 2010
Tier 6 - Hired on/after April 1, 2012

All full-time employees hired on/after April 1, 2012 must join Tier 6 of the Retirement System unless they are vested or an active member in the NYS Retirement System. The employee contribution rate, deducted on each payroll, as follows:

- From 4/1/2012 through 3/31/2013, Tier 6 members contribute three percent (3%) of their gross salary, except for Uniformed Court Officers and Peace Officers employed by the Unified Court System who contribute four percent (4%)
- Beginning 4/1/2013, the percentage is based on the member’s wages.

<table>
<thead>
<tr>
<th>Contribution Rate</th>
<th>Wages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. $45,000 or less</td>
<td>3%</td>
</tr>
<tr>
<td>2. $44,001 to $55,000</td>
<td>3.5%</td>
</tr>
<tr>
<td>3. $55,001 to $75,000</td>
<td>4.5%</td>
</tr>
<tr>
<td>4. $75,001 to $100,000</td>
<td>5.75%</td>
</tr>
<tr>
<td>5. More than $100,000</td>
<td>6%</td>
</tr>
</tbody>
</table>

Tier 6 members contribute towards retirement for their entire career, through payroll deduction. For members with less than 10 years of credited service who leave public employment, contributions plus interest will be returned to the employee at time of resignation, provided the member is not vested.

All full-time employees hired on/after January 1, 2010 and prior to April 1, 2012 must join Tier 5 of the Retirement System. The employee contribution rate, deducted on each payroll, is three percent (3%) of gross wages, as is the same for all Tier 3 or 4 members. Tier 5 members contribute 3% towards retirement for their entire career. For members with less than 10 years of credited service who leave employment, contributions plus interest will be returned to the employee at time of resignation, provided the member is not vested.

Tier 3 and 4 members who have (10) or more years of membership or ten or more years of credited service will no longer contribute 3% towards retirement. Contributions for Tier 3 or 4 members, plus interest, will be returned to the employee at time of resignation, provided that the member is not vested (less five (5) years of credited service) or eligible for a benefit and has not returned to public employment. For members with more than five (5), but
less than 10 years of credited service who leave public employment, have the choice of vesting or withdrawing contributions.

Part-time, seasonal or temporary employees must join the NYS Retirement System if they are vested or active members. Otherwise, part-time, seasonal or temporary employees have the option of joining the plan.

Information is available on the NYS Retirement System website (http://www.osc.state.ny.us/retire/) about the different tiers. Additional information concerning your individual status may be obtained by writing to New York Retirement System, 110 State Street, Albany, NY 12244. A representative is assigned to the Rochester area and is available by appointment only. Contact Personnel for additional information, schedule and location.

J. The Family and Medical Leave Act of 1993
Page 1V-10, Bullet No. 4.

When an employee requests intermittent leave or leave on a reduced leave schedule, which is foreseeable, based on planned medical treatment, an interim FMLA leave request form must be completed and submitted to the Department Head and the HR Director for approval. The Town may require the employee transfer, temporarily, to another position which has equivalent pay and benefits and better accommodates recurring periods of leave.

M. Clothing Allowances
Page 1V-15

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

<table>
<thead>
<tr>
<th>Basic Work Category</th>
<th>Typical Work Function</th>
<th>Annual Employee Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Production Staff</td>
<td>Cable TV</td>
<td>Up to $50</td>
</tr>
<tr>
<td>Recreation Staff</td>
<td>Directors/Supervisors</td>
<td>Up to $50</td>
</tr>
<tr>
<td></td>
<td>Seasonal Staff</td>
<td>Bulk Orders</td>
</tr>
<tr>
<td>Field Staff</td>
<td>Engineers</td>
<td>Up to $100</td>
</tr>
<tr>
<td></td>
<td>Building Inspector</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Assessment Staff</td>
<td></td>
</tr>
<tr>
<td>Operations Staff</td>
<td>Dept. Public Works</td>
<td>Up to $250</td>
</tr>
<tr>
<td></td>
<td>Foreman</td>
<td></td>
</tr>
</tbody>
</table>

(Resolution #13T-018 - Continued)

<table>
<thead>
<tr>
<th></th>
<th>Part-time Employee</th>
<th>Full-time Employee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Control</td>
<td>Up to $175</td>
<td>Up to $300</td>
</tr>
<tr>
<td>Uniformed Staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Security</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Court Clerks</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Department of Public Works employees utilize a laundered uniform service.

Individuals within the field Staff, Production Staff and Recreation Staff categories place bulk orders as a unit.

**ADDITIONS:**

1. **Employment Policies and Practices**

   **S. Vehicle/Equipment Use**

   The general policy of the Town of Penfield regarding proper use of Town owned vehicles and equipment is stated below. This policy is applicable to employees driving/operating Town owned vehicles/equipment while conducting Town business. By means of this policy, all employees shall be notified of their responsibilities while driving/operating Town owned vehicles/equipment.

   ➢ The following approvals require authorization by the Town Supervisor, or Department Head for equipment assigned/operated to by a department.

   1. **Daily Use Assignment** - is an assignment that requires an employee to use a Town vehicle for Town business only during work hours. No vehicle should be used for transportation between home and the work site. If the employee is outside their normal work site when the lunch period begins, the vehicle may be used to stop for lunch at a nearby restaurant. Family members or personal guests may not be transported in the vehicle at any time. Vehicles used to conduct “Out of Town” business or conferences require the approval of the Town Supervisor.

   2. **Commuter Use Assignment** - is an assignment that requires an employee to use a Town vehicle for Town business and transportation between the employees’ home and the work site. There shall be no personal use of the vehicle. Family members or personal guests may not be transported in the vehicle at any time. Vehicles used to conduct “Out of Town” business or conferences require the approval of the Town Supervisor.

   Vehicles may be assigned for Commuter Use when the employee and vehicle meet one (1) or more of the following requirements:

   a. The employee responds to frequent ‘call-ins’ to emergency situations based on technical skills or supervisory status of employee. Response to an incident after the emergency/hazardous situation is controlled does not meet the definition of an emergency situation. OR
   b. The vehicle carries radio and other specialized equipment frequently needed to respond to emergencies.
   c. All vehicles designated as Commuter Use Assignment shall be left after work and on weekends at the employee’s residence.

   (Resolution #13T-018 - Continued)

   3. **Equipment-Vehicle Use Assignment** - Snow Flows, Flat Beds, Light/Heavy Trucks etc.

   An assignment requiring employees to operate/drive Town equipment for Town construction and sewer projects, drainage, parks, sidewalk and road maintenance/repair work, or snow removal. Only authorized employees will be permitted to operate/drive any equipment/vehicle. Family members or
personal guests my not be transported on/in any equipment/vehicle. Employees who drive/operate a snow removal truck outside their normal work site may stop at a nearby restaurant for the appropriate break period. (Breakfast, lunch or dinner)

- When not in use, all vehicles/equipment must be locked and not running.
- All Commuter Use Vehicles shall be left at the employee’s residence after work and on weekends. Commuter Use vehicles are to be left at work for any absences greater than one (1) day.
- The Town Board shall approve the following classifications:

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>DAILY USE ASSIGNMENT</th>
<th>COMMUTER USE ASSIGNMENT</th>
<th>VEHICLE/EQUIPMENT USE ASSIGNMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Control</td>
<td>Animal Control Officers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessor</td>
<td>Assessor Staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building</td>
<td>Building Insp./Zoning Admin Building Inspectors Asst. Building Inspectors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering</td>
<td>Town Engineer Staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Marshal</td>
<td>Fire Marshal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Public Works (DPW) Highway, Parks &amp; Sewer</td>
<td>Director DPW Foreman Electrician Staff</td>
<td>Foreman- winter months only</td>
<td></td>
</tr>
<tr>
<td>Planning</td>
<td>Director Staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation</td>
<td>Director Staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supervisor</td>
<td>Dir. Dev. Services Town Supervisor</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Town owned vehicles/equipment must be operated only by employees with a proper NYS license as required by law.
- Driving records and abstracts shall be obtained from the NYS Department of Motor Vehicles and the Town’s insurance carrier. The Personnel Department will review for validity.
- All drivers/operators must notify their Department Head and the Personnel Director of driver license status changes.
- Driving privileges for Town owned vehicles/equipment may be restricted or rescinded for employees with unsafe driving records as determined by the insurance carrier or Town Board.
- All Town-owned vehicles/equipment must have the Town designated decal affixed to each side of the vehicle. The operators of the vehicles/equipment are required to check for such decals prior to operation. Any Town owned vehicle/equipment without such decal designation shall not be driven for any purpose.

(Resolution #13T-018 – Continued)

- All operators of Town owned vehicles/equipment shall operate them in a safe and lawful manner. Drivers/operators shall operate vehicles/equipment according to NYS traffic laws and operating instructions.
- Drivers/operators will be responsible for fines issued when operating Town owned vehicles/equipment.
All property damage, serious or minor must immediately be reported to the local police agency and department head. The Department head must immediately notify the Town Comptroller and complete required forms for submission to Town’s insurance carrier.

**NOTE:** If an accident occurs while the employee is using a Town vehicle/equipment in violation of any section of this policy, the employee may be personally liable for any property damage or injury resulting from the accident. If the Town of Penfield is required to make payments due to an employee misconduct accident or be a party to a lawsuit as a result of such accident, the employee may be made a party to any lawsuit resulting from the accident and the employee may be required to reimburse the Town.

Department Heads must be notified of any alleged misuse of Town owned vehicles/equipment or violation of this policy through citizen complaints. All complaints must be in writing and include contact information. Copies of complaints must be given to Town Supervisor for review. If it is determined a violation of this policy has occurred, disciplinary action up to and including termination may be imposed.

Daily vehicle mileage reports and gas usage with the automated gas system maintained by the Department of Public Works must be documented according to existing procedures.

Smoking is prohibited in/on any Town owned vehicle/equipment.

**CONFIRMATION OF RECEIPT OF VEHICLE/EQUIPMENT USE POLICY**

I ______________________, acknowledge that I have received a copy of the Town’s Vehicle/Equipment Use Policy.

I understand this material and agree to abide by all provisions and procedures of the policy and procedures as a condition of my employment.

**Acknowledgement of Receipt**

________________________
(Print name)

___________________________
(Employee signature) (Date)

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-019 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: Metzler  
Seconded: Moore  
Vote: Kohl Aye  LaFountain Aye
Metzler Aye  Moore Aye
Quinn Aye  
Adopted

#13T-020 Setting Holidays for 2013 by Moore

BE IT RESOLVED, that the following dates are to be observed as holidays in 2013 for labor-operative in accordance with the policy on holidays as written in the Employee's Handbook.

Tuesday, January 1, 2013  New Year's Day  
Monday, January 21, 2013  Martin Luther King, Jr. Day  
Monday, February 18, 2013  President's Day  
Friday, March 29, 2013  Good Friday  
Monday, May 27, 2013  Memorial Day  
Thursday, July 4, 2013  Independence Day  
Monday, September 2, 2013  Labor Day  
Monday, October 14, 2013  Columbus Day  
Monday, November 11, 2013  Veteran's Day  
Thursday, November 28, 2013  Thanksgiving Day  
Wednesday, December 25, 2013  Christmas Day  

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

#13T-021 Setting Holidays for Regular Employees for 2013 by Moore

BE IT RESOLVED, that the following dates are to be observed as holidays in 2013 for regular employees in accordance with the policy on holidays as written in the Employee's Handbook.

Tuesday, January 1, 2013  New Year's Day  
Monday, January 21, 2013  Martin Luther King, Jr. Day  
Monday, February 18, 2013  President's Day  
Friday, March 29, 2013  Good Friday  
Monday, May 27, 2013  Memorial Day  
Thursday, July 4, 2013  Independence Day  
Monday, September 2, 2013  Labor Day  
Monday, October 14, 2013  Columbus Day  
Monday, November 11, 2013  Veteran's Day  
Thursday, November 28, 2013  Thanksgiving Day  
Friday, November 29, 2013  Thanksgiving Floater  
Wednesday, December 25, 2013  Christmas Day Holiday

BE IT FURTHER RESOLVED, that the extra floating holiday will be observed on Friday, July 5, 2013.

Moved: Metzler  
Seconded: Moore  
(Resolution #13T-021 - Continued)

Vote: Kohl Aye  LaFountain Aye
Metzler Aye  Moore Aye
Quinn Aye  
Adopted
#13T-022 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 2, 2013.

NOW, THEREFORE, BE IT RESOLVED, that this Resolution appoints M&T Bank 2nd Deputy Receiver of Taxes effective January 2, 2013.

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-023 Authorization for New York State Disability Insurance Group Plan by Moore

WHEREAS, the Town Board requested that the New York State Disability Insurance renewal proposals be obtained so that selection could be made for January 1, 2013 to December 31, 2014; and

WHEREAS, the insurance renewal quote from Mutual of Omaha met all the specifications for the Town of Penfield’s New York State Disability Insurance needs; and

BE IT RESOLVED THAT the Town Supervisor is hereby authorized to sign an agreement with Mutual of Ohama, 209 Broadhollow Road, Suite 404, Melville, NY 11747, for New York State Disability Insurance effective January 1, 2013 and ending December 31, 2014.

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-024 Authorize the Supervisor to Sign Lease Agreement with the Penfield Symphony Orchestra by Moore

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 2013 for an amount not to exceed $1,000.00 with the Penfield Symphony Orchestra, Inc. as provided in the 2013 Budget.

Moved: Metzler
Seconded: Moore

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

Adopted
Penfield Town Board, January 2, 2013

Public Works

#13T-025 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 2013, 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 2013 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

#13T-026 Naming of 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 2013, 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 2013 at an agreed upon fee depending on.

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-027 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, which includes a schedule of fees for various services provided by Consultant to the Town of Penfield for 2013.

Moved: Metzler  
Seconded: Moore  

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

Adopted

#13T-028 Setting Sewer Entrance Fees for 2013 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 2013, 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  
Metzler Aye  
Quinn Aye  
LaFountain Aye  
Moore Aye  

Adopted

#13T-029 Sewer Rental and Debt Service Rates for 2013 by Metzler  

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 10/17/12 the Town Board established a 2013 Sewer Rental rate of $39.46/sewer unit, and

BE IT FURTHER RESOLVED, that based on the Consolidated Sewer District Debt Service Budget adopted on 10/17/12, the Town Board established a 2013 Debt Service rate of $68.16/sewer unit.

(Resolution #13T-029 - Continued)

Moved: Metzler  
Seconded: Moore  

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

Adopted
#13T-030  Appointments to Energy & 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, 2013.

Chairman: Supervisor LaFountain

Members: Cynette Cavaliere, 5 Split Rail Run, Penfield
         Susan Foor, 1740 Salt Road, Penfield
         Robert Kanauer, Jr., 1710 Sweets Corners Rd, 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

#13T-031  Appointments 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, 2013:

Geoffrey Benway, Chair  Town of Penfield Engineer
Edward Freeman  125 Sawmill Drive
Michael Guyon  126 Penfield Crescent
Terry Rothfuss  1865 Salt Road
Sue Kreiser  15 Canyon Trail
Mike Simon  3817 Atlantic Avenue
Dennis Sanzotta  Town of Penfield Highway Dept.

Moved: Metzler  
Seconded: Moore

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

Adopted

#13T-032  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; and Mark Wood, 1671 Harris Road, be
re-appointed to the Conservation Board for a one (1) year term expiring December 31, 2013 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

#13T-033 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 (1) year expiring December 31, 2013, 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

#13T-034 Appointment to Historic Preservation Board by Metzler

BE IT RESOLVED, that Joan Belgiorno, 11 Mountain Road, Penfield, be appointed to the Historic Preservation Board for a five (5) year term ending on December 31, 2017 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

#13T-035 Appointment of Chair to Historic Preservation Board by Metzler

BE IT RESOLVED, that George Shaw, 1700 Jackson Road, Penfield, New York 14526 be appointed Chair of the Historic Preservation Board for the year 2013 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

#13T-036 Designated Representative to Monroe County Environmental Management Council by Metzler

BE IT RESOLVED, that J. Noel Schlageter, 1550 Creek Street be designated to serve on the Monroe County Environmental Management Council (EMC) as
representative of the Town of Penfield Conservation Board for a two (2) year term to expire December 31, 2014.

Moved: Metzler  
Seconded: Moore

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

Adopted

Public Safety

#13T-037 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, 2013:

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

Town of Penfield Engineering Department  
Jim Fletcher  
Geoff Benway  
3100 Atlantic Avenue  
Penfield, NY  14526

Town of Penfield Highway Department  
Ronnie Williams  
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

(Resolution #13T-037 - Continued)

Moved: Quinn  
Seconded: Metzler
Penfield Town Board, January 2, 2013

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

Adopted

#13T-038 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 2013, 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 2013.

Moved: Quinn
Seconded: Metzler

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

Adopted

#13T-039 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, 2013 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

#13T-040 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, 2013 to December 31, 2013, unless earlier terminated by either of the parties. Form of contract to be acceptable to Town Attorney. Funds are appropriated in the 2013 Budget.

Moved: Quinn
Seconded: Metzler

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

Adopted

#13T-041 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
2013 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

#13T-042 Authorization for Supervisor to Sign Penfield Community Television Contract by Quinn

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

Jason R. Darnieder
1331 Marsh Road
Pittsford, NY 14534

Katherine Quigley
979 Five Mile Line Road
Webster, NY 14580

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

Moved: Quinn
Seconded: Metzler

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

Adopted

Community Services

#13T-043 Authorization for Supervisor to Sign Contract for Daytons Corners School Coordinator by Quinn

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, 2013 through December 31, 2013 for a fee of $2,600.00. Vouchers to be submitted monthly.

(Resolution #13T-043 – Continued)

Moved: Kohl
Seconded: Quinn
Penfield Town Board, January 2, 2013

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

Adopted

#13T-044  Appointments to the Library Board by Quinn

BE IT RESOLVED, that Dorothea Y. Sanchez, 8 Piccadilly Square, Penfield NY and Susan Lyon, 1629 Sweets Corners Road, Penfield, NY be appointed to the Penfield Library Board for a term expiring December 31, 2017.

Moved: Kohl
Seconded: Quinn

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

Adopted

#13T-045  Appointment of Local History Room Advisory Committee by Quinn

BE IT RESOLVED, that the following be appointed to the Local History Room Advisory Committee for a one (1) year term expiring December 31, 2013:

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

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

Moved: Kohl
Seconded: Quinn

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

Adopted

#13T-046  Contract with Penfield Symphony Orchestra for Concert Services by Quinn
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 2013 for an amount not to exceed $1,000.00 with the Penfield Symphony Orchestra, Inc. as provided in the 2013 Budget.

Moved: Kohl
Seconded: Quinn

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

Adopted

Old Business - None

New Business

#13T-047 Setting a Public Hearing for a Conditional Use Permit to Allow a Yogurt Shop at 2105 Five Mile Line Road - SBL

WHEREAS, an application has been received by the Penfield Town Board for the issuance of a Conditional Use Permit pursuant to Article III-3-97 of the Code to allow a yogurt shop at 2105 Five Mile Line Road, located in the Four Corners (FC) zoning district;

NOW, THEREFORE, BE IT RESOLVED, that the Penfield Town Board is best suited to act as "lead agency" within the meaning of the State Environmental Quality Review Act (SEQRA) and thus does hereby designate itself as "lead agency" pursuant to SEQRA; and be it further

RESOLVED, that the subject application is determined to be a Type II action pursuant to the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, that the Town Board of the said Town of Penfield shall hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, in the Town of Penfield, New York on January 23, 2013, at 7:30 PM on said date, to consider the said application and to hear all persons interested on the question of the issuance of a Conditional Use Permit to allow a yogurt shop at 2105 Five Mile Line Road, in the Four Corners (FC) zoning district; and be it further

RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: Metzler
Seconded: Moore

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

Adopted

#13T-048 Setting a Public Hearing for a Conditional Use Permit and Preliminary and Final Resubdivision and Site Plan Approval to Allow a 6,500 +/- sq. ft. Restaurant at 2164 Fairport Nine
WHEREAS, an application has been received by the Penfield Town Board, under Local Law No. 2 of 2003, known as the Town of Penfield Incentive Zoning Law, to consider the application for Incentive Zoning and Preliminary and Final Resubdivision and Site Plan approval under Article XI-9-2 and a Conditional Use Permit under Article X-10-4-E of the Code to allow a 6,500 +/- square foot restaurant/tavern on 1.27 acres in the Business Non-Retail (BN-R) zoning district at 2164 Fairport-Nine Mile Point Road;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Penfield will hold a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526 on January 23, 2013 at 7:30 PM on said date, to consider said application and to hear all persons on the question of consideration of said application; and be it further

RESOLVED, that the Penfield Town Board acted as “lead agency” within the meaning of the State Environmental Quality Review Act (SEQRA) and did designate itself as “lead agency” pursuant to SEQRA during the Incentive Zoning approval process which was granted by the Town Board at which time the requirements for SEQRA for the overall development concept for the site were met and satisfied in a Findings Statement adopted in Resolution No. 159 dated June 21, 2006; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, certified by the Town Clerk, shall be published at least once in the official newspaper of the Town, the first publication thereof not to be less than ten (10) nor more than twenty (20) days before the date set for said Hearing as aforesaid. A copy of this Resolution shall be posted on the official signboard of the Town as prescribed by Law.

Moved: Metzler
Seconded: Kohl

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

Adopted

Public Participation - None

Adjournment

Supervisor LaFountain adjourned the meeting at 7:58 PM.

Amy Steklof
Town Clerk
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<th>GRADE</th>
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COMPTROLLER
DIRECTOR OF DEVELOPMENTAL SERVICES
DIRECTOR OF PERSONNEL/DEPUTY COMPTROLLER
DIRECTOR OF PUBLIC WORKS
FIRE MARSHAL & BUILDING/ZONING & CODE COMPLIANCE SUPERVISOR
TOWN ENGINEER

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ASSESSOR
BUILDING INSPECTOR/ZONING ADMINISTRATOR
CABLE TV COORDINATOR
RECREATION DIRECTOR
SUPERINTENDENT OF SEWER MAINTENANCE
JUNIOR ENGINEER/PLANNING
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CLERK 11
OFFICE CLERK 11
SENIOR ACCOUNT CLERK
SENIOR ACCOUNT CLERK WITH TYPING
SPECIAL EVENTS ASSISTANT

| GRADE 7 | $28,053  | $29,175 | $30,297 | $31,419 | $32,541 | $33,663 | $34,786 | $35,908 | $37,030 | $38,152 | $39,274  |

ACCOUNT CLERK WITH TYPING
CLERK 111
OFFICE CLERK 111
TELEVISION GRAPHICS DESIGN ASSISTANT

<p>| GRADE 8 | $24,441  | $25,418 | $26,396 | $27,374 | $28,351 | $29,329 | $30,306 | $31,284 | $32,262 | $33,239 | $34,217  |</p>
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Geographic Information Systems Operator
Informational Specialist
## TOWN OF PENFIELD
### HOURLY SCHEDULE
#### GRADES 1-4
##### 2013
###### PART TIME

**NON-EXEMPT**

|-------|------|------|------|------|------|------|------|------|

**ACCOUNT CLERK WITH TYPING**

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**OFFICE CLERK**

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- OFFICE CLERK 11
- SENIOR ACCOUNT CLERK WITH TYPING
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TOWN OF PENFIELD  
NON-EXEMPT HOURLY OPERATIVE SCHEDULE  
GRADE 9-10  
FULL / PART-TIME  
2013  

1 OF 2  
EXHIBIT A  

R 1/1/2013
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EXHIBIT A
1 of 2
### TOWN OF PENFIELD
**HOURLY SCHEDULE**
**GRADES 1-8**
**ON CALL AND SEASONAL**
**2013**

#### NON-EXEMPT

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**NOTE:** (Year 1-6) Years of continuous service with the Town of Penfield within each grade. Full/part-time seasonal student helper rate for the school year - $7.30

---

**EXHIBIT A**
201 of 2
<table>
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<tr>
<th>GRADE</th>
<th>YEAR 1</th>
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1OF2

EXHIBIT A
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TOWN OF PENFIELD
PUBLIC WORKS,
SEWER AND PARKS
ON CALL, SEASONAL
PAY SCHEDULE
2013

20F 2
EXHIBIT A

1/1/2013
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1 OF 1 EXHIBIT A
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