

KENDALL TOWN BOARD – ORGANIZATIONAL MEETING – JANUARY 5, 2006
Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

PUBLIC PRESENT:

Sheryl Vick, Michael Paduchak, Mike, Marisa and Michela Hanlon; Joyce Henry, Susan Pritchard, Yorke F. Knapp, Lorena Patt, Luther and Adeline Klafehn, Donna Dangler, Cathy, Michael, Nicholas, and Matthew Schuth; Barbara Flow, Neil Ernenwein, Diane Pagoda, Bob and Ellie Nelson; Hilary and Paul Balcerzak, Susan and Ken DeRoller; Tresel and Jeff, Preston, Zach, and Tessa Vick; Sharon and Chuck Patt, Bob Hart, Gert Hauck, Lisa and David Stenshorn, Judy Ernenwein, Kathy Scroger, David Balka, Eric Maxon, Dan and Marietta Schuth, Harry and Dorothy Butler, Jeannette and Bill Behnke, Warren and Lyn Kruger, Mary Ellen and Stephen Seaman, Gerald and Alyce Reamer, Scott Hardenbrook, Ed and Val, Laura, Becca, and Evan Vick; Jessica and Robin Bower, Ron and Carol Lofthouse, Mary Mann, Stephen and JJ, Jesse Scarpulla, Chris and Chaley, Richie Swift; Al and Bev Lofthouse, Jack Gillman, Stella and Jack Linehan, Paul Gray.

OATHS OF OFFICE

Honorable Craig D. Lape, Kendall Town Justice officiated the Oaths of Office for the newly elected and re-elected officials with their spouses and family looking on. Kenneth DeRoller, Assessor and Master of Ceremonies introduced the Newly Elected officials Supervisor William L. Vick, Councilpersons David M. Schuth and Charles W. Scroger. Newly appointed Councilman Donald Pritchard. Justice Raymond J. Ernenwein, Highway Superintendent Warren Kruger, and Town Clerk Nadine Hanlon also received their Oaths of Office for being re-elected to their post. The community witnessed this promise to serve the community to the best of their ability.

CALL TO ORDER

Meeting was called to order by Supervisor Vick at 7:54 PM and the Pledge of Allegiance was led.

SUPERVISOR’S REMARKS

Newly Elected Supervisor Vick welcomed the community and on a light note it was brought up that age might be of issue. But Supervisor Vick referenced the fact that he has something in common with another gentleman that at age 80, Marv Levy just signed on with the Buffalo Bills. Vick assured the crowd that his age will not be an issue. Acknowledged the electorate and that their wishes be carried out and appreciate all that has been done by them. Supervisor Vick provided a brief State of the Town Address. He explained that he is only one on a board of five members and would rather be known as Chairman not Supervisor. It is the right of all Councilmen to question all actions of this board and the Supervisor. Public work sessions will be established, to provide more participation of the public in a more relaxed atmosphere. No firm decisions will be made at work session only how and when a resolution will go up on the agenda. Agenda order has been changed. To hear committee reports so questions may be answered before the need for the public to ask them. Supervisor Vick explained his expectations of orderly participation from the community, for the community to question the actions of this board. To raise a hand during resolutions to share important facts that the board may not be aware of. Public participation is our focus. He hopes to never use the gavel, only for adjournment. Supervisor Vick promises he will never shirk his reasonability to the public or board nor gloss over any issue, it will be a “tell it like it is” situation.

It has been a difficult transition. A lot of hard work has been done by the board members. He acknowledged special kudos to Nadine, Ken and Warren and to their staff for helping the board get to a comfortable state. Current tax bills are not of this sitting board and no further discussion regarding that will occur this evening on our agenda. This board will need to get arms around current financial situations and all pending issues. Currently burning the midnight oil to get final accounting.

The Board is revisiting all programs and has been re-assured by all department heads that no unnecessary spending will occur. This transitioning board has many major projects: fiscal situations and fiscal procedures; possible take over of our water lines by MCWA; major commercial project to administer with heavy impact on the environment and code enforcement; invitation of Kendall Central School District to resolve highway issues and disposition of public thoroughfare; and major subdivision project on the table which impacts the town. All have high levels of importance and will get them done. Find a way to get public input for all these issues within what the law provides us.

Supervisor Vick indicated that the community is the Board’s priority; the board needs some breathing room. The board will keep the community advised and will answer any questions. Supervisor Vick told the community to remind this group of their responsibilities any time the community feels they need it. If no smiles from Supervisor Vick, or not receive a greeting, tell him to lighten up. The burden is a little heavy but they are capable. Supervisor Vick will assure that. Look forward to the public’s participation to succeed. Very capable group of officials, department heads and employees. Supervisor Vick wants all to have peace and prosperity and put anger and recrimination behind us. Will concentrate on moving forward.

Scott Hardenbrook will be re-joining us as Code Enforcement officer and acknowledged his time in getting himself up to speed on current issues. Supervisor Vick would also like to acknowledge the work of the Planning and Zoning Boards and they have probably been working for about \$.25 an hour with all the issues at hand. Supervisor Vick will call for a small recess should anyone like to leave but encourages the public to stay and observe them at tonight’s meeting.

Michael Paduchak asked the board if he could make a brief statement before going into recess. Mike would like to congratulate the board for their endeavor and foresight in the future. He faced controversial issues while he was in office. The Town Hall and Highway Building were fruits of controversial issues. People came before the board who said they did not want it. An informal vote was taken. One man told him “You’ll get what you want, but let the people decide.” Mike hopes this board follows the same path and “good luck to you”.

Brief recess was called by Supervisor Vick.

Supervisor Vick called the meeting back to order at 7:56 PM.

ROLL CALL

Christine DiNatale, Councilwoman	Present
Donald Pritchard, Councilman	Present
David Schuth, Councilman	Present
Charles Scroger, Councilman	Present
William Vick, Supervisor	Present

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Douglas Heath, Attorney

Present

Department Heads Present: Kenneth DeRoller, Assessor; Warren Kruger, Highway Superintendent; Barbara Flow, Recreation Director; Paul Gray, Planning Board Member.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

- Introduction of permanent standing committees for the term 2006-2007

TOWN OF KENDALL
PERMANENT STANDING COMMITTEES FOR THE TERM 2006 THROUGH 2007

PURPOSE:

The standing committees are appointed by the Town Supervisor to provide for the receipt of information from multiple sources but not limited to the Supervisor, Town Board, Electorate, General Public, Community Organizations, Employees, other Political Sub-Divisions, Contractors, or that provided by their own discovery.

It is further implied and expected that the members will act upon any discovery of information that falls within or without the area of their committee subject so as to advise the Town Supervisor and the assigned Standing Committee Chairperson of that subject information to cause it to be acted upon.

Further it is incumbent on the Chairperson, or his or her alternate, to provide for investigation, timely reports and recommended action to the Supervisor and the Town Board. Such reports to be presented at regularly monthly meeting of the Town Board.

Further it is expected that the cognizant Standing Committee Chairperson or a designated committee member will attend Meetings that are held by Boards or Organizations that fall within the framework of his or her committee. The Town Supervisor will serve as a member of all standing committees.

STANDING COMMITTEES:

Public Safety/Emergency Services:

Including but not limited to Fire Dept.; Law Enforcement; Code Enforcement; OCHD and NYSDEC

Chair: - C. Scroger; Alt: - D. Pritchard; Dept Heads: - W. Kruger & S. Hardenbrook

Occupational Safety:

Includes all safety and practices for all properties, employee, locations and activities of TOK

Chair: - D. Pritchard; Alt: - C. Scroger; Dept Heads: - W. Kruger & K. DeRoller

Highway:

Includes but not limited to TOK Highway Dept; OC Highway Dept; and NYSDOT

Chair: - C. Scroger; Alt: - D. Schuth; Dept Head: - W. Kruger

Buildings & Grounds:

Includes the maintenance and upkeep of all town buildings and property; and cemeteries

Chair: - C. DiNatale; Alt: - D. Pritchard; Dept Heads: - K. DeRoller & W. Kruger

Planning, Zoning and Agriculture:

Chair: - D. Schuth; Alt: - C. DiNatale; Dept Heads: - T. Cole & C. Patt

Community Relations & Recreation:

Liaison with Schools, Churches, Medical Office, Service Clubs, All Recreation Programs; Celebrations

Chair: - C. DiNatale; Alt: - D. Schuth; Dept Heads: - B. Flow & N. Hanlon

Human Resources & Ethics:

Including but not limited to Drug & Alcohol Testing, Substance Abuse, Related Counseling & Rehabilitation, Discrimination, Workplace Behavior, Conflicts in the Workplace & Conflicts of Interest.

Chair: - C. Scroger; Alt: - D. Schuth

Finance, Taxes & Special Districts:

Chair: - W. Vick; Alt: - C. Scroger, C. DiNatale; Dept Heads: - K. DeRoller

Information Services:

Including but not limited to Records Management; Computer Systems; Copy Equipment; Document Format & History

Chair: - D. Schuth; Alt: - D. Pritchard; Dept Heads: - N. Hanlon, K. DeRoller & J. Knapp

Employee Benefits:

Chair: - W. Vick; Alt: - C. Scroger, C. DiNatale

- Town Clerk Appointments – Clerk Hanlon appointed Lisa Stenshorn, Amy Richardson and Gert Hauck as deputies for the year 2006.

PUBLIC PARTICIPATION

No public participation

PAYMENT OF CLAIMS

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No abstracts presented for payment

RESOLUTIONS: 01-106 through 33-106

RESOLUTION # 01-106 -- BANK OF DEPOSIT

Councilman Scroger moved that the following resolution be adopted:

A resolution designating the *H.S.B.C. Bank, NA* of Holley as the Bank of Deposit for the Town of Kendall for the year 2006.

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION # 02-106 – OFFICAL NEWSPAPER

Councilwoman DiNatale moved that the following resolution be adopted:

A resolution designating the *Hamlin-Clarkson Herald* as the Official Newspaper for the Town of Kendall for the year 2006.

Such motion was seconded by Councilman Scroger and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION # 03-106 – REGULAR BOARD MEETING SCHEDULE

Councilman Pritchard moved that the following resolution be adopted:

A Resolution establishing that Regular Meetings of the Town Board of the Town of Kendall be held at the Kendall Town Hall, 1873 Kendall Road, on the second Thursday of each month at 7:30 P.M.

Such motion was seconded by Councilman Schuth and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION # 04-106 – REGULAR SCHEDULED CONFERENCE SESSIONS

Councilwoman DiNatale moved that the following resolution be adopted:

A resolution creating regularly scheduled conference sessions as follows:

Whereas, it is desired to provide opportunity for sufficient board member and public input and debate in order to define and develop the knowledge of, and content for board resolutions in advance of regular scheduled Town Board Meetings; and further to advance strategy and responsibilities for Town Board course of action and...

Whereas, it is understood that these work sessions are to be conducted by the Town Supervisor consistent with the statutes and requirements set forth by the Open Meetings law and...

Whereas, it is understood that the public has the right to attend these work sessions, to listen to the proceedings and participate freely, upon the invitation of the board, so long as participation is orderly and constructive and does not interfere with the business and purpose of the meeting...

Now be it herby RESOLVED that the Town Board of the Town of Kendall establishes and provides for regular scheduled work sessions to occur on the 4th Thursday of the month at 7:30 PM.

Such motion was seconded by Councilman Scroger and following a discussion of the proposal, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #05-106 – DEPOSIT OF SURPLUS MONEY

Councilman Scroger moved that the following resolution be adopted:

A resolution authorizing the Supervisor to deposit surplus moneys in a Time Deposit Account where the greatest amount of interest can be secured with preference shown to H.S.B.C. Bank, NA of Holley.

Such motion was seconded by Councilman Pritchard and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

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RESOLUTION #06-106 – INVESTMENT POLICY

Councilman Scroger moved that the following resolution be adopted:

A Resolution adopting the Investment Policy of the Town of Kendall as presented.

INVESTMENT POLICY

I. **SCOPE**

This investment policy applies to all moneys and other financial resources available for investment on its own behalf and on behalf of any other entity or individual.

II. **OBJECTIVES**

The primary objectives of the Town of Kendall's investment activities are, in priority order,

- to conform with all applicable Federal, State and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity);
- to obtain a reasonable rate of return (yield)

III. **DELEGATION OF AUTHORITY**

The Town Board's responsibility for administration of the Investment Program is delegated to the Town Supervisor who shall establish written procedures for the operation of the Investment Program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees.

IV. **PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Kendall.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. **DIVERSIFICATION**

It is the policy of the Town of Kendall to diversity its deposits and investments by financial institution, by investment instrument and by maturity scheduling.

VI. **INTERNAL CONTROLS**

It is the policy of the Town of Kendall for all moneys collected by any officer or employee of the Town to transfer those funds to the Town Supervisor within 30 days of deposit or within the time period specified in law, whichever is shorter.

The Town Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations

VII. **DESIGNATION OF DEPOSITORY**

The banks and trust companies authorized for the deposit of moneys up to the maximum amount shall be named by the Town Board at the Organizational Meeting held in January of each year or at other times as the case maybe.

VIII. **COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Town of Kendall including Certificates of Deposit and Special Time Deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate market value as provided by GML sec 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the Investment Policy.

2. By an "irrevocable letter of credit" issued by a qualified bank other than the bank with which the deposits in favor of the Town of Kendall for a term not to exceed ninety (90) days with an aggregate value equal to 140 % of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three (3) highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable Federal minimum risk-based capital requirements.

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3. By an eligible surety bond payable to the Town of Kendall for an amount equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two (2) nationally recognized statistical rating organizations.

IX SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for the collateralizing deposits shall be held by the Authorized Depository and/or an Authorized third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising Out of the collection of such deposits upon default It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Kendall or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X PERMANENT INVESTMENTS

As authorized by the General Municipal Law, section 11, the Town of Kendall authorizes the Town Supervisor to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following type of investments:

- Special Time Deposit accounts;
- Certificates of Deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and I interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, sections 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-l, 6-m or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Kendall within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Kendall within two (2) years of the date of purchase.

XI AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Kendall shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments that can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Kendall. Security Dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank as primary dealers. The Town Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Town Supervisor is authorized to contract for the purchase of investments:

1. Directly, including a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No.88-46, and the specific program has been authorized by the Kendall Town Board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Kendall Town Board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption by such bank or trust company only in accordance with prior written authorization from the Town Supervisor. All such transactions shall be confirmed in writing to the Town of Kendall by the bank or trust company. Any obligations held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the Town of Kendall, will be kept separate and apart from the general assets of the custodial bank or trust company and will not in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

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XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

Such motion was seconded by Councilman Pritchard and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION # 07-106 – CONTRACTUAL BILLS AND INVOICES WITH DISCOUNT

Councilman Scroger moved that the following resolution be adopted:

A Resolution authorizing the Supervisor to pay all Contractual Bills and all Invoices offering a discount, upon approval of the Department Head.

Such motion was seconded by Councilman Pritchard and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #08-106 – DELEGATION OF AUTHORITY TO SUPERVISOR

Councilman Schuth moved that the following resolution be adopted:

A Resolution delegating authority to the supervisor as follows:

Whereas the Town of Kendall must function between regular town board meeting and...

Whereas Town Law, Section 29(16) specifically provides for the delegation of the power and duties of administration and supervision to the supervisor and...

Whereas it is understood that by such delegation the Town Board may not abdicate to the supervisor or surrender to him or her the board's basic statutory responsibilities...

Now, be it hereby **RESOLVED** that the Town Board of the Town of Kendall hereby authorized and delegates to the Town Supervisor powers and duties of day to day administration and supervisor of all town and special district facilities and employees consistent with and in furtherance of any and all State and Federal laws applicable thereto and with any and all local laws, resolutions or policies hereto fore or hereafter adopted by this Town Board.

Such motion was seconded by Councilman Scroger and following a discussion of the proposal, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #09-106 – MILEAGE REIMBURSEMENT

Councilman Schuth moved that the following resolution be adopted:

A Resolution authorizing compensation of Town Officials of the Town of Kendall for mileage

Whereas, the County of Orleans has set their mileage reimbursement for the year 2006 at the rate of \$.475 and...

Now be it hereby **RESOLVED** that the rate of \$0.475 per mile to reimburse Town of Kendall Officials for mileage expenses while on Town Business be adopted.

Such motion was seconded by Councilwoman DiNatale and following a discussion of the proposal in which Councilman Pritchard asked that the rate reflect that of the 44 ½ cents provided by the IRS rates, Motion was made by Councilman Pritchard to amend the rate from \$0.475 to **\$0.445**. Such amendment was seconded by Councilman Schuth and Councilwoman DiNatale, and the vote resulted as follows:

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Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted as amended.

Note: This can be brought up for review again should cost of gas increases again.

RESOLUTION # 10-106 – PER DIEM RATE FOR TOWN BUSINESS EXPENSES

Councilman Pritchard moved that the following resolution be adopted:

A Resolution establishing a Per Diem rate for Meals and Incidental Expenses based on guidelines published by the United States Internal Revenue Service for those Town Officials authorized to attend functions on Town Business.

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION # 11-106 – CHARLES W. SCROGER, DEPUTY SUPERVISOR

Councilman Schuth moved that the following resolution be adopted:

A resolution appointing **Charles W. Scroger**, as Deputy Supervisor for the Town for the Year 2006.

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Abstain</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #12-106 – HEATH & MARTIN, TOWN ATTORNEYS

Councilwoman DiNatale moved that the following resolution be adopted:

A Resolution appointing **Heath & Martin, Attorney's** as Attorney for the Town for the year 2006.

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION # 13-106 – NADINE HANLON, REGISTRAR AND RECORDS MANAGEMENT.

Councilman Pritchard moved that the following resolution be adopted:

A Resolution appointing **Nadine Hanlon**, Registrar of Vital Statistics and Records Management Officer for the Town of Kendall for the year 2006.

Such motion was seconded by Councilman Schuth, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #14-106 – SCOTT HARDENBROOK, CODE ENFORCEMENT OFFICER

Councilman Scroger moved that the following resolution be adopted:

A Resolution appointing **Scott Hardenbrook** as Code Enforcement Officer for the Town of Kendall for the year 2006.

Such motion was seconded by Councilman Pritchard and following a discussion that Scott Hardenbrook served in this capacity before for the Town of Kendall for 13 years. With his employment at the Orleans County Department of Health he has been a great resource to the Town and look forward in having him back. Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION # 15-106 – THOMAS COLE, PLANNING BOARD CHAIRMAN

Councilman Schuth moved that the following resolution be adopted:

A Resolution appointing **Thomas Cole**, Chairman of the Planning Board for the year 2006.

Such motion was seconded by Councilman Scroger, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>

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Supervisor Vick *Aye*

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION # 16-106 – CHARLES PATT, ZONING BOARD CHAIRMAN

Councilman Schuth moved that the following resolution be adopted:

A Resolution appointing **Charles Patt**, Chairman of the Zoning Board of Appeals for the year 2006.

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale *Aye*
Councilman Pritchard *Aye*
Councilman Schuth *Aye*
Councilman Scroger *Aye*
Supervisor Vick *Aye*

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #17-106 – PAMELA ROWLES, ZONING BOARD MEMBER

Councilman Schuth moved that the following resolution be adopted:

A Resolution appointing **Pamela Rowles** to a 5-year term on the Town Zoning Board of Appeals, with such term ending December 31, 2010.

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale *Aye*
Councilman Pritchard *Aye*
Councilman Schuth *Aye*
Councilman Scroger *Aye*
Supervisor Vick *Aye*

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #18-106 – DAVID SCHUTH AND PAUL GRAY – KYC BOARD

Councilwoman DiNatale moved that the following resolution be adopted:

A Resolution appointing Councilperson **David Schuth** and Planning Board Member **Paul Gray** as alternate as the Town of Kendall Representatives to the Kendall-Yates-Carlton Waterfront Revitalization Board for the year 2006.

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale *Aye*
Councilman Pritchard *Aye*
Councilman Schuth *Abstain*
Councilman Scroger *Aye*
Supervisor Vick *Aye*

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #19-106 – CHERYL COLE, COURT CLERK

Councilman Pritchard moved that the following resolution be adopted:

A Resolution appointing **Cheryl Cole** as Court Clerk for the year 2006.

Such motion was seconded by Councilman Scroger, and the vote resulted as follows:

Councilwoman DiNatale *Aye*
Councilman Pritchard *Aye*
Councilman Schuth *Aye*
Councilman Scroger *Aye*
Supervisor Vick *Aye*

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #20-106 – BARBARA FLOW – YOUTH AND ADULT RECREATION DIRECTOR

Councilwoman DiNatale moved that the following resolution be adopted:

A Resolution appointing **Barbara Flow** as Director of Youth and Adult Recreation for 2006.

Such motion was seconded by Councilman Scroger, and the vote resulted as follows:

Councilwoman DiNatale *Aye*
Councilman Pritchard *Aye*
Councilman Schuth *Aye*
Councilman Scroger *Aye*
Supervisor Vick *Aye*

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #21-106 – STEDMAN AND WALZER, YOUTH RECREATION COMMISSION

Councilman Schuth moved that the following resolution be adopted:

A Resolution appointing **James Stedman and Kelly Walzer**, each to 3-year terms on the Youth Recreation Commission, with such terms expiring on December 31, 2008.

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale *Aye*
Councilman Pritchard *Aye*
Councilman Schuth *Aye*
Councilman Scroger *Aye*
Supervisor Vick *Aye*

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #22-106 – HELEN MAYES – ADULT RECREATION REPRESENTATIVE

Councilwoman DiNatale moved that the following resolution be adopted:

A Resolution appointing **Helen Mayes** as the Adult Recreation Representative for the year 2006.

Such motion was seconded by Councilman Schuth, and the vote resulted as follows:

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Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #23-106 – ROGER HERMAN – BEECHWOOD CEMETERY CUSTODIAN

Councilman Schuth moved that the following resolution be adopted:

A Resolution appointing **Roger Herman** as Beechwood Cemetery Custodian at an annual salary of \$500.00 for the year 2006.

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #24-106 – WALTER STEFFEN JR, GREENWOOD CEMETERY CUSTODIAN

Councilwoman DiNatale moved that the following resolution be adopted:

A Resolution appointing **Walter Steffen Jr.** as Greenwood Cemetery Custodian at an annual salary of \$ 500.00 for the year 2006.

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #25-106 – MASON AND RYAN – MEDICAL OFFICE OVERSIGHT BOARD

Councilman Schuth moved that the following resolution be adopted:

A Resolution appointing **Cindy Mason** to a 3-year term on the Kendall Medical Office Oversight Board, with such term expiring on December 31, 2008 and **Robert Ryan** to an unexpired term on the Kendall Medical Office Oversight Board, with such term expiring December 31, 2006.

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

Supervisor's Note: Robert Ryan is not a Town of Kendall Resident. He does not collect any salary for this appointment.

RESOLUTION #26-106 – RECORDS MANAGEMENT ADVISORY BOARD

Councilman Scroger moved that the following resolution be adopted:

A Resolution appointing **Nadine Hanlon, William Vick, Joette Knapp and Donald Pritchard** to the Records Management Advisory Committee for the year 2006.

Such motion was seconded by Councilman Schuth, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #27-106 – CHANGES TO GENERAL FUND ACCOUNTS

Councilman Schuth moved that the following resolution be adopted:

A resolution providing for changes to General Fund Accounts

Be it hereby resolved for the amounts appropriated for Personal Services for the fiscal year 2006 be raised as follows:

The account A3620.1, Code Enforcement Personal Services, raise the amount to \$11,125.00

The account A1340.1, Budget Officer Personal Services, raise the amount to \$2,500.00

Create Account A1220.13, Deputy Supervisor Personal Services, at \$300.00

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Abstain</i>
Supervisor Vick	<i>Abstain</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #28-106 – FUND TRANSFERS

Councilman Pritchard moved that the following resolution be adopted:

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A resolution providing for fund transfers:

Whereas, the Town Board deems it advisable to make adjustments to the budget Personal Services Accounts and to provide for the proposed Salary Schedule for the fiscal year 2006...

Now be it hereby resolved that the following transfers are made:

<u>Amount</u>	<u>From Agency Account #</u>	<u>To Account #</u>
\$325.00	TA-26	A3620.1
\$1,000.00	TA-26	A1340.1
\$300.00	TA-26	A1220.13

Such motion was seconded by Councilman Schuth, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Abstain</i>
Supervisor Vick	<i>Abstain</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #29-106 – 2006 SALARY SCHEDULE

Councilman Scroger moved that the following resolution be adopted:

A Resolution adopting the Salary Schedule for 2006 as presented...

Supervisor:	\$ 8,000.00
Councilpersons (4)	\$ 3,000.00 ea.
Justice Lape	\$ 7,400.00
Justice Ernenwein	\$ 7,550.00
Court Clerk	\$ 5,000.00
Budget Officer	\$ 2,500.00
Bookkeeper	0.00 (currently funded as part of Accountant contractual Expense)
Assessor	\$ 22,950.00
Board of Assessment Review	\$125.00 ea.
Town Clerk	\$ 23,812.00
Dog Control Officer	\$ 500.00
Code Enforcement Officer	\$11,125.00
Deputy Code Enforcement Officer I	\$ 500.00 + 15.00 per action
Deputy Code Enforcement Officer II	\$ 300.00 + 15.00 per action
Registrar of Vital Records	\$ 375.00
Superintendent of Highways	\$ 45,000.00
Historian	\$ 700.00
Youth Recreation Director	\$ 12,250.00
Adult Recreation Director	\$ 850.00
Zoning Board of Appeals	
Chairman	\$ 975.00
Members (4)	\$ 775.00 ea.
Planning Board	
Chairman	\$ 1,300.00
Member/Clerk	\$ 1,000.00
Member/County Board	\$ 865.00
Members (2)	\$ 780.00 ea.
Election Inspectors	\$ 8.00 per hour
Training Class	\$ 10.00 per session

Such motion was seconded by Councilman Schuth and following discussions and questions regarding Dog Control Officer, Deputy Code Enforcement positions, and salaries for the Justices, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #30-106 – HIGHWAY WAGE SCHEDULE AND WORK AGREEMENT

Councilman Scroger moved that the following resolution be adopted:

A resolution adopting the Highway Wage Schedule and Work Agreement for 2006.

Full Time Motor Equipment Operators (MEO):	From Federal Minimum wage up to \$17.86 per hour
Part Time Motor Equipment Operators (MEO-PT):	From Federal Minimum wage up to \$11.56 per hour
Full and Part Time Laborer:	From Federal Minimum wage up to \$9.46 per hour

Employees are to be paid bi-weekly for an 80 hour pay period. Time and one half (1 ½) wages will be paid for overtime beyond forty (40) hours worked in each week.

Employees will be provided Work Clothes up to \$300.00 per year through a uniform service or reimbursement for employee purchase.

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Following completion of a two (2) month probation period, sick time benefits will be paid to full time employees as follows:

- 1st year of employment up to five (5) days paid
- 2nd year of employment up to ten (10) days paid
- 3rd year of employment up to fifteen (15) days paid
- 4th year of employment up to twenty (20) days paid
- 5th year of employment up to twenty-five (25) days paid

Beyond five (5) years...may accumulate 1 additional day per month worked up to a maximum of one hundred eighty (180) days paid.

A certificate from the employee’s physician will be required after being sick for five (5) consecutive days for benefits to be paid.

Sick day accumulation will NOT be paid out at retirement or termination.

Vacation time benefits will be paid to full time employees as follows and may NOT be carried over or accumulated in subsequent years. The Highway Superintendent may deny specific dates for vacation because of workload requirements.

- 1st year of employment may accumulate one (1) paid day of vacation for each month worked after completing a two (2) month probation period. (maximum 10 days)
- 2nd through 10th year ten (10) days paid vacation
- after 10 years fifteen (15) days paid vacation

Holidays will be paid for Full Time Employees as follows:

New Years Day, Martin Luther King Birthday, Good Friday, Memorial Day, Fourth of July, Labor Day, Election Day, Veterans Day, Thanksgiving Day and Christmas Day. Saturday holidays will be observed on the Friday preceding the holiday and Sunday holidays will be observed on the Monday following the holiday.

Such motion was seconded by Councilman Schuth and it was discussed that the salary was a 2% increase across the board as adopted in the 2006 budget, and the vote resulted as follows:

- Councilwoman DiNatale Aye
- Councilman Pritchard Aye
- Councilman Schuth Aye
- Councilman Scroger Aye
- Supervisor Vick Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #31-106 – CEMETERY PRICE SCHEDULE FOR 2006

Councilwoman DiNatale moved that the following resolution be adopted:

Be it resolved that the Town of Kendall Cemetery Price Schedule for 2006 be adopted as follows:

BEECHWOOD AND GREENWOOD CEMETERY
 2006 PRICE LIST

Cost for a single plot:	\$350.00
Cost for Interment:	
Casket:	\$350.00
Cremation:	\$150.00
(2 cremations allowed per plot)	
NO INTERMENT –December 1 st through April 1 st .	
(depending on weather conditions)	

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

- Councilwoman DiNatale Aye
- Councilman Pritchard Aye
- Councilman Schuth Aye
- Councilman Scroger Aye
- Supervisor Vick Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #32-106 – PURCHASING AND PROCUREMENT POLICY

Councilman Pritchard moved that the following resolution be adopted:

A resolution adopting the Purchasing and Procurement Policy of the Town of Kendall as presented.

PURCHASING AND PROCUREMENT POLICY

This Policy of the Town of Kendall, Orleans County, New York applies to all purchases and procurements made by and for the Town of Kendall through its Elected and Appointed Officials, Department Heads, Board Chairpersons and others authorized by the Town Board to make such purchases and/or procurements, and sets forth the policy details and procedures to meet the requirements of New York State General Municipal Law, Section 104-b.

1. PURPOSE

Goods and Services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism improvidence, extravagance, fraud and corruption. To further these objectives, the Town Board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements

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of General Municipal Law, Section 103 or of any other general, special or local law.

2. PROCEDURES FOR DETERMINING WHETHER PROCUREMENTS ARE SUBJECT TO BIDDING

a. The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows;

Any purchase or purchase contract below \$ 10,000.00 will not require competitive bidding as described by the General Municipal Law.

Any Public Works Contract below \$ 20,000.00 will not require competitive bidding as described by the General Municipal Law.

Any purchase or public works contract that is not clearly free of the General Municipal Law requirements for competitive bidding must have an opinion from the Attorney for the Town setting forth the requirements as required by law for the continuance of the purchase or letting of the contract.

b. The Documentation required to demonstrate the exemption from the competitive requirements is described as follows;

Written documentation will be attached to the claim for payment (voucher) upon approval from the responsible Department Head or Town Official, including the opinion of the Attorney for the Town, whenever the expenditure is not clearly exempt from the competitive bidding requirements.

3. STATUTORY EXCEPTIONS FROM THE POLICIES AND PROCEDURES

Except for procurements made pursuant to General Municipal Law, Section 103(3) (through County contracts) or Section 104 (through State contracts), Correction Law, Section 186 (articles manufactured in correctional institutions), State Finance Law, Section 175-b (from agencies for the blind or severely handicapped), or the items excepted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law, Section 104-b as described in this policy.

4. METHODS OF COMPETITION TO BE USED FOR NON-BID PROCUREMENTS

The methods of competition to be used are determined by the Cost Range of the procurement and are described as follows;;

<u>COST RANGE</u>	<u>TYPE OF COMPETITION</u>
\$0 - \$500	none (discretionary purchase)
\$501 - \$1,000	two (2) verbal quotations
\$1,001 - bid limits	two (2) written quotations

Purchases over \$5,000.00 require specific Town Board authorization prior to placement of orders except as described under Emergencies below.

5. ADEQUATE DOCUMENTATION

Documentation to show proof of competitive pricing for the various cost ranges described in paragraph 4 will be as follows;

<u>COST RANGE</u>	<u>DOCUMENTATION REQUIRED</u>
\$0 - \$500	none required
\$501 - \$1,000	notation of date, time, vendors contacted and price quoted attached to voucher submitted for payment
\$1,001 - bid limits	copies of vendors written quotes attached to voucher submitted for payment

6. AWARDS TO OTHER THAN LOWEST RESPONSIBLE DOLLAR OFFERER

Whenever any contract is awarded to other than the lowest responsible dollar offered, the reasons such an award furthers the purpose of General Municipal Law, Section 104-b as set forth herein above shall be documented as follows;

1. When overall project cost will result in a lower total cost to the Town (i.e. transportation costs, time frame of overall project will be adversely affected, history of poor service, quality or delivery, etc.)
2. Emergencies

A written justification from the purchasing official must be attached to the voucher submitted for payment.

7. ITEMS EXCEPTED FROM POLICIES AND PROCEDURES BY TOWN BOARD

The Town Board sets forth the following circumstances when, or types of procurements for which, in the sole discretion of the Town Board, the solicitation of alternative proposals or quotations will not be in the best interest of the Town of Kendall.

1. Bona-Fide Emergencies where timely action is urgent to prevent or minimize risk to public health, safety, property, life or the environment *
2. Sole Source or single supplier with no reasonable chance for competition *
3. Professional services
4. Purchases or procurements below \$ 500.00
5. State and/or County bid packages *
6. Second Hand equipment from other Governments or Municipal Auctions *
7. Insurance

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8. Purchases subject to the conditions of a Resolution of Standardization for equipment *
* written justification must be attached to the voucher presented for payment

8. INPUT FROM OFFICERS

Comments concerning the policies and procedures shall be solicited from officers and officials of the Town of Kendall involved in the procurement process prior to the enactment of these policies and procedures, and will be solicited from time to time hereafter.

9. ANNUAL REVIEW

The Town Board shall periodically review these policies and procedures. The Supervisor shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

10. UNINTENTIONAL FAILURE TO COMPLY

The unintentional failure to fully comply with the provisions of this General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Town of Kendall or any officer or employee thereof.

Such motion was seconded by Councilman Schuth. Councilman Pritchard commented that it is unclear as to who has authority to purchase. Councilman Pritchard would like to adopt this policy but some items should be addressed and policy amended. The vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

UNFINISHED BUSINESS:

- **VACANCIES:**
 - Planning Board – will advertise to find potential applicants to fill one vacancy
 - Deputy Code Enforcement Officers (2) – will advertise to find potential applicants to fill two positions.
 - Dog Control Officer – Dog Control services contracted through Orleans County Sheriff, this position is mostly a dog enumerator who helps us count dogs for dog licensing purposes. Will need to find someone for this position.
 - Town Engineer – Board needs opportunity to discuss performance of current Engineer. We can have more than one engineer based on particular projects. Will address at a later time.
 - Controlled Substance Testing – Councilman Scroger is looking into this. No issues at this time but will need to look at our options.
- **GRANT FUND – Cannon Recovery.** All but \$450.00 has been used up from the grant money promised. Citizen committee, appointed by previous board, asked that lighted flag poles be placed in each of the cemeteries. Electrical service will then need to be installed. Unknown if flags need to be lit at all times. Councilman Scroger suggested solar lighting. Allen Lofthouse stated that he spoke with Fred's Flags and they made the statement that if you have knowledge that an American flag is being flown, no need to light it. Allen also advised that solar lighting is expensive. Lisa Stenshorn suggested contacting the American Legion to see if they can help with lighting. Councilman Scroger asked about the replica barrel. Supervisor Vick stated that many people suggested to him to place it in the other cemetery. Possibly have local residents fabricate a carriage to hold it.
- **JOSEPH HUNT LIBRARY TRUST FUND** – Currently in a Certificate of Deposit collecting 4% interest. Can't get this interest until end of 2006 when CD becomes due. Need to look into what is available to distribute to the libraries. Will present at a later time when all information is collected. Harry Butler gave a little history of the Town Library and that when the Library was moved from the four corners in Town to Della Costa home on Center Road, all the books were placed in the local libraries for the community members to use.

Warren Kruger, Highway Superintendent brought up his concern regarding no resolution designating Controlled Substance Testing authority. Federal regulations direct the Town to have this in place should it be needed. The Town could be held liable should this not be in place when such services are needed. No bill is generated from Occu – Med unless services are used. Asked the Board to consider a resolution this evening.

RESOLUTION #33-106 – OCCU-MED OF WESTERN NEW YORK

Councilman Scroger moved that the following resolution be adopted:

A resolution authorizing the Supervisor to sign an agreement with Occu-Med of Western New York for a 90 day period for the Town of Kendall's CDL Drug and Alcohol testing.

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye

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Councilman Scroger *Aye*

Supervisor Vick *Aye*

Supervisor Vick declared that the foregoing resolution was duly adopted.

Note: Councilman Scroger will further investigate this procedure

NEW BUSINESS:

- Property and equipment sales policy – Councilman Scroger will continue to work on this. Bidding procedures will need to be established. Will look to other towns for policy construction.
- 2012 Bicentennial Celebration – The board will need to start planning this through community support.
- Payroll services- Need to move fast and Supervisor Vick will put something in place before next board meeting. Bookkeeper handled this in the past. Current accountant will give us more towards his expense should we have someone else handle payroll.

ADJOURNMENT

With there being no further business Councilman Pritchard moved for adjournment, seconded by Councilwoman DiNatale. Unanimously in favor for adjournment at 9:07 PM.

Scheduled Meetings:

- Hamlin/Kendall Joint Water Board Organizational Meeting: January 11, 2006 at 7:30 PM at the Hamlin Town Hall
- Regular Town Board Meeting: January 12, 2006 at 7:30 PM
- Town Board Work Session : January 26, 2006 at 7:30 PM

Respectfully Submitted

Nadine P. Hanlon, RMC
Kendall Town Clerk.