

KENDALL TOWN BOARD
2013 ORGANIZATIONAL MEETING
KENDALL TOWN BOARD

Wednesday, January 2, 2013, 7:00 PM
Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

Supervisor Gaesser called the meeting to order at 7:05 p.m., and led the Pledge of allegiance.

ROLL CALL

Councilman Pritchard	present
Councilman Joseph	absent (arrived at 7:12 p.m.)
Councilman Schuth	present
Councilwoman Szozda	present
Supervisor Gaesser	present

Also present, Clerk Richardson, Recreation Director Flow, Planning Chairman Gray, Al and Bev Lofthouse, Tony Cammaratta

SUPERVISOR'S REMARKS

A very busy and historic year is behind us. Tonight's meeting is to put people in place, and place official entities and policies in place. Highway salary schedule remains the same. The only official receiving a raise is the assessor – the first he has requested in three years. A change to the attorney agreement is a \$750 per month retainer, which is less than the average monthly cost, and should have little impact.

PUBLIC COMMENTS

none

RESOLUTIONS

Councilman Pritchard made the following motion, seconded by Councilman Schuth:

RESOLUTION #1-0113- Reappointing John Sansone as Attorney for the Town of Kendall

Be it resolved to reappoint John S. Sansone, ESQ as the attorney for the Town of Kendall for the year 2013.

It is further resolved that the Supervisor is authorized to sign a legal services agreement for the year 2013 with John S. Sansone, ESQ on behalf of the Town of Kendall. Such legal agreement is to include a minimum retainer of \$750 per month and descriptions of rates for different types of services.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Schuth made the following motion, seconded by Councilwoman Szozda:

RESOLUTION #2-0113- Reappointing Gay Smith as Member of the Zoning Board of Appeals

Be it resolved to reappoint Gay Smith as a member of the Zoning Board of Appeals for the Town of Kendall for a five-year term expiring December 31, 2017.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilwoman Szozda made the following motion, seconded by Councilman Pritchard:

RESOLUTION #3-0113- Appointing Kevin Banker as Chairman of the Zoning Board of Appeals

Be it resolved to appoint Kevin Banker as Chairman of the Zoning Board of Appeals for the Town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Supervisor Gaesser made the following motion, seconded by Councilman Schuth:

RESOLUTION #4-0113- Reappointing Paul Gray as Chairman of the Planning Board

Be it resolved to reappoint Paul Gray as Chairman of the Planning Board for the Town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Pritchard made the following motion, seconded by Councilwoman Szozda:

RESOLUTION #5-0113- Reappointing Barb Flow as Director of Youth and Adult Recreation

Be it resolved to reappoint Barb Flow as Director of Youth and Adult Recreation for the Town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Schuth made the following motion, seconded by Councilman Pritchard:

RESOLUTION #6-0113- Reappointing Julia Kludt to the Youth Recreation Commission

Be it resolved to reappoint Julia Kludt to the Youth Recreation Commission for a three year term expiring December 31, 2015.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Joseph arrived.

Councilwoman Pritchard made the following motion, seconded by Councilman Joseph:

RESOLUTION #7-0113- Reappointing Shirley Cataldi as Adult Recreation Representative

Be it resolved to reappoint Shirley Cataldi as Adult Recreation Representative for the Town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Supervisor Gaesser made the following motion, seconded by Councilman Pritchard:

RESOLUTION #8-0113- Reappointing Kim Corcoran as Town Historian

Be it resolved to reappoint Kim Corcoran as Town Historian for the Town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Pritchard made the following motion, seconded by Councilman Joseph:

RESOLUTION #9-0113- Reappointing Amy Richardson as Water Collections Clerk For 2013

Be it resolved to appoint Amy Richardson as Water Collections Clerk (PT) to collect, record, and turn over monies collected for water usage by Water District 6 consumers for the year 2013 at an annual salary of \$600.00, to be paid semi-annually.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Joseph made the following motion, seconded by Councilman Pritchard:

RESOLUTION #10-0113- Reappointing Charles Patt as Custodian for Beechwood Cemetery

Be it resolved to reappoint Charles Patt as Custodian for Beechwood Cemetery for the Town of Kendall at an annual salary of \$500.00 for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Schuth made the following motion, seconded by Councilman Joseph:

RESOLUTION #11-0113- Reappointing Walter Steffen Jr. as Custodian for Greenwood Cemetery

Be it resolved to reappoint Walter Steffen Jr. as Custodian for Greenwood Cemetery for the Town of Kendall at an annual salary of \$500.00 for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilwoman Szozda made the following motion, seconded by Councilman Schuth:

RESOLUTION #12-0113- Reappointing Cheryl Cole as Court Clerk

Be it resolved to reappoint Cheryl Cole as Court Clerk for the Town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Supervisor Gaesser made the following motion, seconded by Councilman Pritchard:

RESOLUTION #13-0113- Reappointing Eileen Grah as Town of Kendall Librarian

Be it resolved to reappoint Eileen Grah as the Town of Kendall Librarian for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Pritchard made the following motion, seconded by Councilman Joseph:

RESOLUTION #14-0113- Reappointing Paul Hennekey as Code Enforcement Officer

Be it resolved to reappoint Paul Hennekey as the Code Enforcement Officer for the Town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Joseph made the following motion, seconded by Councilman Schuth:

RESOLUTION #15-0113- Reappointing Daniel Strong as Deputy Code Enforcement Officer

Be it resolved to reappoint Daniel Strong as the Deputy Code Enforcement Officer for the Town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Schuth made the following motion, seconded by Councilman Pritchard:

RESOLUTION #16-0113- Reappointing Nicholas Schicker to the position of Building Maintenance Worker.

Be it resolved to reappoint Nicholas Schicker to the position of Building Maintenance Worker for the year 2013.

Be it further resolved that the wage for the position of Building Maintenance Worker remains at \$11.00 per hour for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilwoman Szozda made the following motion, seconded by Councilman Pritchard:

RESOLUTION #17-0113- Occu-Med of Western New York

It is hereby resolved that the Supervisor is authorized to sign an agreement for the year 2013 with Occu-Med of Western New York for the Town of Kendall's CDL Drug and Alcohol testing.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Supervisor Gaesser made the following motion, seconded by Councilman Pritchard:

RESOLUTION #18-0113- Naming the Bank of Deposit

Be it resolved that the **First Niagara** is designated as the bank of deposit for the town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Pritchard made the following motion, seconded by Councilman Joseph:

RESOLUTION #19-0113- Deposit of Surplus Money

Be it resolved that the Supervisor is authorized to deposit surplus monies in time deposit accounts where the greatest amount of interest can be secured.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Joseph made the following motion, seconded by Councilman Schuth:

RESOLUTION #20-0113- Contractual Bills and Invoices with Discount

It is hereby resolved that the Supervisor is authorized to pay all contractual bills and all invoices offering a discount, upon approval of the Department Head.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Schuth made the following motion, seconded by Councilman Pritchard:

RESOLUTION #21-0113- Delegation of Authority to Supervisor

WHEREAS, the Town of Kendall must function between regular town board meetings 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 the Board's basic statutory responsibilities...

Now, be it hereby **RESOLVED**, that the Town Board of the Town of Kendall hereby authorizes and delegates to the Town Supervisor powers and duties of day to day administration and supervision 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 heretofore or hereafter adopted by this Town Board.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilwoman Szozda made the following motion, seconded by Councilman Pritchard:

RESOLUTION #22-0113- Naming the Official Newspaper

Be it resolved that the **Hamlin-Clarkson Herald** is designated as the official newspaper for the town of Kendall for the year 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Supervisor Gaesser made the following motion, seconded by Councilman Pritchard:

RESOLUTION #23-0113- Establishing the Regular Board Meeting Schedule

Be it resolved that regular meetings of the Town Board of the town of Kendall be held at the Kendall Town Hall, 1873 Kendall Road, on the third Tuesday of each month at 7:30 pm.

Be it further resolved that the Town Clerk shall place a notice in the Official Newspaper to notify the public about the regular board meeting schedule.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Pritchard made the following motion, seconded by Councilman Joseph:

RESOLUTION #24-0113- Establishing Regularly Scheduled Conference Sessions (Workshops)

WHEREAS, it is desired to provide opportunity for sufficient board member and public comment to define and develop the knowledge of, and content for, board resolutions in advance of regularly scheduled Town Board meetings and further to advance strategy and responsibilities for Town Board courses of action...

Now be it hereby **RESOLVED** that the Town Board of the Town of Kendall establishes and provides for regularly scheduled work sessions to occur on the first Tuesday of each month at 7:30PM.

Be it further resolved that the Town Clerk shall place a notice in the Official Newspaper to notify the public about the regularly scheduled conference session (workshop) schedule.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Joseph made the following motion, seconded by Councilman Schuth:

RESOLUTION #25-0113- Establishing Additional, Regularly Scheduled Work Sessions

Be it **RESOLVED** that the Town Board of the Town of Kendall establishes and provides for additional, regularly scheduled work sessions to occur on the Saturday prior to the third Tuesday of each month from 9:00AM to 11:30AM, and on each Monday evening from 6:00PM to 9:00PM, excluding holidays.

Be it further resolved that the Town Clerk shall place a notice in the Official Newspaper to notify the public about these regularly scheduled work sessions.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Schuth made the following motion, seconded by Councilman Pritchard:

RESOLUTION #26-0113- Mileage Reimbursement

WHEREAS, the Internal Revenue Service has set mileage reimbursement for the year 2013 at the rate of \$0.565 per mile, therefore be it now hereby...

RESOLVED, that \$0.565 per mile is established as the reimbursement rate for Town of Kendall Officials for mileage expenses while on Town Business.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilwoman Szozda made the following motion, seconded by Councilman Pritchard:

RESOLUTION #27-0113- 2013 Salary Schedule

A resolution adopting the salary schedule for 2013, as presented:

TOWN OF KENDALL
2013 SALARY SCHEDULE

Supervisor	\$8,400.00
Deputy Supervisor	\$300.00
Councilperson (4)	\$3,120.00
Justice 1	\$8,100.00
Justice 2	\$7,350.00
Court Clerk	\$5,500.00
Budget Officer	\$1,600.00
Assessor	\$24,720.00
Board of Assessment Review (4)	\$130.00 each
Town Clerk	\$26,000.00
Code Enforcement Officer	\$10,500.00
Deputy Code Enforcement Officer	\$7,200.00

Registrar of Vital Statistics	\$500.00
Superintendent of Highways	\$48,650.00
Historian	\$750.00
Youth Recreation Director	\$12,650.00
Adult Recreation Director	\$875.00
Zoning Board of Appeals	
Chairman	\$1,040.00
Members (4)	\$840.00 each
Planning Board	
Chairman	\$1,450.00
Member (4)	\$875.00 each
Orleans County Member	\$110.00
Election Inspectors	\$8.25 per hour
Training Class	\$25.00 per session

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Supervisor Gaesser made the following motion, seconded by Councilman Pritchard :

RESOLUTION #28-0113- 2013 Highway Wage Schedule and Work Agreement

Be it resolved that the following Salary Schedule and Work Agreement for the Highway Department be adopted for the year 2013 as submitted by the Highway Superintendent, Warren Kruger:

**TOWN OF KENDALL HIGHWAY DEPARTMENT
SALARY SCHEDULE AND WORK AGREEMENT FOR 2013**

The Town of Kendall Highway Department Employees will be paid on the following schedule for 2013;

Full Time Motor Equipment Operators (MEO)-	from Federal minimum wage up to \$18.98 per hour
Part Time motor equipment Operators (MEO-PT)-	from Federal minimum wage up to \$12.30 per hour
Full & Part Time Laborer-	from Federal minimum wage up to \$10.65 per hour

Employees are to be paid biweekly for an 80 hour pay period. Time and one half (1-1/2) 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 purchases with documented receipts. By law, the Town does not reimburse for sales tax paid.

Following completion of a two (2) month probation period, full-time employees will earn five (5) paid sick days per year. Unused sick days may be accumulated as follows:

1 st year of employment	up to five (5) days paid
2 nd year of employment	up to ten (10) days paid
3 rd year of employment	up to fifteen (15) days paid
4 th 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 one (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 pay 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 into the next year but otherwise may NOT be carried over or accumulated in subsequent years. The highway superintendent may deny specific dates for vacation because of workload requirements;

1 st 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)
2 nd through 10 th 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 Year's Day, Martin Luther King's Birthday, Good Friday, Memorial Day, Fourth of July, Labor Day, Election Day, Veteran's 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.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Pritchard made the following motion, seconded by Councilman Joseph:

RESOLUTION #29-0113- Authorizing Engagement Letter with Amato, Fox & Company, PC

Be it resolved that the Supervisor is authorized to sign an engagement letter with Amato, Fox & Company, PC to have Amato, Fox & Company, PC conduct a single audit for the Town of Kendall for the year ended December 31, 2012 in accordance with U.S. generally accepted auditing standards; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and provisions of OMB Circular A-133, and other procedures considered necessary to Amato, Fox & Company, PC. That said audit will be performed for a fee of \$6,500; that said audit will begin on approximately March 15, 2013; and Amato, Fox & Company, PC will issue their reports no later than April 15, 2013.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Joseph made the following motion, seconded by Councilman Pritchard:

RESOLUTION #30-0113- Authorizing the Filing of a Blanket Undertaking

Be it resolved that the Kendall Town Board authorizes the filing of a blanket bond to indemnify all officers required to file an undertaking. It is further resolved that a certified copy of this resolution authorizing the blanket bond will be attached to the bond and filed in the county clerk's office.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilman Schuth made the following motion, seconded by Councilman Pritchard:

RESOLUTION #31-0113- To Revise the Per Diem Rate for Town Business

WHEREAS, the Per Diem Rate for Town Business Policy has been created by Town Board Resolution 28-109 and...

WHEREAS, Resolution 32-0112 established \$0.555 per mile as the reimbursement rate for Town of Kendall Officials for mileage expenses while on town business during 2012, and ...

WHEREAS, after review of this policy by the Town Board, the following changes are recommended and designed to harmonize the Per Diem Rate for Town Business Policy with the establishment of the 2013 mileage rate,

Now, therefore, be it **RESOLVED** to make the following changes to the Per Diem Rate for Town Business Policy-

- | | |
|-----------------------|--|
| Item 4 now reads | <i>“Transportation - The Internal Revenue Service has set mileage reimbursement for the year 2012 at the rate of \$.555 per mile.”</i> |
| Change Item 4 to read | <i>“Transportation - The Internal Revenue Service has set mileage reimbursement for the year 2013 at the rate of \$.565 per mile.”</i> |
| Add item 5 to read | <i>The request for reimbursement must be made no later than 60 days from the date the expenses were incurred (e.g., an expense incurred on March 1st must be received by Accounts Payable no later than April 29th). Or no later than the end of the fiscal year December 31 whichever occurs first.</i> |

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

Councilwoman Szozda made the following motion, seconded by Councilman Schuth:

RESOLUTION #32-0113 Requiring Department Heads, Board Chairs, and the Engineer for the Town Shall Obtain Advice and Consent of the Town Board to Engage the Attorney for the Town

It is RESOLVED that department heads, Board chairs, and the Engineer for the Town shall obtain the advice and consent of the Town Board to engage the attorney for the town. Advice and consent is obtained through the office of the Supervisor.

Supervisor Gaesser requested a vote, resulting in all ayes; motion carried.

SUPERVISOR APPOINTMENTS FOR 2013

Budget Officer: Daniel Gaesser
Deputy Supervisor: vacant
Bookkeeper: vacant

KENDALL TOWN BOARD STANDING COMMITTEES FOR THE YEAR 2013

Public Safety/Emergency Services & Occupational Safety

Includes liaison with Fire Dept., Law Enforcement, Code Enforcement, OCHD, NYDEC, Workplace and Property safety for all locations and activities of the Town of Kendall.

Chair: Joseph; Alternate: Schuth; Dept. Head: Kruger

Highway

Includes TOK Highway Dept., Orleans Co. Highway Dept., and NYSDOT.

Chair: Gaesser; Alternates: Pritchard, Joseph; Dept. Head: Kruger

Buildings & Grounds

Includes the maintenance and upkeep of all town buildings, property and cemeteries.

Chair: Joseph; Alternate: Pritchard; Dept. Head: Kruger

Planning, Zoning and Agriculture

Chair: Schuth; Alternate: Szozda; Dept. Heads: Banker, Gray

Community Relations

Liaison with Schools, Churches, Medical Office, Service Clubs,

Chair: Schuth; Alternate: Szozda Dept. Head: Richardson

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: Szozda; Alternate: Pritchard

Finance, Taxes & Special Districts

Chair: Gaesser; Alternates: Pritchard, Joseph

Information Services

Including Computer Systems, Records Management, Copy Equipment, Document Format, Telephone System

Chair: Joseph; Alternate: Pritchard

Employee Benefits

Chair: Szozda; Alternate: Schuth

Culture & Recreation

Youth Programs, Adult Recreation, Library, History, Celebrations

Chair: Pritchard, Alternate: Szozda, Dept. Heads: Flow

With no further business being brought before the Board, Councilman Pritchard motioned for adjournment, seconded by Councilwoman Szozda; all ayes. Supervisor Gaesser adjourned the meeting at 7:36 p.m.

Respectfully Submitted,

Amy K. Richardson
Kendall Town Clerk