

KENDALL TOWN BOARD
2008 ORGANIZATIONAL MEETING
KENDALL TOWN HALL-1873 Kendall Road, Kendall, New York
Thursday, January 3, 2008 7:30 P.M.

PUBLIC PRESENT: Al Lofthouse, Bev Lofthouse, William Vick, Mary Ellen Seaman, Steve Seaman, Gert Hauck, Nadine Hanlon, Mike Paduchak, Joyce Henry, Marianne Wilson, Vince Flow, Barb Flow, K. Lillibridge, Sue DeRoller, A. Szozda, Ed Szozda, Jeff Snyder, Donald Pritchard, Pat Kohlmeier, John Kohlmeier, Angela Jsoeph, John Joseph, Rebekah Joseph, Kathleen Noon, Kevin Noon, Jane Hart, Bob Hart, Jim Freemesser, Peg Freemesser, Joette Knapp, Larry Gurslin,

OATHS OF OFFICE

Justice Lape administered Supervisor Gillman's Oath of Office, with his family present.
Supervisor Gillman administered Justice Lape's Oath of Office, for ceremonial purposes, with his fiancée looking on. (Clerk's note: A Town Supervisor can properly administer only the oaths of his Board Members; Judge Lape's official oath was administered and recorded by Town Clerk Richardson subsequent to this meeting.)
Judge Lape administered new Councilpersons Bart Joseph and M. Lynn Szozda's Oaths of Office, with their respective families looking on.

Supervisor Gillman called the meeting to order at 7:36 pm, and led the Pledge of Allegiance.

ROLL CALL

Councilman Gaesser	present
Councilman Joseph	present
Councilman Schuth	present
Councilwoman Szozda	present
Supervisor Gillman	present

Supervisor Gillman addressed the public, and announced the resignations of Allen Lofthouse from the Cemetery Advisory Committee, Mary Ellen Seaman as Chairperson of the Kendall Cemetery Advisory Committee, and Stephen A. Seaman as member of the Board of Assessment Review.

PUBLIC PARTICIPATION

There was no public participation.

RESOLUTIONS

Councilman Joseph moved the following:

RESOLUTION 1-108 ACCEPTING THE RESIGNATIONS OF ALLEN LOFTHOUSE, and MARY ELLEN SEAMAN

It is hereby resolved to accept the resignations of Allen Lofthouse and Mary Ellen Seaman from the Kendall Cemetery Advisory Committee.

The motion was seconded by Councilman Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Gaesser moved the following:

RESOLUTION 2-108 ACCEPTING THE RESIGNATION of STEPHEN A. SEAMAN

It is hereby resolved to accept the resignation of Stephen Seaman from the Kendall Board of Assessment Review. The motion was seconded by Councilman Schuth. Supervisor Gillman requested a vote, resulting in all ayes.

Supervisor Gillman moved the following:

RESOLUTION 3-108 APPOINTMENT OF FELICE A. D'AGOSTINO, JR. TO PLANNING BOARD

It is hereby resolved that **Felice A. D'Agostino, Jr.**, be reappointed as Planning Board Member for the 5-year term ending December 31, 2012.

The motion was seconded by Councilman Joseph. Supervisor Gillman asked for a roll call vote, with the following results:

Councilman Gaesser	abstain
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilwoman Szozda moved the following:

RESOLUTION 4 -108 KEVIN BANKER, CHAIRMAN OF THE ZONING BOARD OF APPEALS

It is hereby resolved that Kevin Banker be reappointed Chairman of the Zoning Board of Appeals for the year 2008.

The motion was seconded by Councilman Schuth. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Schuth moved the following:

RESOLUTION 5-108 PAUL GRAY, PLANNING BOARD CHAIRMAN

It is hereby resolved that Paul Gray be appointed Chairman of the Planning Board for the year 2008.

The motion was seconded by Councilwoman Szozda. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Joseph moved the following:

RESOLUTION 6-108 PAUL GRAY, REPRESENTATIVE FOR TOWN OF KENDALL TO ORLEANS COUNTY PLANNING BOARD

It is hereby resolved that Paul Gray be appointed as a Representative for the Town of Kendall to the Orleans County Planning Board for the year 2008.

The motion was seconded by Councilman Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Gaesser moved the following:

RESOLUTION 7 -108 BARB FLOW, YOUTH AND ADULT RECREATION DIRECTOR

It is hereby resolved that Barbara Flow be appointed Director of Youth and Adult Recreation for the year 2008.

The motion was seconded by Councilman Joseph. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Supervisor Gillman moved the following:

RESOLUTION 8- 108 JOETTE KNAPP, TOWN HISTORIAN

It is hereby resolved that Joette Knapp be appointed Kendall Town Historian for the year 2008.

The motion was seconded by Councilman Joseph. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilwoman Szozda moved the following:

RESOLUTION 9 -108 AMY RICHARDSON, REGISTRAR AND RECORDS MANAGER

It is hereby resolved that Amy Richardson be appointed as Registrar of Vital Statistics and Records Management Officer for the Town of Kendall for the year 2008.

The motion was seconded by Councilman Schuth. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Schuth moved the following:

RESOLUTION 10-108 CONNIE PLEWS, AND MARIANNE WISON, AND GERT HAUCK AS DEPUTY CLERKS

It is hereby resolved that Constance Plews and Marianne Wilson and Gertrude Hauck be appointed Deputy Town Clerks for the year 2008.

The motion was seconded by Supervisor Gillman. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Joseph moved the following:

RESOLUTION 11-108 HELEN MAYES – ADULT RECREATION REPRESENTATIVE

It is hereby resolved that Helen Mayes be appointed Adult Recreation Representative for the year 2008.

The motion was seconded by Councilman Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Gaesser moved the following:

RESOLUTION 12-108 – Charles Patt – BEECHWOOD CEMETERY CUSTODIAN

It is hereby resolved that Charles Patt be appointed as Beechwood Cemetery Custodian for the year 2008.

The motion was seconded by Councilman Joseph. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Supervisor Gillman moved the following:

RESOLUTION 13 -108 – WALTER STEFFEN JR, GREENWOOD CEMETERY CUSTODIAN

It is hereby resolved that Walter Steffen, Jr. be appointed as Greenwood Cemetery Custodian for the year 2008.

The motion was seconded by Councilman Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilwoman Szozda moved the following:

RESOLUTION 14 -108 – HARRY BUTLER, DEPUTY SUPERVISOR

It is hereby resolved that Harry Butler be appointed Deputy Supervisor for the Town of Kendall for the Year 2008.

Councilman Gaesser informed Supervisor Gillman that according to the Town Law Manual, the Supervisor may appoint a Deputy Supervisor, who serves at the Supervisor’s pleasure. It is not necessary to have this passed by a majority of the Town Board.

The motion was seconded by Supervisor Gillman. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	abstain
Councilman Joseph	aye
Councilman Schuth	abstain

Councilwoman Szozda aye
Supervisor Gillman aye

Councilman Schuth moved the following:

RESOLUTION 15 -108 CHERYL COLE, COURT CLERK

It is hereby resolved that Cheryl Cole be appointed Kendall Town Court Clerk for the year 2008.

The motion was seconded by Councilman Joseph. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser aye
Councilman Joseph aye
Councilman Schuth aye
Councilwoman Szozda aye
Supervisor Gillman aye

Councilman Joseph moved the following:

RESOLUTION 16-108 MARIETTA SCHUTH, KENDALL MEDICAL OFFICE OVERSIGHT BOARD

It is hereby resolved that Marietta Schuth be appointed to the Kendall Medical Office Oversight Board for a three year term, ending December 31, 2010.

The motion was seconded by Councilman Schuth. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser aye
Councilman Joseph aye
Councilman Schuth aye
Councilwoman Szozda aye
Supervisor Gillman aye

Councilman Gaesser moved the following:

RESOLUTION 17-108 JOHN WING, KENDALL MEDICAL OFFICE OVERSIGHT BOARD

It is hereby resolved that John Wing be appointed to the Kendall Medical Office Oversight Board for a three year term, ending December 31, 2010.

The motion was seconded by Councilwoman Szozda. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser aye
Councilman Joseph aye
Councilman Schuth aye
Councilwoman Szozda aye
Supervisor Gillman aye

Supervisor Gillman moved the following:

RESOLUTION 18-108 EILEEN GRAH, TOWN OF KENDALL LIBRARIAN

It is hereby resolved that Eileen Grah be appointed as Town Librarian for the year 2008.

The motion was seconded by Councilman Schuth. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser aye
Councilman Joseph aye
Councilman Schuth aye
Councilwoman Szozda aye

Supervisor Gillman aye

Councilwoman Szozda moved the following:

RESOLUTION 19-108 LYNNE JOHNSON, BOOKKEEPER

It is hereby resolved that Lynne Johnson be appointed bookkeeper for the year 2008.

The motion was seconded by Councilman Schuth. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Schuth moved the following:

RESOLUTION 20-108 BANK OF DEPOSIT

It is hereby resolved that H.S.B.C. Bank of Holley, NA be designated as the bank of deposit for the town of Kendall for the year 2008.

The motion was seconded by Councilman Joseph. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Joseph moved the following:

RESOLUTION 21-108 OFFICIAL NEWSPAPER

It is hereby resolved that the *Hamlin-Clarkson Herald* be designated as the official newspaper for the town of Kendall for the year 2008.

The motion was seconded by Councilman Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Gaesser moved the following:

RESOLUTION 22 -108 REGULAR BOARD MEETING SCHEDULE

It is hereby resolved to establish 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 pm.

The motion was seconded by Supervisor Gillman. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye

Councilwoman Szozda aye
Supervisor Gillman aye

Supervisor Gillman moved the following:

RESOLUTION 23 -108 REGULARLY SCHEDULED CONFERENCE SESSIONS:

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 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 hereby **RESOLVED** that the Town Board of the Town of Kendall establishes and provides for regularly scheduled work sessions to occur on the 4th Thursday of the month at 7:30PM.

The motion was seconded by Councilman Schuth. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser aye
Councilman Joseph aye
Councilman Schuth aye
Councilwoman Szozda aye
Supervisor Gillman aye

Councilwoman Szozda moved the following:

RESOLUTION 24-108 DEPOSIT OF SURPLUS MONEY

It is hereby resolved to authorize the Supervisor to deposit surplus monies in a time deposit account where the greatest amount of interest can be secured, with preference shown to the H.S.B.C. Bank of Holley.

The motion was seconded by Supervisor Gillman. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser aye
Councilman Joseph aye
Councilman Schuth aye
Councilwoman Szozda aye
Supervisor Gillman aye

Councilman Schuth moved the following:

RESOLUTION 25-108 INVESTMENT POLICY

It is hereby resolved to adopt 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 DEPOSITORIES

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.

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 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.

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.

The motion was seconded by Councilman Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Mr. Vincent Flow, Norway Road, asked if the Investment Policy has changed from previous years. Supervisor Gillman responded that it is basically unchanged. Mr. Flow asked again if it has changed, or if the resolution is a formality and Supervisor Gillman responded that the policy is unchanged.

Councilman Joseph moved the following:

RESOLUTION 26-108 HIGHWAY WAGE SCHEDULE AND WORK AGREEMENT

It is hereby resolved to adopt the Highway Department Salary and Wage Schedule and Work Agreement for 2008 as revised January 2nd 2008, as presented:

**TOWN OF KENDALL
HIGHWAY DEPARTMENT
SALARY SCHEDULE AND WORK AGREEMENT
2008**

The Town of Kendall Highway Department Employees will be paid on the following schedule for 2008;

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 \$12.06 per hour
Full & Part Time Laborer	from Federal minimum wage up to \$10.10 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 purchase.

Following completion of a two (2) month probation period, sick time benefits will be paid to full time employees 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
5 th 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 pay 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;

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.

The motion was seconded by Supervisor Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Gaesser moved the following:

RESOLUTION 26-108 CONTRACTUAL BILLS AND INVOICES WITH DISCOUNT

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

The motion was seconded by Councilman Joseph. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Supervisor Gillman moved the following:

RESOLUTION 27 -108 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 or her 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.

The motion was seconded by Councilman Joseph. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	no
Councilman Joseph	aye
Councilman Schuth	abstain
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilwoman Szozda moved the following:

RESOLUTION 28 -108 – MILEAGE REIMBURSEMENT

WHEREAS, the Internal Revenue Service has set mileage reimbursement for the year 2008 at the rate of \$.505, therefore be it now hereby...

RESOLVED, that the rate of \$.505 be per mile to reimburse Town of Kendall Officials for mileage expenses while on Town business be adopted.

The motion was seconded by Councilman Schuth. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Schuth moved the following:

RESOLUTION 29 -108 – PER DIEM RATE FOR TOWN BUSINESS EXPENSES

Resolved, to establish 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.

Officials and employees are authorized for reimbursement of actual expenses up to the established per diem rate. Reimbursement requests must be made by voucher, with receipts and a detail of expenses. Expense reimbursement forms should be attached to vouchers for multiple entries.

The motion was seconded by Supervisor Gillman. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Joseph moved the following:

RESOLUTION 30-108 2008 SALARY SCHEDULE

A RESOLUTION ADOPTING THE SALARY SCHEDULE FOR 2008, AS PRESENTED:

TOWN OF KENDALL

2008 SALARY SCHEDULE

Supervisor	\$8,400
Deputy Supervisor	\$500.00
Councilperson	\$3120.00
Justice Lape	\$7,800.00
Justice Ernrnwein	\$7,950.00
Court Clerk	\$5,300.00
Budget Officer	\$1,600
Bookkeeper	\$15,000.00
Assessor	\$23,650.00
Board of Assessment Review	\$125.00 each
Town Clerk	\$24,500.00
Code Enforcement Officer	\$12,250.00
Deputy Code Enforcement Officer	\$1000.00 + \$15.00 per action
Registrar of Vital Statistics	\$375.00
Superintendent of Highways	\$46,800.00
Historian	\$750.00
Youth Recreation Director	\$12,100.00
Adult Recreation Director	\$850.00
Zoning Board Chairman	\$1,010.00

Members (4)	\$810.00
Planning Board	
Chairman	\$1,400.00
Member/County Board	\$965.00
Member (3)	\$850.00
Election Inspectors	\$8.12 per hour
Training Class	\$25.00 per session

REV: 1/3/2008

The motion was seconded by Councilman Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Gaesser moved the following:

RESOLUTION 31-108 CEMETERY PRICES SCHEDULE FOR 2008

A Resolution adopting the Town of Kendall Cemetery Price Schedule for 2008 as follows:

BEECHWOOD AND GREENWOOD CEMETERIES
2008 PRICE LIST

Cost for a single plot:	\$350.00
Cost for interment:	
Casket	\$350.00
Cremation (2 allowed per plot)	\$150.00

No interment December 1st through April 1st, depending on weather conditions.

The motion was seconded by Councilman Schuth. Supervisor Gillman asked for a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Supervisor Gillman moved the following:

RESOLUTION 32-108 – OCCU-MED OF WESTERN NEW YORK

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

The motion was seconded by Councilwoman Szozda. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilwoman Szozda moved the following:

RESOLUTION 33-107 MEDICAL BENEFITS POLICY FOR 2008

It is hereby resolved to adopt the medical benefits policy for the year 2008, as revised 1/2/2008, as presented:

TOWN OF KENDALL

**MEDICAL BENEFITS POLICY
2008**

All Elected Officials and Full Time Town Employees are eligible for paid Medical Benefits through the Town if they so desire, according to the schedule set forth below. (Full Time employment is defined as working at least thirty (30) hours per week on average.) The amount paid for the Medical Benefits Policy by the Town will **NOT** exceed the **CAP AMOUNT** established by the Town Board, with the Town Official, Employee or Retiree paying any amount above the **CAP AMOUNT**.

Medical Benefits are available through the Town Plan or an Equivalent Plan of equal or lesser cost. Payment of premiums to the Equivalent Plan must be made to the designated agent of the plan and not directly to the Town Employee.

Dental coverage is not provided.

Part Time Employees and their Widow/Widower may join or continue their participation in the Town Plan (or equivalent plan as described above). The cost of their participation must be paid in full by the plan member except Retired Full Time Employees (their widow/widower) and Retired Elected Officials (their widow/widower) as provided below:

Between 15 and 20 years of service.....Town will pay 50% of the Cap Amount
 After 20 years of service.....Town will pay 50% of the Cap Amount PLUS an additional 10% of the Cap Amount for every two (2) years of additional service
 After 30 years of service.....Town will pay 100% of the Cap Amount

MEDICAL BENEFITS SCHEDULE

FULL TIME EMPLOYEES & ELECTED OFFICLAS

<u>PLAN TYPE</u>	<u>CAP AMOUNT</u>
Family Plan	\$7,608.33
2-Person Plan	\$5,586.32
Single Person Plan	\$2,723.51

PART TIME ELECTED OFFICIALS

<u>PLAN TYPE</u>	<u>CAP AMOUNT</u>
Family Plan	\$7,055.60
2-Person Plan	\$5,193.33
Single Person Plan	\$2,445.54

The motion was seconded by Councilman Gaesser. Supervisor Gillman requested a roll call vote, with the following results:

Councilman Gaesser	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gillman	aye

Councilman Schuth read aloud the following agreed upon determination of Kendall Town Board committees:

TOWN OF KENDALL
STANDING COMMITTEES FOR THE YEAR 2008

STANDING COMMITTEES:

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: Gillman Dept. Head: Kruger

Highway

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

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

Buildings & Grounds

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

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

Planning, Zoning and Agriculture

Chair: Schuth; Alternate: Gaesser; Dept. Head: Kevin Banker

Community Relations

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

Chair: Schuth; Alternate: Szozda; Dept. Head: to be determined

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: Joseph; Dept. Head: to be determined

Finance, Taxes & Special Districts

Chair: Gillman; Alternate: Gaesser; Dept. Head: to be determined

Information Services

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

Chair: Joseph; Chair: Alternate: Schuth; Dept. Heads: Amy Richardson, Stephen Seaman

Employee Benefits

Chair: Szozda; Alternate: Gaesser; Dept. Head: to be determined

Culture & Recreation

Youth Programs, Adult Recreation, Library, History, Celebrations

Chair: Gaesser; Alternate: Szozda; Dept. Head: Flow

Nadine Hanlon interjected that she would like to address the Board and Supervisor Gillman consented. Mrs. Hanlon asked if the Medical Benefits Policy was changed. Supervisor Gillman responded that he did not know. Mrs. Hanlon requested that the part about “retired, elected officials” be made clearer. Mrs. Hanlon stated that she had knowledge that in the past, a RESIGNED elected official was still receiving medical benefits. Mrs. Hanlon is also of the belief that this individual is also receiving dental benefits, which are not covered by the policy, as stated. Mrs. Hanlon requests that the Board research this, because as taxpayer, she is ‘offended” by this former employee receiving benefits to which she may not be entitled. Supervisor Gillman stated that he will take this under advisement.

Michael Paduchak also stood to address the Board. Mr. Paduchak said that because the Town Clerk is an elected official, the Town Board has no authority to appoint her deputies, and suggested that Resolution 10-108 be rescinded. Supervisor Gillman stated that he will discuss this with the Board, and will revisit the issue at the next meeting.

Former Town Supervisor Vick stated that the former employee referred to by Mrs. Hanlon does not receive dental benefits.

Allen Lofthouse asked if the Town of Kendall has any legal representation. Supervisor Gillman responded, “ at this time, it does not.”

There being no further business coming before the Board, Councilman Gaesser moved for adjournment, seconded by Councilman Schuth; no vote; adjournment was called by Supervisor Gillman at 8:12 pm.

Respectfully Submitted,

Amy Richardson
Kendall Town Clerk

(Clerk’s note: no motions were declared carried, nor resolutions passed. This was not an omission by the Clerk in preparing the minutes)