

**KENDALL TOWN BOARD
2010 ORGANIZATIONAL MEETING**

Tuesday, January 5, 2010

Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

INSTALLATION OF ELECTED OFFICIALS AND OATHS OF OFFICE

Retired Judge Ernenwein introduced and presented each of the elected officials. Justice Lape administered an Oath of Office to each in turn: Supervisor Gaesser, Town Clerk Richardson, Councilman Pritchard, Councilman Schuth, and Town Justice Maxon. Highway Superintendent Kruger was not present.

Supervisor Gaesser called the meeting to order at 7:32 p.m. and led the Pledge of Allegiance.

ROLL CALL

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

SUPERVISOR'S REMARKS

Supervisor Gaesser gave the following speech:

“Good evening and welcome, everyone. Thank you for joining us. I feel I must start with a huge thank you to recently retired Town Justice Ray Ernenwein. You have dedicated 41 amazing years of public service to our town. We all are truly honored to have you here with us tonight. Again, thank you very much for your services tonight.

A few changes have been taking place in your Town Hall. Offices have been moved to accommodate work areas for council members. Our bookkeeper, Lynne Johnson, has been retained for the first quarter of 2010; all financial records will be created and maintained within the Town Hall.

I want to thank all of the Department Heads for their continuing support and co-operation during this transition. A special thank you to Councilwoman Szozda for being instrumental in closing out 2009, contributing to tonight's agenda, and handling the change in administration. Communication is the key to achieving many good things. I have decided to establish office hours as follows; Monday evenings 6 to 9 pm, Wednesday evenings from 6 to 9 pm, and Saturday's from 9 am to 1 pm. I will also monitor the Supervisors' voicemail multiple times daily. The most effective and efficient means of communication for members of all the various boards, dept heads, and especially the taxpayers is to utilize the technology of today. I and all the town board members utilize the email system very effectively.

Lastly, I would like to publicly acknowledge the outstanding effort by the entire Board and our Town Clerk. Over the holiday weekend, more than 80 combined hours were dedicated to moving the offices, discovering and identifying important records and beginning the task of re-filing these documents.

This demonstration of the dedication of your elected officials leads me to be confident and optimistic about the quantity and quality of worthwhile projects which will be brought to fruition through the utilization of our various strengths, and our unified effort. Again let me say thank you for coming out tonight.”

RESOLUTIONS

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

RESOLUTION #1-0110- Appointing John Sansone as Attorney for the Town of Kendall

Be it resolved to appoint John S. Sansone, ESQ as the attorney for the Town of Kendall for the year 2010.

It is further resolved that the Supervisor is authorized to sign a legal services agreement for the year 2010 with John S. Sansone, ESQ on behalf of the Town of Kendall.

Supervisor Gaesser called for a roll call vote, with the following results:

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

Supervisor Gaesser declared the motion carried, and welcomed Attorney Sansone, who was in attendance.

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

RESOLUTION #2-0110- Reappointing Pam Rowles as Chairman of the Zoning Board of Appeals

Be it resolved to reappoint Pam Rowles as Chairman of the Zoning Board of Appeals for the Town of Kendall for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #3-0110- 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 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #4-0110- 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 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #5-0110- Reappointing Joette Knapp as Town Historian

Be it resolved to reappoint Joette Knapp as Town Historian for the Town of Kendall for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #6-0110- Reappointing Amy Richardson as Registrar and Records Manager

Be it resolved to reappoint Amy Richardson as Registrar and Records Manager for the Town of Kendall with a term of office that is coterminous with that of Town Clerk.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #7-0110- Reappointing Helen Mayes as Adult Recreation Representative

Be it resolved to reappoint Helen Mayes as Adult Recreation Representative for the Town of Kendall for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #8-0110- 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 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #9-0110- 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 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #10-0110- Reappointing Cheryl Cole as Court Clerk

Be it resolved to reappoint Cheryl Cole as Court Clerk for the Town of Kendall for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #11-0110- Reappointing Eileen Grah as Town of Kendall Librarian

Be it resolved to reappoint Eileen Grah as the Town of Kendall Librarian for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #12-0110- Reappointing Larry Gurslin as Code Enforcement Officer

Be it resolved to reappoint Larry Gurslin as the Code Enforcement Officer for the Town of Kendall for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #13-0110- Reappointing Paul Hennekey as Deputy Code Enforcement Officer

Be it resolved to reappoint Paul Hennekey as the Deputy Code Enforcement Officer for the Town of Kendall for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #14-0110- Appointing Lynne Johnson as Bookkeeper

Be it resolved to appoint Lynne Johnson as the Bookkeeper for the Town of Kendall for the first three months of 2010 at a contractual rate of \$1,500 per month.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #15-0110- Occu-Med of Western New York

It is hereby resolved that the Supervisor is authorized to sign an agreement for the year 2010 with Occu-Med of Western New York for the Town of Kendall's CDL Drug and Alcohol testing.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #16-0110- Reappointing Robert Ryan to the Kendall Medical Office Oversight Board

Be it resolved to reappoint Robert Ryan to the Kendall Medical Office Oversight Board for the Town of Kendall for a three year term expiring December 31, 2012.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #17-0110- Naming the Bank of Deposit

Be it resolved that the **H.S.B.C. Bank of Holley, NA** is designated as the bank of deposit for the town of Kendall for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #18-0110- 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 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #19-0110- 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 called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #20-0110- 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 course 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 7:30 pm.

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 (workshop) session schedule.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #21-0110- 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 called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #22-0110- 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 called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #23-0110- Mileage Reimbursement

WHEREAS, the Internal Revenue Service has set mileage reimbursement for the year 2010 at the rate of \$0.50 per mile, therefore be it now hereby...

RESOLVED, that \$0.50 per mile is established as the reimbursement rate for Town of Kendall Officials for mileage expenses while on Town Business.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #24-107- 2010 Salary Schedule

A resolution adopting the salary schedule for 2010, as presented:

TOWN OF KENDALL
2010 SALARY SCHEDULE

Supervisor	\$8,400.00
Deputy Supervisor	\$300.00
Councilperson (4)	\$3,120.00 each
Justice 1	\$7,950.00
Justice 2	\$7,200.00
Court Clerk	\$5,400.00
Budget Officer	\$0.00
Assessor	\$24,000.00
Board of Assessment Review (4)	\$130.00 each
Town Clerk	\$25,225.00
Code Enforcement Officer	\$9,500.00
Deputy Code Enforcement Officer	\$4,000.00
Registrar of Vital Statistics	\$400.00
Superintendent of Highways	\$47,736.00
Historian	\$750.00
Youth Recreation Director	\$12,463.00
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 called for a roll call vote, with the following results:

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

Supervisor Gaesser declared the motion carried.

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

RESOLUTION #25-0110- 2010 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 2010 as adjusted by the Highway Superintendent, Warren Kruger:

**TOWN OF KENDALL HIGHWAY DEPARTMENT
SALARY SCHEDULE AND WORK AGREEMENT FOR 2010**

The Town of Kendall Highway Department Employees will be paid on the following schedule for 2010;

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 \$10.30 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 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 called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #26-0110- 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 called for a roll call vote, with the following results:

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

Supervisor Gaesser declared the motion carried.

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

RESOLUTION #27-0110- Creating Position of Building Maintenance Worker

Be it resolved to create the part time position of Building Maintenance Worker. This is a semi-skilled position involving work to maintain the efficient performance of a variety of tasks concerned with the Town's operation of buildings, grounds and related equipment. General instructions are received and work is performed under immediate or general supervision, of the Supervisor or his designee, depending upon the nature of the task.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #28-0110- Establishing the hourly rate for the Building Maintenance Worker position

Be it resolved, to establish the hourly rate as eleven (\$11.00) dollars per hour for the Building Maintenance Worker position.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #29-0110- Appointing Nicholas Schicker to the position of Building Maintenance Worker.

Be it resolved to appoint Nicholas Schicker to the position of Building Maintenance Worker for the year 2010.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION #30-0110- 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, 2009 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 February 16, 2010; and Amato, Fox & Company, PC will issue their reports no later than March 16, 2010.

Supervisor Gaesser called for a roll call vote, with the following results:

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

Supervisor Gaesser declared the motion carried.

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

RESOLUTION #31-0110- 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.

Discussion: Councilman Pritchard explained that in addition to taking Oaths of Office, officials are required to have in place a bond, and if done through a blanket bond for the Town, it is to be filed with the County Clerk.

Supervisor Gaesser called for a roll call vote, with the following results:

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

Supervisor Gaesser declared the motion carried.

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

RESOLUTION #32-0110- 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, 2012.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

SUPERVISOR APPOINTMENTS FOR 2010

Deputy Supervisor: Donald Pritchard

Budget Officer: Daniel Gaesser

KENDALL TOWN BOARD STANDING COMMITTEES FOR THE YEAR 2010

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: Rowles, 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

Councilman Joseph stated that Highway Superintendent Kruger was plowing snow during this meeting, so that Mr. Maxon could attend Justice Maxon's installation.

There being no further business coming before the Board, Councilman Pritchard motioned for adjournment, seconded by Councilman Schuth. A vote resulted in all ayes; meeting adjourned at 8:17 p.m.

Respectfully Submitted,

Amy K. Richardson
Kendall Town Clerk