

TOWN OF KENDALL
2009 ORGANIZATIONAL MEETING
KENDALL TOWN BOARD

Thursday, January 8, 2009 7:30 P.M.

PUBLIC PRESENT

Orleans County Legislator Ken Rush, Harry Butler, Dot Butler, Donald Pritchard, Stephen Seaman, CEO Larry Gurslin, Deputy CEO Paul Hennekey, Recreation Director Barb Flow
Highway Superintendent Warren Kruger arrived at 8:07

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

Attorney Leone was also present.

SUPERVISOR'S REMARKS

Supervisor Gillman thanked Charles Patt for his years of service on the Zoning Board. Mr. Patt is not seeking reappointment.

RESOLUTIONS

Councilman Schuth moved the following:

RESOLUTION 1-109 PAMELA ROWLES, CHAIRMAN OF THE ZONING BOARD OF APPEALS

It is hereby resolved that Pamela Rowles be appointed Chairman of the Zoning Board of Appeals for the year 2009.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Schuth moved the following:

RESOLUTION 2-109 PAUL GRAY, PLANNING BOARD CHAIRMAN

It is hereby resolved that Paul Gray be appointed Chairman of the Planning Board for the year 2009.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 3-109 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 2009.

Motion was seconded by Councilman Joseph. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 4-109 JOETTE KNAPP, TOWN HISTORIAN

It is hereby resolved that Joette Knapp be appointed Kendall Town Historian for the year 2009.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 5-109 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 2009.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 6-109 HELEN MAYES – ADULT RECREATION REPRESENTATIVE

It is hereby resolved that Helen Mayes be appointed Adult Recreation Representative for the year 2009.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 7-109 STEDMAN – YOUTH RECREATION COMMISSION

It is hereby resolved that Jim Stedman be appointed to a 3-year term on the Youth Recreation Commission, such term expiring December 31, 2011.

Motion was seconded by Councilman Schuth. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 8-109 WALZER – YOUTH RECREATION COMMISSION

It is hereby resolved that Kelly Walzer be appointed to a 3-year term on the Youth Recreation Commission, such term expiring December 31, 2011.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 9-109 – CHARLES PATT – BEECHWOOD CEMETERY CUSTODIAN

It is hereby resolved that Charles Patt be appointed as Beechwood Cemetery Custodian for the year 2009.

Motion was seconded by Councilman Schuth. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 10 -109 – WALTER STEFFEN JR, GREENWOOD CEMETERY CUSTODIAN

It is hereby resolved that Walter Steffen, Jr. be appointed as Greenwood Cemetery Custodian for the year 2009.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 11 -109 CHERYL COLE, COURT CLERK

It is hereby resolved that Cheryl Cole be appointed Kendall Town Court Clerk for the year 2009.

Motion was seconded by Councilman Schuth. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 12-109 EILEEN GRAH, TOWN OF KENDALL LIBRARIAN

It is hereby resolved that Eileen Grah be appointed as Town Librarian for the year 2009.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 13-109 TOM COLE PLANNING BOARD

Be it hereby resolved that Tom Cole be reappointed to a 5-year term on the Planning Board, such term expiring on December 31, 2013.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 14-109 LARRY GURSSLIN, CODE ENFORCEMENT OFFICER

Be it hereby resolved that Larry Gursslin be reappointed as Code Enforcement Officer for the year 2009.

Motion was seconded by Councilwoman Szozda. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 15-109 PAUL HENNEKEY, DEPUTY CEO

Be it hereby resolved that Paul Hennekey be reappointed as Deputy Code Enforcement Officer for the year 2009.

Motion was seconded by Councilwoman Szozda. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 16-109 LYNNE JOHNSON, BOOKKEEPER

It is hereby resolved that Lynne Johnson be appointed bookkeeper for the year 2009.

Motion was seconded by Councilman Schuth. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 17-109 MICHAEL LEONE, ATTORNEY

RESOLVED, that the Kendall Town Board hereby appoint Michael P. Leone of Harris, Chesworth, O'Brien, Johnstone, Welch, and Leone, LLP., 300 Linden Oaks, Suite 100, Rochester, New York 14625 as Attorney for the Town for the year 2009.

Motion was seconded by Councilman Joseph.

Discussion: Councilman Gaesser asked if a contract had been drawn up, to determine a rate. Attorney Leone said there had not been. Attorney Leone understood that he would continue at last year's rate. Supervisor Gillman agreed.

Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 18-109 AMATO, FOX & COMPANY, PC, INDEPENDENT AUDITORS

It is hereby resolved that FOX & COMPANY, PC, be named as independent auditors for the Town for the year 2009.

Motion was seconded by Councilman Joseph, but with hesitation. Councilman Joseph asked that the decision be made at a later date, so that there is time to peruse the information about this firm.

NO VOTE TAKEN

Councilman Gaesser moved to table this resolution until the January 22, 2009 meeting, seconded by Councilman Joseph. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried to table this resolution.

Supervisor Gillman asked that the next two resolutions not be addressed.

**RESOLUTION 19-109
ADVISORY BOARD**

, CHAIRPERSON OF CEMETERY

It is hereby resolved that
Board for the year 2009.

be appointed Chairman of the Kendall Cemetery Advisory

**RESOLUTION 20-109
BOARD**

, KENDALL MEDICAL OFFICE OVERSIGHT

It is hereby resolved that _____ be appointed to the Kendall Medical Office Oversight Board for a three year term, ending December 31, 2011.

Councilman Gaesser moved the following:

RESOLUTION 21-109 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 2009.

Motion was seconded by Councilwoman Szozda. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 22-109 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 2009.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 23 -109 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 p.m.

Motion was seconded by Councilwoman Szozda. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 24 -109 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 7:30 p.m.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 25-109 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.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 26-109 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.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 27 -109 – MILEAGE REIMBURSEMENT

WHEREAS, the Internal Revenue Service has set mileage reimbursement for the year 2009 at the rate of \$0.550, therefore be it now hereby...

RESOLVED, that the rate of \$0.550 be per mile to reimburse Town of Kendall Officials for mileage expenses while on Town business be adopted.

Motion was seconded by Councilman Joseph. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 28 -109– 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.

Motion was seconded by Councilman Joseph. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 29-109 2009 SALARY SCHEDULE

A RESOLUTION ADOPTING THE SALARY SCHEDULE FOR 2009, AS PRESENTED:

TOWN OF KENDALL

2009 SALARY SCHEDULE

Supervisor	\$8,400
Deputy Supervisor	\$300
Councilperson	\$3120
Justice 1	\$7,950
Justice 2	\$7,950
Court Clerk	\$5,400
Budget Officer	\$0
Bookkeeper	\$15,000
Assessor	\$24,000
Board of Assessment Review	\$ 625
Town Clerk	\$25,225
Code Enforcement Officer	\$10,500
Deputy Code Enforcement Officer	\$3,000
Registrar of Vital Statistics	\$400
Superintendent of Highways	\$47,736
Historian	\$750.00
Youth Recreation Director	\$12,463
Adult Recreation Director	\$875
Zoning Board	
Chairman	\$ 1040
Members (4)	\$ 840 / each
Planning Board	
Chairman	\$ 1558
Member (3)	\$ 875 / each
Election Inspectors	\$8.25 per hour
Training Class	\$25.00 per session

Motion was seconded by Councilman Schuth. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 30-109 HIGHWAY WAGE SCHEDULE AND WORK AGREEMENT FOR 2009

BE IT RESOLVED THAT the following Salary Schedule and Work Agreement for the Highway Department be adopted for the year 2009 as adjusted by Superintendent of Highways Warren Kruger:

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 Time Laborer: From Federal Minimum wage up to \$10.30 per hour
Part Time Laborer: From Federal Minimum wage up to \$10.30 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.

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 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 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.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 31-109 CEMETERY PRICES SCHEDULE FOR 2009

A Resolution adopting the Town of Kendall Cemetery Price Schedule for 2009 as follows:

BEECHWOOD AND GREENWOOD CEMETERIES
2009 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.

Motion was seconded by Councilwoman Szozda. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following:

RESOLUTION 32-109 – 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.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

RESOLUTION 33-109 – MEDICAL PLAN CHANGE

Resolved, to change the Town of Kendall's offered medical plan from Preferred Care Basix 220-2 plan to Preferred Care EPO1 and EPO 2 plans.

Motion was seconded by Councilman Joseph. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following:

RESOLUTION 34-109 – STANDING COMMITTEES FOR 2009

Resolved, to retain the chairs and alternates from the standing committees from 2008 for 2009, with the exception of adding all council members to the employee benefits committee.

Motion was seconded by Councilman Schuth. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

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:

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: Joseph; Dept. Head:

Finance, Taxes & Special Districts

Chair: Gillman; Alternate: Gaesser; Dept. Head:

Information Services

Including Computer Systems, Records Management, Copy Equipment, Document Format, Telephone System
Chair: Joseph; Chair: Alternate: Schuth; Dept. Heads: Amy Richardson

Employee Benefits

All Town Board members are part of this committee. Chair: Szozda; Alternate: Gaesser;
Dept. Head:

Culture & Recreation

Youth Programs, Adult Recreation, Library, History, Celebrations
Chair: Gaesser; Alternate: Szozda; Dept. Head: Flow

With no further business coming before the Board, Councilman Gaesser moved for adjournment, seconded by Supervisor Gillman. All Ayes, meeting adjourned at 8:13 p.m.

Respectfully Submitted,

Amy K. Richardson

