

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

Supervisor Becker called the organizational meeting of January 6, 2005 to order at 7:30 PM and the Pledge of Allegiance was led.

PUBLIC PARTICIPATION:

Public Present: None
Moved into session at 7:30 pm.

Members present: Supervisor Becker
Councilpersons DiNatale, Kludt, Robinson, Weisenburg

Others present: Attorney Doug Heath,

Motion by Councilwoman Robinson, seconded by Councilwoman DiNatale to accept **General** Claims (Supplemental Abs #13) totaling \$1,980.58. Supervisor Becker authorized to pay said claims. (Voucher 357-362)

Ayes: All
Nays: None

Motion by Councilman Kludt, seconded by Councilwoman Robinson to accept **General** Claims (Abs#1) totaling \$51,944.58. Supervisor Becker authorized to pay said claims. (Voucher 1 - 9)

Ayes: All
Nays: None

Motion by Councilman Kludt, seconded by Councilwoman DiNatale to accept **Highway** Claims (Supplemental Abs #13) totaling \$15,650.7. Supervisor Becker is authorized to pay said claims. (Voucher 342-356)

Ayes: All
Nays: None

Motion by Councilwoman DiNatale, seconded by Councilman Kludt to accept **Highway** Claims (Abs#1) totaling \$9,729.00. Supervisor Becker is authorized to pay said claims. (Voucher 1)

Ayes: All
Nays: None

Motion by Councilman Weisenburg, seconded by Councilwoman DiNatale to accept **Agency** Claims (Abs#1) totaling \$507.56. Supervisor Becker is authorized to pay said claims. (Voucher -1)

Ayes: All
Nays: None

CORRESPONDENCE:

FROM:

NYS Office of Real Property
Morton Fire District-Sec. Lorraine Haight
Ralph's Kendall Inn
Kenneth De Roller

Town Clerk Received for Review:
Association of Towns Annual Meeting
Resolutions

Supervisor Becker:
NYS DOT to Assemblyman Nesbitt
Supervisors/Legislators Assoc

RE:

2004 Triennial Aid Certification Notice
Fire Commissioner, Audra Keirn
Application for Liquor License
Inspection of 2612 Carton Road

Kendall Road Drainage
January 25th Dinner at Village Inn.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS:

Medical Insurance Committee: Looking at Premiere 25 Insurance plan which reduces the amount of premiums but the holder will need to pay more co-payments for services. Committee will hold an informational meeting on January 27th and invite all whom carry insurance policies through the Town of Kendall.

Water: Superintendent Peters provided a rough draft of the Policy Statement for the issue of delinquent/past due water accounts being re-levied onto taxes. Also for Water main taps. This will be reviewed further at the upcoming Joint Water Board Meeting.

RESOLUTIONS: (1 to 36)

RESOLUTION #1 -- BANK OF DEPOSIT

MOVED BY Councilman Kludt, seconded by Councilman Weisenburg.

BE IT RESOLVED THAT the *H.S.B.C. Bank, USA* of Holley be designated as the Bank of Deposit for the Town of Kendall for the year 2005.

Ayes: All
Nays: None

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

RESOLUTION #2 -- OFFICIAL NEWSPAPER

MOVED BY Councilwoman DiNatale, seconded by Councilwoman Robinson

BE IT RESOLVED THAT the *Hamlin-Clarkson Herald* be designated as the official newspaper for the Town of Kendall for the year of 2005.

Ayes: All

Nays: None

RESOLUTION #3 -- REGULAR BOARD MEETINGS

MOVED BY Councilwoman Robinson, seconded by Councilman Weisenburg.

BE IT RESOLVED THAT The Town Board of the Town of Kendall shall hold their regular meetings on the second Thursday of each month at 7:30 P.M. at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York.

Ayes: All

Nays: None

RESOLUTION #4 -- NADINE HANLON - REGISTRAR OF VITAL RECORDS AND RECORDS MANAGEMENT

MOVED BY Councilman Weisenburg, seconded by Councilwoman DiNatale.

BE IT RESOLVED THAT Nadine Hanlon be appointed as Registrar of Vital Statistics and Records Management Officer for the Town of Kendall for the year 2005.

Ayes: All

Nays: None

RESOLUTION #5 -- WILLIAM C. HARDENBROOK - CODE ENFORCEMENT OFFICER

MOVED BY Councilman Kludt, seconded by Councilman Weisenburg.

BE IT RESOLVED THAT William Hardenbrook be appointed as Code Enforcement Officer for the Town of Kendall for the year 2005.

Ayes: All

Nays: None

RESOLUTION #6 -- DEPOSIT SURPLUS MONEY

MOVED BY Councilwoman Robinson, seconded by Councilwoman DiNatale.

BE IT RESOLVED THAT the Supervisor be authorized to deposit surplus moneys in a time deposit account where the greatest amount of interest can be secured with preference shown to H.S.B.C. Bank, USA of Holley.

Ayes: All

Nays: None

RESOLUTION #7 -- ATTORNEYS FOR TOWN

MOVED BY Councilman Weisenburg, seconded by Councilman Kludt.

BE IT RESOLVED THAT *Heath & Martin, Attorney's* be appointed Attorney for the Town of Kendall for the year 2005.

Ayes: All

Nays: None

RESOLUTION #8 -- LABELLA ASSOCIATES - ENGINEER FOR TOWN

MOVED BY Councilwoman DiNatale, seconded by Councilwoman Robinson

BE IT RESOLVED THAT *LaBella Associates, P.C.* is appointed Engineer for the Town of Kendall for the year 2005.

Ayes: All

Nays: None

RESOLUTION #9 -- PAYMENT OF CONTRACTUAL BILLS AND DISCOUNT INVOICES

MOVED BY Councilman Kludt, seconded by Councilwoman Robinson.

BE IT RESOLVED THAT the Supervisor be authorized to pay all contractual bills and all invoices offering a discount, upon approval of the department head.

Ayes: All

Nays: None

RESOLUTION #10 -- COMPENSATION FOR MILEAGE AND TOWN BUSINESS

MOVED BY Councilman Weisenburg, seconded by Councilwoman DiNatale

BE IT RESOLVED THAT Town Officials of the Town of Kendall be compensated for mileage incurred on Town Business at the rate of \$0.395 per mile and also for other necessary expenses incurred while on Town Business.

Ayes: All

Nays: None

RESOLUTION #11 -- PER DIEM FOR TOWN OFFICIALS

MOVED BY Councilman Kludt, seconded by Councilman Weisenburg.

BE IT RESOLVED THAT 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.

Ayes: All

Nays: None

RESOLUTION #12 -- WALTER STEFFEN JR - KENDALL PLANNING BOARD

MOVED BY Councilman Weisenburg, seconded by Councilman Kludt.

BE IT RESOLVED THAT Walter Steffen Jr. be appointed to a 5-year term on the Town of Kendall Planning Board with such term ending December 31, 2009.

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

Ayes: All
Nays: None

RESOLUTION #13 – MICHAEL HANLON - KENDALL ZONING BOARD OF APPEALS

MOVED BY Councilwoman Robinson, seconded by Councilwoman DiNatale.

BE IT RESOLVED THAT Michael Hanlon be appointed to a 5-year term on the Town of Kendall Zoning Board of Appeals with such term ending December 31, 2009.

Ayes: All
Nays: None

RESOLUTION #14 -- MICHAEL WEISENBURG - KYC BOARD

MOVED BY Councilman Kludt, seconded by Councilwoman Robinson

BE IT RESOLVED THAT Michael Weisenburg be appointed, as the representative of the Town of Kendall, to the Kendall-Yates-Carlton Waterfront Revitalization Board for the year 2005.

Ayes: All
Nays: None

RESOLUTION #15 – THOMAS COLE - CHAIRMAN OF PLANNING

MOVED BY Councilman Weisenburg, seconded by Councilwoman Robinson.

BE IT RESOLVED THAT Thomas Cole be appointed as Chairman of the Town of Kendall Planning Board for the year 2005.

Ayes: All
Nays: None

RESOLUTION #16 – CHARLES PATT - CHAIRMAN OF KENDALL ZONING BOARD OF APPEALS

MOVED BY Councilwoman DiNatale, seconded by Councilman Kludt

BE IT RESOLVED THAT Charles Patt be appointed Chairman of the Kendall Zoning Board of Appeals for the year 2005.

Ayes: All
Nays: None

RESOLUTION #17 – CHERYL COLE - COURT CLERK

MOVED BY Councilwoman Robinson, seconded by Councilman Weisenburg.

BE IT RESOLVED THAT Cheryl Cole be appointed Court Clerk for the year 2005.

Ayes: All
Nays: None

RESOLUTION #18 -- ROGER HERMAN - BEECHWOOD CEMETERY CUSTODIAN

MOVED BY Councilwoman DiNatale, seconded by Councilman Kludt

BE IT RESOLVED THAT Roger Herman be appointed as Beechwood Cemetery Custodian at an annual salary of \$500.00 for the year 2005.

Ayes: All
Nays: None

RESOLUTION #19 – WALTER STEFFEN JR - GREENWOOD CEMETERY CUSTODIAN

MOVED BY Councilwoman Robinson, seconded by Councilwoman DiNatale.

BE IT RESOLVED THAT Walter Steffen Jr. be appointed as Greenwood Cemetery Custodian at an annual salary of \$500.00 for the year 2005.

Ayes: All
Nays: None

RESOLUTION #20 -- SALARY SCHEDULE FOR 2005.

MOVED BY Councilman Kludt, seconded by Councilwoman Robinson

BE IT RESOLVED THAT the following salary schedule be adopted for the year 2005:

Supervisor:	\$ 9,200.00
Councilpersons (4)	3,000.00 ea.
Justice Lape	7,150.00
Justice Ernenwein	7,400.00
Court Clerk	5,000.00
Budget Officer	\$ 1,500.00
Bookkeeper	6,570.00
Assessor	22,500.00
Board of Assessment Review	\$100.00 ea.
Town Clerk	23,345.00
Dog Control Officer	per schedule
Code Enforcement Officer	11,125.00
Deputy Code Enforcement Officer	25.00 per call
Registrar of Vital Records	375.00
Superintendent of Highways	44,000.00
Historian	700.00
Youth Recreation Director	12,000.00
Adult Recreation Director	850.00
Zoning Board of Appeals Chairman	950.00

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

Clerk	850.00
Members (2)	750.00 ea.
Planning Board	
Chairman	1,150.00
Clerk	975.00
Members (3)	750.00 ea.
Election Inspectors	8.00 per hour
Training Class	10.00 per class

Ayes: All
Nays: None

RESOLUTION #21 -- HIGHWAY WAGE SCHEDULE AND WORK AGREEMENT FOR 2005

MOVED BY Councilwoman Robinson, seconded by Councilwoman DiNatale

BE IT RESOLVED THAT the following Salary Schedule and Work Agreement for the Highway Department be adopted for the year 2005 as adjusted by Superintendent of Highways Warren Kruger:

Full Time Motor Equipment Operators (MEO):	From Federal Minimum wage up to \$17.51 per hour
Part Time Motor Equipment Operators (MEO-PT):	From Federal Minimum wage up to \$11.33 per hour
Full Time Laborer:	From Federal Minimum wage up to \$9.27 per hour
Part Time Laborer:	From Federal Minimum wage up to \$8.75 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

Ayes: All
Nays: None

RESOLUTION #22 – TOWN OF KENDALL CEMETERY PRICE SCHEDULE

MOVED BY Councilman Weisenburg, seconded by Councilman Kludt

BE IT RESOLVED THAT the following schedule for Beechwood and Greenwood Cemeteries for 2005 be adopted:

Cost for single plot:	\$ 250.00
Cost for Interment:	
Casket:	\$ 250.00
Cremation:	100.00

No Interment - December 1st through April 1st (depending on weather conditions)

Ayes: All
Nays: None

Note: No Change from 2004 schedule

RESOLUTION #23 -- AGREEMENT WITH OCCU-MED OF WESTERN NEW YORK

MOVED BY Councilman Kludt, seconded by Councilwoman DiNatale

BE IT RESOLVED THAT the Supervisor is authorized to sign an agreement for CDL Drug and Alcohol testing with Occu-Med of Western New York for the 2005 year.

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

Ayes: All
Nays: None

RESOLUTION #24 -- BARBARA FLOW - DIRECTOR OF YOUTH AND ADULT RECREATION
MOVED BY Councilwoman Robinson, seconded by Councilwoman DiNatale.
BE IT RESOLVED THAT Barbara Flow be appointed Director of Youth and Adult Recreation for 2005.
Ayes: All
Nays: None

RESOLUTION #25 – SCHUTH/WING - KENDALL MEDICAL OFFICE OVERSIGHT COMMITTEE
MOVED BY Councilman Weisenburg, seconded by Councilman Kludt.
BE IT RESOLVED THAT Marietta Schuth and John Wing be appointed to a 3 year term on the Kendall Medical Office Oversight Board, with such term to expire December 31, 2007.
Ayes: All
Nays: None

RESOLUTION #26 – RATH/CANALE/BOBZIN - YOUTH RECREATION COMMISSION
MOVED BY Councilwoman Robinson, seconded by Councilwoman DiNatale
BE IT RESOLVED THAT Charles Rath, Joseph Canale, and Blair Bobzin each be appointed to 3-year terms on the Youth Recreation Commission, such terms expiring December 31, 2007.
Ayes: All
Nays: None

RESOLUTION #27 – JAMES BAKER – DOG CONTROL OFFICER
MOVED BY Councilman Weisenburg, seconded by Councilman Kludt.
BE IT RESOLVED THAT James Baker be appointed Dog Control Officer for the year 2005 with compensation established by the Dog Control Officer job description.
Ayes: All
Nays: None

RESOLUTION #28 – RECORDS MANAGEMENT ADVISORY COMMITTEE
MOVED BY Councilwoman Robinson, seconded by Councilman Kludt.
BE IT RESOLVED THAT Nadine Hanlon, John Becker, Joette Knapp, and Christine DiNatale be appointed to the Records Management Advisory Committee for the year 2005.
Ayes: All
Nays: None

RESOLUTION #29 – INVESTMENT POLICY
MOVED BY Councilwoman Robinson, seconded by Councilwoman DiNatale.
BE IT RESOLVED THAT the Investment Policy of the Town of Kendall be adopted as presented.
Ayes: All
Nays: None
Note: No changes from 2004

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

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

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

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

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.

RESOLUTION #30 – PURCHASING AND PROCUREMENT POLICY

MOVED BY Councilman Weisenburg, seconded by Councilwoman Robinson

BE IT RESOLVED THAT the Purchasing and Procurement Policy of the Town of Kendall be adopted as presented.

Ayes: All

Nays: None

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

Note: No changes from 2004

PURCHASING AND PROCUREMENT POLICY

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

1. PURPOSE

Goods and Services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism improvidence, extravagance, fraud and corruption. To further these objectives, the Town Board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or of any other general, special or local law.

2. PROCEDURES FOR DETERMINING WHETHER PROCUREMENTS ARE SUBJECT TO BIDDING

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

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

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

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

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

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

3. STATUTORY EXCEPTIONS FROM THE POLICIES AND PROCEDURES

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

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

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

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

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

5. ADEQUATE DOCUMENTATION

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

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

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

\$1,001 - bid limits

copies of vendors written quotes attached to voucher submitted for payment

6. AWARDS TO OTHER THAN LOWEST RESPONSIBLE DOLLAR OFFERER

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

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

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

7. ITEMS EXCEPTED FROM POLICIES AND PROCEDURES BY TOWN BOARD

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

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

8. INPUT FROM OFFICERS

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

9. ANNUAL REVIEW

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

10. UNINTENTIONAL FAILURE TO COMPLY

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

RESOLUTION # 31 – MAYNARD/STENSHORN – DEPUTY CODE ENFORCMENT OFFICERS

MOVED BY Councilwoman DiNatale, seconded by Councilwoman DiNatale

BE IT RESOLVED THAT Dennis Maynard and David Stenshorn be appointed Deputy Code Enforcement Officers for the year 2005.

Ayes: All

Nays: None

RESOLUTION #32 – ADULT RECREATION COMMISSION

MOVED BY Councilman Kludt, seconded by Councilman Weisenburg

BE IT RESOLVED THAT Pat Dominas, Margaret Forward, Betty Gleason, and Robert Gleason be appointed to the Adult Recreation Commission for the year 2005.

Ayes: All

Nays: None

RESOLUTION #33 -- JOSEPH HUNT LIBRARY TRUST FUND

MOVED BY Councilwoman DiNatale, seconded by Councilwoman Robinson

BE IT RESOLVED THAT following allocations be adopted for 2005:

EARNINGS:

Trust Fund Principal	\$100,000.00
Estimated Revenue @ 1.5%	1,500.00
Additional Revenue	950.00

ORGANIZATIONAL MEETING, KENDALL TOWN BOARD - JANUARY 6, 2005

Total Available for 2005	2,450.00
EXPENSES:	
Kendall Librarian Salary	875.00
Kendall Library Allocation (2/3)	1,050.00
Holley Library Allocation (1/3)	525.00

Ayes: All
Nays: None

GENERAL DISCUSSION:

The following appointments were made by Supervisor John Becker:

Bookkeeper	Michael Paduchak
Historian	Joette Knapp

January 25th at the Village Inn – Supervisors/Legislators Meeting:

All Town Officials invited to this social meeting – RSVP to Supervisor Becker.

ADVISORY COMMITTEES TO THE SUPERVISOR

All advisory committees remain in effect. These include:

Safety Committee:	John Becker, Gary Kludt, Mike Weisenburg, Warren Kruger, and Kenneth DeRoller
Emergency Services:	John Becker, Ellen Robinson, Gary Kludt, Christine DiNatale, Mike Weisenburg, Warren Kruger
Highway Committee:	John Becker, Gary Kludt, Mike Weisenburg, Warren Kruger
Employee Benefits:	John Becker, Ellen Robinson, Christine DiNatale
Buildings & Grounds:	John Becker, Ellen Robinson, Mike Weisenburg
Recreation Committee:	John Becker, Christine DiNatale, Mike Weisenburg
Agriculture Committee:	John Becker, Gary Kludt, Ellen Robinson
Computer Committee:	John Becker, Nadine Hanlon, Michael Weisenburg, Kenneth DeRoller, and Warren Kruger.

The following appointments were made by Town Clerk Nadine Hanlon:

Deputy Town Clerk's	Lisa Stenshorn, Gert Hauck
---------------------	----------------------------

Investments: Supervisor Becker is looking into a long term investment for the Joseph Hunt Estate to try to capitalize on this trust money. After much discussion the board wanted to get more information. Supervisor Becker will report back to the board.

Hamlin/Kendall Joint Water Board Meeting – January 12, 2005 in Hamlin at 7:00 PM.

Currently working with Tim Hungerford to write checks by computer accounting program in Supervisor Becker's Office. General and Highway checks will be done in this manner.

Motion to adjourn by the Councilwoman Robinson, seconded by Councilman Kludt
Meeting adjourned at 8:25 P.M.

Respectfully submitted,

Nadine P. Hanlon, RMC
Kendall Town Clerk