

**NORTH COLLINS TOWN BOARD ORGANIZATIONAL MEETING JANUARY 06, 2016**

**THE ORGANIZATIONAL MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WEDNESDAY, JANUARY 6, 2016 AT 7 PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.**

<b>PRESENT:</b>	Supervisor	John Tobia, Jr.
	Councilmen:	Ellen M. Mathis Michael W. Perry
	Town Clerk	Lynn DiVincenzo
	Town Attorney	Richard Schaus
	Highway Supt.	David J. Winter

Supervisor Tobia call the meeting to order and led the Pledge to the Flag, Prayer was given, and Supervisor Tobia gave Rose Seege and Agnes Parks a gift and thanked them for the past four years. Supervisor Tobia will also have a sign in sheet for all visitors h\that have concerns.

Town Clerk presents the resignation of Councilmen Karen a. Ricotta and Councilmen JohnTobia.

BE IT RESOLVED that the resignation of Councilmen Karen Ricotta and Councilmen John Tobia are accepted. Moved:Tobia. Second: Perry.

ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.

**SUPERVISOR JOHN TOBIA PRESENTED ROLSUTION:**

WHEREAS, The Town of North Collins, with assistance from URS Corporation, has gathered information and prepared the Erie County New York, Multi-Jurisdictional Hazard Mitigation Plan Update (“the Plan”) and

WHEREAS, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000 and

WHEREAS, The Town of North Collins is a local unit of government that has afforded the citizens an oppportunity to comment and provide input in the Plan and the actions in the Plan, and

WHEREAS, The Town of North Collins has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED by The North Collins Town Board, that The Town of North Collins adopts the Erie County, New York, Multi-Jurisdictional Hazard Mitigation Plan Update as this jurisdiction's Natural Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this Sixth day of January , 2016 at a meeting of the North Collins Town Board.

BE IT RESOLVED that the Town of North Collins adopted the Mutli- Jurisdiction Hazard mitigation Plan. Moved: Tobia. Second: Perry.

ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.

Highway Superintendent – reported that he had an agreement in the amount 202,148 for maintenance for

roads. Also to have Supervisor and Clerk sign contract and file with Clerk.

Supervisor John Tobia asked Mr. Winter's if he knew about wasteland meeting on 1/14/2016.

**THE ORGANIZATIONAL MEETING OF THE TOWN BOARD OF THE  
TOWN OF NORTH COLLINS**

**WEDNESDAY, JANUARY 6, 2016 AT 7 PM**

**IN THE NORTH COLLINS TOWN HALL,  
10569 MAIN STREET, NORTH COLLINS, NEW YORK.**

**Section I VACANCIES**

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RESOLVED

1. That the resignation letters from Councilmen John Tobia and Karen Ricotta are accepted completed
2. The Board will meet the evening of 01/06/2016 to vote on the appointment of the 2 open positions of councilmen.

**Section II TOWN POLICY**

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RESOLVED

1. That the regular **Monthly Meeting** of the North Collins Town Board shall be held on the second Wednesday of each month at 7:00 PM in the Town Hall located at 10569 Main Street North Collins.
2. That the Town Board Meeting Schedule for 2016 shall be as follows:
  - a. January 6,
  - b. January 20,
  - c. February 10,
  - d. March 9,
  - e. April 13,
  - f. May 11,
  - g. June 8,
  - h. July 13,
  - i. August 10,
  - j. September 14,
  - k. October 12,
  - l. November 9,
  - m. December 14,

3. That the following policies of the Town of North Collins be Adopted:
  - a. Town Board Rules of Order (as included in Appendix I).
  - b. Cash Management and Investment (as included in Appendix II).
  - c. Procurement Policy (as included in Appendix III).
  - d. Personnel Policy (as included in Appendix IV).
  - e. Workplace Violence Prevention Policy (as included in Appendix V).
  
4. That the Town of North Collins will follow the Federal Guidelines regarding travel reimbursement for Town Officials and employees as outlined on the www.gsa.gov website."

BE IT RESOLVED that the Town of North Collins adopted SECTION II Town Policy.

Moved: Tobia. Second: Perry.

ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.

**Section III WAGES & APPOINTMENTS**

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RESOLVED

1. That the following salaries are set for the Town officials for the year 2016, to be paid monthly.

<b>Position</b>	<b>Official</b>	<b>Salary</b>
Supervisor	John Tobia, Jr.	\$ 19,194
Council Members (4)	Ellen M. Mathis *	6,754
	Michael W. Perry	5,628
	To Be Determined	5,628
	To Be Determined	5,628
Town Clerk	Lynn DiVincenzo	42,428
Highway Supt.	David J. Winter	48,709
Town Justice (2)	John M. Stevens	10,747
	Karen A. Ricotta	10,747

“\*” Includes stipend for Deputy Supervisor Position

2. That compensation of employees of the Town of North Collins Highway Department, effective January 1, 2016, are to be paid at the following rates:
  - a. Motor Equipment Operators per Hour Rate:
    - i. First year \$ 18.03,
    - ii. Second year \$ 20.01,
    - iii. Third year \$ 20.99,
    - iv. Fourth year: \$ 22.18,
  - b. Laborer per Hour Rate: \$ 13.39.
3. That the starting wage for recreation employees will be \$9.00 per hour.
4. That the starting wage after-school helpers will be \$9.00 per hour.
5. That Ellen Mathis is to be appointed the Deputy Town Supervisor and shall be compensated an additional \$ 1,126 annually to be paid bi-weekly.
6. That Heidi Kibler be appointed the Deputy Town Clerk and shall be compensated at the rate of \$15.45 per hour, paid bi-weekly
7. That the Supervisor John Tobia appoints Mark Adamchick as bookkeeper to the Supervisor at a salary of \$ 20,500 paid bi-weekly.
8. That Supervisor John Tobia appoints Mark Adamchick as Budget Officer at a salary of \$ 2,000 paid bi-weekly.
9. That Supervisor John Tobia appoints Agnes Parks as Assistant Bookkeeper at \$ 20.00 per hour for the month of January 2016 effective January 4, 2016.
10. That Highway Supervisor Winter appoints Eric Witt as Deputy Superintendent of Highways. He shall be compensated at the rate of \$ 22.18 per hour with an additional \$1 for the position of Deputy Superintendent for a total of \$ 23.18 per hour.
11. That Richard Schaus is hereby retained contractually as Attorney for the Town, for the year beginning January 1, 2016, to serve as needed at an annual contract amount of \$12,000.00.
12. That Richard Schaus is hereby retained as Town Prosecutor for the year beginning January 1, 2016, and paid monthly at the rate of \$200 per occasion.
13. That Jeanne Ebersole had previously been awarded is hereby retained as Town Assessor for the town of North Collins for a six year term beginning October 1, 2013 and ending September 30, 2019, and compensated by an annual salary of \$25,000 paid bi-weekly.
14. That Jeanne Ebersole is hereby appointed as Animal Control Officer for the Town of North Collins for a one (1) year term ending December 31, 2016, to be compensated by the annual salary of \$5,000 paid bi-weekly.
15. That Phil Tremblay is hereby appointed as New York State Code Enforcement Officer and Building Inspector for the year beginning January 1, 2016 for the Town of North Collins, at an annual salary of \$10,712 , paid monthly.
16. That Kathleen Myers and Tracy Mallaber are hereby appointed as Clerks to the Town Justices for the year beginning January 1, 2016, at annual salaries of \$ 8,500 and \$ 8,000 respectively each, paid monthly.
17. That the Secretary to the Planning Board is Alicia Jaworski, to be compensated at an hourly rate of \$13.39 per hour, submitted on a time sheet and approved by her immediate supervisor. 166
18. That Jan Mathis is hereby appointed as Recreation Department Leader for the year beginning January 1, 2016, and an annual salary of \$ 6,512, monthly.

19. That Allison Lange is appointed to the position of Assistant Recreation Leader, for the year 2016, with an annual salary of \$3,244, paid monthly.

20. That Terry Blidy and Kathy Pratt are hereby appointed as supervisors of the After-school program, at salaries of \$12.88 per hour and \$10.30. per hour, respectively paid bi-weekly.

21. That Georgiana Bowman is hereby appointed as Town Historian, according to State Education Law, sec. 248, for the year beginning January 1. 2016, at an annual salary of \$2,163, paid monthly.

22. That Lynn DiVincenzo is hereby appointed as Affirmative Action Officer, for the year 2016, with no compensation.

23. That Lynn D. DiVincenzo is hereby appointed to a four-year term as Registrar of Vital Statistics, to be compensated by a salary of \$1,200 per year, paid monthly.

24. That the following shall be appointed to four-year terms as Marriage Officers for the Town of North Collins: Paul Lawton, Lynn D. DiVincenzo, Margaret Orrange, and John Tobia.

25. That the Constabulary as previously established, be continued, and that Glenn Kerwin, Richard Cooper, Phil Tremblay, Donald Badaszewski, Greg Leone, and Reid Smith is hereby appointed as Constables at an hourly rate of \$14.18 per hour, submitted on voucher and paid on payroll, and they shall have all the duties of the Constabulary as previously established

26. That Carl R. Muehlbauer is hereby appointed as Town Coordinator of Disaster Preparedness for the year 2016, to be compensated by an annual salary of \$ 2,500 and paid monthly.

- a. That the following have been appointed as Fire Police for the year 2016:
- b. North Collins: Captain Paul E. Lawton, Paris Bottoni, Cecil A. Lee, and Louis LiVecchi and Robert Lee.
- c. Langford-New Oregon: Captain Phil Glow, Lt. Nelson Winter, Ronald Geiger, Ralph Mertle, Ronald N. Schmitt John Niedermeier Sr., Charles Hohman, and Donald Koch.
- d. Lawtons: Scott Bacon, James Fyock Jr. Curt Mancuso, Dwayne Morosey, Carl Muehlbauer, Martin Schultz, Timothy Spierto, Michael Lisowski, Norman Dotzler, Ryan Brinkman, John Schmit, Paul Lawton, Cecil Lee, and Brandon Luther.

27. That the following are hereby appointed as Fire Wardens for the year beginning January 1, 2016,

- District #1 - James Miller,
- District #2 - Charles Hohman
- District #3 - John Schmit, are

a. FURTHER That compensation of Fire Wardens is hereby fixed at the rate of \$9.00 per hour for time actually spent in extinguishing forest fires,

28. .That Langford-New Oregon Fire Chief Charles Hohman is hereby designated to act as **Superintendent of Forest Fires** in the absence of the Supervisor for the year beginning January 1, 2016, to serve without compensation.

BE IT RESOLVED that the Town of North Collins adopted SECTION III Wages & Appointments.

Moved: Tobia. Second: Perry.

ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.

**Section IV AUTHORIZATIONS & RESPONSABILITIES**

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RESOLVED

Town Board

1. That pursuant to Section 118 of NY Town Law the Town Board authorizes payment of claims presented to the Town Board and such voucher shall be accompanied by a statement by the officer who originates the claim that he approves the claim and the services were actually rendered or supplied and the equipment actually delivered in lieu of the verification of the creditor.
2. That all officers be permitted to attend meetings of a legal nature and be reimbursed for the costs. Conferences should be told to the town board prior to attendance. Dues for national, state and county associations shall be paid by the Town of North Collins from General Funds.

Supervisor

1. That pursuant to Section 118 of NY Town Law the Town Board permits the Supervisor to pay claims for public utilities, insurance, debt service, postage, freight and express charges, before they are audited or reviewed by the Town Board.
2. That the Supervisor be authorized to pay the bills for all funds including payroll and the Town Board shall audit the bills every month prior to the Town Board meeting.
3. That the Supervisor is authorized to use electronic signatures on payroll checks.
4. That Supervisor Tobia and Deputy Supervisor Mathis shall have the authority to hire subcontractors for emergencies related to the Town buildings, not to exceed \$1,500 per incident. Any amount above \$1,500 would require Town Board approval, and
5. That Supervisor Tobia may transfer monies between funds to meet obligations at his discretion. All monies transferred shall be classified as "Due to" or "Due from" other funds, and promptly repaid as finances allow.
6. That the Supervisor is hereby authorized and directed to pay the amount of the full cost of single policy Blue Cross insurance at \$389.25 per month for the full-time Highway employee's and Highway Superintendent David Winter and the family plan at \$1109.37 per month for Eric Witt. Coverage will remain in effect until March 31, 2016. Alternate coverage for the remainder of the year will be determined at the Board meeting scheduled for February 11, 2016.
7. That the Supervisor be authorized to invest any surplus monies and tax monies as prescribed by law, wherever most advantageous rates are available.
8. That warrants and abstract checks to be paid within terms of invoice or seven days of authorization.
9. That Mark I Adamchick is hereby authorized by the Supervisor to obtain information and direct telephone transfers for all Town of North Collins Checking and Savings accounts.
10. That Supervisor John Tobia, Jr. is authorized to **endorse checks, withdraw or transfer funds** with Community Bank, N.A and that Deputy Supervisor Mathis is authorized to endorse checks in the event the Supervisor is absent.
11. That the Supervisor shall submit to the Town Clerk within 60 days after the close of the fiscal year a copy of the report sent to the State Comptroller as required by Section 30 of the General Municipal Law; and thereafter a summary of such report to be published pursuant to law. Upon written request from the chief fiscal officer, the comptroller may extend the period for filing such report for an additional sixty days.

Town Clerk

- 12. That Lynn D.DiVincenzo, as Tax Collector for the Town of North Collins, shall deposit all sums of money received by her as tax collector, in Community Bank N.A., North Collins as required by Sec. 35 of the Town Law.
- 13. That the Town Clerk and Recreation Leader retain **petty cash** funds of \$ 100 each during 2016.

**Highway Superintendent**

- 14. That the **Highway Superintendent** be required to present with all vouchers, signed invoices showing who received what material and on what date.
- 15. That David J. Winter, Supt. of Highways, is hereby authorized and directed to purchase gasoline and diesel fuel through the State Department of Standardization and Purchase

**Animal Control Officer**

- 16. That the **Animal Control Officer** be authorized to accept and obtain all information and certificates pertaining to the licensing of a canine in order to release a seized canine to the owner outside of regular business hours. All information and certificates collected will be turned over to the Town Clerk on the next regular business day for processing.
- 17. That the **Animal Control Officer** shall submit a monthly report to the Village and Town, and attend a quarterly Town Board meeting
- 18. That a canine census is to be performed on an annual basis to be completed by July 1, 2016.

**Code Enforcement Officer**

- 19. That said Code Enforcement Officer shall have all powers and duties designated by the North Collins Town Board, including those previously designated.
- 20. That the Code Enforcement Officer shall attend all Town board meetings, and shall be required to submit a monthly reports to the board.
- 21. That the Code Enforcement Officer shall be available to attend all planning board meetings when requested by the planning board chairman.

**Town Assessor**

- 22. That the Town Assessor shall attend at least one town board meeting quarterly to include the first meeting following the mailing of tax statements.

BE IT RESOLVED that the Town of North Collins adopted SECTION IV Town Policy.

Moved: Tobia. Second: Mathis

ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.

**Section V ASSIGNMENTS & CONTRACTS**

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RESOLVED

- 1. That **Community Bank, N.A.** be designated as the official depository for all Town of North Collins funds, in which Supervisor John Tobia, Jr. shall deposit all of the monies received by him as Supervisor. 169
- 2. That **First Niagara Risk Management, Inc.** is the insurance agent for the Town of

North Collins for the year of 2016.

3. That Computer Search **Payroll Services** is the provider of payroll services that include withholding for retirement and insurances, as well as, on the direction of employees, dispersing or crediting savings or checking to a direct deposit to any bank as designated by the employee as per Banking Law 96-b; General Municipal Law 93-d, Town Law 29 (3).
4. That the retirement coverage, now in effect under the New York State **Employees' Retirement System**, be continued for Town officials.
5. That the retirement coverage, now in effect under the New York State **Employees' Retirement System**, be continued for Town officials.
6. That "**The Sun**", Hamburg, NY is hereby designated as the official newspaper of the Town of North Collins, and all official reports and all other papers required by law to be published shall be published therein, and the expense thereof shall be charged against the Town of North Collins.
7. That a notice of all regular and special meetings and all public hearings held by the Town Board, shall be published in the "**Eden-North Collins Penny Saver**" and the cost of such publications shall become a proper charge of the Town of North Collins.
8. That reports or **Official Papers** may also be published in supplemental newspapers or advertising media as provided by Sec. 64 of Town Law at the discretion of the Town Board.
9. That the 2016 annual contract between the Town of North Collins and the Village of North Collins for Police Services with the **Village Police Department** in the amount of \$30,000.00 is hereby approved and shall be executed by the Town Supervisor
10. That the 2016 annual contract between the Town of North Collins and the **North Collins Emergency Squad, Inc.** for the sum of \$50,000 is hereby approved and shall be executed by the Town Supervisor.
11. That the 2016 annual contract between the Town of North Collins and the **Langford-New Oregon Volunteer Fire Company**, in the amount of \$60,100 is hereby approved and shall be executed by the Town Supervisor.
12. That the 2016 annual contract between the Town of North Collins and the **Lawton's Volunteer Fire Company** in the amount of \$60,100 is hereby approved and shall be executed by the Town Supervisor
13. That the 2016 annual contract between the Town of North Collins and the Village of North Collins and the **North Collins Volunteer Fire Company** in the amount of \$30,050. is hereby approved and shall be executed by the Town Supervisor
14. That the 2016 annual contract between the Town of North Collins and the North Collins **Historical Society, Inc.** in the amount of \$300 is hereby approved and shall be executed by the Town Supervisor.
15. That the signed contracts with Jerry Hidy for quarterly **maintenance of the heating and air conditioning systems** at the Town Hall, Senior Center and Library, shall continue at the same rates of \$1200, \$680, and \$1040, respectively for 2016.
16. That the 2016 annual contract for the provision of **animal control services to** the Village of North Collins in the amount of \$1,200.00 Town of North Collins
17. That A Request for Proposal (RFP) will be released for a contracted provider for the period April 1 through October 31, 2016 for general **maintenance of the parks** including mowing the grass, watering the flowers, collecting and disposing of garbage, etc. and initial preparation of the baseball diamonds. Any additional maintenance or purchases above 170 and beyond the general maintenance duties listed must be approved by the Town Board
18. That the Town enter into a lease with **Erie County Board of Elections** for use of the Senior Center for Primary and Election days at the rate established by Erie County.



(According to Federal HAVA law, the Erie County Board of Elections will select the Polling Places for 2016),

- 19. That Donna Winter-Kohn, wife of Francis Kohn, premium of \$389.25 is paid through the accumulated sick time from Francis' retirement
- 20. That the Town will reimburse the actual Medicare expense deducted by Social Security for Francis Kohn and Margaret Orrange. This is to be paid monthly thru voucher

BE IT RESOLVED that the Town of North Collins adopted SECTION V Assignments & Contracts.

Moved: Tobia. Second: Mathis

ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.

**Section VI COMMITTEES**

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RESOLVED

That Town Law Section 6 authorizes the Supervisor to appoint solely in his or her discretion, committees consisting of the members of the Town Board. Since the Supervisor has the discretion in regards to the creation of these committees as well as appointments of the Town Board member, the Supervisor also has the discretion of which matters are referred to the committee.

- 1. **The Board liaisons for the year 2016 will be appointed by the Supervisor during the February 2016 meeting:**
- 2. The Town has appointed the following five individuals to a five year term on the **Planning Board**, which Meets the 3<sup>rd</sup> Tuesday of each month @ 7 PM

<u>Appointee</u>	<u>Appointment Expiration</u>
Curt Mancuso	December 31, 2017
Dicci Montaldi	December 31, 2018
Michael Drumm	December 31, 2019
Matthew Sweet	December 31, 2020
David Wilczynski	December 31, 2016

- 3. The Town has appointed the following eight individuals to a four year term on the **Library Board**

<u>Appointee</u>	<u>Appointment Expiration</u>
James Mardino	December 31, 2016
Patricia Dole	December 31, 2016
Bonnie Noto	December 31, 2017
Jennifer Schiffman	December 31, 2017
Sarah Friedrich	December 31, 2018
Susan Alessi	December 31, 2018
Tina Cosandier	December 31, 2020
Anne Maggio	December 31, 2020

- 4. The Town has appointed the following five individuals to a five year term on the **Zoning Board' which meets the 3<sup>rd</sup> Thursday of each month @ 7 PM**

<u>Appointee</u>	<u>Appointment Expiration</u>
Elise Winter	December 31, 2018
William Woods	December 31, 2016
Russell Judson	December 31, 2017
Julie McIndoo	December 31, 2018
Gerald Edwards	December 31, 2020

- 5. The Town has appointed the following five individuals to a five year term on the Board of Assessment Review, which meets on the 4<sup>th</sup> Tuesday of May

Table with 2 columns: Appointee, Appointment Expiration. Rows include Genaro Garcia, Paris Bottoni, Jill Collins, Brendan Orrange, and Dicci Montaldi.

- 6. Recreation Board

Table with 2 columns: Appointee, Appointment Expiration. Rows include Jennifer Ebersole, Lynn Divincenzo, Justin Leinger, Letita Phillips, Marie Schmitz, Mathew Sweet, and Dicci Montaldi Senior representative.

- 7. Parks Committee The Town Board will fill the Park’s Committee positions at a later date.

BE IT RESOLVED that the Town of North Collins adopted SECTION V Committees Moved: Perry. Second: Mathis ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.

Appendix I

Be IT RESOLVED that the Town Board herby adopts the following Rules of Order for its board meetings

Town Board Rules of Order for the Town of North Collins

- 1. Notice of Meetings

That a notice of all regular and special meetings and all public hearings held by the Town Board, shall be published in the "Eden-North Collins Penny Saver" and the cost of such publications shall become a proper charge of the Town of North Collins.

- 2. Attendance

Attendance at board sessions is an essential responsibility of all board members. Failure to attend 70% of sessions is grounds for revocation of appointment. Similarly, failure to meet minimum standards for annual training as established by State Law is considered cause for removal.

The Code Enforcement Officer shall be required to submit a monthly report to the board.

The Animal Control Officer shall be required to submit a monthly report to the board.

- 3. Agenda Procedures

That any business to be brought to the attention of the North Collins Town Board by any elected or appointed official or by the public be submitted for the agenda 72 hours prior to a meeting.

All Board members receive a copy of the unapproved Board Minutes (from all Town

Board) for public review within ten business days from the date of such meetings. (Open Meeting Law 106) Also that all board members are to receive a copy of the agenda 48 hours prior to the meeting.

4. Meetings:

The regular **Monthly Meeting** of the North Collins Town Board shall be held on the second Wednesday of each month at 7:00 PM in the Town Hall located at 10569 Main Street North Collins; except that in the event such meeting day shall fall on a holiday, the meeting shall be held on the next business day following. All meetings shall take place in the Town Hall

The North Collins Town Board will conduct its business under the guidelines printed in the New York State Division of Local Government Services publication Conducting Public Meetings and Public Hearings.  
([https://www.dos.ny.gov/lg/publications/Conducting\\_Public\\_Meetings\\_and\\_Public\\_Hearings.pdf](https://www.dos.ny.gov/lg/publications/Conducting_Public_Meetings_and_Public_Hearings.pdf))

Should the NYS publication be silent to an area of conduct the Town will conduct address the issue in accordance with the Roberts Rules of Order 4th Edition.  
(<http://www.rulesonline.com/rror-09.htm>)

Appendix II

**Be IT RESOLVED** that the Town Board hereby adopts the following Cash Management and Investment Policy for its board meetings

**Cash Management and Investment Policy**

WHEREAS, the Office of the Comptroller of the State of New York has determined that an investment policy of a local government is meant to minimize risks, to ensure a competitive rate of return, and to ensure that investments mature when the cash is required to finance operations; therefore,

BE IT That the Town Board of the Town of North Collins hereby authorizes the Town Supervisor to invest all funds, including general funds (fire protection district funds, highway moneys) not obligated or required for immediate expenditure, proceeds of obligation and reserve funds in:

- c. Savings account/certificates of deposit issued by the following banks or trust companies authorized to do business in New York State, to wit, Community Bank, North Collins, and Key Bank, Eden, NY

b. Obligations of New York State

c. Obligations of the United States Government.

Said investments are to be payable or redeemable at the option of the Chief Fiscal Officer of the Town within such times as the proceeds may be needed to meet expenditures for which moneys were provided.

BE IT FURTHER That other Town officials receiving money in their official capacity must deposit funds in negotiable order of withdrawal accounts.

All investments made pursuant to this investment policy shall comply with the following conditions:

**1. COLLATERAL**

a. Certificates of deposit shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of the United States or obligations of federal agencies, the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Collateral shall be delivered to the Town or a custodial bank with which the Town has entered into a custodial agreement. The market value of collateral shall at all times equal or exceed the principal amount of the certificate of deposit. Collateral shall be monitored no less frequently than monthly, and market value shall mean the bid

or closing price as quoted in the *Wall Street Journal* or as quoted by another recognized pricing service. .

b. Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies, the principal and interest of which are guaranteed by the United States Government.

**2. WRITTEN CONTRACTS**

a. Written contracts shall be required for the purchase of all certificates of deposit.

b. A written contract shall be required with the custodial bank.

**3. ACCOUNTS**

The Town Board of the Town of North Collins, at its annual meeting, shall designate the custodial bank(s) for accounts of the Supervisor and the Town Clerk/Tax Collector.

**4. FINANCIAL STRENGTH OF CUSTODIAL BANK AND TRADING PARTNERS**

All trading partners must be creditworthy. Their financial statements must be reviewed at least annually by the Chief Fiscal Officer of the Town to determine satisfactory financial strength.

**5. OPERATIONS, AUDIT AND REPORTING**

The Chief Fiscal Officer of the Town shall authorize the purchase and sale of all certificates on behalf of the town.

The Town Board of the Town of North Collins shall review and approve the annual investment report within 120 days of the end of the fiscal year.

The provisions of these investment guidelines shall take effect prospectively and shall not invalidate the prior selection of the custodial bank or prior investment.

Appendix III

**Be IT RESOLVED** that the Town Board herby adopts the following Procurement Policy for its board meetings

**Procurement Policy**

Whereas, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML §103 or any other law;

NOW THEREFORE, BE IT RESOLVED, that the Town of North Collins does hereby adopt the following procurement policies and procedures:

**1 Operational Necessity**

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML §103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

All purchases require a Purchase Order with a valid department head approval. The department approval includes an assertion that there are appropriations available in the budget

**2 Purchasing limitations and requirements**

All purchases of (a) supplies or equipment which will exceed \$20,000 in the fiscal year or (b) public works contracts over \$35,000 shall be formally bid pursuant to GML §103.

All estimated purchases of goods, supplies and equipment shall be purchased as follows:

- Less than \$20,000 but greater than \$8,000- requires a written request for proposal (RFP) and written/fax/email quotes from three (3) vendors.
- Less than \$8,000 but greater than \$3,000 - requires an oral request for the goods and oral/fax/email quotes from two (2) vendors.
- Less than \$3,000 but greater than \$500- are left to the discretion of the Purchaser, but all steps taken by the Purchaser to solicit prices must be documented in writing by the Purchaser.

All estimated public works contracts shall be purchased as follows:

- Less than \$35,000 but greater than \$20,000 - requires a written request for proposal (RFP) and written/FAX/email proposals from three (3) contractors
- Less than \$20,000 but greater than \$5,000 - requires a written request for proposal (RFP) and written/FAX/email proposals from two (2) contractors
- Less than \$5,000 are left to the discretion of the Purchaser, but all steps taken by the Purchaser to solicit prices must be documented in writing by the Purchaser.

### **3 Request for proposal (RFP) process and selection**

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. Purchaser shall compile a list of all vendors from whom written/FAX/oral/email quotes have been requested and the written/FAX/oral/email quotes offered. All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contracts.

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an awarded to other than the low bidder. If the lowest bidder is not deemed responsible, facts supporting that judgment shall be documented and filed with the record supporting the procurement.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

### **4 Exceptions**

Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

1. Acquisition of professional services
2. Emergencies
3. Sole source situations
4. Goods purchased from agencies for the blind or severely handicapped
5. Goods purchased from correctional facilities
6. Goods purchased from another governmental agency
7. Goods purchased at auction
8. Goods purchased for less than \$500
9. Public works contracts for less than \$1,000
10. Purchases otherwise permitted by law, including under State or County contracts, or as provided under GML§103(16)(“piggybacking” provision).

### **5 Subcontractor Requirements**

All vendors earning above \$600 annually, prior to providing a service or job must submit a W-9; vendors that do not submit W-9's prior to payment, payment will not be mailed until proper documentation is received by the Supervisor's Office.

Subcontractors that are hired by the Town must provide a certificate of insurance for liability and compensation naming the Town as additionally insured prior to starting any work. All requirements listed in the policy must be provided prior to starting work

**6 Employee Reimbursements**

All employee reimbursement requests are submitted within 60 days of said expenditures to be eligible for payment within the budgetary year.

Town officials using his automobile on Town Business shall be reimbursed on the basis of \$.575 per mile, upon submission of a duly executed voucher, stating the date, reasons for travel and the number of miles. Receipts will be required for reimbursement

**7 Public Officials Responsibilities**

The Highway Superintendent is required to present with all vouchers, signed invoices showing who received what material and on what date; as well as what the materials were used for and the disposition of the replaced materials.

Warrants and abstract checks to be paid within terms of invoice or seven days of authorization.

This policy shall be reviewed annually by the town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

Adopted: January 6, 2016

**Appendix IV**

Be IT RESOLVED that the Town Board hereby adopts the following Personnel Policy

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**Personnel Policy**

1.
  - a. The Town Board shall have the responsibility for the hiring and firing of **cleaning and maintenance** personnel, with compensation to be paid at the minimum wage for new hires and minimum wage plus \$ .45per hour for existing personnel after their one-year anniversary, to be paid bi-weekly.
2. **Position Requirements:**
  - a. All motor equipment operators must have commercial driver (CDL) licenses prior to the hire date.
  - b. Any new Deputy Superintendents of Highways shall be appointed by the Superintendent of Highways from the current motor equipment operators, and shall be compensated at the rate of \$1 per hour above their current per hour rate of pay.
3. **New Hires:**
  - a. Status for a period of 90 days. During such probationary period, the employee receives no employee benefits, and may be terminated at any time without cause
  - b. New hire employees are entitled to healthcare benefits after a period of 90 days from the date of hire at a 25% cost to the employee
4. **Employee Benefits:**

- a. Town employees shall be entitled to receive the following twelve paid **Holidays** for the year 2016: New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day, and Christmas Day, and shall be entitled to receive wages at the regular rate prescribed for the classification of the week.
- b. Effective January 1, 2016, employees' anniversary dates are their dates of hire. Each Town employee with one year of service shall be entitled to one week **vacation**. Each employee with three or more years of service, shall be entitled to two weeks vacation, each employee with ten years of service, shall be entitled to three weeks of vacation and each employee with 15 years of service shall be entitled to four weeks' vacation.
  - i. All vacations must be used in the current year and cannot be carried over, and said vacations shall be subject to the general welfare of the public and approved by the Superintendent of Highways.
- c. Each full-time employee of the Town of North Collins Highway Department with one full year of service, shall be entitled to 12 **sick days** each year, accumulated at the rate of one day per month, not to exceed 150 days, and
- d. Full time employees are entitled to four **personal leave days** each year at the approval of the Highway Superintendent, and accumulated as sick time.
- e. **Health Care**
  - i. New hire employees are entitled to **healthcare** benefits after a period of 90 days from the date of hire at a 25% cost to the employee
  - ii. Pro-Flex deductible plan, health reimbursement fund, provides \$1500 for single and \$3000 for two person plans, and \$3000 for family plans which must be used during the insurance effective dates May 1 to April 30 of each year. Any balances will be lost but upon renewal, the amounts will be reissued.
- f. **Retirement**
  - i. Retirement coverage, now in effect under the New York State Employees' Retirement System, be continued for Town officials.
  - ii. All full time employees of the Town who retire with 30 (thirty) years of service to the Town shall receive paid health insurance with a cap of \$537

**5. Reimbursements and Per Die m:**

- a. The Village has resolved to follow the Federal Guidelines regarding travel reimbursement for Town Officials and employees as outlined on the www.gsa.gov website."

**2. Jury Duty**

- a. Town of North Collins full-time employees summoned for jury duty shall be compensated at the New York State mandated rate of \$40 per day for days 1, 2, and 3.

**Appendix V**

**Be IT RESOLVED** that the Town Board hereby adopts the following Workplace Violence Prevention Policy for its board meetings

**Workplace Violence Prevention Policy for the Town of North Collins**

**TOWN OF NORTH COLLINS WORKPLACE VIOLENCE PREVENTION POLICY**

The Town of North Collins is committed to the safety and security of all Town employees and Officials. Workplace violence represents a serious occupational safety hazard to Town employees and Officials. Threats, threatening behavior, or acts of violence against employees, visitors, guests or other individuals by anyone on Town of North Collins property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as any person relating to town Business and shall comply with all policies, procedures and program requirements and for assisting and

maintaining a safe and secure work environment.

This policy is designed to meet the requirements of New York State Labor Law 27b and 12 NYCRR Part 800.6. The goal of this Town Policy is to promote the safety and well-being of all people in the Town workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. The Town of North Collins has identified appropriate response personnel as indicated below.

All Town of North Collins employees are responsible for notifying the contact person below of any violent workplace incidents, threatening behavior, including threats they have witnessed, received or have been told that another person has witnessed or received.

**Designated Contact Persons:**

A report of any violent workplace incidents, threatening behavior, including threats they have witnessed, received or have been told that another person has witnessed or received shall be immediately reported to: The Town Supervisor, The Superintendent of Highways and/or the Town Clerk.

Adopted 8/12/2009

**Appendix VI**

**Drug & Alcohol Policy for the Town of North Collins**

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**SECTION I: PURPOSE**

Town of North Collins recognizes that the use and/or abuse of alcohol or controlled substances by drivers of commercial vehicles or employees in safety-sensitive positions present a serious threat to the safety and health of employees and the general public. It is the policy of the Town of North Collins that its drivers and safety-sensitive support personnel should be free of drugs and alcohol in compliance with the Omnibus Transportation Employee Testing Act of 1991. The Town has implemented a drug and alcohol testing program which is designed to help reduce and avoid traffic accidents and injuries to our employees and the public, to discourage substance and alcohol abuse and to reduce other drug and alcohol - related problems.

**SECTION II: COVERED EMPLOYEES**

For purposes of this policy, the Town strictly prohibits the use of alcohol and/or controlled substances by its employees who are performing, ready to perform, or ceasing to perform the following safety-sensitive job functions:

1. Operation of commercial motor vehicles and those who are subject to commercial driver license law pursuant to 49 CFR Part 383.

**SECTION II: TESTS FOR DRUGS AND ALCOHOL.**

**GENERAL.**

The Town shall test employees for drug and alcohol use in accordance with the Federal Highway Administration regulations, 49 CFR Parts 40,382,391,392,395, that pertain to employees who operate commercial motor vehicles and are subject to commercial driver's license law pursuant to 49 CFR Part 383. The Town testing program shall exceed what is mandated by the Federal Regulations in that it will conduct a base line test in addition to the mandated program. The program and its procedures shall be implemented for the Town employees effective January 1, 1996.

**RANDOM TESTING.**

The Town shall select a qualified consultant to identify employees for random drug and/or alcohol testing in accordance with the Federal regulations.

**REASONABLE SUSPICION TESTING.**

The Town has the right to test an employee in the event it has a reasonable suspicion that an employee may be under the influence of drugs or alcohol. If disciplinary action is probable, the Town Highway Superintendent will inform the employee of his/her right to consult with legal counsel. However, failure to provide that information will not preclude the Town from taking appropriate disciplinary action. The employee may consult with legal counsel as long as counsel can respond without causing a delay in the testing process.



**POST-ACCIDENT TESTING.**

When a post-accident test is required, the employee may consult with legal counsel as long as counsel can respond without causing a delay in the testing process.

If a test result of the primary specimen is positive, the Town shall immediately request that a qualified medical review officer direct that the split specimen be tested in accordance with the procedures set forth in 49 CFR Part 40, sections 40.25(f)(1 O)(ii), 40.29(b )(2)(3), and 40.33 (f). An employee may contact the medical review office prior to analysis of the split specimen.

**SECTION V: PAYMENT OF WAGES**

The Town shall pay the employee for the time required to comply with post-accident, random selection, reasonable cause/suspicion and return to duty testing. Such testing shall include, but not be limited to providing a breath sample, a urine sample, and shall include travel time to and from the test site. However, all follow up testing shall be at the expense of the employee.

**SECTION VI: CALL-IN PROCEDURE**

At the time an employee is called to report to duty, the employee shall acknowledge the use of alcohol, any drug, or other substance which might impair the employee's ability to perform job duties. In such cases the employee will not be required to report to work. This section, however, shall not in any manner reduce, eliminate or otherwise affect any existing duty of employees to be reasonably available and capable of reporting to work without any drug or alcohol impairment.

**SECTION VII: EVALUATION AND TREATMENT**

Any cost involving an initial evaluation by the substance abuse professional, selected by the Town, shall be borne by the Town. All follow-up testing directed by the substance abuse professional shall be paid for by the employee and will be on the employee's time. The expense of such follow up testing may be submitted to insurance providers if the employee so chooses and if covered. This in no way is a guarantee by the Town that such claim will be paid by the insurance providers. When a follow-up test is to be performed, the employee may consult with legal counsel, as long as counsel can respond without causing a delay in the testing process.

Unless the employee is terminated, an unpaid leave of absence will be allowed for follow-up testing and treatment on an in-patient or out-patient basis, provided that the employee may use accumulated sick leave, vacation and/ or personal time in accordance with the current personal and sick leave policies. This provision shall in no way preclude the right of the Town to prefer appropriate charges and bring disciplinary proceedings against an employee with the full range of potential penalties. Reinstatement to the employee's position or an equivalent position may only occur upon certification that the employee has satisfactorily completed evaluation and followed recommended program and that the program recommends return to regular assignment. Department heads shall retain the right to assign and manage personnel to best serve the department needs.

**SECTION VIII: PREVIOUS POLICIES AND PROCEDURES**

In the event of a conflict, the federal regulations and this Memorandum of Policy shall supersede previous policies and procedures pertaining to drugs and alcohol.

**SECTION IX: COPIES OF AGREEMENT**

The Town shall provide each affected employee with a copy of this Memorandum of Policy.

**SECTION X: SEVERABILITY**

If any provision of this Memorandum of Policy conflicts with a statutory or regulatory provision or is declared inoperative by a court of competent jurisdiction, the remaining provisions of this Memorandum of Policy shall remain in full force. The parties shall thereafter meet within 90 days to renegotiate said negated clause.

**BE IT RESOLVED that the Town of North Collins APPENDIX I, II, III, IV, V , VI, VII, VIII, IX and X**

**Moved: MATHIS seconded PERRY**

**ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.**

Motion by Councilmen Perry seconded by Councilmen Mathis to go into executive session at 7:40pm to discuss particular persons. Ayes: Mathis, Perry and Tobia. No's 0. Carried

Motion by Councilmen Mathis seconded by Councilmen Perry to close executive session and open organizational meeting. Ayes: Mathis ,Perry and Tobia. Noes 0 Carried.

**BE IT RESOLVED that the Town of North Collins appoint Peter Robbins and John Mrozek as Town Councilmen for one year ending 12/31/2016. Moved: PERRY seconded MATHIS ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.**

**AUDIT OF BILLS**

BE IT RESOLVED that the following claims, as set forth in Abstract #1 are approved for payment by the Town Board:

- A: #1-7,9,11,12
- B: #10
- DA:#
- DB: #8
- SM
- SR

TOTALS:	13,930.99
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MOVED: Mathis SECONDED TOBIA

ROLL CALL: Ayes: Mathis, Perry, Tobia. Noes 0. Motion carried.

**ADJOURNMENT.** MATHIS moved to adjourn the Organizational Meeting at 8:00PM. Second PERRY

ROLL CALL: Ayes: MATHIS, PERRY and TOBIA

Respectfully submitted,

Lynn DIVincenzo  
North Collins Town Clerk