

TOWN OF NORTH COLLINS NEW YORK

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

WEDNESDAY, JANUARY 4, 2017 AT 6:00 PM
IN THE NORTH COLLINS TOWN HALL,
10569 MAIN STREET, NORTH COLLINS, NEW YORK.

Section I WAGES & SALARIES

1. The elected Town Officials are salaried for the year 2017 as per budget as follows:

<u>Position</u>	<u>Official</u>	<u>Salary</u>
Supervisor	John Tobia, Jr.	19,194.00
Council Members (4)	Ellen M. Mathis *	6,754.00
	Michael W. Perry	5,628.00
	Peter D. Robbins	5,628.00
	William R. Moritz	5,628.00
Town Clerk	Lynn DiVincenzo	42,428.00
Highway Supt.	David J. Winter	48,709.00
Town Justice (2)	John M. Stevens	10,747.00
	Karen A. Ricotta	10,747.00

* Includes stipend for Deputy Supervisor Position

2. RESOLVED that compensation of employees of the Town of North Collins Highway Department, effective January 1, 2017, 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. **Secretary to the Planning Board and Zoning Board** is to be compensated at an hourly rate of \$25.00 per hour, not to exceed \$1,500.00 annually. Time to be submitted on a time sheet and approved by the Chairman of the Planning and Zoning Board.
4. RESOLVED that hourly recreation employees will be compensated at the rate of \$9.70 per hour.
5. RESOLVED that compensation of Fire Wardens is hereby fixed at the rate of \$9.70 per hour for time actually spent in extinguishing forest fires.
6. RESOLVED that the after-school helpers will be compensated at the rate of \$9.70 per hour.
7. RESOLVED that Town of North Collins full-time employees summoned for jury duty shall be compensated at their regular hourly rate/salary not to exceed 3 days. If jury duty exceeds 3 days, the North Collins Town Board will convene to discuss. Proof of service must be presented with payroll records.

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

Moved: Perry. Second: Mathis .

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

Section II APPOINTMENTS

1. RESOLVED that Ellen Mathis is to be appointed the **Deputy Town Supervisor** and shall be compensated an additional \$ 1,126 annually to be paid monthly.
2. RESOLVED that Hiedi Kibler be appointed the **Deputy Town Clerk** and shall be compensated at the rate of \$15.45 per hour, paid bi-weekly
3. RESOLVED that the Supervisor John Tobia appoints Crystal A. Cocca as **Bookkeeper** to the Supervisor at a salary of \$22,500.00
4. RESOLVED that Highway Supervisor Winter appoints Eric Witt as **Deputy Superintendent of Highways**. The Deputy Superintendent 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.
5. RESOLVED that Richard Schaus is hereby retained contractually as **Attorney for the Town** to serve as needed at an annual contract amount of \$12,000.00, paid monthly. One (1) year term ending December 31, 2017.
6. RESOLVED that Richard Schaus is hereby retained as **Town Prosecutor** for the year beginning January 1, 2017, and paid monthly at the rate of \$200.00 per occasion.
7. RESOLVED that Jeanne Ebersole 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 that she shall be compensated by an annual salary of \$25,000 paid bi-weekly.
8. RESOLVED that Ray Zabron is hereby appointed as Animal Control Officer as per the terms of the fully executed contract for Animal Control Services between the Town of North Collins and the Town of Eden.

9. RESOLVED that Phil Tremblay is hereby appointed as New York **State Code Enforcement Officer** and **Building Inspector** for the year beginning January 1, 2017 for the Town of North Collins, at an annual salary of \$10,712.00, paid monthly.
10. RESOLVED that Kathleen Myers, Tracy Mallaber and Teresa Baskerville are hereby appointed as **Clerks to the Town Justices** for the year beginning January 1, 2017, at annual salaries of \$8,500.00, \$6,200.00 and \$1,800.00 respectively, paid monthly.
11. RESOLVED that Jan Mathis is hereby appointed as **Recreation Department Leader** for the year beginning January 1, 2017, with an annual salary of \$ 6,512, paid monthly.
12. RESOLVED that Alyson Laing is appointed to the position of **Assistant Recreation Leader**, for the year 2017, with an annual salary of \$3,244, paid monthly.
13. Terry Blidy, Kathy Pratt and Sharon Woronowski are hereby appointed as supervisors of the **After-School Program**, at salaries of \$12.88 per hour, \$10.33 per hour and \$10.33 per hour respectively, paid bi-weekly.
14. BE IT RESOLVED that Georgianna Bowman is hereby appointed as **Town Historian**, according to State Education Law, sec. 248, for the year beginning January 1. 2017, at an annual salary of \$2,163, paid monthly.
15. RESOLVED that Lynn DiVincenzo is hereby appointed as **Affirmative Action Officer**, for the year 2017, to serve with no compensation.
16. RESOLVED that Lynn D. DiVincenzo is hereby retained to a four-year term as **Registrar**, to be compensated by a salary of \$1,200 per year, paid bi-weekly. Term commenced January 01, 2016 and concludes December 31, 2019.
17. RESOLVED that the following shall be appointed to an annual terms as **Marriage Officers** for the Town of North Collins: Paul Lawton, Lynn D. DiVincenzo, Margaret Orrange, John Tobia, Ross Moritz. Term commences January 01, 2017 and concludes December 31, 2017.
18. RESOLVED that the Constabulary as previously established, be continued, and that Glenn Kerwin, Phil Tremblay, Donald Badaszewski, Richard Cooper, Reid Smith , Michael Davis and Patrick Davis are hereby appointed as **Constables** at an hourly rate of \$14.18 per hour, submitted on voucher. They shall have all the duties of the Constabulary as previously established.
19. RESOLVED that Carl R. Muehlbauer is hereby appointed as **Town Coordinator of Disaster Preparedness** for the year 2017, to be compensated by an annual salary of \$2,500 , and paid monthly.

20. The following have been appointed as Fire Police for the year 2017:

- a. **North Collins:** Captain Paul E. Lawton, Cecil A. Lee, and Louis LiVecchi and Robert Lee.
- b. **Langford-New Oregon:** Captain Phil Glow, Lieutenant Ronald Schmitt, Deputies: Ronald Geiger, Charles Hoffman, Donald Koch, Ralph Mertle, Nelson Winter
- c. **Lawtons:** Will Arthur, Ryan Brinkman, Mark Lisowski, Mike Lisowski, Curt Mancuso, Dwayne Morosey, Carl Muehlbauer, John Schmit, Martin Schultz

21. RESOLVED that James Miller, District #1, Charles Hohman, District #2, and John Schmit, District #3, are hereby appointed as Fire Wardens for the year beginning January 1, 2017,

22. RESOLVED 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, 2017, to serve with no compensation.

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

Moved: Perry. Second: Robbins .

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

Section III BOARD PROCEDURE (Policy)

1. RESOLVED 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. RESOLVED that 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**.
3. RESOLVED THAT All Board members receive a copy of the **unapproved Board Minutes** (from all Town Board meetings) for public review within ten business days from the date of such meetings. (Open Meeting Law 106) Also RESOLVED that all Board Members wishing to add items to the agenda should notify the Town Supervisor 48 hours prior to the meeting.
4. RESOLVED that a notice of all regular and special meetings and all public hearings held by the Town Board, shall be published in the "Dunkirk Observer" and the cost of such publications shall become a proper charge of the Town of North Collins.

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

Moved: Perry. Second: Mathis .

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

Section IV AUTHORIZATIONS & RESPONSABILITIES

Town Board

1. RESOLVED THAT this Board approve as the form and amount the **Employee's Blanket Bond**—which includes the offices of Supervisor & his Bookkeeper, Highway Superintendent, Town Justices, Court Clerk, Town Clerk—Tax Collector, and her Deputy, Peace Officer, Councilmen, Youth Supervisors, Code Enforcement Officers, Animal Control Officer & Emergency Manager.
2. RESOLVED 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.

Supervisor

1. RESOLVED 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. RESOLVED 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. RESOLVED THAT the Supervisor is authorized to use **electronic signatures** on payroll checks.
4. RESOLVED 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.
5. RESOLVED 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. RESOLVED that the Supervisor is hereby authorized and directed to pay the amount of the full cost of single policy Blue Cross Health Insurance at \$515.21 per month for the full-time Highway employee's and Highway Superintendent David Winter and the family plan at \$1,468.35 per month for Eric Witt for the duration of the current enrollment period which concludes April 30, 2017. Rate changes will become effective May 01, 2017 and contributions will be re-evaluated prior to that time.
7. RESOLVED THAT the Supervisor be authorized to invest any surplus monies and tax monies as prescribed by law, wherever most advantageous rates are available.
8. RESOLVED THAT warrants and abstract checks to be paid within terms of invoice or within seven days of authorization.
9. RESOLVED THAT Crystal A. Cocca is hereby authorized by the Supervisor to obtain

information and direct telephone transfers for all Town of North Collins Checking and Savings accounts.

10. RESOLVED THAT Supervisor John Tobia 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 not available.

Town Clerk

11. RESOLVED that Lynn 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.
12. RESOLVED THAT the Town Clerk and Recreation Leader retain **petty cash** funds of \$100 each during 2017.

Highway Superintendent

13. RESOLVED THAT the **Highway Superintendent** is required to provide with all vouchers, signed invoices showing who received what material and on what date.
14. RESOLVED 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

15. RESOLVED 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.
16. RESOLVED THAT the **Animal Control Officer** shall submit a monthly report to the Village and Town, and attend a quarterly Town Board meeting.

Code Enforcement Officer

17. RESOLVED THAT said Code Enforcement Officer shall have all powers and duties designated by the North Collins Town Board, including those previously designated.
18. RESOLVED THAT the Code Enforcement Officer shall attend all Town board meetings, and shall be required to submit a monthly report to the board.
19. RESOLVED THAT the Code Enforcement Officer shall be available to attend all planning board meetings when requested by the planning board chairman.

Town Assessor

20. RESOLVED 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: Perry. Second: Mathis .

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

Section VI CONTRACTS & ASSIGNMENTS

1. RESOLVED that "**The Dunkirk Observer**", Dunkirk, 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.
2. RESOLVED that a notice of all regular and special meetings and all public hearings held by the Town Board, shall be published in the "**Dunkirk Observer**" and the cost of such publications shall become a proper charge of the Town of North Collins.
3. RESOLVED 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.
4. RESOLVED that **Shields Financial** is the insurance agent for the Town of North Collins for the year 2017.
5. RESOLVED that **Community Bank, N.A.** be designated as the official depository for all Town of North Collins funds, in which Supervisor John Tobia, shall deposit all of the monies received by him as Supervisor.
6. RESOLVED 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).
7. RESOLVED that the retirement coverage, currently in effect under the New York State **Employees' Retirement System**, be continued for Town officials.
8. RESOLVED that the 2017 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
9. RESOLVED that the 2017 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.

10. RESOLVED THAT THE 2017 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.
11. RESOLVED that the 2017 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.
12. RESOLVED that the 2017 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.
13. BE IT RESOLVED that the 2017 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.
14. RESOLVED that the signed contracts with Jerry Hidy for quarterly **maintenance of the heating and air conditioning systems** at the Town Hall, Senior Center, Library, Historical Building and Emergency Squad shall continue at the same rates of \$1200, \$680, \$1040, \$280 and \$210 respectively for 2017.
15. RESOLVED that the 2017 annual contract for the provision of **animal control services** to the Village of North Collins in the amount of \$1,200.00 is hereby approved and shall be executed by the North Collins Town Supervisor.
16. RESOLVED that the Town Board shall have the responsibility for the hiring and firing of **cleaning and maintenance** personnel, with compensation to be paid at the rate of \$9.70 per hour for new hires and \$10.00 per hour for existing personnel after their one-year anniversary, to be paid bi-weekly.
17. RESOLVED 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 2017).
18. RESOLVED that the 2017 annual contract between the Town of North Collins and the Town of Eden for **Animal Control Services** in the amount of \$2,000. is hereby approved and shall be executed by the Town Supervisor.
19. RESOLVED that the 2017 annual contract between the Town of North Collins and the **Eden Veterinary Clinic** in the amount of \$3,500. Is hereby approved and shall be executed by the Town Supervisor.

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

Moved: Mathis . Second: Perry .

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

Section V COMMITTEES

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 2017 will be as follows:

Supervisor Tobia

- Association of Erie County Governments
- Marriage Officer
- Public Safety
- Northeast South Towns Solid Waste Management
- Seniors

Ellen Mathis

- Deputy Supervisor
- Recreation Dept. And Parks Depts.
- North Collins Fire Dept.
- Zoning Board of Appeal
- Schools Board

Mike Perry

- Erie County Water Consortium
- Building Maintenance & Repair
- Street Lighting
- South Towns Enhancement
- Emergency Squad
- Lawton's Fire
- Co-Highway

Ross Moritz

- Justice Court
- Town Clerk (record detention & destruction)
- Dog Control
- Grant Writers
- Recycle & Garbage
- Historian
- Assessor
- Marriage Officer

Peter Robbins

- Co- Highway
- Langford – New Oregon Fire Company
- Library
- Veterans Group
- Flags
- Co- Park and Recreation

2. The Town has appointed the following five individuals to a five year term on the **Planning Board**, which Meets the 3rd 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
David Wilczynski	December 31, 2021
Matt Sweet	December 31, 2020

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, 2020
Patricia Dole	December 31, 2020
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 3rd Thursday of each month @ 7 PM**

<u>Appointee</u>	<u>Appointment Expiration</u>
Elise Winter	December 31, 2018
William Woods	December 31, 2021
Russell Judson	December 31, 2017
Michael Ortiz	December 31, 2020
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 4th Tuesday of May**

<u>Appointee</u>	<u>Appointment Expiration</u>
Diana Mathis	December 31, 2021
Charlene Weiss	December 31, 2021
Jill Collins	September 30, 2018
Brendan Orrange	September 30, 2019
Dicci Montaldi	September 30, 2020

6. The Town has appointed the following five individuals to a five-year term on the **Recreation Board**.

<u>Appointee</u>	<u>Appointment Expiration</u>
Jenn Ebersole	December 31, 2019
Lynn Divincenzo	December 31, 2020
Justin Leinger	December 31, 2020
Mathew Sweet	December 31, 2018
Maria Schmitz	December 31, 2021
Alyson Laing	December 31, 2021
Dicci Montaldi	Senior representative

7. The Town has appointed the following five individuals to a two-year term on the **Parks Committee**.

<u>Appointee</u>	<u>Appointment Expiration</u>
Terry Blidy	December 31, 2018
Phyllis Kron	December 31, 2018
Karen Ricotta	December 31, 2018
Margaret Rupp	December 31, 2018
Laurie Stalker	December 31, 2018

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

Moved: Perry. Second: Robbins.

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

Section VI POLICY

1. RESOLVED that the Town Board Meeting Schedule for 2017 shall be as follows:
 - a. January 4, 2017
 - b. February 08, 2017
 - c. March 08, 2017
 - d. April 12, 2017
 - e. May 10, 2017
 - f. June 14, 2017
 - g. July 12, 2017
 - h. August 09, 2017
 - i. September 13, 2017
 - j. October 11, 2017
 - k. November 08, 2017
 - l. December 13, 2017

2. RESOLVED that the Town Board Rules of Order for the Town of North Collins (as included in Appendix I) be adopted.

3. RESOLVED that the Cash Management and Investment Policy for the Town of North Collins (as

included in Appendix II) be adopted.

4. RESOLVED that the Procurement Policy for the Town of North Collins (as included in Appendix III) be adopted.
5. RESOLVED that the Personnel Policy for the Town of North Collins (as included in Appendix IV) be adopted.
6. RESOLVED that the Workplace Violence Prevention Policy for the Town of North Collins (as included in Appendix V) be adopted.
7. RESOLVED that the Drug and Alcohol Policy for the Town of North Collins (as included in Appendix VI) be adopted.

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, Robbins Mortiz. Noes 0. Motion carried.

Appendix I

Town Board Rules of Order for the Town of North Collins

Roberts Rules of Order will be followed at all public meetings for Calendar year 2017

Appendix II

Cash Management and Investment Policy for the Town of North Collins

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 RESOLVED 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:

- a. 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 RESOLVED 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 Procurement Policy for the Town of North Collins

TOWN OF NORTH COLLINS 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 Voucher 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 \$.535 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 provide 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 within 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 4,2017

Appendix IV Personnel Policy

1. Position Requirements:

- a. All motor equipment operators must have a commercial driver (CDL) license prior to his/her 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 hourly rate of pay.

2. New Hires:

- c. Newly hired employees of the Town of North Collins effective January 1, 2017, are hired at a **probationary** status for a period of 90 days. During such probationary period, the employee is not entitled to employee benefits, and may be terminated at any time without cause.
- d. Newly hired employees are entitled to **healthcare** benefits after a period of 90 days from his/her date of hire at a 25% cost to the employee.

3. Employee Benefits:

- a. Town employees shall be entitled to receive the following twelve paid **Holidays** for the year 2017: 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 their regular rate prescribed for the classification of the week.
- b. Effective January 1, 2017, 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. Newly hired 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. All full time employees of the Town who retire with thirty (30) years of service to the Town shall receive paid health insurance as a post employment benefit.
- f. **Retirement**
 - i. Retirement coverage, currently 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 thirty (30) years of service to the Town shall receive paid health insurance with a cap of \$537.00 per month.

Appendix V Workplace Violence Prevention Policy for the Town of North Collins

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

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)(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.

Respectfully submitted by.

Lynn DiVincenzo Town Clerk