

TOWN OF NORTH COLLINS NEW YORK

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

WEDNESDAY, JANUARY 09, 2019 AT 6:00 PM

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

Motion Mike Perry

Section I WAGES & SALARIES

1. The elected Town Officials are salaried for the year 2019 as per budget as follows:

<u>Position</u>	<u>Official</u>	<u>Salary</u>
Supervisor	John Tobia, Jr.	19,770.00
Council Members (4)	Ellen M. Mathis *	6,890.00
	Michael W. Perry	5,741.00
	Peter D. Robbins	5,741.00
	William R. Moritz	5,741.00
Town Clerk	Lynn DiVincenzo	43,277.00
Highway Supt.	David J. Winter	50,170.00
Town Justice (2)	John M. Stevens	10,962.00
	Karen A. Ricotta	10,962.00

* Includes stipend of \$1,149.00 for
Deputy Supervisor Position

2. RESOLVED that compensation of employees of the Town of North Collins Highway Department, effective January 1, 2019, are to be paid at the following rates:
- a. Motor Equipment Operators per Hour Rate:
 - i. First year \$ 18.57
 - ii. Second year \$ 20.61
 - iii. Third year \$ 21.62
 - iv. Fourth year: \$ 22.85

3. RESOLVED that hourly recreation/after school employees will be compensated at the rate of \$11.10 per hour unless named individually in a separate resolution.
4. RESOLVED that the following recreation/after school employees will be paid at the rate of \$11.75 per hour
 - a. Terry Blidy
 - b. Kathy Pratt
 - c. Sharon Woronowski
5. RESOLVED that compensation of Fire Wardens is hereby fixed at the rate of \$11.10 per hour for time actually spent in extinguishing forest fires.
6. RESOLVED that Town of North Collins full-time employees summoned for Jury Duty or subpoenaed to appear in court for other than personal issues will be paid their full salary for the duration of their obligation. Employees must submit proof from the court of their attendance to receive payment.

Section II APPOINTMENTS

1. RESOLVED that Ellen Mathis is to be appointed the **Deputy Town Supervisor** and shall be compensated an additional \$ 1,149 annually to be paid monthly.
2. RESOLVED that Heidi Kibler be appointed the **Deputy Town Clerk** and shall be compensated at the rate of \$16.23 per hour, paid bi-weekly.
3. RESOLVED that the Supervisor John Tobia appoints Crystal A. Cocca as **Bookkeeper/Budget Officer** to the Supervisor at a salary of \$23,639.00
4. RESOLVED that Highway Supervisor Winter appoints Raymond Fintak as **Deputy Superintendent of Highways**. The Deputy Superintendent shall be compensated at the rate of \$22.85per hour with an additional \$1 for the position of Deputy Superintendent for a total of \$ 23.85per 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 \$14,400.00, paid monthly. One (1) year term ending December 31, 2019.
6. RESOLVED that Richard Schaus is hereby retained as **Town Prosecutor** for the year beginning January 1, 2019, and paid monthly at the rate of \$400.00 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, 2019 for the Town of North Collins, at an annual salary of \$10,926.00 each, 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, 2019, at annual salaries of \$4,335.00, \$5,712.00 and \$6,783.00 respectively, paid monthly.
11. RESOLVED that Kathleen Pratt is hereby appointed as **Co-Recreation Department Leader** for the year beginning January 1, 2019, with an annual salary of \$5,131.00, paid monthly.
12. RESOLVED that Alyson Laing is appointed to the position of **Co-Recreation Department Leader**, for the year 2019, with an annual salary of \$5,336.00, paid monthly.
13. 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, 2019, at an annual salary of \$2,163, paid monthly.
14. RESOLVED that Lynn DiVincenzo is hereby appointed as **Affirmative Action Officer**, for the year 2019, to serve with no compensation.
15. RESOLVED that Lynn D. DiVincenzo is hereby retained to a four-year term as **Registrar**, to be compensated by a salary of \$1,224.00 per year, paid bi-weekly. Term commenced January 01, 2016 and concludes December 31, 2019.
16. RESOLVED that the following shall be appointed to be retained to their four year term as **Marriage Officers** for the Town of North Collins, term commenced January 01, 2016 and concludes December 31, 2019: Paul Lawton, Lynn D. DiVincenzo, MargaretOrange, John Tobia. The following shall be retained whose term commenced January 01, 2017 and concludes December 31, 2019: Ross Moritz.
17. RESOLVED that the Constabulary as previously established, be continued, and that Glenn Kerwin, Phil Tremblay, Donald Badaszewski, Richard Cooper, Reid Smith, Michael Davis, Patrick Davis, Peter Tremblay and Michael Livecchi are hereby appointed as **Constables** at an hourly rate of \$14.50 per hour, submitted on voucher. They shall have all the duties of the Constabulary as previously established.
18. RESOLVED that Rick Myers is hereby appointed as **Town Coordinator of Disaster Preparedness** for the year 2019, to be compensated by an annual salary of \$2,500.00, paid monthly.
19. The following have been appointed as Fire Police for the year 2019:
 - a. **North Collins:** Captain Paul E. Lawton, Cecil A. Lee, Robert Lee and Richard Bley
 - 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
20. RESOLVED that Keith Ayers, District #1, Charles Hohman, District #2, and Dwayne Morrosey District #3, are hereby appointed as Fire Wardens for the year beginning January 1, 2019,
 21. 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, 2019, to serve with no compensation.

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.

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. Any transfers need to be approved by the board.
6. RESOLVED that the Supervisor is hereby authorized and directed to pay the amount equal to 75% of the full cost of single policy Blue Cross Health Insurance at \$566.50 (424.88) per month for the full-time Highway employee’s and Highway Superintendent David Winter and 75% of the Employee with child plan at \$982.94 (737.21) per month for Brian Croft for the duration of the current enrollment period which concludes April 30, 2019. Rate changes will become effective May 01, 2019 and the Town will continue to pay 75% of the adjusted premium and Employees will pay 25% of the adjusted premium.
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 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 M. 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 2019.

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.

Section V **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 2019.
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 all Town employees.
8. RESOLVED that the 2019 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 2019 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 2019 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. The Town of North Collins will pay the cost of the NYS Volunteer Cancer Benefit at an amount not to exceed \$137.00 for each Certified Interior Fire-Fighter.
11. RESOLVED that the 2019 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. The Town of North Collins will pay the cost of NYS Volunteer Cancer Benefit at an amount not to exceed \$137.00 for each Certified Interior Fire-Fighter.

12. RESOLVED that the 2019 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 2019 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 2019 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.
15. 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 \$11.10per hour. The Board has the authority to contract with an outside firm if they so desire.
16. 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 2019).
17. RESOLVED that the 2019 annual contract between the Town of North Collins and the Town of Eden for **Animal Control Services** in the amount of \$4,000. is hereby approved and shall be executed by the Town Supervisor.
18. RESOLVED that the 2019 annual contract between the Town of North Collins and the **Eden Veterinary Clinic** in the amount of \$25.00 per day per animal. Is hereby approved and shall be executed by the Town Supervisor.

Section VI 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 2019 will be as follows:

Supervisor Tobia

- Association of Erie County Governments
- Marriage Officer
- Public Safety
- Seniors
- Grant Writers
- Code-Enforcement

Ellen Mathis

- Deputy Supervisor
- Co-Parks & Recreation
- North Collins Fire Dept.
- Zoning Board of Appeal
- School Board
- Justice Courts

Mike Perry

- Erie County Water Consortium
- Building Maintenance & Repair
- Street Lighting
- South Towns Enhancement
- Emergency Squad
- Town Clerk (Record Retention & Management)
- Co-Highway

Ross Moritz

- Northeast South Towns Solid Waste Management
- Dog Control
- North Collins American Legion
- Recycle & Garbage
- Flags
- Marriage Officer
- Co-Highway

Peter Robbins

- Langford – New Oregon Fire Company
- Historian
- Library
- Lawtons Fire Company
- Assessor
- Co- Park and Recreation

2. The Town has appointed the following five individuals to a five year term on the **Planning Board**, which Meets as requested by the Town Board.

<u>Appointee</u>	<u>Appointment Expiration</u>
Michael Drumm	December 31, 2019
Matt Sweet	December 31, 2020
David Wilczynski	December 31, 2021
Curt Mancuso	December 31, 2022
Marcy Jablonski	December 31, 2023

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>
Sarah Friedrich	December 31, 2019
Tina Cosandier	December 31, 2020
Anne Maggio	December 31, 2020
James Mardino	December 31, 2021
Patricia Dole	December 31, 2021
Bonnie Noto	December 31, 2022
Jennifer Schiffman	December 31, 2022

4. The Town has appointed the following five individuals to a five-year term on the **Zoning Board** which meets as requested by the Town Board.

<u>Appointee</u>	<u>Appointment Expiration</u>
Michael Ortiz	December 31, 2019
Gerald Edwards	December 31, 2020
William Woods	December 31, 2021
Wesley Awald	December 31, 2022
Elise Winter	December 31, 2023

5. The Town has appointed the following five individuals to a five-year term on the **Board of Assessment Review**, which meets on the 1st Thursday of June.

<u>Appointee</u>	<u>Appointment Expiration</u>
Henry Maciejewski	December 31, 2019
DicciMontaldi	September 30, 2020
Diana Mathis	December 31, 2021
Charlene Weiss	December 31, 2022
Jill Collins	December 31, 2023

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
Alyson Laing	December 31, 2021
Anthony George	December 31, 2023
Kate Krieheder	December 31, 2023
Rane Brinkman	December 31, 2023
DicciMontaldi	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, 2020
Phyllis Kron	December 31, 2020
Karen Ricotta	December 31, 2020
Margaret Raupp	December 31, 2020
Laurie Stalker	December 31, 2020

Section VII POLICY

1. RESOLVED that the Town Board Meeting Schedule for 2019 shall be as follows:
 - a. January 09, 2019
 - b. February 13, 2019
 - c. March 13, 2019
 - d. April 10, 2019
 - e. May 08, 2019
 - f. June 12, 2019
 - g. July 10, 2019
 - h. August 14, 2019
 - i. September 11, 2019
 - j. October 09, 2019
 - k. November 13, 2019
 - l. December 11, 2019
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 & Alcohol Policy for the Town of North Collins (as included in Appendix VI) be adopted.

8. RESOLVED that the Personnel Policy – Highway Department for the Town of North Collins (as included in Appendix VII) be adopted.
9. RESOLVED that the Community Center Policy for the Town of North Collins (as included in Appendix VIII) be adopted.

SECONDED: Ellen Mathis

ROLL CALL: Ayes: Mathis, Robbins, Moritz, Tobia, Perry

ADJOURNMENT. Motion to adjourn at 6:25 pm by Mike Perry . Second: Peter Robbins. 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 2018. A Public Forum Session will be held at all meetings.

Adopted: January 09, 2019

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.

Adopted: January 10, 2019

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 \$.58 per mile, upon submission of a duly executed voucher, stating the date, reasons for travel and the number of miles. A Map-quest document will be submitted with voucher showing starting and ending route to substantiate the mileage request. Receipts will be required for reimbursement for tolls.

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 09,2019

Appendix IV Personnel Policy

1. New Hires:

- a. Newly hired employees of the Town of North Collins effective January 1, 2019, 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.

2. Employee Benefits:

- a. Full-time Town employees shall be entitled to receive the following twelve paid **Holidays** for the year 2019: 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. Holidays will be paid at eight (8) hours per day.
- b. Effective January 1, 2019, full-time employees' anniversary dates are their dates of hire. Each Town employee with one year of service shall be entitled to one week **vacation** (forty, (40) hours). Each employee with three or more years of service, shall be entitled to two weeks **vacation** (eighty, (80) hours) each employee with ten years of service, shall be entitled to three weeks of **vacation**(one hundred twenty, (120) hours) and each employee with 15 years of service shall be entitled to four weeks of **vacation** (one hundred sixty, (160) hours).

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 their Direct Supervisor.
- c. Each full-time employee of the Town of North Collins with one full year of service, shall be entitled to 12 **sick days** each year, accumulated at the rate of one day per month (eight, (8) hours is equal to one day) not to exceed 150 days.
- d. Full time employees are entitled to four **personal leave days**(eight (8) hours is equal to one day) each year at the approval of the direct supervisor and is accumulated as personal time. Any unused personal leave days will be rolled into the employees sick accrual at the close of each calendar year.
- e. Health Care
 - i. Newly hired full-time employees are entitled to **healthcare** benefits after a period of 90 days from the date of hire at a cost of 25% of the premium by the employee through payroll deduction.
 - 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 all town employees.
 - 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: January 09, 2019

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 III: 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.

SECTION IV: 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.

Adopted: January 10, 2019

Appendix VII Personnel Policy – Highway Department

1. Position Requirements:

- a. All motor equipment operators must have a commercial driver (CDL) license prior to his/her hire date and provide a copy of said CDL to Town Supervisor with initial employee paperwork.
- 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.
- c. Highway employees shall work a 40 hour work week as scheduled and determined by the Highway Superintendent.
- d. Highway employees shall be subject to calls twenty-four (24) hours per day to deal with town emergencies.

2. New Hires:

- e. Newly hired employees of the Town of North Collins effective January 1, 2018, 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.

3. Employee Benefits:

- a. Town Highway employees shall be entitled to receive the following twelve (12) paid Holidays each calendar year: 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. All holiday pay will be paid at eight (8) hours per holiday. Employees shall be entitled to receive wages at their regular rate prescribed for their classification and as set each year at the Annual Re-Organization Meeting. Straight time will be paid for the first 40 hours of work and time and one half will be paid for all hours in excess of 40 in the 7 day pay period. Work on all holidays will be paid at double time regardless of other hours worked in that pay period.
- b. Effective January 1, 2018, employees' anniversary dates are their dates of hire. Each Town employee will be entitled to vacation as per the following schedule:

One Year	One (1) Week (40 hours)
Two to Ten Years	Two (2) Weeks (80 hours)
Ten to Fifteen Years	Three (3) Weeks (120 hours)
Fifteen Plus Years	Four (4) Weeks (160 hours)

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.

Appendix VII Personnel Policy – Highway Department Cont.

- 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 (eight (8) hours per day) not to exceed 150 days. Accrued sick time is to be used for personal illness or disability only. Any employee who absents him/herself for three (3) consecutive days or more than (6) days in any one calendar month, shall present a written report from his/her physician certifying the absence. Employees must call their supervisor no less than two (2) hours prior to the start of their shift to report their absence.
- d. Full time employees are entitled to four **personal leave days**(eight (8) hours per day) each year at the approval of the Highway Superintendent, and accumulated as personal time. Any unused personal leave days will be rolled into the employees sick accrual at the close of each calendar year.
- e. All Full-Time Highway Department Employees will be granted a maximum of four (4) consecutive workdays for **bereavement** and will receive their full pay for the absence. The employee shall give notice to the Highway Superintendent of a claim of bereavement as soon as reasonably possible. Bereavement pay is permitted upon the death of any of the following relatives: spouse, child, sibling, parent, grandparents, grandchild. These categories shall include step relative and in-law status. Employees shall be given time off without loss of pay for the date of the funeral of the employee's aunt or uncle.

4. Health Care

- a. Newly hired employees are entitled to **healthcare** benefits after a period of 90 days from his/her date of hire at a cost to the employee of 25% of the premium to be taken through payroll deduction.
- b. Effective January 01, 2018 all employees enrolled in healthcare benefits will contribute 25% of the cost of the premium through payroll deduction.
- c. All full time employees who retire with thirty (30) years of service to the Town of North Collins may continue to be enrolled in the towns policy while maintaining the 25% contribution as a post-employment benefit this benefit will be capped at \$537.00 per month.

5. Retirement

- a. Retirement coverage, currently in effect under the New York State Employees' Retirement System shall be continued.

Appendix VII Personnel Policy – Highway Department Cont.

6. Jury Duty

- a. Employees that are called to Jury Duty or Subpoenaed to appear in court for other than personal issues will be paid their full salary for the duration of their obligation. Employees must submit proof from the court of their attendance to receive payment.

7. Longevity

- a. Longevity payments will be issued to Full-Time Highway Employees on the paycheck that follows their anniversary date per the following schedule:

5 years to 9 years	\$300.00
10 years to 14 years	\$400.00
15 years to 19 years	\$500.00
20 or more years	\$600.00

8. Re-Call

- a. All Full-Time Highway Employees who work their daily shift and are re-called to work after completion of their normal shift will be paid a minimum of 3 hours pay. A written report will be turned in with the corresponding payroll detailing the purpose of the Re-Call.

9. Vehicle Use Policy

- a. All Town of North Collins Highway Employees will be required to sign the Vehicle Use Policy and comply with the contents contained within,

10. Drug & Alcohol Testing

- a. All Town of North Collins Highway Employees will be required to comply with Appendix VI – Drug and Alcohol Policy for the Town of North Collins.

11. Workplace Violence Prevention for the Town of North Collins

- a. All Town of North Collins Highway Employees will be required to comply with Appendix V – Workplace Violence Prevention Policy for the Town of North Collins

Appendix VIII – Community Center

Town Of North Collins

Facility Use Application

The Town Of North Collins Facility Use Application is for reservations of the Town of North Collins Community Center. Completed applications must be submitted **at least 6 weeks prior to the event.**

Applications are not considered complete until the following items have been submitted:

- **Signed application – North Collins residents ONLY**
- **Application fee: \$150 -This includes a refundable deposit of \$50 if building/park is in good condition and clean.**
- **Proof of liability insurance (\$500,000 general liability)**

****Please note****

You are not guaranteed use until you are approved by the Town Of North Collins

Mail Completed Application To:

Ellen Mathis

Town Of North Collins

Mail Street, North Collins NT 14111

Renter/Contact Name: _____

Organization: _____

E-mail address: _____

Address: _____

Work Phone: _____ **Home Phone:** _____

Cell Phone: _____

Name of participant/group that insurance is under:

Name of insurance agency: _____

Insurance address: _____

Event Type: _____

Approx. # of Attendance: _____

Time of Event: _____

Provide a brief overall description of your event: _____

Approved: _____ **Date:** _____

Receipt no. _____ **Check No.** _____

Appendix VIII - Community Center

Rules and Regulations

- The applicants/sponsor is responsible for damages/losses incurred at requested location by those in attendance at the event throughout the duration of requested time allotted for the event.
- Applicant is responsible for all trash, litter and clean-up. Cost for clean-up will be deducted from the deposit if facility is not returned to the same condition it was prior to event. If the cost of damages or clean-up is greater than the deposit, the applicant may be charged for the resulting costs.
- Community center shall not be used for private enterprise or profit.
- Fire lanes must be open at all times.
- Parking in designated areas only.
- No facility use permits shall be granted that would conflict with Town sponsored events.
- No water or electrical hook-ups are provided by the Town. If your event requires hook-ups, the applicant must provide them at their own cost and be accordance with all local health department standards.
- MUST have proof of General Liability Insurance in the minimum amount \$500,000 naming the Town of North Collins as “additional insured” and send proof to Town of North Collins with application.

Applicants may be denied if:

- The applicant or person on whose behalf the application was made has on prior occasion made material misrepresentations regarding the nature or scope of an event or activity previously permitted;
- The applicant or person on whose behalf the applicant was made has violated the terms of prior permits used to or on the behalf of the applicants;
- The applicant for permit, including any required attachments and submissions, is not fully completed and executed;
- The applicant has not tendered the required application fee with the application or has not tendered the required indemnification agreement or insurance certificate;
- A fully executed prior application for permit for the same date has been received and a permit has been or will be granted to a prior applicant;
- The use or activity intended by the applicant will conflict with previously planned programs organized by the Town of North Collins;
- The use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant or other users of the facility or Town employees or general public.
- The use or activity intended by the applicant is prohibited by las or Town code and ordinances.