

Organizational Meeting of the Town Board of the Town of LeRoy held on Thursday, January 12, 2023 at 7:00 PM in the Boardroom of the Town Hall, 48 Main Street LeRoy, New York.

Members Present: James Farnholz, Supervisor
John Armitage, Council
William Fox, Council
John Johnson, Council
David Paddock, Council
Eric Stauffer, Highway Supt.

Recording Secretary: Patricia A. Canfield, Town Clerk

Others Present: Marny Cleere, Ted Darocha, Alexianna Clarke

Supervisor Farnholz called the Organizational Meeting to order at 7:00 PM followed by the pledge to the flag.

ORGANIZATIONAL ITEMS:

1. Organizational Appointments – 2023

On **MOTION** By Councilman Armitage and seconded by Councilman Fox and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [01]

RESOLVED, the Town Board of the Town of LeRoy authorizes the following organizational appointments as presented for fiscal year 2022 except for items b, g, l and m.

- a) Highway Foreman – David Uberty
- b) Secy to Supervisor – Patricia Canfield, Mary Margaret Ripley
- c) Deputy Town Clerk – Mary Margaret Ripley
- d) Vital Registrar – Patricia Canfield
- e) Deputy Registrar – Mary Margaret Ripley
- f) Official Banks – Bank of Castile, Five Star Bank
- g) Attorney – Legal Counsel – Boylan Law Firm
- h) Auditor – EFPR Group
- i) Historian – Lynne Belluscio
- j) Engineer – Clark Patterson Lee
- k) Prosecutor – Robert Zickl
- l) Secy to Planning Board – Mary Margaret Ripley, Patricia Canfield
- m) Secy to Zoning Board – Mary Margaret Ripley, Patricia Canfield
- n) Meetings – 2nd & 4th Thursday at 7:00 PM (except 11/23)
- o) Mileage Rate – Per IRS Rate
- p) Ethics Board – Jim Woodruff
- q) Official Newspaper – Batavia Daily News
- r) Tape Recorder – Secretarial Purposes Only
- s) Adult Recreation – Rosemary Miller
- t) Summer Recreation – Table
- u) Deputy Supervisor – David Paddock
- v) Code Enforcement Officer – Table
- w) Declaration of Emergency – Supervisor & Town Board
- x) Board Meeting Rules of Order – Roberts Rules
- y) Emergency Call Out – Fox, Councilman Armitage and Spvsr Farnholz

2. Approval of 2023 Salaries –

Per 2023 Budget and per agreement with Teamsters Local 264 and the Town of LeRoy.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [02]

RESOLVED, the Town Board of the Town of LeRoy hereby authorizes the Town of LeRoy employee salaries for 2023 as per budget and union contract.

3. Travel & Computer Policies – Per Town Handbook - Travel and Computer Policy listed and printed in the Town Handbook and noting that any and all travel by Town Employees receive prior Town Board approval with the exception of general meetings such as the monthly Clerk, Highway, Assessor, Court, Zoning, Council or Supervisor GAM meetings as per employee handbook.

On **MOTION** By Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [03]

RESOLVED, the Town Board of the Town of LeRoy hereby accepts the standard Travel and Computer Policy as stated and printed in the Town Handbook and noting that any and all travel by Town Employees receive prior Town Board approval with the exception of general meetings such as the monthly clerk, highway, Assessor, Court, Zoning, Council or Supervisor GAM meetings as per employee handbook.

4. **Procurement & Investment Policy and Travel Policy –**

On **MOTION** By Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [04]

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; and

WHEREAS, comments have been solicited from those Officers of the Town involved with procurement;

NOW THEREFOR, be it

RESOLVED: that the **TOWN OF LEROY** does hereby adopt the following procurement policies and procedures:

Guideline 1: Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, 103.

Guideline 2: All purchases of:

- a.) supplies or equipment which will exceed \$20,000 in the fiscal year; or
- b.) public works contract over \$35,000 shall be formally bid, pursuant to GML, 103, unless purchased from State or County bid lists.

Guideline 3: All estimated purchases of:

- a.) Less \$20,000 but greater than \$10,000 written/fax quotes from three (3) vendors.
- b.) Less than \$10,000 are left to the discretion of the Purchaser.

All estimated public works contract of:

- c.) Less than \$35,000 but greater than \$10,000 require written/fax quotes from three (3) vendors.
- d.) Less than \$10,000 are left to the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with documentation supporting the subsequent purchase or public works contract.

Guideline 4: 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 award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5: 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.

Guideline 6: Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

Acquisition of professional services

- a.) Emergencies
- b.) Sole source situations
- c.) Goods purchased from agencies for the blind or severely handicapped
- d.) Good purchased from correctional facilities
- e.) Good purchased from another governmental agency
- f.) Good purchased at auction
- g.) Goods purchased for less than \$10,000
- h.) Public Works contracts for less than \$10,000

Guideline 7: Town of LeRoy is authorized to hold a credit card for purchase of actual and necessary expenses as authorized by annual adopted budget. All expenditures are supported by vendor original documents, are required to be turned over to the Secretary to the Supervisor and audited by the Town Board. All unauthorized expenditures are the responsibility of the signer. Supervisor shall authorize use of the card.

Guideline 8: The Town Board at its organizational meeting shall review this policy annually, or as soon thereafter as is reasonably practicable.

Addendum – Capitalization Policy: The Town of LeRoy establishes the following limits as reviewed annually at its organizational meeting.

	Capitalization Threshold	Depreciation Method	Estimated Use of Life
Buildings -	\$50,000	Straight-Line	20 – 40 years
Infrastructure -	\$50,000	Straight-Line	20 – 50 years
Vehicles -	\$20,000	Straight-Line	5 years
Equipment -	\$ 5,000	Straight-Line	10 years

TOWN OF LEROY TRAVEL POLICY

The Town of LeRoy will reimburse employees for actual and necessary expenses while traveling on official town business.

Lodging: When lodging costs are covered directly by the town with a voucher, the voucher must be presented to the hotel/motel vendor at the time of arrival and check-in. The voucher will include a tax-exempt certificate provided by the town. All additional purchases, personal phone calls (official business calls will be reimbursed by the town) etc. are the responsibility of the employee and will not be paid by the town. Official business phone calls to be reimbursed the employee must be listed in detail on the travel voucher and supported by receipts (where possible.)

The town will reimburse lodging costs paid directly by the employee. The employee should obtain a tax-exempt certificate from the Secretary to the Supervisor prior to travel. The tax-exempt certificate must be presented to the hotel/motel at the time of arrival and check-in. Employees will be reimbursed after the completion of an expense voucher; appropriate documentation and vendor receipts must support all lodging costs. All travel vouchers must be audited and approved by the town board prior to payment.

Meals: Meal costs, including reasonable tips, will be covered in full. The town will not pay for alcoholic beverages. All meal costs must be supported by a vendor receipt that lists the items ordered, vendor name, date and the amount of the tip. Consecutively numbered receipts with different dates will not be honored.

Travel: The town will pay for airfare/train fare. Employees are encouraged to book airfare/train fare through the town to travel. If airfare/train is paid by the employee the cost is to be listed on the travel voucher and must be supported by receipts showing the cost, dates of travel and destination, purpose or event.

Cab fare, including reasonable tips, to and from the airport will be considered an actual and necessary expense. The cost of cab fare must be listed on the travel voucher and receipts supporting cost must be attached to the voucher.

Personal Car Mileage: Employees using their personal automobile for official town business will be reimbursed for actual miles traveled based on rates set on January 1 of each year by the Town Board. The January 1st rates will stay in effect for one year unless the Town Board authorized a change.

Advances: Any travel advances paid to the employee must be accounted for on the travel voucher. The advance is to be used to pay only for actual and necessary expenses. Monies not needed should be returned to the supervisor within one week of the employee’s return from official town business.

Annual Review: The Town Board will review and approve the travel policy on an annual basis, generally at the reorganization meeting held in January of each year.

5. **Approval of Holidays – [Floating Holiday – Per Contract]**

On **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [05]

RESOLVED, the Town Board of the Town of LeRoy hereby approves the following holidays as presented for 2022:

New Year’s Day	1/1	Labor Day	9/4
Martin Luther King Day	1/16		
Presidents Day	2/20	Veterans Day	11/10
Good Friday	4/7	Thanksgiving	11/23 & 11/24
Memorial Day	5/29	Christmas	12/25 & 12/26
Juneteenth			
[pending clarification]	6/19		
4 th of July	7/4		

REMINDER: Qualified employees are expected to work their regularly scheduled workday immediately preceding and following a holiday, as per contract Section 14.5.

6. **Committee Assignments –**

On **MOTION** By Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [06]

RESOLVED, the Town Board of the Town of LeRoy authorizes the following Committee Assignments for 2023 as follows:

Highway:	Stauffer, Johnson
Clerk:	Canfield
Assessment:	Kirsch
Code Enforcement:	Armitage
Parks & Recreation:	Farnholz
Building:	Armitage, Fox
Cemetery:	Paddock
Utilities:	Paddock, Fox
IT:	Farnholz
Transfer Station:	Johnson
Courts:	Armitage
Fire Commission:	Johnson
GAM/Spvrs:	Farnholz, Fox
Ambulance:	Johnson

7. **Authorization for Check Signing –**

On **MOTION** by Supervisor Farnholz and seconded by Supervisor Farnholz and seconded by Councilman Fox and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [07]

RESOLVED, the Town Board of the Town of LeRoy hereby authorizes Supervisor Farnholz, Councilman Paddock and Clerk Canfield to sign checks on behalf of the Town of LeRoy for all approved bank related transactions with copies of drivers’ licenses, social security numbers and phone numbers for same on file effective January 1, 2023.

8. Official Undertaking of Municipal Officials –

On **MOTION** By Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [08]

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute an Official Undertaking; and

WHEREAS, we, the Town Board of the Town of LeRoy hereby require the Supervisor, Town Clerk, Tax Collector, Town Justices and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED that we the Town Board of the Town of LeRoy approve the document entitled “Town of LeRoy Official Undertaking of Municipal Officers” as to its form and manner of execution and sufficiency of the insurance, and

BE IT FURTHER RESOLVED, that this Official Undertaking is to be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies enclosed indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

9. Health Insurance – Non-Union Employees –

On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [09]

RESOLVED, the Town Board of the Town of LeRoy hereby authorizes health insurance coverage Univera Gold Healthcare [Ripley/Stauffer] and MVP [Canfield] and Health Reimbursement Account rates through Tompkins Insurance for non-union employees, Eric Stauffer and Mary Margaret Ripley with Town of LeRoy covering the deductible portion at \$3,000 for two person and family.

10. ERS – Resolution – Establish Hours – Standard Work Day –

On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [10]

Standard Work Day Resolution for Employees – RS 2418

RESOLVED, that the Town of LeRoy hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees’ Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body as follows:

POSTION TITLE	WORKDAY HOURS
Town Supervisor	6
Deputy Supervisor	6
Supervisor Secretary	7
Town Clerk	7
Deputy Town Clerk	7
Justice	6
Justice Clerk F/T	8
Justice Clerk P/T	6
Zoning/Code Officer P/T	6
Town Council	6
Zoning Board member	6
Planning Board member	6
Zoning Board Clerk	6
Planning Board Clerk	6
Assessment Board of Review	6
Town Hall Maintenance	8
Park Maintenance P/T seasonal	6
Highway Superintendent	8
Deputy Highway Superintendent	8
MEO	8
Transfer Station Attendant P/T	6
Youth Recreation Director P/T seasonal	6
Park Supervisor P/T Seasonal	6
Park Aide	6
Lifeguard Supervisor P/T Seasonal	6
Adult Recreation Specialist P/T	6

11. Section 284 – Agreement for the Expenditure of Highway Moneys–

On **MOTION** By Supervisor Farnholz and seconded by Councilman Fox and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [11]

RESOLVED, Pursuant to the provisions of Section 284 of the Highway Law Town Board agree that moneys levied and collected in the Town for the repair and improvement of highways and received from the State for State Aid for the repair and improvement of highways, shall be exp ended as follows:

General Repairs: The sum of \$255,000 shall be set aside to be expended for primary work and general repairs upon 40.11 miles of town highways including sluices, culverts and bridges having a spa of less than five feet and boardwalks or renewals thereof.

12. Town of LeRoy Investments –

On **MOTION** By Councilman Armitage and seconded by Councilman Paddock and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [12]

RESOLVED, the Town Board of the Town of LeRoy authorizes Supervisor to invest Town monies in investments allowed by State Law and the Town’s Investment Policy.

With no further organizational business to come before the Board, on **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously to adjourn at 7:07 PM.

Respectfully submitted, Patricia A. Canfield Town Clerk

Regular Meeting of the Town Board of the Town of LeRoy held on Thursday, January 12, 2023 at 7:08 PM in the Boardroom of the Town Hall, 48 Main Street LeRoy, New York.

Members Present: James Farnholz, Supervisor
John Armitage, Council
William Fox, Council
John Johnson, Council
David Paddock, Council

Highway Supt. Eric Stauffer, Highway Supt.

Recording Secretary: Patricia A. Canfield, Town Clerk

Others Present: Marny Cleere, Ted Darocha, Alexianna Clarke

Supervisor Farnholz called the regular meeting to order at 7:08 PM followed by approval of the minutes of the meeting of December 22, 2022 on **MOTION** by Councilman Armitage and seconded by Councilman Paddock and passed unanimously.

CORRESPONDENCE:

LeRoy Fire Dept. – Annual Banquet Invitation – Held on January 28th at Stafford Fire Hall.
NYS Ag & Markets – Shelter Report – Satisfactory.

NEW BUSINESS:

1. DePaul PILOT – 2023 Payment - \$18,000 Distribution -

On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Council Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:** [14]

RESOLVED, the Town Board of the Town of LeRoy authorizes to distribute the 2023 DePaul PILOT payment as follows: Village of LeRoy at 70%; and Town of LeRoy at 30% of total payment for fiscal year 2023.

2. MCWA Permit – 149 Highway Law –

Permit for pavement cut – 8754 North Street Road. Item to be tabled pending information obtained from Highway Supt.

3. **Property Tax Reduction - First Responders 10% Fire & EMT –**

On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously with voting as follows: Councilman Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

RESOLVED, the Town Board of the Town of LeRoy authorizes to adopt the Property Tax Reduction for First Responders [Fire and EMT] at 10% reduction for Town of LeRoy property taxes due annually beginning January 31, 2024.

COMMITTEE REPORTS:

Highway:

Highway Supt. Stauffer reported:

- Town of LeRoy to receive state aid for December 2022 snow storm.
- Back up cameras are installed on plow trucks.

Town Clerk:

Total fees collected for the month of December 2022 at \$8,414.00 with \$7,809.65 remitted to the Supervisor.

Assessment:

Supervisor Farnholz reported Assessor, Jim Kirsch will be attending town meeting to discuss re-evaluation tentatively in 2024 for impact in 2025.

Parks & Recreation:

Supervisor Farnholz reported ice skating rink is being utilized weather permitting.

Building:

Councilman Fox reported the boiler is being serviced and evaluated for issues. Also, discussed moving server equipment from basement.

Cemeteries:

Highway Supt. Stauffer reported three flag poles located from inactive cemeteries experienced wind damage.

Fire:

Councilman Johnson reported a representative from the Fire Dept. will be attending the public hearing scheduled for January 26th regarding solar panel installation on Lake Street Road.

Supervisor/GAM:

Supervisor Farnholz reported:

- Last GAM meeting was cancelled due to no quorum.

PUBLIC COMMENTS:

Marny Cleere, Oatka Trail – Asked Town Board to review code for compliance with new ownership. Current manager of facility has been in contact with Town Board and attended meeting in October 2022 to discuss pending changes at facility.

Ted Darocha, School Road – Reported to Town Board positive experience with response from LeRoy Ambulance. Inquired where the process was for receiving Townwide public water? Application has been submitted to Rural Development for grant and loan funding and calculation of debt service. Public hearing will be held and information will be forwarded to State Comptroller for pending approval to move forward. Proposed timeline is Spring 2023 for project bid.

EXECUTIVE SESSION:

On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously to enter into Executive Session at 7:54 PM for legal/litigation with Town Board, Highway Supt. and Town Clerk present.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Fox and passed unanimously to come out of executive session at 8:24 PM with no action taken.

AUTHORIZATION TO PAY BILLS:

On **MOTION** by Councilman Johnson and seconded by Councilman Armitage and passed unanimously the following bills were presented for payment:

Abstract # 1	2022/23	Voucher #
General Fund A, B, SL & Cap Proj H:	\$221,283.05	1~50 [online pay]
Highway Fund DA & DB:	\$36,277.60	1~11
Water Fund HG:		

With no further business to come before the Board, on **MOTION** by Councilman Paddock and seconded by Supervisor Farnholz and passed unanimously to adjourn at 8:25 PM.

Respectfully Submitted, Patricia A. Canfield Town Clerk