

STATE OF  
NEW YORK  
COUNTY OF WARREN  
TOWN OF BOLTON  
ORGANIZATIONAL MEETING  
MINUTES

January 5, 2016

Organizational Meeting

Supervisor: Ronald Conover  
Councilmember: Robert MacEwan  
Councilmember: Cheryl Bolton  
Councilmember: Susan Wilson  
Councilmember: Tim Coon  
Town Clerk: Jodi Connally  
Counsel: Michael Muller

Supervisor Conover called the organizational meeting to order at 6:30 pm.

Pledge: Cheryl Bolton

- Please remain standing for a moment of silence for Thomas Conerty.

Supervisor Conover welcomed Tim Coon to the Bolton Town Board.

RESOLUTION #1  
MEETINGS

Councilmember MacEwan moved, seconded by Councilmember Wilson to approve establishing the regular Town Board meetings be held on the first Tuesday of each month at 6:30 p.m. **All in favor. Motion Carried.**

RESOLUTION#2

Councilmember Bolton moved, seconded by Councilmember Coon to approve establishing that Roberts Rules of Order be used as a guideline in conducting meetings of the Bolton Town Board. **All in favor. Motion Carried.**

RESOLUTION#3  
OFFICIAL PUBLICATION

Councilmember Bolton moved, seconded by Councilmember Wilson to approve designating the Post Star the official publication for the Town of Bolton for 2016. **All in favor. Motion Carried.**

RESOLUTION#4  
DEPOSITORY FOR FUNDS

Councilmember Bolton moved, seconded by Councilmember MacEwan to approve designating TD Bank, Bolton Branch, and Glens Falls National Bank & Trust Co. be the official depositories for all Town funds for 2016. **All in favor. Motion Carried.**

RESOLUTION#5

INVESTMENT POLICY

Councilmember MacEwan moved, seconded by Councilmember Bolton to approve continuing the Town of Bolton investment policy for 2016. **All in favor. Motion Carried.**

RESOLUTION#6

PROCUREMENT POLICY

Councilmember Wilson moved, seconded by Councilmember Bolton to approve continuing the Town of Bolton procurement policy for 2016. **All in favor. Motion Carried.**

RESOLUTION#7

DRUG FREE WORK PLACE POLICY

Councilmember Bolton moved, seconded by Councilmember Coon to approve continuing the Town of Bolton drug free work place policy for 2016. **All in favor. Motion Carried.**

RESOLUTION#8

WORK PLACE VIOLENCE POLICY

Councilmember Bolton moved, seconded by Councilmember MacEwan to approve continuing the Town of Bolton work place violence policy for 2016. All employees are required to attend work place violence and right to know training. **All in favor. Motion Carried.**

RESOLUTION#9

SEXUAL HARASSMENT POLICY

Councilmember Bolton moved, seconded by Councilmember Wilson to approve continuing the Town of Bolton sexual harassment policy for 2016. **All in favor. Motion Carried.**

RESOLUTION#10

CODE OF ETHICS

Councilmember Wilson moved, seconded by Councilmember Bolton to approve continuing the Town of Bolton code of ethics for 2016. **All in favor. Motion Carried.**

RESOLUTION#11

TRAVEL EXPENSE FOR TOWN BUSINESS

Councilmember Bolton moved, seconded by Councilmember Coon to approve the following:

Establishing that upon proper authorization expenses incurred by Town employees and officials for Town business including meals, lodging, parking, highway tolls and use of personal vehicle will be reimbursed. Utilization of personal vehicle for authorized travel

during 2016 will be reimbursed at such rate as determined by the Internal Revenue Service (.54 cents per mile for 2016).

Supervisor Conover stated this was a reduction as gas prices have dropped. **All in favor. Motion Carried.**

RESOLUTION#12

NON-UNION EMPLOYEE POLICIES

VACATIONS, SICK LEAVE, PERSONAL LEAVE, HOLIDAYS

Councilmember Bolton moved, seconded by Councilmember Wilson to approve the following:

That an employee must work 32½ hours per week to be considered full time and eligible for the following benefits: Each full time employee shall earn sick leave credit at the rate of one day per month (12 days per year). A maximum of 150 days may be accumulated. At retirement, eligible employees have options on use of accumulated sick time: A cash payment may be made at 1/10<sup>th</sup> their rate of pay to the extent of their credited sick leave or accumulated sick leave may be applied toward additional service credits for retirement (according to section 41J of New York State Retirement System rules).

Each full time employee shall be granted five days of personal leave per year as of January 1<sup>st</sup> of each year, or prorated if hired after January 1<sup>st</sup>. If unused in a calendar year, there shall be no accrual to the following year. Each full time employee shall be granted 12 paid holidays per calendar year with Lincoln's Birthday and Election Day being designated as floating holidays. The holidays are: Martin Luther King, Lincoln's Birthday; President's Day; Memorial Day, Independence Day, Labor Day; Columbus Day; Elections Day, Veteran's Day, Thanksgiving, Christmas; New Year's (vacation days that fall on a Saturday are taken on Friday and those that fall on Sunday are taken on Monday). Should a holiday fall on a scheduled day off for the transfer-station the transfer station employee is entitled to float that day off. Such floating holiday must, however, be taken within the pay period that it is accrued. A full-time employee is credited with two floating holidays one on January 1 and July 1. A newly hired full-time employee will be granted two floating holidays if the employee's date of hire is prior to April 1, or one floating holiday if the date of hire is prior to July 1, or no floating holidays if the date of hire is July 1 or later. Only one floating holiday may be used during the first half of the calendar year, and only one floating holiday may be used during the second half of the calendar year. Unused floating holidays are forfeited. Employees must be employed for one year for vacation purposes. Vacations to be granted as follows:

After 1 year	- thru 5 years	- 10 days vacation
	6 years - thru 11 years	- 15 days vacation
	12 years - thru 17 years	- 20 days vacation
	18 years and longer	- 25 days vacation

Vacations will be credited on anniversary date of employment. All employees shall be allowed to carry over 2 weeks (10 days) vacation time for no more than a 6 month period from their anniversary date. Unused vacation time in excess of 2 weeks (10 days) provided for above shall be automatically forfeited. No more than ten days of continuous vacation time may be taken unless approved by the department head and the Town

Supervisor. Permanent part time position that average 20 or more hours per week on a year around basis will be compensated for any paid holiday provided that the holiday is a regularly scheduled work day (excluding floating holidays). **All in favor. Motion Carried.**

RESOLUTION#13

Councilmember MacEwan moved, seconded by Councilmember Coon to approve continuation of our policy to maintain and purchase municipal insurance to defend and indemnify the municipality and its employees and IT IS HEREBY RESOLVED and it is a continuing and stated policy that the Town of Bolton shall to the fullest extent permitted by law legally defend any town board member and every (paid or unpaid) volunteer member of any town committee, zoning board of appeals, planning board, local development corporation, town agency or town sponsored organization from any and all civil claims, suits and controversies arising from or by virtue of any alleged act or omission arising out of authorized activities undertaken by such person(s) for or on behalf of the Town of Bolton and indemnify such person(s) for the payment of any assessment of monetary damages arising there from. The Town of Bolton's duty to defend and indemnify shall not apply to any alleged intentional tort or criminal activity. **All in favor. Motion Carried.**

RESOLUTION#14

Councilmember Wilson moved, seconded by Councilmember Bolton to approve designating the Town Hall meeting room and the court room as the polling places for District #1 and for District #2. **All in favor. Motion Carried.**

SUPERVISOR'S APPOINTMENTS

Deputy Supervisor: Councilmember Sue Wilson  
Bookkeeper: Mariann Roberts-Huck

Supervisor Conover thanked Councilmember MacEwan for serving in the position of Deputy Supervisor all these years. He stated that Mr. MacEwan was always there when needed and he appreciated his service.

RESOLUTION#15

ELECTED OFFICIALS SALARIES

Councilmember Bolton moved, seconded by Councilmember Coon to approve designation of the following salaries for elected officials:

- Supervisor: Ronald Conover \$30,371
- Councilpersons: Robert MacEwan, Tim Coon, Susan Wilson, Cheryl Bolton at \$4,599 each
- Justices: Edward Stewart, Harry Demarest \$12,611 each
- Highway Superintendent: William Sherman \$56,076
- Town Clerk: Jodi Connally \$38,004

**All in favor. Motion Carried.**

RESOLUTION#16

## SALARIES OF BOARD APPOINTMENTS

Councilmember Bolton moved, seconded by Councilmember Coon to approve authorizing the following appointments and salaries:

- Deputy Supervisor: Sue Wilson \$905
- Assessor: \$28,728
- Clerk for the Assessor / Deputy Town Clerk #2: \$15.55 per hour
- Secretary/Bookkeeper: \$41,987; Secretary/Bookkeeper #2: \$21.47 per hour
- Counsel: \$60,000
- Minute Taker Clerk: \$10,168
- Budget Officer: Ronald Conover \$0
- Assistant Budget Officer, Training Officer, Benefits Administrator \$5,202
- Tax Collector/Water & Sewer/ Registrar of Vital Statistics: \$12,183
- Deputy Tax Collector/Water and Sewer/Registrar of Vital Statistics \$5,202
- Deputy Town Clerk/Tax Collector: \$39,231; Deputy Clerk #3 \$13.14 per hr.
- Water / Sewer Superintendent: \$11,115
- Sewer Plant Lead Operator: \$24.11 per hour
- Assistant Sewer Plant Operator: \$17.63 per hour
- Water Plant Laborers: \$15.00 per hour
- Parks/Bldg/Grounds Foreman: \$22.03 per hour
- Parks/Bldg/Grounds Laborer: #1 \$17.59 per hour; Laborer #2 \$14.43 per hour; Laborer #3 \$13.81 per hour
- Cleaner: \$13.34 per hour
- Police Officers: Chief: \$30,000 per year; Officer #1 \$18.62 per hour; Officer #2 \$17.52 per hour; Officer #3 \$17.18 per hour; Court Officer \$50.00
- Dog & Animal Control Officer: \$6,829
- Co-Town Historians: \$1,224 Total: Annual one time stipend of \$612.00 each
- Health Officer: \$1,572
- Justice Court Clerk \$29,868; Court Clerk #2 \$16.20 per hour
- Zoning Administrator: \$43,073 plus \$22.00 per hour for meetings
- Code Enforcement Officer: \$37,088 plus \$18.95 per hour for meetings
- School Crossing Guards: \$18.14 per hour
- Transfer Station: Attendant #1 \$15.55 per hour; Attendant: #2 \$13.26 per hour; Attendant #3 \$12.31 per hour
- Park Attendants: Attendant #1 \$13.36 per hour plus \$300; Park Attendant: #2 \$12.10 per hour; Park Attendant #3 & #4 \$11.29 per hour
- Recreation Director: \$25.37 per hour; Recreation Assistants: \$14.08 per hour
- Engineer: Tom Nace \$70.00 per hour (on an as needed basis)
- Summer Gardener: 1 @ \$12.91 per hour
- Planning Board/Zoning Board of Appeals Members \$50 per meeting
- Board of Assessment Review members: \$200 each; Chairman \$250
- All Temporary Employees: \$11.84 per hour (excluding Recreation Department Summer Seasonal employees which are determined on an annual basis at time of employment). **All in favor. Motion Carried.**

Councilmember Bolton stated she would like to take this time to thank the employees of the Town of Bolton. She stated that they have been receiving many positive e-mails and phone calls about the services that are provided from every department and she wanted to commend them.

#### RESOLUTION#17

Councilmember Wilson moved, seconded by Councilmember MacEwan to approve authorization for the Supervisor of the Town of Bolton enter into the following contracts and or payments for 2016.

- American Legion: \$1,000
- Bolton Chamber of Commerce \$20,000
- Bolton Emergency Medical Services, Inc.: \$152,000
- Bolton Free Library: \$48,500
- Bolton Historical Society: \$20,000
- Bolton Rural Cemetery: \$5,000
- Bolton Senior Citizens: \$12,800
- Warren County, Up Yonda Farm: \$20,000

**All in favor. Motion Carried.**

#### LIASONS

- Councilman MacEwan: Recreation Commission, Transfer Station, Insurance, Fire, Rescue, , Animal/Dog Control, Justice Court
- Councilmember Wilson: Planning/Zoning, Zoning Enforcement, Storm Water, Senior Citizens, Health Center, Bolton Library, Conservation Park
- Councilmember Bolton: Personnel, Highway, Sewer, Water, Town Clerk
- Councilman Coon: Assessor, Police, Parliamentarian, Parks

#### INSURANCE COVERAGE

Insurance coverage for the Town of Bolton is with Marshall & Sterling Upstate Inc. and as Officials we must state if we have our personal insurance with them.

Supervisor Conover: No

Councilman Tim Coon: No

Councilman Rob MacEwan: No

Councilmember Susan Wilson: No

Councilmember Cheryl Bolton: No

#### RESOLUTION#18

Councilmember Wilson moved, seconded by Councilmember Coon to approve appointing the following individuals to the Conservation Park Advisory Committee for 2016.

- Milo Barlow
- Barry Kincaid
- Ted Caldwell
- Kevin Kershaw
- Wendy Burkowski

- Susan Wilson (Town Board Liaison)

Supervisor Conover stated that they are doing a marvelous job up there.

**All in favor. Motion Carried.**

RESOLUTION#19

HEALTH INSURANCE

Councilmember Bolton moved, seconded by Councilmember Wilson to approve that all eligible full time employees of the Town have paid health insurance under CDPHP EPO Health Insurance Plan or such other health insurance plan as approved by the Town Board and that all full time employees will be required to pay 25% of the cost of such plan. Employees who work 32½ hours per week and are employed on an annual basis and the Town Supervisor, Town Clerk and Highway Superintendent and any elected official participating in the program prior to January 1, 2010 are eligible for health insurance benefits. Employees that are employed as full time employees for part of a year and employed for the remainder as part time (not seasonal) are eligible to receive the health care benefit on a prorated basis (based on full time employment). In addition each participating full time employee is eligible to receive a \$1,000 health-care reimbursement account (HRA) per household for reimbursement of medical expenses. Employees that are employed on an annual basis and work part of the year as full time are eligible to receive the HRA on a prorated basis.

Part time employees that work at least 20 hours per week on an annual basis (not seasonal employees) are eligible to participate in the Town health insurance benefit program provided such employee pays 100% of the cost of the health insurance plan premium. No health care reimbursement account will be provided for medical expense reimbursement for part time employees.

Eligibility for paid benefits commences after a three-month probationary period. Eligible full time employees and elected officials who are not covered by the Town's insurance and have alternate coverage who elect out of such benefit shall receive \$1200 per year, paid in the last payroll of November each year. Full time employees that work part of a year as full time are eligible to receive this payment on a prorated basis.

Only full time employees who work full time on an annual basis (minimum 1690 hours annually) and who retire from the Town of Bolton are eligible to receive retiree health insurance benefits. The employee must have completed ten (10) years of service with the Town and hired prior to December 31, 2008 and retire from the Town to receive this benefit. Employees hired after January 1, 2009 must have completed twenty (20) years of continuous full time service with the Town and retire from the Town of Bolton to receive this health benefit. Retirees will be responsible for 25% of the cost of any employee, employee and dependent or family health insurance premium. In addition the retiree is eligible to participate in the health care reimbursement program for medical expenses at an amount not to exceed \$1,250 per household for the MVP program and \$1,400 per household for the CDPHP Medicare Choice program.

Should a retiree predecease their spouse, the health insurance benefit shall be afforded to the surviving spouse providing that the surviving spouse was covered by the health insurance benefit on the retiree's date of retirement and further the spouse continues to be responsible for 25% of the cost of the premium. Any retiree and or spouse that changes residency outside of the health care service area provided for in the plan is eligible to receive reimbursement for the cost of a comparable health program provided that the cost of such health program does not exceed what the Town would otherwise have paid had the retiree remained within the service area. This reimbursement includes health care reimbursements as established and modified from time to time by the Town Board.

Supervisor Conover stated that they may be changing health insurance carriers this year as one of the plans we are presently under has been discontinued.

**All in favor. Motion Carried.**

#### RESOLUTION#20

##### PHYSICAL EXAMINATIONS

Councilmember Bolton moved, seconded by Councilmember Coon to approve the following:

It is the policy of the Town of Bolton to require that employees who may operate any municipal motor vehicles, heavy machinery or power equipment as part of their Town employment shall undergo a physical examination every two years for purposes of determining their physical capabilities to safely operate Town motor vehicles, heavy machinery and power equipment. At the sole discretion of each employee, employees shall have the right to decide whether to use his/her own personal physician to conduct the physical examination or to have the physical exam performed by a Town selected physician or qualified medical professional. In either instance the Town will pay for the cost of the examination. Further and notwithstanding any municipal exemption specified in law, rule or regulation, it is the policy of the Town of Bolton that with respect to any town employee who as part of their town employment may operate any motor vehicle that requires the operator of such vehicle to hold a valid class of commercial NYS operator's license (CDL) that such individual shall be required to regularly pass a medical examination and meeting the requirements for operation of such vehicle as a CDL driver for the sole purpose of determining their physical capabilities to safely do so and such examination shall require the licensed medical examiner to issue a certification that the town employee as a CDL driver is physically capable as satisfying all requirements specified in state and federal rule and regulation for such CDL license.

**All in favor. Motion Carried.**

#### RESOLUTION#21

##### OCCUPANCY TAX ADVISORY COMMITTEE

Councilmember Bolton moved, seconded by Councilmember Coon to approve appointing the following individuals to the Occupancy Tax Advisory Committee for 2016.

Willie Bea McDonald, Chairperson

Heidi Hess

Joe DiNapoli



Elaine Brown  
John Famosi  
Ron Conover, Supervisor  
Sue Wilson, Liaison. **All in favor. Motion Carried.**

Supervisor Conover stated that this committee does a very good job and they are very efficient.

RESOLUTION#22

CELL PHONES

Councilmember MacEwan moved, seconded by Councilmember Bolton to approve the following:

It is the policy of the Town of Bolton to reimburse quarterly the following positions at a rate of \$75 per month for personal cell phone use relating to the conduct of official Town business: Town Supervisor, Highway Superintendent, Water / Sewer Superintendent, B&G / Parks Foreman and Police Chief. The Town of Bolton also agrees to pay a quarterly cell phone reimbursement in the amount of \$25 per month to the Deputy Highway Superintendent, Police Officers, Bookkeeper and Secretary to the Supervisor.

**All in favor. Motion Carried.**

RESOLUTION#23

SAFETY EQUIPMENT

Councilmember Bolton moved, seconded by Councilmember Coon to approve the following:

It is the policy of the Town of Bolton to provide safety equipment to its employees including but not limited to safety boots, gloves, reflective coats, as examples. All safety equipment must be purchased in accordance with Town procurement policies.

**All in favor. Motion Carried.**

RESOLUTION#24

FAMILY LEAVE ACT

Councilmember Bolton moved, seconded by Councilmember Wilson to approve the following:

It shall be the Policy of the Town of Bolton that the Town as an employer shall endeavor in all respects to comply with the requirements imposed by the Family Medical Leave Act (FMLA). Under circumstances where the employee shall fail to make the employee contribution for group health insurance coverage in a timely manner and after demand for contribution by the employer, with written notification of intention to suspend or cancel group health insurance coverage, such employee benefit may be cancelled by the employer. **All in favor. Motion Carried.**

RESOLUTION#25

Councilmember Bolton moved, seconded by Councilmember Coon to adjourn the 2016 organizational meeting. **All in favor. Motion Carried.**