

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

January 2, 2013

Pledge: Councilman Owen Maranville

Organizational Meeting

Supervisor: Ronald Conover  
Councilman Robert MacEwan  
Councilman: Owen Maranville  
Councilmember: Cheryl Bolton  
Councilmember: Susan Wilson  
Town Clerk: Wanda Cleavland  
Counsel: Michael Muller

Supervisor Conover called the organizational meeting to order at 7:00 pm.

MEETINGS

Establishing the regular Town Board meeting be held on the first Tuesday of each month at 6:30 pm , except November which will be held on Wednesday, November 6, 2013 at 6:30 pm due to Election Day taking place on Tuesday, November 5, 2013.

Councilman MacEwan suggested an earlier meeting time. He stated that the other Boards meet at 6:00 or 6:30 pm and it doesn't seem to be a problem.

RESOLUTION#1

Councilmember MacEwan moved, seconded by Councilmember Bolton establishing the regular Town Board meetings be held on the first Tuesday of each month at 6:30 p.m., except November which will be held on Wednesday, November 6, 2013 at 6:30 pm due to Election Day taking place on Tuesday, November 5, 2013. All in Favor. Motion Carried.

RESOLUTION#2

Councilman Maranville moved, seconded by Councilmember Wilson establishing that Roberts Rules of Order be used as a guideline in conducting meetings of the Town Board. All in Favor. Motion Carried.

RESOLUTION#3

OFFICIAL PUBLICATION

Councilman MacEwan moved, seconded by Councilmember Bolton designating the Post Star the official publication for the Town of Bolton for 2013. All in Favor. Motion Carried.

RESOLUTION #4

DEPOSITORY FOR FUNDS

Councilmember Wilson moved, seconded by Councilmember Bolton Designating TD Bank, Bolton Branch, and Glens Falls National Bank & Trust Co. be the official depositories for all Town funds for 2013. All in Favor. Motion Carried.

RESOLUTION#5

INVESTMENT POLICY

Councilmember Bolton moved, seconded by Councilman MacEwan continuing the Town of Bolton investment policy for 2013. All in Favor. Motion Carried.

PROCUREMENT POLICY

Continuing the Town of Bolton Procurement policy for 2013.

Supervisor Conover stated that he has an amendment to the procurement policy. He would like to see the minimum raised to \$3,500. He stated that we spend a tremendous amount of time soliciting quotations on minor amounts of work. The State levels are \$20,000 and \$30,000, this would help facilitate things. The Board felt as though this was reasonable.

RESOLUTION #6

Councilman Maranville moved, seconded by Councilmember Bolton to continue the Town of Bolton procurement policy for 2013 but amending it to reflect that the minimum will be raised from \$1,500 to \$3,500. All in Favor. Motion Carried.

RESOLUTION #7

TRAVEL EXPENSE FOR TOWN BUSINESS

Councilmember Bolton moved, seconded by Councilman MacEwan 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 2013 will be reimbursed at such rate as determined by the Internal Revenue Service (presently .565 cents per mile).

RESOLUTION#8

NON-UNION EMPLOYEE POLICIES

VACATIONS, SICK LEAVE, PERSONAL LEAVE, HOLIDAYS

Councilmember Wilson moved, seconded by Councilmember Bolton 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 Years (holidays that fall on a Saturday are taken on Friday and those that fall on Sunday are taken on Monday).

A full-time employee is credited with two floating holidays each January 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. No accrual or carryover of vacation time to the following year will be permitted unless there are unusual circumstances and the Town Board approves the extension. No more than ten days of continuous vacation time may be taken unless approved by the department head and the Town Board.

All in Favor. Motion Carried.

RESOLUTION#9

Councilmember Bolton moved, seconded by Councilman Maranville to continue the Town of Bolton policy on the prohibition of sexual harassment in the workplace. All in Favor. Motion Carried.

RESOLUTION#10

Councilman MacEwan moved, seconded by Councilmember Bolton to continue the Town of Bolton Drug and Alcohol Testing policy. All in Favor. Motion Carried.

RESOLUTION#11

Councilmember Wilson moved, seconded by Councilman Maranville to continue 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#12

Councilman MacEwan moved, seconded by Councilmember Bolton to designate the Town Hall meeting room as the polling place for District #1 and to designate the Town Hall Court Room as the polling place for District #2. All in Favor. Motion Carried.

#### SUPERVISOR'S APPOINTMENTS

Deputy Supervisor: Councilman Robert MacEwan

Secretary/Bookkeeper to Supervisor: Mariann Roberts-Huck

#### RESOLUTION #13

##### ELECTED OFFICIALS SALARIES

Councilmember Wilson moved, seconded by Councilman Maranville to designate the following salaries for elected officials:

- Supervisor: Ronald Conover \$28,285
- Councilpersons: Robert MacEwan, Owen Maranville, Susan Wilson, Cheryl Bolton at \$4,283 each
- Justices: Edward Stewart, Harry Demarest \$11,745 each
- Highway Superintendent: Timothy Coon \$52,225
- Town Clerk: Patricia Steele \$35,394

All in Favor. Motion Carried.

#### RESOLUTION #14

##### SALARIES OF BOARD APPOINTMENTS

Councilmember Bolton moved, seconded by Councilman Maranville to authorize the following appointments and salaries:

- Deputy Supervisor: Robert MacEwan \$842
- Assessor: \$34,014
- Assessor Clerk & Deputy Town Clerk: \$14.48 per hour
- Secretary/Bookkeeper: \$39,104
- Counsel: \$54,387
- Budget Officer: Ronald Conover \$0
- Tax Collector/Water & Sewer/ Registrar: \$9483
- Deputy Town Clerk/Tax Collector: \$31,665 Deputy Town Clerk #3 \$12.24 per hr.
- Sewer Plant Operator: \$22.21 per hour
- Assistant Sewer Plant Operators: Operator 1 \$18.03 per hour, Operator 2 \$14.48 per hour
- Water Plant Operator: \$22.96 per hour
- Assistant Water Plant Operator: 18.03 per hour
- Parks/Bldg/Grounds Foreman: 19.81 per hour
- Parks/Bldg/Grounds Laborers: #1 \$14.98 per hour, Laborer #2 \$12.35 per hour.
- Police Officers: Officer #1: \$30,000 per year, Officer #2 \$17.34 and Officer #3

- \$16.32 per hour / Court Officer \$50.00
- Dog & Animal Control Officer: \$3750.
- Town Historian: \$1140.
- Health Officer: \$1464.
- Justice Court Clerk \$27,817 Court Clerk #2 15.09 hr.
- Zoning Administrator: \$40,114. plus \$20.49 per hour for meetings
- Code Enforcement Officer:: \$34,541 plus \$17.65 per hour for meetings
- Zoning Clerk \$15.09 per hour
- School Crossing Guards: \$16.90 per hour
- Transfer Station:, Attendant #1 \$14.48 per hour, Attendant: #2 \$12.35 per hour  
Attendant #3 \$11.32
- Park Attendants: Attendant #1 \$12.44 per hour plus \$250; Park Attendant: #2  
\$11.26 per hour; Park Attendant #3 \$11.03
- Recreation Director: \$23.63 per hr, Assistants: \$13.11 per hour
- Engineer: Tom Nace \$70.00hr. (on an as needed basis)
- Summer Gardner: 1 @ \$12.03 per hr
- Planning Board/Zoning Board of Appeals Members \$50 per meeting
- Board of Assessment Review members: \$200 each, Chairman \$250
- All Temporary Employees: \$11.03 per hour.

All in Favor. Motion Carried.

#### RESOLUTION#15

Councilman Maranville moved, seconded by Councilman MacEwan to authorize the Supervisor of the Town of Bolton to enter into the following contracts and or payments for 2013.

- Bolton Free Library: Operating: \$42,000, Plus Capital: \$3,500
- Bolton Chamber of Commerce: \$20,000
- American Legion: \$1,000
- Bolton Emergency Medical Services, Inc.: \$113,628 plus \$10,000 for equipment fund
- Bolton Senior Citizens: \$12,000
- Bolton Historical Society: \$13,675
- Up Yonda Farm \$20,000
- Minute Taker: \$9,470
- Adirondack Dust Busters: \$14,639

All in Favor. Motion Carried.

#### LIAISONS

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

### 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 insurance with them.

Supervisor Conover: No

Councilman Owen Maranville: No

Councilman Rob MacEwan: No

Councilmember Susan Wilson: No

Councilmember Cheryl Bolton: No

### RESOLUTION #16

Councilman MacEwan moved, seconded by Councilmember Bolton to appoint the following individuals to the Conservation Park Advisory Committee for 2013.

- Milo Barlow
- Barry Kincaid
- Ted Caldwell
- Kevin Kershaw
- Wendy Burkowski
- Susan Wilson (Town Board Liaison)

All in Favor. Motion Carried.

Supervisor Conover stated that Councilmember Wilson and the entire committee do a tremendous job and he hears so many positive things.

### RESOLUTION #17

#### HEALTH INSURANCE

Councilmember Wilson moved, seconded by Councilmember Bolton 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 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 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 first payroll of December 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 \$1,200 per household for the MVP program and \$1,400 per household for the CDPHP Medicare Choice program.

Should a retiree predecease the 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.

All in Favor. Motion Carried.

#### RESOLUTION #18

##### PHYSICAL EXAMINATIONS

Councilman MacEwan asked if this is what is required by the State because the school requires it every year. Supervisor Conover stated that he recalls discussing this topic before but he is unsure of the answer. He stated that the Town requires an examination every year that the CDL is renewed which is every other year. This language is what Counsel Muller has drafted for us. He stated that he would find out the difference in the requirements for Councilman MacEwan.

Councilman MacEwan moved, seconded by Councilman Maranville: 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 #19  
OCCUPANCY TAX ADVISORY COMMITTEE

Councilman MacEwan moved, seconded by Councilmember Bolton to appoint the following to the Occupancy Tax Advisory Committee:

Willie Bea McDonald, Chairperson  
Heidi Hess  
Joe DiNapoli  
Elaine Brown  
John Famosi  
Ron Conover, Supervisor

All in Favor. Motion Carried.

RESOLUTION #20

Councilman Maranville moved, seconded by Councilman MacEwan to adjourn the 2013 organizational meeting. All in Favor. Motion Carried.