

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

Organizational Meeting

January 2, 2019

Supervisor: Ronald Conover
Councilman: Robert MacEwan
Councilmember: Wanda P. Cleavland
Councilmember: Susan Wilson
Councilman: Tim Coon
Town Clerk: Jodi Connally
Counsel: Michael Muller

Supervisor Conover called the organizational meeting to order at 6:00 pm.

Pledge: Councilmember Cleavland

Please stand for a moment of silence for Edward J. Hodgkinson & James Ludwig.

RESOLUTION #1

MEETINGS

Councilmember Coon moved, seconded by Councilmember MacEwan to approve establishing the regular Town Board meetings be held on the first Tuesday of each month at 6:00 pm. with the exception of November, which will be held Wednesday, November 6th at 6:00 pm. **All in Favor. Motion Carried.**

RESOLUTION #2

Councilmember Cleavland 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 MacEwan moved, seconded by Councilmember Cleavland to approve designating the Post Star as the official publication for the Town of Bolton for 2019. **All in Favor. Motion Carried.**

RESOLUTION #4

DEPOSITORY FOR FUNDS

Councilmember Cleavland moved, seconded by Councilmember Wilson to approve designating TD Bank, Bolton Branch, and Glens Falls National Bank & Trust Co. to be the official depositories for all Town funds for 2019. **All in Favor. Motion Carried.**

RESOLUTION #5

INVESTMENT POLICY

Councilmember MacEwan moved, seconded by Councilmember Coon to approve the continuation of the Town of Bolton investment policy for 2019. **All in Favor. Motion Carried.**

RESOLUTION #6

PROCUREMENT POLICY

Councilmember Wilson moved, seconded by Councilmember Cleavland to approve the continuation of the Town of Bolton procurement policy for 2019. **All in Favor. Motion Carried.**

RESOLUTION #7

DRUG FREE WORK PLACE POLICY

Councilmember Cleavland moved, seconded by Councilmember MacEwan to approve the continuation of the Town of Bolton drug free work place policy for 2019. **All in Favor. Motion Carried.**

RESOLUTION #8

WORK PLACE VIOLENCE POLICY

Councilmember Coon moved, seconded by Councilmember Wilson to approve the continuation of the Town of Bolton work place violence policy for 2019. **All in Favor. Motion Carried.**

RESOLUTION #9

SEXUAL HARASSMENT POLICY

Councilmember Cleavland moved, seconded by Councilmember Wilson to approve the continuation of the Town of Bolton sexual harassment policy for 2019. **All in Favor. Motion Carried.**

RESOLUTION #10

CODE OF ETHICS

Councilmember Coon moved, seconded by Councilmember MacEwan to approve the continuation of the Town of Bolton code of ethics for 2019. **All in Favor. Motion Carried.**

RESOLUTION #11

TRAVEL EXPENSE FOR TOWN BUSINESS

Councilmember Cleavland moved, seconded by Councilmember Coon to approve 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 2019 will be reimbursed at such rate as determined by the Internal Revenue Service (\$0.58 cents per mile for 2019). **All in Favor. Motion Carried.**

RESOLUTION #12

NON-UNION EMPLOYEE POLICIES

SICK LEAVE, PERSONAL LEAVE, HOLIDAY LEAVE AND VACATION LEAVE

Councilmember MacEwan moved, seconded by Councilmember Wilson to approve all full time and permanent part time employees of the Town of Bolton are eligible for the following benefits as approved by the Town Board:

Eligibility – Full Time and Permanent Part Time Employees

Full-time employees are described as:

- Employees who work a minimum of 32½ hours per week and are employed on an annual basis;
- Employees who work full-time (32½ hours per week) for a minimum of six months and part-time (20 hours per week) for the remainder of the year on a continual annual basis;

Permanent Part-time employees are described as:

- Employees who work a minimum of 20 hours per week on an annual basis (not seasonal employees).

Determination of Leave Time Credit and Accumulated Sick Leave

All leave time credit and accumulated sick leave for eligible employees who work less than 32½ hours per week on an annual basis shall be prorated according to the number of hours they are scheduled to work per week.

Sick Leave

- All eligible employees shall earn sick leave credit at the rate of one (1) day per month (12 days per year).
- At retirement, eligible employees have options on use of accumulated sick time:
 1. A cash payment may be made at 1/10th their rate of pay to the extent of their accumulated sick leave in the maximum amount of 200 days. Or
 2. Accumulated sick leave may be applied toward additional service credits for retirement (according to section 41J of New York State Retirement System rules).

Personal Leave

- All eligible employees shall be granted five (5) days of personal leave per year as of January 1st of each year or prorated if hired after January 1st. If unused in a calendar year, it shall be converted to sick time.

Holiday Leave

- All eligible employees shall be granted 12 paid holidays per calendar year. The holidays are: New Year’s Day, Martin Luther King Day, Lincoln’s Birthday, President’s Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veteran’s Day, Thanksgiving and Christmas Day. Lincoln’s Birthday and Election Day shall be designated as floating holidays.
- Holidays 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 any eligible employee, that employee is entitled to float that day off; however, it must be taken within the pay period that it is accrued.
- All eligible employees are credited with two (2) floating holidays: one (1) on January 1st, and one (1) on July 1st. A newly hired eligible employee will be granted two (2) floating holidays if the employee’s date of hire is prior to April 1st, or one (1) floating holiday if the date of hire is prior to July 1st, or no floating holidays if the date of hire is July 1st or later. Only one (1) floating holiday may be used during the first half of the calendar year, and only one (1) floating holiday may be used during the second half of the calendar year. Unused floating holidays are forfeited.
- All floating holidays shall be scheduled to insure that there is no disruption of service in your department. All floating holidays must be approved by your supervisor

Vacation Leave

Eligible employees must be employed for one (1) calendar year before being granted vacation time as follows:

<u>Number of Years Worked</u>	<u>Number of Vacation Days Earned</u>
After 1 year thru 5 years.....	10 Days
6 years thru 11 years	15 Days
12 years thru 17 years	20 Days
18 years and longer	25 days

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

RESOLUTION #13

Councilmember Cleavland moved, seconded by Councilmember Coon to approve the 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, 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 Cleavland 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 Susan Wilson
Bookkeeper: Mariann Roberts-Huck

RESOLUTION #15

ELECTED OFFICIALS SALARIES

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

- Supervisor: Ronald Conover \$37,087
- Councilpersons: Robert MacEwan, Tim Coon, Susan Wilson, Wanda P. Cleavland at \$6,014 each
- Justices: Edward Stewart, Edward White \$13,515 each
- Highway Superintendent: William Sherman \$61,117
- Town Clerk: Jodi Connally: \$41,751

All in Favor. Motion Carried.

RESOLUTION #16

SALARIES OF BOARD APPOINTMENTS

Councilmember MacEwan moved, seconded by Councilmember Coon to approve authorization of the following appointments and salaries:

- Deputy Supervisor: Susan Wilson at \$1,822
- Assessor: Based on Town of Horicon 2019
- Clerk for the Assessor: \$17.67 per hour
- Bookkeeper: \$27.75 per hour

- Secretary to the Supervisor: \$23.79 per hour
- Counsel: \$65,554
- Minute Taker Clerk: \$11,408
- Budget Officer: \$4,169
- Assistant Budget Officer / Benefits Administrator \$6,000
- Tax Collector/Water & Sewer/Registrar of Vital Statistics: \$14,264
- Deputy Town Clerk #1 \$20.25 per hour; Deputy Town Clerk #2 \$17.00 per hour; PT Summer Deputy Town Clerk: \$14.00 per hr.
- Sewer Plant Lead Operator: \$22.00 per hour
- Sewer Plant Laborer: \$18.42 per hour
- Water Plant Operators: #1 & #2 \$22.00 per hour
- Parks/Buildings/Grounds Foreman: \$24.75 per hour
- Parks/Bldg./Grounds Laborer: #1 \$19.77 per hour; Laborer #2 & #3 \$16.58 per hour; Laborer/Cleaner #4: \$16.58 per hour
- Police Officer/Constables: Chief: \$30,000 per year; Officer #1 \$22.00 per hour; PT Officers: \$20.00 per hour
- Co-Town Historians: \$1,312 Total: Annual one-time stipend of \$656.00 each
- Health Officer: \$1,686
- Justice Court Clerk: \$18.93 per hour; Court Clerk #2 18.93 per hour
- Zoning Administrator: \$23.67 per hour
- Code Enforcement Officer: \$20.39 per hour
- Transfer Station: Attendant #1 \$17.75 per hour; Attendant #2 \$16.50 per hour
- Park Attendants: Attendant #1 \$13.32 per hour plus \$300; Attendant: #2 \$12.96 per hour; Attendants #3 & #4 \$11.10 per hour
- Recreation Director: \$27.19 per hour; Assistant #1 \$15.09 per hour; Assistant #2 \$13.63 per hour
- Engineer: Tom Nace \$70.00 per hour (on an as needed basis)
- Summer Gardener: \$17.00 per hour
- Planning Board/Zoning Board of Appeals Members: \$50 per meeting
- Board of Assessment Review members: \$200 each; Chairman: \$250
- All Temporary Laborers: \$13.00 per hour (excluding Recreation Department Summer Seasonal employees which are determined on an annual basis at time of employment).

All in Favor. Motion Carried.

RESOLUTION #17

ESTABLISHING SWD HOURS FOR NYS RETIREMENT

Councilmember Wilson moved, seconded by Councilmember Cleavland that the Town of Bolton / 30313 hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Elected Officials:

Title	Standard Work Day	Name
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Town Clerk	6.5 hours	Jodi Connally
Highway Superintendent	8.0 hours	William Sherman
Town Justice	6.5 hours	Edward Stewart
Town Justice	6.5 hours	Edward White
Town Board Member	6.5 hours	Robert MacEwan

Appointed Officials

Title	Standard Work Day	Name
Animal/Dog Control Officer	6.5 hours	James Fitzgerald
B&G/Parks Foreman	8.0 hours	George Mumblow
Deputy Town Clerk	7.5 hours	Rebecca Coon
Bookkeeper	6.5 hours	Mariann Roberts-Huck
Zoning Administrator	7.5 hours	Pamela Kenyon
Deputy Highway Super.	8.0 hours	Matthew Coon
Court Clerk	6.5 hours	Kirsten Crist
Codes Enforcement Officer	7.5 hours	Mitzi Stogsdill-Nittmann

All in Favor. Motion Carried.

RESOLUTION #18

Councilmember Coon 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 2019.

- American Legion: \$10,377
- Bolton Chamber of Commerce \$20,000
- Bolton Emergency Medical Services, Inc.: \$250,097
- Bolton Free Library: \$57,500
- Bolton Historical Society: \$30,000
- Bolton Rural Cemetery: \$5,000
- Bolton Senior Citizens: \$13,200
- Warren County, Up Yonda Farm: \$26,000

All in Favor. Motion Carried.

LIASONS

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

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

Councilmember Tim Coon: No

Councilmember Rob MacEwan: No

Councilmember Susan Wilson: No

Councilmember Wanda P. Cleavland: No

RESOLUTION #19

Councilmember Cleavland moved, seconded by Councilmember Wilson to approve appointing the following individuals to the Conservation Park Advisory Committee for 2019.

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

All in Favor. Motion Carried.

RESOLUTION #20

HEALTH INSURANCE

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

HEALTH INSURANCE:

All eligible employees of the Town of Bolton have the option to participate in the paid health insurance plan under Blue Shield of NENY POS (Gold or Silver), MVP EPO Platinum Health Insurance Plan or such other health insurance plan as approved by the Town Board.

Eligibility – Full-time and Part-time Employees

Full-time employees are described as:

- Employees who work a minimum of 32½ hours per week and are employed on an annual basis;
- Town Supervisor, Town Clerk and Town Highway Superintendent;
- Any elected official participating in the program prior to January 1, 2010;
- Employees who work full-time (32.5 hours per week) for a minimum of six (6) months and part-time (20 hours per week) for the remainder of the year on a continual annual basis;

Part-time employees are described as:

- Employees who work at least 20 hours per week on an annual basis (not seasonal employees).

Employee Contribution to Health Care Plan

- Eligible full-time employees will be required to pay 25% of the cost of the health insurance plan;
- Eligible employees who work full-time for part of the year and part-time for the remaining part of the year will have their contributions prorated as determined by the Town Board;
- Eligible part-time employees will be required to pay 100% of the cost of the health insurance plan.

Waiting Period

- Eligibility for paid benefits commences after a 60-day probationary period.

Eligibility for Health Care Reimbursement Account (HRA)

- Each participating full-time employee is eligible to receive a health-care reimbursement account (HRA) per household for reimbursement of medical expenses (MVP Platinum Plan members receive a \$1,000 HRA account, BSNENY Gold Plan members receive a \$1,200 HRA account, and BSNENY Silver Plan Members receive a deductible reimbursement up to \$1,700/\$3,400, plus a post deductible HRA of up to \$1,000 for co-pays).
- No health care reimbursement account will be provided for medical expense reimbursement for part-time employees.

Opting-Out of Health Care

- Eligible employees and elected officials who elect out of health care insurance benefits and choose not to be covered by the Town’s insurance, shall receive \$1,200 per year paid in the last payroll of November each year.
- Employees who work part of a year full-time and the remainder of the year part-time and elect out of the Town’s health care insurance benefits and choose not to be covered by the Town’s insurance are eligible to receive this payment on a prorated basis as determined by the Town Board.
- Part-time employees are not eligible for the opt-out benefit.

Taking Health Insurance into Retirement

Eligible employees who meet the requirements as stated above and who retire from the Town of Bolton are eligible to receive retiree health insurance benefits provided:

- 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 service with the Town and retire from the Town of Bolton to receive this health benefit.
- Employee must be enrolled in the Town health insurance plan for a minimum of one (1) year prior to and at the time of retirement.
- Employees with full and part time continual, annual service will have this time prorated annually. A letter shall be placed in the employee’s file no later than January 31st of each year indicating the amount of time earned for the year preceding that date.
- Part-time employees are eligible to participate in the Town health insurance retirement benefit program. No health care reimbursement program is provided to any part-time retiree under this category.

Retiree Contribution to Health Care Plan

- Retirees who were employed full-time and are eligible to participate in the Town health insurance retirement benefit program, will be responsible for 25% of the cost of any employee, employee and dependent, or family health insurance retirement plan premium.
- Retirees who were employed part-time and are eligible to participate in the Town health insurance retirement benefit program, will be responsible for 100% of the cost of any employee, employee and dependent, or family health insurance retirement plan premium. No health care reimbursement program is provided under this category.

Retiree Eligibility for Health Care Reimbursement Account (HRA) Retirees eligible to participate in the health care reimbursement program for medical expenses shall be at an amount not to exceed \$1,600 per household.

Death of Retiree

- 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.

Change in Residency

- 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 plan provided that the cost of such health plan 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 #21

PHYSICAL EXAMINATIONS

Councilmember MacEwan 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. The Town of Bolton agrees that medical examinations requested by the town shall be paid by the town. An individual employee may elect to have his / her own physician perform a physical examination, at which case; expenses shall be paid by the employee. 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 #22

OCCUPANCY TAX ADVISORY COMMITTEE

Councilmember Cleavland moved, seconded by Councilmember Wilson to approve appointing the following individuals to the Occupancy Tax Advisory Committee for 2019.

Willie Bea McDonald, Chairperson

Heidi Hess

Elaine Brown

John Famosi

Ron Conover, Supervisor

Susan Wilson, Liaison

All in Favor. Motion Carried.

RESOLUTION #23

CELL PHONES

Councilmember Cleavland moved, seconded by Councilmember Coon 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, Sewer Plant Lead Operator, 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 Officer #1, Town Clerk, Bookkeeper and Secretary to the Supervisor. **All in Favor. Motion Carried.**

RESOLUTION #24

SAFETY EQUIPMENT

Councilmember Wilson moved, seconded by Councilmember MacEwan 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 of Bolton procurement policies. **All in Favor. Motion Carried.**

RESOLUTION #25

FAMILY LEAVE ACT

Councilmember Wilson moved, seconded by Councilmember Coon 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 #26

Councilmember Coon moved, seconded by Councilmember Wilson to adjourn the 2019 Organizational Meeting. **All in Favor. Motion Carried.**