

Organizational Meeting of the Town Board of the Town of LeRoy held on Thursday, January 14, 2021 at 6:30 PM in the Boardroom of the Town Hall, 48 Main Street LeRoy, New York.

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

Recording Secretary: Patricia A. Canfield, Town Clerk

Supervisor Farnholz called the Organizational Meeting to order at 6:30 PM followed by the pledge to the flag. Due to Covid19 Pandemic, meeting was held via zoom with no guests present.

ORGANIZATIONAL ITEMS:

1. Organizational Appointments – 2021

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

RESOLVED, the Town Board of the Town of LeRoy hereby authorizes the following Organizational appointments as presented for fiscal year 2021:

- a) **Highway Foreman – David Uberty**
- b) **Secretary to Supervisor – Laura Brodie**
- 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 – Reid Whiting**
- h) **Auditor – Freed Maxick**
- i) **Historian – Lynne Belluscio**
- j) **Engineer – Clark Patterson Lee**
- k) **Prosecutor – Kevin Finnell**
- l) **Secretary to Planning/Zoning Boards – Laura Brodie**
- m) **Meetings – 2nd & 4th Thursday at 7:00 PM (except 11/25)**
- n) **Mileage Rate – Per IRS Rate**
- o) **Ethics Board – Jim Woodruff, Arnold Kelly**
- p) **Official Newspaper – Batavia Daily News**
- q) **Tape Recorder – Secretarial Purposes Only**
- r) **Adult Recreation – TBD**
- s) **Summer Recreation – Luke Weaver**
- t) **Deputy Supervisor – David Paddock**
- u) **Code Enforcement Officer – Mike Risewick/Jeff Steinbrenner/Anne Podolak**
- v) **Declaration of Emergency – Supervisor**
- w) **Board Meeting Rules of Order**
- x) **Emergency Call Out – Terry Kanaley, Councilman Armitage and Spvsr Farnholz**

2. Approval of 2021 Salaries –

Per 2021 Budget and per agreement with Teamsters Local 264 and the Town of LeRoy

On **MOTION** by Councilman Paddock and seconded by Councilman Johnson and passed unanimously with voting as follows: Council Armitage, Johnson, Paddock, Pangrazio 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 2021 as per budget and union contract. [Salaries Enclosed]

3. Travel & Computer Policies – Per Town Handbook -

On **MOTION** by Supervisor Farnholz and seconded by Councilman Pangrazio and passed unanimously with voting as follows: Council Armitage, Johnson, Paddock, Pangrazio 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 –

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

RESOLVED, the Town Board of the Town of LeRoy hereby approves the Procurement and Investment Policy for 2020 as follows:

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.

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

On **MOTION** by Councilman Johnson and seconded by Councilman Paddock and passed unanimously with voting as follows: Councilman Armitage, Johnson, Paddock, Pangrazio 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 2020:

New Year's Day	1/1	Labor Day	9/6
Martin Luther King Day	1/18		
Presidents Day	2/15	Veterans Day	11/11
Good Friday	4/2	Thanksgiving	11/25 & 11/26
Memorial Day	5/31	Christmas	12/24 & 12/27
4 th of July	7/5		
Juneteenth	6/19		
[pending clarification]			

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 Johnson and passed unanimously with voting as follows: Councilman Armitage, Johnson, Paddock, Pangrazio and Supervisor Farnholz – aye the following **RESOLUTION:** [06]

RESOLVED, the Town Board of the Town of LeRoy authorizes the following Committee Assignments for 2020 as follows:

Highway: Stauffer, Johnson
Clerk: Canfield
Assessment: Town of Batavia
Code Enforcement: Steinbrenner/Dawley/Podolak
Parks & Recreation: Farnholz, Pangrazio
Insurance: Armitage
Building: Armitage
Cemetery: Paddock
Utilities: Paddock
IT: Farnholz
Transfer Station: Johnson
Courts: Armitage
Fire Commission: Johnson
GAM/Spvsr: Farnholz
Village: Kettle
Ambulance: Johnson
Business Council: Pangrazio
Village Board: Pangrazio

7. Authorization for Check Signing –

On **MOTION** By Supervisor Farnholz and seconded by Councilman Pangrazio and passed unanimously with voting as follows: Councilman Armitage, Johnson, Paddock, Pangrazio 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, 2021.

8. Official Undertaking of Municipal Officials –

On **MOTION** By Councilman Paddock and seconded by Supervisor Farnholz and passed unanimously with voting as follows: Councilman Armitage, Johnson, Paddock, Pangrazio 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. [See Enclosed]

9. Health Insurance – Non-Union Employees –

On **MOTION** By Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Councilman Armitage, Johnson, Paddock, Pangrazio 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 and Health Reimbursement Account rates through Tompkins Insurance for non-union employees, Eric Stauffer, Laura Brodie and Patricia Canfield with Town of LeRoy covering the deductible portion at \$1,500 single and \$3,000 for two person and family.

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

On **MOTION** By Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Councilman Armitage, Johnson, Paddock, Pangrazio 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	8
Town Clerk	8
Deputy Town Clerk	6
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 Johnson and passed unanimously with voting as follows: Councilman Armitage, Johnson, Paddock, Pangrazio 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 \$225,000 shall be set aside to be expended for primary work and general repairs upon 40.12 miles of town highways including sluices, culverts and bridges having a spa of less than five feet and boardwalks or renewals thereof.

With no further organizational business to come before the Board, on **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously to adjourn at 6:50 PM.
Respectfully submitted, Patricia A. Canfield Town Clerk

REGULAR MEETING:

Regular Meeting of the Town Board of the Town of LeRoy held on Thursday, January 14, 2021 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
John Johnson, Council
David Paddock, Council
Ronald Pangrazio, Council

Eric Stauffer, Highway Supt.

Recording Secretary: Patricia A. Canfield, Town Clerk

Others Present:

Supervisor Farnholz called the regular meeting to order at 7:00 PM followed by the pledge to the flag and approval of the minutes of the meeting of December 28, 2020 on **MOTION** by Councilman Johnson and seconded by Councilman Paddock and passed.
Councilman Pangrazio – abstained.

OLD BUSINESS:

- Village of LeRoy Police Contract – Town Outside Village Coverage –**
Supervisor Farnholz met with Mayor Rogers, Police Chief Kellogg, and Genesee County Sheriff for discussion of extension of village of LeRoy Police to Town outside. Looking for closest call concept with 911 map responding to scene. Proposed contract to be reviewed for any modifications and final draft.

NEW BUSINESS:

1. Commercial Solar Code – Petition Presented –

Petition received by Town of LeRoy on January 6, 2021 inclusive of ten signatures opposing rezoning of land to allow for commercial solar. Current code does not allow for commercial solar in residential [R1] or residential agriculture [R&A] zones and would require a zone change for use. Town Board to review code, uses and determination for meeting on January 28, 2021.

2. MCWA Request – Section 149 Highway Law – Installation Water Svc – Resolution

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

WHEREAS, application submitted by MCW, 475 Norris Drive, Rochester, NY to allow MCWA to install 1” (one) long-side domestic water service, new build; with no pavement cut; MCWA Acct. No. 188560 for 9080 Linwood Road, LeRoy, NY 14482, as per Section 149 of the Highway Law; and

WHEREAS, application submitted by MCWA, 475 Norris Drive, Rochester, NY to allow MCWA to install 1: short-side domestic water service; existing house on a well; no pavement cut; MCWA Acct. No. 188628 for 8564 Vallance Road, LeRoy, NY 14482, as per Section 149 of the highway Law; and

WHEREAS, application submitted by MCWA, 475 Norris Drive, Rochester, NY to allow MCWA to install 1f” short-side domestic water service, existing house on a well; no pavement cut; MCWA Acct. No. 188626 for 8620 Vallance Road, LeRoy, NY 14482, as per Section 149 of the Highway Law.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of LeRoy authorizes the Highway Supt. To sign and execute the three (3) above agreements and forward said agreements to MCWA.

3. Assessment – Real Property Tax Exemption – Resolution –

On **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously with voting as follows: Council Armitage, Johnson, Paddock, Pangrazio and Supervisor Farnholz – aye the following **RESOLUTION:** [13]

WHEREAS, the Town of LeRoy has been affected by the Corona Virus (Covid19 Pandemic); and

WHEREAS, the Town Board recognizes that by state law, senior citizens receiving the RP-467 Senior Citizens exemption, and persons receiving the RP-459 Partial Tax Exemption for Real Property of Persons with Disabilities and Limited Incomes, must renew annually; and

WHEREAS, the Honorable Andrew Cuomo, Governor of New York State has signed executive order 202.83 to include “Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who receive that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons. Provided however, that the governing body may, at its option, include in such resolution procedures by which the assessor may require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020f assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died; and

BE IT RESOLVED, that the Town Board of the Town of LeRoy support this decision and approves its enactment.

4. Employee Compensation – Covid19 Illness and Quarantine – Highway Dept.

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

RESOLVED, the Town Board of the Town of LeRoy authorizes for any Highway employee issued a letter of quarantine from the health dept. be compensated full wage and benefits without charge to accruals according to quarantine letter rules and policies.

Employee Compensation – Covid19 Illness and Quarantine – Town Staff

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

RESOLVED, the Town Board of the Town of LeRoy authorizes for all Town employee issued a letter of quarantine from the health dept. be compensated full wage and benefits without charge to accruals according to quarantine letter rules and policies.

COMMITTEE REPORTS:

Highway:

Substitute – Plow Truck Operators -

On **MOTION** by Councilman Armitage and seconded by Supervisor Farnholz and passed unanimously with voting as follows: Council Armitage, Johnson, Paddock, Pangrazio and Supervisor Farnholz – aye the following **RESOLUTION:** [15]

RESOLVED, the Town Board of the Town of LeRoy authorizes wages for substitute snow plow operator on call 24/7 at rate of \$21.50 per hour.

Assessor:

Supervisor Farnholz reported Joseph Macaluso has retired and Jim Kirch will be working for Town of Batavia and will post hours for the Town of LeRoy. LeRoy residents can call for Assessing services and questions to Towns of Batavia and Pavilion.

Code:

Supervisor Farnholz reported the old Wickes Lumber on West Main Road has property agreement filed with State of NY Supreme Court with work to begin on February 1, 2021 to bring into compliance with Code Office to inspect progress.

Parks & Recreation:

Supervisor Farnholz reported summer recreation activities will be under state guidelines.

Building:

Supervisor Farnholz reported quote to install gas generator at \$36,000 and will be looking at grant funding with Genesee County to be listed as an emergency shelter.

It:

Supervisor Farnholz reported Town to purchase Zoom Contract to allow for virtual meetings. Town to purchase smart television for meetings and presentations.

Transfer Station:

Councilman Johnson and Highway Supt. Stauffer will be putting together information for new bid contract.

Fire Commission:

Councilman Johnson reported commission had discussion of solar farms and will invite Fire Chief Johnson to attend Planning Board meeting for further discussion.

Ambulance:

Councilman Johnson reported in December 2020 LeRoy Ambulance answered 109 calls for transfer.

Supervisor/GAM:

Supervisor Farnholz reported:

- Saturday conference call reported on vaccine roll out with inconsistency from county to county on number of doses available.
- Vaccine clinics looking for volunteers and would receive a vaccine.

AUTHORIZATION TO PAY BILLS:

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

Abstract # 1	2020/2021	Voucher #
General Fund A, B, SL & Cap Proj H:	\$184,857.30	1~43[incl prepay]
Highway Fund DA & DB:	\$44,492.81	1~15
Water Fund HG:	\$552.00	1

With no further business to come before the Board, on **MOTION** by Councilman Armitage and seconded by Councilman Paddock and passed unanimously to adjourn at 8:36 PM.

Respectfully Submitted, Patricia A. Canfield Town Clerk