Minutes of the Town Board Meeting held on January 2, 2020 at 7:30PM

Present: Frank Palermo, Supervisor
Thomas Burke, Tyler Etzel, Jacqueline Hernandez and Robert Hunter, Council
Absent: None
Also Present: Joseph McKay, Attorney for the Town; Kevin Watson, Police Chief; Clara Rivera, Clerk

I. Administration of Oath of Office – Newly Elected Official:

Clerk Potvin administered the Oath of Office to Supervisor Palermo, Councilman Burke and Councilman Etzel.

II. Public Input - Agenda Items:

Maria Hunter congratulated the three candidates that won their seats and stated she looks forward to a great 2020 with the new Town Board.

III. 2020 Re-Organization Meeting:

Appointment of Deputy Town Supervisor:

Motion was offered by Supervisor Palermo, seconded by Councilman Etzel, to appoint Jacqueline Hernandez as Deputy Town Supervisor with a salary of $1200/year.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Meetings/Official Newspaper/Mileage & Food Reimbursement:

Motion was then offered by Councilman Hunter, seconded by Councilwoman Hernandez, to hold regular meetings of the Town Board in the Town Hall on the first and third Thursday of each and every month at 7:30PM. A work session will be held on the Monday preceding the regular Town Board meeting starting at 7PM.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was then offered by Councilman Burke, seconded by Councilman Hunter, to schedule a Police Commissioners meeting to be held the third Monday of each month, as needed.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was offered by Councilman Hunter, seconded by Councilman Etzel, to accept the following:

1) That the Middletown Times Herald Record be designated as the official newspaper for the Town of Woodbury.
2) That members of the Town Government and employees, when on official business or duty for the Town, shall be paid at the rate of $0.575 per mile for the use of their car (rate includes gas and wear/tear of vehicle).
3) The maximum food allowance per day when employees attend a conference is $75.00, with no alcoholic beverage reimbursement.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Investment Policy:

Motion was offered by Supervisor Palermo, seconded by Councilman Burke, to adopt the following:

The objectives of the Investment Policy of the Town of Woodbury are to minimize risk, to ensure that investments mature when cash is required, and to insure a competitive rate of return. In accordance with this policy, the Supervisor is authorized to invest Town funds which are in excess of current operating needs. Town investments are governed by applicable New York State Laws.

The Supervisor is authorized to make the following types of investments, for the present, until other types of investments are submitted to the Town Board:

a. Direct purchase of guaranteed obligations of the United States Government or obligations of the State of New York and its political subdivisions.
b. Direct purchase of Certificates of Deposit from the designated depositories of the Town. Such Certificates of Deposit are to be collateralized by obligations enumerated in Section "a" above.
c. Direct purchase through Repurchase Agreements of guaranteed obligations of the United States Government. Such Repurchase Agreements should be executed either through the designated depositories of the Town or those brokerage firms which are primary United States Government dealers which report to the Federal Reserve Bank of New York.
d. Time Deposit Accounts are designated depositories of the Town. Such accounts are to be collateralized by the Federal Deposit Insurance Corporation or by obligations enumerated in Section "a" above.

The Supervisor shall deposit all monies received and said monies shall be released together with the related sureties from any liabilities for loss of such monies by reason of the default or insolvency of any such depository.

The following banks are to be designated as official banks for the Town:

Sterling National Bank, Monroe, NY 10950
Lakeland Bank, Highland Mills, NY 10930
Bank of America, Cornwall, NY 12518
OC Trust Company, Vails Gate, NY 12584
TD Bank, Monroe, NY 10950

The Supervisor shall be authorized to invest funds of the Town in these banks during the 2020 Fiscal Year under the following guidelines:

a. All accounts shall be collateralized at 105% and said collateralization shall be held by a third-party bank.
b. Collateralization shall be in accordance with the Comptroller's guidelines.
c. All designated banks will be contacted for competitive rates on an ongoing basis.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

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<u>Appointments:</u>

Motion was then offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to reappoint Martha Nask to the Beautification Committee with a term due to expire 12/31/2026.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

The following appointments are being made subject to receipt of filing date acknowledgement from the NYS Department of State of Local Law 3 of 2019:

Motion was then offered by Councilwoman Hernandez, seconded by Councilman Burke, to appoint Denice DaCunha to the Park and Recreation Committee with a term due to expire 12/31/2020.
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ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was then offered by Supervisor Palermo, seconded by Councilman Hunter, to appoint Mary Porcu to the Park and Recreation Committee with a term due to expire 12/31/2021.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was then offered by Councilwoman Hernandez, seconded by Supervisor Palermo, to appoint John Smith to the Park and Recreation Committee with a term due to expire 12/31/2022.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was then offered by Supervisor Palermo, seconded by Councilman Burke, to appoint Reynaldo Hernandez to the Park and Recreation Committee with a term due to expire 12/31/2023.

ADOPTED AYES 4 Palermo, Burke, Etzel, Hunter
ABSTAIN 1 Hernandez

Motion was then offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to appoint Martha Nask to the Park and Recreation Committee with a term due to expire 12/31/2025.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was the offered by Supervisor Palermo, seconded by Councilman Burke, to Willa Freiband to the Park and Recreation Committee with a term due to expire 12/31/2026.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

There is one vacancy with a term that will expire 12/31/2024.

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Consultants:

Motion was then offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to designate Joseph McKay with the law firm Catania, Mahon & Rider, PLLC, as general legal counsel.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was offered by Supervisor Palermo, seconded by Councilman Burke, to designate Fusco Engineering as Engineers for the Town.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Motion was then offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to designate Thomas McDonough with the law firm Jackson Lewis, as labor attorney.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

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Motion was offered by Supervisor Palermo, seconded by Councilwoman Hernandez, to make the following committee assignments:

Committee Assignments:

Cable Franchise	Councilman Hunter	Councilman Etzel
Family Visitor Program	Councilwoman Hernandez	Councilman Etzel

Fiscal Advisory	Councilman Etzel	Councilwoman Hernandez
Library Liaison	Councilman Burke	Councilwoman Hernandez
Insurance	Councilman Burke	Supervisor Palermo
Business Improv. District	Councilwoman Hernandez	Councilman Hunter
Refuse	Councilman Hunter	Supervisor Palermo
Parks Department	Councilman Etzel	Councilman Burke
Police Department	Councilman Hunter	Councilman Burke
Employee Relations	Councilwoman Hernandez	Councilman Burke
Pre-Disaster/Mitigation Planning	Councilman Hunter	Supervisor Palermo
Village Liaison	Councilman Etzel	Councilwoman Hernandez
Buildings and Grounds	Councilman Etzel	Councilman Hunter
Intermunicipal Water Council	Councilwoman Hernandez	Supervisor Palermo

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

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Procurement Policy:

Motion was then offered by Councilman Burke, seconded by Councilwoman Hernandez, to adopt the procurement policy as follows:

WHEREAS, General Municipal Law (GML) 104-b 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

NOW, THEREFORE, BE IT

RESOLVED that the Town of Woodbury 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. "Purchaser" is defined as a Town official, board member, department head or individual assigned by department head to have purchasing authority. Pursuant to GML 104-b, they are listed as follows:

Police	Kevin Watson, Kevin Phillips
Parks	Joseph Gianzero, Frances Jack
Buildings/Grounds	Robert Blair, Robert Beckley, William McClennan, Brad Cassity
Library	Sara Johnson
Court	Alice Confield, Carol Garen
Assessor's Office	Julie Rose, Angelica Padilla
Town Clerk's Office	Desiree Potvin, Frances Huang
Tax Collector's Office	Carol Herb
Supervisor's Office	Frank Palermo, Laura Morrissey, Lena Baroutjian
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Senior Center Christine Kirk

Guideline 2. All purchases of (a) supplies or equipment which will exceed $20,000 or (b) public works contracts over $35,000 shall be formally bid pursuant to GML 103.

Guideline 3. Purchase of goods of a single item shall follow the following:

Less than $20,000 but greater than $10,000 Three written quotes with documentation
Less than $10,000 but greater than $5,000 Two written quotes with documentation
Less than $5,000 Left to discretion of the Purchaser

Pursuant to GML 103(1), purchases of "commodities, services or technology" may not be "artificially divided" for the purpose of satisfying the "discretionary buying thresholds". "The reasonably expected aggregate amount of all purchases of the same commodities, services or technology to be made within the twelve-month period commencing on the date of the purchase" must be considered.

Purchase of public work/services contracts shall follow the following:

Less than $35,000 but greater than $ $20,000 Three written quotes with documentation
Less than $20,000 but greater than $5,000 Two written quotes with documentation
Less than $5,000 Left to discretion of the Purchaser

Any written request for proposals (RFP) shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors for the quotes that have been received by using the form provided by the Town. All information gathered in complying with the procedures of this policy shall be preserved and attached to the voucher that is submitted for processing of payment to the successful vendor.

In the event that a diagnostic examination results in charges that will fall under a procurement threshold requiring a form of documentation other than initially anticipated, management will determine if the work can proceed without fulfilling the standard requirements of the applicable threshold.

Guideline 4. The lowest responsible bidder shall be awarded a purchase or public works contract unless the Town determines that it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder through use of the "best value" option or the "piggybacking" option pursuant to Chapter 236m of the Town Code. Where an award is made to other than the lowest bidder, the Purchaser must prepare 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.

Guideline 5. A good-faith effort shall be made to obtain the required number of proposals/quotes. If the Purchaser is unable to obtain the required number of proposals/quotes, the Purchaser shall document the attempt made. In no event shall the inability to obtain the proposals/quotes be a bar to the procurement.

Guideline 6. Except when directed by the Town Board, no solicitation of proposals/quotes shall be required under the following circumstances:

(a) Acquisition of professional services;
(b) Emergencies;

All purchases made under the emergency exception must meet the following criteria: 1) need arises from an accident or unforeseen occurrence or condition; 2) need affects public buildings/property or life, health and safety; 3) immediate action is needed and cannot await competitive bidding or competitive offering.

(c) Sole-Source situations;
(d) Goods purchased from agencies for the blind or severely handicapped;
(e) Goods purchased from correctional facilities;
(f) Goods purchased from another governmental agency;
(g) Goods purchased at auction;
(h) Goods purchased for less than $5,000;
(i) Public work/services for less than $5,000.
(j) Contracts that have been let by the United States or any agency thereof, any state or any other political subdivision or district therein, pursuant to NYS Comptrollers Guidelines and General Municipal Law Section 103.
(k) Pursuant to General Municipal Law section 103, subdivision 16, the Town Board may make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment and supplies, may make such purchases, or may contract for such services related to the installation, maintenance, or repair of apparatus, materials, equipment or supplies as may be required through the use of a contract let by the United States of America or any Agency thereof, any State or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value and made available for use by other governmental entities.

Guideline 7. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Official Undertaking:

Motion was offered by Councilwoman Hernandez, seconded by Supervisor Palermo, to approve the below form (in italics) of the official undertaking of municipal officers of the Town, pursuant to Section 11 of Public Officers Law, and the manner of execution and the sufficiency of the Town's insurance company surety. This undertaking will be administered to all elected officials upon the start of their elected term that handle funds on behalf of the Town of Woodbury:

TOWN OF WOODBURY, ORANGE COUNTY, NEW YORK
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, *_____, of the Town of Woodbury, County of Orange, New York, has been elected to the office of _____ in the Town of Woodbury; and*

NOW THEREFORE*, he/she as respective officer above, do hereby undertake with the Town of Woodbury that he/she will faithfully perform and discharge the duties of the office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and*

The Town does and shall maintain insurance coverage (presently with New York Municipal Insurance Reciprocal) in the sum of $100,000 per loss plus an additional $200,000 for the Tax Collector

and Deputy Tax Collector, $100,000 for the Town Supervisor and Deputy Town Supervisor and $100,000 for the Town Clerk and Deputy Town Clerk to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

IV. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Councilman Hunter, seconded by Supervisor Palermo, to accept receipt of the minutes of the meeting held December 19, 2019.

ADOPTED AYES 3 Palermo, Hernandez, Hunter
ABSTAIN 2 Burke, Etzel

b. Approval of Abstract:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Hunter, to approve Abstract 26 containing vouchers 20192166 – 20192238 and totaling $296,209.31. The abstract is dated December 31, 2019 but the checks have been held until approval is granted.

ADOPTED AYES 3 Palermo, Hernandez, Hunter
ABSTAIN 2 Burke, Etzel

c. Approval of Budget Modifications:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Hunter, to approve modifications to the 2019 budget as follows:

- Library Fund – increasing L7410.420 (Fund Balance Expenditures) by $978, L7410.430 (Transportation/Travel) by $300, L7410.465 (Processing Supplies) by $1200, L599 (Appropriated Fund Balance) by $978; decreasing L7410.444 (Schools/Dues) by $300, L7410.411 (Office Supplies) by $1200;
- Police Fund – increasing B2212 (MW Reimburse for PT Police Officers) by $52,635, B3120.100 (Police Salaries) by $27,883, B3120.416 (Uniforms) by $24,752;
- General Fund – increasing A1010.453 (Ambulance Gas) by $985, A1220.404 (Outsourced Payroll) by $2,690, A1220.462 (Computer Supplies) by $106, A1420.400 (Attorney) by $50,000, A1420.414 (Attorney/Litigation) by $15,000, A1620.425 (Landscaping) by $1,500, A1620.431 (Wildlife Management) by $2,100, A1980.400 (MTA Payroll Tax) by $400, A3020.400 (Emergency Notification) by $500, A3510.200 (ACO Equipment) by $334, A3510.411 (Office Supplies) by $22, A3510.431 (Vet Fees) by $156, A3510.463 (Computer Software) by $378, A4020.100 (Registrar Personal Services) by $530, A7620.414 (Trips) by $2,901,A9030.800 (FICA) by $5,103, A9040.801 (Workers Comp Tail Claims Neami) by $10,000, A1603 (Vital Stat Fees) by $530, A2089 (Other Culture Rec Income) by $2,901, A1330.443 (Tax Bills) by $53, A2401 (Interest) by $24,647 and decreasing A1010.430 (Transportation/Travel) by $985, A1220.400 (Contractual Expense) by $812, A1220.444 (School & Dues) by $345, A1220.445 (Meetings) by $400, A1220.200 (Equipment) by $1,239, A1330.412 (Postage) by $53, A3510.400 (Contractual Expenses) by $169, A9010.800 (Retirement) by $50,677, A9040.800 (Workers Compensation) by $10,000;
- Police Fund – increasing B1930.400 (Judgements & Claims) by $21,379, decreasing B9010.800 (Retirement) by $3379, B9015.800 (Police Retirement) by $18,000.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter

NOES 0

V. New Business:

a. Authorize Supervisor to sign agreement with RBT:

Motion was offered by Councilwoman Hernandez, seconded by Supervisor Palermo, to authorize the Supervisor to sign an agreement with RBT Certified Public Accountants for the purpose of the preparation and submission of the 2019 Annual Update Document (AUD) to the NYS Comptroller's Office at an hourly rate of $165.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Councilman Hunter asked if this work is normally done in-house and Supervisor Palermo stated it has historically been done by Eileen Sutherland. Last year she was unable to do it and the Town engaged the services of this firm. He spoke with Mrs. Sutherland and she agreed it would be better if they were to continue to do it since they made significant changes to the report. Councilman Hunter asked how much the Town paid for this service last year and Supervisor Palermo stated it could not be calculated since they were doing other work for the Town as well.

b. Approval of the 2020 UPSEU Grade Schedule:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Burke, to approve the 2020 UPSEU Grade Plan as printed at the end of these minutes.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

c. Promote Alba Pichardo to 35 hours @ current pay rate 01/06/2020:

Motion was offered by Councilwoman Hernandez, seconded by Councilman Etzel, to promote Alba Pichardo to full-time at reduced hours (35 per week) at the current rate of pay effective January 6, 2020.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

d. Appointment of Dominick Gonzalez to Full-Time Police Officer; annualized pay of $67,524 and a start date of 1/13/20:

Motion was offered by Councilman Burke, seconded by Councilwoman Hernandez, to appoint Dominick Gonzalez to the position of full-time Police Officer at an annualized pay of $67,524 effective January 13, 2020.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

e. Accept Karin Poggio's resignation from Assessment Board of Review:

Motion was offered by Councilwoman Hernandez, seconded by Supervisor Palermo, to accept, with regrets, the resignation of Karin Poggio from the Board of Assessment Review effective immediately.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

VI. Old Business:

a. Advertise for Vacancies – Various Boards:

Motion was offered by Councilman Etzel, seconded by Councilman Burke, to authorize the Town Clerk to advertise for vacancies that exist on the Parks and Recreation Committee (one seat with a new term to expire December 31, 2024) and Board of Assessment Review (one seat to fill a vacancy caused by resignation with a term to expire September 30, 2021). Letters of interest will be accepted at the Town Clerk's Office by close on business on January 31, 2020.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

VII. Board Meeting Comments:

Councilman Burke thanked former Councilmen Arone and Essig for the time they served while raising young families. He feels they did a great job and had great commitment. He congratulated Councilman Etzel and Supervisor Palermo on their elections to office and wished them the best. He is looking forward to serving with them and learning a lot from Councilwoman Hernandez and Councilman Hunter. He is thrilled to have this opportunity to serve the residents of Woodbury and he feels it is a privilege.

Councilwoman Hernandez wished everyone a Happy New Year. She congratulated the new Board members and noted she is looking forward to a very productive year which she is enthusiastic about. She added she looks forward to sharing her ideas with the committees she has been assigned to and mending relations with the Village.

Councilman Etzel thanked everyone that voted for him and he is delighted to be on the Town Council. He feels it will be a pleasure to work for the town, he has lived here is whole life and it is a treat for him to serve.

Councilman Hunter welcomed Councilmen Burke and Etzel to the Board and noted they each have deep roots in the community. He is looking forward to getting a lot of work done this year.

Attorney McKay thanked the Board for reappointing his law firm, adding the firm has worked for the Town for more than 20 years, of which he has been here for ten years. He appreciates the confidence the Board has in his firm and he looks forward to working with the new board.

Supervisor Palermo wished everyone a Happy New Year. He feels this will be a very productive board, as was the last one. He noted there are plans to build the pool, finish the courthouse and some other great things for the Town. His resolution is to be mostly concerned with the job of running the Town and will do the right things.

VIII. Adjournment

With no further comments received or business to discuss, a motion was offered by Councilwoman Hernandez, seconded by Councilman Hunter, to adjourn the meeting at 8:05PM.

ADOPTED AYES 5 Palermo, Burke, Etzel, Hernandez, Hunter
NOES 0

Desiree Potvin, Town Clerk

2020 UPSEU GRADE PLAN

GRADE	POSITION
1	Animal / Dog Control Officer (Entry) Clerk (Entry) Custodial Worker (Entry) **Groundskeeper UPSEU Table (B)** Laborer (Entry) Real Property Data Collector (Entry)
2	Animal / Dog Control Officer Clerk to the Town Justice (Entry) Court Clerk (Entry) Library Clerk (Entry) Real Property Data Collector Parks Department Clerk (Entry)
3	Assessor's Clerk (Entry) Custodial Worker
4	**Groundskeeper Union B Schedule** **Groundskeeper UPSEU Table (B)**
5	Account Clerk (Entry) Animal / Dog Control Officer Assistant Assessor (Entry) Senior Citizens Activity Leader (Entry) Clerk Clerk to the Town Justice Court Attendant (Entry) Court Clerk Custodial Worker Parks Department Clerk Police Records Clerk Principal Library Clerk (Entry) Senior Library Clerk (Entry) Library Assistant Spanish / English (Entry) Library Assistant Children's Services * Library Assistant (Entry)

2020 UPSEU GRADE PLAN

GRADE	POSITION
6	Assessor's Clerk Real Property Data Collector Senior Account Clerk (Entry) Senior Citizens Activity Leader
7	Court Clerk Library Technician (Entry) Parks Department Clerk Principal Library Clerk Technical Support Assistant (Entry)
8	Assistant Assessor Library Assistant Library Assistant / Children's Services (Entry) Senior Library Clerk Senior Groundskeeper UPSEU Table (B)
9	Account Clerk Principal Library Clerk Technical Support Assistant Librarian I (Entry) *
10	Assistant Assessor Court Clerk Library Assistant Library Assistant /Children's Services Librarian II Children's Services (Entry) * Librarian II (Entry) *
11	Account Clerk
12	Account Clerk Court Clerk Librarian 1 *

2020 UPSEU GRADE PLAN

GRADE	POSITION
13	Account Clerk Court Attendant Court Clerk Librarian II * Librarian II Children's Services *
14	Account Clerk
15	Senior Account Clerk