

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

ANN SPOFFORD
Town Clerk

SUZANNE MC DONOUGH
Town Councilwoman
Deputy Supervisor

60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 • Fax (845) 628-6836
www.carmelny.org

KATHLEEN KRAUS
Receiver of Taxes

MICHAEL A. BARILE
Town Councilman
FRANK D. LOMBARDI
Town Councilman
ROBERT F. SCHANIL, JR.
Town Councilman

MICHAEL SIMONE
Superintendent of Highways
Tel. (845) 628-7474

TOWN BOARD VOTING MEETING/ WORK SESSION
Wednesday, August 12, 2020 7:00pm

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

6:30pm Executive Session:

1. Personnel – Interview Police Candidate for Detective Vacancy

TOWN BOARD VOTING MEETING:

- Accept Town Board Minutes July 8, 2020
1. Res: Making Probationary Promotional Appointment of Sergeant – Town of Carmel Police Department – P.O. Neil Brown
 2. Res: Setting Adjusted Salary for Fiscal Year 2020 in the Engineering Department
 3. Res: Accepting Annual Financial Report of the Town's Independent Auditor for Fiscal Year 2019
 4. Res: Authorizing Additions to the Active List of the Mahopac Volunteer Fire Department
 5. Res: Accepting Donation of Sick Time and/or Vacation time by Town of Carmel Highway Employees
 6. Res: Accepting Grant Award and Authorizing Execution of Participation Agreement East of Hudson Community Wastewater Planning Assistance Grant Program – Lake Casse
 7. Res: Accepting Grant Award and Authorizing Execution of Participation Agreement East of Hudson Community Wastewater Planning Assistance Grant Program – Lake Gilead
 8. Res: Accepting Grant Award and Authorizing Execution of Participation Agreement East of Hudson Community Wastewater Planning Assistance Grant Program – Lakeview Road
 9. Res: Accepting Grant Award and Authorizing Execution of Participation Agreement East of Hudson Community Wastewater Planning Assistance Grant Program – Mud Pond Brook
 10. Res: Authorizing Emergency Purchase and Installation of Equipment – Carmel Sewer District #2 Willow Road Pump Station
 11. Res: Authorizing Emergency Purchase and Installation of Equipment Carmel Water District #2 Water Treatment Plant

12. Res: Acknowledging Performance of Emergency Repairs Carmel Water District #7

13. Res: Authorizing Request for Proposal Carmel Water District #2 Treatment Plant Design

- **Public Comment (Three (3) Minutes on Agenda Items Only)**
- **Town Board Member Comments**
- **Adjournment**

TOWN BOARD Work Session:

- Review Town Board Minutes July 22, 2020
1. Ann Spofford, Town Clerk – Consider Request to Adopt Revised Retention and Disposition Schedule for New York State Local Government Records (LGS-1)
 2. Mary Ann Maxwell, Town Comptroller, - Michelle Tenefrancia, Sr. Account Clerk II, - Consider Request to Authorize Revisions/Amendments and Adoption of the Town of Carmel Procurement Policy
 3. James Gilchrist, Director of Recreation & Parks – Consider Request to Approve Bid Package for Phase III Airport Park and Athletic Complex Septic System
 4. Michael Carnazza, Building and Codes Enforcer- Consider Request to Accept Proposal for Property Maintenance Clean Up
 5. Consider Additions/Deletions to the Active List to the Mahopac Volunteer Fire Department
 6. Michael Simone, Highway Superintendent -Consider Request to Authorize Donation of Vacation Time
 7. Michael Simone, Highway Superintendent – Consider Request to Amend Vehicle and Traffic Law – Cherry Street – No Parking

- **Public Comment (Three (3) Minutes on Agenda Items Only)**
- **Town Board Member Comments**

Open Forum:

- **Public Comments on New Town Related Business (Three (3) Minutes Maximum for Town Residents, Property Owners & Business Owners Only)**
- **Town Board Member Comments**
- **Adjournment**

RESOLUTION #1

RESOLUTION MAKING PROBATIONARY PROMOTIONAL APPOINTMENT OF SERGEANT – TOWN OF CARMEL IN THE POLICE DEPARTMENT

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Police Department hereby appoints Police Officer Neil Brown to the position of Sergeant, effective immediately, on a promotional probationary basis subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #2

RESOLUTION SETTING ADJUSTED SALARY FOR FISCAL YEAR 2020 IN THE ENGINEERING DEPARTMENT

RESOLVED that the Town Board of the Town of Carmel hereby sets the adjusted salary for fiscal year 2020 for the following employee of the Town not covered under the terms of a Collective Bargaining Agreement in the amount as follows:

Town Engineer	\$138,000.00
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BE IT FURTHER RESOLVED that this resolution shall take effect immediately

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #3

RESOLUTION ACCEPTING ANNUAL FINANCIAL REPORT OF THE TOWN'S INDEPENDENT AUDITOR FOR FISCAL YEAR 2019

RESOLVED that the Town Board of the Town of Carmel hereby accepts the Comprehensive Financial Independent Audit Report of the Town's independent auditor PKF O'Connor Davies, for fiscal year 2019 and hereby directs Town Clerk Ann Spofford to publish all notices required in connection herewith in the official newspapers of the Town.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	_____	_____
Michael Barile	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Kenneth Schmitt	_____	_____

RESOLUTION #4

RESOLUTION AUTHORIZING ADDITIONS TO THE ACTIVE LIST OF THE MAHOPAC VOLUNTEER FIRE DEPARTMENT

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the addition of the following names to the active list of the Mahopac Volunteer Fire Department:

Nithya J. Thomas
John A. Scalabrini

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #5

RESOLUTION ACCEPTING DONATION OF SICK TIME AND/OR VACATION TIME BY TOWN OF CARMEL HIGHWAY EMPLOYEES

RESOLVED that the Town Board of the Town of Carmel approves the donation of eighty (80) hours of vacation time accruals from Employee No. 1699 to Employee No. 2791.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #6

RESOLUTION ACCEPTING GRANT AWARD AND AUTHORIZING EXECUTION OF PARTICIPATION AGREEMENT EAST OF HUDSON COMMUNITY WASTEWATER PLANNING ASSISTANCE GRANT PROGRAM – LAKE CASSE

WHEREAS, The Town of Carmel has been approved for the New England Interstate Water Pollution Control Commission/New York City Department of Environmental Protection (NEIWPC/ NYCDEP) grants as part of the East of Hudson Community Wastewater Planning Assistance Grant Program;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposed grant for study of Lake Casse in an amount of up to \$300,000; and

BE IT FURTHER RESOLVED THAT Town Supervisor Kenneth Schmitt is hereby authorized to execute the Participation Agreement as tendered by (NEIWPC/ NYCDEP) with respect to such grant award for Lake Casse, said agreement being in general form and substance is in on file in the Office of the Town Engineer.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #7
RESOLUTION ACCEPTING GRANT AWARD AND
AUTHORIZING EXECUTION OF PARTICIPATION AGREEMENT
EAST OF HUDSON COMMUNITY WASTEWATER PLANNING
ASSISTANCE GRANT PROGRAM – LAKE GILEAD

WHEREAS, The Town of Carmel has been approved for the New England Interstate Water Pollution Control Commission/New York City Department of Environmental Protection (NEIWPC/ NYCDEP) grants as part of the East of Hudson Community Wastewater Planning Assistance Grant Program;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposed grant for study of Lake Gilead in an amount of up to \$375,000; and

BE IT FURTHER RESOLVED THAT Town Supervisor Kenneth Schmitt is hereby authorized to execute the Participation Agreement as tendered by (NEIWPC/ NYCDEP) with respect to such grant award for Lake Gilead, said agreement being in general form and substance is in on file in the Office of the Town Engineer.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #8
RESOLUTION ACCEPTING GRANT AWARD AND
AUTHORIZING EXECUTION OF PARTICIPATION AGREEMENT
EAST OF HUDSON COMMUNITY WASTEWATER PLANNING
ASSISTANCE GRANT PROGRAM – LAKEVIEW ROAD

WHEREAS, The Town of Carmel has been approved for the New England Interstate Water Pollution Control Commission/New York City Department of Environmental Protection (NEIWPC/ NYCDEP) grants as part of the East of Hudson Community Wastewater Planning Assistance Grant Program;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposed grant for study of Lakeview Road in an amount of up to \$300,000; and

BE IT FURTHER RESOLVED THAT Town Supervisor Kenneth Schmitt is hereby authorized to execute the Participation Agreement as tendered by (NEIWPC/ NYCDEP) with respect to such grant award for Lakeview Road, said agreement being in general form and substance is in on file in the Office of the Town Engineer.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #9

RESOLUTION ACCEPTING GRANT AWARD AND AUTHORIZING EXECUTION OF PARTICIPATION AGREEMENT EAST OF HUDSON COMMUNITY WASTEWATER PLANNING ASSISTANCE GRANT PROGRAM – MUD POND BROOK

WHEREAS, The Town of Carmel has been approved for the New England Interstate Water Pollution Control Commission/New York City Department of Environmental Protection (NEIWPC/ NYCDEP) grants as part of the East of Hudson Community Wastewater Planning Assistance Grant Program;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposed grant for study of Mud Pond Brook in an amount of up to \$425,000.00; and

BE IT FURTHER RESOLVED THAT Town Supervisor Kenneth Schmitt is hereby authorized to execute the Participation Agreement as tendered by (NEIWPC/ NYCDEP) with respect to such grant award for Mud Pond Brook, said agreement being in general form and substance is in on file in the Office of the Town Engineer.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #10

RESOLUTION AUTHORIZING EMERGENCY PURCHASE AND INSTALLATION OF EQUIPMENT CARMEL SEWER DISTRICT #2 WILLOW ROAD PUMP STATION

WHEREAS, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes the emergency purchase and installation of two (2) pumps at the Carmel Sewer District #2 Willow Road Pump Station by CSD#2 Operators Inframark, LLC Water Treatment Plant at a cost not to exceed \$14,686.20 including installation; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #11

RESOLUTION AUTHORIZING EMERGENCY PURCHASE AND INSTALLATION OF EQUIPMENT CARMEL WATER DISTRICT #2 WATER TREATMENT PLANT

WHEREAS, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes the emergency purchase and installation of a replacement high-lift pump at the Carmel Water District #2 Water Treatment Plant by S.B. Church, Oxford, CT at a cost not to exceed \$35,900.00 and in accordance with the quotation/proposal dated July 15, 2020; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is authorized to sign and any all documentation required to accept said proposal as authorized herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #12

RESOLUTION ACKNOWLEDGING PERFORMANCE OF EMERGENCY REPAIRS CARMEL WATER DISTRICT #7

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water districts of the Town of Carmel, hereby acknowledges the emergency performance of water district collection system/distribution system and treatment facilities repairs, specifically those performed in Carmel Water District #7, as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated July 15, 2020, which is attached hereto and made a part thereof.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

Richard J. Franzetti, P.E.
Town Engineer




(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

To: Carmel Town Board

From: Richard J. Franzetti P.E. Town Engineer 

Date: July 15, 2020

Re: Emergency Repairs/Services

This memorandum is being presented to the Town Board to advise the Board of emergency invoices that were submitted for payment in excess of \$5,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

- CWD7 ~ Vineland Pump Station Well Failures

On June 29, 2020, Bee and Jay, the operator for the CWD 7 alerted the Engineering Department that due to the June 28, 2020 storm, well pumps #2, #3 and #4 failed due to lightning and power surges. Below are the invoices to replace the pumps. These invoices have been submitted to insurance for reimbursement.

Invoice #95049 – Well #3 - \$13,474
Invoice #95050 – Well #4 - \$ 8,075
Invoice #95051 – Well #2 - \$10,400

These invoices have been submitted to insurance for reimbursement.

We request that this memorandum be put into the agenda as a matter of record.



P.O. Box 78 - 719 Route 6 - Mahopac, NY 10541

p: 845.628.3924 f: 845.628.4062

e: service@beeandjay.com

INVOICE

DATE	INVOICE #
7/1/2020	95049

www.BEEANDJAY.com

BILL TO:

Town of Carmel- CWD 7
Engineering Dept.
60 McAlpin Ave.
Mahopac, NY 10541

SERVICE LOCATION:

Town of Carmel- CWD 7
Vineland Pump Station
Mahopac, NY

PROFESSIONAL SERVICE 56 YEARS 1964-2020

Master Plumbers Lic.#s W.C. 556 P.C. 363

CUSTOMER #	TERMS	MECHANIC	SERVICE DATE	WORK ORDER #
845 628 2087	Due Upon Receipt	EK	6/29/2020	25976
ITEM	QTY/HRS	DESCRIPTION	RATE	AMOUNT
Description		Responded to service call of 6/28/20 - CWD# 7 Vineland Road Pump Station - Emergency well #3 pump failure due to lightening storm and power surges. 6/29/2020 - Pulled and replaced 5 hp submersible pump mot and cable with drop pipe and equipment and all related parts, restored to system and tested.		
Labor TOC Mech	8	1- Mech	175.00	1,400.00
Labor TOC Tech	8	1- Tech	185.00	1,480.00
Material		1- Goulds 33GS50 Pump End	2,310.00	2,310.00
Material		1- Goulds 5 hp 230V 3 phase	1,718.00	1,718.00
Material		1- Torque Arrestor	40.00	40.00
Material		600 feet 1-1/4" SCH 120 Pipe	2,305.00	2,305.00
Material		2- Sets Heat Shrinks	60.00	60.00
Material		2- 1-1/4" Check Valves	141.00	141.00
Material		600 feet 6-3 Subcable	2,475.00	2,475.00
Material		15- Rolls Tape	45.00	45.00
Boom Truck		Boom Truck	1,500.00	1,500.00

Total Due \$13,474.00

** Invoices not paid when due will be subjected to a finance charge of 1.5% per month

WE ACCEPT ALL MAJOR CREDIT CARDS !!

CARD TYPE: VISA MASTERCARD AMERICAN EXPRESS DISCOVER DINER'S CLUB OTHER _____

CARDHOLDER/NAME: _____ SIGNATURE: _____

CARD# _____ EXP. DATE: _____ CID # _____



P.O. Box 78 - 719 Route 6 - Mahopac, NY 10541

p: 845.628.3924 f: 845.628.4062

e: service@beeandjay.com

INVOICE

DATE	INVOICE #
7/1/2020	95051

www.BEEANDJAY.com

BILL TO:

Town of Carmel- CWD 7
 Engineering Dept.
 60 McAlpin Ave.
 Mahopac, NY 10541

SERVICE LOCATION:

Town of Carmel- CWD 7
 Vineland Pump Station
 Mahopac, NY

PROFESSIONAL SERVICE 56 YEARS 1964-2020

Master Plumbers Lic.#s W.C. 556 P.C. 363

CUSTOMER #	TERMS	MECHANIC	SERVICE DATE	WORK ORDER #	
845 628 2087	Due Upon Receipt	EK	7/1/2020	82186	
ITEM	QTY/HRS	DESCRIPTION		RATE	AMOUNT
Description		6/28/2020 - CWD# 7 Well #2 Pump Failure - Emergency due to lightening storms and power surges - burnt out submersible pump. 7/1/2020 - Pulled and replaced 5 hp Goulds pump motor and cable with all related parts and fittings, start up and returned to system and tested.			
Labor TOC Mech	8	1- Mech		175.00	1,400.00
Labor TOC Tech	8	1- Tech		185.00	1,480.00
Boom Truck		Boom Truck		1,500.00	1,500.00
Material		1- Goulds 230V 3 phase 5 hp Motor		1,718.00	1,718.00
Material		1- Goulds 25GS50 Pump End		1,682.00	1,682.00
Material		400 feet 6/3 Subcable		2,340.00	2,340.00
Material		2- HS-3 Large Heat Shrinks		60.00	60.00
Material		10- Rolls Tape		30.00	30.00
Material		1 -Torque Arrestor		40.00	40.00
Material		20- 1-1/4" Wire Guides		150.00	150.00

** Invoices not paid when due will be subjected to a finance charge of 1.5% per month

Total Due \$10,400.00

WE ACCEPT ALL MAJOR CREDIT CARDS !!

CARD TYPE: VISA MASTERCARD AMERICAN EXPRESS DISCOVER DINER'S CLUB OTHER _____

CARDHOLDER/NAME: _____ SIGNATURE: _____

CARD# _____ EXP. DATE: _____ CID # _____

U.S. Department of Labor
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)



Rev. Dec. 2008

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR OR SUBCONTRACTOR
BEE & JAY PLUMBING CORP.
 ADDRESS: **719 RT. 6 HANTON, N.J. 10541**
 PAYROLL NO. _____ FOR WEEK ENDING **7/4/20** PROJECT AND LOCATION **70 CHANNEL CUNEIFORM VARIANTS RA STATION** PROJECT OR CONTRACT NO. _____
 OMB No.: 1235-0008 Expires: 04/30/2021

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE	(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS				(9) NET WAGES PAID FOR WEEK				
							HOURS WORKED EACH DAY							FICA	WITH-HOLDING TAX
EUGENA KULON 152 HILLSIDE LAKE RD. WAPPINGER FALLS, NY.		PLB MCCB	7/3				1762.84								
			7/4	8										24	36.82 14.48
			7/5	8											
			7/6	8											
			7/7	8											
			7/8	8											
			7/9	8											
DANNY KULON 152 HILLSIDE LAKE RD. WAPPINGER FALLS, NY.		LABORER	7/3			1556.40									
7/4	8				24							41.53 23.32			
7/5	8														
7/6	8														
7/7	8														
7/8	8														
7/9	8														

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210

JUL-06-2020 13:59

BEE AND JAY PLUMBING

0456284062

P.03

Date 7/2/20

I, Theodora Kugler PRCS.
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by
BER + JAY PUB LITE CORP. on the
(Contractor or Subcontractor)

; that during the payroll period commencing on the
(Building or Work)
29 day of JUNE, 2020 and ending the 1 day of JULY, 2020

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

BER + JAY PUB LITE CORP. from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

- in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE Theodora Kugler PRCS SIGNATURE 

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION, SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

RESOLUTION #13

RESOLUTION AUTHORIZING REQUEST FOR PROPOSAL CARMEL WATER DISTRICT #2 TREATMENT PLANT DESIGN

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, hereby authorizes Town Engineer Richard J. Franzetti, P.E., to circulate proposals for engineering services for the design, preparation of bid documentation and construction administration services for the Carmel Water District #2 Treatment Plant.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

8/12/2020 Work Session Agenda Item #1

From: [Spofford, Ann](#)
To: [Barile, Michael](#); [Lombardi, Frank](#); [McDonough, Suzanne](#); [Schanil, Robert](#); [Schmitt, Kenneth](#)
Cc: [Pasquerello, Anne](#); [Greg Folchetti](#); [Daly, Alice](#)
Subject: Revised Retention and Disposition Schedule for New York Local Government Records - LGS-1
Date: Monday, August 3, 2020 2:43:41 PM
Attachments: [lgs-1_model_resolution_form.pdf](#)
[LGS-01 August 1, 2020.pdf](#)

Good afternoon all,

The New York State Archives and Records Administration has revised and consolidated their retention and disposition schedules. The schedules, which identify the minimum length of time that records must be retained before they may be legally disposed of, have been replaced with a single, comprehensive retention schedule for all types of local governments. The new schedule, Retention and Disposition Schedule for New York Local Government Records or LGS-1, will supersede and replace the MU-1 Schedule currently in use by towns, villages, and fire districts.

Local governments must adopt the LGS-1 between August 1, 2020 and January 1, 2021 by resolution (model attached) prior to utilizing it. Local government records may not be legally destroyed after the end of 2020 until the LGS-1 is formally adopted.

Please include this matter on the next available Work Session agenda and feel free to contact me with any questions.

Ann Spofford

Town Clerk
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541
Phone: 845.628.1500
Fax: 845.628.7434

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MODEL RESOLUTION

RESOLVED, By the _____ [title of governing body] of _____ [local government name] that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**Retention and
Disposition Schedule
for New York Local
Government Records
(LGS-01)**

2020



*New York State
Archives*



***RETENTION AND DISPOSITION SCHEDULE
FOR NEW YORK
LOCAL GOVERNMENT RECORDS (LGS-1)***

Section 185.15, 8NYCRR (Appendix L)

FOR USE BY

**CITIES
TOWNS
VILLAGES
FIRE DISTRICTS
COUNTIES
SCHOOL DISTRICTS
BOARDS OF COOPERATIVE EDUCATIONAL SERVICES
TEACHER RESOURCE AND COMPUTER TRAINING CENTERS
COUNTY VOCATIONAL EDUCATION AND EXTENSION BOARDS
MISCELLANEOUS LOCAL GOVERNMENTS**

**The University of the State of New York
THE STATE EDUCATION DEPARTMENT
New York State Archives
2020**

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CONTENTS

Purpose.....	x
About this Schedule	x
Previous Schedules Superseded.....	x
How to Use Retention and Disposition Schedule for New York Local Government Records	xi
Adoption of The Schedule and Requests for Additional Copies	xi
Arrangement of Items on the Schedule.....	xi
New or Revised Items.....	xii
Unique Item Numbering System	xii
Interpreting Schedule Items	xii
Exceptions to Applying Retention Periods Indicated in Schedule	xiii
Legal Actions.....	xiii
Audits.....	xiii
Additional Retention Requirement in Commissioner's Regulations	xiii
Records Created Before 1910.....	xiv
Records Not Listed on this Schedule.....	xiv
Records of Local Governments Where Disposition is Governed by Specific Laws	xv
Canceled Obligations.....	xv
Court Records in Municipal and County Offices	xv
Official Birth, Death, and Marriage Records.....	xvi
Records of New York City	xvi
Records of a County District Attorney	xvii
Records of a County Board of Elections.....	xvii
County Motor Vehicles Records Found in County Clerks' Offices.....	xvii
Records of District Superintendents of Schools	xvii
Records That Have Been Microfilmed or Electronically Duplicated.....	xvii
Electronic Records	xviii
Public Access to Records.....	xviii
Archival Records	xix
Appraising Records for Historical or Research Significance	xix
Suggestions for Records Disposition.....	xx
Important Reminders	xxi
More Information.....	xxiii
Model Resolution.....	xxiii

Records Descriptions and Retention Periods	1
General Administration.....	1
Census and Demographics	1
Corporation and Business Entities Filings	2
Education and Child Care	3
Ethics.....	5
Incidents	5
Legal	6
Meetings/Hearings	9
Office Administration	11
Public Relations	14
Services.....	17
Training.....	18
Aging or Senior Services	19
Archives/Records Management.....	20
Attorney, Counsel, or Public Defender.....	22
Building and Property Regulation	25
Building and Construction (Regulation and Inspection)	25
Building/Property History Systems	28
Planning	30
Zoning.....	32
Cemetery	35
Civil Defense/Disaster Preparedness	36
Community College.....	39
Academic Affairs	39
Alumni	41
Athletics	41
Counseling Services.....	43
Development.....	44
Disabled Students.....	44
Financial Aid.....	44
Fiscal.....	45
Housing	45
Instruction	46

Miscellaneous	47
President.....	51
Student Records	51
Community Development/Urban Renewal.....	56
Consumer Protection Services	59
Consumer Protection.....	59
Weights and Measures	59
Cooperative Extension Association	61
Basic Administrative Records.....	61
Food and Nutrition Education Programs	62
Miscellaneous	63
Coroner or Medical Examiner	66
County Clerk.....	68
Election	68
Liens.....	68
Miscellaneous	71
Mortgage Tax.....	74
Real Property	75
Dog Identification and Control	77
Economic/Industrial Development	79
Educational Opportunity Center	80
Election	84
Electric and Gas Utility.....	88
Energy	91
Environmental Health	92
Local Regulatory/Permitting Agency: Animal Industry and Veterinary Medicine.....	92
Local Regulatory/Permitting Agency: Miscellaneous	93
Local Regulatory/Permitting Agency: Oversight of Environmental Facilities.....	99
Local Regulatory/Permitting Agency: Community Sanitation and Food Protection	101
Environmental Facilities: General	103
Environmental Facilities: Stormwater and Wastewater Treatment	109
Environmental Facilities: Solid Waste Management Facilities	111
Environmental Management (Conservation advisory council)	116
Executive.....	118

Fiscal	119
Audit	119
Banking and Investment	119
Bonds and Notes	121
Budget	122
Claims and Warrants	123
General Accounting and Miscellaneous	124
Payroll	128
Purchasing	132
Reports	133
Games of Chance/Bingo/Lottery	135
Heritage Area (Urban Cultural Park)	136
Historian	138
Human Rights/Economic Opportunity	139
Information Technology	140
General Administration	140
Systems and Application Development	140
Network and Technology Services	142
Data Administration	148
Information Technology Support	148
Internet Services	149
Insurance	150
Juvenile Detention Facility	152
Library/Library System	154
Licenses and Permits	157
Local Development Corporation	160
Museum	163
Off-Track Betting Corporation	165
Personnel/Civil Service	169
Personnel	169
Civil Service	182
Port Facility	187
Probation	188
Public Access to Records	191

Public Administrator	193
Public Employment and Training	194
Public Health.....	195
General.....	195
Fiscal.....	196
Facility and Patient Services.....	197
Patient Case Records and Related Materials	199
Laboratory.....	203
Radiological Health	206
Miscellaneous	208
Public Property and Equipment	215
Public Safety	229
E-911 and Related Records.....	229
Computer-Aided Dispatch (CAD)	231
Public Safety: General	233
Emergency Medical Services.....	237
Fire Fighting and Prevention	238
♦ Length of Service Award Program for Volunteer Firefighters and Volunteer Ambulance Workers.....	241
Law Enforcement: General.....	242
Law Enforcement: Personal Property	246
Law Enforcement: Firearms	247
Law Enforcement: Motor Vehicles.....	248
Law Enforcement: Incarceration.....	250
Law Enforcement: Miscellaneous.....	253
♦ Law Enforcement: NYS Integrated Justice Portal and Related Records.....	257
Recreation	260
Parks, Recreational Programs and Civic Centers	260
People With Developmental Disabilities Recreational Programs	262
Camps	262
Regional Market Authority.....	265
School District and BOCES.....	266
Administration	266
Food Management and Child Nutrition	271
Gifted and Talented Programs	272

Health.....	273
Instruction	274
Magnet Schools.....	277
Nursing Education	278
School Safety	278
Special Education: Individual Student Records.....	281
Special Education: Financial Tracking and Reporting	284
Special Education: Program Administration	284
Special Education: Miscellaneous	285
Student Records: Academic Records.....	286
Student Records: Student Information Systems and Related Records	289
Student Records: Attendance Records.....	291
Student Records: Extra-Curricular Activities	292
Student Records: Miscellaneous.....	293
Supplemental Education Services.....	295
Teacher Resource and Computer Training Center.....	297
Transportation: School Bus Routing and Scheduling.....	299
Transportation: Other School Transportation Records	302
Social Services (County).....	304
Social Services (Other Than County)	312
Soil and Water Conservation	313
Taxation and Assessment.....	315
Real Property Taxation/Assessment Systems.....	315
Valuation and Assessment	317
Assessment Roll/Tax Roll.....	320
Tax Collection.....	322
Tax Redemptions and Sales	323
Miscellaneous	324
Transportation and Engineering.....	325
Airport.....	325
Highway, Engineering, and Public Works.....	328
Public Transportation System.....	335
Toll Bridge or Toll Road.....	340
Veterans' Services	341

Youth Services	342
Zoo	343
Subject Index	344

PURPOSE

This *Retention and Disposition Schedule for New York Local Government Records* indicates the minimum length of time that local government officials must retain their records before they may be disposed of legally. It consolidates and revises *Records Retention and Disposition Schedules CO-2, MU-1, MI-1, and ED-1*. It has been prepared and issued by the State Archives, State Education Department, pursuant to Section 57.25 of the Arts and Cultural Affairs Law, and Part 185, Title 8 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*.

The purposes of this Schedule are to:

- 1) ensure that records are retained as long as needed for administrative, legal and fiscal purposes;
- 2) ensure that state and federal record retention requirements are met;
- 3) ensure that records with enduring historical and other research value are identified and retained permanently; and
- 4) encourage and facilitate the systematic disposal of unneeded records.

ABOUT THIS SCHEDULE

This *Retention and Disposition Schedule for New York Local Government Records* provides a single, consolidated resource for all types of local governments to consult to determine the retention period for records they create. There are no longer separate retention schedules for different types of local governments. By consolidating multiple, disparate retention schedules, this schedule helps to ensure consistent retention and disposition guidance for records that are common to multiple types of local governments. This consolidated Schedule also facilitates modifications to retention periods when there are changes to laws, regulations or other mandates that affect retention.

PREVIOUS SCHEDULES SUPERSEDED

Retention and Disposition Schedule for New York Local Government Records supersedes and replaces *Schedules CO-2, MU-1, MI-1, and ED-1*, previously issued by the State Archives. **The consent of the Commissioner of Education to use these schedules is withdrawn, and they may not be used to dispose of records.** The governing body must utilize this *Retention and Disposition Schedule for New York Local Government Records* in order to dispose of any records.

HOW TO USE RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS

ADOPTION OF THE SCHEDULE AND REQUESTS FOR ADDITIONAL COPIES

Before any records listed on the *Retention and Disposition Schedule for New York Local Government Records* may be disposed of and even if the local government previously adopted *Schedules CO-2, MU-1, MI-1, and ED-1*, the governing body must formally adopt the Schedule by passing a resolution. A model resolution is included at the end of the Introduction to this Schedule. It is not necessary to send a copy of the passed resolution to the State Archives. The Schedule must be adopted no later than January 1, 2021. Upon adoption, this Schedule supersedes *Schedules CO-2, MU-1, MI-1, and ED-1*.

This Schedule may be used by the local government until the governing body rescinds its authorizing resolution, or the Schedule is superseded or replaced by the State Archives.

Additional paper or electronic copies of this Schedule can be obtained by calling the State Archives at (518) 474-6926 or emailing at recmgmt@nysed.gov. The Schedule is also available on the State Archives' website at <http://www.archives.nysed.gov>.

ARRANGEMENT OF ITEMS ON THE SCHEDULE

In general, items on the *Retention and Disposition Schedule for New York Local Government Records* are arranged as they were in the previous schedules, with a few significant exceptions:

- General Administration section: This new section combines the former General and Miscellaneous sections. In addition, it includes items that were duplicated in other sections including, but not limited to, the County Clerk and School District and BOCES sections.
- Executive section: This new section combines the former Supervisor, Mayor, Manager, and/or Administrator section in the *Schedule MU-1*; County Executive, Manager, and/or Administrator section in the *Schedule CO-2*; and the Executive, Manager, and/or Administrator section in the *Schedule MI-1*. In addition, the school superintendent's office files item, previously found in the *Schedule ED-1's* Administration section was folded into this new Executive section.
- School District and BOCES section: This new section retains the unique subsections of the *Schedule ED-1*, including Administration, Food Management and Child Nutrition, Gifted and Talented Programs, Health, Instruction, Magnet Schools, Nursing Education, School

Safety, Special Education, Student Records, Supplemental Education Services, Teacher Resource and Computer Training Center, Transportation: School Bus Routing and Scheduling, and Transportation: Other School Transportation Records.

NEW OR REVISED ITEMS

Items on this Schedule preceded by a diamond symbol (◆) are either new to this edition, or have been substantively changed from the previous edition. They may have longer or shorter retention periods, additional parts, or additional or revised explanatory notes. Please note these changes carefully on your office schedules and/or inventory or records control forms because only the current items as contained in this edition of the *Retention and Disposition Schedule for New York Local Government Records* are legally applicable.

UNIQUE ITEM NUMBERING SYSTEM

Items are assigned a unique identifying number. That number, which appears in bold will not change as items are revised or relocated in new editions of the *Retention and Disposition Schedule for New York Local Government Records*. Former unique numbers from previous schedules (*Records Retention and Disposition Schedules CO-2, MU-1, MI-1, and ED-1*) are noted to the right of the new unique number.

INTERPRETING SCHEDULE ITEMS

Many of the schedule items are broad and describe the purpose or function of records rather than identifying individual documents and forms. Local officials should match the records in their offices with the generalized descriptions on the Schedule to determine appropriate retention periods. Records whose content and function are substantially the same as an item described in the Schedule should be considered to be covered by that item. Local officials should check with the State Archives when they are uncertain regarding coverage of a function. In situations where local officials have combined related types of records, covered by different items in this Schedule, into a single file series, it may be impractical to separately apply the retention periods of the various applicable Schedule items to the individual records in the file. In such situations, officials may find it more convenient to dispose of the entire set of records by using the applicable retention item with the longest retention period.

Retention periods on this Schedule apply to one "official" copy designated by the local government unless otherwise stated. No matter what the medium, local officials must ensure that the information will be retained for the specified retention period.

The retention periods listed on this Schedule pertain to the information contained in records, regardless of physical form or characteristic (paper, microfilm, computer disk or tape, or other medium). Duplicate copies of records, including copies maintained on different media

(paper, electronic, etc.), may be disposed of in accordance with item no. 58 of the General Administration section of this Schedule.

EXCEPTIONS TO APPLYING RETENTION PERIODS INDICATED IN SCHEDULE

LEGAL ACTIONS

Some records may be needed to defend the local government in legal actions. Records that are being used in such actions must be retained for the entire period of the action even if their retention period has passed. **If the retention period has expired by the time the legal action ends, the record must be retained for at least one additional year** to resolve any need for the record in an appeal. If the retention period has **not** expired, the record must be retained for the remainder of the retention period, but not less than one year after the legal action ends. Prior to disposing of records, local officials may wish to consult with their county attorney to verify that no legal actions have been initiated which would require longer retention of the records.

AUDITS

Program and fiscal audits and other needs of state and federal agencies are taken into account when retention periods are established by the State Archives. However, in some instances agencies with audit responsibility and authority may formally request that certain records be kept beyond the retention periods. If such a request is made, these records must be retained beyond the retention periods until the local government receives the audit report or until the need is satisfied.

ADDITIONAL RETENTION REQUIREMENT IN COMMISSIONER'S REGULATIONS

The State Education Department's Office of the Professions oversees the professional conduct of licensed health professionals other than physicians, who are under the jurisdiction of the Department of Health. Section 29.2 of *8NYCRR* (Regulations of The Commissioner of Education) contains "General Provisions for the Health Professions." Paragraph 3 of subdivision a of this Section states that "unprofessional conduct" includes "failing to maintain records for each patient which accurately reflects the evaluation and treatment of the patient. Unless otherwise provided by law, all patient records must be retained for at least six years. . . . records of minor patients must be retained for at least six years, and until one year after the patient reaches the age of 21 years."

A number of health-related items on the Schedule contain minimum legal retention periods which permit disposition of records three years after a minor attains age 18. These items are mostly found

in the Personnel/Civil Service and Public Health sections. In these instances, certain records pertaining to minors must also be retained for an additional year if those records are subject to the Section 29.2 requirements for health professionals, other than physicians, employed by or associated with local governments. For additional information on this situation, contact the State Archives' Government Records Services.

RECORDS CREATED BEFORE 1910

Disposition of records created before 1910 requires specific written approval from the State Archives, as required by Section 185.6 (c) of *8NYCRR*, the Regulations of the Commissioner of Education. Certain records which would normally be disposable under this Schedule may need to be kept if created before 1910. Often these records have continuing historical or research value because:

- 1) Other documentation no longer exists. Many earlier records were destroyed through natural disaster or through destruction by public officials prior to the passage of the first state statute in 1911 requiring the consent of the Commissioner of Education to the disposition of local public records;
- 2) The volume and type of information contained in records have changed since the beginning of the 20th century. Older records often have more detailed and historically significant information than those produced today;
- 3) Early records sometimes have intrinsic value beyond the information they contain. "Intrinsic value" refers to qualities, such as value for exhibits, association with significant events, and aesthetic value, which records may possess beyond merely the information they contain. Further information on identifying records with intrinsic value is provided in the State Archives' Publication No. 36, *Intrinsic Value of Local Government Archival Records*.

Local officials desiring to dispose of any records created before 1910 should contact the State Archives, to obtain disposition request forms. **This requirement also applies to the disposition of original records predating 1910 which have been microfilmed.** The State Archives will review each request and advise the local government on retention or disposition of the records.

RECORDS NOT LISTED ON THIS SCHEDULE

This Schedule covers the vast majority of all records of local governments. For any record not listed, the Records Management Officer, or the custodian of the record, should contact the State Archives to determine if it is indeed covered by this Schedule and if a legal minimum retention period has been established. If not, the State Archives will consult with appropriate state and local officials and users of local government records and advise the local government on the disposition of the records. If the record is not covered by an item on this Schedule, it must be retained until a

revised edition of or addendum to the Schedule is issued containing an item covering the record in question and providing a minimum legal retention period for it.

Conversely, the State Archives has no legal authority to require local governments to create records where no records exist, even if the records in question are listed on this Schedule. Although there may be laws, regulations or other requirements that certain records must be created, those requirements do not originate from the State Archives. Instead, the purpose of this Schedule is to authorize the disposition of records which local governments maintain. The mere fact that a record is identified on this Schedule should not be interpreted as a requirement that the record must be created.

Local public benefit corporations (per Section 2 of the Public Authorities Law, those whose members are not appointed by the governor nor hold a civil office of the state) or other special purpose units of local government located in New York City may possess records not covered by this Schedule. Pursuant to Section 185.5 (c) of *8NYCRR* these local governments may use their own local records retention and disposition schedules in lieu of this Schedule. These local schedules must be approved by the State Archives. For additional information on this subject, contact the State Archives' Government Records Services.

RECORDS OF LOCAL GOVERNMENTS WHERE DISPOSITION IS GOVERNED BY SPECIFIC LAWS

Records of housing authorities are disposable according to Section 59 of the Public Housing Law.

Records of the Utica Transit Authority are disposable according to Section 68 of the Transportation Law.

CANCELED OBLIGATIONS

The disposition of canceled obligations (including bonds and notes) is covered by Section 63.10 of the Local Finance Law and Part 55 of Title 2 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*. Questions about the destruction procedure should be addressed to the Office of State Comptroller, Division of Legal Services, 110 State Street, Albany, NY 12236; phone: (518) 474-5586.

COURT RECORDS IN MUNICIPAL AND COUNTY OFFICES

Disposition of court records is governed by the state Office of Court Administration (OCA). Disposition schedules listing court records held by municipalities are available from OCA. For information, contact the Office of Records Management, Office of Court Administration, 25 Beaver Street, 8th floor, New York, NY 10004; phone: (212) 428-2875.

OFFICIAL BIRTH, DEATH, AND MARRIAGE RECORDS

Records of births, deaths, and marriages (dating after 1880) generated pursuant to Article 41 of the Public Health Law are considered state government records even though they are generated by or filed in local government offices. Disposition of state government records is governed by the provisions of Section 57.05 (11) of the Arts and Cultural Affairs Law. Disposition under this Law is also coordinated by the State Archives' Government Records Services. Vital records are authorized for disposition under the following Records Disposition Authorizations (RDAs):

- birth records (RDAs 19669, 19670, and 19671): Retain original paper record permanently unless the paper record is microfilmed or scanned in which case the microfilm or scanned copy should be kept permanently and the paper original can be destroyed after 3 years.
- death certificates (RDAs 19665, 19666, and 19667): Retain original paper record permanently unless the paper record is microfilmed or scanned in which case the microfilm or scanned copy should be kept permanently and the paper original can be destroyed after 3 years.
- marriage records (RDAs 19662, 19663, and 19664): Retain original paper record permanently unless the paper record is microfilmed or scanned in which case the microfilm or scanned copy should be kept permanently and the paper original can be destroyed after 3 years.
- burial transit records (RDAs 19239, 19240, and 19241): Retain original paper record permanently unless the paper record is microfilmed or scanned in which case the microfilm or scanned copy should be kept permanently and the paper original can be destroyed after 1 year.
- applications or requests for copies of vital records and general subject and correspondence records (RDA 19668): Destroy after 5 years

For more information, contact the State Archives or the Director's Office, Vital Records Section, New York State Department of Health, PO Box 2602, Albany, NY 12220-2602; phone: (518) 474-3055.

RECORDS OF NEW YORK CITY

While retention periods for records of New York City offices, boroughs, and public administrators are established by the New York City Department of Records and Information Services (DORIS), remember that all other local governments located in New York City, including counties, school districts and public benefit corporations, use retention schedules issued by the State Archives for records **other than** court records.

RECORDS OF A COUNTY DISTRICT ATTORNEY

Disposition of these records is presently covered by Section 89.2 of the Judiciary Law. Application must be made to the appropriate Judicial Department of the Appellate Division of the State Supreme Court.

RECORDS OF A COUNTY BOARD OF ELECTIONS

A schedule for disposition of records of county boards of elections was issued in 1996 by the State Archives and the State Board of Elections. This schedule covers only election records of county boards; general administrative records are listed on the *Retention and Disposition Schedule for New York Local Government Records*. Copies of this schedule are available on the State Archives' website: http://www.archives.nysed.gov/common/archives/files/mr_pub_electionschedule.pdf.

COUNTY MOTOR VEHICLES RECORDS FOUND IN COUNTY CLERKS' OFFICES

These records are **state** government records. Disposition of state government records is governed by the provisions of Section 57.05 (11) of the Arts and Cultural Affairs Law. Disposition under this Law are also coordinated by the State Archives' Government Records Services. For more information, contact the State Archives or the Records Management Officer, New York State Department of Motor Vehicles, Swan Street Building, ESP, Albany, NY 12228.

RECORDS OF DISTRICT SUPERINTENDENTS OF SCHOOLS

These records are considered records of the State Education Department (SED). Disposition of State government records is governed by the provisions of Section 57.05 (11) of the Arts and Cultural Affairs Law. Disposition under this Law is also coordinated by the State Archives' Government Records Services. For more information, contact the State Archives or SED's Records Management Officer. Contact the State Archives for the name and address/phone number of the current SED Records Management Officer.

RECORDS THAT HAVE BEEN MICROFILMED OR ELECTRONICALLY DUPLICATED

The retention and disposition of the originals of records that have been microfilmed or electronically duplicated is governed by Section 57.29 of the Arts and Cultural Affairs Law and State Archives' procedures. Please contact the State Archives for further information prior to beginning a program of microfilming or any other form of records duplication.

ELECTRONIC RECORDS

While items on this Schedule for the most part cover records regardless of the format in which they are maintained, electronic records in some subject areas are treated differently in this edition of the schedule. Some electronic records are listed specifically in the Building and Property Regulation, Environmental Health, Information Technology, Public Health, Public Safety, Taxation and Assessment, and Transportation and Engineering sections. Consult the State Archives' Regulations relating to electronic records (Section 185.8, *8NYCRR*), and contact the State Archives if you have any questions or problems after reviewing these requirements. Contact the State Archives as well if you need additional information on electronic records falling in the subject areas mentioned above.

Generally, records transmitted through e-mail systems have the same retention periods as records in other formats that are related to the same program function or activity. E-mail records should be scheduled for disposition in conjunction with any other records related to the program function. Local governments may delete, purge, or destroy e-mail records provided that the records have been retained for the minimum retention period established in this Schedule and are not being used for a legal action or audit. Transitory messages may be destroyed in a timely manner, using item no. 57 in the General Administration section of the Schedule. Further information on e-mail records, suggested filing practices, dealing with duplicate copies, and a sample e-mail policy are found on the State Archives' website at <http://www.archives.nysed.gov>. Contact the State Archives for additional information.

If an official set of records is maintained offline, any electronic records posted to the government's website for distribution may be considered duplicate records and may be disposed of when no longer needed. A web crawl that captures and preserves an entire or parts of a website may be considered a publication and is covered by item no. 68 in the General Administration section.

PUBLIC ACCESS TO RECORDS

This Schedule does not address the issue of public access to records. Access issues are not covered by the Local Government Records Law but are covered by the Freedom of Information Law (Public Officers Law, sections 84 through 90). The State Archives urges local government officials to consult with their own counsels, the Committee on Open Government which administers the Freedom of Information Law (see below), or the state or federal agency having oversight over the records in question.

The Committee on Open Government is responsible for administering the Freedom of Information Law, which governs rights of access to government records. (The Committee also administers the Open Meetings Law which concerns the conduct of meetings of public bodies and the right to attend those meetings.) The Committee can provide written or oral advice and mediate in controversies in which rights may be unclear. For more information or advice, please contact:

Committee on Open Government
NYS Department of State
One Commerce Plaza
99 Washington Avenue, Suite 650
(518) 474-2518

ARCHIVAL RECORDS

Archival records are records that governments must keep permanently to meet fiscal, legal, or administrative needs of the government or which the government retains because they contain historically significant information. Records do not have to be old to be archival; local officials create and use archival records daily in offices. What makes a record worthy of permanent retention and special management is the continuing importance of the information it contains.

When the State Archives has determined that a record series has enduring historical or other research significance for all local governments, the series has been given a **PERMANENT** designation on the Schedule. Other record series which may have historical or research significance in some local governments but not in others have an appraisal note to encourage local officials to evaluate the records to determine their importance prior to disposition. However, the State Archives cannot identify all record series with historical or research significance for individual local governments. Knowledge of people, places, or events in each community and the unique circumstances of each government will determine which records are significant. **Local officials will need to appraise records with nonpermanent retention periods for potential research or historical value before destroying them.**

The usefulness of archival records depends on the government's ability to preserve them, retrieve the information they contain, and make that information available to staff and researchers. Further information on managing archival records is provided in the State Archives' Publication, *Fundamentals of Managing Local Government Archival Records*.

APPRAISING RECORDS FOR HISTORICAL OR RESEARCH SIGNIFICANCE

Some items in this Schedule contain an appraisal note, e.g., “appraise for historical value.” A local government record has historical or other research importance if it provides significant evidence of how the government functions and/or if it provides significant information about people, places

or events that involve the government. Since each community has its own unique history, the importance or value of a record series may vary from local government to local government.

Because local governments are continually involved in the lives of people, their records may contain a tremendous amount of information about the people who live there, the buildings and sites within their borders, and the important time periods or significant events that affected the people of the region. Government records can reveal information about what people owned; about attitudes, values and concerns of the citizens; about how the construction of a new highway led to the end of a neighborhood; or about how a community reacted to a military base closing. The records may contain information about the people, places or events themselves or about the decisions made in relation to them. This information can be very valuable to staff, researchers, and the public, but only if the information itself is significant. The records must contain enough information to adequately document the people, places, or events recorded. The significance of the records will depend on:

- **When the records were created:** records created during a time of momentous change, which are scarce or which cover a long period of time tend to be more significant.
- **What kind of information the records contain:** records that contain more in-depth information are more likely to have enduring value.
- **Who created the records:** records that reflect an employee's perspective or individual point of view may be more significant.
- **What other records exist:** if the information in the records exists in other records within the local government or elsewhere in the state or country, then the records are less likely to be significant.
- **The unique history of the local government or community:** records created during important time periods or events can provide clues to how the events affected the development of the government and the community it serves.

The historical or other research importance of records will vary from local government to local government and from region to region. The people, places, or events in each community, and the unique circumstances of each government, determine which records are significant. Further information on identifying historically significant records is provided in the State Archives' Publication, *Appraisal of Local Government Records for Historical Value*. State Archives' staff can also advise and assist local officials who are appraising records for potential long-term research value.

SUGGESTIONS FOR RECORDS DISPOSITION

Once this Schedule has been formally adopted valueless records may be disposed of continually as they meet their stated minimum retention periods. The advantages of a program for systematic, legal disposal of obsolete records are that it

- 1) ensures that records are retained as long as they are actually needed for administrative, fiscal, legal, or research purposes;
- 2) ensures that records are promptly disposed of after they are no longer needed;
- 3) frees storage space and equipment for important records and for new records as they are created;
- 4) eliminates time and effort required to service and sort through superfluous records to find needed information;
- 5) eliminates the potential fire hazard from storage of large quantities of valueless records; and
- 6) facilitates the identification and preservation of archival records.

Suggestions for systematically approaching the disposition process include the following:

- (A) Section 57.19 of the Arts and Cultural Affairs Law requires each local government to designate a Records Management Officer to coordinate or directly carry out disposition. The duties of a Records Management Officer are found in Section 185.2 of *8NYCRR*. Contact the State Archives for additional information.
- (B) Disposition should be carried out regularly, at least once a year. It should not be deferred until records become a pressing storage problem. Duplicate copies of records, including copies maintained on different media (paper, electronic, etc.), may be disposed of in accordance with item no. 58 of the General Administration section of this Schedule.
- (C) State law does not prescribe the physical means of destruction of most records. Records may be destroyed in any way the Records Management Officer or other local official chooses. Disposition through consignment to a paper recycling plant is often the best choice as it helps conserve natural resources and may also yield revenue for the local government. For records containing confidential information, disposition should be carried out in a way that ensures that the confidentiality of individuals named in the records is protected.
- (D) A record should be kept of the identity, inclusive dates, and approximate quantity of records that are disposed. Sample disposition forms are available from the State Archives.
- (E) The Records Management Officer, or other official who carries out disposition, should describe what has been done to dispose of records during the year in an annual report to the governing body.

IMPORTANT REMINDERS

1. Local governments must adopt this Schedule prior to its use and by January 1, 2021.

2. Records created before 1910 (even those which have been microfilmed) are not eligible for disposition without written permission from the State Archives.
3. No records may be disposed of unless they are listed on this Schedule, or their disposition is covered by other state laws.
4. Records common to most offices are listed under the General Administration section of the Schedule. You should first attempt to locate a specific item under a functional heading. If the record you are locating cannot be found under a functional heading, then proceed to this General Administration section to search for a less specific item covering the record.
5. Records being used in legal actions must be retained for one year after the legal action ends, or until their scheduled retention period has passed, whichever is longer.
6. Any record listed in this Schedule for which a Freedom of Information (FOIL) request has been received should not be destroyed until that request has been answered and until any potential appeal is made and resolved, even if the retention period of the record has passed.
7. Records being kept beyond the established retention periods for audit and other purposes at the request of state or federal agencies must be retained until the local government receives the audit report, or the need is satisfied.
8. Retention periods on this Schedule apply to one "official" copy designated by the local government, unless otherwise stated.
9. The retention periods listed on this Schedule pertain to the information contained in records, regardless of physical form or characteristic (paper, microfilm, computer disk or tape, or other medium).
10. The State Archives has no legal authority to require local governments to create records where no records exist, even if the records in question are listed on this Schedule.
11. The new General Administration section combines the former General and Miscellaneous sections. In addition, it includes items that were duplicated in other sections including, but not limited to, the County Clerk and School District and BOCES sections. The new Executive section combines Supervisor, Mayor, Manager, Administrator, County Executive, and Executive sections, and the school superintendent item into one section. The new School District and BOCES section retains the unique subsections of the Schedule ED-1, including Administration, Food Management and Child Nutrition, Gifted and Talented Programs, Health, Instruction, Magnet Schools, Nursing Education, School Safety, Special Education, Student Records, Supplemental Education Services, Teacher Resource and Computer Training Center, Transportation: School Bus Routing and Scheduling, and Transportation: Other School Transportation Records.

12. The State Archives cannot identify all record series with historical significance for individual local governments. Local officials will need to appraise records with nonpermanent retention periods for potential research or historical value before destroying them.
13. Certain health-related records may need to be retained for one year longer than this Schedule dictates if those records are subject to the requirements stated in Section 29.2 of *8NYCRR*.
14. The Local Government Records Law and this Schedule do not address confidentiality of records. Confidentiality of records is often dependent upon what information they contain. Local officials should address such questions to the Committee on Open Government, their own counsels, or other state or federal agency having oversight of the records in question.

MORE INFORMATION

State Archives staff will help local governments interpret and use this Schedule. The State Archives hopes to refine, update, and reissue this Schedule periodically, and welcomes suggestions for improvements in content and format. The State Archives also issues publications on local government records administration and provides advice and assistance to local governments on records management and archival administration problems. For more information contact:

New York State Archives
9A47 Cultural Education Center
Albany, NY 12230
phone: (518) 474-6926
email: recmgmt@nysed.gov
website: <http://www.archives.nysed.gov>

MODEL RESOLUTION

RESOLVED, By the _____ [title of governing body] of _____ [local government name] that *Retention and Disposition Schedule for New York Local Government Records*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records* after they have met the minimum retention periods described therein;

- b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

RECORDS DESCRIPTIONS AND RETENTION PERIODS

GENERAL ADMINISTRATION

NOTE: Records common to most offices are listed under this section of the Schedule. In using the Schedule, one should first attempt to locate a specific item under a functional heading. If the record you are locating cannot be found under a functional heading, then proceed to this General Administration section to search for a less specific item covering the record.

◆ **NOTE:** Some of these items appeared in the Miscellaneous and County Clerk sections of previous schedules.

Census and Demographics

- 1 CO2 186, MU1 335, MI1 281
Census records
of all regular and special local, New York State and Federal censuses:
RETENTION: PERMANENT
- 2 CO2 351, MU1 322,
Certificate of population,
received from federal Bureau of the Census, filed with county or municipality after each census enumeration:
RETENTION: PERMANENT
- ◆ 3 CO2 736, MU1 331,
Out-of-state or other unofficial marriage, birth, death or divorce records, separation, or annulment records
filed with clerk for informational purposes:
RETENTION: 0
- 4 CO2 738, MU1 743,
Domestic partnership statement,
notice of termination, and related records, filed with municipality or county:
RETENTION: PERMANENT
- 5 CO2 353, MU1 324,
Military service and militia assessment records:
RETENTION: PERMANENT

Corporation and Business Entities Filings

- 6 CO2 182, MU1 740,
Assumed business name certificates
 (D.B.A.-Doing Business As) and related materials
- a Assumed business name certificate:
 RETENTION: 6 years after discontinuance filed
 - b Assumed business name certificate index:
 RETENTION: PERMANENT
- 7 CO2 189, MU1 741,
Register of professions,
 including nurses, midwives, doctors and other professionals:
 RETENTION: PERMANENT
- ◆ 8 CO2 367, MU1 338, ED1 172, MI1 282
Minority-, and women-, or disadvantaged-owned business files,
 covering minority-, women-, or disadvantaged-owned (MWBE and DBE) businesses
 doing business with or in the jurisdiction of a local government
- a Summary record listing businesses, eligibility criteria and official government
 policy statement:
 RETENTION: PERMANENT
 - b Detailed application/questionnaire/response completed by business:
 RETENTION: 5 years after date of most recent entry in record
 NOTE: Appraise these records for historical significance prior to disposition. If
 the local government uses its own rather than statewide criteria for approving
 these businesses, then these records may document minority-, women-, or
 disadvantaged-owned businesses operating in the community.
 - c Directory of state-approved minority-, women-, and disadvantaged-owned
 businesses, maintained by State Department of Economic Development or New
 York State Unified Certification Program:
 RETENTION: 0 after superseded
 - d Other records, including job quotes, bid lists, referrals, credit and character
 references and affidavits, but not including summary record, detailed
 application/questionnaire/response, eligibility criteria and official government
 policy statement, and state-supplied directory of businesses:
 RETENTION: 6 years after contract expiration
- ◆ 9 CO2 169, MU1 330,
Chattel mortgages and conditional sales
 NOTE: Local governments may wish to consider long-term or permanent retention for
 chattel mortgage records since documentation often contains information about debtor-
 creditor relations and transactions, as well as prove useful for social history.
- a Index volume or other master listing of chattel mortgages and/or conditional
 sales:

RETENTION: PERMANENT

- b Chattel mortgage or conditional sale contract and satisfaction:
RETENTION: 0

- 10 MU1 327,
Public utility gross income tax return,
filed with city or village receiving tax payment from utility:
RETENTION: 6 years

- 11 CO2 863,
Copy of inspection and/or investigation report,
relating to licensing and operation for non-profit organization conducting bingo or
games of chance:
RETENTION: 1 year

- ◆ 12
Lottery, raffle, or other fund-raising game or event records,
except bingo or games of chance, when operated by local government:
RETENTION: 3 years

NOTE: Records relating to licensing of bingo or games of chance by local governments are covered under the Games of Chance/Bingo/Lottery section.

- 13 CO2 363,
Liquor license and excise certificate records:
RETENTION: PERMANENT

- 14 MU1 738,
Power generating facility licensing records,
covering all records submitted to municipality as part of nuclear power, hydropower, cogeneration or other power facility licensing or relicensing process, including but not limited to maps and plans, construction specifications, reports and studies, copies of applications, copies of court transcripts and environmental data collected as part of application process
 - a Copies held by municipality where facility (or proposed facility) is located:
RETENTION: PERMANENT
 - b Copies held by other municipalities in the area, supplied by applicant for informational purposes:
RETENTION: 0 after no longer needed

Education and Child Care

◆ **NOTE:** Records in this section do not apply to school districts, BOCES, or community colleges. School-related records are covered in the School Districts and BOCES and Community Colleges sections.

- 15 CO2 364, MU1 325,
School district records,
 submitted to county, town, or village prior to consolidation of school districts into centralized districts
- a Basic records, including but not limited to school district trustees' minutes; school commissioners' reports; school district "record books"; records of district formation, alteration or consolidation; teacher hiring and salary records; school fund and other accounting ledgers; attendance records; school censuses; district tax rolls or lists; school library reports and book lists; certificates of apportionment; and annual and special reports:
 RETENTION: PERMANENT
 - b Supporting fiscal and administrative documentation, including but not limited to receipts, warrants and orders to pay, canceled checks, bank statements, and routine correspondence:
 RETENTION: 6 years
- 16 CO2 1055, ED1 470, MI1 907
Child day care program records
- a Participant records, including applications to attend day care program; children's immunization and health records, including parent's consents for emergency medical treatment; and related records:
 RETENTION: 3 years after child attains age 18
 - b Program records not covered by other items on this Schedule, including those required to be maintained by 18NYCRR Sections 414.15, 418-1.15 and 418-2.15, including program registration records; video surveillance tapes; daily attendance records; staff health statements; Statewide Central Register clearance forms and related records; documentation of facility compliance with Uniform Fire Prevention and Building Code and other state requirements; description of program activities; and related records:
 RETENTION: 6 years or 6 years after superseded or obsolete, whichever is longer
 - c Applications from parent/guardian for enrollment of child in program, where child is not accepted or is not enrolled in program:
 RETENTION: 3 years
- 17 CO2 360,
Handicapped child's case folder related to child's education,
 containing records created in compliance with Article 89, Education Law:
 RETENTION: 0 after individual attains age 27
- 18 CO2 857, MU1 340,
List of community college students residing in municipality:
 RETENTION: 0 after superseded or obsolete
- 19 CO2 362, MU1 735,

Certificate of residency

issued to person enrolling in a community college:

RETENTION: 6 years

20 CO2 361,

Student's individual case folder for county medical scholarship program:

RETENTION: 6 years after individual fulfills or defaults on contract

Ethics

21 CO2 366, MU1 337, ED1 463, MI1 733

Financial or political interest disclosure records,

filed by vendor or contractor doing business with the local government:

RETENTION: 6 years

22 CO2 860, MU1 737, ED1 464, MI1 906

Annual financial disclosure statements,

filed by local political party official or candidate for local elected office, pursuant to Section 812.1 (a), General Municipal Law:

RETENTION: 7 years

23 CO2 866, MU1 891, ED1 461, MI1 738

Lobbying activity records,

including but not limited to registration records and periodic reports of lobbying activity filed with the New York State Joint Commission on Public Ethics:

RETENTION: 3 years

Incidents

24 CO2 31, MU1 31, ED1 31, MI1 31

Accident report

and related records:

RETENTION: 3 years, or 0 after individual attains age 21, whichever is later

25 CO2 17, MU1 17, ED1 17, MI1 17

Internal investigation or non-fiscal audit records

NOTE: Fiscal audit records are covered by item no. 472 in the Fiscal section, Audit subsection. Investigations of personnel are covered by item no. 637 in the Personnel/Civil Service section, Personnel subsection.

a Report and recommendation resulting from investigation:

RETENTION: PERMANENT

b Background materials and supporting documentation:

RETENTION: 6 years

26 CO2 32, MU1 32, ED1 32, MI1 32

Report of incident of theft, arson, vandalism, property damage or similar occurrence:

RETENTION: 6 years

NOTE: This item does not apply to records found in the public safety area. See the Public Safety section of this Schedule. For records of responses to threats against public and other facilities, and discovery of possible explosives, pathogens or other hazardous substances, see item no. 925 in the School District and BOCES section.

◆ 27 CO2 865, MU1 890, ED1 140, MI1 737

Child abuse or maltreatment reports

and related records, reporting agency copy

NOTE: This item covers copies of child abuse and maltreatment reports and related records retained by agencies reporting suspected abuse and maltreatment to the State Central Register or to child protective services units of county social services departments. Reporting agencies may be in such areas as education, youth services and recreation. Reporting copies maintained by law enforcement agencies are covered by item no. 1281 in the Public Safety section, Law Enforcement: Miscellaneous subsection.

a For sexual offenses against a child as defined by the Child Victims Act:

RETENTION: 0 after child attains age 55

b For all other offenses:

RETENTION: 3 years

28 CO2 354, MU1 328, ED1 459, MI1 277

Noise level monitoring records,

including but not limited to summary records, showing long-term trends and developments and original entry and intermediary records, including charts, graphs and statistics:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of summary records, showing long-term trends and developments, in cases where noise levels are a matter of public concern. Contact the State Archives for additional advice in this area.

Legal

◆ **NOTE:** Additional legal records are covered under the Attorney, Counsel, or Public Defender section.

29 CO2 4, MU1 4, ED1 4, MI1 4

Legal opinion

or legal directive rendered by local, state, or federal government agency:

RETENTION: PERMANENT

- 30 CO2 5, MU1 5, ED1 5, MI1 5
Local law (including certification that law was properly enacted), rule, regulation, ordinance, resolution, proclamation or court order:
RETENTION: PERMANENT
- 31 CO2 858, MU1 342,
Local law or ordinance violation records,
not related to zoning ordinance violation
 - a For alleged but unfounded violation:
RETENTION: 1 year
 - b Violation files:
RETENTION: 6 years after date of last entry in record
 - c Master summary record of violations:
RETENTION: PERMANENT
- 32 CO2 6, MU1 6, ED1 6, MI1 6
Legal agreement,
including contract, lease, and release involving local government:
RETENTION: 6 years after expiration or termination or 6 years after final payment under contract, whichever is later
NOTE: This item does not apply to contracts (collective bargaining agreements) between a local government and a public employee labor organization. These contracts are covered by item no. 649 in the Personnel/Civil Service section, and must be retained permanently.
- 33 CO2 7, MU1 7, ED1 7, MI1 7
Signature card,
or equivalent record, showing signature of individual legally authorized to sign specific transaction:
RETENTION: 6 years after authorization expires or is withdrawn
- 34 CO2 195, MU1 742,
Notary public and Commissioner of deeds
appointment records, including but not limited to commission, certificate of official character, certificate of appointment and oath:
RETENTION: 6 years after each authorization expires or is withdrawn
- ◆ 35
Notices of appearance,
filed by individual retained by another person or group to represent them at an appearance before the governing body or department:
RETENTION: 3 years
- 36 CO2 8, MU1 8, ED1 8, MI1 8
Proof of publication or posting,

legal notices, or certification thereof

NOTE: This item does not apply to real property tax lien sales (see item no. 1051 in the Taxation and Assessment section).

- a Relating to bond or note issue or tax limit increase:
RETENTION: 6 years after issue or increase disapproved or retired
- b Not relating to bond or note issue or tax limit increase:
RETENTION: 6 years

◆ 37

Copy of order of protection for student or employee at school or place of employment,

pursuant to Article 530, Criminal Procedure Law:

RETENTION: 6 months after order expires or otherwise becomes invalid

38 CO2 350, MU1 321,

Reapportionment or establishment plan

for legislative body, including background materials:

RETENTION: PERMANENT

39 CO2 352, MU1 323,

Official record of street name and/or street address changes:

RETENTION: PERMANENT

40 CO2 855, MU1 326,

District reference file,

covering school, (special) improvement, and fire districts

- a Records documenting the establishment, extension, alteration, consolidation or dissolution of district, including but not limited to petition, records of public hearing, correspondence with New York state agencies, maps, surveys, special reports and studies, and photographs:
RETENTION: PERMANENT
- b Background materials and supporting documentation, including but not limited to periodic reports, routine correspondence, memoranda and copies of district budgets:
RETENTION: 6 years

41 CO2 356, MU1 334, MI1 280

Governmental establishment and reorganization records,

covering establishment, incorporation, annexation, consolidation, dissolution or charter revision, for political subdivision, including but not limited to petitions, special studies and surveys, correspondence with state agencies, records of voter action and reports:

RETENTION: PERMANENT

42 CO2 357,

Notification of proposed zoning change,

received from municipality adjoining county:

RETENTION: 1 year

- 43 CO2 359,
Records created in the establishment, change, or dissolution of a county water, sewer, drainage, refuse or agricultural district,
regardless of approval or denial:
RETENTION: PERMANENT

- 44 CO2 856, MU1 336,
Historic preservation records,
including but not limited to background files relating to proposed historic preservation legislation, historic district and/or structure designation, records and case files for proposed external modifications to structures with historic designations:
RETENTION: PERMANENT

- 45 CO2 368, MU1 339, ED1 173, MI1 283
Record of gifts and bequests to a local government,
including copy of will, copies of deeds, maps and surveys (if applicable) and records of establishment of and use of monies generated by trust fund or endowment

NOTE: This does not apply to donations of real property, which are covered by item no. 803 in the Public Property and Equipment section.

- a When trust fund or endowment is involved:
RETENTION: PERMANENT
- b For gift of work of art, historical or other artifact or historical manuscript:
RETENTION: PERMANENT
- c For gift or bequest not covered under parts "a" or "b", or by note above:
RETENTION: 6 years

- 46 CO2 859, MU1 736, MI1 734
Community service records,
showing time worked and type of tasks performed by person sentenced by court to community service:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

Meetings/Hearings

- 47 CO2 1, MU1 1, ED1 1, MI1 1
Official minutes and hearing transcripts of governing body or board, commission or committee thereof,
including all records accepted as part of minutes:
RETENTION: PERMANENT

- ◆ 48 CO2 3, MU1 3, ED1 3, MI1 3

Meeting files of governing body or board or agency, commission or committee thereof,

including agendas, background materials and other records used at meetings

NOTE: Appraise these records for continuing administrative or historical value prior to disposition. Agendas may have continuing administrative value and may be useful for accessing information in unindexed minutes and for indexing those minutes. Other records prepared for or used at meetings may have administrative or historical value for documenting issues discussed at the meetings and referenced in the minutes. See item no. 47, above, for records which are accepted as part of the minutes.

- a Records not accepted as part of the minutes, including agendas, background materials and other records used at meetings:
RETENTION: 1 year
- b Temporary drafts or personal notes that were not circulated, reviewed, or used to make decisions or complete transactions:
RETENTION: 0 after no longer needed

◆ 49**Minutes and meeting files of non-governing bodies,**

including internal staff committees or teams, inter-agency teams, or entities not covered by Public Officers Law Article 7 (Open Meetings Law), documenting proceedings of meetings, including minutes, agendas, background materials, recordings, and other records

NOTE: See item nos. 47, 48, and 51 for minutes, recordings, and meeting files of governing bodies or entities covered by the Open Meetings Law.

- a Documenting significant policy or decision making or significant events, or dealing with legal precedents or significant legal issues:
RETENTION: PERMANENT
- b Containing routine legal, fiscal or administrative information:
RETENTION: 6 years
- c Of no fiscal, legal or administrative value:
RETENTION: 0 after no longer needed

◆ 50**External group meeting files,**

including minutes, agendas, background materials, studies and reports, and other records used by an employee acting in an official capacity with associations, organizations, or other groups that are not part of the local government:

RETENTION: 0 after no longer needed

◆ 51 CO2 2, MU1 2, ED1 2, MI1 2**Recording of voice conversations,**

including audio and video recordings, stenotype or stenographer's notebook and also including verbatim minutes used to produce official minutes and hearing proceedings, report, or other record

- a Recording of public or other meeting of governing body or board, committee or commission thereof:
RETENTION: 4 months after transcription or minutes are created
NOTE: Industrial development agencies are required to post video recordings of all open meetings and public hearings on their websites for a period of not less than five years pursuant to Section 857, General Municipal Law. Appraise these records for historical significance prior to disposition. Audio and videotapes of public hearings and meetings at which significant matters are discussed may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice on the long-term maintenance of these records. Video recordings of public hearings and meetings which have been broadcast on local government public access television are covered by item no. 72.
- b Other recordings:
RETENTION: 0 after no longer needed

Office Administration

52 CO2 9, MU1 9, ED1 9, MI1 9

Manual of procedures,
or policies and standards

- a Involving major procedures, policies and standards affecting local government operations, critical functions or issues of public visibility or concern:
RETENTION: PERMANENT
NOTE: Disaster plans are covered by item 139 in the Civil Defense/Disaster Preparedness section.
- b Involving routine day-to-day procedures, policies and standards pertaining to internal administration of a local government:
RETENTION: 6 years after superseded

53 CO2 10, MU1 10, ED1 10, MI1 10

Correspondence,

and supporting documentation maintained in a subject file (generated or received by a local government), except correspondence that is part of a case file or other record series listed elsewhere on this Schedule

- a Documenting significant policy or decision making or significant events, or dealing with legal precedents or significant legal issues:
RETENTION: PERMANENT
NOTE: Significant correspondence is often maintained by the chief executive or administrative officer, and sometimes in subject file format. See item no. 471 in the Executive section.
- b Containing routine legal, fiscal or administrative information:
RETENTION: 6 years
- c Of no fiscal, legal or administrative value (including letters of transmittal,

invitations and cover letters):

RETENTION: 0 after no longer needed

54 CO2 12, MU1 12, ED1 12, MI1 12

Special project or program files,

including official copy of publications, videotapes, or informational literature prepared for public distribution, background materials and supporting documentation:

RETENTION: 6 years after project or program ends

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. If special projects or programs deal with significant subjects, then certain documentation from these files, such as summary reports and resulting publications, should be retained permanently.

55 CO2 13, MU1 13, ED1 13, MI1 13

Grant program file

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Federal emergency management and disaster response grants are covered under item no. 147 in Civil Defense/Disaster Preparedness section.

- a Application, proposal, narrative, evaluation, and annual report for grants that have been awarded:

RETENTION: 6 years after renewal or close of grant

NOTE: Local governments may find that some of the records covered by part "a" have ongoing administrative value. These records may be useful beyond the minimum retention period for preparing future grant applications.

- b Background material, fiscal records, and supporting documentation for grants that have been awarded and all records relating to grant applications that have been rejected:

RETENTION: 6 years after renewal or close of grant or denial of application

56 CO2 867, MU1 892, MI1 739

Project review records,

covering projects requiring approval by the Adirondack Park Agency, Lake George Park Commission, or other government entity or agency, where local government receives records for comment or review, or for informational purposes

- a When permit or other approval must be granted by local government involved:
RETENTION: Retain as long as related building, land use, planning, zoning, or environmental permit or approval

- b When no permit or approval by local government is needed, and records are received for comment or informational purposes only:

RETENTION: 3 years after date of most recent entry

57 CO2 18, MU1 18, ED1 18, MI1 18

Internal information record,

including but not limited to calendars of appointments, office and travel schedule,

memoranda and routing slips, routine internal reports, reviews and plans, used solely to disseminate information or for similar administrative purposes:

RETENTION: 0 after no longer needed

58 CO2 19, MU1 19, ED1 19, MI1 19

Duplicate copy of record,

created for administrative convenience, except where retention is specified elsewhere in this Schedule:

RETENTION: 0 after no longer needed

59 CO2 20, MU1 20, ED1 20, MI1 20

Log or schedule

used for internal administrative purposes only:

RETENTION: 0 after no longer needed

60 CO2 21, MU1 21, ED1 21, MI1 21

Mailing list

used for billing or other administrative purposes:

RETENTION: 0 after superseded or obsolete

61 CO2 25, MU1 25, ED1 25, MI1 25

List, index or summary

used for internal administrative convenience or for informational purposes:

RETENTION: 0 after obsolete

62 CO2 26, MU1 26, ED1 26, MI1 26

Working document,

such as draft, worksheet or posting record except worksheets containing fiscal information:

RETENTION: 0 after no longer needed

63 CO2 27, MU1 27, ED1 27, MI1 27

Communication log

recording each communication between caller and receiving unit:

RETENTION: 1 year

NOTE: Item nos. 63 and 64 do not apply to records found in the public safety area. See the Public Safety section.

64 CO2 28, MU1 28, ED1 28, MI1 28

Telephone call log, statement or equivalent record:

RETENTION: 1 year

65 CO2 33, MU1 33, ED1 29, MI1 29

Identification card

(duplicate copy or record of issuance) issued to student, client, patron or resident:

RETENTION: 0 after invalid

NOTE: This does not apply to identification cards issued by a law-enforcement agency as proof of age or identity or identification cards issued by local government to its employees. For these, see item no. 1231 in the Public Safety section and item no. 642 in the Personnel/Civil Service section.

- 66 CO2 30, MU1 30, ED1 30, MI1 30

Postal records,

including returned registered or certified mail card or receipt and insurance receipt:

RETENTION: 1 year

NOTE: This does not apply to records documenting delivery of notification to interested parties relating to tax lien sales. See the Taxation and Assessment section of this Schedule.

- 67 CO2 861, MU1 739, ED1 460, MI1 735

Miscellaneous non-government records,

received by local government:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records which document the history of the community and its citizens may have continuing value for historical or other research and should be retained permanently. These records may contain valuable information which supplements records created by the local government itself. Records not retained permanently may be offered to a local historical records repository. Contact the State Archives for additional advice. Upon the receipt of these non-public records by a local government, these records become "local government records." Published materials received by a local government are not considered to be public records.

Public Relations

- 68 CO2 11, MU1 11, ED1 11, MI1 11

Official copy of publication,

including newsletter, press release, published report, calendar, bulletin, recording, homepage or other website file, educational or informational program material prepared by or for local government, and associated consent forms

NOTE: Specific publications are listed in other places in this Schedule. Before using this item to determine the minimum legal retention for a publication, determine if that publication is covered by a more specific item.

- a Publications which contain significant information or substantial evidence of plans and directions for government activities, or publications where critical information is not contained in other publications:

RETENTION: PERMANENT

- b Publications where critical information is also contained in other publications or reports, publications which document routine activities, publications which contain only routine information, or publications (such as webpages) that

facilitate access to government information on the Internet:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of samples of publications covered by part "b" of the above item. Contact the State Archives for additional advice in this area.

- ◆ 69 CO2 720, MU1 654, ED1 398, MI1 582

Records covering photocopying and other reproduction

of records, books, or other materials, including usage logs and individual copying requests

- a For materials subject to U.S. Copyright Law:
RETENTION: 5 years
- b For materials not subject to U.S. Copyright Law:
RETENTION: 0 after no longer needed

- 70 CO2 721, MU1 861, ED1 399, MI1 583

Copyright records,

for materials copyrighted by local government, including but not limited to copy of application, notice of copyright and correspondence:

RETENTION: 6 years after copyright expires or application denied

- 71 CO2 864, MU1 889, ED1 393, MI1 736

Photographs, other visual media, or audio/video records,

including aerial photographs and consent forms, created by a local government, which are not part of a record series listed elsewhere in this Schedule:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Some photographs and other visual media records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

- ◆ 72 CO2 719, MU1 653, ED1 314, MI1 581

Local government public access television records

- a Recording of local government public access television program, where program is produced by a local government and where program constitutes an important public meeting, significant event, important subject or documents local government policy making:
RETENTION: PERMANENT
NOTE: In order to ensure the continued preservation and availability of recordings, local governments should consider using broadcast-quality recordings where possible. Those recordings should be periodically inspected and copied to newer media and formats. Consult State Archives for additional advice.
- b Recording of local government public access television program, where program

is produced by a local government and where program constitutes a routine meeting, event or subject:

RETENTION: 1 year

- c Recording of local government public access television program, where program is aired but not produced by a local government:

RETENTION: 0 after no longer needed

- d Viewer guide or other periodic listing of programs:

RETENTION: 1 year

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. The State Archives recommends that local governments retain a sampling of these records on a monthly, seasonal or other periodic basis.

- e Program files on local government cable television programs:

RETENTION: 6 years

- 73 CO2 22, MU1 22, ED1 22, MI1 22

Daily, weekly, monthly, quarterly or other periodic internal or external report, summary, review, evaluation, log, list, statement or statistics:

RETENTION: 6 years

NOTE: For annual, special, or final report, summary, review or evaluation, see item no. 74, below. For routine internal reports and reviews, see item no. 57.

- 74 CO2 23, MU1 23, ED1 23, MI1 23

Annual, special or final report, summary, review or evaluation

NOTE: Specific annual reports are listed in many places in this Schedule. Before using this item to determine the minimum legal retention for an annual report, determine that a report is not covered by a more specific item.

- a Reports which contain substantial evidence of government policy, procedures, plans and directions:

RETENTION: PERMANENT

- b Reports where critical information is contained in other reports, reports which document internal management and housekeeping activities, or reports which contain only routine legal, fiscal and administrative information:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.

- 75 CO2 24, MU1 24, ED1 24, MI1 24

Program plan (annual, special or long-range):

RETENTION: PERMANENT

NOTE: Program plans of a routine nature covering internal activities are covered by item no. 57. Program plans where significant information is duplicated in other records (which are retained permanently) are covered by item no. 58.

- 76 CO2 15, MU1 15, ED1 15, MI1 15

Opinion survey records

- a Survey results, including official copy of survey form:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Survey results and sample forms involving very significant issues should be retained permanently.
- b Completed survey forms:
RETENTION: 0 after survey results prepared

Services

77 CO2 29, MU1 29, ED1 313, MI1 33

Complaint, petition or request for service

received by local government

NOTE: Appraise these records for historical significance prior to disposition. Petitions by citizens involving very significant issues should be retained permanently. For additional fiscal items, see Fiscal section of this Schedule.

- a Summary record (such as log or register) of complaints, petitions or requests:
RETENTION: 6 years after disposition of all complaints, petitions or requests listed
- b Complaints, petitions or requests relating to other than routine services or activities:
RETENTION: 6 years after final disposition of complaint, petition or request
- c Complaints, petitions or requests relating to routine government services or activities:
RETENTION: 1 year after final disposition of complaint, petition or request

78 CO2 16, MU1 16, ED1 16, MI1 16

Repair, installation, maintenance or similar record,

including but not limited to request for service, work order, record of work done, and summary or log of service performed:

RETENTION: 6 years

NOTE: For maintenance, testing, service, operational and repair records for public equipment or vehicle, see item no. 817 in the Public Property and Equipment section.

79 CO2 349, MU1 320, MI1 276

Ombudsman/referral service records

covering citizen complaint services, landlord/tenant advisory services, job placement consultation, handicapped person's assistance, and related services, including but not limited to log or master index, copies of complaints, intakes and referrals, and individual case file materials

- a Relating to other than routine services or activities:
RETENTION: 6 years after final disposition of matter

- b Relating to routine services or activities:
RETENTION: 1 year after final disposition of matter

- 80** CO2 355, MU1 332,
Surplus food distribution records,
covering federally donated food and related commodities, including but not limited to inventory, order form, eligibility determination records, authorizing receipt and reports on storage and distribution:
RETENTION: 4 years

Training

- ◆ **81** CO2 722, MU1 655, ED1 400, MI1 584
Training course information records,
including but not limited to memoranda, flyers, catalogues and other records related to specific training courses including information on course content, program registration, instructor, credits, hours and roster of registrants

NOTE: This item does not cover training in the Public Safety area; see item nos. 1187 and 1200 in the Public Safety section and item no. 930 in the School Safety sub-section. This item does not cover training in dealing with toxic substances; see item no. 654 in the Personnel/Civil Service section. For commercial motor vehicle driver alcohol and drug testing training, see item no. 671 in the Personnel/Civil Service section. Records of earnings (in-service) credits are covered by item no. 636 in the Personnel/Civil Service section. See Fiscal section for records of fiscal transactions involving training programs. For employee training history records, see item no. 640 in the Personnel/Civil Service section.
 - a Continuing Teacher and Leader Education (CTLE) Sponsors courses and workshop:
RETENTION: 8 years
 - b All other training:
RETENTION: 0 after superseded or obsolete
- ◆ **82** CO2 723, MU1 656, MI1 585
Training course registration processing records,
including but not limited to employees' application and enrollment records for courses including employee data forms, course applications, and supervisors' and training officers' authorizations or denials:
RETENTION: 0 after no longer needed for administrative use

AGING OR SENIOR SERVICES

- 83 CO2 34, MU1 34,
Annual and multi-year comprehensive plans,
compliance reports and non-fiscal audits relating to aging services:
RETENTION: PERMANENT
- 84 CO2 35, MU1 35,
Log or index
of seniors served by local aging services program:
RETENTION: 0 after no longer needed
- ◆ 85 CO2 36, MU1 36,
Individual client file,
including but not limited to applications, evaluations, and follow-up report:
RETENTION: 6 years after last contact with client, but not until 3 years after individual
attains age 18
NOTE: In instances where local government aging offices also have contact with minors
in relation to Medicaid, retention needs to account for the legal age of majority of the
client.
- ◆ 86
Nutrition service records,
including eligibility assessments, participant information, nutrition counseling, and meal
services:
RETENTION: 6 years
- 87 CO2 37, MU1 37,
Senior volunteer file,
including but not limited to registration, enrollment and service records:
RETENTION: 6 years

ARCHIVES/RECORDS MANAGEMENT**◆ 88** CO2 38, MU1 38, ED1 36, MI1 34**Records disposition documentation**

- a Consent of the Commissioner of Education to the use of records retention and disposition schedules and the legal disposition of records:
RETENTION: 0 after superseded
- b Documentation of final disposition of records, describing records disposed of and manner and date of disposition:
RETENTION: 6 years after final disposition of records
- c Documentation of inadvertent or premature destruction or loss of records:
RETENTION: 6 years after expiration of original disposition term
NOTE: Local governments may wish to retain records covered by part "b" and "c" longer than the minimum retention period, to provide evidence that records have been legally disposed of, in response to requests for public access to records. In addition, documentation of the final disposition of archival records is covered by item no. 90. The Public Service Commission must be notified regarding any premature destruction or loss of records related to public service utilities per 16NYCRR 733.9.

89 CO2 39, MU1 39, ED1 37, MI1 35**Inventory of records**

including descriptive inventories of records indicating the titles, contents, locations, volume, inclusive dates, and other attributes of those records:

RETENTION: 0 after superseded by a new or updated inventory

90 CO2 40, MU1 40, ED1 38, MI1 36**Records transfer list**

- a For archival records:
RETENTION: PERMANENT
- b For inactive records:
RETENTION: 0 after disposition of records on list

◆ 91 CO2 41, MU1 41, ED1 39, MI1 37**Retrieval request**

for records in storage, including charge-out slips or logs:

RETENTION: 3 years after records have been removed from storage or returned following retrieval

NOTE: Local governments may wish to retain documentation of records that were not returned to storage longer than the indicated retention period to indicate the status and location of those non-returned records. They may need to use these records to track missing files, and to provide information or evidence of their unavailability during audits or litigation.

92 CO2 42, MU1 42, ED1 40, MI1 38

Archival administration records

- a Appraisal and accessioning documentation, including assessment of conservation needs:
RETENTION: PERMANENT
- b Processing and management working papers, drafts, notes, and related records:
RETENTION: 0 after no longer needed

93 CO2 43, MU1 43, ED1 41, MI1 39

Guide, listing, index, or other finding aid

to archival records:

RETENTION: 0 after superseded

NOTE: Local governments should retain any superseded guides, lists, indices or other finding aids containing record numbering and identification information, or any other significant information not carried forward to newer versions.

94 CO2 44, MU1 44, ED1 42, MI1 40

Records on use of archival materials

- a Log or register of researchers, and patron's registration for use of archival records:
RETENTION: 6 years
- b Researcher interviews, reference statistics, requests for records, or similar reference service records:
RETENTION: 0 after no longer needed

ATTORNEY, COUNSEL, OR PUBLIC DEFENDER

◆ 95 CO2 159, MU1 45, ED1 50, MI1 41

Legal case file,

documenting litigation and routine matters, including but not limited to court records, investigative materials, memos, correspondence, and decisions and determinations

a For legal case file of attorney or counsel:

RETENTION: 6 years after case closed, or 0 after any minor involved attains age 21, whichever is later

NOTE: Evidence, including video and audio recordings, should be returned to law enforcement or owner as appropriate. Local law enforcement should retain evidence as long as the corresponding case investigative file, item no. 1222.

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of significant cases which have importance or which set major legal precedents. For instance, local governments may wish to permanently retain files for cases concerning major local controversies, issues, individuals and organizations which are likely to be the subject of ongoing research or which result in decisions or rulings of major significance to the local government or community or to the entire state. Contact the State Archives for additional advice in this area. In addition, local governments may wish to retain the complaint and release for routine cases longer for convenience of reference.

b For legal case file of public defender:

RETENTION: Retain until 6 years after case closed, or 0 after any minor client attains age 21, whichever is later. Subsequent to this period, the file must continue to be maintained until death of the client concerned, 80 years after date of birth of the client concerned, or the client concerned provides instructions on disposition of the file, whichever is earlier.

NOTE: This retention period provides for lengthy retention of case files in the absence of instructions from the client on the disposition of the records, such as to transfer the file to the client or to destroy the file. This lengthy period will meet potential future needs of the client for the records or information they contain. These may include use in future civil or criminal matters, such as immigration, capital cases or other legal actions, in which records of previous criminal events and proceedings would be relevant. Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently in the absence of any instructions from the client to the contrary. Local governments should consider permanent retention of significant cases which have importance or which set major legal precedents. For instance, local governments may wish to permanently retain files for cases concerning major local controversies, issues, individuals and organizations which are likely to be the subject of ongoing research or which result in decisions or rulings of major significance to the local government or community or to the entire state. Contact the State Archives for additional advice in this area.

- 96** CO2 160, MU1 46, ED1 51, MI1 42
Legal brief file
("brief bank") containing duplicate copies of legal briefs from case files, retained separately for future reference:
RETENTION: 0 after no longer needed
- 97** CO2 161, MU1 47, ED1 52, MI1 43
Legal case log
giving chronological listing of cases:
RETENTION: 0 after no longer needed
- 98** CO2 162, MU1 48, ED1 53, MI1 44
Legal case index or summary record,
summarizes and/or tracks status of case and may contain listing of cases, dates and summaries of proceedings, conclusions and recommendations, final determinations, notations on activities related to case, and related information:
RETENTION: PERMANENT
- ◆ **99**
Evidence logs
documenting the receipt, handling, and return of evidence in the course of an investigation:
RETENTION: 1 year after case closed
- 100** CO2 1047, ED1 403, MI1 880
Subpoena,
along with documentation of response, issued to local government agency or officer, when not part of legal case file or any other series of records listed on this Schedule:
RETENTION: 6 months after date of response
NOTE: Subpoenas relating to legal case files or other series of records listed on this Schedule should be retained as part of or as long as that respective series.
- ◆ **101**
Subpoenaed records or exhibits
gathered from a government, organization, or individual as part of the discovery process or subpoenaed under civil or criminal procedure law, but not used in a case:
RETENTION: 30 days after final disposition of case, unless return is requested by owner. If requested, return to owner.
- 102** CO2 163, MU1 49, ED1 54, MI1 45
Subject file
assembled and kept for reference purposes:
RETENTION: 0 after no longer needed
- 103** CO2 164, MU1 50,

Indigent defendant screening records

documenting investigation of defendant's need for public defender, including case investigations and master summary record of court assignments and subsequent investigation:

RETENTION: 6 years

104 CO2 733,

County attorney's or law department's copy of application for "poor person" status,

filed according to Article 11, Civil Practice Law and Rules, along with copy of response or recommendation:

RETENTION: 1 year

BUILDING AND PROPERTY REGULATION

Building and Construction (Regulation and Inspection)

NOTE: Applications for permits necessary for connection to public water supply system or municipal sewer, for individual water supply or sewage disposal system for groundwater drainage, and for soil or stream disturbance or realty subdivision construction, are found in the Environmental Health section of this Schedule. For additional records dealing with historic preservation, see item no. 44 in the General Administration section.

108 CO2 52, MU1 58, MI1 589

Master summary record,

including index, log or journal, covering building code complaints, inspections, investigations, and violations:

RETENTION: PERMANENT

◆ **109** CO2 53, MU1 59, MI1 590

Property maintenance or building inspection records,

including but not limited to complaints, inspection reports, notice of violation, cumulative building inspection record, appeal or review and final disposition of case

NOTE: For records that fall outside the building inspection process, see item no. 114.

Building inspection records relating to building permit issuance are covered by item no. 112.

- a Records documenting major issues (those that constitute a fire hazard or a serious threat to the life, health or safety of occupants) related to a school, public building, multifamily dwelling, commercial or industrial structure, or hazardous structure:

RETENTION: 6 years after building no longer exists, but not less than 21 years

- b Records documenting routine or minor issues related to a school, public building, multifamily dwelling, commercial or industrial structure, or hazardous structure:

RETENTION: 6 years after last entry in record

- c For single family home:

RETENTION: 6 years after last entry in record

110 CO2 727, MU1 917, MI1 591

Fire safety inspection records

- a Master summary record of inspections performed:

RETENTION: PERMANENT

- b Report on inspection at school, public building, multifamily dwelling, or commercial or industrial facility and notice of violation:

RETENTION: 21 years

NOTE: If fire safety inspection records are combined or interfiled with building

inspection records, use item no. 109.

- c Report on inspection of single family dwelling and notice of violation:
RETENTION: 6 years

111 CO2 728, MU1 660, MI1 592

Building inspection data file

contained in building/property history system, and related records, created for informational and reference purposes, containing information on building inspections not related to building permit issuance, certificate of occupancy issuance, fire inspections, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Counties should consider permanent retention of the basic data elements of this building inspection data for all parcels of property in the county, unless that data is preserved by the building/property history system overall summary data file (see item no. 105.) This information may be useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

◆ 112 CO2 54, MU1 60, MI1 593

Building permit and certificate of occupancy issuance records

NOTE: Building permit files often contain plans, sketches, photographs, and other records that provide valuable information on individual structures. These records may have continuing value for historical or other research, and the State Archives suggests they be retained permanently.

- a Master summary record of applications for building, plumbing, electrical, demolition or related permits, or for certificates of occupancy granted:
RETENTION: PERMANENT
- b Log or other chronological list recording permits or certificates of occupancy issued:
RETENTION: 1 year after last entry in record, or 1 year after posting
- c Building, plumbing, electrical, demolition or related permit file, including application and supporting materials; plans, maps and drawings; specifications; inspection reports; copies of all required permits and approvals; affidavit of compliance or completion of work; records of appeal when permit is denied; certificate of occupancy and correspondence, when permit is granted:
RETENTION: 6 years after building no longer exists
- d Building, plumbing, electrical, demolition or related permit file, when permit is denied:
RETENTION: 6 years after final decision
- e Building, plumbing, electrical, demolition or related permit file, when application is discontinued, has lapsed or is incomplete:

RETENTION: 90 days after date of most recent entry in record

- f Building, plumbing, electrical, demolition or related permit file for non-structural modifications to shopping mall, office complex or similar structure (modifications not involving changes to fire suppression or alarm systems), when permit is granted:

RETENTION: 10 years

NOTE: Certain records covered by this item may be included under item no. 113, such as in instances where they are maintained in electronic format and not created as hard-copy output and included in the building permit file. In these cases, the electronic records covered by item no. 113 must be retained as long as specified by this item.

- g Certificate of occupancy and application when not related to building permit application:

RETENTION: 6 years after building no longer exists

- h Pre-printed construction specifications submitted as part of building permit application as required by building trade or insurance companies:

RETENTION: 6 years after denial of permit or completion of work

- i Plumbing system review or similar records held by county health department which assists municipality in building permit application review and issuance:

RETENTION: 0 after no longer needed

NOTE: In cases where all documentation is not forwarded to the municipality, the county agency may wish to retain these records as long as the municipality retains the records covered by parts "c" through "f," above.

113 CO2 729, MU1 661, MI1 594

Building permit issuance data file

contained in building/property history system, and related records, created for informational and reference purposes, containing information on applications for and issuance of building permits, including related inspections, certificate of occupancy issuance, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Counties should consider permanent retention of the basic data elements of this building permit issuance data for all parcels of property in the county, unless that data is preserved by the master summary record (see item no. 108.) This information may be useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice in this area.

114 CO2 730, MU1 662, MI1 597

Building complaints/violations records,

including data file contained in building/property history system, warrants, summonses, and related records, containing information on complaint tracking and violation

processing, and other relevant information:

RETENTION: 6 years

NOTE: For citizen complaints and requests for services, not covered by items in this section, see item no. 77 in the General Administration section. For sanitary code violations, see item no. 406 in the Environmental Health section. Counties should consider longer retention of the basic data elements of this complaints/violations data for all parcels of property in the county, unless that data is preserved by the building/property history system overall summary data file (see item no. 105). This information may be useful for long-range planning purposes in conjunction with building permit issuance and building inspection data. Contact the State Archives for additional advice.

115 CO2 55, MU1 61, MI1 595

Building condemnation and demolition files,

including application, copy of permit, correspondence, and notice of condemnation:

RETENTION: PERMANENT

116 CO2 56, MU1 62, MI1 596

Contractors' liability insurance records

a Certificate of insurance or copy of insurance policy:

RETENTION: 6 years after denial or expiration of relevant permit

b Master summary record of contractors doing business in municipality/county and their insurance coverage:

RETENTION: 1 year after superseded or obsolete

◆ **117**

Construction escrow account records,

including agreement, disbursement records, and transfer or termination of account records:

RETENTION: 6 years after transfer or termination of account

Building/Property History Systems

NOTE: Some municipalities and counties in the state use automated systems to keep track of various functions of their offices regarding building and property regulation. These systems, which we are referring to generically as "Building/Property History Systems," contain information in such areas as planning, zoning, building permits and inspections, fire safety, code enforcement, violations and complaints. In general, these systems do not replace existing hard copy-based systems, but do create some of the forms and other paper records in these files. In addition, these systems contain data files and other electronic records not found in manual systems. The items below are meant to cover not only electronic records contained in these automated systems, but also maps, reports and other system output maintained in both traditional hard copy and electronic format as well.

More importantly, these systems often contain summary information on various county and municipal activity regarding a specific building and/or parcel of real property. The building/property history data file, listed below, may contain retrospective information on building permit issuance, building inspection, certificate of occupancy issuance, site plan review or other planning actions, zoning variances, special use permits and fire inspections for a single parcel of property over a period of time.

105 CO2 724, MU1 657, MI1 586

Building/property history data file contained in building/property history system, and related records, created for informational and reference purposes, containing information on such areas as building permit issuance, building inspection, certificate of occupancy issuance, site plan review or other planning actions, zoning variances, special use permits and fire inspections:

RETENTION: 0 after no longer needed

NOTE: Counties should consider permanent retention of the basic data elements of these building/property history systems for all parcels of property in the county. This information may be useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed records maintained in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

106 CO2 725, MU1 658, MI1 587

Street address/parcel number authority data file,

used to supply building/property history system with accurate, up-to-date information on real property tax parcel numbers, property owners' names and addresses, parcel sizes, E-911 or other street addresses, and other essential data necessary for system to operate:

RETENTION: Retain until superseding or updated file received.

NOTE: This data is often received from an assessor's or tax office. See items covering real property data systems in the Taxation and Assessment section.

107 CO2 726, MU1 659, MI1 588

Lists, reports, studies, queries, searches for information, special project records and analyses

created from data contained in one or more data files in building/property history system

- a Final reports and studies resulting from analysis of system data, including background materials and supporting documentation containing significant information on real property and structures located thereon, used for such purposes as long-range planning, change of zoning boundaries and regulations, or planning infrastructure improvements or new facility construction:

RETENTION: 6 years after project completed, or after date of final entry in record

NOTE: Appraise these records for historical significance prior to disposition. Records for important projects have historical value and should be retained permanently. Contact the State Archives for additional advice.

- b Reports and studies resulting from analysis of system data, including background materials and supporting documentation, queries, searches for information, lists, logs or other internal information records, containing routine information on real property and structures located thereon, or used to produce final reports and studies:

RETENTION: 0 after no longer needed

NOTE: Queries conducted in automated systems are not considered "records" unless the query and/or its results are saved in electronic or manual format. See also related items in the Information Technology section.

Planning

- 118** CO2 425, MU1 397, MI1 340

Comprehensive plan development file,

including but not limited to official copy of comprehensive plan and all background surveys, studies, reports, and draft versions of plan:

RETENTION: PERMANENT

NOTE: If multiple drafts of background surveys exist, retain initial, as-built and final surveys and dispose of drafts under item no. 62 in the General Administration section.

- 119** CO2 731, MU1 663, MI1 598

Planning action data file

contained in building/property history system, and related records, created for informational and reference purposes, containing information on mandatory or discretionary planning review, planning projects, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Counties should consider permanent retention of the basic data elements of this planning action data for all parcels of property in the county, unless that data is preserved by the building/property history system overall summary data file (see item no. 105.) This information may be useful for long-range planning purposes, and for community and land use history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

- 120** CO2 426, MU1 398, MI1 341

Planning project or program file

for project or program developed by or for planning agency

- a Final report and essential supporting information used to develop report, including but not limited to maps, plans, technical memoranda and environmental impact studies:

RETENTION: PERMANENT

- b Background material, including but not limited to notes, memos, worksheets and correspondence:

RETENTION: 6 years

- 121 CO2 427, MU1 399, MI1 342

Master summary record

(log or register) maintained by planning agency to record receipt of planning or zoning reviews and projects, and to record subsequent action taken:

RETENTION: PERMANENT

- 122 CO2 428, MU1 400, MI1 343

Geographic reference file

maintained by planning agency for internal reference purposes, usually arranged by name of government agency or other service organization:

RETENTION: 0 after obsolete

- ◆ 123 CO2 429, MU1 401, MI1 344

Mandatory planning review case file

for required review of site plan, zoning variance, special use permit, change of zoning, subdivision creation or enlargement, municipal planning action, or other required review, including but not limited to maps, plans, sketches, photographs, engineering reports, environmental impact statements and studies, copies of zoning records, project narrative, correspondence, and record of final determination (per Sections 239-l, -m, and -n, General Municipal Law)

NOTE: "Subdivision," as used in this item, means the division of one parcel of land into two or more lots, blocks, plots or sites. Parts "a" to "f" below apply to records of referring bodies (e.g., city, town, or village).

- a Subdivision, historic structure, major commercial or industrial development, or capital construction, where application is approved or denied (except records covered by part "d"):
RETENTION: PERMANENT
- b Subdivision, historic structure, major commercial or industrial development, or capital construction, where application is withdrawn or abandoned (except records covered by part "d"):
RETENTION: 10 years after last entry
- c Any other mandatory review:
RETENTION: 6 years after last entry
- d Detailed construction specifications, receipts and transmittal documents, lists of abutting properties, superseded versions of plans and drawings, routine correspondence and internal notes and memoranda from all files:
RETENTION: 6 years after last entry
- e Informal consultation records, created as a result of informal meeting with prospective applicant, prior to actual submission of application:
RETENTION: 1 year after last entry
- f Application is incomplete:

RETENTION: 90 days after date of most recent entry in record

- g Copies of records submitted to county planning agency, regional planning council or other review body for review:

RETENTION: 6 years after date submitted to review body

124 CO2 430, MU1 402, MI1 345

Discretionary planning review case file,

including review of planning review cases, federal or other aid projects, review of mining permit application, environmental impact or similar studies, or other reviews, including but not limited to application, correspondence, copies of local planning or zoning records, legally required notifications received from adjacent municipalities, maps, plans, sketches, and other supporting materials

- a When review is carried out, and comments are forwarded by planning agency:

RETENTION: 3 years after last entry

- b When no comments are forwarded by planning agency:

RETENTION: 1 year after receipt of request to review

Zoning

NOTE: For additional records dealing with historic preservation, see item no. 44 in the General Administration section.

125 MU1 664,

Master summary record

(log or register) maintained by zoning agency to record receipt of zoning variance and special use permit applications, change of zoning applications for individual parcels, and other zoning activity, and to record subsequent action taken:

RETENTION: PERMANENT

126 MU1 648,

Zoning maps,

and all updates:

RETENTION: PERMANENT

127 MU1 665,

Zoning action data file

contained in building/property history system, and related records, created for informational and reference purposes, containing information on zoning variances, special use permits, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Local governments should consider permanent retention of the basic data elements of this zoning action data for all parcels of property in the local government, unless that data is preserved by the building/property history system overall summary data file (see item no. 105). This information may be useful for long-range planning

purposes, and for community and land use history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

128 MU1 649,

Change of zoning records,

including application, petition, protest, hearing minutes, preliminary and final reports and correspondence, relating to changes proposed in zoning boundaries or regulations:

RETENTION: PERMANENT

NOTE: Change of zoning records relating to changes in zoning classification for individual parcels of property, not affecting other parcels or larger areas, are covered by item no. 129, as if these were zoning variance applications.

◆ 129 MU1 650,

Zoning variance or special permit file,

including application and supporting materials, hearing results, decision and appeal records

a For commercial, industrial, historic structure or multi-unit residential variance or permit (except records covered by part "c"):

RETENTION: PERMANENT

b For single-unit residential variance or permit:

RETENTION: 25 years after date of last entry

NOTE: Certain single-unit residential variance and permit files may be significant because they set legal precedents and should be retained permanently. Those involving the definition of what constitutes a "family" may be particularly important.

c Detailed construction specifications, receipts and transmittal documents, lists of abutting properties, superseded versions of plans and drawings, routine correspondence and internal notes and memoranda from all files:

RETENTION: 6 years after last entry

d Informal consultation records, created as a result of informal meeting with prospective applicant, prior to actual submission of application:

RETENTION: 1 year after last entry

e Application is incomplete:

RETENTION: 90 days after date of most recent entry in record

130 MU1 651,

Notification of proposed zoning change,

received from adjacent municipality:

RETENTION: 1 year

131 MU1 652,

Zoning ordinance violation records,
not related to zoning variance or special permit application

- a For alleged but unfounded violation:
RETENTION: 1 year
- b Violation files:
RETENTION: 6 years after date of last entry in record
- c Master summary record of violations:
RETENTION: PERMANENT

CEMETERY

- 132 MU1 63,
Record of lot owners,
"deed book" or equivalent record:
RETENTION: PERMANENT
- 133 MU1 64,
Bill of sale
issued to purchaser of lots:
RETENTION: 6 years
- 134 MU1 65,
Informational copy of deed
for lot, request for deed to be prepared, or request for copy of deed:
RETENTION: 0 after no longer needed
- 135 MU1 66,
Inscription taken from headstones:
RETENTION: PERMANENT
- 136 MU1 67,
Interment, exhumation or removal records,
including proof of military service and discharge:
RETENTION: PERMANENT
- 137 MU1 68,
Maps, plot plans and surveys:
RETENTION: PERMANENT
- 138 MU1 69,
Permit of approval
necessary to erect monument or perform other work on cemetery lot, including
application and related records:
RETENTION: 6 years

CIVIL DEFENSE/DISASTER PREPAREDNESS

139 CO2 57, MU1 70, MI1 135

Disaster preparedness or crisis relocation records

- a Official copy of plans, including supporting maps, when prepared by local government under provisions of Article 2-B, Executive Law, or other legal or regulatory requirements:
RETENTION: PERMANENT
- b Copies of plans held by local government, including supporting maps, when official copies prepared under Article 2-B, Executive Law, are maintained by the local government which created them, along with other disaster preparedness plans, not prepared under Article 2-B, Executive Law, intended for specific buildings or for use by specific local government units:
RETENTION: 3 years after superseded
- c Background materials and supporting documentation used in preparation of plans:
RETENTION: 3 years

◆ 140

Test evacuation and mock disaster response records

- a Official plan and detailed procedures for conducting test:
RETENTION: PERMANENT
- b Summary report and post-event analysis:
RETENTION: PERMANENT
- c Other records, including but not limited to copies of information provided participants and citizens, traffic congestion reports, video or audio recordings, and interviews with participants and emergency responders:
RETENTION: 3 years after date of most recent entry

◆ 141

Disaster preparedness and emergency management training materials, including lesson plans, course materials, and participant lists:

RETENTION: 3 years

◆ 142

Dam safety records

- a Emergency action plan:
RETENTION: 3 years after superseded by updated plan
- b Inspection and maintenance plan and annual certification:
RETENTION: 3 years after superseded by revised plan or certification
- c Incident reports:
RETENTION: PERMANENT

143 CO2 58, MU1 71, ED1 63,

Federal surplus property acquisition records:

RETENTION: 6 years after receipt of surplus property

- 144 CO2 59, MU1 72, ED1 64,
Emergency food storage records:

RETENTION: 3 years

- 145 CO2 60, MU1 73, ED1 65,
Emergency fuel allocation records,
including monthly application/report and detailed fuel allocation records:

RETENTION: 3 years

- ◆ 146 CO2 61, MU1 74, MI1 136

Disaster response and damage files

compiling information on the response of all agencies to a major disaster

NOTE: Federal emergency management and disaster response grants are covered under item no. 147 in Civil Defense/Disaster Preparedness section.

- a Photographs, press clippings, property damage reports, records of emergency response, summary reports of personal injuries, records relating to demolition and new construction, and correspondence:

RETENTION: PERMANENT

- b Emergency distribution records for food, medical, equipment, and other supplies:

RETENTION: 6 years

NOTE: Administration of vaccinations is covered by item no. 791 in Public Health section.

- ◆ 147

Federal emergency management and disaster response grant files,

including application, proposal, narrative, evaluation, reports, background materials, fiscal records, and supporting documentation:

RETENTION: 6 years after renewal, close of grant, or denial of application

NOTE: Appraise these records for historical significance prior to disposition.

- 148 CO2 62, MU1 75, ED1 67,

Emergency operating center records

covering maintenance and use:

RETENTION: 6 years after center no longer used for civil defense purposes

NOTE: For property acquisition, facility construction and other records covering emergency operating centers and fallout shelters, see the Public Property and Equipment section.

- 149 CO2 63, MU1 76, ED1 68,

Fallout shelter records

- a Licenses, plans and surveys:

RETENTION: 6 years after building no longer in existence

- b Listing of shelters:

RETENTION: 0 after superseded or obsolete

COMMUNITY COLLEGE

NOTE: Community colleges should also consult other sections of this Schedule, especially the General, Fiscal, Human Rights/Economic Opportunity, Information Technology, Library/Library System, Personnel/Civil Service, Public Health, Public Property and Equipment, Public Safety, and Recreation sections, for records that are held by all types of local governments.

Records of special programs not covered by specific items on this Schedule are covered by item no. 54 in the General Administration section. These include such programs as orientation of students and staff; speakers' bureaus and other community services; veterans, servicemembers, and ROTC programs; and incubator programs, small business development services, and technical assistance/training to business and industry.

◆ **NOTE:** Bridge program records are covered by items under the Educational Opportunity Centers section.

Academic Affairs

150 CO2 64, MI1 53

Accreditation records

for institutional or program accreditation by the Middle States Association of Colleges and Secondary Schools, the National League for Nursing and other organizations responsible for accrediting institutions of higher learning, including but not limited to institutional self-study documents, reports and determinations resulting from onsite visits for evaluation, and the college's response to deficiencies noted

- a Significant correspondence, reports, questionnaires, self-study records and reports, guides and related documents transmitted between the community college and accrediting bodies:

RETENTION: PERMANENT

- b Routine correspondence and transmittal records, drafts of guides and reports, and fiscal records:

RETENTION: 6 years after accreditation approved or denied

151 CO2 65, MI1 54

Curriculum development records,

covering internal development and approval for credit, non-credit, and continuing education programs and courses

- a Curriculum and related records describing course of instruction and course content, including transfer status information and course history records:

RETENTION: 7 years

NOTE: Records prepared as part of curriculum planning may have long-term value meriting continued preservation. Community college officials should

evaluate these records for continued, or permanent, preservation. Contact the State Archives for additional advice.

- b Approved internal application for curriculum:
RETENTION: 7 years
- c Denied internal application for curriculum:
RETENTION: 1 year
- d Curriculum planning records:
RETENTION: 0 after no longer needed
NOTE: Reports and studies prepared as part of curriculum planning may have long-term value meriting continued preservation. Community college officials should evaluate these records for continued, or permanent, preservation. Contact the State Archives for additional advice.

152 CO2 66, MI1 55

Academic program proposals,

including proposals for registration of new programs and requests for approval of changes in existing program title, HEGIS (Higher Education General Information Survey) content, credit hours, curricular content, format, and/or resource commitment

- a For successful registration of program:
RETENTION: PERMANENT
- b For failed proposal:
RETENTION: 0 after no longer needed

153 CO2 67, MI1 56

Curriculum/program registration records

including approvals from the State University of New York and registration letters from the State Education Department:

RETENTION: PERMANENT

154 CO2 70, MI1 59

Course information records

- a Official copy of any literature or other material made available to the public, including college catalogs and student handbooks:
RETENTION: PERMANENT
- b Detailed course descriptive information, including background materials and supporting documentation:
RETENTION: 7 years after course or program discontinued
- c Routine internal information records relating to courses, including but not limited to draft descriptions and tentative course schedules:
RETENTION: 1 year

◆ 155

Assignment of Program (AOP) lists

showing cumulative teaching hours and used in the assignment and selection of courses to teach:

RETENTION: 0 after superseded or obsolete

156 CO2 1022, MI1 881

Faculty and faculty-student research records,

maintained separate from faculty personnel records and student individual academic records

- a Published books, papers, journal articles, and other materials made available to the public:

RETENTION: PERMANENT

- b Other records, including but not limited to records summarizing and publicizing research, and research files which are not the personal property of the researchers:

RETENTION: 1 year after research concluded or otherwise terminated

NOTE: Depending on the nature of the research, some of these files may be valuable for other researchers as well as in documenting research sponsored by and conducted at the college, and should be appraised for potential permanent retention. Appraisals of research files should involve consultation with both members of the faculty and acknowledged professionals in the respective field.

Alumni

157 CO2 76, MI1 65

Alumni contact records

including but not limited to name, address, occupation, degree attained, marital status, and summary records of financial contributions of alumni:

RETENTION: 0 after superseded or obsolete

158 CO2 1023, MI1 882

Alumni directory

or other master summary record of alumni and all other degree recipients, such as published alumni catalog, providing names of alumni, years of graduation, and other information such as degrees granted and place of residence:

RETENTION: PERMANENT

Athletics

159 CO2 77, MI1 66

Player recruitment/scouting file

concerning recruitment of student athletes for college sports programs, including but not limited to scouting reports, lists of prospects, recruitment proposals, and correspondence

- a For student athletes entering college:

RETENTION: 3 years after graduation or date of last attendance

- b For student athletes who do not enter college:
RETENTION: 0 after no longer needed

160 CO2 78, MI1 67

Athletic scholarship file

including but not limited to applications, recommendations, authorization of awards, financial statements, accounting data, and correspondence:

RETENTION: 6 years

161 CO2 81, MI1 70

Athletic program records

- a Lists of athletes or participants, records of intercollegiate competitions and intramural athletics, and other records except scouting and training videotapes and other records:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Official score and record books, team and action photographs, and videotapes of and programs for intercollegiate competitions may have historical value in documenting intercollegiate student athletics. Records with historical value should be retained permanently. Health-related records are found in the Public Health section of this Schedule. Athletic training records are covered by item no. 164.

- b Videotapes, reports and other records used for scouting and training purposes:
RETENTION: 0 after no longer needed

162 CO2 1024, MI1 883

Records of gender equity in athletics,

including audit and self-evaluation records for male and female athletes and related records, including any records created pursuant to Title IX of the Education Amendments of 1972, codified in Sections 1681-1688 of 20USC, and Section 106.41 of 34CFR:

RETENTION: 6 years

NOTE: For related reports and records on athletic program activities, see item no. 196 in the Miscellaneous subsection of this section.

163 CO2 1025, MI1 884

Substance or alcohol abuse testing records

for individual athlete, not included in student health services case record

- a Positive test results and related records:
RETENTION: 6 years after last entry
- b Negative test results:
RETENTION: 3 years

164 CO2 1026, MI1 885

Athletic training records,

including but not limited to records of training provided individual athletes and staff:

RETENTION: 6 years after last entry

- 165** CO2 112, MI1 101
Athletic health information report
determining student eligibility to participate in campus sports activities:
RETENTION: 6 years

Counseling Services

- 166** CO2 83, MI1 72
Student counseling records,
including but not limited to request for assistance relating to emotional, psychological, personal, social, academic, or placement and career planning concerns, and also covering tutoring and mentoring services provided for and received by students:
RETENTION: 6 years
- 167** CO2 84, MI1 73
Academic termination record
containing information about transfer to another college, reason for termination, or future plans of student:
RETENTION: 0 after no longer needed
- 168** CO2 85, MI1 74
List of student appointments
including slips, return cards or counseling schedules:
RETENTION: 0 after obsolete
- 169** CO2 86, MI1 75
Statistical compilation or reports of students served:
RETENTION: 0 after no longer needed
- 170** CO2 87, MI1 76
Catalogs and related public relations information
received from other academic, vocational or educational institutions:
RETENTION: 0 after no longer needed
- 171** CO2 1027, MI1 886
Career placement records,
including but not limited to records of on-campus visits and interviews, job fairs, employer information sessions, and job searches, but not including individual student counseling records:
RETENTION: 0 after no longer needed

Development

- 172 CO2 89, MI1 78
Donor (and prospective donor) information records
containing information on individuals, organizations, foundations, or corporations:
RETENTION: 0 after no longer needed
NOTE: Detailed records of specific gifts to a community college are covered by item no. 45 in the General Administration section.

Disabled Students

- 173 CO2 90, MI1 79
Student file
including but not limited to information on disability, correspondence with student's sponsoring agency, orders for special equipment, and notes of contacts with counselors:
RETENTION: 6 years after graduation or date of last attendance
- 174 CO2 92, MI1 81
Staff development materials
relating to instructor orientation to disabled students and general disabilities:
RETENTION: 0 after obsolete

Financial Aid

- 175 CO2 95, MI1 84
Student financial aid records
including but not limited to Free Application for Federal Student Aid (FAFSA) reports, applications for assistance, financial aid disbursement records, copies of income tax forms, financial aid transcripts from other schools, award and declination notices, verifications for non-taxable income and other tax-related records, instructor requests for work-study student, student work-study job descriptions, copies of work-study time records to verify hours with student schedule, and veteran's service information:
RETENTION: 6 years
- 176 CO2 1028, MI1 887
Financial aid reports
(state, federal, and other) covering multiple students, including but not limited to Tuition Assistance Program (TAP) reports:
RETENTION: 6 years

NOTE: Appraise these records for continuing administrative or historical value prior to disposition. Records with historical value should be retained permanently. Reports containing information showing trends in student financial aid over time may be valuable for planning and other decision-making as well as research purposes.

Fiscal

- 177 CO2 96, MI1 85
Admissions collection record,
including but not limited to record of receipts and log of operations:
RETENTION: 6 years
- 178 CO2 97, MI1 86
Student's individual account records,
covering credit, non-credit, or continuing education courses, housing, food, laboratory and equipment use, and other fees, charges and expenses, and also including tuition waivers:
RETENTION: 6 years after last entry
NOTE: See item no. 514 in the Fiscal section, General Accounting and Miscellaneous subsection, for other billing records.
- 179 CO2 98, MI1 87
Fiscal reports submitted to or received from the State University of New York (SUNY)
including operating report (budget) and annual report (year-end):
RETENTION: 6 years

Housing

- 180 CO2 113, MI1 102
Residency occupancy records
including but not limited to room and board contracts and room assignment, and records pertaining to damage of dormitory equipment and furnishings:
RETENTION: 6 years after expiration of contract or room assignment
- 181 CO2 115, MI1 104
Off-campus rental records
including lists of landlords and/or listings indicating apartments or rooms available:
RETENTION: 0 after superseded or obsolete

◆ 182

Fire safety disclosure records for on-campus student housing

- a Annual fire safety and compliance reports:
RETENTION: PERMANENT
- b Log of all reported fires:
RETENTION: 7 years
NOTE: Appraise records relating to significant fires for historic value.
- c Fire statistics, including supporting materials:
RETENTION: 7 years after the end of the calendar year in which summarized data was first published in a fire safety and compliance report

Instruction

- 183** CO2 116, MI1 105
Course listing
created for administrative convenience, containing department list of classes:
RETENTION: 0 after superseded
- 184** CO2 117, MI1 106
Instructor's course syllabus or lesson plan:
RETENTION: 0 after no longer needed by community college
NOTE: The community college may wish to retain representative or outstanding course syllabi for future reference, as well as any useful class reading lists or bibliographies.
- 185** CO2 118, MI1 107
Instructor's grade records, test scores, and marking sheets,
including records documenting the evaluation of scientific models, biological specimens, chemical compounds or other objects or materials produced in lab or shop settings:
RETENTION: 2 years
- 186** CO2 119, MI1 108
List of students majoring in a field of study:
RETENTION: 0 after superseded
- 187** CO2 120, MI1 109
Class schedule
including class title, location, dates, and time of meeting:
RETENTION: 6 years
- 188** CO2 121, MI1 110
Completed examination test papers and answer sheets:
RETENTION: 6 months after course completion

- 189** CO2 1029, MI1 888
Course or laboratory attendance records
necessary to provide documentation for student financial aid or other purposes:
RETENTION: 6 years
- 190** CO2 123, MI1 112
Records relating to tax-free use of alcohol
for educational purposes:
RETENTION: 6 years after expiration of permit or denial of application
- 191** CO2 124, MI1 113
Evaluations of course instructor:
RETENTION: 3 years
- 192** CO2 126, MI1 115
Records of hypodermic syringes and needles
acquired for educational use or for administration of vaccines and other controlled substances to students and/or employees
- a Certificate of need for educational use:
RETENTION: 6 years after certificate expires
 - b Other records, including records of purchase, inventory, destruction, loss or theft:
RETENTION: 6 years

Miscellaneous

- 193** CO2 69, MI1 58
Chartering documents and establishment plan
concerning the community college's corporate status and degree-granting authority, including background materials:
RETENTION: PERMANENT
- 194** CO2 129, MI1 118
Fire safety inspection reports prepared pursuant to Section 807-b, Education Law:
RETENTION: 3 years
NOTE: Although Section 807-b of Education Law authorizes community college officials to destroy these reports after 3 years, the State Archives strongly urges that the "official" or "record" copies of these reports be retained for 21 years to meet possible legal needs, including personal injury litigation that may involve minors.
- 195** CO2 80, MI1 69
Special event file
- a Official copy of any program or promotional literature or photograph of events or games:

RETENTION: PERMANENT

- b Background materials and supporting documentation:
RETENTION: 6 years

196 CO2 1030, MI1 889

Institutional information/reports which must be sent or made available

to enrolled and prospective students and the public, under Sections 668.41, et seq. of 34CFR, including related records, exclusive of campus security records required under Section 668.46 of 34CFR

NOTE: For campus security records see item no. 198, as well as items found in the Public Safety section of this Schedule.

- a Financial assistance information, institutional information, completion or graduation rate information, completion or graduation rates for student-athletes report, and athletic program participation rates and financial support data report:
RETENTION: 6 years after issued, superseded or obsolete, whichever is later
NOTE: Institutional information and reports may have long-term value to document college policies and the status of various college programs, especially if that information is not readily available in catalogs or other sources. For that reason, officials may wish to retain these records permanently to document these policies and programs.
- b Notice of availability of information/reports as distributed or made available to enrolled and prospective students:
RETENTION: 3 years after issued, superseded or obsolete, whichever is later
- c Designation of employee(s) authorized to assist enrolled and prospective students obtain the information/reports:
RETENTION: 3 years after superseded

197 CO2 1031, MI1 890

Commencement records

- a Official copy of commencement program or other publication:
RETENTION: PERMANENT
- b Other commencement records, including but not limited to copies of speeches, press clippings and press releases, and event planning and logistics records:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Records such as speeches and photographs may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

◆ 198 CO2 1032, MI1 891

Campus safety records

NOTE: College security units should use the Public Safety section of this Schedule whether or not they have been recognized as accredited law enforcement agencies. This item covers records that must be maintained under Section 668.46 of 34CFR (Institutional Security Polices and Crime Statistics). Sexual offense or alcohol or drug

abuse investigation records are covered by item no. 1222 in the Public Safety section, Law Enforcement: General subsection. Lists and other records of parolees and sex offenders are covered by item nos. 1274 and 1275 in the Public Safety section, Law Enforcement: Miscellaneous subsection. Accident or incident reports that are not crime related are covered by item nos. 31 and 32 in the General Administration section. For building security records and video recordings maintained for security purposes, see item nos. 811 and 846 in the Public Property and Equipment section.

- a Annual security report:
RETENTION: PERMANENT
- b Notice of availability of the annual security report and related records as distributed or made available to enrolled and prospective students and current and prospective employees:
RETENTION: 6 years after issued, superseded or obsolete, whichever is later
- c Designation of employee(s) authorized to assist enrolled and prospective students obtain the annual security report and related records:
RETENTION: 3 years after superseded
- d Crime statistics, including lists of crimes by location and relevant maps, other than those statistics included in the annual security report:
RETENTION: 3 years
- e Crime logs, crime reports, records of arrests and referrals for disciplinary action, timely warnings of threats to campus safety, and other records used to compile annual security report:
RETENTION: 6 years
- f Missing student notification policy and procedures, including supporting materials:
RETENTION: 6 years after policy and procedures are superseded
- g Emergency response and evacuation policy and procedures, including supporting materials:
RETENTION: 6 years after policy and procedures are superseded

199 CO2 135, MI1 124

College-related reports, studies or data queries,

including their supporting documentation, covering subjects such as institutional research, graduation rates, enrollment projections, ethnicity and other student profiles, faculty-student class ratios, honors lists, and fiscal matters

- a Annual or semester reports submitted to the U.S. Department of Education, State University of New York (SUNY), or local sponsor(s), including the institutional profile, other reports, studies or queries having legal or fiscal value, and verifications of data following submission by the college:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Some of these reports and studies, including their detailed documentation, may contain significant information valuable for long-term planning as well as historical and other research. Contact the State Archives for additional advice.

- b Reports, studies or queries having no legal or fiscal value, such as daily activity or other routine internal reports:

RETENTION: 0 after no longer needed

200 CO2 1033, MI1 892

Student activity or organization records

- a Lists of members or participants, records of activities, competitions and performances, and other records of officially supported student activities and organizations except scouting records and scouting and training videotapes:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Photographs and videotapes of programs for certain competitions and performances may have historical value in documenting student activities.

Records with historical value should be retained permanently. Parental consents are covered by item no. 174 in the Student Records subsection. Health related records are found in the Public Health section.

- b Scouting reports and videotapes used for scouting and training purposes, not associated with intercollegiate athletics:

RETENTION: 0 after no longer needed

201 CO2 1034, MI1 893

Food management records

- a Program participation or other legal agreement or contract, including attachments and amendments:

RETENTION: 6 years after termination of agreement

- b Other program records, including but not limited to application to participate as a sponsor, individual student participation application records, meal counts and dietary services studies, requisition and approval of requisition for donated commodities, menus, and fiscal records such as adding machine tapes, purchase orders, claims and vouchers:

RETENTION: 6 years

202 CO2 1035, MI1 894

Food inspection and investigation records,

including inspection report for preparation or serving area and food sanitation complaint investigation records

- a When any significant problem is encountered:

RETENTION: 3 years after oldest person involved attains age 18

- b When no significant problem is encountered:

RETENTION: 3 years

◆ 203

Radiation use log

including student name, date, film size, quantity, screen, and length of time in laboratory where radiation is in use:

RETENTION: 4 years after graduation

President

204 CO2 130, MI1 119

President's office files

including but not limited to correspondence, memoranda, reports, studies, publicity items, contracts and other legal documents, and also including association or organization membership files covering affiliation with or membership in professional, education or civic groups, including the National Junior College Athletic Association (NJCAA), by the college as a whole or some department or unit thereof

- a Where file documents a significant subject, or major policy-making or program-development process:
RETENTION: PERMANENT
- b Where file documents routine activity:
RETENTION: 6 years or 6 years after expiration of contract, as appropriate

Student Records

◆ 205 CO2 71, MI1 60

Admissions records

including but not limited to application, entrance examinations and reports, letters of recommendation, transcripts from secondary schools and other colleges and universities, acceptance letters, advanced placement records, evaluations, and supporting documentation

- a For applicants who are accepted and attend:
RETENTION: 6 years after graduation or date of last attendance
NOTE: If admission records for students who enter are made part of student records, see item no. 206. Duplicate copies retained by a separate admissions office can be disposed of when no longer needed.
- b For applicants who are accepted and do not attend, and applicants who are not accepted:
RETENTION: 3 years following date of exclusion or end of permitted enrollment period for accepted applicants
NOTE: Community colleges may wish to keep these records longer for international students, for convenience of access by both college personnel and the prospective or accepted students.

206 CO2 132, MI1 121

Student academic records

- a Student permanent academic record (transcript):

RETENTION: PERMANENT

- b Change of grade documents, withdrawal authorizations, graduation certification, Social Security certification, student roster and attendance verification records such as class roster, or final grade listing and student schedule:

RETENTION: 6 years

- c Other student records including but not limited to academic action authorizations (dismissals and/or notification of problems); employment placement records; records of internships served; records of selection for and participation in remedial assistance, second language, academic honors, or other special academic programs; and assessment of life/work experience information for academic credits:

RETENTION: 6 years after graduation or date of last attendance of student(s) involved

- d Change in Social Security number record, application for veteran's benefits and enrollment certification and related records:

RETENTION: 3 years

- e Application for graduation, change of course (drop/add) records, credit/no credit (audit) approval, name and/or sex change authorization, pass/fail request, registration form, and request by student for transcript or other record:

RETENTION: 1 year

- f Unclaimed diplomas:

RETENTION: 1 year

NOTE: Community colleges may wish to keep these records longer for convenience of both college personnel and graduates who may request their diploma at some later date.

207 CO2 1036, MI1 895**Non-credit and continuing education records**

- a Individual attendee records, including but not limited to residence verification, program participation application, summary of participant achievements and attendance, record of courses taken including grades and test results, but excluding test papers and answer sheets:

RETENTION: 6 years

NOTE: If participation in a non-credit or continuing education course is pertinent to an enrolled student's academic requirements, attendee records should be maintained as part of the student's academic records as indicated by item no. 206.

- b Test papers and answer sheets:

RETENTION: 6 months

◆ 208 CO2 1037, MI1 896**Student information system**

containing electronic information on academics, financial matters, and other aspects of student life

NOTE: If the student information system is used as the sole means to maintain records

covered by other items in the Schedule, then the retention requirements of those items would apply. If not, follow the retention periods below. Financial aid records are covered by the Financial Aid subsection.

- a Basic data on any student contained in or produced by an automated student information system, including name, age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class, courses taken, and grades:
RETENTION: 0 after no longer needed
NOTE: This information may be valuable for long-term planning and evaluation purposes by college administrators, and for instances where students reenter the college later in life. In addition, it may be useful in historical or other research. Creation of a "history file" in the information system may be a useful way to maintain this more important information. Contact the State Archives for additional advice. If the official record of the student permanent academic record (transcript) is maintained in this system, it must be retained permanently; see item no. 206.
- b Detailed data on any student contained in or produced by an automated student information system, other than financial aid data:
RETENTION: 6 years

209 CO2 133, MI1 122

Records of compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and related legislation

concerning access to student education records and participation in surveys on or activities in designated areas

- a Request for hearing on content of student education records, decision of hearing, and student statement on content of disputed record:
RETENTION: Retain for the same period the disputed records are maintained
- b Record of requests for access to and disclosures of personally identifiable information from the student education records, as required by FERPA regulations:
RETENTION: Retain for the same period the requested records are maintained
NOTE: For records of requests for student information which are not subject to FERPA requirements, see item no. 53 in the General Administration section. Requests by students for information on themselves are covered by item no. 206e, above.
- c Request for nondisclosure of directory information or non-participation in surveys on or activities in designated areas:
RETENTION: 1 year after request is terminated or is no longer valid or 1 year after the concerned records are no longer maintained
- d Consent for records disclosure:
RETENTION: 1 year after consent is terminated or 1 year after the concerned records are no longer maintained
- e Waiver of right to inspect and review confidential letters and statements placed in student education records:

RETENTION: 1 year after waiver is terminated or 1 year after the concerned records are no longer maintained

- f Directory Information Policy Statement:

RETENTION: PERMANENT

- g Annual or other notice of rights under FERPA or related legislation concerning access to student records or participation in surveys on or activities in designated areas:

RETENTION: 3 years after issued or superseded or obsolete, whichever is later

- 210** CO2 134, MI1 123

Proof of residence records

- a Community college copy of certificate of residence:

RETENTION: 6 years

- b Lists of students residing in different political jurisdictions:

RETENTION: 1 year after superseded or obsolete

- 211** CO2 136, MI1 125

Scholarship records

- a Individual scholarship file including but not limited to applications, list of eligible candidates, list of competition winners and alternates, recommendations, authorization of awards, financial statements, accounting data, reports, and correspondence:

RETENTION: 6 years

- b List of scholarships awarded students:

RETENTION: PERMANENT

- 212** CO2 1038, MI1 897

Records of gifts and prizes (other than scholarships) awarded students:

RETENTION: 3 years

- 213** CO2 1039, MI1 898

Student degree and grade audit records,

other than those found in the student academic records, covered by item no. 206:

RETENTION: 6 years

- 214** CO2 1040, MI1 899

Student disciplinary records,

including but not limited to suspension notice, suspension hearing record, probationary condition adherence record, expulsion records, correspondence, fine assessment, and related records:

RETENTION: 6 years after the end of the academic year

- 215** CO2 128, MI1 117

Student grievance records

including but not limited to grievance, investigative records, hearing proceedings,

decision rendered, student appeal, records of arbitration procedure, final decision and correspondence:

RETENTION: 6 years after grievance resolved

216 CO2 1041, MI1 900

Recruitment records,

other than recruitment of individual student athletes, including but not limited to plans and strategies, lists of potential students, records of socio-ethnic composition of student body, records of college planning workshops and visits by parents and prospective students, and relevant statistics, exclusive of records of individual prospective students as covered by item no. 217:

RETENTION: 3 years

217 CO2 1042, MI1 901

Records relating to individual prospective students who do not apply for admission,

including resumes:

RETENTION: 1 year

◆ 218

Student coursework,

including papers, homework and other assignments, whether or not graded:

RETENTION: 1 full semester after the course has ended

219 CO2 82, MI1 71

Parental consent record:

RETENTION: 6 years

220 CO2 1043, MI1 902

Nursing education program eligible list of candidates,

received from New York State Education Department:

RETENTION: 3 years after the end of the academic year

COMMUNITY DEVELOPMENT/URBAN RENEWAL

- 221** CO2 137, MU1 150, MI1 126
Master summary record
(log or register) documenting all activity of agency, covering housing rehabilitation, tenant relocation, economic development, property acquisition and resale, program participant applications, loan or mortgage issuance, special projects and various contacts:
RETENTION: PERMANENT
- 222** CO2 138, MU1 151, MI1 127
Federal assistance application
submitted annually to U.S. Department of Housing and Urban Development or successor agency:
RETENTION: PERMANENT
- 223** CO2 1044, MI1 903
Denied or withdrawn applications
for participation in any community development program:
RETENTION: 3 years
- 224** CO2 1045, MI1 904
Financial and statistical reports, studies or data queries,
including their documentation
- a Reports, studies or queries having legal or fiscal value, including annual reports created from Integrated Disbursement and Information System (IDIS) or other automated system:
RETENTION: 6 years
NOTE: Appraise records covered by part "a" for archival value. Reports and studies containing data needed to supplement or explain narrative reports (which are maintained permanently and are covered by item no. 74 in the General Administration section) may be valuable as well as the narrative reports themselves. Contact the State Archives for additional advice.
- b Reports, studies or queries having no legal or fiscal value, such as daily activity or other routine internal reports:
RETENTION: 0 after no longer needed
- 225** CO2 139, MU1 152, MI1 128
Case files
of community development or urban renewal agency
NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently, particularly property acquisition case files which may be a rich resource for community history. Contact the State

Archives for additional advice.

- a Economic development case file, including but not limited to application, copy of loan approved, financial statements, progress reports, copies of plans and specifications, and correspondence:
RETENTION: 6 years after final payment on loan
- b Business or resident relocation case file, including but not limited to vacation notice, income and need determination records, field reports, estimates of expenditures, copies of property acquisition records, rent collection records and correspondence:
RETENTION: 6 years after last entry in record, final payment on loan or discharge of mortgage, whichever is later
- c Housing rehabilitation case file, including but not limited to application, notice of approval, contract, grant or loan agreement, copies of real property records, building department records, rental assistance records, specifications, property description, certificate of completion and correspondence:
RETENTION: 6 years after completion of project, final payment on loan or discharge of mortgage, whichever is later
- d Property acquisition case file, including but not limited to maps, plans and specifications; rent collection records and copies of tenant relocation records; demolition records; records of property improvements; advertisements of property for sale; bids and records of bid acceptance or refusal; property description; appraisal and eminent domain records, and correspondence:
RETENTION: 6 years after sale of property by local government
NOTE: Rent collection records and copies of tenant relocation records need only be retained for 6 years.
- e Property purchase and resale case file, such as F.H.A. or real property tax foreclosure, including but not limited to copies of real property records, foreclosure records, copies of building department records, property description, records of property improvements, advertisement of sale, bids and records of bid acceptance or refusal, copy of sale agreement and correspondence:
RETENTION: 6 years after sale of property by local government, final payment on loan or discharge of mortgage, whichever is later
- f Public/community service project case file, such as involving community housing development organizations, including but not limited to project applications, interim financial and progress reports, inspection reports, notes and correspondence, but excluding final reports:
RETENTION: 6 years after completion of project
- g Final reports on public/community service projects:
RETENTION: PERMANENT
- h Home acquisition program case files, financed by federal HOME program or other funding source, including but not limited to application, review records and copies of mortgage documents:
RETENTION: 6 years after date of most recent entry in record, final payment on loan or discharge of mortgage, whichever is later

- i Housing investigation case record for lead poisoning, when investigation is not part of case files covered by other parts of this item:
RETENTION: 7 years after case closed
- j Vouchers and financial claims for payment or reimbursement related to community development cases:
RETENTION: Retain as long as related case file is retained
- k Photographs, architects' plans and sketches of buildings, streets and urban areas from all case files:
RETENTION: 6 years after building no longer owned by local government
NOTE: Appraise these records for historical significance prior to disposition. Some photographs, plans and sketches may have continuing value for architectural, historical or other research and should be retained permanently. Contact the State Archives for additional advice.

♦ **226** CO2 1046, MU1 333, MI1 279

Lower income housing rental assistance records

(created under Section 8 of the Housing and Community Development Act of 1974)

- a Master summary record (index, log or register) of applications and payments:
RETENTION: PERMANENT
- b Case file, including but not limited to applications for assistance, eligibility determination records, certifications, worksheets, correspondence and rental agreements:
RETENTION: 6 years after denial of application, termination of agreement or close of case
- c Monthly reports:
RETENTION: 6 years
- d Inspection reports, except those conducted by the municipality and covered under Building and Property Regulation section:
RETENTION: 6 years

CONSUMER PROTECTION SERVICES

Consumer Protection

- 227 CO2 140, MU1 153,
Master summary record
(log or register) of consumer practice inspections, complaints, violations or other agency activity:
RETENTION: PERMANENT
- 228 CO2 141, MU1 154,
Consumer practice retail establishment inspection report:
RETENTION: 6 years
- 229 CO2 142, MU1 155,
Consumer practice complaint file,
including complaint, notice of violation, investigation report, hearing records, record of assessment and collection of fine, or notice of dismissal and related correspondence:
RETENTION: 6 years after last entry

Weights and Measures

- 230 CO2 144, MU1 156,
Certification of approval
("proof of accuracy") for sealer's weighing and measuring equipment, issued by New York State Department of Agriculture and Markets:
RETENTION: 6 years after expiration
- 231 CO2 145, MU1 157,
Sealer's inspection report
of weighing or measuring device or of packaged item sold by weight, when no violation is discovered:
RETENTION: 2 years
- 232 CO2 146, MU1 158,
Report on food labelling or advertising,
and related correspondence:
RETENTION: 2 years

- 233** CO2 147, MU1 159,
Log or index
of inspections performed and/or other activities of sealer of weights and measures:
RETENTION: 6 years after last entry
- 234** CO2 148, MU1 160,
Program evaluation or audit
of sealer of weights and measures, conducted by New York State Department of
Agriculture and Markets:
RETENTION: 6 years
- 235** CO2 149, MU1 161,
Violation files,
including inspection report, notice of violation, notice of correction of inaccuracy,
hearing records, fine collection record and correspondence:
RETENTION: 6 years
- 236** CO2 732, MU1 666,
Calibrations for bulk milk holding tanks and other volumetric measures:
RETENTION: 2 years after recalibration completed or volumetric measure no longer in
use

COOPERATIVE EXTENSION ASSOCIATION

◆ **NOTE:** Child seat inspection records are covered by item no. 1091 in the Transportation and Engineering section.

Basic Administrative Records

- 237 MI1 129
Organizational and establishment records,
including constitution, bylaws and approval of organization and administration by
Cornell University:
RETENTION: PERMANENT
- 238 MI1 130
List of members, "enrollment" or equivalent record:
RETENTION: PERMANENT
- 239 MI1 131
Lists of board members, officers, agents and employees
(known as "organization reports"):
RETENTION: PERMANENT
- 240 MI1 132
Election records
a Election results:
RETENTION: PERMANENT
b Ballots, nominations, tabulations and other election records:
RETENTION: 1 year after election
- 241 MI1 133
Program records
on individual courses or programs offered the public
a Official copy of any literature or other material available to the public:
RETENTION: PERMANENT
b Summary record describing course or program offering and/or its progress and
results:
RETENTION: PERMANENT
c Listing of participants:
RETENTION: 6 years
d Other course or program materials:
RETENTION: 1 year after course or program discontinued

- e Advice and referral records, covering information provided to individuals in person or over the telephone or Internet, including but not limited to telephone logs and individual call records:

RETENTION: 6 months

242 MI1 134

Program or other non-fiscal audit or review

conducted by Cornell University or other agency

- a Report and recommendations:
RETENTION: PERMANENT
- b Background materials and supporting documentation:
RETENTION: 6 years

243 MI1 601

Copies of exempt organization income tax records,

including all records generated to assist Cornell University in filing income tax return for county associations, and copy of filed tax return:

RETENTION: 6 years

Food and Nutrition Education Programs

◆ **244** MI1 602

Reports resulting from Supplemental Nutrition Assistance Program Education (SNAP-Ed) or Eat Smart New York (ESNY), or similar program

- a Annual or final reports:
RETENTION: PERMANENT
- b Quarterly, monthly or other periodic reports:
RETENTION: 2 years

◆ **245** MI1 603

Case record of family participating in Supplemental Nutrition Assistance Program Education (SNAP-Ed) or Eat Smart New York (ESNY),

or similar program, including but not limited to plan of work, work reports, diagnostic reports, progression record:

RETENTION: 1 year after becoming inactive

◆ **246** MI1 604

4-H youth participant records for Supplemental Nutrition Assistance Program Education (SNAP-Ed) or Eat Smart New York (ESNY),

or similar program, including lists of participants, enrollment records and lists of youth contacts:

RETENTION: 6 years

- ◆ 247 MI1 605
List, log or other summary record of visits
resulting from Supplemental Nutrition Assistance Program Education (SNAP-Ed) or Eat Smart New York (ESNY), or similar program:
RETENTION: 6 years
- ◆ 248 MI1 606
Master summary record of families served
by Supplemental Nutrition Assistance Program Education (SNAP-Ed) or Eat Smart New York (ESNY), or similar program:
RETENTION: PERMANENT
- ◆ 249 MI1 607
Records relating to persons not served
by Supplemental Nutrition Assistance Program Education (SNAP-Ed) or Eat Smart New York (ESNY), or similar program, including eligibility screening records, withdrawn applications, and referrals:
RETENTION: 2 years

Miscellaneous

- 250 MI1 608
Farm animal disease test records
 - a Cattle disease test records, including but not limited to summary report for each herd (to which test results have been posted), brucellosis or tuberculosis test results and calf vaccination report:
RETENTION: 10 years
 - b Inspection and related records for farm animals other than cattle:
RETENTION: 3 years
- 251 MI1 609
Log or index
of seniors served by local aging services program:
RETENTION: 6 years
- 252 MI1 610
Individual senior services client file,
including but not limited to screening records, applications, evaluations, and follow-up report:
RETENTION: 6 years after last entry
- 253 MI1 611

Surplus food distribution records,

covering federally donated food and related commodities, including but not limited to inventory, order form, eligibility determination records, authorizing receipt and reports on storage and distribution:

RETENTION: 4 years

254 MI1 612

Records created in the establishment, change, or dissolution of a county agricultural district,

regardless of approval or denial:

RETENTION: PERMANENT

255 MI1 613

Soil test results for farmland soil sample,

including nutrient analysis and recommendations:

RETENTION: 3 years

256 MI1 614

Dairy farm business summary records

a Annual farm business summary for individual farm:

RETENTION: PERMANENT

b Data entry and other records, used in compiling summary record:

RETENTION: 0 after no longer needed

c Summary data and other information for all participating farms:

RETENTION: PERMANENT

257 MI1 615

Watershed farmer's case file,

including but not limited to farm management assessment, environmental assessment, plan evaluation, whole farm plan and supporting data:

RETENTION: PERMANENT

258 MI1 616

Tractor, equipment or firearm safety training records

a Official training records, including parental consent, certificate of training and summary of attendance and test results:

RETENTION: 6 years, but not less than 3 years after attendee attains age 18

b Listing of course participants, and detailed attendance records:

RETENTION: 6 years

c Summary record describing course or program offering and/or its progress and results:

RETENTION: 6 years after course or program no longer offered

d Other course program materials:

RETENTION: 1 year after course or program discontinued

◆ 259

4-H club association membership record,

including application:

RETENTION: 6 years after participation ends, or 3 years after individual attains age 18,
whichever is longer

CORONER OR MEDICAL EXAMINER

260 CO2 150,

Investigation case files

- a Violent (e.g., homicide, suicide, casualty) or suspicious or undetermined circumstances death (including death report and related records):

RETENTION: PERMANENT

- b Natural death:

RETENTION: 20 years

NOTE: Records of coroners' inquests, filed before Sept. 1, 1965 with county clerks, are in fact records of the County Court and are not covered by item nos. 260 and 261. For information on retention of these records, contact the Office of Court Administration. Other death investigation records of coroners, records of coroners' inquests created after Sept. 1, 1965 and all records created by medical examiners are covered by this Schedule.

261 CO2 151,

Death report and related records,

when no investigation is conducted by coroner or medical examiner:

RETENTION: 6 years after last entry

262 CO2 152,

Motor vehicle death record

(MV-104 or similar form) submitted to New York State Department of Motor Vehicles:

RETENTION: 6 years

263 CO2 153,

Disaster reports and related records:

RETENTION: PERMANENT

264 CO2 154,

Protocol for investigation of death,

including autopsy, explaining official procedures to be followed by office of coroner or medical examiner:

RETENTION: PERMANENT

265 CO2 155,

Transcript, notes and worksheet of autopsy observations:

RETENTION: 6 years after case closed

266 CO2 156,

Laboratory slide, specimen or tissue block,

taken from deceased:

RETENTION: 20 years

NOTE: County officials may wish to retain records for a longer period when the slides, specimens or tissue blocks concern cases of violent or suspicious deaths, especially if these records may be viable for future testing.

267 CO2 157,

Master summary record

(register, blotter or log) covering all case investigations and other office activities:

RETENTION: PERMANENT

268 CO2 158,

Property records relating to decedent,

generated by office of coroner or medical examiner, including but not limited to register of property, inventory of possessions, remittance statement sent to county legislative body or fiscal officer and receipts:

RETENTION: 6 years after last entry

COUNTY CLERK

◆ **NOTE:** The following items were removed from this section and can be found in the General Administration section: Chattel mortgages and conditional sales, assumed business name certificates, out-of-state or other unofficial vital records, census records, register of professions, notary public and Commissioner of deeds, and domestic partnership statement.

Election

269 CO2 166,

Certificate or notice of appointment from Commissioner of Elections:

RETENTION: 1 year after election

270 CO2 167,

Copy of certificate to County Board of Elections

stating each county officer to be voted for at general election:

RETENTION: 1 year after election

271 CO2 168,

Return of canvass

as to the vote for assemblyman, senator or representative in Congress, filed by inspectors of election:

RETENTION: 6 years

NOTE: This item does not apply to official election canvasses filed with county clerks prior to 1911. These pre-1911 election canvasses are legally in the custody of county boards of elections, and must be retained permanently.

Liens

272 CO2 170,

Financing statement and related records

filed under the Secured Transaction Section of the Uniform Commercial Code (formerly known as chattel mortgages and conditional sales)

a Financing statement, continuation statement or release relating to either, and indexes thereto:

RETENTION: 1 year after expiration of lien

b Termination statement and index:

RETENTION: 1 year after filing of termination

- 273 CO2 171,
Mechanic's liens
 - a Notice and discharge of mechanic's lien placing lien against real property for labor or materials furnished for construction or maintenance:
RETENTION: 6 years after expiration or release of lien
 - b Docket showing owner of lien property, lienor, location of property, amount, filing date, date and manner of satisfaction and remarks:
RETENTION: 6 years after last entry

- 274 CO2 172,
Hospital liens
 - a Notice of hospital lien (original or renewal) stating lien against real property for services provided by a hospital:
RETENTION: 12 years after filing of original or renewal notice
 - b Index to notices of hospital lien:
RETENTION: 25 years after last entry

- 275 CO2 173,
Federal tax lien records,
including but not limited to notice of lien, non-attachment, release, subordination, discharge, and index:
RETENTION: 6 years after expiration or release of lien

- 276 CO2 174,
State lien records,
including warrants placing lien on real or personal property by Department of Taxation and Finance (formerly State Tax Commission), Department of Labor, Department of Motor Vehicles, or other state agency, for nonpayment of state taxes or other charges, including index, discharge, and related records:
RETENTION: 6 years after discharge of lien or 20 years, whichever is shorter

- ◆ 277 CO2 734,
Local government lien records,
including warrants placing lien on real or personal property or sidewalk, for nonpayment of city taxes or other charges, including index, discharge, and related records:
RETENTION: 6 years after discharge of lien or 20 years, whichever is shorter

- 278 CO2 175,
Lien bond
to discharge all liens filed by the owner or contractor to guarantee that the property is released from all liens, and lien docket:
RETENTION: 6 years after work completed or abandoned

- ◆ 279 CO2 176,
Notice of public welfare lien

against assets of relief recipient or on claims or suits for personal injuries, discharge and index:

RETENTION: 6 years after discharge of lien

◆ **280** CO2 177,

Assignment of real and personal property,

including but not limited to statement of refiling, certificate of cancellation, order vacating assignment, satisfaction and index to assignments

- a Assignment of personal property, including but not limited to wage assignment and assignment of proceeds from personal contracts or estates:

RETENTION: 6 years after filing or refiling

- b Assignment of real property including but not limited to assignment of rent, lease or mortgage:

RETENTION: 6 years after satisfaction

NOTE: Assignments of mortgages of real property are subject to the permanent retention requirements of item no. 320.

281 CO2 178,

Surety bail bond lien records,

including notice of lien, certificate of discharge and index:

RETENTION: PERMANENT

282 CO2 179,

Notice of lien

attached to moneys received by person awarded claim by Office of Victim Services:

RETENTION: PERMANENT

283 CO2 735,

Lien search record,

including but not limited to record of searches conducted, abstract of search results, correspondence and memoranda:

RETENTION: 6 years

284 CO2 1048,

Notice of lending relative to a trust,

filed pursuant to Section 73, Lien Law, including advances and amendments:

RETENTION: 6 years after final termination date

285 CO2 1049,

Condominium or homeowners' association lien

for unpaid common charges:

RETENTION: 6 years after expiration or discharge of lien

286 CO2 1050,

Lien on vessel,

including all related records such as copy, notice, execution, and discharge of warrant; order of sale and other sale records, and discharge of lien:

RETENTION: 6 years after expiration or discharge of lien, discharge of warrant, accounting of proceeds of sale, or payment of all charges, whichever is later

287 CO2 1051,

Miscellaneous liens on personal property

not covered by other items in this section

- a Liens where a sale of personal property for recovery of proceeds may be involved, such as mold liens; liens on monuments, gravestones, and cemetery structures; and self-service storage facilities liens:

RETENTION: 6 years after expiration or discharge of lien, accounting of proceeds of sale, or payment of all charges, whichever is later

- b Liens where no possible sale of property is involved, such as liens for services of stallions or bulls, liens for labor on stone, artisan's liens, liens of bailee of animals or motor vehicles, liens of truckmen and draymen, and liens on motion picture film laboratories:

RETENTION: 6 years after expiration or discharge of lien

288 CO2 1052,

Transcripts of small claims or other money judgments

rendered in municipal or district courts:

RETENTION: 6 years after satisfaction or expiration of period to enforce judgment

Miscellaneous

NOTE: For firearm licensing records see the Public Safety section of this Schedule.

290 CO2 181,

Certification of the names, addresses, date and expiration of term of all appointive municipal officials,

except inspectors of election:

RETENTION: 0 after superseded or obsolete

◆ 291 CO2 183,

Building loan contract records

NOTE: Building loan mortgages associated with building loan contracts are subject to the permanent retention requirements of item no. 320.

- a Agreement describing a loan to finance construction:
RETENTION: 6 years after satisfaction of the associated building loan

- b Building loan contract index:
RETENTION: 0 years after all contracts indexed therein have been destroyed

- 292 CO2 184,
Discharge papers
filed by veterans of military service:
RETENTION: PERMANENT
- 293 CO2 185,
Official marriage records
filed with county:
RETENTION: PERMANENT
- 294 CO2 187,
Transportation company expired undertaking, bond or surety
filed with county, together with attachment, official approval, renewal receipt of surety company, correspondence and related papers:
RETENTION: PERMANENT
- 295 CO2 188,
Turnpike company records,
including but not limited to surveys, bonds, and declaration of surrender of all or part of the turnpike's roads in the county:
RETENTION: PERMANENT
- 296 CO2 190,
Register of stallions or cattle brands:
RETENTION: PERMANENT
- 297 CO2 191,
Register of slaves:
RETENTION: PERMANENT
- 298 CO2 192,
Private business, not-for-profit, religious or other corporation or partnership records
filed with County Clerk, including but not limited to certificates of incorporation, annual reports, lists of directors or trustees, certificates of stock, records of dissolution, and certificates of partnerships:
RETENTION: PERMANENT
- 299 CO2 193,
Original deeds, leases, contracts, wills or other documents
not returned to owner after recording:
RETENTION: PERMANENT
NOTE: Section 532 of County Law authorizes original documents to be destroyed 20 years after recording provided that the documents are photographically reproduced for preservation purposes.

- ◆ **300** CO2 194,
Volunteer fire company records,
including annual report, certificate of honorable discharge, and list of exempt volunteer firemen, filed with County Clerk:
RETENTION: 5 years
- 301** CO2 196,
Explosives licensing records:
RETENTION: 3 years
- ◆ **302** CO2 197,
Passport transmittal records,
documenting transmittal of passport applications and applicable fees to passport agencies of the federal Department of State:
RETENTION: 2 years
- 303** CO2 198,
Power of attorney:
RETENTION: PERMANENT
- 304** CO2 199,
Certificate of authority,
empowering person to act as agent for insurance company:
RETENTION: 0
- 305** CO2 409,
Oath of office or record of official signature
of public employee
 - a Official copy:
RETENTION: PERMANENT
 - b Oath of any election official:
RETENTION: 1 year after election
- 306** CO2 737,
Notice of filing of oath of office with county clerk
 - a For county employee or officer:
RETENTION: Retain as part of or as long as personnel records
 - b For other than county employee or officer:
RETENTION: 0
- 308** CO2 1053,
Notice of separation
of marriage filed by individual or their attorney, other than official notices of legal separation resulting from New York State court actions:
RETENTION: PERMANENT

Mortgage Tax

- 309** CO2 200,
Mortgage tax record book
recording mortgages, mortgagor, amount of mortgage, amount of tax, discharge, credits, satisfaction, and indexes:
RETENTION: PERMANENT
- 310** CO2 201,
Mortgage tax reports
submitted to State Department of Taxation and Finance (formerly State Tax Commission), county legislative body, or county fiscal officer, stating mortgages recorded, tax collected and tax distribution:
RETENTION: 7 years
- 311** CO2 202,
Statement of County Clerk's expenses
filed with mortgage tax report, including all attachments:
RETENTION: 7 years
- 312** CO2 203,
Report of audit of mortgage tax recording procedure
performed by New York state department or agency:
RETENTION: PERMANENT
- 313** CO2 204,
Certified mortgage tax refund or adjustment orders
issued by State Department of Taxation and Finance (formerly State Tax Commission):
RETENTION: 7 years
- 314** CO2 205,
Statements, affidavits, and appraisals
used to determine or revise mortgage tax, including but not limited to: indeterminant mortgage appraisal, and related records; statement of maximum amount secured by mortgage; statement of advance under a corporate trust or prior advance mortgage; statement of amount borrowed by corporations against mortgage; and facts on which exemption is claimed for supplemental mortgages, condominium credit, or other exclusions, exemptions or credits:
RETENTION: 15 years or 0 after discharge of mortgage, whichever is longer
NOTE: When supporting documents, such as affidavits, are incorporated as part of, and thus indistinguishable from, the mortgage document, then the permanent retention of item no. 309 applies.

- 315** CO2 206,
Mortgage tax distribution sheets
showing distribution of mortgage tax funds among tax districts:
RETENTION: 7 years
- 316** CO2 207,
Request for apportionment
by mortgage tax recording officer to State Department of Taxation and Finance
(formerly State Tax Commission):
RETENTION: 7 years
- 317** CO2 208,
Certificate of valuation
regarding apportionment of mortgage tax:
RETENTION: 7 years
- 318** CO2 209,
Assessors' appraisal
for apportionment of mortgage tax:
RETENTION: 7 years
- 319** CO2 210,
Certificate of determination and apportionment of mortgage tax
issued by State Department of Taxation and Finance (formerly State Tax Commission):
RETENTION: 7 years

Real Property

- 320** CO2 211,
Records and index documenting the official acquisition, sale, transfer or mortgage of public or private real property:
RETENTION: PERMANENT
- 321** CO2 212,
Official maps, surveys and reports
on boundaries recording the location of public or private real property:
RETENTION: PERMANENT
- 322** CO2 213,
Receipt
or other record of delivery of instruments to owner or designated representative after recording:
RETENTION: 3 years

- 323** CO2 214,
Real estate transfer tax report
and related records
- a Copy of Combined Real Estate Transfer Tax Return and Credit Line Mortgage Certificate:
RETENTION: 0 after no longer needed
 - b All other records:
RETENTION: 6 years
- 324** CO2 215,
Title searches conducted by County Clerk:
RETENTION: PERMANENT
- 325** CO2 216,
Commitment of land to continued agricultural production:
RETENTION: PERMANENT

DOG IDENTIFICATION AND CONTROL

326 CO2 218, MU1 162,

Master summary record, index or listing

- a Master summary record, such as index registry, of dog, purebred, or kennel licenses granted or license applications:
RETENTION: 0 after superseded or obsolete
- b Renewal list, non-renewal list, population list, or other listing:
RETENTION: 0 after superseded or obsolete
- c Enumerator's list of owners or harborers of dogs, prepared by local government offices, including billing for enumerator's services and related records:
RETENTION: 6 years

◆ 327 CO2 219, MU1 163,

Original or renewal license

for dog, purebred license (including application and renewal license), or dealer's exemption certificate:

RETENTION: 3 years after expiration

◆ 328 CO2 220, MU1 164,

Affidavit for spayed or neutered dog

or veterinarian's certificate:

RETENTION: 0 after no longer needed

329 CO2 221, MU1 165,

Records relating to replacement of dog tag or purebred ID tag:

RETENTION: 1 year

330 CO2 222, MU1 166,

Records relating to the audit

of dog and purebred licenses, tags and validation stickers, or to the disposal of licenses or tags, including but not limited to any application, correspondence, or affidavit:

RETENTION: 3 years

◆ 331 CO2 223, MU1 167,

Reports

- a Report on the animal population and control program, dog or purebred licensing, license sales, or surcharge fees:
RETENTION: 6 years
- b Municipal compliance report, sent to New York State Department of Agriculture and Markets on dog identification and control:
RETENTION: 3 years

- c Notification sent to New York State Department of Agriculture and Markets of dog or purebred license fee established by local government:
RETENTION: 0 after superseding notice is filed, but not less than 6 years

332 CO2 225, MU1 169,

Records relating to dangerous dog or other animal, to their seizure, or to cruelty to animals:

RETENTION: 20 years, but not less than 6 years after death of animal (if death is known to have occurred)

333 CO2 226, MU1 170,

Records relating to claim for damages caused by dog

or by rabies to domestic animals, including appraisal report, certificate of claim, assessor's report and affidavit, and other records:

RETENTION: 6 years after last entry

334 CO2 227, MU1 171,

Animal shelter records

- a Master summary record (index, log or intake record) covering all animals held by shelter:

RETENTION: 3 years after last entry

- b Individual animal disposition record, covering redemption, adoption or euthanasia of seized animal:

RETENTION: 3 years

335 CO2 228, MU1 172,

Notice of violation of animal control law or ordinance:

RETENTION: 3 years

◆ 336 MU1 667,

Reports of rabies vaccinations,

forwarded by clinic, veterinarian or animal shelter to municipality:

RETENTION: 3 years after receipt or after certificate expires

ECONOMIC/INDUSTRIAL DEVELOPMENT

337 CO2 229, MU1 173, MI1 137

Business/industry loan case file,

including but not limited to loan application and evaluation, status reports, records of loan payments, tax abatement and exemption records, feasibility studies and correspondence:

RETENTION: 6 years after denial of application or 6 years after final payment on loan

338 CO2 230, MU1 174, MI1 138

Master summary record

(log or register) documenting contacts and inquiries and resulting responses and actions taken by agency personnel:

RETENTION: PERMANENT

EDUCATIONAL OPPORTUNITY CENTER

- 339** CO2 739, MI1 618
Program approvals
 for center and/or program operation, including approvals from State University of New York (SUNY) and New York State Education Department (SED):
 RETENTION: PERMANENT
- 340** CO2 740, MI1 619
Establishment records
 for educational opportunity center or former urban center:
 RETENTION: PERMANENT
- 341** CO2 741, MI1 620
Annual or other summary statistical report
 relating to enrollment, graduations, terminations, student finances, ethnicity and grades:
 RETENTION: PERMANENT
- 342** CO2 742, MI1 621
Director's office files
 including but not limited to correspondence, memoranda, reports, studies, publicity items, contracts and other legal documents
- a Where file documents a significant subject, or major policy-making or program-development process:
 RETENTION: PERMANENT
 - b Where file documents routine activity:
 RETENTION: 6 years
- 343** CO2 743, MI1 622
Course informational program file
- a Official copy of any literature or other material made available to the public:
 RETENTION: PERMANENT
 - b File on each instructional course or program:
 RETENTION: 1 year after course or program discontinued
- 344** CO2 744, MI1 623
Curriculum development records
 including but not limited to course worksheets, evaluations, and recommendations:
 RETENTION: 7 years
- 345** CO2 745, MI1 624
Official copy of course listing:

RETENTION: PERMANENT

346 CO2 746, MI1 625

Course outline:

RETENTION: 6 years

347 CO2 747, MI1 626

Class record

including class number and title, location, date and time class meets, student attendance:

RETENTION: PERMANENT

348 CO2 748, MI1 627

Admissions data

including but not limited to acceptance letter, application, income eligibility records, placement testing records, letters of recommendation, and transcripts

- a For applicants who enter (when not included in student folder):
RETENTION: 6 years after graduation or date of last attendance
- b For applicants who do not enter whether accepted or not:
RETENTION: 2 years following date of admission or exclusion

349 CO2 749, MI1 628

Student folder

- a Basic documentation, including but not limited to course or program application or registration, income eligibility records, graduation report, reports of grades (including change of grade records), summary attendance information, termination records, name change records, social security number change records, application for veterans' benefits, student counseling records and student summary disciplinary records:
RETENTION: 6 years after graduation or date of last attendance
NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Educational opportunity center student records covered by part "a" may be valuable in documenting EOC services to economically and educationally disadvantaged persons in the center's service area. Contact the State Archives for additional advice.
- b Supplemental documentation, including but not limited to test papers and answer sheets, copy of high school equivalency diploma, copies of and requests for transcripts and routine correspondence:
RETENTION: 1 year

350 CO2 750, MI1 629

Student's attendance record (register),

including but not limited to each student's name, address, and daily attendance, absence and tardiness:

RETENTION: 6 years

- 351** CO2 751, MI1 630
Student request for counseling or assistance
relating to emotional, psychological, personal, social, academic, or vocational concerns:
RETENTION: 6 years
- 352** CO2 752, MI1 631
Termination record
containing academic, attendance-related or disciplinary termination information not
contained in student folder:
RETENTION: 0 after no longer needed
- 353** CO2 753, MI1 632
Student grievance records
including but not limited to grievance, investigative records, hearing proceedings,
decision rendered, student appeal, records of arbitration procedure, final decision and
correspondence:
RETENTION: 6 years after grievance resolved
- 354** CO2 754, MI1 633
Student disciplinary records
(other than those contained in student folder) including but not limited to suspension or
disciplinary notice, hearing record, and correspondence:
RETENTION: 6 years
- 355** CO2 755, MI1 634
List of students enrolled in specific course or program:
RETENTION: 0 after superseded
- 356** CO2 756, MI1 635
Class schedule
including class title, location, dates, and time of meeting:
RETENTION: 6 years
- 357** CO2 757, MI1 636
College preparation or other examination records
(examination results being posted to student folder), including examination questions,
test papers and answer sheets:
RETENTION: 1 year
- 358** CO2 758, MI1 637
Statistical compilation or reports of students provided counseling services:
RETENTION: 0 after no longer needed
- 359** CO2 759, MI1 638
Request for academic, attendance or other information on disabled student

from Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR) of State Education Department, or other agency:

RETENTION: 6 years

- 360** CO2 760, MI1 639
Periodic (other than annual) fiscal reports submitted to the State University of New York (SUNY):

RETENTION: 6 years

- 361** CO2 761, MI1 640
Radiation use log
including user name, date, film size, quantity, screen, and length of time in facility where radiation is in use:

RETENTION: 4 years after graduation

ELECTION

◆ **NOTE:** Items in this section pertain to elections not conducted as part of a general election. NYS Election Law § 1-102 states that the provisions of the law apply to elections “at the time of a general election.” General elections occur on the first Tuesday of November and are usually administered by county boards of elections (these records are covered under the *Election Records Retention and Disposition Schedule for use by New York County Boards of Elections*). Elections occurring any other time of the year would not be considered a general election (often called "special election") and would be administered by municipalities or school districts.

◆ **362** MU1 175, ED1 69, MI1 139

Voter registration records

a Register of voters and pollbook:

RETENTION: 5 years

NOTE: Appraise these records for historical significance prior to disposition, especially when not duplicated at a county board of elections. Records with historical value should be retained permanently. Even though certain voter registration records are retained permanently by county boards of elections, municipalities and districts may wish to retain these records longer, if not permanently, for convenience of reference and for research purposes, if they contain information not found at county boards. See also item no. 373. Contact the State Archives for additional advice in this area.

b Registration challenge records:

RETENTION: 2 years after receipt or until final decision, whichever is later

◆ **363** MU1 176, ED1 70, MI1 140

Vote recording and tabulating records

a Sample ballot:

RETENTION: PERMANENT

b Voted ballot:

RETENTION: 1 year after election

c Application for absentee ballot:

RETENTION: 30 days after election

d Final election results, including election inspectors' return and statement of canvass (where information is not duplicated in report of final election results) and election result reports from town, city, village, or district clerk, or county board of elections:

RETENTION: PERMANENT

e Intermediate records used to compile final election results, including tally sheets, voting machine tabulation, detailed breakdown of results by wards or election districts and election inspectors' returns and statements of canvass (where information is duplicated in report of final election results):

- RETENTION: 1 year after election
- f Unused ballots:
RETENTION: 6 months after election and, if school election, after board of education resolution
- g Spoiled, voided, or rejected ballots:
RETENTION: 1 year after election
- 364** MU1 177, ED1 71, MI1 141
Election readiness records,
including certification of testing of voting machines or systems, record of ballot delivery, or similar records:
RETENTION: 1 year after election
- 365** MU1 178, ED1 72, MI1 142
Election officials' appointment records,
including notice of appointment, oath of office, and record of service:
RETENTION: 1 year after election
- 366** MU1 179, ED1 73, MI1 143
Notification and publication of notice of forthcoming election
- a Official copy of election notice:
RETENTION: PERMANENT
- b Proof of publication or posting, certification and listing of notice posting, copy of newspaper notice and certification of offices to be voted for at forthcoming election, and copy of any information sent to prospective voters regarding forthcoming election:
RETENTION: 1 year after election
- 367** MU1 180, ED1 74, MI1 144
Referendum records,
covering any question, recall or special election, including but not limited to actual petitions, records of signature verification and correspondence
- NOTE: Certain records documenting establishment, incorporation, annexation, consolidation, dissolution or charter revision must be retained permanently; see item nos. 876 and 43.
- a Summary records documenting request or need for referendum, such as records of public hearing, narrative justification accompanying petition, reports and correspondence dealing with pros and cons of issue at question:
RETENTION: PERMANENT
- b Other referendum records, including actual petitions, records of signature verification and routine correspondence:
RETENTION: 1 year after election
- 368** MU1 181, ED1 75, MI1 145
Election officials' training and qualifications records:

RETENTION: 3 years

369 MU1 182, ED1 76, MI1 146

Candidate designation or nomination records,

including petitions, certificate, declination of nomination, objection to nomination, and related records:

RETENTION: 1 year after election

370 MU1 183, ED1 77, MI1 147

Certificate of acceptance of office:

RETENTION: 1 year after person leaves office

371 MU1 184, ED1 78, MI1 148

Election challenge or investigation records:

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records which document significant investigations and challenges to election results may possess historical value and should be retained permanently. Contact the State Archives for additional advice.

372 MU1 185, ED1 80, MI1 149

Records of election financing and/or campaign receipts, contributions and campaign expenses, including attached copies of political advertisements and literature,

including but not limited to report of campaign receipts and expenditures, waiver of report, party committee's designation of treasurer and depository and statement of authorization or non-authorization by candidate:

RETENTION: 5 years

NOTE: Campaign financing is a major public policy issue. Therefore, the State Archives preserves state-level campaign finance records and the New York City Board of Elections preserves City campaign finance records. Preservation of these archival records will maintain vital evidence for future research about campaign financing. County boards of elections have the option to preserve these financing statements longer than 5 years if they find the need to do so. Likewise, local governments may wish to preserve all or some campaign finance records beyond the five year minimum in those instances where the elections involved are hotly contested and serious local issues are involved. Contact the State Archives for more advice if necessary.

373 MU1 186, ED1 79, MI1 150

Informational records received from county board of elections,

including lists of election officials, enrollment or registration lists, district maps and instructional materials:

RETENTION: 0 after superseded or obsolete

374 CO2 862, MI1 641

Agency assisted voter registration records

- a Signed declination form, containing person's declination to register to vote:
RETENTION: 22 months
- b Participating agency's copies of transmittal forms, used to accompany copies of completed voter registration applications or change of address forms, submitted to county board of elections:
RETENTION: 1 year
NOTE: This item only covers records maintained by participating agencies, not by county boards of elections.

ELECTRIC AND GAS UTILITY

◆ NOTE: This section applies only to records created or received by electronic and gas utilities operated by municipalities.

375 MU1 187, MI1 151

Operational permit records,

for electric or gas production plant and transmission and distribution system, including application, copy of permit and correspondence:

RETENTION: 6 years after denial of application or expiration, renewal or revocation of permit

◆ 376

Permits, approvals,

and related records necessary for connection to public electric or gas supply system:

RETENTION: 6 years after connection no longer in use, or after denial of application

NOTE: Records related to public electric and gas system construction or operation are covered by items in this section.

377 MU1 188, MI1 152

Construction, modification, demolition or retirement records

for electric or gas production plant and transmission and distribution system, including but not limited to detailed construction specifications and other supplementary documentation, progress and completion reports, work orders, memoranda, worksheets, records of inspection and work evaluation and correspondence:

RETENTION: 10 years after retirement of plant or system

NOTE: Appraise these records for historical significance prior to disposition. Significant records deriving from the construction, retirement or other major changes in municipal power facilities may have long-term value deriving from and relating to the importance of these facilities in the community and should be retained permanently. Contact State Archives for additional advice.

378 MU1 189, MI1 153

Gas and electric utility reports

- a Station or system power generation report:
RETENTION: 25 years
- b Station or system inspection report, including operating tests:
RETENTION: 6 years
- c Inspection and repair reports on street openings, such as for correcting gas leaks:
RETENTION: 6 years
- d Analysis of gas produced and purchased, including BTU and sulfur content:
RETENTION: 6 years

- e Gas measuring records:
RETENTION: 3 years
- f Gas pressure department reports:
RETENTION: 3 years

379 MU1 190, MI1 154

Substation, transformer, pole, tower or generator records,

or records of other specific component part of system, including sketches and measurements; and installation, maintenance and discontinuance information:

RETENTION: 6 years after component part replaced or its use discontinued

NOTE: All records relating to any gas pipeline designed to operate at 125 PSIG or more must be retained as long as that pipeline remains in service, per Section 255.17 (b) of 16NYCRR.

380 MU1 191, MI1 155

Log book of electric or gas plant

or any part of electricity or gas production, transmission and distribution system:

RETENTION: 6 years after last entry

381 MU1 192, MI1 156

Charts, graphs and related data recording records

- a Summary chart, graph or equivalent record compiled from records of original entry showing long term trends and developments:
RETENTION: PERMANENT
- b Recording chart or other record of original entry, including load curve; and temperature, pressure, specific gravity or water level chart:
RETENTION: 3 years
- c Gas measuring records, when information is transferred to summary record:
RETENTION: 6 months
- d Gas measuring records, when information is not transferred to summary record:
RETENTION: 1 year
- e River flow data collected in connection with hydro-electric plant operation:
RETENTION: PERMANENT

382 MU1 193, MI1 157

Municipal lighting records,

including but not limited to installation, repair, inspection and replacement records for street lights and other lighting devices:

RETENTION: 6 years after device no longer in use

383 MU1 194, MI1 158

General and subsidiary ledgers

or journals and journal vouchers of electric or gas utility:

RETENTION: 50 years

◆ 384

Cash transaction record

showing cash received from collection of various fees and petty cash disbursed:

RETENTION: 10 years after close of fiscal year

◆ 385

Life or mortality study data

created for depreciation purposes:

RETENTION: PERMANENT

386 MU1 195, MI1 159

Service interruption records,

including but not limited to storm damage, downed and severed power lines, circuit overloading or other related power failure or transmission problem, or apparatus failure reports for gas utility:

RETENTION: 6 years

387 MU1 196, MI1 160

Board of Fire Underwriters' certificate:

RETENTION: 3 years

388 MU1 197, MI1 161

Records of electric or gas meter tests:

RETENTION: 2 years after subsequent test conducted, but not longer than 6 years

389 MU1 198, MI1 162

Electric or gas meter history records:

RETENTION: 0 after meter no longer in use

ENERGY

390 CO2 235, MU1 203, MI1 167
Energy consumption monitoring records
showing use of electricity or fuel or operation of heating and/or cooling equipment, or energy audit, when not relating to facility owned or operated by local government:

RETENTION: 1 year

NOTE: Energy consumption monitoring records showing use of electricity or fuel, operation of heating and/or cooling equipment, or environmental conditions (temperature, humidity, air quality) in various parts of publicly owned or operated building or other facility, are covered by item no. 850 in the Public Property and Equipment section.

◆ **391** CO2 805, MU1 711, MI1 685
Weatherization client case files,
covering assistance provided to individuals and families to improve heating efficiency and reduce fuel expenditures, including but not limited to application, income documentation, description of property and work needed to improve heating efficiency, results of energy efficiency testing, description of work performed, copies of fuel bills, fuel information form, landlord agreement, notes and correspondence:

RETENTION: 6 years after date of last entry or work is completed

392 CO2 806, MU1 712, MI1 686
Master listing of clients
participating in weatherization program:

RETENTION: 6 years

393 CO2 807, MU1 713, MI1 687
Annual state plan
(final copy) for weatherization assistance program:

RETENTION: 6 years

394 CO2 808, MU1 714, MI1 688
Status report
on clients referred to local subgrantee agency:

RETENTION: 1 year

◆ **395** CO2 809, MU1 715, MI1 689
Interagency referral form,
maintained by referring agency:

RETENTION: 6 years

ENVIRONMENTAL HEALTH

NOTE: Records relating to laboratories and radiological health records are listed in the Public Health section. Lead poisoning records are covered by item nos. 783, 784 and 785 in the Public Health section, Miscellaneous subsection.

Local Regulatory/Permitting Agency: Animal Industry and Veterinary Medicine

NOTE: See also item no. 250 in the Cooperative Extension Association section, Miscellaneous subsection. Additional license and permit records may be found in the General Administration section, Corporation and Business Entities Filings subsection and Licenses and Permits section.

396 CO2 236,

Records concerning use of living animals in testing and experimentation

- a Laboratory protocol and testing procedures:
RETENTION: PERMANENT
- b Laboratory and testing inspection reports, including description of actual tests:
RETENTION: 3 years
- c Approval granted individual in charge of laboratory:
RETENTION: 3 years after individual's association with laboratory terminated
- d Approval granted laboratory:
RETENTION: 3 years after expiration

◆ 397 CO2 237, MU1 205, MI1 168

Rabies and animal bite records

- a Domestic livestock antirabies protection certificate:
RETENTION: 5 years
- b Records concerning certification of area for rabies, including but not limited to correspondence, notices, and copy of resolution:
RETENTION: 20 years
- c Investigation records for bite or other potentially dangerous contact with an animal, including potentially rabid animal:
RETENTION: 6 years
- d Wildlife vaccination program records, including application and notification records, forms, logs, and reports:
RETENTION: 10 years

NOTE: Appraise any annual, final, or special reports for historical significance prior to disposition. Reports may document significant public health initiatives and provide detailed information on the impact and results, thus possessing

historical or other value warranting permanent retention. Contact the State Archives for additional advice.

398 CO2 238,

Farm animal disease test records

- a Cattle disease test records, including but not limited to summary report for each herd (to which test results have been posted), brucellosis or tuberculosis test results and calf vaccination report:
RETENTION: 10 years
- b Inspection and related records for farm animals other than cattle:
RETENTION: 3 years

Local Regulatory/Permitting Agency: Miscellaneous

399 CO2 239, MU1 208, MI1 169

Environmental disturbance permit file:

RETENTION: PERMANENT

◆ **400**

Junk yard license records,

governed by Section 136 of the General Municipal Law

- a Original application for license, including environmental assessment and impact statement and other records:
RETENTION: 6 years after expiration or denial of license
NOTE: Appraise these records for historical significance and other long-term uses prior to disposition, as they may warrant longer, if not permanent, retention. Environmental assessment and impact records and other records associated with junkyard licenses may have research value in documenting potential environmental and public safety concerns. Contact the State Archives for additional advice in this area.
- b Renewal records:
RETENTION: 6 years after expiration or denial of license

401 CO2 242, MU1 210, MI1 171

Property acquisition or regulation file

documenting acquisition of real property or easements for drainage control, water lines, or other environmental health purposes:

RETENTION: PERMANENT

402 CO2 244, MU1 212, MI1 172

Master summary record

of applications relating to realty subdivisions, private water supply, private sewage disposal systems, or hazardous substance (or petroleum) spill, release or investigation

records:

RETENTION: PERMANENT

403 CO2 241, MU1 209, MI1 170

Spill, release or investigation records

covering hazardous substance or petroleum

NOTE: Corrective action plan for responding to contaminated soils and groundwater is covered by item no. 75 in the General Administration section.

- a Records of investigation of spill or release of hazardous substance exceeding minimum reportable quantity (as defined in Section 597.3, 6NYCRR, Table 1):
RETENTION: PERMANENT
- b Records of investigation of spill or release of hazardous or toxic substance not exceeding minimum reportable quantity (as defined in Section 597.3, 6NYCRR, Table 1):
RETENTION: 7 years after close of investigation
- c Records of investigation of spill or release of petroleum (as defined in Section 597.1(b)(12), 6NYCRR) exceeding 25 gallons:
RETENTION: PERMANENT
- d Records of investigation of spill or release of petroleum (as defined in Section 597.1(b)(12), 6NYCRR) not exceeding 25 gallons:
RETENTION: 7 years after close of investigation

◆ **404**

Hazardous or toxic substance or petroleum bulk storage records,

except storage facilities owned or operated by local government, including inspection and monitoring records:

NOT COVERED: Records related to a spill or release of hazardous or toxic substance or petroleum are covered by item no. 403.

RETENTION: 10 years

NOTE: Records related to petroleum bulk storage facility owned or operated by local government are covered by item no. 823 in the Public Property and Equipment section. Local governments may wish to retain records longer than the minimum retention period due to potential long-term environmental and public health risks associated with these substances.

405 CO2 243,

Realty subdivision environmental health approval file

- a All file documentation when county health agency approval is required and subdivision is undertaken, including final plans and certificate of approval, except routine memoranda, worksheets, non-significant change orders, routine correspondence, detailed construction specifications and draft or intermediary plans, maps, designs, sketches that do not document significant changes:
RETENTION: PERMANENT
- b Routine memoranda, worksheets, non-significant change orders, routine

correspondence, performance bonds, detailed construction specifications and draft or intermediary plans, maps, designs, sketches that do not document significant changes, when county health agency approval is required and subdivision is undertaken:

RETENTION: 20 years after date of approval

- c All file documentation when county health agency approval is required and subdivision is not undertaken:

RETENTION: 20 years after date of most recent entry in record

NOTE: Appraise these records for historical significance prior to disposition. These records may document major proposed land use changes and provide detailed information on the land involved, thus possessing historical or other value warranting permanent retention. Contact the State Archives for additional advice.

- d All file documentation when county health agency receives records for informational purposes, but their approval is not required, such as for subdivisions not meeting the legal definition found in Section 1115.1, Public Health Law:

RETENTION: 0 after no longer needed

- e Final determination approval criteria and precedents:

RETENTION: PERMANENT

406 CO2 245, MU1 213, MI1 173

State and local sanitary and related code violation records,

including locally enacted regulations, such as "clean indoor air acts"

- a Violation files:

RETENTION: 3 years after violation abated

- b Alleged but unfounded violation files:

RETENTION: 1 year after last entry

- c Master summary record (log or register) of complaints, violations and inspections:

RETENTION: 3 years after last entry

407 CO2 246,

Insect control ("vector") records

- a Annual, final or special reports:

RETENTION: PERMANENT

- b Background materials and supporting documentation:

RETENTION: 6 years

- c Records of discovery and analysis of insects or animals found not to be disease carriers:

RETENTION: 0 after no longer needed

408 CO2 247,

Pesticide use records

- a Annual, final or special reports:

RETENTION: PERMANENT

- b Copies of Department of Environmental Conservation (DEC) pesticide applicator certification or business/agency registration records:
RETENTION: 0 after no longer needed
- c Pesticide use inspection or investigation records:
RETENTION: 6 years
NOTE: This item does not cover application of pesticides (including herbicides, rodenticides and disinfectants) on municipal or school property or by municipal or school personnel. See item no. 832 in the Public Property and Equipment section.
- d Copies of emergency pesticide application notification records, where the original records are forwarded to New York State Department of Health, pursuant to Section 33-1004.1 (b-ii-L), Environmental Conservation Law:
RETENTION: 1 year
- e Pesticide application notification records, created as the result of passage of county notification law, pursuant to Section 33-1004.2, Environmental Conservation Law:
RETENTION: 6 years

409 CO2 248,**Air contamination permit files**

NOTE: These records do not cover records of resource recovery facilities owned or operated by local governments. These records are covered by the Environmental Facilities: General and Environmental Facilities: Solid Waste Management Facilities subsections, below.

- a Restricted or controlled burning permit file:
RETENTION: 3 years after last entry
- b Permit file for construction of incinerator, stationary combustion installation, resource recovery facility or process exhaust and ventilation system:
RETENTION: 7 years after source no longer exists
- c Permit file ("source file") for operation of incinerator, stationary combustion installation, resource recovery facility or process exhaust and ventilation system, including but not limited to certificate to operate, inspection and monitoring records:
RETENTION: 0 after source no longer exists, but not less than 6 years after denial, expiration or renewal
- d Information copies of construction or operation permit records, where official copies are held by New York State Department of Environmental Conservation, which issues permit directly:
RETENTION: 0 after no longer needed

410 CO2 249,**Air quality monitoring and surveillance log**

of air sampling station or similar records of original entry:

RETENTION: 5 years

◆ 411

Radon detection test kit distribution records:

RETENTION: 1 year

412 CO2 250,

Emission and operating parameter measurements

for incineration facilities and other sources of air contamination

a Annual reports:

RETENTION: PERMANENT

b Summary reports and records of original entry:

RETENTION: 5 years

413 CO2 261,

Permits, approvals,

and related records, relating to water supply or wastewater disposal system, maintained by local health agency

a Private water supply or wastewater disposal system approvals, including small privately owned water systems, when not part of realty subdivision application:

RETENTION: 20 years after completion of work or 6 years after denial of application

NOTE: Appraise these records for historical significance and other long-term uses prior to disposition, warranting longer, if not permanent, retention. These records may be useful if public water supply or public wastewater treatment systems serve these areas in the future. Contact the State Archives for additional advice.

b Permit for septic tank cleaner or industrial waste collectors, issued by local agency:

RETENTION: 6 years

c Informational copies of permit records for septic tank cleaner or industrial waste collectors, where State Department of Environmental Conservation issues permit:

RETENTION: 0 after no longer needed

d Permit files for distribution of bottled or bulk water, where local government agency issues permit:

RETENTION: 6 years after expiration of permit or denial of application

e Permit files for fluoridation plans, backflow prevention devices, fire pump chlorinators, or for interconnecting water systems, where local government agency issues permit:

RETENTION: 6 years after distribution of bottled or bulk water, cessation of operation or denial of application

f Informational copies of permit records for fluoridation plans, backflow prevention devices, fire pump chlorinators, distribution of bottled or bulk water, or for interconnecting water systems, where State Department of Health issues permit:

RETENTION: 0 after no longer needed

g Well driller certification records:

RETENTION: 0 after superseded or obsolete

414 CO2 810, MU1 863, MI1 690

Records of minor repairs, enlargements or cleaning

of drainage ditches, or in drainage districts, including but not limited to those defined in Sections 15-1943 and 15-1945, Environmental Conservation Law:

RETENTION: 6 years after date of completion of work

415 CO2 811, MU1 864, MI1 691

Hazardous waste site identification records,

including survey of suspected hazardous waste disposal sites, including that created pursuant to Section 27-1303, Environmental Conservation Law; copy of state registry listing of sites for a specific jurisdiction; review of registry listings; and determination and notification records for newly identified sites:

RETENTION: PERMANENT

416 MU1 865, MI1 692

Informational copies of reports and studies,

received from environmental facilities or from county or state agencies, including copies of reports created pursuant to Section 5-1.72 of 10NYCRR, public health hazard notification, or relating to unsatisfactory water samples, watershed rules violations, and water quality monitoring violations, including testing records and records of action taken by supplier of water to correct violations:

RETENTION: 0 after no longer needed

◆ **417** CO2 812, MU1 866,

Environmental restoration project records,

created pursuant to Part 375, 6NYCRR, including inactive hazardous waste disposal site remediation, brownfield cleanup, environmental restoration, and soil cleanup programs

- a Application for state assistance; feasibility studies; successful bids; plans, specifications and designs; project description; in-progress and completion photographs; inspection reports; final plans, maps, designs, sketches, architectural drawings and photographs; structure demolition records; environmental impact statement; annual project statement; copies of project review records; fiscal and other final reports; significant change orders; property disposition records; and significant correspondence:

RETENTION: PERMANENT

- b Supplementary documentation, including interim fiscal reports, claims, contracts, vouchers, work orders, memoranda, worksheet, non-significant change orders; routine correspondence, detailed construction specifications and draft or intermediary plans, maps, designs, sketches or drawings:

RETENTION: 6 years after completion of project or date of most recent entry, whichever is longer

- c Unsuccessful bids, to which contracts are not awarded:

RETENTION: 6 years

- d All records, when project is proposed but not undertaken:
RETENTION: 6 years after date of last entry
NOTE: Appraise these records for historical significance prior to disposition. Certain records for environmental restoration projects that are proposed but not undertaken may have research value in documenting property where hazardous substances are located or which is otherwise adversely affected, and should be retained permanently. Contact the State Archives for additional advice.

◆ 418

Climate action plans

documenting action to address climate change by reducing greenhouse gas emissions and investing in green economies:

RETENTION: PERMANENT

Local Regulatory/Permitting Agency: Oversight of Environmental Facilities

NOTE: Records relating to the establishment of water or sewer districts in a town or county are also covered by item no. 40 in the General Administration section.

419 CO2 813,

Permits, approvals,

and related records, relating to public water supply or wastewater disposal system, maintained by local health agency

- a Approvals of extensions of areas covered by public water supply or public wastewater treatment systems:
RETENTION: PERMANENT
- b Approval necessary for connection to public water supply or wastewater disposal system:
RETENTION: 6 years after connection no longer in use, or 6 years after denial of application
NOTE: Appraise these records for long-term uses prior to disposition, warranting longer, if not permanent, retention. These records may be useful in the future in documenting the location of pipes and other underground devices. Contact the State Archives for additional advice.
- c Records relating to surveillance of public water supply system, conducted by local health department, including inspection and sampling records, and waiver from mandatory disinfection requirements:
RETENTION: 3 years after superseded, invalid or obsolete
- d State Pollutant Discharge Elimination System (SPDES) permit issued by county health agency pursuant to Section 17-0701.7, Environmental Conservation Law:
RETENTION: 6 years after permittee ceases pollution discharge and the permit coverage is terminated

420 CO2 262,

Reports and studies

relating to environmental facilities, covering records maintained by county health agency or by municipality

- a Copies of reports and studies, received from public water supply systems, including copies of reports created pursuant to Section 5-1.72 of 10NYCRR, where these facilities are under surveillance of county health department:
RETENTION: 3 years
- b Informational copies of reports and studies, received from environmental facilities, including copies of reports created pursuant to Section 5-1.72 of 10NYCRR, where county does not have surveillance responsibility:
RETENTION: 0 after no longer needed
- c Records relating to unsatisfactory water samples, watershed rules violations, and water quality monitoring violations, including testing records and records of action taken by supplier of water to correct violations, where county is involved in testing samples, monitoring violations and correcting problems:
RETENTION: 6 years after superseded
NOTE: Appraise these records for long-term uses prior to disposition, warranting longer, if not permanent, retention. These records may be useful in the future in documenting cases of serious drinking water contamination. Contact the State Archives for additional advice.
- d Informational copies of records relating to unsatisfactory water samples, watershed rules violations, and water quality monitoring violations, including testing records and records of action taken by supplier of water to correct violations, where county is not involved in testing samples, monitoring violations and correcting problems:
RETENTION: 1 year
- e Public health hazard notification, received by county or municipality from public water supply system, pursuant to Section 5-1.77(b), 10NYCRR:
RETENTION: 6 years
- f Copies of monthly discharge monitoring and operation reports, submitted to county health department acting as agent for New York State Department of Environmental Conservation in conjunction with SPDES permit requirements:
RETENTION: 5 years
- g Report or list of SPDES permits ranked in respect to need for review, received from New York State Department of Environmental Conservation:
RETENTION: 0 after superseded or obsolete

421 CO2 814,**Environmental health data file,**

providing summary and/or detailed information on various environmental health permitting and regulatory activities, such as community sanitation, service food establishments, private water supply and wastewater treatment systems, lead poisoning investigations, and code violations:

RETENTION: 0 after no longer needed

NOTE: Health agencies should consider long-term retention of the basic data elements of these systems for both administrative convenience and for potential research purposes, if data files are maintained locally aside from data input into the New York State Department of Health database. This data may provide for ease of access to other files and may create a record which supplements the facility data information record (see item no. 424). Contact the State Archives for additional advice.

422 CO2 815,

Reports, studies or data queries,

including those generated from environmental health data system (including documentation of macros, queries, and reports):

RETENTION: 0 after no longer needed

NOTE: Appraise the records for archival value. Reports and studies documenting various aspects of community sanitation (such as camps, resorts and mass gatherings) may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice.

◆ 423

Utility company petition

to adjust rates for collection, treatment, or disposal of sewage, including operation reports:

RETENTION: 6 years after new rate is effective or is not approved

Local Regulatory/Permitting Agency: Community Sanitation and Food Protection

NOTE: For related records, see also the Consumer Protection Services section.

424 CO2 271,

Facility information data record

containing data on camp, hotel/motel, swimming pool, bathing beach, service food establishment or other facility monitored by health agency:

RETENTION: 6 years after facility no longer in use

NOTE: Appraise these records for historical significance prior to disposition. These records may be used to document camps and other resorts in certain areas of the state where tourism is a subject of serious concern. Contact the State Archives for additional advice.

425 CO2 272,

Community sanitation permits and approvals

to operate pool, beach, camp, temporary residence or to hold mass gathering, including those operated as part of a mobile home park:

RETENTION: 3 years after denial or expiration

426 CO2 273,

Community sanitation reports of operation and inspection

- a Daily operation reports for swimming pools, bathing beaches, and recreational aquatic spray grounds:
RETENTION: 1 year
- b All other reports, including inspection report:
RETENTION: 21 years

427 CO2 816,

Violation records,

including hearing records, for food service establishment, camp, hotel/motel, swimming pool, bathing beach, or other facility monitored by health agency

- a When no minor is involved:
RETENTION: 6 years
- b When a minor is involved:
RETENTION: 6 years after date of most recent entry, but not until 3 years after any minor involved attains age 18

428 CO2 269,

Service food establishment permits and approvals

- a Service food establishment construction, alteration or remodeling records, except records documenting minor facility modifications:
RETENTION: 3 years after establishment no longer in operation
- b Records documenting minor facility modifications for service food establishment:
RETENTION: 3 years
- c Operational permit file for service food establishment, including records of suspension or closure:
RETENTION: 3 years after expiration
- d Temporary operation permit file for service food establishment:
RETENTION: 2 years after denial, renewal or expiration
- e Frozen dessert or oleomargarine sale permit records:
RETENTION: 2 years after denial, renewal or expiration

429 CO2 270,

Food inspection and investigation records

- a Inspection report for preparation or serving area:
RETENTION: 3 years
- b Food sanitation complaint investigation or food embargo records, for investigations other than food- or water-borne disease investigations:
RETENTION: 6 years after last entry
- c Food sanitation complaint investigation or food embargo records, when a food- or water-borne disease investigation is conducted:
RETENTION: 21 years
NOTE: Appraise these records for long-term uses, warranting longer, if not

permanent, retention prior to disposition. Records covered by item 429c may be useful in the future in documenting cases of serious food poisoning, such as where death or serious illness occurs from E. coli contamination. Contact the State Archives for additional advice.

- d Food labelling and advertising investigation or complaint records:
RETENTION: 2 years

Environmental Facilities: General

NOTE: Records relating to maintenance, testing, service, operational, and repair records of environmental facilities are listed in the Public Property section.

430 CO2 817, MU1 867, MI1 693

Capital construction or public improvement project file for environmental facility, covering water treatment plant; public water supply system; wastewater treatment plant and disposal system; and solid waste management facility (including landfill gas recovery facility)

- a Feasibility studies; successful bids; plans, specifications and designs; project description; in-progress and completion photographs; construction inspection reports; final or "as built" plans, maps, designs, sketches, architectural drawings and photographs; environmental impact statement; annual project statement; fiscal and other final reports; significant change orders; retrofitting records; and significant correspondence:
RETENTION: PERMANENT

NOTE: Some draft or intermediary plans, maps, designs, sketches or architectural drawings, or detailed construction specifications may need to be retained permanently under part "a," above, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition under part "b," below. Contact the State Archives for additional advice.

- b Supplementary documentation, including interim fiscal reports, claims, contracts, vouchers, work orders, memoranda, worksheet, non-significant change orders; routine correspondence, detailed construction specifications and draft or intermediary plans, maps, designs, sketches or architectural drawings:

RETENTION: 6 years after completion of project or date of most recent entry, whichever is longer

- c Unsuccessful bids, to which contract is not awarded:
RETENTION: 6 years

- d All records, when project is proposed but not undertaken:
RETENTION: 6 years after date of last entry

NOTE: Appraise these records for historical significance prior to disposition. Certain records for important environmental facility projects that are proposed but not undertaken may have historical and other research value and should be retained permanently. Contact the State Archives for additional advice.

431 CO2 255, MU1 223, MI1 181

Permit or registration files for construction, operation and maintenance

of environmental facility, covering water treatment plant; public water supply system; wastewater treatment plant and disposal system; and solid waste management facility (including landfill gas recovery facility)

NOTE: Duplicate set of records maintained for public observation should be retained in accordance with specific permit requirements issued by the New York State Department of Environmental Conservation.

- a Permit, application, approval or disapproval; related plans, maps, specifications and engineering drawings; variance from New York state regulations, approval of use of emergency source of water, approval to supply water to or take water from other system, approval of fluoridation process, progress and inspection reports, final and annual reports, summaries of data collected relating to permit issuance, and significant correspondence:

RETENTION: PERMANENT

- b Routine correspondence, cover and internal memoranda, draft or intermediary plans, designs and photographs, detailed data that has been summarized in other records, and other records of transitory value:

RETENTION: 6 years after date of last entry

432 CO2 257, MU1 225, MI1 183

Component part

sketches, measurements, installation, inspection and maintenance records:

RETENTION: 6 years after part replaced or its use permanently discontinued

433 CO2 818, MU1 868, MI1 694

Automated operating system records,

covering Supply Control and Data Acquisition (SCADA) or equivalent systems, covering operation, monitoring, problems or emergencies, and maintenance of environmental facility

- a Detailed data collected from sensors or monitors, and detailed reports generated from such data:

RETENTION: 0 after no longer needed

NOTE: Because of the amount of detailed data collected by such systems, such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements, such as those contained in Section 756.2(c), 6NYCRR. It is recommended that local government environmental facilities store this data offline long enough to meet such requirements. Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.

- b System operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:

RETENTION: 5 years

NOTE: Appraise these records for archival value. History files may contain

valuable information to document system operation over a period of time. Contact the State Archives for additional advice in this area.

434 CO2 258, MU1 226, MI1 184

Log

or equivalent record containing information such as changes in pressure and level, proportion of chemicals present, operational changes, problems and emergencies, and personal observations

- a Containing summary information collected at periodic intervals and information on significant readings, events or observations:

RETENTION: PERMANENT

- b Containing all or routine information collected at frequent intervals:

RETENTION: 5 years

NOTE: If no logs containing summary information are generated, local government environmental facilities may wish to retain all or some records covered by part "b" of this item, for both long-term administrative use and for potential research purposes. Certain inspection logs of solid waste management facilities must be retained for 7 years after date of inspection.

435 CO2 259, MU1 227, MI1 185

Charts, graphs and similar records

of pumpage, flow, pressure, emissions, temperature, levels of chemicals, and related information

- a Summary records showing long-term trends and developments:

RETENTION: PERMANENT

- b Records of original entry, containing significant information:

RETENTION: 10 years

- c Records of original entry, containing only routine information with no long-term value:

RETENTION: 1 year

NOTE: Some of these records may need to be retained longer to meet both administrative needs and legal requirements, such as those contained in Section 756.2(c), 6NYCRR. Consult your attorney or counsel and the State Department of Environmental Conservation to determine which records, if any, must be retained longer than 1 year.

- d Intermediary records, compiled from records of original entry, but not showing long-term trends and developments:

RETENTION: 5 years

436 CO2 260, MU1 228, MI1 186

Operator qualifications records:

RETENTION: 6 years after disapproval, renewal, or expiration of approval

437 CO2 819, MU1 869, MI1 695

Reports, studies or data queries,

including those generated from SCADA or equivalent environmental facility operating system (including documentation of macros, queries, and reports), when not covered by specific report items in this section:

RETENTION: 0 after no longer needed

NOTE: Appraise the records for archival value. Reports and studies documenting various aspects of system operation may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice.

438 CO2 820, MU1 870, MI1 696

Environmental facility alarm, problem and emergency records

- a Narrative records documenting serious problems or emergencies, including charts, graphs, and data necessary to support such records:
RETENTION: PERMANENT
- b Records documenting minor or routine alarms or problems, including detailed data generated by automated systems when certain parameters are exceeded:
RETENTION: 5 years
- c Contingency or similar plans to deal with emergency situations:
RETENTION: PERMANENT

◆ 439

Audio-visual files,

including video inspection of environmental facilities, public water supply, and wastewater disposal systems when not covered by specific items in this section:

RETENTION: 0 after no longer needed

Environmental Facilities: Public Water Supply

440 CO2 821, MU1 229, MI1 187

Permits, approvals,

and related records, excluding those related to public water supply system construction or operation covered by item no. 431

- a Approval necessary for connection to public water supply system:
RETENTION: 6 years after connection no longer in use, or after denial of application
- b Waiver or variance from mandatory disinfection or other requirements:
RETENTION: 5 years after superseded or invalid
- c Permit files for fluoridation plans, backflow prevention devices, fire pump chlorinators, distribution of bottled or bulk water, or for interconnecting water systems, where local government agency issues permit:
RETENTION: 6 years after cessation of operation or denial of application
- d Informational copies of permit records for fluoridation plans, backflow prevention devices, fire pump chlorinators, distribution of bottled or bulk water, or for

interconnecting water systems, where State Department of Health issues permit:

RETENTION: 0 after no longer needed

◆ 441 CO2 822, MU1 230, MI1 188

Reports and studies

relating to plant, system or facility operation

- a Annual and final reports (including annual report submitted to federal Environmental Protection Agency [EPA]), comprehensive water supply study and report, special studies and detailed reports, including facility inspection reports, reports on watershed rules and rules violations, sanitary surveys, comprehensive performance evaluations, environmental facility monitoring, overall operational reports and reports of emergencies, containing summary or detailed information of long-term value:

RETENTION: PERMANENT

- b Reports and studies covering routine information only, not covered by other item in this Schedule:

RETENTION: 0 after no longer needed

- c Monthly operational report submitted to New York State Department of Health:

RETENTION: 5 years

NOTE: Appraise the records for archival value. Reports and studies documenting various aspects of system operation may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice.

- d Records relating to water quality monitoring violations, watershed rules violations or unsatisfactory water samples, and major changes in aquifer or watershed, including test results and records of corrective actions taken:

RETENTION: 3 years after issuance of notice

NOTE: Appraise these records for long-term uses prior to disposition, warranting longer, if not permanent, retention. These records may be useful in the future in documenting cases of serious drinking water contamination. Contact the State Archives for additional advice.

- e Annual inspection of bottled water facility for certification purposes:

RETENTION: 5 years

442 CO2 823, MU1 716, MI1 697

Water systems periodic operation reports,

created pursuant to 10NYCRR, Section 5-1.72 (d) and forwarded to county health department or regional office of New York State Department of Health

- a Report of microbiological sample results (copy retained by supplier of water):

RETENTION: 5 years

- b Report of surface water systems, showing chemical and turbidity analyses, (copy retained by supplier of water):

RETENTION: 10 years

◆ 443 CO2 824, MU1 231, MI1 189

Reports

not relating directly to system or treatment facility construction or operation

- a Operational and testing records for fire pump chlorinator, backflow prevention device, where local agency issues permit:
RETENTION: 5 years
- b Informational copies of operational and testing records for fire pump chlorinator, backflow prevention device, where State Department of Health or other local agency issues permit:
RETENTION: 0 after no longer needed
- c Report of bottled or bulk water distribution:
RETENTION: 3 years
- d Small privately owned water system detailed evaluations, including sanitary surveys and comprehensive performance evaluations:
RETENTION: 10 years after superseded
- e Interstate water carrier reports and other records:
RETENTION: 10 years
- f Septic tank cleaner or industrial waste collector reports and related records:
RETENTION: 6 years

444 CO2 825, MU1 871, MI1 698

Automated hydrological monitoring system records,

covering system infrastructure, system service area or aquifer

- a Detailed data collected from sensors or monitors (both collected by this system or obtained from another source, such as a SCADA system), and detailed reports generated from such data:
RETENTION: 0 after no longer needed

NOTE: Because of the amount of detailed data collected by such systems, such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements. In some cases it may be necessary to maintain this detailed data as long as reports or studies based on the data are retained. It is recommended that local government environmental facilities store this data offline long enough to meet such requirements. Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.
- b System operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:
RETENTION: 5 years

NOTE: Appraise these records for archival value. History files may contain valuable information to document system operation over a period of time. In some cases it may be necessary to maintain this detailed data as long as reports or studies based on the data are retained. Contact the State Archives for additional advice in this area.

445 CO2 826, MU1 872, MI1 699

Reports, studies, analytical models or data queries,

generated from hydrological monitoring system (including documentation of macros, queries, and reports), when not covered by specific report items in this section

- a Reports and studies documenting major system operational capabilities and proposed modifications, long-range water use planning and aquifer or watershed protection, and/or for long-term planning, for historical and other research, or leading to major future capital expenditures:

RETENTION: PERMANENT

- b Report and studies of short-term or transitory value, containing incomplete or otherwise invalid data, or drafts generated in the process of creating reports and studies covered by part "a," above:

RETENTION: 0 after no longer needed

446 CO2 827, MU1 873, MI1 700

Water supply emergency plan,

prepared pursuant to Section 1125, Public Health Law and Section 5-1.33 of 10NYCRR, including revisions and review records

- a Copy maintained by public water supplier:

RETENTION: PERMANENT

- b Copy held by local health agency:

RETENTION: 5 years after superseded

Environmental Facilities: Stormwater and Wastewater Treatment

447 CO2 828, MU1 874, MI1 701

Permits, approvals,

and related records, excluding those related to system or treatment facility construction or operation, covered by item no. 431, or those relating to receiving significant industrial or high-discharge users, covered by item no. 448

- a Approval necessary for connection to wastewater disposal system:

RETENTION: 6 years after denial or approval

- b Permit for septic tank cleaner or industrial waste collectors to deliver waste to treatment facility:

RETENTION: 6 years

448 CO2 829, MU1 875, MI1 702

Records relating to receipt and pretreatment of significant industrial or other high-discharge waste

- a Permits for discharge of effluent into wastewater treatment system and related records, such as copies of SPDES permits issued to waste generator, discharge monitoring reports, detailed intake records, and laboratory test results:

RETENTION: 6 years after denial, renewal or expiration of permit

- b Summary records of waste received for treatment, including records relating to

waste received that exceeds acceptable volume or content parameters:

RETENTION: 20 years

NOTE: Certain records covered by this subitem relating to significant industrial or other high-discharge waste generation and disposal may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

- c Survey or similar records of significant industrial or other high-discharge waste generators in an area served by a specific wastewater treatment facility:

RETENTION: 5 years after superseded or obsolete

NOTE: Certain records covered by this subitem relating to significant industrial or other high-discharge waste generation and disposal may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

449 CO2 830, MU1 876, MI1 703

Reports and studies

relating to plant, system or facility operation

- a Annual and final reports (except annual report submitted to federal Environmental Protection Agency [EPA]), comprehensive wastewater study and report, special studies and detailed reports, including facility inspection reports, sanitary surveys, environmental facility monitoring, overall operational reports and reports of emergencies, containing summary or detailed information of long-term value:

RETENTION: PERMANENT

- b Annual report submitted to federal Environmental Protection Agency (EPA), also known as "503 report":

RETENTION: 5 years

NOTE: As a rule this report does not contain as useful information as do the monthly discharge and operation reports, covered by part "d," below. However, facilities which include more information in this report may wish to retain these reports longer, even permanently, for administrative or research reasons. Contact the State Archives for additional information.

- c Filter inspection reports (such as sieve analysis) for wastewater treatment system:

RETENTION: 5 years

- d Monthly discharge monitoring and operation reports, submitted to New York State Department of Environmental Conservation in conjunction with SPDES permit requirements:

RETENTION: 5 years after facility no longer in use

NOTE: Appraise the records for archival value. Data contained in these reports may be valuable for long-term planning and for historical and other research, warranting permanent retention of these records. Contact the State Archives for additional advice.

- e Septic tank cleaner or industrial waste collector reports and related records:

RETENTION: 6 years

- f Reports and studies covering routine information only, not covered by other item in this Schedule:

RETENTION: 0 after no longer needed

450 CO2 831, MU1 877, MI1 704

Records relating to sludge, biosolids, unprocessable solids or other waste byproduct

produced as a result of wastewater treatment process, including both detailed records of waste byproducts generated, including laboratory test results and individual load transfer records, and summary records of waste byproducts produced (including unprocessable solids) and disposed of by facility:

RETENTION: 5 years

NOTE: Certain records relating to sludge, biosolids, unprocessable solids or other waste byproduct produced as a result of wastewater treatment process may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

451 CO2 832, MU1 878, MI1 705

Records relating to leachate received from solid waste management facilities

for processing, including both detailed records of leachate received, including laboratory test results and individual load delivery records and summary reports and other records of leachate received and disposed of:

RETENTION: 5 years

NOTE: Certain records relating to leachate received from solid waste management facilities for processing may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

452 CO2 833, MU1 879, MI1 706

Co-composting records,

including but not limited to testing records for materials used and product generated, and marketing and distribution records, including both detailed records, including laboratory test results and individual load delivery records and summary reports and other records of materials used and compost generated and its distribution:

RETENTION: 5 years

NOTE: Certain records relating to co-composting may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

Environmental Facilities: Solid Waste Management Facilities

NOTE: Records relating to co-composting facilities are covered in the Environmental Facilities: Wastewater Treatment subsection, immediately above.

NOTE: Records relating to disposal of sludge, biosolids, unprocessable solids or other waste byproduct produced as a result of wastewater treatment process, are covered by item no. 450.

Records relating to public educational recycling programs are covered by item nos. 68 and 54 in the General Administration section.

453 CO2 834, MU1 880, MI1 707

Permit for use of solid waste management facility

by business or resident of local government:

RETENTION: 6 years after denial or expiration of permit

◆ 454 CO2 835, MU1 881, MI1 708

Reports and studies

relating to plant, system or facility operation

a Annual summary reports, final reports, special studies and detailed reports, including facility inspection reports, environmental facility monitoring, overall operational reports and reports of emergencies, water quality records, containing summary or detailed information of long-term value:

RETENTION: PERMANENT

b Quarterly or monthly or operational reports, including reports of exceedances generated by resource recovery facilities and condensate sampling reports of landfill gas recovery facilities:

RETENTION: 7 years

NOTE: Appraise the records for archival value. Reports documenting various aspects of system operation may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice.

c Detailed tonnage or similar reports (including summary reports or other records generated from individual load delivery records) which contain significant information, for solid waste management facility:

RETENTION: 7 years

d Monthly discharge monitoring and operation reports, submitted to New York State Department of Environmental Conservation in conjunction with SPDES permit requirements, for use of water as coolant, including thermal water temperature data:

RETENTION: 5 years

e Reports and other records of unauthorized waste collected and its final disposition, created pursuant to Section 360-1.14 (i-1), 6NYCRR:

RETENTION: 7 years

f Reports and studies covering routine information only, not covered by other item in this Schedule:

RETENTION: 0 after no longer needed

455 CO2 264, MU1 232, MI1 190

Hazardous waste collection and disposal records

a Summary reports and other records of substances and quantities collected and disposed of by outside transfer:

RETENTION: PERMANENT

- b Individual load delivery and other detailed records, including manifest form:
RETENTION: 10 years
NOTE: Certain records covered by part "b" may warrant longer retention for legal and administrative reasons, because of the toxic nature of materials collected and transported for disposition at another site. Contact your attorney or counsel to determine if longer retention of these records is necessary:
- c Contract for removal of materials collected, along with related bids (successful or unsuccessful) and performance bond or certificate of insurance:
RETENTION: 6 years after superseded or invalid

456 CO2 265, MU1 233, MI1 191

Individual load delivery records

for solid waste management facility (including materials recycling facility - MRF), including "scalehouse" information records

- a Individual load delivery records for residential waste:
RETENTION: 6 years
NOTE: The individual load delivery records may be disposed of after 1 year, providing the summary records created from them contain sufficient information on the date of disposal, name of the generator, transporter and disposer of the waste, types and quantity of waste disposed. To ascertain if the summary records suffice to meet requirements of the State Department of Environmental Conservation, contact DEC's Division of Materials Management at (518) 402-8678.
- b Individual load delivery records for other than residential waste:
RETENTION: 10 years
NOTE: The individual load delivery records may be disposed of after 1 year, providing the summary records created from them contain sufficient information on the date of disposal, name of the generator, transporter and disposer of the waste, types and quantity of waste disposed. To ascertain if the summary records suffice to meet requirements of the State Department of Environmental Conservation, contact DEC's Division of Materials Management at (518) 402-8678.
- c Summary reports and other records created from individual load delivery records:
RETENTION: 10 years
NOTE: The individual load delivery records may be disposed of after 1 year, providing the summary records created from them contain sufficient information on the date of disposal, name of the generator, transporter and disposer of the waste, types and quantity of waste disposed. To ascertain if the summary records suffice to meet requirements of the State Department of Environmental Conservation, contact DEC's Division of Materials Management at (518) 402-8678.
- d Reports and studies covering routine information only, not covered by other item in this Schedule:
RETENTION: 0 after no longer needed
- e Automated "scalehouse" data file, containing information on type, weight and

source of waste collected and disposed of, as well as billing information:

RETENTION: 10 years after information is superseded or invalid

457 CO2 266, MU1 234, MI1 192

Proof of liability insurance coverage

(insurance policy, certificate of insurance or equivalent record), and proof of financial assurance for solid waste management facility

a For landfill:

RETENTION: 30 years after closure of landfill

b For solid waste management facility other than landfill:

RETENTION: 6 years after closure of facility

458 CO2 267, MU1 235, MI1 193

Recycling marketing records,

including but not limited to annual, final or summary reports and studies, and background files on markets and materials:

RETENTION: 6 years

NOTE: Routine marketing reports and other records are covered by item no. 454f.

459 CO2 268, MU1 236, MI1 194

Recycling waste collection

annual or summary records and reports, including necessary supporting data:

RETENTION: PERMANENT

460 CO2 836, MU1 882, MI1 709

Records relating to ash, leachate, or other waste byproduct

generated and/or disposed of by solid waste management facility

a Detailed records of waste byproducts generated, including laboratory test results, leaching potential test report and individual load transfer records:

RETENTION: 5 years

b Summary records of waste byproducts generated and/or disposed of by facility:

RETENTION: 10 years

NOTE: Certain records covered by parts "a" and "b" relating to ash, leachate other waste byproduct generated and/or disposed of by solid waste management facility may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

461 CO2 837, MU1 883, MI1 710

Local solid waste management plan,

created pursuant to Section 27-0107, Environmental Conservation Law, covering all updates, and including necessary supporting documentation:

RETENTION: PERMANENT

462 CO2 838, MU1 884, MI1 711

Research, development or demonstration project or program files,

including required permits and related records created pursuant to Section 360-1.13, 6NYCRR, official copy of publications, videotapes, or informational literature prepared as a result of the project, background materials and supporting documentation:

RETENTION: 6 years after project or program ends

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. If research, development or demonstration projects or programs deal with significant subjects of a scientific or public improvement nature, then certain documentation from these files, such as summary reports and resulting publications, should be retained permanently.

463 CO2 839, MU1 885, MI1 712

Self-inspection records of solid waste management facility,

created pursuant to Section 360-1.14 (f-3) and (i-2), 6NYCRR, including inspection log:

RETENTION: 7 years from date of inspection

464 CO2 840, MU1 886, MI1 713

Landfill closure records,

including but not limited to site investigation records, conceptual and final closure plans, environmental and facility monitoring records, close and post-closure registration report, closure construction certification report, and periodic inspection reports

a All records, except periodic routine inspection reports, routine notes, memoranda, correspondence and detailed data collected as part of project:

RETENTION: PERMANENT

b Routine notes, memoranda, correspondence and detailed data collected as part of project:

RETENTION: 30 years after date of closure

c Periodic routine inspection reports:

RETENTION: 7 years after date of inspection

ENVIRONMENTAL MANAGEMENT (CONSERVATION ADVISORY COUNCIL)

465 CO2 274, MU1 242, ED1 449, MI1 195

Natural resource inventory

and listing of open areas and wetlands, including official copy of final inventory or report, final maps, surveys, photographs and background materials and supporting documentation:

RETENTION: PERMANENT

466 CO2 275, MU1 243, MI1 196

Environmental quality review records

a Environmental impact statements and related reports:

RETENTION: PERMANENT

b Background materials and supporting documentation used in preparing statements and reports:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. In the case of environmental impact statements prepared for major projects, supporting documentation may be very valuable, and the State Archives suggests local governments consider retaining these records permanently. Contact the State Archives for additional advice in this area.

467 CO2 276, MU1 244, ED1 450, MI1 197

Environmental protection and natural resources management plan

a Final plan and report:

RETENTION: PERMANENT

b Background materials and supporting documentation:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Supporting documentation may be very valuable, and the State Archives suggests local governments consider retaining these records permanently. Contact the State Archives for additional advice in this area.

468 CO2 841, MU1 717, MI1 714

Fish stocking and other fishery records for lakes and streams

a Fishery surveys, including detailed collection records:

RETENTION: PERMANENT

b Records of fish stocking:

RETENTION: 40 years

- c Other fishery records, including notes and routine correspondence:
RETENTION: 0 after no longer needed

469 CO2 842, MU1 718, ED1 451, MI1 715

Lake, river, stream or watershed study files

- a Final and interim reports and studies, maps, photographs, significant correspondence and essential data collected as part of study:
RETENTION: PERMANENT
- b Notes, drafts, routine correspondence and non-essential data:
RETENTION: 0 after no longer needed

470 CO2 240, MU1 887, MI1 716

Flood control and beach erosion records

- a Flood insurance maps, including all updates:
RETENTION: PERMANENT
- b Other records, such as shoreline and flood hazard boundary maps, flood insurance surveys, and storm damage reports, and including records provided local officials by the State Department of Environmental Conservation, but excluding flood insurance maps:
RETENTION: 0 after superseded or obsolete

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. These records may be valuable for areas in the state where beach erosion and flood control have a major impact. Contact the State Archives for additional advice in this area.

EXECUTIVE

◆ 471 CO2 217, MU1 581, ED1 33, MI1 198

Executive, Supervisor, Mayor, Superintendent, Administrator, Manager, County Sheriff, or Police Chief's office files,

including but not limited to correspondence, memoranda, calendars and schedules, reports, studies, publicity items, contracts, and other legal documents

NOTE: Executives are the chief executive officer of local governments, including but not limited to city or village mayors, town supervisors, county executives, superintendents, managers, or administrators.

a Where file documents a significant subject, or major policy-making or program-development process:

RETENTION: PERMANENT

b Where file documents routine activity:

RETENTION: 6 years

FISCAL

◆ **NOTE:** Chapter 13 of the State Finance Law, known as the “False Claims Act,” allows a local government to bring a civil action to recover financial losses from a fraudulent claim. This statute may require that certain records covered by items in the Fiscal and other sections be retained longer than their stated legal minimum retention periods, in some cases up to 10 years. In instances involving potential actions under the “False Claims Act,” local government officials may wish to consult with their attorney to verify whether any specific records warrant longer retention.

Audit

472 CO2 293, MU1 260, ED1 310, MI1 214

Report of audit of financial affairs

- a Audit filed pursuant to Section 35, General Municipal Law, conducted by New York State Comptroller's Office or by New York City Comptroller or by an outside auditing firm:
RETENTION: PERMANENT
- b Other external audits:
RETENTION: 6 years
- c Internal audits, conducted by local government officials:
RETENTION: 6 years

473 CO2 294, MU1 261, ED1 311, MI1 215

Audit background documentation,

including summaries, posting records, and related records created by an auditing office as part of the auditing procedure:

RETENTION: 6 years

474 CO2 295, MU1 262, ED1 312, MI1 216

Audit hearing or review file:

RETENTION: 6 years after audit accepted

Banking and Investment

475 CO2 296, MU1 263, ED1 109, MI1 217

Banking communications,

including but not limited to bank statement, reconciliation, notification of voiding or

return of check, cancellation of payment, or other notice for checking or savings account:

RETENTION: 6 years

◆ **476** CO2 297, MU1 264, ED1 110, MI1 218

Canceled check or stop payment notices,

including payroll check or other instrument of payment, or order to fiscal officer to pay when used as a negotiable instrument, including voided check or instances of lost or stolen checks, and misdirected financial institution transactions:

RETENTION: 6 years

NOTE: It is recommended that a list of destroyed unused checks be created and maintained for legal or audit purposes.

◆ **477**

Original check, money order, or similar instrument of payment

received and kept by local government, scanned and deposited to bank account, or retained by the local government for any other reason:

RETENTION: 60 days after deposit and verification of account information or no longer needed for any purpose

NOTE: It is recommended that the process of receipt of payment and subsequent deposit as a part of the standard course of business be documented and maintained for legal or audit purposes.

478 CO2 298, MU1 265, ED1 111, MI1 219

Copy of check or check stub:

RETENTION: 6 years

479 CO2 299, MU1 266, ED1 112, MI1 220

Depository agreement,

including designation of depository, bond or surety, or other record relating to deposition of local government funds:

RETENTION: 6 years after agreement, contract, designation, bond or surety has expired or been superseded or rescinded

480 CO2 300, MU1 267, ED1 113, MI1 221

Deposit book for checking account:

RETENTION: 6 years after date of most recent entry

481 CO2 301, MU1 268, ED1 114, MI1 222

Deposit book for savings account:

RETENTION: 6 years after cancellation

482 CO2 302, MU1 269, ED1 115, MI1 223

Deposit slip:

RETENTION: 6 years

483 CO2 306, MU1 273, ED1 119, MI1 227

Master summary record of bonds, notes, or securities

purchased by the government for investment, identifying the security, the fund for which held, the place where kept, and listing the date of sale and the amount realized:

RETENTION: PERMANENT

484 CO2 307, MU1 274, ED1 120, MI1 228

Periodic reports and similar records

of yield received from or status of bonds, notes, securities or other obligations purchased for investment:

RETENTION: 6 years after bond issue retired

Bonds and Notes

NOTE: The following record series provide disposition authority for records related to the issuance of bonds, notes or obligations. However, the actual bonds, notes or obligations are not covered by these items. Instead, bonds, notes or obligations may only be destroyed pursuant to Section 63.10 of the Local Finance Law. Questions should be addressed to the Office of the State Comptroller, Division of Legal Services, 110 State Street, Albany, NY 12236; phone: (518) 474-5586.

485 CO2 303, MU1 270, ED1 116, MI1 224

Bond issue preparation file,

covering bonds issued by local governments

a Master summary record of bonds issued:

RETENTION: PERMANENT

b Other records, including those relating to bond attorneys, preparation of the prospectus, prospectus distribution to bond buyers, bond printing, list of prospective or actual buyers, bond printing bids, bond ratings, and proof of publication of notice of estoppel:

RETENTION: 6 years after bond issue retired

486 CO2 304, MU1 271, ED1 117, MI1 225

Bond or note issue and cancellation register,

including information on the type, amount, number of obligations in issue, rate of interest, date of maturity, holders, cancellation of the bond or note, and other pertinent information:

RETENTION: 6 years after cancellation of last bond or note

487 CO2 305, MU1 272, ED1 118, MI1 226

Debt-contracting power statement

filed with Office of the State Comptroller before sale of bonds:

RETENTION: 6 years after bond issue retired

488 CO2 843, MU1 719, ED1 452, MI1 717

Records relating to exclusion of self-liquidating indebtedness

by a local government, including copy of application filed with Office of State Comptroller, notice and proof of publication, and State Comptroller's written certificate:

RETENTION: 6 years after date of certificate

Budget

489 CO2 45, MU1 51, ED1 55, MI1 46

Budget preparation file

for budget request or estimate submitted by department head, including but not limited to the preliminary or tentative budget, budget appropriation and staffing requests, estimates of revenues or expenditures, narrative of services, budget message, budget hearing and review files, and related records:

RETENTION: 6 years

490 CO2 48, MU1 54, ED1 58, MI1 49

Annual budget

- a Official copy when not included in minutes:
RETENTION: PERMANENT
- b When budget is included in minutes:
RETENTION: 0 after officially recorded in minutes
- c Reporting office copy:
RETENTION: 0 after no longer needed
- d Copy of town, city or other budget used in determining tax levy:
RETENTION: 6 years

491 CO2 49, MU1 55, ED1 59, MI1 50

Special budget

filed with state or federal agency:

RETENTION: PERMANENT

492 CO2 50, MU1 56, ED1 60, MI1 51

Budget status report

on allocation, receipts, expenditures, encumbrances, and unencumbered funds

- a Cumulative report:
RETENTION: 6 years
- b Monthly or quarterly report:
RETENTION: 1 year

493 CO2 51, MU1 57, ED1 61, MI1 52

Budgetary change request,

(if not included in minutes) including approval or denial for change in approved budget and including but not limited to transfer of funds from one budget item to another, overtime authorization, or request for supplemental funds:

RETENTION: 6 years

494 CO2 845, MU1 720, ED1 453, MI1 718

Copies of municipal, special district or other budgets,
received and maintained for informational purposes:

RETENTION: 0 after no longer needed

◆ 1170

School budget notice (official copy)

mailed to qualified voters and other residents, notifying them of budget to be voted on at annual or special election:

RETENTION: 6 years

Claims and Warrants

495 CO2 308, MU1 275, ED1 121, MI1 229

Claim for payment

(approved or disallowed), including claim, vendor's voucher and bill:

RETENTION: 6 years

496 CO2 310, MU1 277, ED1 123, MI1 231

State or federal-state reimbursement claim file (federal revenue sharing),

including but not limited to annual state aid consolidated funding application, summary and detail of claim, worksheets and other supporting documents:

RETENTION: 6 years

497 CO2 311, MU1 278, ED1 124, MI1 232

Summary record of outstanding or paid warrants or claims:

RETENTION: 6 years

498 CO2 312, MU1 279, ED1 125, MI1 233

Notice of claim record and index

as required by Section 50-f of the General Municipal Law:

RETENTION: 6 years after final disposition of claim

◆ 499 CO2 313, MU1 280, ED1 126, MI1 234

Order or warrant to pay monies:

RETENTION: 6 years

500 CO2 314, MU1 281, ED1 127, MI1 235

Outstanding warrants listing,
including adding machines tapes:
RETENTION: 6 years

501 CO2 846, MU1 888, ED1 128, MI1 236

Assignment of claim:

RETENTION: 6 years after satisfaction or 10 years, whichever is less

General Accounting and Miscellaneous

502 CO2 277, MU1 245, ED1 95, MI1 199

General ledger

showing summary receipts and disbursements from all funds and accounts:

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. General ledgers containing detailed entries that include information on nature of transaction and parties involved may be valuable in documenting financial transactions involving a local government. General ledger of municipal electric or gas utility is covered by item no. 383 in the Electric and Gas Utility section.

503 CO2 278, MU1 246, ED1 96, MI1 200

Subsidiary ledger

providing details of the general ledger accounts:

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Subsidiary ledgers containing detailed entries that include information on nature of transaction and parties involved may be valuable in documenting financial transactions involving a local government, if this detailed information is not contained in general ledgers.

504 CO2 279, MU1 247, ED1 97, MI1 201

Journal

recording chronological entries of all fiscal transactions:

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Journals containing detailed entries that include information on payor, payee and purpose may be valuable in documenting financial transactions involving a local government. Journal voucher of a municipal electric or gas utility is covered by item no. 383 in the Electric and Gas Utility section.

505 CO2 280, MU1 248, ED1 98, MI1 202

Accounting register,

including but not limited to check register, transfer of funds register, encumbrance register, and register of claims presented for payment and paid claims:

RETENTION: 6 years after last entry

506 CO2 281, MU1 249, ED1 99, MI1 203

Cash transaction record

showing cash received from collection of various fees and petty cash disbursed:

NOT COVERED: Record of cash transactions of municipal electric or gas utility is covered by item no. 384 in the Electric and Gas Utility section.

RETENTION: 6 years

507 CO2 282, MU1 250, MI1 204

Tolls or fares collection record,

including but not limited to record of receipts and log of operations:

RETENTION: 6 years

508 CO2 283, MU1 251, ED1 100, MI1 205

Daily cash record,

including adding machine tapes, cashier's slips showing daily cash receipts and analysis of cash receipts:

RETENTION: 6 years

◆ **509** CO2 284, MU1 252, ED1 101, MI1 206

Notice of encumbrance

indicating funds encumbered and amount remaining unencumbered:

RETENTION: 6 years

◆ **510** CO2 285, MU1 253, ED1 102, MI1 207

Past due account fiscal records and summaries:

RETENTION: 6 years after account satisfied or otherwise closed

◆ **511**

Case file for each account containing court-controlled funds held by the fiscal office,

including but not limited to court order establishing account, investment records, and record of dispersal of funds upon account being closed:

RETENTION: 6 years after account closed

512 CO2 286, MU1 254, ED1 103, MI1 208

Intermediary fiscal record of receipts and disbursements,

including but not limited to detail record, analysis, proof sheet or trial balance worksheet, and adding machine tapes:

RETENTION: 6 years

◆ **513** CO2 287, MU1 255, ED1 104, MI1 209

List or abstract of receipts, disbursements, claims, purchase orders, or contracts:

RETENTION: 6 years

514 CO2 288, MU1 256, ED1 105, MI1 210**Billing records covering services provided by local government,**
including utilities

- a Customer's individual account, including automatic payment authorization and other ACH records:

RETENTION: 6 years after last entry

- b Records used to determine billing and charges including "flat rate" computation record and copies of bills and charge slips:

RETENTION: 6 years

- c Billing address records:

RETENTION: 0 after superseded or obsolete

515 CO2 289, MU1 257, ED1 106, MI1 211**Bill of sale**

of property owned by local government other than real property:

RETENTION: 6 years

◆ 516 CO2 290, MU1 258, ED1 107, MI1 212**Sales or occupancy tax records,**

covering taxes collected by local governments:

RETENTION: 6 years

517 CO2 291, MU1 259, ED1 108, MI1 213**Tax exemption records,**

showing that local government is exempt from paying sales, use or other taxes:

RETENTION: 1 year after superseded or obsolete

518 CO2 847, MU1 721, ED1 324, MI1 719**Payment recoupment records,**

documenting the process of recovering monies paid erroneously by local government to employee, vendor or other payee:

RETENTION: 6 years after date of most recent entry in record

519 CO2 315, MU1 282, ED1 129, MI1 237**Receipt (received) or copy of receipt (issued)**

other than for payment of taxes:

RETENTION: 6 years

520 CO2 848, MU1 722, ED1 454, MI1 720**Grant, award or gift files,**

covering grants, awards and gifts given by local governments to other local governments, not-for-profit corporations, businesses or individuals

NOTE: Records of grants received by local governments are covered by item no. 55 in the General Administration section.

- a Master summary record or index of grants, awards or gifts used to track awarding, progress, or payments:

RETENTION: PERMANENT

- b Detailed records of grants, awards and gifts (awarded or not), excluding master summary record:

RETENTION: 6 years

521 CO2 849, MU1 723, ED1 455, MI1 721

Credit card records

documenting payments received by credit cards or electronic transactions, including credit card payment receipts, and statements showing amounts of payments received and fees deducted:

RETENTION: 6 years

522 CO2 292,

Estate settlement fiscal records,

including but not limited to records of receipt of estate or transfer tax, copies of Surrogate's decrees and Surrogate's orders fixing tax, transmittals between Surrogate Court and county financial officer and estate appraisal records

- a Copy of receipt issued for payment of estate or transfer tax, providing receipt of tax payment is recorded in accounting of estate:

RETENTION: 6 years

- b All other estate settlement fiscal records:

RETENTION: PERMANENT

◆ 523

Employee reimbursement records,

where local government pays for or reimburses employee for college tuition or job-related training expenses:

RETENTION: 6 years after payment or reimbursement is made to employee

◆ 1171

Records of universal telecommunications and information services (E-rate) program for schools and libraries

- a Records related to the application for, receipt, and delivery of supported services, or which demonstrate compliance with statutory or regulatory requirements, including pre-bidding, bidding, contracts, application process, invoices, and FCC certification forms and program integrity assurance review documentation:

RETENTION: 10 years after the last day of the applicable funding year or the service delivery deadline for the funding request, whichever is later

- b Asset and inventory records of equipment purchased sufficient to verify the actual location of such equipment:

RETENTION: 10 years after purchase

◆ 1172

Student financial aid records

including but not limited to applications for assistance, financial aid disbursement records, copies of income tax forms, financial aid transcripts from other schools, award and declination notices, verifications for non-taxable income and other tax-related records, and veteran's service information:

RETENTION: 6 years

Payroll

◆ **NOTE:** The copy of payroll, or payroll report, submitted to civil service office for certification or approval, is covered by item no. 685 in the Personnel/Civil Service section, Civil Service subsection. Employee benefit records, including declination statements for insurance plans and retirement systems, are covered by item no. 645 in the Personnel/Civil Service section, Personnel subsection.

NOTE: The State Archives does not prescribe the amount of detail and nature of information necessary to be maintained for salary verification for retirement and social security purposes. Contact the Office of the State Comptroller or other retirement system to verify that you are maintaining the necessary payroll information.

524 CO2 372, MU1 345, ED1 179, MI1 291

Payroll,

including information on gross and net pay, base pay, taxes, and other deductions

- a Year-end payroll, including detailed information necessary for salary verification for retirement and social security purposes:
RETENTION: 55 years
- b Periodic payroll, including detailed information necessary for salary verification for retirement and social security purposes, when no year-end payroll is maintained or year-end payroll does not contain this required detailed information:
RETENTION: 55 years
- c Periodic payroll, not including detailed information necessary for salary verification for retirement and social security purposes:
RETENTION: 6 years
- d Warrant authorizing payment of salaries based on a specific payroll, if maintained separate from payroll itself:
RETENTION: 6 years
- e Preliminary draft of payroll:
RETENTION: 0 after warrant authorizing payment of salaries is signed

- f County's information copy of municipal, school, fire or special district payroll:
RETENTION: 0 after no longer needed
- 525** CO2 373, MU1 346, ED1 180, MI1 292
Payroll, contributions, or related report
covering all employees or an individual employee, and not covered by specific item in this section
NOTE: Local governments may wish to retain these records longer (i.e., 55 years) for social security or retirement documentation purposes.
 - a When needed for audit or other fiscal purposes:
RETENTION: 6 years
 - b When not needed for audit or other fiscal purposes:
RETENTION: 0 after no longer needed
- 526** CO2 374, MU1 347, ED1 181, MI1 293
Payroll distribution breakdown record
used to distribute or classify labor costs:
RETENTION: 6 years
NOTE: Local governments may wish to retain these records longer (i.e., 55 years) for social security or retirement documentation purposes.
- 527** CO2 375, MU1 348, ED1 182, MI1 294
Summary record of employee's payroll changes:
RETENTION: 6 years after termination of employment
- 528** CO2 376, MU1 349, ED1 183, MI1 295
Employee's time records:
RETENTION: 6 years
- 529** CO2 377, MU1 350, ED1 184, MI1 296
Record of employee absences or accruals
NOTE: This item does not apply to an employee's time cards or sheets.
 - a When not posted to periodic cumulative time summary record:
RETENTION: 6 years
 - b When posted to periodic cumulative time summary record:
RETENTION: 1 year
- 530** CO2 378, MU1 351, ED1 185, MI1 297
Employee request for and/or authorization given to employee to use or donate sick, vacation, personal or other leave, or to work overtime:
RETENTION: 6 years
- ◆ **531** CO2 379, MU1 352, ED1 186, MI1 298
Record of assignments, attachments, and garnishments of employee's salary,
including pension loan paybacks and time buybacks

- a When employment was terminated prior to satisfaction:
RETENTION: 6 years after termination of employment
 - b When satisfied, cancelled, or withdrawn:
RETENTION: 5 years after satisfaction or withdrawal
- ◆ **532** CO2 380, MU1 353, ED1 187, MI1 299
Employee's voluntary payroll deduction request form,
including but not limited to deferred compensation or health saving account requests:
RETENTION: 5 years after authorization expires
- 533** CO2 381, MU1 354, ED1 188, MI1 300
Schedule or other notification from issuing bank
showing savings bond purchased for employee:
RETENTION: 5 years after latest bond issue
- 534** CO2 382, MU1 355, ED1 189, MI1 301
Employee's personal earnings record
used to prove end-of-year total earnings, retirement or other deductions and taxes withheld:
RETENTION: 6 years
NOTE: Local governments may need to retain these records longer for social security or retirement documentation purposes.
- 535** CO2 383, MU1 356, ED1 190, MI1 302
Employee's declaration of intention to accept or reject Social Security:
RETENTION: 10 years after employee dies or reaches age 75, whichever is shorter
- 536** CO2 384, MU1 357, ED1 191, MI1 303
Quarterly or other periodic report of wages paid
prepared for Social Security, and report of any adjustments or corrections:
RETENTION: 6 years after year in which wages were reported
- 537** CO2 385, MU1 358, ED1 192, MI1 304
Copy of federal determination of error in wage reports
(Form OAR-S30 or equivalent record):
RETENTION: 6 years after determination received
- ◆ **538** CO2 386, MU1 359, ED1 193, MI1 305
Payroll report
submitted to New York State Employee's Retirement System, Policemen's and Firemen's Retirement System, State Teachers Retirement System, or any other official pension system:
RETENTION: 6 years
NOTE: Local governments may wish to retain these records longer (i.e., 55 years) for social security or retirement documentation purposes.

- ◆ **539** CO2 387, MU1 360, ED1 194, MI1 306
Employer's copy of federal tax returns,
including annual and quarterly returns, continuation sheets, notices of tax return due, or equivalent forms:
RETENTION: 4 years after tax paid
- ◆ **540** CO2 388, MU1 361, ED1 195, MI1 307
Employer's copy of U.S. Internal Revenue Service tax forms,
including but not limited to U.S. Information Returns, Withholding Tax Statement (Form W-2), Transmittal of Wages and Tax Statements (Form W-3), Request for Taxpayer Identification Number (TIN) and Certification (Form W-9), or equivalent forms:
RETENTION: 5 years
- ◆ **541** CO2 389, MU1 362, ED1 196, MI1 308
Employee's Withholding Exemption Certificate (Form W-4),
or equivalent form:
RETENTION: 4 years after a superseding certificate is filed or employment is terminated
- ◆ **542** CO2 390, MU1 363, ED1 197, MI1 309
Employer's copy of New York State income tax records
relating to employees:
RETENTION: 4 years after tax was paid
- ◆ **543**
Accounting and financial reporting for post-employment benefits other than pensions (OPEB)
 - a Final reports:
RETENTION: 6 years
NOTE: Local governments may wish to retain these records longer for retirement documentation purposes.
 - b All other records, including drafts and working papers:
RETENTION: 6 years
- 544** CO2 850, MU1 724, ED1 342, MI1 722
Direct deposit records,
covering direct deposit of employee's salary, including but not limited to application to begin or terminate direct deposit, and transaction log or similar reports:
NOT COVERED: Routine payroll logs or reports showing pay to employees, including direct deposit payments, are covered by item no. 524.
RETENTION: 5 years after authorization expires

Purchasing

- 546** CO2 598, MU1 559, ED1 257, MI1 496
Purchase order, purchase requisition,
or similar record, used to obtain materials, supplies, or services:
RETENTION: 6 years
- ◆ **547** CO2 599, MU1 561, ED1 259, MI1 498
Purchasing file,
including but not limited to bid (successful, unsuccessful), contract, specifications,
requests for proposals, vouchers, bills, and related records, for purchase of materials,
equipment, supplies and services not connected with capital construction:
RETENTION: 6 years after completion of purchase or 6 years after final payment under
contract, whichever is later
NOTE: For capital construction, see item no. 806 in the Public Property and Equipment
section and item no. 1070 in the Transportation and Engineering section.
- 548** CO2 600, MU1 562, ED1 260, MI1 499
Vendor file,
including but not limited to list of vendors doing business with the local government,
vendor evaluation forms, price lists or other information received from vendors:
RETENTION: 0 after obsolete
- 549** CO2 601, MU1 563, ED1 261, MI1 500
Performance guarantee
or written warranty for products or similar record:
RETENTION: 6 years after expiration
- 550** CO2 602, MU1 564, ED1 262, MI1 501
Invoice,
packing slip, shipping ticket, copy of bill of lading or similar record used to verify
delivery and/or receipt of materials or supplies:
RETENTION: 6 years
- 551** CO2 603, MU1 565, ED1 263, MI1 502
Invoice register,
or similar record used to list invoices:
RETENTION: 6 years after last entry
- 552** CO2 606, MU1 568, ED1 266, MI1 505
Standing order file,
used for purchase of materials and supplies which are received on a regular basis:
RETENTION: 6 years
- 553** CO2 852, MU1 726, ED1 456, MI1 724

Chargeback records,
showing specific fund to be charged for in-house expenditure:
RETENTION: 6 years

- 554** CO2 1054, ED1 502, MI1 905
Canceled bids file,
including purchase requisitions, vendor solicitations, requests for proposals (RFPs), requests for quotes (RFQs), requests for information (RFIs), requests for comments (RFCs), price quotations and related records concerning bids for goods or services which were canceled without a purchase being completed:
RETENTION: 1 year after subsequent procurement of the same goods or services completed under a re-initiated procurement, or 1 year after decision not to purchase such goods or services

Reports

- 555** CO2 316, MU1 283, ED1 130, MI1 238
Daily, weekly, monthly, quarterly, or other periodic fiscal reports,
including but not limited to daily funds report, daily cash report, statement of monthly balances, recapitulation of disbursements, and departmental reports:
RETENTION: 6 years
- 556** CO2 317, MU1 284, ED1 131, MI1 239
Annual or final fiscal reports
a When report is not included in minutes:
RETENTION: PERMANENT
b When report is included in minutes:
RETENTION: 0 after officially recorded
- 557** CO2 318, MU1 285, ED1 132, MI1 240
Fiscal reports from state agencies:
RETENTION: 6 years
- 558** CO2 319, MU1 286, MI1 241
Fiscal report
on management of court funds and of securities or depositories in which court funds are invested or deposited:
RETENTION: 6 years
NOTE: Municipalities must submit to the Office of the State Comptroller reports on moneys paid to a court of record pursuant to Section 70.12, 2NYCCR.
- 559** CO2 320, MU1 287, ED1 133, MI1 242
Certificate, demand or direction to fiscal officer to pay monies:

RETENTION: 6 years

560 CO2 321, MU1 288, ED1 134, MI1 243

Verification of travel expenses,

including but not limited to certificate of accuracy and receipts:

RETENTION: 6 years

561 CO2 853,

Cash bail records,

covering cash bail deposited with county fiscal officer or sheriff

- a Cash bail records, including copy of court order fixing bail, form recording information on principal involved and person posting bail, voucher, receipt and court order directing refunding or forfeiting bail or transferring bail to superior court:

RETENTION: 6 years

- b Log or listing of cash bail monies received, held and/or paid out by county fiscal officer or sheriff:

RETENTION: 6 years after date of most recent entry

GAMES OF CHANCE/BINGO/LOTTERY

◆ **NOTE:** Records relating to the operation of bingo or games of chance by local governments are covered under item no. 12 in General Administration section.

- 562** MU1 289,
Licensing and operation file
for non-profit organization conducting bingo or games of chance
- a Application for and copy of license, investigation report, correspondence and all related records, except financial reports:
RETENTION: 3 years after expiration of license or denial of application
 - b Financial report submitted quarterly, weekly or at the conclusion of each day's games:
RETENTION: 4 years
 - c Annual financial/operational report submitted to municipality:
RETENTION: 6 years
- 563** MU1 290,
Authority to license bingo and games of chance
delegated to local official by local governing body:
RETENTION: 0 after superseded or obsolete
- 564** MU1 291,
Master license register,
summarizing all information on bingo and games of chance operations in municipality:
RETENTION: 6 years after last entry
- 565** MU1 292,
Lottery, raffle, or other fund-raising game or event records,
except bingo or games of chance:
RETENTION: 3 years

HERITAGE AREA (URBAN CULTURAL PARK)

- 566** MU1 727, MI1 725
Management plan for heritage area (urban cultural park),
 created pursuant to Section 35.05, Parks, Recreation and Historic Preservation Law, including description of boundaries of park area, inventory and designation of cultural resources, statement of goals and objectives, identification of types of park uses, identification of properties for potential acquisition, description of exhibits and programs to be undertaken, economic assessment of the park's cost and benefits, description of techniques for preservation of cultural resources, description of organizational structure and schedule for park planning, development and management and State-issued approval
- a Final management plan:
RETENTION: PERMANENT
 - b Background materials and supporting documentation, including copies of "early action" grant files:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Some of the records within these files may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.
- 567** MU1 728, MI1 726
Application for heritage area (urban cultural park) designation
 submitted to State Office of Parks, Recreation and Historic Preservation, including response and related correspondence:
 RETENTION: PERMANENT
- 568** MU1 729, MI1 727
Visitor center records
- a Proposals, plans and drawings, feasibility studies and real property records:
RETENTION: PERMANENT
 - b Visitors registers and patron usage records:
RETENTION: 3 years
- 569** MU1 730, MI1 728
Walking and other tour files
- a Maps, brochures, photographs and background research files:
RETENTION: 6 years after tour discontinued
NOTE: Appraise these records for historical significance prior to disposition. Some maps, brochures and photographs may have continuing value for architectural, historical or other research and should be retained permanently.

Contact the State Archives for additional advice.

- b Notes, correspondence, memoranda, lists of participants and other routine records:
RETENTION: 1 year

570 MU1 731, MI1 729

Exhibit file

documenting planning, construction, and use of exhibit, including but not limited to installation photographs and slides, sketches, worksheets, publicity, brochures, exhibit catalogs, inventory lists, loan agreements and visitor surveys

- a Brochures, exhibit catalogs, installation photographs and slides, and inventory lists:

RETENTION: PERMANENT

- b All other records:

RETENTION: 6 years after exhibit closed

NOTE: Appraise these records for historical significance prior to disposition. Some of these records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

571 MU1 732, MI1 730

Special event file,

including but not limited to official copy of any program or promotional literature, or significant photographs of events, and background materials and supporting documentation:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Some of the records these files may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

HISTORIAN

572 CO2 322, MU1 293,

Local historian's records

collected in the course of official duties pursuant to Section 57.09 of the Arts and Cultural Affairs Law

- a Records that document significant aspects of the history of the community and its citizens:

RETENTION: PERMANENT

- b Records that are collected and maintained for reference purposes or which do not document significant aspects of the history of the community and its citizens:

RETENTION: 0 after no longer needed

NOTE: This item includes non-government manuscript records collected by the official local government historian. Local government records collected by the historian are covered by other items on this Schedule. Published materials collected by the historian are not considered to be public records.

HUMAN RIGHTS/ECONOMIC OPPORTUNITY◆ **573** CO2 323, MU1 294, ED1 141, MI1 244**Individual complaint or problem case file**

of human rights, economic opportunity, equal employment, community relations or similar function, excluding individual case summary record

NOTE: Agencies may wish to retain records covered by parts "a" and "b" of this item beyond the minimum retention period for use in establishing patterns of complaints and for investigating and resolving future complaints. For records of affirmative action cases involving local government employees, see item no. 643c in the Personnel/Civil Service section, Personnel subsection.

- a For case handled at local level (includes cases referred to New York State Division of Human Rights but returned to local agency for adjudication):

RETENTION: 3 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of significant cases handled at the local level. Contact the State Archives for additional advice in this area.

- b For case referred to New York State Division of Human Rights:

RETENTION: 2 years after last entry

574 CO2 324, MU1 295, ED1 142, MI1 245**Summary record for individual case and/or master summary record of all cases:**

RETENTION: PERMANENT

575 CO2 854, MU1 733, ED1 331, MI1 731**Periodic statistical or narrative activity or progress reports**

on human rights or economic opportunity office activities:

RETENTION: 3 years

NOTE: Appraise these records for historical significance prior to disposition. Periodic reports containing summary information not found in annual reports may have continuing value for historical or other research and should be retained permanently.

INFORMATION TECHNOLOGY

General Administration

1297 CO2 764, MU1 670, ED1 406, MI1 644

Data processing policies,

records of data processing policies including those covering access and security, systems development, data retention and disposition, and data ownership:

RETENTION: 3 years after policy is withdrawn, revised, updated, or superseded

1298 CO2 762, MU1 668, ED1 404, MI1 642

Information technology subject files, correspondence, memoranda, reports, publications, and related records

used to support the administration of information technology services. This item does not include local government information technology plans, long-range or strategic plans, IT policies, records that document fiscal transactions, and any records covered by other items in this schedule:

RETENTION: 0 after superseded or obsolete

1299 CO2 763, MU1 669, ED1 405, MI1 643

Information technology and data processing services plans,

local government IT plans, data processing services plans, strategic plans, and related records used to plan for information systems development, technology acquisitions, data processing services provision, or related areas

a Master copy of plan and essential background documentation:

RETENTION: Retain for 3 planning cycles after the plan is completed, superseded, or revised

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Some of these records may document the development and advancement of technology used by the local government. Contact the State Archives for additional advice in this area.

b Copies, drafts, and routine material:

RETENTION: 0 after no longer needed

Systems and Application Development

1300 CO2 766, MU1 672, ED1 408, MI1 646

Application development project files,

records created and used in the development, redesign, or modification of an automated system or application including project management records, status reports, draft system or subsystem specifications, draft user requirements and specifications, and memoranda and correspondence. This item does not cover system or application documentation (see item nos. 1301 and 1302):

RETENTION: 3 years after completion of project

NOTE: In some circumstances, local governments may wish to maintain these files longer for reference. All relevant information and final documentation should be contained in system and application documentation files (see item nos. 1301 and 1302).

1301 CO2 767, MU1 673, ED1 409, MI1 647

Information systems specifications,

user and operational documentation describing how an application system operates from a functional user and data processing point of view including records documenting data entry, manipulation, output and retrieval (often called "system documentation records"), records necessary for using the system, including user guides, system or sub-system definitions, system flowcharts, program descriptions and documentation (or other metadata), job control or workflow records, system specifications, and input and output specifications. This item does not cover data documentation and other records used to explain the meaning, purpose, or origin of data (see item no. 1302):

RETENTION: 3 years after discontinuance of system, but not before system data is destroyed or transferred to new operating environment

1302 CO2 768, MU1 674, ED1 410, MI1 648

Data documentation,

records generally created during development or modification and necessary to access, retrieve, manipulate and interpret data in an automated system including data element dictionary, file layout, code book or table, and other records that explain the meaning, purpose, structure, logical relationships, and origin of the data elements (sometimes known as metadata):

RETENTION: 3 years after discontinuance of system or application but not before system's or application's data is destroyed or transferred to a new structure or format

NOTE: In some cases, local governments will retain data for extended periods, sometimes offline. It is essential that they retain related documentation in an accessible format. This is particularly crucial if the documentation is stored in electronic form or the related records are appraised as archival. Application design documentation and user guides covered by item no. 1301 may also serve to explain how data was interpreted and used. Contact the State Archives for additional advice in this area.

◆ **1303** CO2 769, MU1 675, ED1 411, MI1 649

Program listing/source code,

automated program code which generates the machine-language instructions used to operate an automated information system:

RETENTION: 0 after code is superseded or replaced, or after automated system is no longer in use or has been deleted, but not before any audit or legal needs have been met

NOTE: This item coincides with item no. 1310, system backup files. It assumes that the files are maintained (backed-up) and disposed in accordance with accepted data processing practice (see item no. 1310).

1304 CO2 770, MU1 676, ED1 412, MI1 650

Technical program documentation,

paper copy of program code, program flowcharts, program maintenance log, system change notices, and other records that document modifications to computer programs:

RETENTION: 1 year after replacement, modification, or related programs cease to be used

NOTE: Local governments may consider retaining documentation for critical systems for a longer period. Contact the State Archives for additional advice in this area.

1305 CO2 771, MU1 677, ED1 413, MI1 651

Test database/files,

routine or benchmark data sets, related documentation, and test results constructed or used to test or develop a system:

RETENTION: 0 after no longer needed, but not before user accepts and management reviews and approves test results

Network and Technology Services

1306 CO2 772, MU1 678, ED1 414, MI1 652

Data processing operating procedures,

records of procedures for data entry, the operation of computer equipment, production control, tape library, system backup, and other aspects of a data

RETENTION: 3 years after procedure is withdrawn, revised, updated, or superseded

1307 CO2 773, MU1 679, ED1 415, MI1 653

Hardware documentation,

records documenting the use, operation, and maintenance of a local government's data processing equipment including operating manuals, hardware/operating system requirements, hardware configurations, and equipment control systems:

RETENTION: 0 after the local government no longer uses related hardware and all data is transferred to and made useable in new hardware environment

NOTE: Routine records that do not contain substantial information on the maintenance history or equipment should be destroyed on an annual basis, using item no. 57 in the General section.

◆ **1308** CO2 774, MU1 680, ED1 416, MI1 654

Data migration, system upgrade, and hardware conversion records,

including those relating to the operational aspects of the replacement of equipment or the upgrading of computer operating systems, as well as the migration of data between operating systems. Records include schedules and logs, tracking and data migration

tests, notes, correspondence, conversion and implementation plans, and related records generated by the operating system software, application server software, and web server software:

RETENTION: 1 year after successful migration, update or conversion

1309 CO2 775, MU1 681, ED1 417, MI1 655

Disaster preparedness and recovery plans,

records related to the protection and reestablishment of data processing services and equipment in case of a disaster, including disaster recovery manuals, business continuity plans, inventories, procedure plans, contact lists, and other records:

RETENTION: 0 after superseded by revised plan

NOTE: The State Archives recommends that local governments store disaster preparedness and recovery plans in a secure area off-site from the computer installation to which they refer.

◆ **1310** CO2 776, MU1 682, ED1 418, MI1 656

System backup files,

copies of master files or databases, application software, logs, directories, and other records needed to restore a system in case of a disaster or inadvertent destruction

NOTE: Backup cycles may vary from daily to weekly or other time periods. Backups used to document transactions or retained for purposes other than system security are covered by the relevant sections of this Schedule. For fiscal systems, monthly system backups are often retained for the entire fiscal year to provide an audit trail, and annual system backups are retained to meet all legal and fiscal requirements in lieu of copies of the individual master files or databases. These records should be disposed using items from the Fiscal section of this Schedule. It is advisable that for many application systems 2 or 3 copies of backups be produced during each cycle.

a. Full backup files:

RETENTION: 0 after 2 system backup cycles and is verified as successful or when no longer needed for system restoration, whichever is later

b. Incremental backup files:

RETENTION: 0 when superseded by a full backup or when no longer needed for system restoration, whichever is later

1311 CO2 777, MU1 683, ED1 419, MI1 657

User authorization/access records,

created to control or monitor individual access to a system, system data, the Internet, and email system, including but not limited to user account records, password files, user acknowledgements of policies, and authorization

RETENTION: 0 after the individual no longer has access to the system, but not before audit requirements for the records modified by that individual have been

NOTE: System users access records and computer usage records may also serve some security purposes.

◆ **1312** CO2 1021, MU1 862, ED1 420, MI1 879

Computer system security records,

records used to control or monitor the security of a system and its data, including but not limited to cyber-incident response and investigation records, intrusion detection logs, firewall logs, logs of unauthorized access, and other security logs:

RETENTION: 6 years after date of last entry, or until review of logs is complete, whichever occurs first

NOTE: Appraise these records for historical significance prior to disposition. Records documenting significant security breaches, such as ransomware attacks or other large-scale emergencies, may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

◆ **1313** CO2 778, MU1 684, ED1 421, MI1 658**System/network usage files,**

electronic files or automated logs created to monitor computer system usage including but not limited to login files, system usage files, charge-back files, data entry logs, and records of individual computer program usage:

RETENTION: 0 after 2 system backup cycles

1314 CO2 779, MU1 685, ED1 422, MI1 659**Summary system/network usage reports,**

summary reports and other paper records created to document computer usage for reporting or cost recovery purposes:

RETENTION: 1 fiscal year after creation

1315 CO2 780, MU1 686, ED1 423, MI1 660**Computer run scheduling records,**

records used to schedule computer runs including daily schedules, run reports, run requests, and other records documenting the successful completion of a run:

RETENTION: 0 after end of current fiscal year

◆ **1316** CO2 781, MU1 687, ED1 424, MI1 661**Input/source documents,**

copies of records or forms designed and used solely for data input and control:

RETENTION: 0 after all data has been entered into the system and, if required, verified

NOTE: Input records retained for fiscal audit or legal purposes, or, containing information needed by a local government, are covered by the relevant section of this schedule. Input records that document valid transactions are covered by item no. 1318. Input records which serve a fiscal audit purpose may be covered by items in the Fiscal section of this schedule.

◆ **1317** CO2 782, MU1 688, ED1 425, MI1 662**Work/intermediate files,**

records used to facilitate the processing of a specific job/run or to create, update, modify, transfer, export, import, manipulate, or sort data within an automated system, including "macro" or "startup" file or other electronic record created to preserve a

combination of data elements and/or method of displaying these data elements when all transactions are captured in a master file, central file, transaction file, or database, and the file is not retained to provide an audit trail:

RETENTION: 0 after the transaction is completed, except retain as long as principal records for which the file is created are retained when the electronic file is needed to recreate or document a transaction

◆ **1318** CO2 783, MU1 689, ED1 426, MI1 663

Processed transaction files,

records used to update and/or document a transaction in database or master file including valid transaction files, database management system (DBMS) log, update files, and similar records, and not retained to document a program unit action or for fiscal audit purposes:

RETENTION: 0 after 2 database/master file backup cycles

NOTE: Records used to document a program unit's actions (e.g., receipt of a voucher, issuance of a check), as opposed to a strictly data processing transaction, or needed for fiscal audit or legal purposes, are covered by the relevant sections of this schedule.

1319 CO2 784, MU1 690, ED1 427, MI1 664

Print files

(not used to document a transaction), source output data extracted from the system to produce hard copy publications, printouts of tabulations, ledgers, registers, reports, or other documents when the files are not needed for audit purposes or to document program unit transactions:

RETENTION: 0 after all print runs are completed, output verified (if required), and local government has no need to reproduce the report

NOTE: Print files needed for fiscal audits or retained to document transactions are covered by the relevant sections of this schedule.

◆ **1320** CO2 785, MU1 691, ED1 428, MI1 665

Audit trail files,

data generated during the creation of a master file or database used to validate a master file or database during a processing cycle:

RETENTION: 0 after 2 database/master file backup cycles

1321 CO2 786, MU1 692, ED1 429, MI1 666

Information technology unit's copies of output reports,

data processing unit's copy of output reports produced for client program units:

RETENTION: 0 after output is distributed

1322 CO2 787, MU1 693, ED1 430, MI1 667

Summary or extracted data files,

summary or aggregate data from a master file or database, including "snapshots" of data, created solely to distribute data to individuals or program units for reference and use, but not altered or augmented to support program-specific needs:

RETENTION: 0 after data is distributed

NOTE: Appraise these records for historical significance prior to disposition. Some snapshots of data, created and maintained as either electronic files saved to disk, tape or diskette, or as hard-copy output such as printed maps, or in both formats, may warrant longer retention. Contact the State Archives for additional advice on the creation and maintenance of these records.

1323 CO2 788, MU1 694, ED1 431, MI1 668

Finding aids (indexes) or tracking systems,

electronic indexes, lists, registers, and other finding aids used only to provide access to the hard copy and electronic records in the custody of the information technology unit:

RETENTION: 0 after the related hard copy or electronic records have been destroyed

NOTE: Finding aids and tracking systems of program units other than data processing units are covered by the relevant sections of this schedule and are frequently covered by the same item covering related program records.

1324 CO2 789, MU1 695, ED1 432, MI1 669

Automated tape library system files,

automated records used to control the location, maintenance, and disposition of magnetic media in a tape library:

RETENTION: 0 after related records or media are destroyed or withdrawn from the tape library

1325 CO2 790, MU1 696, ED1 433, MI1 670

Reports on the destruction of files ("scratch reports"),

records containing information on the destruction of files stored on electronic media in a tape library:

RETENTION: 0 after superseded or (if required) management review and approval

1326 CO2 791, MU1 697, ED1 434, MI1 671

Tape library control records,

records used to control the location, maintenance, and disposition of magnetic media in a tape library including list of holdings and control logs:

RETENTION: 0 after superseded or related media are destroyed or withdrawn from the tape library

1327 CO2 797, MU1 703, ED1 441, MI1 677

Network site/equipment support files,

records documenting support services provided to specific sites and computer to computer interfaces on a network including site visit reports, trouble reports, service histories, and correspondence and memoranda

a Site visit reports, trouble reports, and related correspondence:

RETENTION: 3 years after creation

b Service histories and other summary records:

RETENTION: 0 after the related equipment or site is no longer in use

- c Routine records that do not contain substantial information on the maintenance history or site:

RETENTION: 1 year

1328 CO2 798, MU1 704, ED1 442, MI1 678

Inventories of network circuits/connections

containing information on network circuits used by the local government including circuit number, vendor, cost per month, type of connection, terminal series, software, contact person, and other relevant information about the circuit:

RETENTION: 0 after the circuit is no longer used by the local government

1329 CO2 799, MU1 705, ED1 443, MI1 679

Network or circuit installation and service files,

copies of requests by local governments to service provider for data communication service, installation, or repair and response to the request including work orders, correspondence, memoranda, work schedules, and copies of building or circuitry diagrams:

RETENTION: 1 year after request is filled or repairs are made

1330 CO2 800, MU1 706, ED1 444, MI1 680

Network usage files,

electronic files or automated logs created to monitor network usage including but not limited to login files and system usage files:

RETENTION: 0 after 3 system backup cycles after creation

1331 CO2 801, MU1 707, ED1 445, MI1 681

Network usage reports,

summary reports and other records created to document computer usage for reporting or other purposes:

RETENTION: 1 fiscal year after creation

1332 CO2 802, MU1 708, ED1 446, MI1 682

Network implementation project files,

local government records used to plan and implement a network including reports, justifications, working diagrams of proposed network, wiring schematics, and diagrams:

RETENTION: 0 after superseded

◆ 1333

Security breach notifications

that disclose to residents when their computerized private information was or may have been acquired by a person without valid authorization, including notifications to affected persons and to designated state agencies (if required), logs of notifications, and related records:

RETENTION: 6 years after notification

Data Administration

1334 CO2 792, MU1 698, ED1 435, MI1 672

Data/database dictionary records,

usually in an automated system, used to manage data in a local government's information systems including information on data element definitions, data structures or file layout, code tables, and other data attribute information or records that explain the meaning, purpose, logical relationships, ownership, use,

RETENTION: 0 after discontinuance or modification of the related application but not before the application's data is destroyed or transferred to a new structure

1335 CO2 793, MU1 699, ED1 436, MI1 673

Data/database dictionary reports,

periodic printouts from a data/database dictionary system including data element attribute reports, database schema, and related records used for

RETENTION: 0 after superseded or obsolete

NOTE: The official copy of essential data documentation is covered by either item no. 1302 or no. 1334.

1336 ED1 437,

Regional information center data,

received from school districts and other BOCES, processed and forwarded to State Education Department (SED), and related records

a Actual data, both as received and as processed:

RETENTION: 0 after no longer needed

NOTE: For schools or districts placed "under corrective action" or "under registration review" by SED, this data may need to be retained until these designations are canceled by SED and no longer apply.

b Background and supplemental information on data processing for school districts and other BOCES, including but not limited to data correction and verification records and correspondence:

RETENTION: 6 years

Information Technology Support

1337 CO2 794, MU1 700, ED1 438, MI1 674

Site/equipment support files,

records documenting support services provided to specific data processing equipment or installations including site visit reports, program and equipment service reports, service histories, and correspondence and memoranda

a Site visit reports, problem and equipment service reports, and routine correspondence and memoranda:

RETENTION: 3 years after creation

- b Service histories and other summary records:

RETENTION: 0 after the related equipment is no longer in use

1338 CO2 795, MU1 701, ED1 439, MI1 675

Help desk telephone logs and reports,

records used to document requests for technical assistance and responses to these requests as well as to collect information on the use of computer equipment for program delivery, security, or other purposes:

RETENTION: 1 year after creation

1339 CO2 796, MU1 702, ED1 440, MI1 676

Hardware and software review files,

records and reference files related to the review and recommendations for software for local government use including vendor information, manuals, software reviews, and related material:

RETENTION: 0 after obsolete

Internet Services

◆ **1340** CO2 803, MU1 709, ED1 447, MI1 683

Internet services logs,

electronic files or automated logs created to monitor access and use of local government services provided via the Internet, including, but not limited to, services provided via FTP (file transfer protocol), or website, or Telnet services:

RETENTION: 0 after 2 backup cycles, but not before relevant audit and documentation requirements have been met

◆ **1341** CO2 804, MU1 710, ED1 448, MI1 684

Employee Internet use logs,

electronic files or automated logs created to monitor and control use of the Internet by employees, including but not limited to proxy server logs:

RETENTION: 0 after 2 backup cycles, but not before any appropriate review and verification

INSURANCE

NOTE: Proof of liability insurance coverage must be retained longer for solid waste management facilities. See item no. 457 in the Environmental Health section.

576 CO2 325, MU1 296, ED1 150, MI1 246

Insurance (including self-insurance) case records, except

workers' compensation case record, including but not limited to notice of claim, copies of filed court documents, accident reports, medical reports, motor vehicle reports, appraisal report, copy of check, correspondence, and other supporting documentation:

RETENTION: 6 years after claim closed, but not until any minor reaches age 21, whichever is later

NOTE: The local government may wish to retain the records longer for convenience of reference. Proof of liability insurance coverage must be retained longer to cover claims relating to exposure to asbestos and other toxic substances. For insurance claims relating to exposure to asbestos and other toxic substances and maintained as part of an employer's medical program. Consult your counsel or attorney to ensure that insurance policies and other appropriate documentation are retained as long as needed.

◆ **577** CO2 326, MU1 297, ED1 151, MI1 247

Workers' compensation case records (including Volunteer Firefighters Benefit Law)

a If claim allowed:

RETENTION: 18 years after injury or illness, but not less than 8 years after last payment

b If claim disallowed after trial, or case otherwise disposed of without an award after the parties have been given due notice:

RETENTION: 7 years after injury or illness except the employee injury record must be retained for 18 years after date of accident or injury

NOTE: The employee injury record must be retained for 18 years after date of accident or injury, as required by Section 110, Workers' Compensation Law, even for disallowed claims. See item no. 660 in the Personnel/Civil Service Section.

c Financial records, including checks or payment confirmation notices:

RETENTION: 6 years after payment

578 CO2 327, MU1 298, ED1 152, MI1 248

Master summary record

(log or register), of all (including workers' compensation) claims:

RETENTION: 0 after all claims and/or cases listed in master summary record have been disposed of

◆ **579** CO2 328, MU1 299, ED1 153, MI1 249

Insurance policy,

including but not limited to those covering fire, theft, property damage, personal injury liability, general liability, automobile, cyber liability, insurance of life or property, when no outstanding claims are involved:

RETENTION: 6 years after expiration

580 CO2 330, MU1 300, ED1 154, MI1 250

Workers' compensation and employer's liability insurance policy,

when no outstanding claims are involved:

RETENTION: 18 years after expiration

581 CO2 331, MU1 301, ED1 155, MI1 251

Title insurance policy,

when no outstanding claims are involved:

RETENTION: 20 years after expiration

582 CO2 329, MU1 302, ED1 156, MI1 252

Waiver of liability or certificate of insurance

certifying as to name of insured, type of insurance, limits of liability, date of expiration and policy number, when no outstanding claim is involved, except a certificate of insurance certifying as to a security bond or undertaking:

RETENTION: 6 years after expiration

NOTE: For the exceptions mentioned above, see item no. 655 in the Personnel/Civil Service section, item no. 116 in the Building and Property Regulation section, item no. 479 in the Fiscal section, item no. 457 in the Environmental Health section and item no. 806 in the Public Property and Equipment section.

583 CO2 332, MU1 303, ED1 157, MI1 253

Insurance appraisal and/or survey:

RETENTION: 0 after superseded or obsolete

JUVENILE DETENTION FACILITY

584 CO2 333,

Certification records

documenting approval by New York State Office of Children and Family Services for local government to operate juvenile detention facility

- a Original application for certification:
RETENTION: PERMANENT
- b Renewal application for certification:
RETENTION: 6 years
- c Certification:
RETENTION: 6 years after expiration
- d Operating certificate revocation or suspension records, including but not limited to hearing proceedings and operating certificate determinations:
RETENTION: 6 years after last entry

585 CO2 334,

Facility establishment,

major alteration, and change of occupancy records, including but not limited to copies of studies, surveys, plans, specifications and approvals by, and correspondence with, New York State Office of Children and Family Services:

RETENTION: PERMANENT

586 CO2 335,

Individual case file

for youth held in juvenile detention facility, including but not limited to detention admission and release notice, educational records and medical records:

RETENTION: 0 after individual concerned reaches age 21

587 CO2 336,

Master name index

of all youths held in juvenile detention facility:

RETENTION: 0 after obsolete

588 CO2 337,

Log of daily activity

at juvenile detention facility:

RETENTION: 10 years after last entry

589 CO2 338,

Log or similar record of visits

to youths held at juvenile detention facility:

RETENTION: 6 years after last entry

590 CO2 339,

Dietary services records

for juvenile detention facility

- a Dietary services studies, meal counts and related records:
RETENTION: 3 years
- b Menus:
RETENTION: 1 year

LIBRARY/LIBRARY SYSTEM

NOTE: This section not only applies to school and BOCES libraries and school library systems, but also to the Chatham Public Library and Newburgh Free Library. Pursuant to the Local Government Records Law these two libraries are not considered autonomous public school district libraries, but are in fact, in regards to records management, part of the school district which operates them.

591 CO2 340, MU1 304, ED1 165, MI1 254

Incorporation, chartering and registration records:

RETENTION: PERMANENT

592 CO2 341, MU1 305, ED1 158, MI1 255

Accession records:

RETENTION: 1 year after accessioning procedure becomes obsolete

NOTE: Some libraries accession manuscripts, rare books and special collections, but not their general library holdings. In these cases, the accession records need to be retained only for the kinds of materials still accessioned.

593 CO2 342, ED1 166, MI1 256

Informational copies of records prepared by and received from public library system,

including but not limited to directories, minutes, budgets and reports:

RETENTION: 0 after superseded or obsolete

594 MU1 306,

Directory of public library system

and member libraries, prepared by public library system (member library's copy):

RETENTION: 0 after superseded or obsolete

◆ 595**Library card application records:**

RETENTION: 3 years after card expires or is inactive

◆ 596 CO2 343, MU1 307, ED1 159, MI1 257

Borrowing or loaning records:

RETENTION: 0 after no longer needed

◆ 597**Interlibrary loan records,**

including requests to borrow or copy materials from other libraries, receipts for materials, copy logs, accounting records, and circulation records

a When no copies of original materials are requested:

RETENTION: 0 after no longer needed

- b When copies of original materials are requested:
RETENTION: 5 years after order is completed

598 CO2 344, MU1 308, ED1 160, MI1 258

Catalog of holdings

- a Manuscript or published catalog:
RETENTION: PERMANENT
- b Continuously updated catalog:
RETENTION: 0 after superseded or obsolete

599 CO2 345, MU1 309, ED1 161, MI1 259

Individual title purchase requisition

which has been filled or found to be unfillable:

RETENTION: 1 year

600 CO2 346, MU1 310, ED1 162, MI1 260

Records documenting selection of books

and other library materials:

RETENTION: 0 after no longer needed

601 CO2 347, MU1 311, ED1 163, MI1 261

Library material censorship and complaint records,

including evaluations by staff, patrons' complaints and record of final decision:

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Some library censorship records deal with serious constitutional issues and may have value for future research.

602 CO2 348, MU1 312, ED1 164, MI1 262

Patron's registration

for use of rare, valuable or restricted non-circulating materials:

RETENTION: 6 years

◆ 603

Program and exhibit file

documenting planning and implementation of programs, services and exhibits sponsored or co-sponsored by the library, including but not limited to photographs, sketches, worksheets, publicity, brochures, exhibit catalogs, inventory lists, loan agreements, correspondence, attendance sheets or registration forms, and parental consent forms:

- a Parental consent records:
RETENTION: 6 years, or 3 years after child attains age 18, whichever is longer
NOTE: Photo release records are covered under item no. 68 in General Administration section.
- b Attendance sheets and registration forms, when no fee is charged:
RETENTION: 0 after no longer needed

c All other records:

RETENTION: 6 years after exhibit closed or program ended

NOTE: Appraise these records for historical significance or value for collections documentation prior to disposition. Some of these records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

LICENSES AND PERMITS

NOTE: Additional license and permit records may be found in the Environmental Health, Dog Identification and Control, Transportation and Engineering, Public Safety, and Building and Property Regulation sections. Records of licenses and permits, where the local government was not the licensing or permitting authority, are covered in the General Administration and County Clerk sections.

- 604** MU1 313,
Master summary record
 (log or register), of license and permit application and issuance:
 RETENTION: 6 years after all licenses or permits listed on records are invalid
- 605** CO2 358, MU1 314,
Licensing file for person to perform contracting trade
 (general contracting, plumbing, electrical or similar work) in municipality
- a Original application for license, including performance bond and other records:
 RETENTION: 6 years after expiration or denial of license
 - b Renewal records, including renewal application, performance bond and other records, when a fee is charged:
 RETENTION: 6 years after expiration or denial of renewal license
 - c Renewal records, including renewal application, performance bond and other records, when no fee is charged:
 RETENTION: 1 year after expiration or denial of renewal license
- ◆ **606** CO2 365, MU1 315,
Business or special event license or permit issuance records,
 covering home improvement, apartment rentals, vendors, peddlers, trash collectors, junk dealers, flea markets, going-out-of-business sales, yard or garage sales, posting notices, signs, entertainment and recreational events, explosives license records (predating 1971), tree-cutting, waiver of open-container law, or other local legislation, and similar permit applications
- NOTE: Junk yard license records are covered under item no. 400 in the Environmental Health section.
- a All records in file, excluding detailed inventories submitted for "closing out" or "defunct business" sales:
 RETENTION: 3 years after expiration of license or denial of application
 - b Detailed inventories submitted for "closing out" or "defunct business" sales:
 RETENTION: 1 year
- 607** MU1 316,
Trailer, mobile home or trailer park permit records,

including application, site plan, copy of permit, copies of environmental health records, fire and building inspection reports:

RETENTION: 6 years after denial of application, or expiration or renewal of license

608

MU1 317,

Special franchise files

documenting franchises granted by municipality to public utility, communications, transportation or other corporation (such as electric, telephone, cable, fiber optic, taxi, bus service, or concessions) including application, record of negotiations, franchise bonds, consumer surveys, reports and correspondence

- a Special franchise files, other than renewal records:

RETENTION: 6 years after franchise expires

NOTE: Appraise these records for historical significance prior to disposition.

Special franchise files for public utilities and transportation companies, for instance, may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

- b Renewal record in file, such as renewal application, or performance bond:

RETENTION: 6 years after record becomes invalid or obsolete

◆ **609**

MU1 318,

Notice of intent to apply for alcoholic beverage license

submitted by license applicant to municipal clerk:

RETENTION: 2 years

◆ **610**

CO2 165, MU1 319,

Records relating to issuance and distribution of sporting or marine licenses or permits

- a Annual and monthly reports of licenses sold, monthly summary sheet showing licenses sold, detail allotment sheet and similar records:

RETENTION: 6 years

- b Stub, copy or abstract of license regulated under the Regulations of the Department of Environmental Conservation and retained by municipality:

RETENTION: 2 years

- c Application, stub, copy or abstract of license regulated under local laws, rules, or regulations:

RETENTION: 3 years after expiration of license or denial of application

- d Certification of Military Active Service Status form:

RETENTION: 3 years

- e Other records created or maintained for administrative convenience, such as lists of license holders and routine correspondence, not necessary to document fiscal transactions:

RETENTION: 0 after no longer needed

611

MU1 734,

Notification of issuance of license to purchase, own, possess, transport, use,

manufacture, sell, or dispose of explosives,

also known as "magazine certificate," issued pursuant to Section 458.9, Labor Law, and sent to municipality:

RETENTION: 0 after date of expiration

LOCAL DEVELOPMENT CORPORATION

- 612** MI1 263
Business/industry loan case file,
including but not limited to loan application and evaluation, status reports, records of loan payments, tax abatement and exemption records, feasibility studies and correspondence:
RETENTION: 6 years after denial of application or 10 years after final payment on loan
- 613** MI1 264
Master summary record
(log or register) documenting contacts and inquiries and resulting responses and actions taken by agency personnel:
RETENTION: PERMANENT
- 614** MI1 265
Business/industry Small Business Administration (S.B.A.) loan case file,
including but not limited to loan application and evaluation, status reports, records of loan payments, tax abatement and exemption records, feasibility studies and correspondence with the S.B.A.:
RETENTION: 6 years after denial of application or 10 years after final payment on loan
- 615** MI1 266
Business consultation services case file,
where no loan is applied for from or through the local development corporation, but other services are provided:
RETENTION: 3 years after date of most recent entry in record
- 616** MI1 267
Business or other client inquiry and/or referral,
where no substantive services are performed by local development corporation:
RETENTION: 1 year
- 617** MI1 268
Small Business Administration (S.B.A.) certification records,
including certificate, application for certification and decertification records:
RETENTION: PERMANENT
- 618** MI1 269
Annual financial and narrative reports
submitted to the Small Business Administration (S.B.A.):
RETENTION: PERMANENT

- 619** MI1 270
Monthly or other periodic reports on loan status:
RETENTION: 1 year after superseded or obsolete
- 620** MI1 271
Organizational and establishment records,
including certificate of incorporation, constitution and bylaws:
RETENTION: PERMANENT
- 621** MI1 272
Election records,
for election of board members and/or officers

 - a Election results:
RETENTION: PERMANENT
 - b Ballots, nominations, tabulations and other election records:
RETENTION: 1 year after election
- 622** MI1 273
Membership records

 - a Lists of members:
RETENTION: PERMANENT
 - b Records of dues collection and receipt (if applicable):
RETENTION: 6 years
 - c Other membership records, including applications for membership, lists of prospective members and membership notices:
RETENTION: 0 after superseded or obsolete
- 623** MI1 274
Federal and state tax exemption records,
including copy of application:
RETENTION: PERMANENT
- 624** MI1 275
Dissolution records,
including records of distribution of assets:
RETENTION: PERMANENT
- 625** MI1 732
Income tax filing and charitable reporting records
of local development corporation

 - a Copies of federal income tax returns and related records:
RETENTION: 6 years
 - b Registration as a charity filed with New York State Office of Attorney General:
RETENTION: 6 years after no longer in effect
 - c Annual reports on the solicitation and collection of funds for charitable purposes,

filed with New York State Office of Attorney General and Department of State:
RETENTION: 6 years

MUSEUM

◆ NOTE: For building security records and video recordings maintained for security purposes, see item nos. 811 and 846 in the Public Property and Equipment section.

◆ **626** CO2 370, MU1 343, ED1 472, MI1 284

Program and exhibit file

documenting planning and implementation of programs, services and exhibits sponsored or co-sponsored by the library, including but not limited to photographs, sketches, worksheets, publicity, brochures, exhibit catalogs, inventory lists, loan agreements, correspondence, attendance sheets or registration forms, parental consent forms, and visitor surveys

- a Brochures, exhibit catalogs, installation photographs and slides, and inventory lists:

RETENTION: PERMANENT

- b Parental consent records:

RETENTION: 6 years, or 3 years after child attains age 18, whichever is longer

NOTE: Photo release records are covered under item no. 68 in General Administration section.

- c Attendance sheets and registration forms, when no fee is charged:

RETENTION: 0 after no longer needed

- d All other records:

RETENTION: 6 years after exhibit closed

NOTE: Appraise these records for historical significance prior to disposition.

Some of these records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

627 CO2 371, MU1 344, ED1 473, MI1 285

Collections records

documenting acquisition, accession, deaccession, loan, conservation, and use of materials, including but not limited to accession register, loan agreement, inventory of collection and conservation treatment record

- a Routine records, including but not limited to notes and internal memoranda:

RETENTION: 1 year

- b All other collections records:

RETENTION: PERMANENT

◆ **1295**

Membership records

- a Lists of members:

RETENTION: PERMANENT

- b Records of dues collection and receipt (if applicable):
RETENTION: 6 years
- c Other membership records, including applications for membership, lists of prospective members and membership notices:
RETENTION: 0 after superseded or obsolete

OFF-TRACK BETTING CORPORATION

628

MI1 286

Daily activity folders

- a Betting parlor daily folder, including but not limited to daily branch settlement sheet, selling-cashing settlement sheets, worksheets, telephone betting deposit and withdrawal slips, reports of track conditions and report of scratches:
RETENTION: 90 days after release of New York State Gaming Commission's audit report, or 3 years, whichever is shorter
- b Corporation headquarters daily folder, including but not limited to daily branch settlement sheets from parlors, worksheets and summary of daily activity:
RETENTION: 90 days after release of State Comptroller's audit report, or 6 years, whichever is shorter

629

MI1 287

Paid or canceled bet tickets:

RETENTION: 90 days after release of New York State Gaming Commission's audit report, or 3 years, whichever is shorter

630

MI1 288

Reports submitted to New York State Gaming Commission

- a Annual report:
RETENTION: PERMANENT
- b Daily, weekly, monthly or other periodic report, including reports of any variance from normal operations:
RETENTION: 3 years

631

MI1 289

Reports and other records submitted to New York State Department of Taxation and Finance

- a Tax returns or tax transmittal reports:
RETENTION: 6 years
- b Daily report on total handle and tax payable:
RETENTION: 3 years
- c Report and transmittal notice for unclaimed winning tickets:
RETENTION: 6 years

632

MI1 290

Wagering reports and statements

created for internal administrative purposes

- a Reports and statements relating to telephone betting:
RETENTION: 90 days after release of State Comptroller's audit report, or 6 years,

whichever is shorter

- b Reports and statements not relating to telephone betting, including but not limited to offline ticket report, "settle report," daily activity report and daily terminal activity report:

RETENTION: 90 days after release of New York State Gaming Commission's audit report, or 3 years, whichever is shorter, but not less than 1 year after superseded of obsolete

633

MI1 740

Lottery ticket sales records,

covering sales of state lottery tickets by off-track betting corporations

- a Monthly, annual or other summary records of ticket sales:

RETENTION: 6 years

- b Daily and weekly cashed ticket validation records:

RETENTION: 2 years

- c Cashed winning tickets:

RETENTION: 0

NOTE: The New York State Gaming Commission requests that cashed winning tickets be destroyed immediately upon validation, so that they no longer could be considered negotiable.

634

MI1 908

Report of winnings submitted to Internal Revenue Service

(Form W-2G or equivalent):

RETENTION: 5 years

◆ 635

MI1 909

Video lottery gaming records,

including related Off-Track Betting Corporation (OTB) records which are created, received or maintained by an OTB in its capacity as a video lottery gaming agent

NOTE: The New York State Gaming Commission, in Sections 5101.2 and 5109.3 of 9NYCRR, prescribes minimum retention periods for certain records of video lottery gaming agents as well as procedures that an OTB must follow to receive authorization to destroy those records. An OTB subject to Gaming Commission requirements for its video lottery operations must meet both the minimum retention periods indicated in Sections 5101.2 and 5109.3 as well as minimum retention periods established in this Schedule. Any records for which the Gaming Commission approves destruction after periods shorter than those indicated in Sections 5101.2 and 5109.3 must continue to meet the minimum retention periods established by this Schedule.

The Gaming Commission requires that video lottery gaming agents proposing to destroy records specified in Section 5101.2 must notify the Commission in writing at least 15 days prior to the scheduled destruction of any original record. The Commission may prohibit such destruction within 15 days of receiving that notice of destruction. However, Commission regulations exempt certain records from this requirement for

prior notification of planned records destruction. Consult the Commission's regulations or contact the Commission for specified information on its requirements.

This Schedule authorizes the destruction of any original records which have been duplicated on microfilm or other media, subject to requirements of Section 57.29 of Arts and Cultural Affairs Law and State Archives procedures. The destruction of such original records maintained by an OTB pertinent to video lottery gaming operations also requires written notification to the Gaming Commission as indicated above, and approval from the Commission of the microfilm or other media system used to copy and store records.

Some provisions of Section 5101.2 establish retention periods less than or equal to the periods required by items in this Schedule. Other provisions require certain records to be retained "indefinitely" without a specified retention period. Destruction of both of these categories of records requires approval of the Commission as indicated in the Notes, above. Other provisions of Section 5101.2 authorize destruction of certain records after no required minimum retention period and without prior notification to the Commission of the intended destruction. The Commission is also able to approve requests to destroy additional types of records after no Commission-required minimum retention period and without need for prior notification to the Commission of intended records destruction. However, in all of these circumstances, Schedule users must continue to meet retention requirements established by this Schedule. Schedule users should consult this Schedule for the required minimum retention periods for specific records.

The following parts indicate those records which are not otherwise covered by items in this Schedule or for which Sections 5101.2 and 5109.3 require lengthier retention periods than are required by items in this Schedule. Because some of the following parts cover broad categories of records, Schedule users should refer to the General Administration, Fiscal and other sections of this Schedule to determine if specific records within those broad categories have retention periods greater than that indicated for the part. Records with longer retention periods should be retained for additional periods as specified by the applicable Schedule items. In the event that the Commission approves a request from an OTB to reduce any of the following retention requirements, the OTB must continue to meet any minimum retention requirements for those records as specified by other items in this Schedule.

- a Video lottery gaming-related records not specified in part "b", including records concerning gaming-related vendors; and any other original record not otherwise listed in Section 5101.2 or approved for destruction pursuant to its procedures:
RETENTION: 5 years
- b Cage documents, documentation supporting the calculation of video lottery terminal win, and records related to tax reporting and withholding:
RETENTION: 4 years after the date of the actual filing of the gross revenue tax return for the tax year in which the record was generated
- c Payroll records, marketing department records, credit unions records, copies of arrest reports, and patron gaming records:

RETENTION: 3 years

NOTE: Schedule users should note that the Fiscal section, Payroll subsection of this Schedule covers numerous types of payroll records, including many records with retention requirements greater than 3 years as well as other records with retention requirements less than 3 years. Any payroll records with retention requirements greater than 3 years should be retained for those longer periods.

- d Mailroom records, advertising records, video gaming department daily activity logs, and any other records, other than those listed in Section 5101.2(b)(4), which contain information duplicative or less than that recorded on other documents listed in Section 5101.2(b)(1) through (b)(4):

RETENTION: 1 year

PERSONNEL/CIVIL SERVICE

Personnel

- ◆ 636 CO2 391, MU1 364, ED1 199, MI1 310

Personnel records of local government employees

(includes volunteers, interns, trustees, and board members)

NOTE: The State Archives does not prescribe the amount of detail and nature of information necessary to be maintained for service time verification for retirement purposes. Contact the Office of the State Comptroller or other retirement system to verify that you are maintaining the necessary information.

- a Master summary record from personnel case file, including but not limited to age, dates of employment, job titles and civil service status:

RETENTION: PERMANENT

- b Personnel case file materials, except summary information record and teachers' records, and including but not limited to application for employment, resume, results of criminal background check, report of personnel change, evaluation, civil service examination results, notice of resignation or termination, and correspondence:

RETENTION: 6 years after termination of employment or appointment

NOTE: Reports of personnel changes may be included in personnel case files, in which case they are subject to the indicated minimum retention period. Other copies of these reports are maintained by other offices and are covered by item no. 688. Records relating to the employee's declaration of intention to decline membership in the retirement system are covered by item no. 645 in the Fiscal section.

- c Personnel case file materials for teachers, except summary information record, and including but not limited to application for employment, resume, results of criminal background check, report of personnel change, evaluation, civil service examination results, notice of resignation or termination, observation and site visit records (as part of the annual professional performance review (APPR)), and correspondence:

RETENTION: 7 years after termination of employment

NOTE: Reports of personnel changes may be included in personnel case files, in which case they are subject to the indicated minimum retention period. Other copies of these reports are maintained by other offices and are covered by item no. 688. Employers may wish to retain records for lengthier periods (i.e., the duration of preferred eligible lists) when employees are placed on preferred eligible lists at the time of termination. These lists have a duration of seven years under Sections 2510 and 3013 of Education Law. For New York City, preferred eligible lists are established under Section 2588 of Education Law without

specified durations.

- d Contract worker background check records for those working in local government facilities, including checks of criminal history backgrounds, driver's licenses, employment, and references:

RETENTION: 6 years after contract or worker is terminated, whichever is sooner

- e Employment eligibility verification records (I-9 form):

RETENTION: 3 years from the date of the hire or 1 year after termination of employment, whichever is later

- f Security guard application records pursuant to Section 89-g(7) of General Business Law, including copy of application for a registration card, proof of due diligence to verify the information therein contained, photograph, and training records:

RETENTION: 1 year after termination of employment

NOTE: All other security guard personnel records are covered by other subitems.

- g Personnel-related records of reports of allegations of child abuse against school employees and volunteers in an "educational setting" (as defined in Section 1125, Education Law), for those reports which do not result in criminal convictions:

RETENTION: 5 years after the date of the report, or after such earlier time as may be determined by the school or district

NOTE: Personnel-related records which do result in criminal convictions are covered by part "b." For related records of child abuse and maltreatment, see item no. 27 in the General Administration section, Incidents subsection.

- h Earnings (in-service) credit records, covering teachers, teacher assistants and other personnel:

RETENTION: 75 years after date of birth of employee, 55 years after earliest document in file if date of birth is not known, or 6 years after termination of employment, whichever is later

- i Reasonable assurance letters, created pursuant to Section 590(10) and (11) of Labor Law, covering both professional and non-professional employees of educational institutions:

RETENTION: 6 years

637 CO2 392, MU1 365, ED1 200, MI1 311

Investigative records and disciplinary proceedings,

including but not limited to statement of charge, transcript of hearing, notice of decision, letter of termination or resignation, letter of reinstatement, record of appeal procedure, and correspondence:

RETENTION: 3 years after final decision rendered

NOTE: Records covered by this item may be destroyed before this retention period has been reached, if specified either in a union contract or settlement between the employer and employee. Affirmative action and related complaints may be covered by item no. 643c.

638 CO2 393, MU1 366, ED1 201, MI1 312

Employee's time records

covering leave, absences, hours worked and scheduling, and including but not limited to employee's time cards or sheets, request for change of work schedule, vacation schedule, report of absence and request for leave without pay:

RETENTION: 6 years

NOTE: Local governments may wish to retain these records longer, perhaps up to 6 years after employee termination, if they are used for that extended period to document time accumulation or usage, disciplinary actions, or for workers' compensation claim purposes. Local governments should note, however, that other records might serve the same purposes, including item no. 636 from the Personnel/Civil Service section, item nos. 524a, 524b and 534. from the Fiscal section, Payroll subsection, and item no. 577 from the Insurance section.

◆ **639** CO2 394, MU1 367, ED1 202, MI1 313

Annual or other periodic financial or ethics disclosure statements,

filed by local government employees or officials, pursuant to Section 812.1 (a), General Municipal Law, or local law:

RETENTION: 7 years

◆ **640** CO2 395, MU1 368, ED1 203, MI1 314

Employee training history records

documenting employee continuing education, training and development, including employee identification, training received, dates of training, and related records:

RETENTION: 6 years after termination of employment, but no less than 7 years for records documenting professional development programs completed by employees in positions requiring teaching certification

NOTE: Additional records providing detailed information on training history can be destroyed when no longer needed, provided that summary records are retained for the indicated retention period. For retention requirements for specific types of employee training history records, see specific items in this Schedule. Detailed fiscal records, such as those covering payment or reimbursement for tuition or other training expenses, are covered by items in the Fiscal section. May include training records for evaluators of teachers and principals as part of the annual professional performance review (APPR).

641 CO2 396, MU1 369, ED1 204, MI1 315

Administrative organization chart and related records

showing administrative and supervisory organization:

RETENTION: 0 after superseded or obsolete

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Contact the State Archives for additional advice.

642 CO2 397, MU1 370, ED1 205, MI1 316

Identification card records,

when card is issued to local public employee:

RETENTION: 6 months after becoming invalid

◆ **643** CO2 398, MU1 371, ED1 206, MI1 317

Equal employment opportunity report and related records

- a Annual, long-term or special (narrative or statistical) reports, goals and achievements:
RETENTION: PERMANENT
- b Periodic reports, statistics and other records used in compiling annual, long-term or special (narrative or statistical) reports, goals and achievements:
RETENTION: 3 years
- c Affirmative action and related complaint investigation records:
RETENTION: 4 years after date of final determination
NOTE: Agencies may wish to retain records covered by part "c" of this item beyond the minimum retention period for use in establishing patterns of complaints and for investigating and resolving future complaints.

◆ **644**

Family Medical Leave Act (FMLA) compliance records,

including but not limited to employee notice of leave, dates and hours of FMLA leave, copy of employer notices, documents describing employee benefits and premium payments, and records of disputes:

RETENTION: 3 years

NOTE: Additional records required under FMLA, including basic payroll and data identifying the employee's compensation, are covered under items in the Fiscal section, Payroll subsection. Records relating to medical certifications, re-certifications or medical histories of employees or employees' family members, created for purposes of FMLA, are required to be maintained as medical records separate from personnel files and are covered under item no. 662b.

◆ **645** CO2 399, 851, MU1 372, 725, ED1 207, 343, MI1 318, 723

Employee benefit records

including health, life, and disability insurance and retirement for employee with or without dependent survivor (including retiree, volunteer, or intern)

- a Initial application and any subsequent updates and related records:
RETENTION: 6 years after termination of employee's, dependent survivor's, or beneficiary's coverage, whichever is later
- b Beneficiary designation or dependent enrollment records:
RETENTION: 6 years after superseded
- c Claim for benefits (copy, where original is submitted directly by employee):
RETENTION: 1 year
- d Insurance coverage reports, investment statements, and account balances:
RETENTION: 6 years
- e Declination statement filed by employee, including copy of written notification of options provided employee by local government:

RETENTION: 6 years after separation from service

NOTE: Local governments may wish to retain these records that relate to retirement for the life of the employee. State legislation in effect between 1993 and 1996 allowed for retroactive retirement system membership, for employees who were not previously offered membership, and the possibility exists that similar legislation may be passed into law in the future. If this occurs, these declarations of non-membership may be valuable for local governments to document intentions of present or former employees.

- f Health insurance buy-out program records, including approval documentation, annual proof of alternate health insurance coverage, and annual waiver forms:
RETENTION: 1 year
NOTE: Excludes original opt-out or declination application which is covered by subitem d. above and incentive payment records which are covered by item no. 646.
- g Consolidated Omnibus Budget Reconciliation Act (COBRA) compliance records, including but not limited to correspondence, employee notice of qualifying event, records documenting continuation or termination of coverage, and copy of employer notices:
RETENTION: 6 years

646 CO2 400, MU1 373, ED1 208, MI1 319

Unemployment insurance records

- a Claim filed by employee, when claim is approved:
RETENTION: 6 years after final payment
- b Claim filed by employee, when claim is disqualified:
RETENTION: 3 years after filing
- c Claim payment reports:
RETENTION: 6 years

◆ **647**

Retirement incentive records documenting employees who elect for early retirement under government-offered incentive programs,

including agreements with employees for lump sum, monthly, or annual payments; records of actual payments; and related correspondence:

RETENTION: 6 years

648 CO2 401, MU1 374, ED1 209, MI1 320

Labor-management meeting records,

including minutes of meeting, agenda, reports, and correspondence

- a Minutes and reports:
RETENTION: PERMANENT
- b Meeting agenda, correspondence, and other records:
RETENTION: 6 years

649 CO2 402, MU1 375, ED1 210, MI1 321

Public employee contract negotiations records,

including but not limited to proposals, summary of proceedings, copies of salary schedules and contracts, PERB fact-finding report, and correspondence

- a All documentation in record, except routine correspondence, routine memoranda and drafts:

RETENTION: PERMANENT

- b Routine correspondence, routine memoranda and drafts:

RETENTION: 1 year

650 CO2 403, MU1 376, ED1 211, MI1 322**Job action records**

documenting strikes, work stoppages, informational picketing and other job actions conducted by local government employees, including but not limited to correspondence and memoranda, press clippings, copies of notices of violation, detailed and summary records of employees' participation, and penalties levied

- a All documentation in record, except detailed listings of all employees present at various events and other records lacking substantive informational value:

RETENTION: PERMANENT

- b Detailed listings of all employees present at various events, and other records lacking substantive informational value:

RETENTION: 6 years

651 CO2 404, MU1 377, ED1 212, MI1 323**Public employee grievance records,**

including but not limited to grievance, investigative records, hearing proceedings, decision rendered by employer, employee appeal, records of arbitration procedure, final decision, and correspondence:

RETENTION: 3 years after grievance is resolved

◆ 652**Mini-PERB application and petition records filed with Public Employment Relations Board (PERB)**

for approval and of local government provisions and procedures pursuant to Section 212, Civil Service Law, including but not limited to application for approval of procedures, petition to review implementation of procedures, correspondence, memoranda, copies of local laws and public notices, and final determination by PERB:

RETENTION: PERMANENT

◆ 653**Mini-PERB case files,**

including but not limited to charges, notice of conference and hearing, correspondence, briefs, transcripts, exhibits, withdrawal or stipulation of settlement requests, and final decision

- a General representation case files:

RETENTION: PERMANENT

- b Declaratory ruling case files:
RETENTION: PERMANENT
- c Interest arbitration case files:
RETENTION: PERMANENT
- d Grievance arbitration case files:
RETENTION: PERMANENT
- e Unit clarification and Management/Confidential (M/C) case files:
RETENTION: 8 years after close of case and any appeals completed
- f Conciliation case files:
RETENTION: 9 years after settlement of case
- g Labor-Management Committee case files:
RETENTION: 6 years after discontinuance of involvement with the parties

654 CO2 406, MU1 379, ED1 214, MI1 325**Toxic substance exposure records (non-medical)**

- a Records of exposure or possible exposure of an employee to a toxic substance or other harmful physical agent, including background data to environmental monitoring or measuring, biological monitoring records which are designated as exposure records, material safety data sheets or chemical inventory records indicating use and identity of a toxic substance or harmful physical agent, and related records:
RETENTION: 30 years
NOTE: Environmental monitoring background data may be destroyed after 1 year provided that sampling results, methodology, a description of the analytical method used, and a summary of other background data relevant to the interpretation of results are retained for at least 30 years, as provided in 29CFR 1910.1020 (d-1) (ii-A).
- b Lists, or material safety data sheets, of toxic substances present in the workplace and of employees who handle those substances:
RETENTION: 40 years after superseded or obsolete
- c Material safety data sheet or fact sheet, providing detailed information on specific toxic or other substance at workplace, when not used for parts "a" or "b", above, as the list of toxic substances (as defined in 29CFR 1910, Subpart Z) in the workplace or for substances not defined in 29CFR 1910, Subpart Z as being toxic:
RETENTION: 3 years after substance no longer present at workplace
NOTE: If material safety data sheets or fact sheets are used for parts "a" or "b", above, as the list of toxic substances (as defined in 29CFR 1910, Subpart Z) in the workplace, then those sheets should be maintained for the time periods indicated by parts "a" or "b".
- d Training records covering training of individual employee in handling toxic substances:
RETENTION: 3 years after separation from service
- e Summary records of toxic substance training, including but not limited to minutes of meetings and training sessions and summary descriptions of training given

employees:

RETENTION: 3 years after separation from service of all employees involved

NOTE: This retention may be difficult to calculate in instances where a number of employees have attended the same training. Local officials may wish to retain these summary training records for 60 years or another period sufficient to ensure that all concerned employees have separated from service.

- f Policy statements and procedures issued by local government relative to dealing with toxic substances:

RETENTION: PERMANENT

655 CO2 407, MU1 380, ED1 215, MI1 326

Personal surety bond

or undertaking of public official:

RETENTION: 20 years after coverage expires

656 CO2 408, MU1 381, ED1 216, MI1 327

Listing or roster of local government officials or employees,

including names, addresses, titles and other pertinent information:

RETENTION: PERMANENT

◆ **657** MU1 382, ED1 217, MI1 328

Oath of office or record of official signature

of public employees and officers

- a Official copy:

RETENTION: PERMANENT

- b Oath of any election official:

RETENTION: 1 year after election

◆ **658**

Annual occupational injuries and illness surveys,

submitted to the New York State Department of Labor under 12NYCRR, 801.41:

RETENTION: 1 year after submission to the Department of Labor

659 CO2 411, MU1 383, ED1 220, MI1 329

Log and summary of occupational injuries and illnesses,

created pursuant to 12NYCRR, 801.33 and 29CFR, 1904.33:

RETENTION: 5 years from the end of the calendar year.

NOTE: If these records are intended to also satisfy the legal requirements of Section 110, Workers' Compensation Law, and no separate records covered by item no. 660, below, are created, then these records must be retained for 18 years after date of injury or illness.

660 CO2 868, MU1 744, ED1 474, MI1 741

Employee injury record,

covering work-related accident or occupational disease, created pursuant to Section 110, Workers' Compensation Law:

RETENTION: 18 years after date of injury or illness

◆ **661** CO2 412, MU1 384, ED1 221, MI1 330

Employee medical records concerning exposure to toxic substances or harmful physical agents

NOTE: This item does not include health insurance records, which are covered by item no. 645 or non-medical toxic substance exposure records, which are covered by item no. 654.

- a First aid records of one-time treatment and subsequent observation of minor illnesses and injuries, as defined in 29 CFR 1910.1020 (d-1) (i-B), if made onsite by a non-physician and maintained separately from the employee medical records:
RETENTION: 3 years after completion of treatment and subsequent observation
- b Medical records, other than those covered by part "a", including medical questionnaires and histories, the results of medical examinations and laboratory tests, medical opinions, diagnoses and recommendations, first aid records, descriptions of treatments and prescriptions, employee medical complaints, and related records, for employee who worked one year or longer:
RETENTION: 30 years after termination of employment
- c Medical records, other than those covered by part "a", including medical questionnaires and histories, the results of medical examinations and laboratory tests, medical opinions, diagnoses and recommendations, first aid records, descriptions of treatments and prescriptions, employee medical complaints, and related records, for employee who worked less than one year, provided copies were given to the employee upon termination of employment, pursuant to 29 CFR 1910.1020 (d-1) (i-C):
RETENTION: 3 years after termination of employment
NOTE: If copies are not given to the employee upon termination of employment, the retention specified in part "b," above, must be followed.

◆ **662** CO2 1056, MU1 384, ED1 221, MI1 910

Employee medical records not related to exposure to toxic substances or harmful physical agents

- a Medical records:
RETENTION: 3 years after termination of employment
- b Records and documents relating to medical certifications, re-certifications or medical histories of employees or employees' family members, created for purposes of Family and Medical Leave Act (FMLA):
RETENTION: 3 years

◆ **663**

Workplace violence prevention program records,
documenting compliance with Section 27-b of Labor Law, including employee complaints, incident reports, inspection reports, and remedial action plans:

RETENTION: 5 years

NOTE: This item excludes school districts and BOCES. Policy and procedure and training records are covered in the General Administration section.

- 664** CO2 180, MU1 329, ED1 169,
Notification of vacancy in office,
 or filling of vacant position:
 RETENTION: 0 after position filled or abolished
- ◆ **665** CO2 869, MU1 745, ED1 345, MI1 742
Drivers' license review records for local government officials, employees or volunteers:
 RETENTION: 5 years
- 666** CO2 870, MU1 746, ED1 344, MI1 743
Employee attestation of knowledge of code of ethics, staff policy manual or other official policies or procedures:
 RETENTION: 3 years after superseded or upon termination of employment
- ◆ **667**
Employee ethics records,
 including memoranda to employees of ethics requirements, employee requests to receive honoraria or travel reimbursement, employee request to engage in outside activities or secondary employment, requests to exempt employees or positions from financial disclosure requirements, and related correspondence, reports and other records:
 RETENTION: 7 years after end of calendar year or 7 years after records concerning or authorizing ongoing actions have no further validity, whichever is longer
- 668** CO2 871, MU1 747, ED1 346, MI1 744
Records documenting the specimen collection and testing process,
 for commercial motor vehicle driver alcohol and drug testing
- a Official copy of all policies and procedures, including documentation of the random selection process:
 RETENTION: PERMANENT
 - b Quality control records, including calibration records for testing equipment, assuring that testing equipment is operating correctly:
 RETENTION: 5 years
 - c Annual statistical and other reports:
 RETENTION: 6 years
 NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.
 - d Other records, including periodic reports and statistics and collection logbooks:
 RETENTION: 2 years
- 669** CO2 872, MU1 748, ED1 347, MI1 745
Drivers' test results and related records

NOTE: Local governments may want to maintain these records concerning employees for an additional period or include them in the employee's personnel files, especially when they affect an employee's job status.

- a Verified positive controlled substance test results or alcohol test results indicating a breath or blood alcohol concentration equal to or greater than 0.02, documentation that individual employee's or job applicant's test was conducted and specimen handled properly, records of dispute of test results by driver, justification for conducting other than random test, records of compliance with Substance Abuse Professional's (SAP's) recommendations, correspondence and related records:

RETENTION: 5 years

- b Negative or canceled controlled substance test result or alcohol test result indicating a breath or blood alcohol concentration less than 0.02:

RETENTION: 1 year

- c Records relating to an individual employee's or job applicant's refusal to take alcohol or substance abuse test:

RETENTION: 5 years

670 CO2 873, MU1 749, ED1 348, MI1 746

Documentation of other violations of alcohol or substance abuse rules,

including results of alcohol or substance abuse tests administered by law enforcement personnel, copies of police reports and medical records:

RETENTION: 6 years after termination of employment

671 CO2 874, MU1 750, ED1 349, MI1 747

Staff training and evaluation records

for commercial motor vehicle driver alcohol and drug testing

- a Official copy of course syllabus or any local government produced training or advisory publication or videotape:

RETENTION: 6 years after superseded

- b Other training records including lists of attendees, copies of instructors' course or class notes, documentation of instructors' training and proof that employees have received required reading materials:

RETENTION: 6 years

672 CO2 410,

Lifeguard certification records

- a Log of certifications granted or test results:

RETENTION: 6 years

- b Individual certification records:

RETENTION: 1 year after application disapproved or certification expires

673 CO2 1057, ED1 475, MI1 911

Employment Eligibility Verification Form I-9,

completed by employee and employer for all employees hired after November 6, 1986,

verifying that the individual is eligible to work in the United States, including verification documents attached to the form:

RETENTION: 3 years from date of hire or 1 year after employment is terminated, whichever is later

674 CO2 1058, ED1 476, MI1 912

Employee assistance program records

- a Reports and statistical compilations:
RETENTION: 6 years after date of most recent entry
- b Program (including course and seminar) and literature files:
RETENTION: 1 year after program no longer offered or literature superseded or otherwise obsolete
- c Employee consultation records:
RETENTION: 3 years after date of most recent entry in record

◆ **675**

Requests for employment or salary verification,

for former or current employees or individuals who are not employees, received internally and externally, including copies of requests, release of information authorization records, and related documentation and correspondence:

RETENTION: 3 years

676 ED1 174,

Teacher certification records,

including copies of applications, transcripts and other records submitted to New York State Education Department:

RETENTION: 5 years

NOTE: This item covers copies of teacher certification records maintained separate from individual teachers' personnel files. Certification records for individual teachers should be retained based on item no. 636b.

677 ED1 350,

List of teachers whose teaching certificates have been revoked:

RETENTION: 1 year

678 ED1 477,

Professional development plan records,

describing how teachers will be provided with substantial professional development opportunities (may relate to annual professional performance review (APPR))

NOTE: If the professional development plan is part of the comprehensive district education (or equivalent) plan, it is covered by item no. 882a in the School District and BOCES section, Administration subsection.

- a Professional development plan, including all amendments and updates:
RETENTION: PERMANENT

- b Plan development and adoption records, including records of plan development team, and related records:
RETENTION: 6 years

◆ **679** ED1 478,

Annual professional performance review (APPR) plan records

- a Professional performance review plan, including all amendments and updates:
RETENTION: PERMANENT
- b Plan development, adoption, variance and related records:
RETENTION: 6 years
- c Application and related records pertaining to hardship waiver from second observation or school visit by evaluator:
RETENTION: 6 years

◆ **680**

Staff evaluation rating verification report and related statement of confirmation as required as part of the annual professional performance review (APPR) for teachers and principals:

RETENTION: 6 years

681 ED1 479,

Teacher mentoring plan records

- a District internship or equivalent plan, including all amendments and updates:
RETENTION: PERMANENT
- b Plan development, adoption, variance and related records, including records of plan submission to and approval by the State Education Department:
RETENTION: 6 years

◆ **682**

Documentation of teacher mentoring program,

including but not limited to names and teacher certificate numbers of mentors and teachers served, type of mentoring activities, and the number of hours devoted to mentoring each new teacher

- a Records relating to individual teachers mentored:
RETENTION: 7 years from date of completion of the mentoring activity for records documenting professional development programs completed by employees in positions requiring teaching certification
- b Records of overall activities not relating to individual teachers mentored:
RETENTION: 6 years

683 ED1 218,

Substitute teacher registry records,

including records of centralized substitute teacher registries

- a Registration application and qualification and availability records:
RETENTION: 6 years after individual's registration is discontinued

- b Work assignment record:
RETENTION: 55 years

684 ED1 219,

Subversive activity report

submitted to Commissioner of Education, along with statements from public school system employees and related records

- a Summary report submitted to Commissioner of Education:
RETENTION: PERMANENT
- b Records relating to person charged with subversive activity, or membership in a subversive organization, including hearing records and record of final disposition of case:
RETENTION: PERMANENT
- c Declarations by persons claiming no involvement in subversive activities or membership in subversive organizations:
RETENTION: 3 years

Civil Service

NOTE: Records in this section apply to the local government's civil service or similar oversight department or, if none exists, to the appointing department responsible for maintaining these records.

685 CO2 413, MU1 385, ED1 351, MI1 748

Copy of payroll, or payroll report,

submitted to civil service office for certification or approval:

RETENTION: 0 after superseded

NOTE: Official copy of payroll must be retained for 55 years. See item no. 524 in the Fiscal section.

686 CO2 414, MU1 386, MI1 749

Official civil service employee roster card:

RETENTION: PERMANENT

687 CO2 415, MU1 387, ED1 222, MI1 331

Established position record

showing a history of each position and names and other pertinent information about persons who occupied it

- a If record contains detailed information about the position and persons who occupied it:
RETENTION: PERMANENT
- b If record only provides lists of names of employees:
RETENTION: 1 year after final entry in record

NOTE: The official listing or roster of all local government officials or employees, covered by item no. 656, must be retained permanently.

688 CO2 416, MU1 388, ED1 223, MI1 332

Report of personnel change,

(including employee transfer record), except copy retained in employee's personnel records

- a Copy held by office with official civil service function:
RETENTION: 0 after termination of employment, but not less than 6 years
- b Copy retained by school or district or fiscal office, where official civil service copy is maintained by other local government having the official civil service function:
RETENTION: 6 years
- c Employee transfer record:
RETENTION: 0 after termination of employment, but not less than 6 years
NOTE: Reports of personnel changes may also be found in employee personnel records. When filed in an employee personnel record, such copies are subject to lengthier retention requirements. See item no. 636.

689 CO2 417, MU1 389, ED1 224, MI1 333

Job classification records,

including job classification questionnaire, analysis of job duties and request for reclassification:

RETENTION: 1 year after subsequent classification action completed, but not less than 10 years

NOTE: Appraise these records for historical significance prior to disposition. Local governments with official civil service functions should consider permanent retention of these records. Contact the State Archives for additional advice.

690 CO2 418, MU1 390, ED1 225, MI1 334

Official copy of job posting and position duties statement

- a When duties of position are described in detail:
RETENTION: PERMANENT
- b When duties of position are not described in detail:
RETENTION: 6 years

691 CO2 419, MU1 391, ED1 226, MI1 335

Personnel requisition

made to civil service or personnel office, requesting that vacancy be filled:

RETENTION: 0 after obsolete

◆ **692** CO2 420, MU1 392, ED1 227, MI1 336

Civil service eligible list records

- a Official eligible list and certification of eligible list:
RETENTION: 20 years after expiration of eligible list

- b Certification of eligible list sent to and retained by appointing authority:
RETENTION: 4 years after expiration of eligible list
- c Request for certification of eligible list:
RETENTION: 1 year after expiration of eligible list, but not less than 4 years
- d Individual's request for reinstatement to eligible list and reply:
RETENTION: 1 year after expiration of eligible list, but not less than 4 years
- e Eligible list canvass records, including but not limited to prec canvass questionnaire and letter of canvass and reply:
RETENTION: 6 months after expiration of eligible list, but not less than 4 years
- f Military record of applicant, when applicant was not hired:
RETENTION: 4 years after expiration of eligible list

◆ **693** CO2 421, MU1 393, ED1 228, MI1 337

Application for or inquiry concerning employment,

including resume, I-9 form, and related records, when applicant not hired

- a For applicants for posted vacancies:
RETENTION: 4 years after completion of personnel action
NOTE: When the applicant is hired, the application is retained in or as long as the personnel file. See item no. 636 in the Personnel subsection.
- b General employment inquiries and resumes which are not related to posted vacancies:
RETENTION: 0 after no longer needed

◆ **694** CO2 875, MU1 893, ED1 480, MI1 750

Recruitment, hiring, interview and selection records,

including but not limited to correspondence, reports, selection criteria, interview notes, background check records, rating and ranking forms, evaluations and other records pertaining to the hiring, promotion, demotion, transfer, layoff and termination of employees:

RETENTION: 4 years after completion of personnel action

NOTE: This item does not cover personnel records of individual employees. See item no. 636 in the Personnel subsection. Local governments may wish to include fingerprint check records and other materials concerning job applicants who are hired in those individuals' personnel records.

◆ **695** CO2 422, MU1 394, MI1 751

Application for examination

- a When eligible list is established:
RETENTION: 4 years after expiration of eligible list
- b When no eligible list is established:
RETENTION: 4 years after examination date
- c Supplemental documentation filed in conjunction with application, including but not limited to student loan statement, credentials and copies of transcripts:
RETENTION: 1 year

◆ 696 CO2 423, MU1 395, ED1 229, MI1 339

Civil service examination and appointment review records

- a Civil service examination and announcement (official copy held by office with official civil service function):
RETENTION: PERMANENT
- b Civil service examination and announcement (other than official copy held by office with official civil service function):
RETENTION: 0 after no longer needed
- c Candidate identification or admission card:
RETENTION: 4 years after date of examination
- d Examination preparation, administration, and rating records:
RETENTION: 5 years after date of examination
- e Veteran credit records:
RETENTION: 50 years
NOTE: Veteran credit records of individuals not hired are covered under item no. 692f.
- f Qualifying medical, physical fitness or agility examination report, when person is hired, and worked one year or longer:
RETENTION: 30 years after termination of employment
- g Qualifying medical, physical fitness or agility examination report, when person is hired, and worked less than one year, provided copies were given to the employee upon termination of employment, pursuant to 29 CFR 1910.1020 (d-1) (i-C):
RETENTION: 4 years after termination of employment
- h Qualifying medical, physical fitness or agility examination report, when person is not hired:
RETENTION: 4 years after date of examination
- i Summary listing of examination results:
RETENTION: 1 year after date of examination
- j Notification of examination results mailed to candidate:
RETENTION: 4 years
- k Examination review records including but not limited to employee request, correspondence, and objection:
RETENTION: 4 years after expiration of eligible list
- l Appointment review records, documenting review of applicant qualifications for non-competitive, temporary or other positions not requiring examinations:
RETENTION: 5 years

◆ 697 CO2 424, MU1 396, ED1 230, MI1 338

Seniority list

- ranking employees by length of service:
RETENTION: 4 years after creation

698 CO2 876, MU1 751, MI1 752

Disclosures related to student loan status,
received as part of civil service examination application, transmitted to New York State
Higher Education Services Corporation, along with transmittal documents:

RETENTION: 1 year

699 CO2 877, MU1 752, MI1 753

Local government requests to State Civil Service Commission
for approval of changes to rules or jurisdictional classifications:

RETENTION: 3 years after date of last entry in record

PORT FACILITY

700 MU1 403, MI1 346
Maps, plans, specifications, drawings and photographs
of port facility:

RETENTION: 6 years after facility no longer in use

NOTE: Appraise these records for historical significance prior to disposition. Some of these records will have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

701 MU1 404, MI1 347
Master plan
and all supporting documentation for port facility:

RETENTION: PERMANENT

702 MU1 405, MI1 348
Tenant legal and reference files

- a Contract negotiations, contracts, leases and significant correspondence:
RETENTION: 6 years after expiration, revocation or renewal
NOTE: Appraise these records for historical significance prior to disposition. These records may document the important roles these facilities play in the economic development of the community. In such cases, these records may have continuing value for historical or other research meriting their permanent retention. Contact State Archives for additional advice.
- b Correspondence, including but not limited to complaints about tenants:
RETENTION: 6 years
- c Informational materials, including but not limited to lists of tenant's employees, copies of schedules, brochures and advertising materials:
RETENTION: 0 after obsolete

PROBATION

◆ 1123 CO2 431,

Probation department case files

NOTE: Although the records have a less than permanent retention period, the State Archives urges county probation agencies to retain presentence or predisposition investigation reports, quarterly supervision reports, and termination reports permanently. These reports contain information not available elsewhere, have long-term research value, document the local government's role in the probation process, and may possess long-term legal and administrative value as well.

- a Presentence or predisposition investigation reports; quarterly supervision reports, including initial supervision plan; and termination reports, except for adults and juveniles whose cases were adjusted or diverted by the courts in lieu of adjudication:
RETENTION: 10 years after case closed
- b All case record material, other than presentence investigation reports or predisposition reports, quarterly supervisory reports, and termination reports:
RETENTION: 6 years after case closed
- c All case record material pertaining to adults and juveniles whose cases were adjusted or diverted by the courts in lieu of adjudication or adjudicated outside of court:
RETENTION: 6 years after case closed
- d Routine drug tests results, where results are found to be negative and are not filed as part of the case file:
RETENTION: 5 years
- e Monitoring records for ignition interlock devices, including notification of installation or de-installation of device, emergency notification program communications/notifications, motor vehicle information, monitoring data, and correspondence:
RETENTION: 1 year or once the probation period has ended, whichever is longer

◆ 1124

Probation client data system

containing electronic information on probationers and other clients

- a Summary data on any individual contained in or produced by an automated system:
RETENTION: PERMANENT
- b Detailed data on any individual contained in or produced by an automated system, regardless of duplication of information found in individual case file:
RETENTION: 10 years after case closed
NOTE: Although the data covered by part "b" has a less than permanent retention

period, the State Archives urges county probation agencies to retain information on presentence or predisposition investigations, quarterly supervision, and termination permanently. This information may not be available elsewhere, and documents the county's role in the probation process and may possess long-term legal and administrative value as well. Maintaining the data electronically may be preferable to maintaining the paper case record materials covered by item no. 1123b.

- c Macros and queries (including the necessary documentation used in report and query generation) used to generate reports and other output from system data:
RETENTION: Retain as long as resulting report or other data output record

1125 CO2 432,

Master summary record

(index) containing summary information on each case:

RETENTION: PERMANENT

◆ 1126

Probation-related reports, studies or data queries, including their documentation

- a Annual summary reports, including those submitted to the New York State Division of Criminal Justice Services and the county legislative body:
RETENTION: PERMANENT
- b Quarterly and monthly reports submitted to New York State Division of Criminal Justice Services:
RETENTION: 3 years
- c Reports, studies, or queries having legal or fiscal value, such as reports covering personnel resources, reports on socio-economic characteristics of department clients, reports on clients participating in different programs, and assignment and disposition of similar type cases:
RETENTION: 6 years
NOTE: Appraise these records for historical value prior to disposition. Reports and studies analyzing probation department programs and activity may be valuable for long-term planning, analysis of trends in criminal justice, and for historical and other research. Contact the State Archives for additional advice.
- d Reports, studies or queries having no legal or fiscal value, such as daily activity, individual staff assignments, or other routine internal reports:
RETENTION: 0 after no longer needed

◆ 1127

Lists of probationers and other clients,

submitted to and received from New York State Division of Criminal Justice Services, including update and correction records:

RETENTION: 0 after superseded or obsolete

◆ 1128

Sex-offender records

maintained in addition to those found in client case file, including but not limited to surveys and information received from law enforcement agencies or the State Division of Criminal Justice Services, or downloaded off the Internet; detailed GPS tracking records; daily individual location logs; and non-official copies of offender registration records:

RETENTION: 6 years

1129 CO2 433,

Certificate of relief from disabilities

issued to probationer:

RETENTION: 1 year

1130 CO2 434,

Probation department case assignment register

and related records showing assignment of cases, establishing and reviewing work scheduling and work load:

RETENTION: 1 year after all cases listed are closed

1131 CO2 435,

Restitution and other similar financial records

covering DWI, court, supervision and other fees, including but not limited to payment change order, cash book showing receipts and disbursements of funds, ledger card or book, and records of collection attempts:

RETENTION: 6 years after last payment

1132 CO2 436,

List of persons in arrears in restitution payments:

RETENTION: 6 years after list is issued or last entry, whichever is shorter

1133 CO2 878,

Conditional release case file,

covering inmate in county correctional facility, created pursuant to Article 12, Correction Law:

RETENTION: 6 years after date of most recent entry in record

PUBLIC ACCESS TO RECORDS

◆ **NOTE:** Records relating to access and disclosure of student education records under Family Educational Rights and Privacy Act of 1974 (FERPA) are covered by items no. 209 (Community College section) and 972 (School District and BOCES: Student Records subsection). Records relating to access and disclosure of private health information under Health Insurance Portability and Accountability Act (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH) are covered by item no. 756 (Public Health section).

703 CO2 437, MU1 406, ED1 231, MI1 349

Subject matter list

of records held by local government, required under Freedom of Information Law:

RETENTION: 6 months after superseded

704 CO2 438, MU1 407, ED1 232, MI1 350

Listing of officers or employees

of local government required by Freedom of Information Law:

RETENTION: 6 months after superseded

705 CO2 439, MU1 408, ED1 233, MI1 351

Register or list

of applicants seeking access to public records:

RETENTION: 6 months

706 CO2 440, MU1 409, ED1 234, MI1 352

Freedom of Information records request file

NOTE: Requests for access to special education records, maintained pursuant to Section 300.563 of 34 CFR, are covered by item no. 946, found in the School District and BOCES section, Special Education subsection.

a Request for access to public records, when request is granted:

RETENTION: 6 months

b Request for access to public records, when request is denied, including statement of denial, appeal records, documentation of review and decision:

RETENTION: 6 months after final determination

c Certificate that record does not exist or cannot be found:

RETENTION: 6 months

◆ **707**

Freedom of Information records exemption file

for pistol license holders per the NYSAFE Act, as well as other possible exemptions, including application and copy of approval or denial notices:

RETENTION: 3 years after exemption is null and void

NOTE: Exemptions under the Family Educational Rights and Privacy Act (FERPA) are covered by item nos. 209 in the Community College section and 972 in the School District and BOCES section, Student Records subsection.

PUBLIC ADMINISTRATOR

◆ **NOTE:** Public administrators are responsible for handling the estates of decedents who have no close relatives or named executors eligible or willing to serve as the fiduciary of their estates. Public administrators serve in the City of New York, and in Erie, Monroe, Onondaga, Nassau, Suffolk, and Westchester Counties. In the counties not served by a public administrator, the public administrator's function is carried out by the Chief Fiscal Officer of each county, usually the county treasurer. Retention periods for records of New York City public administrators are established by the New York City Department of Records and Information Services (DORIS). All other public administrators should follow the retention periods in this section.

- 708** CO2 441,
Public administrator's case file,
including but not limited to petition to county Surrogate's Court, investigation report and correspondence:
RETENTION: 10 years after case closed
- 709** CO2 442,
Log of cases:
RETENTION: 10 years
- 710** CO2 443,
Public administrator's final case report
showing distribution of assets when account is settled:
RETENTION: PERMANENT
- 711** CO2 444,
Master summary record
(index) containing summary information on each case:
RETENTION: PERMANENT

PUBLIC EMPLOYMENT AND TRAINING

712 CO2 445, MU1 410, ED1 235, MI1 353

Employment and training program file

for Job Training Partnership Act, Comprehensive Employment and Training Act (C.E.T.A.), Manpower Development and Training Act, youth employment training, Work Force Investment Act, Workforce Innovation and Opportunity Act, and other job training programs

a Project application, proposal, narrative, evaluation, and annual report:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.

b Background material and supporting documentation:

RETENTION: 6 years

713 CO2 446, MU1 411, ED1 236, MI1 354

Employment and training program individual participant file,

including but not limited to application, work schedule, evaluations, and notice of transition to non-grant employment:

RETENTION: 6 years after last entry

714 CO2 447, MU1 412, ED1 237, MI1 355

Denied employment and training enrollment application:

RETENTION: 3 years

PUBLIC HEALTH

General

- 715** CO2 448, MU1 413, MI1 356
Certification, licensing, and accreditation records
 covering review and approval by state or federal agency or professional review organization, to operate facility or program, to conduct tests, or to perform specified work, including lists of permissible procedures or tests:
 RETENTION: 7 years after superseded, revoked, or no longer valid
- 716** CO2 449, MU1 414, MI1 357
Survey, evaluation, and inspection records
 covering review of facilities and programs by state or federal agency or professional review organization, including but not limited to medical care evaluation and similar studies:
 RETENTION: PERMANENT
- ◆ **717**
Hospital credential files for physicians, physical therapists, and other medical professionals:
 RETENTION: 6 years after credentials expire or are withdrawn
- 718** CO2 451, MU1 416, MI1 359
Appointment records,
 including slips, return cards, sign-in sheets, and clinic schedules kept by facility or public health program:
 RETENTION: 0 after obsolete
 NOTE: Appointment records for certain patients may have legal value to supplement patient medical records in documenting services provided to these patients.
- ◆ **719** CO2 452, MU1 417, MI1 360
Screening and assessment records and referrals
- a For persons evaluated but not treated by facility or program, other than early intervention program:
 RETENTION: 3 years
 - b For records of the Physically Handicapped Children's Program (program pays for expenses related to approved medical conditions of children that are not covered by the family's health insurance):
 RETENTION: 6 years
 NOTE: New York State Department of Health has determined that the records

retained as part of Physically Handicapped Children's Program are not medical records.

720 CO2 879, MU1 753, MI1 754

Advice and referral records,

covering medical, mental health or other information provided to individuals in person or over the telephone, including but not limited to telephone logs and individual call records

- a When person involved is or becomes a patient:
RETENTION: Retain as long as patient case record
- b When person involved is not or does not become a patient:
RETENTION: 6 months

◆ **721**

Alcoholism, substance abuse, and tobacco use prevention program records

for youth and adults:

RETENTION: 3 years

Fiscal

NOTE: Other fiscal records covered by items on this Schedule can be found in the Fiscal section.

722 CO2 453, MU1 418, MI1 361

Annual expenditure report or budget

submitted to state or federal agency or professional review organization:

RETENTION: PERMANENT

◆ **723** CO2 454, MU1 419, MI1 362

Patient's individual financial case record and account

- a Individual case record, account card, or ledger card:
RETENTION: 7 years after account closed, but not less than 9 years
- b Individual charge records, posted to case record or card:
RETENTION: 7 years
- c Prescription drug claims, for Medicare Part D plan sponsors:
RETENTION: 10 years after end of contract year

◆ **724** CO2 455, MU1 420, MI1 363

Medicare, Medicaid or insurance carrier claim records,

including but not limited to schedule of payments, copy of claim, listing of invalid or rejected claims, vendor payment list, list of claims submitted for payment, and list of checks received:

RETENTION: 10 years

725 CO2 456, MU1 421, MI1 364

Insurance and reimbursement related reports,
including Medicare/Medicaid cost report and certified uniform financial or statistical report, and all necessary supporting documentation:

RETENTION: 9 years

◆ 726

Preschool special education claim records,
filed with the New York State Education Department for reimbursement of administrative costs related to the Children with Special Health Care Needs Program and the Physically Handicapped Children's Program:

RETENTION: 6 years

727 CO2 457, MU1 422, MI1 365

Patient personal property records,
including log or register of personal property of patients and receipts and related property records of original entry:

RETENTION: 6 years after death or discharge of patient

Facility and Patient Services

728 CO2 458, MU1 423, MI1 366

Establishment, major alteration, or change of occupancy or use records

a Records of review and approval of plans, schedule of costs, feasibility studies, plans, specifications and drawings, final report, and significant correspondence:

RETENTION: PERMANENT

b Memoranda, routine correspondence, and supplemental fiscal documentation:

RETENTION: 6 years after last entry

729 CO2 459, MU1 424, MI1 367

Facility committee records

a Minutes of medical staff committees, including but not limited to utilization review committee, joint conference committee or patient care conference:

RETENTION: PERMANENT

b Records of medical staff committees, excluding minutes, including but not limited to agenda, worksheets and notes:

RETENTION: 6 years

c Minutes and all other records of facility committee other than medical staff committees, such as dietary services committee or activities committee:

RETENTION: 6 years

730 CO2 460, MU1 425, MI1 368

Dietary services records

- a Food service records, including meal counts, roster of patients' diet orders, and dietary services studies:
RETENTION: 3 years
 - b Menus:
RETENTION: 1 year

- 731** CO2 461, MU1 426, MI1 369
Patient activities records,
including information on courses and activities offered to patients:
RETENTION: 2 years

- 732** CO2 462, MU1 427, MI1 370
Medical information index,
including but not limited to physician's index, disease index and operative index:
RETENTION: PERMANENT

- 733** CO2 463, MU1 428, MI1 371
Census record of patients:
RETENTION: 6 years

- 734** CO2 464, MU1 429, MI1 372
Nursing services report,
including substation, shift and ward report:
RETENTION: 1 year

- 735** CO2 465, MU1 430, MI1 373
Hospital stay data collection records
covering data collection and review by Statewide Planning and Research Cooperative System (S.P.A.R.C.S.) and Data Protection Review Board (D.P.R.B.)

 - a Request for data or review of data:
RETENTION: 2 years
 - b Results of data processing:
RETENTION: 0 after data verified
 - c Data received from S.P.A.R.C.S.:
RETENTION: 0 after no longer needed for administrative purposes

- 736** CO2 466, MU1 431, MI1 374
Quality assurance records

 - a Quality assurance plan, including staff privileges review procedures:
RETENTION: PERMANENT
 - b Relating to quality of care provided by individual hospital staff members:
RETENTION: 10 years after termination of employment
 - c Relating to quality of care provided to individual patient, when not duplicated in medical case record:
RETENTION: Retain as long as medical case record

d Relating to more than one patient:

RETENTION: Retain as long as all relevant medical case records are retained

737 CO2 467, MU1 432, MI1 375

Health facility infection control and monitoring records:

RETENTION: 10 years

Patient Case Records and Related Materials

738 CO2 450, MU1 415, MI1 358

Master summary record,

master index file, or principal register giving basic data on individual patients:

RETENTION: PERMANENT

739 CO2 881, MU1 754, MI1 756

Patient data file,

providing summary and/or detailed information on patient:

RETENTION: Maintain as long as patient medical or other case record.

NOTE: Health agencies and facilities should consider permanent or long-term retention of the basic data elements of these systems for both administrative convenience and for potential research purposes. This data may provide for ease of access to other electronic and paper-based files and may create a record which replaces or supplements the master summary record (see item no. 738). Contact the State Archives for additional advice.

740 CO2 468, MU1 433, MI1 376

Patient's leave records,

including leave book or slip, patient's request, physician's consent and record of leave taken:

RETENTION: 6 years

741 CO2 469, MU1 434, MI1 377

Utilization review records

for individual patient, excluding those contained in medical case record:

RETENTION: 6 years

742 CO2 470, MU1 435, MI1 378

Pre-admission screening records

for long-term care health facility

a When person is not admitted:

RETENTION: 0 after obsolete

b When person is admitted, and information is not duplicated in medical case record:

RETENTION: Retain as long as medical case record

- ◆ 743 CO2 471, MU1 436, MI1 379

Medical case record of hospital patient,

(in-patient and out-patient), excluding film, tracing, or other record of original entry when information contained is posted to or summarized in case record:

RETENTION: 7 years after death or discharge of patient, but not until 3 years after individual attains age 18

NOTE: Appraise these records for historical significance. These records may have continuing value for historical or other research, and the State Archives suggests hospitals consider permanent retention, or if not permanent, for at least 10 years after death or discharge of patient, based on American Medical Records Association guidelines. In addition, records of adoptive children may need to be retained longer for legal and medical reasons. Also, medical records of mothers may, in certain cases, need to be retained longer if needed relative to their children's health. The State Archives recommends that these factors be considered in disposing of medical case records, and that these records be evaluated for disposition on a case-by-case basis.

- ◆ 744 CO2 472, MU1 437, MI1 380

Medical case record of long-term care health facility patient:

RETENTION: 7 years after death or discharge of patient, but not until 3 years after individual attains age 18

- ◆ 745 CO2 473, MU1 438, MI1 381

Medical case record of out-patient,

including but not limited to diagnostic or treatment center patient; child health, maternity, family planning, lead poisoning, medical rehabilitation, dental health, Indian reservation health, nutrition or tuberculosis clinic patient; health related social services and home health agency patient, but excluding early intervention program:

RETENTION: 7 years after discharge or last contact, but not until 3 years after youngest patient attains age 18

- 746 CO2 474, MU1 439, MI1 382

Original entry patient care records

which exist separately from case record, including nurses' notes, operating room record, therapy record, nursery and obstetrics record, emergency room treatment record, triage records, and temperature charts

- a When significant information is posted to medical case record:

RETENTION: 6 years

- b When significant information is not posted to medical case record:

RETENTION: Retain as long as medical case record

- ◆ 747 CO2 475, MU1 440, MI1 383

Film or tracing,

including X-ray, EKG tracing, EEG tracing, sonogram, echo cardiogram and holter monitor printout, when report of film or tracing is not incorporated into medical case record:

RETENTION: 6 years, or 3 years after minor patient reaches age 18, whichever is longer

NOTE: Holter monitor tapes need only be retained for one month after printouts ("disclosures") are produced from them. Older X-rays on nitrate-base films, which have deteriorated to the point where they are no longer usable, should not be retained. Retention of older nitrate-base X-rays may pose a serious fire hazard. Based on federal requirements (21 CFR Section 900.12 [c-4]), facilities conducting mammography activities (including operating mammography equipment or providing initial interpretation of the mammogram) must maintain mammograms and associated records of patients for 10 years, unless a subsequent mammogram was performed for that patient at the facility within that time, in which case the earlier mammogram can be destroyed after 6 years; or until the records are permanently transferred at patient request to another medical institution, physician or to the patient.

748 CO2 476, MU1 441, MI1 384

Patient care conference records,

including worksheets and evaluations, but excluding minutes

- a When significant information is posted to medical case record:
RETENTION: 0 after posting
- b When significant information is not posted to medical case record:
RETENTION: Retain as long as medical case record.

749 CO2 477, MU1 442, MI1 385

Communicable disease individual case records

- a Communicable disease case report or equivalent record, including copy of laboratory report:
RETENTION: 6 years after discharge or last contact, or 3 years after individual attains age 18, whichever is longer
- b Supplementary reports on communicable diseases:
RETENTION: 2 years
- c Typhoid carrier records:
RETENTION: 2 years after death or release of carrier
- d Syphilis treatment case record:
RETENTION: 40 years
- e Sexually transmitted disease case record, except syphilis:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

750 CO2 882, MU1 755, MI1 757

Mental health incident report:

RETENTION: 20 years

◆ 751

Mental health admission forms, correspondence, and related records for observation, care, and treatment,

including emergency, voluntary, and involuntary admissions, that are not filed as part of a case file:

RETENTION: 10 years after discharge or last contact with patient, or 3 years after individual attains age 18, whichever is longer

◆ **752** CO2 478, MU1 443, MI1 386

Mental health individual case record

a Clinical discharge summary:

RETENTION: 25 years

b Case record materials, except clinical discharge summary:

RETENTION: 6 years after discharge or last contact with patient, or after individual attains age 21, whichever is longer

NOTE: Appraise these records for historical significance. Records covered by item nos. 752 and 753 may have continuing value for historical or other research. Contact the State Archives for additional advice in this area.

753 CO2 479, MU1 444, MI1 387

Alcohol or substance abuse individual case record

including clinical discharge summary:

RETENTION: 6 years after date of discharge or last contact, or 3 years after individual attains age 18, or for the period required by contractual arrangements, whichever is longest

754 CO2 883, MU1 756, MI1 758

Reports, studies or data queries,

including those generated from patient data system (including documentation of macros, queries, and reports)

a Reports, studies or queries relating to individual patient:

RETENTION: Retain as long as or as part of medical or other patient case record

b Reports, studies or queries not relating to individual patient:

RETENTION: 0 after no longer needed

NOTE: Appraise records covered by part "b" for archival value. Reports and studies analyzing specific medical conditions and their treatments may be valuable for long-term planning and for medical, historical and other research. Contact the State Archives for additional advice.

◆ **755** CO2 884,

Early intervention program and preschool special education program records,

including but not limited to case record and screening, assessment and referral records, including referral to preschool special education committee

a Individual case record:

RETENTION: 7 years after discharge or last contact, but not until 3 years after person attains age 18

b Screening, assessment and referral records, not found in individual case record:

RETENTION: 7 years

◆ 756

Health Insurance Portability and Accountability Act (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH) compliance and disclosure records

NOTE: HIPAA does not prescribe how long medical records should be retained. Patient medical records are covered by items no. 743, 744, 745, and 752.

- a Record of requests for access to and disclosures of protected health information from patient, student, and employee medical and other records, as required by HIPAA/HITECH regulations:
RETENTION: 6 years from date of request
- b Privacy and security policies and procedures, staff designations, privacy practices notices, complaints and resolution records, staff training on policies and procedures, data use agreements, incident and breach notification documentation, and related records as required by HIPAA/HITECH regulations:
RETENTION: 6 years from the date of creation or last effective date, whichever is later

Laboratory

◆ 757 CO2 481, MU1 445, MI1 388

Master summary record,

including accession sheet or register

- a Register of laboratory tests performed:
RETENTION: 10 years
NOTE: Appraise these records for archival value. These records may contain detailed information on the subject, nature and results of laboratory tests and may have long-term or permanent scientific or historical research value. Contact the State Archives for additional advice.
- b Record of collection of specimens:
RETENTION: 10 years

758 CO2 885, MU1 757, MI1 759

Laboratory test data file,

providing summary and/or detailed information on laboratory tests performed

- a For clinical laboratory tests:
RETENTION: Maintain as long as related laboratory tests results
- b For forensic or toxicology tests:
RETENTION: 6 years
- c For environmental health tests:
RETENTION: Maintain as long as related laboratory tests results
NOTE: Laboratories should consider permanent or long-term retention of the

basic data elements of these systems for both administrative convenience and for potential research purposes. This data may provide for ease of access to other electronic and paper-based files (such as accession records and laboratory test results) and may create a record which replaces or supplements the master summary record (see item no. 757). Contact the State Archives for additional advice.

- ◆ **759** CO2 482, MU1 446, MI1 389

Request for laboratory test:

RETENTION: Retain as long as the related test results

- 760** CO2 886, MU1 758, MI1 760

Referral information for cytogenetic cases:

RETENTION: 6 years

- ◆ **761** CO2 483, MU1 447, MI1 390

Laboratory worksheet, workslip, history slip, or similar record

- a For environmental health, or toxicology or forensic test:

RETENTION: Retain as long as related test results

- b For clinical laboratory tests, worksheets:

RETENTION: 2 years

- c For clinical laboratory tests, history slips:

RETENTION: 7 years

- ◆ **762** CO2 484, MU1 448, MI1 391

Preventive maintenance, service, or repair record

for laboratory equipment or instrument:

RETENTION: Retain as long as the equipment or instrument remains in use, but no less than 2 years, and also as long as test results using this equipment are retained

NOTE: If equipment is used to produce laboratory tests which have differing minimum legal retention periods, then these preventive maintenance records must be retained as long as the longest period of time these laboratory test results need to be retained.

- ◆ **763** CO2 485, MU1 449, MI1 392

Quality control records

covering laboratory equipment and procedures:

RETENTION: Retain as long as test results using this equipment are retained

NOTE: If equipment is used to produce laboratory tests which have differing minimum legal retention periods, then these quality control records must be retained as long as the longest period of time these laboratory test results need to be retained.

- 764** CO2 486, MU1 450, MI1 393

Laboratory protocol

detailing procedures for conducting tests, disposing of specimens, samples and supplies, or other activity, including superseded or obsolete procedures:

RETENTION: PERMANENT

765 CO2 487, MU1 451, MI1 394

Laboratory reports, studies or data queries,
including those generated from automated data system

- a Forensic and other related investigation reports:
RETENTION: 6 years
- b All other reports, studies or queries:
RETENTION: 0 after no longer needed

NOTE: Appraise these records for archival value. Reports and studies analyzing specific types of tests, test results and the population being tested may be valuable for long-term planning and for medical, historical and other research. Because these records will vary greatly as to content, subject and detail, they should be appraised for archival value. Contact the State Archives for additional advice.

◆ **766** CO2 489, MU1 453, MI1 396

Blood, including blood components and blood derivatives, collection, release, transfusion and related records:

RETENTION: 10 years, or 6 months after the expiration date of the individual product, whichever is later

767 CO2 490, MU1 454, MI1 397

Biologics receipt and distribution record

- a Detailed delivery record:
RETENTION: 2 years
- b Summary record of receipt and distribution:
RETENTION: 5 years

768 CO2 491, MU1 455, MI1 398

District laboratory supply station records

- a Notification of establishment or discontinuance of station or of appointment or termination of its caretaker:
RETENTION: PERMANENT
- b Certificate of approval of station maintenance:
RETENTION: 2 years
- c Periodic inventory of station supplies:
RETENTION: 6 years

769 CO2 492, MU1 456, MI1 399

Laboratory examination test results (clinical)

- a Positive report of syphilis serology:
RETENTION: 7 years
- b Negative report of syphilis serology:
RETENTION: 2 years
- c Tissue pathology (including exfoliate cytology) report:

- RETENTION: 20 years
- d Cytogenetics report:
RETENTION: 25 years
- e Clinical, except those listed above:
RETENTION: 7 years

770 CO2 887, MU1 759, MI1 761

Forensic and toxicology test results:

RETENTION: 6 years

NOTE: These records may need to be retained as long as related case investigation records. Consult the appropriate law enforcement or investigative agency to determine if these records may be needed longer for legal purposes.

◆ **771** CO2 493, MU1 457, MI1 400

Laboratory examination test results (environmental health)

- a Chemical analysis of potable water supply and testing for critical agents:
RETENTION: 10 years
- b Routine analysis of water at pool or beach (non-potable water testing):
RETENTION: 0 after posted to summary record, or 5 years if not posted
- c All other environmental health test results:
RETENTION: 5 years
- d Sampling data and other test results maintained by laboratory of public water supply facility, created pursuant to Section 5-1.49, 10NYCRR:
RETENTION: 12 years
- e Local health agency copy of any environmental analysis received from laboratory:
RETENTION: 1 year

Radiological Health

772 CO2 251, MU1 219, MI1 177

Approvals

and registrations relating to radiological equipment and materials

- a Approval to possess or use radioactive materials, received from New York State Department of Health, and related records:
RETENTION: 3 years after local government, facility or program no longer possesses or uses radiological materials
- b Registration of radiation-producing equipment with New York State Department of Health, and related records:
RETENTION: 2 years after expiration or renewal

◆ **773** CO2 252, MU1 220, MI1 178

Radiation-exposure records

for an individual

- a Records of diagnostic misadministrations:
RETENTION: 3 years
- b Records of therapeutic misadministrations:
RETENTION: 6 years
- c Radiation-exposure data for an individual, including records of radioactive material deposited or retained in body:
RETENTION: 90 years after individual's date of birth

◆ 774 CO2 888, MU1 760, MI1 762

Records of occupational doses

for an individual using radiation-producing equipment or radiological materials

- a Annual or other summary occupational dose records:
RETENTION: 90 years after individual's date of birth
- b Detailed occupational dose records:
RETENTION: 0 after annual or other summary record containing this information is produced
- c Records of prior occupational dose:
RETENTION: 90 years after individual's date of birth
- d Records of planned special exposures:
RETENTION: 90 years after individual's date of birth

775 CO2 253, MU1 221, MI1 179

Radiation equipment testing and inspection records

- a Regulatory inspection and audit records, including master summary record and "index card":
RETENTION: 6 years after equipment no longer in use
- b Equipment accuracy testing records, including surveys, calibrations, measurements, and quality control tests:
RETENTION: 3 years

776 CO2 254, MU1 222, MI1 180

Records of disposal, theft, loss, or excessive release of radiation

- a Records concerning theft or loss of radiation source, excessive release of radiation, or excessive exposure of individual to radiation, including documentation of notification:
RETENTION: PERMANENT
- b Record of disposal by burial in soil:
RETENTION: PERMANENT
- c Records of authorized transfer or receipt, or issue and return of radiation source or radioactive materials, or disposition by incineration or release into sanitary sewer system:
RETENTION: 6 years

777 CO2 889, MU1 761, MI1 763

Radiation program safety records

- a Records documenting provisions of program:
RETENTION: 3 years after program ceases to exist
- b Audits and other reviews of program content and implementation:
RETENTION: 3 years
- c Records documenting specific instructions given to workers:
RETENTION: 3 years

Miscellaneous

778 CO2 494, MU1 458, MI1 401

Birth and death records held by health agency or facility,

including copies of birth and death certificates, and related electronic records:

RETENTION: 0 after no longer needed

NOTE: The New York State Department of Health requires these records be destroyed as soon as no longer needed. Paper copies of birth and death certificates shall be destroyed within one year of the date of their receipt. Copies of fetal death certificates must be destroyed by the end of each month, pursuant to Section 4160, Public Health Law. This item does not cover official copies of birth and death certificates held by the health departments of Chemung, Monroe, Onondaga and Tompkins counties, which serve as registrars of vital statistics.

779 CO2 495, MU1 459, MI1 402

Medical rehabilitation service card:

RETENTION: 6 months after completion of annual report

780 CO2 496, MU1 460, MI1 704

Dental clinic records

- a Dental hygienist's clinic record:
RETENTION: 0 after youngest person on record attains age 21
- b Dental referral card, notifying clinic of work done by private dentist:
RETENTION: 2 years
- c Individual dental treatment summary record:
RETENTION: 6 years after dental work completed, or 3 years after individual attains age 18, whichever is longer

781 CO2 497, MU1 461,

Nutrition program eligibility and certification records (including W.I.C. program), including but not limited to copy of blood test results, record of advice given patient, and records of fair hearing procedure:

RETENTION: 6 years after last entry

782 CO2 498, MU1 462, MI1 403

Maternal and child health reports

a Clinic service report, including but not limited to school health service report, and report of poisoning case, except lead poisoning:

RETENTION: 1 year

b Individual newborn infant metabolic defects screening report:

RETENTION: 0 after individual attains age 21

783 CO2 499, MU1 463,

Housing investigation case record for lead poisoning:

RETENTION: 7 years after case closed

784 CO2 500, MU1 464,

Master summary record

(index, log, register or similar record) of lead poisoning cases and investigations:

RETENTION: PERMANENT

◆ 785 CO2 501, MU1 465, MI1 406

Lead poisoning reports and screening results

a Positive results of screening, when not duplicated in case record:

RETENTION: Retain as long as case record.

b Positive results of screening, when duplicated in case record:

RETENTION: 0

c Negative results of screening, when posted to summary record:

RETENTION: 0 after posting

d Negative results of screening, when not posted to summary record:

RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

e Blood level determination report:

RETENTION: 10 years

f Summary report of screening program:

RETENTION: PERMANENT

◆ 786 CO2 502, MU1 466, MI1 765

Cancer study and control program records

a Cancer case report for individual, received and used for statistical purposes:

RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

b Cancer summary record for individual:

RETENTION: 2 years after individual dies or 90 years after individual's date of birth

787 CO2 503, MU1 467,

Tuberculosis case and contact register or record card,

and related materials

- a When individual has died:
RETENTION: 3 years after death
- b When individual's diagnosis has been changed to nontubercular:
RETENTION: 6 years after diagnosis changed
- c For other tubercular individual:
RETENTION: 20 years after last entry
- d For nontubercular contact:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer
- e Source or intermediary documents used in reporting, tracking or posting information on tubercular cases:
RETENTION: 0 after obsolete

788 CO2 504, MU1 468,
Tuberculosis case listing by geographical area:

RETENTION: 0 after superseded or obsolete

789 CO2 505, MU1 469, MI1 766
Negative tuberculosis X-ray films or interpretive reports
resulting from screening program:

RETENTION: 3 years

790 CO2 506, MU1 470, MI1 407
Individual immunization record,
including authorization and/or parental consent:

RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

◆ **791** CO2 507, MU1 471, MI1 408
Vaccine distribution and usage records

- a Official record of distribution and usage:
RETENTION: 25 years
- b Statistical or similar record of vaccines administered:
RETENTION: 5 years
- c Standing orders (written protocols approved by a physician or other authorized practitioner that allow qualified health care professionals including nurses or pharmacists to administer vaccinations):
RETENTION: 1 year after expiration of order

792 CO2 508, MU1 472, MI1 409
Results of screening programs, except
lead poisoning

- a Summary reports on screening results:
RETENTION: PERMANENT

- b Master index or listing of participants:
RETENTION: 50 years
- c Positive report of individual screened, including statement of consent or participation and authorization for release of information:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer
- d Negative report of individual screened, including statement of consent or participation and authorization for release of information:
RETENTION: 1 year
- e Log or other working record of screening and testing, used to compile statistics and other data:
RETENTION: 1 year
- f Anonymous H.I.V. test results and related records:
RETENTION: 7 years
NOTE: Identifiable H.I.V. related records are covered by item nos. 743 and 745, and related laboratory records are covered by items in the Laboratory subsection.

793 CO2 509, MU1 473, MI1 410

Receipt and storage records

for controlled substances (or other drugs or medication), including inventory, authorized requisition, receipt and vendor record:

RETENTION: 5 years

794 CO2 510, MU1 474, MI1 411

Usage and distribution records

for controlled substances (or other drugs or medication)

NOTE: Prescription drug claims are covered under Fiscal subsection.

- a Record of withdrawal from stock, distribution and administration to patients:
RETENTION: 5 years
- b Order or prescription form used for administering to patients:
RETENTION: 6 years
- c List of narcotic registrants (persons registered to possess or prescribe controlled substances):
RETENTION: 0 after obsolete
- d Report on habitual user of narcotics:
RETENTION: 6 years

◆ **795** CO2 890, MU1 762, MI1 767

Tissue donation and transfer records

- a Master summary record (index or log) of all tissue donations and transfers:
RETENTION: PERMANENT
- b Reproductive tissue donation records, including but not limited to information on donor and donation, referral records, tissue storage and processing records, documentation of delivery or receipt and records of tissue disposal and/or use

(other than those contained in patient medical records), of donated reproductive tissue in artificial insemination and/or assisted reproductive procedures which result in a live birth:

RETENTION: 25 years

- c Reproductive tissue donation records, including but not limited to information on donor and donation, referral records, tissue storage and processing records, documentation of delivery or receipt and records of tissue disposal and/or use (other than those contained in patient medical records), of donated reproductive tissue in artificial insemination and/or assisted reproductive procedures which do not result in a live birth:

RETENTION: 7 years after release or discard of tissue

- d Other tissue donation and transfer records, including but not limited to information on donor and donation, referral records, tissue storage and processing records, documentation of delivery or receipt and records of tissue disposal and/or use (other than those contained in patient medical records), for tissue intended for transplantation:

RETENTION: 7 years after transplantation or 6 months after expiration date of the tissue, whichever is longer

- e Records of release of tissue or nontransplant anatomic parts for research or educational purposes:

RETENTION: 5 years after release

796 CO2 891, MU1 763, MI1 768

Organ procurement and transplant records

- a Master summary record (index or log) of all organ donations and transplants:

RETENTION: PERMANENT

- b Other organ donation and transplant records, including but not limited to information on donor and donation, referral records, documentation of delivery or receipt, information on recipient and records of use (other than those contained in patient medical records), when organ is procured:

RETENTION: 7 years after date of procurement

- c Other organ donation and transplant records, including but not limited to information on donor and donation, referral records and explanation of why organ is not procured (other than those contained in patient medical records), when organ is not procured:

RETENTION: 7 years after date of most recent entry in record

797 CO2 892, MU1 764,

Copies of laboratory reports,

submitted to health department by hospitals for informational purposes:

RETENTION: 0

798 CO2 880, MU1 894, MI1 755

Medical waste disposal records,

relating to generation, transportation and disposal of regulated medical waste

- a Medical waste tracking records, including exception reports:
RETENTION: 3 years after waste accepted for transport
- b Records created by generators who destroy regulated medical waste on site:
RETENTION: 3 years after date waste destroyed
- c Annual reports prepared by waste generator or transporter:
RETENTION: 3 years

799 CO2 511,**Individual patient utilization review or long-term care placement records,**

where county health agency either conducts or monitors utilization review or placement in facilities within county:

RETENTION: 6 years

800 CO2 893,**Tobacco product regulation records**

- a Permit issued by county to sell or distribute tobacco products, including application and related records:
RETENTION: 6 years after renewal, denial or expiration
- b Tobacco product distribution, sale or use violation records, including but not limited to notice of violation or hearing, appointment of hearing officer, records of fine levy and collection, appeal records, and correspondence, but excluding summary record and resulting order or agreement:
RETENTION: 6 years after date of last entry
- c Summary record of violations, and resulting order or agreement:
RETENTION: 0 after business no longer exists, but not less than 6 years after date of last entry
- d Waiver granted from application of specific provisions of state or local law or ordinance:
RETENTION: 3 years after expiration of waiver or after business no longer exists
- e Tobacco distribution or sales inspection report or equivalent record, when no violation is identified:
RETENTION: 3 years
- f Tobacco distribution, sales or use complaints, received by enforcement officer, when no violation is identified:
RETENTION: 3 years
- g Periodic report submitted to State Department of Health:
RETENTION: 6 years

801 CO2 1059,**Contact notification records relative to HIV and AIDS,**

maintained by county health agency pursuant to Sect. 63.8 of 10NYCRR

- a Records relating to individual persons, including but not limited to reports received from physicians and other mandated reporters, records documenting efforts to identify contacts, summary records that identify individual persons, and

other contact notification activity records:

RETENTION: 0 after no longer needed

NOTE: Records identifying contacts collected in the course of notification activities by authorized public health officials shall not be maintained for more than one year following completion of such activity, pursuant to Sect. 63.8(j) of 10NYCRR. For records of HIV screening programs, see item no. 792f in the Public Health section, Miscellaneous subsection. For patient treatment records, see item nos. 743 and 745 in the Public Health section, Patient Case Records and Related Materials subsection.

- b Summary data, statistics, reports and program activity records that do not identify individual persons:

RETENTION: 3 years after date of most recent entry

◆ 802

Public health incident files,

including records related to public health emergencies, communicable disease occurrences, and epidemics

- a Surveillance, investigation, and response records:

RETENTION: 3 years after outbreak has abated

NOTE: Appraise these records for historical significance prior to disposition. Records of unusual disease occurrences or epidemics may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

- b Public health preparedness plans:

RETENTION: PERMANENT

PUBLIC PROPERTY AND EQUIPMENT

803 CO2 512, MU1 475, ED1 238, MI1 412

Real property acquisition or sale file

for property owned by local government including but not limited to copy of deed, copy of appraisal or valuation, copy of site or plot plan, photographs, recommendation or justification for acquisition or sale, approval for acquisition or sale, closing statement, memoranda and correspondence

- a Copy of site or plot plan, photographs, and recommendation or justification for acquisition or sale:

RETENTION: PERMANENT

- b Other records in file, including but not limited to copy of deed, copy of appraisal or valuation, closing statement, approval for acquisition or sale, memoranda and correspondence:

RETENTION: 6 years after property no longer owned by local government

NOTE: This does not apply to a sale of real property tax liens conducted by the local government. See the Taxation and Assessment section.

804 CO2 513, MU1 476, ED1 239, MI1 413

Master summary record

(book, log or register) recording acquisition or sale of property by local government:

RETENTION: PERMANENT

805 CO2 514, MU1 477, ED1 240, MI1 414

Official copy of sale or auction list, and notice or advertisement of sale of real property by local government:

RETENTION: PERMANENT

806 CO2 515, MU1 478, ED1 241, MI1 415

Capital construction or public improvement project file,

including but not limited to bids, specifications, contracts, performance guarantees, inspection reports, and environmental impact statements

NOTE: "Capital projects" are defined in Section 2.00, Local Finance Law; Section 99-g, General Municipal Law; Section 351, County Law; Section 103, Town Law; and Section 5-522, Village Law.

- a Feasibility studies; successful bids; plans, specifications and designs; project description; in-progress and completion photographs; inspection reports; environmental impact statement; annual project statement; fiscal and other final reports; significant change orders; and significant correspondence:

RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government

NOTE: Appraise these records for historical significance prior to disposition. Records for important projects or historic structures have historical value and should be retained permanently. Contact the State Archives for additional advice.

- b Supplementary documentation, including application for assistance, project budget, interim fiscal reports, claims, contracts, vouchers, work orders, memoranda, worksheet, performance guarantees, non-significant change orders; routine correspondence and detailed construction specifications:

RETENTION: 6 years after last entry in project file

- c Unsuccessful bids, to which contract is not awarded:

RETENTION: 6 years

- d All records, when project is proposed but not undertaken:

RETENTION: 6 years after last entry

NOTE: For plans, maps, designs, sketches, designs, architectural drawings and photographs of buildings and facilities, see item no. 807, below.

807 CO2 516, MU1 479, ED1 242, MI1 416

Official plans, maps, designs, architectural drawings, and photographs

for buildings or other facilities owned by local government, including index, and also including design file for capital construction or renovation project

- a Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for significant building or other facility:

RETENTION: PERMANENT

- b Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for other than significant building or other facility:

RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government

- c Mechanical, electric and other detailed schematic drawings, not covered by parts "a" or "b," including detailed specifications not appearing on plans, maps, designs, sketches, architectural drawings:

RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government

- d Other related non-graphic design file documents, including correspondence, cost estimates, reports, planning studies and other records:

RETENTION: 6 years after completion of project

NOTE: Some of these non-graphic documents may need to be retained for 6 years after the building or other facility no longer exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

- e Template or other similar automated framework or reference files used in conjunction with more specific automated design files:

RETENTION: Retain as long as the related specific automated design files are retained

- f Index or similar record used to locate, identify and access plans, maps, designs, sketches, architectural drawings, photographs and other existing records:

RETENTION: Maintain as perpetual data file or other record, deleting information only relating to records that have been disposed of

808 CO2 517, MU1 480, ED1 243, MI1 417

Draft or intermediary plans, maps, designs, sketches or architectural drawings, including explanatory textual files, tracings and other than final or "as built" automated design files:

RETENTION: 0 after no longer needed

NOTE: Some of these design documents may need to be retained for 6 years or longer, possibly as long as the building or other facility exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

809 CO2 894, MU1 895, ED1 481, MI1 769

Maintenance, testing, service, operational and repair records

for buildings, grounds, and other facilities or their mechanical, electrical systems or other infrastructure

a Cumulative summary records:

RETENTION: 6 years after building or other facility no longer in use

b Individual detailed report or related record, such as work request, work order, personnel deployment record, preventive maintenance schedules and records of work completed, when posted to cumulative summary record:

RETENTION: 6 years

c Individual report or related record, such as work request, work order, personnel deployment record and records of work completed, when not posted to cumulative summary record:

RETENTION: 6 years after building or other facility no longer in use

d Log, maintenance schedule or similar record of ongoing activity:

RETENTION: 6 years after last entry

e Descriptive information on specific equipment or component parts:

RETENTION: 6 years after equipment or part no longer in use

f Descriptive information on maintenance personnel, vendors or contractors:

RETENTION: 1 year after superseded or obsolete

g Inventories of parts, materials and supplies needed for maintenance and repairs:

RETENTION: 6 years

h Requests for inspection, repair or service, when no work is performed and no funds expended:

RETENTION: 1 year

NOTE: For plans, designs and schematic drawings of buildings and facilities, including their systems and component parts, see item no. 807.

810 CO2 895, MU1 896, ED1 482, MI1 770

Reports and studies relating to maintenance, testing, service, operation and repairs

for buildings and other facilities or their mechanical, electrical systems or other infrastructure:

RETENTION: 6 years

NOTE: Some of these reports may need to be retained longer for long-term facility management purposes, such as for 6 years after building or other facility no longer in use. Some may even have permanent historical or other research value. Contact the State Archives for additional information.

◆ **811** CO2 518, MU1 481, ED1 244, MI1 418

Building or facility security records,

including but not limited to visitor's register and watchman's or automated security system or false alarm reports, and records of issuance and cancellation of building or room keys or passes:

RETENTION: 3 years or, for records documenting issuance or cancellation of keys or passes, 3 years after keys or passes are cancelled or revoked

NOTE: This item does not cover airport security records, which are covered by item no. 1061 in the Transportation and Engineering section, Airport subsection.

812 CO2 519, MU1 482, ED1 245, MI1 419

Public facility use file,

including but not limited to requests, correspondence, fiscal records and authorizations:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. In some cases, facility use files may document significant attempts by the local government to broaden its support base by reaching out to community groups.

813 CO2 520, MU1 483, MI1 420

Fire safety records,

including but not limited to fire safety inspection reports, fire drill report, fire alarm records, fire inspection reports and fire investigation reports

NOTE: Records maintained by the public safety agency which performs official fire safety functions are covered by item nos. 1208, 1211 and 1212 in the Public Safety section, Fire Fighting and Prevention subsection.

a Fire safety inspection reports:

RETENTION: 3 years, or until all violations noted on report are corrected, whichever is later

b Records other than fire safety inspection reports:

RETENTION: 3 years

◆ **814** CO2 521, MU1 484, ED1 247, MI1 421

Property inventory records,

covering buildings, facilities, vehicles, machinery and equipment, including "fixed assets" records:

RETENTION: 6 years after superseded by updated inventory, or 6 years after replacement, sale, or discontinuance of use of all property listed, whichever is sooner

815 CO2 522, MU1 485, ED1 248, MI1 422

Inventory of supplies:

RETENTION: 6 years

816 CO2 523, MU1 486, ED1 249, MI1 423

Public property sale or discard records,

except real property, including but not limited to description of property, bids or offers, and receipt of deed of gift:

RETENTION: 6 years

◆ **817** CO2 524, MU1 487, ED1 250, MI1 424

Maintenance, testing, service, operational and repair records

for equipment or vehicle, but not covering buildings and other facilities or their mechanical, electrical systems or other infrastructure

NOTE: Purchase records are covered by item no. 547 in Fiscal section and warranty records are covered by item no. 818 in this section.

- a Cumulative summary record for vehicle or equipment:
RETENTION: 6 years after vehicle or equipment no longer in use
- b Individual report when posted to cumulative summary record:
RETENTION: 6 years
- c Individual report when not posted to cumulative summary record:
RETENTION: 6 years after vehicle or equipment no longer in use
- d Maintenance or repair log or similar record:
RETENTION: 6 years after last entry
- e Reports and studies relating to maintenance, testing, service, operation and repairs for equipment or vehicles:
RETENTION: 6 years
- f Requests for inspection, repair or service, when no work is performed and no funds expended:
RETENTION: 1 year
- g Permits issued to allow vehicles to be used for various purposes, such as waste transport, hazardous materials transport, and oversized loads:
RETENTION: 0 after expiration of permit
- h Vehicle registration records:
RETENTION: 0 after superseded

818 CO2 525, MU1 488, ED1 251, MI1 425

Specifications, warranty and descriptive information

received from vendor for vehicle or equipment:

RETENTION: 6 years after vehicle or equipment no longer in use

819 CO2 526, MU1 489, ED1 252, MI1 426

Vehicle routing, scheduling and usage records,

including automated system used to schedule and assign routes of service and maintenance vehicles

NOTE: This does not apply to emergency use of law-enforcement, fire or other emergency vehicles, which are covered by items in the Public Safety section. For usage records covering buses and other public transportation vehicles, see the Transportation and Engineering section, Public Transportation subsection. This does not apply to school bus routing records. See Transportation section, School Bus Routing and Scheduling subsection.

- a Detailed data file containing information such as on vehicle stops, usage, locations at specific times or intervals:
RETENTION: 0 after no longer needed
NOTE: Because of the amount of detailed data collected by such systems, such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements. It is recommended that local officials store this data offline long enough to meet such requirements. Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.
- b Automated system operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:
RETENTION: 6 years
- c Logs, schedule, reports, and queries (including macros, queries and necessary documentation used in report and query generation), which contain information of legal or fiscal value:
RETENTION: 6 years
- d Logs, schedules, reports, and queries (including macros, queries and necessary documentation used in report and query generation), which do not contain information of legal or fiscal value:
RETENTION: 0 after no longer needed
- e Geographic Information System (G.I.S.) street/road data file used for vehicle routing scheduling, derived from official G.I.S. data maintained by other unit of local government:
RETENTION: 0 after no longer needed

820 CO2 527, MU1 490, ED1 253, MI1 427

Consumption and dispensing records

for fuel, oil, or similar products used by publicly owned vehicles or equipment:

RETENTION: 6 years

NOTE: This item does not cover fuel (jet fuel and service vehicle fuel), de-icer or other chemical storage and dispensing records for airports, which are covered by item no. 1066 in the Transportation and Engineering section, Airport subsection.

821 CO2 528, MU1 491, ED1 254, MI1 428

Request for services or supplies,

including stockroom supplies, forms and publications, duplication, or use of any vehicle or equipment

- a When a chargeback or fee is involved:
RETENTION: 6 years
- b When no chargeback or fee is involved:
RETENTION: 0 after no longer needed

822 CO2 529, MU1 492, ED1 255, MI1 429**Federal Communications Commission (F.C.C.) private radio licensing records**

- a Original application and other related records not created for renewal applications:
RETENTION: 5 years after final termination of license or denial of application
- b Renewal application and related records, including copy of license:
RETENTION: 5 years after renewal or termination of license or denial of application
- c Request for frequency data research:
RETENTION: 1 year
- d Listing of locations of radios using local government private radio frequency:
RETENTION: 0 after superseded or obsolete

◆ **823** CO2 530, MU1 493, ED1 256, MI1 430**Petroleum bulk storage records**

- a Registration, including approved application and related records:
RETENTION: 7 years after expiration or termination of registration or 3 years after removal of storage tanks and piping, whichever is later
- b Monthly and ten-year mandatory inspection reports:
RETENTION: 10 years
- c Daily and other periodic inspection reports:
RETENTION: 3 years
- d Test certification for underground storage tank:
RETENTION: 7 years
- e Site assessment and related records, required when an underground storage tank is abandoned:
RETENTION: PERMANENT
- f Records relating to leakage and spillage:
RETENTION: PERMANENT
- g Inventory monitoring records:
RETENTION: 5 years
- h Denied registration application and related records:
RETENTION: 7 years after denial of application
- i Records demonstrating compliance with the compatibility requirement if storing regulated substances containing greater than 10 percent ethanol, greater than 20 percent biodiesel or any other regulated substance:
RETENTION: Maintain for the life of the storage tank

824 CO2 896, MU1 765, ED1 483, MI1 771

Aquatic weed harvesting and/or control records

(covers harvesting by mechanical or manual means or control by use of herbicides):

RETENTION: 3 years

◆ 825

Annual environmental audit reports submitted to the New York State Department of Environmental Conservation,

including descriptions of environmental problems; records of remedial investigations, plans, and actions; estimates of resources needed to remedy violations; projected remedial time schedules; internal assessments of remedial plans; lists of violations and rankings; and related correspondence and other materials:

RETENTION: 3 years after submission of report

◆ 826 CO2 405, MU1 378, ED1 213, MI1 324

Facility health and safety inspection records,

including notices of inspection, inspection reports, descriptions of violations, remedial action plans, correspondence, and memoranda documenting local government cooperation with the NYS Department of Labor in facility inspections mandated by Sect. 802 of 12NYCRR and local government efforts to comply with Department of Labor findings and determinations:

RETENTION: 3 years after completion of inspection or after any violations are remedied, whichever is longer

◆ 827 ED1 490,

School facility report card,

prepared for each occupied school building, as required by Sect. 155.6 of 8NYCRR between 2001 and 2011:

RETENTION: 0 after no longer needed

828 ED1 86,

Asbestos management plans

required pursuant to the federal Asbestos Hazard Emergency Response Act and 40CFR Part 763, Subpart E, including plans required for each school listing all buildings leased, owned or otherwise used as a school building and whether they contain asbestos; dates of asbestos inspections; reinspections and surveillances; copies of analyses; descriptions of responses or preventive measures taken; and related records, including equivalent records previously created under the New York State School Asbestos Safety Act (Article 9-A, Education Law):

RETENTION: 3 years after next required reinspection or equivalent period after all asbestos-containing building material has been removed from a homogenous area

NOTE: Records of building projects involving asbestos are covered by item no. 830.

829 CO2 1060, MU1 918, ED1 91, MI1 913

Hazardous waste generation records

a Individual load delivery and other detailed records, including manifest form:

RETENTION: 3 years after waste accepted by transporter

- b Annual and exception reports:

RETENTION: 3 years after due date of report

- c Test results and waste analyses:

RETENTION: 3 years after date waste was removed

NOTE: This item covers records of local governments which generate hazardous waste but do not operate programs to collect and dispose of hazardous waste. For governments that operate such programs, item no. 455 in the Environmental Health section, Environmental Facilities: Solid Waste Management Facilities subsection, covers records of the generation, collection and disposal of hazardous waste.

◆ **830** CO2 898, MU1 767, ED1 87, MI1 773

Building rehabilitation and reconstruction project files

- a When asbestos is installed, removed, encapsulated, applied, distributed or otherwise involved:

RETENTION: 30 years

- b When lead is removed, encapsulated or otherwise involved:

RETENTION: 30 years

831 CO2 899, MU1 768, ED1 323, MI1 774

Lead or copper content testing and remediation files

covering lead or copper content in drinking water of public facilities

- a Water sample test results and related records, when lead or copper level exceeds the action level as defined in Section 5-1.41, State Sanitary Code:

RETENTION: 50 years

- b Water sample test results and related records, when lead or copper level does not exceed the action level as defined in Section 5-1.41, State Sanitary Code:

RETENTION: 10 years

- c Records of remediation by replacement of lead or copper plumbing:

RETENTION: 6 years after building no longer exists

- d Records of remediation by elimination or replacement of water cooler not connected to plumbing:

RETENTION: 6 years after cooler eliminated or replaced

832 CO2 900, MU1 769, ED1 353, MI1 775

Pesticide (including herbicide, rodenticide and disinfectant) application record

(showing kind and quantity used, dosage rate, method of application, target organism, area and time of application):

RETENTION: 3 years

NOTE: Records of incidents of possible exposure to pesticides (including herbicides, rodenticides and disinfectants), and other records created because pesticides are considered "toxic substances," are covered by item no. 654 in the Personnel/Civil Service section.

- 833 ED1 484,
School pesticide neighbor notification records
 prepared and maintained pursuant to 8NYCRR Section 155.24, including annual, summer school, emergency, forty-eight hour and other notifications, lists of persons receiving notifications, summary reports on pesticide applications, and related records:
 RETENTION: 3 years
- 834 CO2 901, MU1 770, ED1 354, MI1 776
Inventory of pesticides
 (including herbicides, rodenticides and disinfectants) maintained by local government:
 RETENTION: 40 years after superseded or obsolete
- 835 CO2 902, MU1 771, ED1 355, MI1 777
Annual report of pesticides
 (including herbicides, rodenticides and disinfectants) used, submitted to New York State Department of Environmental Conservation:
 RETENTION: 2 years
- 836 CO2 903, MU1 772, ED1 356, MI1 778
Application for business/agency pesticide registration,
 including all related records:
 RETENTION: 1 year after superseded or invalid
- 837 CO2 904, MU1 773, ED1 357, MI1 779
Records relating to certification for individual certified commercial applicator,
 including copy of application, records of training in use of pesticides, examination results, copy of certificate and recertification records:
 RETENTION: 6 years
- 838 CO2 905, MU1 774, ED1 358, MI1 780
Permits and approvals
 from state or county health department to operate pool or beach:
 RETENTION: 3 years after denial or expiration
- 839 CO2 906, MU1 775, ED1 359, MI1 781
Reports of pool or beach operation and inspection:
 RETENTION: 21 years
- 840 ED1 92,
Laboratory examination test results for pool (school)
- a Routine analysis (i.e., indicating water is within accepted standards) of water at pool:
 RETENTION: 1 year
 - b Non-routine analysis (i.e., indicating water is not within accepted standards) of water at pool:

RETENTION: 3 years

841 CO2 907, MU1 776, ED1 360, MI1 782

Facility inmate work crew records,

covering crews from state or county correctional facilities performing work outside the facilities for local government or not-for-profit organization, including but not limited to request for work crew and site visit report:

RETENTION: 2 years

842 CO2 908, MU1 777, ED1 361, MI1 783

Self-evaluation records,

required under Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements

- a Voluntary compliance plan for facility, including list of persons consulted, description of areas examined, transition plan, list of problems identified and description of modifications anticipated and made:

RETENTION: PERMANENT

- b Copies of work orders, progress notes and other supporting documentation:

RETENTION: 1 year after modifications completed

843 CO2 909, MU1 778, ED1 362, MI1 784

Inspection reports, reviews and audits

(internal and external) created relative to the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements:

RETENTION: 6 years after building or facility involved is no longer in use

844 CO2 910, MU1 779, ED1 363, MI1 785

Individual case records,

filed under the provisions of the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements, including but not limited to complaint, charge or request for reasonable accommodation, medical reports, responses, records of appeals, correspondence and internal memoranda, records documenting work done in response to complaint or request, and documentation of final resolution

- a When complaint or request is filed by officer or employee of the local government involved:

RETENTION: 3 years after resolution of case and termination of any reasonable accommodation provided

- b When complaint or request is filed by person other than officer or employee of the local government involved:

RETENTION: 3 years after date of final entry in record, but not less than 3 years after person involved attains age 18

845 CO2 911, MU1 780, ED1 364, MI1 786

Master summary record of all cases

under the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements:

RETENTION: PERMANENT

846 CO2 912, MU1 781, ED1 352, MI1 787**Video or audio recordings maintained for security purposes**

- a Recording containing incidents warranting retention for administrative or other potential legal uses:

RETENTION: 3 years, but not until any minor has attained age 21

- b Recording not containing incidents warranting retention for administrative or potential legal uses:

RETENTION: 0 after no longer needed

847 CO2 913, MU1 782, ED1 485, MI1 788**Records relating to protection of underground facilities**

- a Notice of or request for excavation, received by local government from excavator, pursuant to 16NYCRR, Section 753-5.2 (Dig Safely NY), including notice of postponement or cancellation and notice of discovery of unknown facility:

RETENTION: 4 years

- b Master list or central registry of operators of underground facilities located within borders of county or municipality:

RETENTION: 0 after superseded or obsolete

◆ 848 CO2 914, MU1 783, ED1 486, MI1 789**Records filed by contractor or sub-contractor with local government related to public works project,**

pursuant to Section 220 (3-a), Labor Law, including but not limited to copy or abstract of payroll, classification of workers employed on a project, and statement of work to be performed by each classification:

RETENTION: 5 years after contract completion

849 CO2 915, MU1 897, ED1 487, MI1 790**Water supply system records,**

covering water supply system (such as private well) maintained by local government for its own use

NOTE: Public water supply records, where a local government provides water for public consumption, are covered by items in the Environmental Health section, Environmental Facilities: General and Environmental Facilities: Public Water Supply subsections.

- a Permits and approvals necessary to establish or operate system, including supporting data and other related records:

RETENTION: PERMANENT

- b Original entry and intermediary charts, graphs and other data collected relating to water usage, water levels and water quality:

- RETENTION: 10 years
- c Reports and related data collection and other summary records showing long-term trends and developments:
RETENTION: PERMANENT
- d Reports and related records not showing long-term trends and developments:
RETENTION: 10 years
- e Reports and test results on unsatisfactory water supply samples:
RETENTION: 20 years
- f Log recording summary information collected at periodic intervals such as changes in pressure and level, proportion of chemicals present, operational changes and problems:
RETENTION: PERMANENT
- g Log recording all or routine information such as changes in pressure and level, proportion of chemicals present, operational changes and problems:
RETENTION: 5 years
NOTE: If no logs containing summary information are generated, local governments may wish to retain all or some records covered by part "g" of this item longer, for both long-term administrative use and for potential research purposes.

850 CO2 916, MU1 898, ED1 85, MI1 878**Energy consumption monitoring records**

showing use of electricity or fuel, operation of heating and/or cooling equipment, or environmental conditions (temperature, humidity, air quality) in various parts of publicly owned or operated building or other facility

- a Detailed data collected from sensors or monitors, and detailed reports generated from such data:
RETENTION: 0 after no longer needed
NOTE: Some of this data and these detailed reports may need to be retained for 6 years for energy consumption trending analysis or energy consumption audit purposes. The State Archives recommends that local governments consult the Office of the State Comptroller or their own auditor to determine which data may have long-term value.
- b Equipment maintenance, testing and service records, except detailed records of routine activities:
RETENTION: 6 years after equipment no longer in use
- c Detailed records of routine maintenance, testing and service:
RETENTION: 6 years
- d Reports relating to energy consumption and environmental conditions, including reports of problems and corrective actions taken, summary reports of environmental conditions, and reports showing long-term energy consumption trends, along with accompanying charts, graphs and data tables:
RETENTION: 6 years
NOTE: Appraise these records for historical or other long-term significance prior

to disposition. Records showing long-term trends in energy use may need to be retained permanently, or at least 6 years after the building or other facility is no longer in use. Contact the State Archives for additional advice.

851 CO2 917, MU1 899, ED1 488, MI1 791

Records relating to mines owned or operated by local government

- a Plans, maps and environmental impact statements generated as part of application process to obtain permit from New York State Department of Environmental Conservation to operate mine, or to obtain permit renewal:
RETENTION: PERMANENT
- b Other records generated as part of application process to obtain permit from New York State Department of Environmental Conservation to operate mine, or to obtain permit renewal, including but not limited to original and renewal application, actual permit, reports and correspondence:
RETENTION: 3 years after mine closed and land reclaimed
- c Mine registration with the United States Department of Labor, Mine Safety and Health Administration (MSHA) known as "Legal Identity Report":
RETENTION: 3 years after mine closed and land reclaimed
- d Listing of employment, accident and injury data, submitted annually by MSHA to local government:
RETENTION: 5 years
- e Quarterly mine employment and coal production report, submitted to MSHA, as required by 30 CFR, Section 50.30:
RETENTION: 5 years
- f Basic information on employees working at mine, known as "population survey," submitted to MSHA, as required by 30 CFR, Section 45.4:
RETENTION: 0 after no persons listed on report still work at mine
NOTE: The annual training plan for employees who work at a mine is covered by item no. 81 in the General Administration section. Accident and personal injury reports are covered by item no. 660 in the Personnel/Civil Service section, Personnel subsection. The rescue plan is covered by item no. 1212 in the Public Safety section, Fire Fighting and Prevention subsection. Training certification records for each employee working at a mine are covered by item no. 640 in the Personnel/Civil Service section, Personnel subsection.

852 ED1 489,

Comprehensive long-range plan for educational facilities

and five-year capital facilities plan created under 8NYCRR Section 155.1, or equivalents, and related records

- a Final copy of plan:
RETENTION: PERMANENT
- b Background materials and supporting documentation, including plan development records:
RETENTION: 10 years

PUBLIC SAFETY**E-911 and Related Records**

1173 CO2 918, MU1 784, MI1 792

Master Street Address Guide (MSAG) and related records

- a MSAG database, containing such information as road/street names, address ranges, addresses, community names, telephone numbers, and information on properties, structure and individuals:
RETENTION: Maintain as perpetual data file, and 1 year after replaced by superseding MSAG data file
NOTE: Appraise these records, which may contain valuable information on properties, structures and residents, for secondary uses as well as historical significance prior to disposition. Periodic "snapshots" of this data may be created and maintained as either electronic files saved to disk, tape or diskette, or as hard-copy output such as printed maps, or in both formats. Contact the State Archives for additional advice on the creation and maintenance of these records.
- b Street alias file, containing alternative road or street names:
RETENTION: Maintain as perpetual data file, and 3 years after replaced by superseding street alias file
- c Records of updates, corrections and confirmations to MSAG database, including assignments of new or revised street addresses:
RETENTION: 3 years
- d Non-permanent road/street related information, such as relating to temporary closure of road or street:
RETENTION: 3 years after information becomes invalid

◆ 1174

Supplemental information on persons and places used in conjunction with E-911 data maintenance or computer-aided dispatch (CAD)

- a Information on handicapped persons in residence, including CAD special needs notification form; building access or hazards relating to specific structures; presence of dangerous animals; location of firearms, ammunition, and hazardous materials:
RETENTION: 1 year or when superseded
- b Routine information of no potential legal value, such as name spelling corrections and information verification records:
RETENTION: 0 after no longer needed
NOTE: Street and address information is covered by item no. 1173.

1175 CO2 919, MU1 785, MI1 793

Telephone utility address records

- a Copy of database or printout received from telephone utility:
RETENTION: 0 after no longer needed
- b Updates, corrections, trouble reports and Automatic Location Information (ALI) discrepancy reports, submitted to and received from telephone utility:
RETENTION: 1 year

1176 CO2 920, MU1 786, MI1 794

Non-emergency call receipt and response records,

such as those contained in E-311 system, E-911 system module, or other electronic or manual system by which non-emergency calls are handled:

RETENTION: 1 year

NOTE: Emergency 911 calls are covered by item nos. 1180 and 1183 of this section.

1177 CO2 921, MU1 787, MI1 795

Automatic Number Information (ANI) and Automatic Location Information (ALI) records

- a ALI database, containing street address information on each telephone number:
RETENTION: 0 after no longer needed
NOTE: Local governments which do not maintain MSAG data files may wish to retain this record as a perpetual data file, and for 1 year after replaced by a superseding data file.
- b ANI and ALI reports, such as printouts of ANI or ALI screen displays and similar records, but not including ALI discrepancy reports:
RETENTION: 0 after no longer needed
NOTE: Local governments should consult their attorney or counsel before these records are disposed of regarding any potential legal value.

1178 CO2 922, MU1 788, MI1 796

E-911 system development and implementation records

- a Feasibility and implementation reports and studies:
RETENTION: 6 years after completion of project
NOTE: Appraise these records for historical significance prior to disposition. Because of the costs involved and significance of implementing E-911 and related systems, these records may be important in documenting the system itself as well as the implementation process. Contact the State Archives for additional advice.
- b Background materials used in preparing feasibility and implementation reports and studies, preliminary maps, and detailed statistical and other supplementary data accompanying reports and studies:
RETENTION: 6 years after completion of project
- c Records relating to establishment of road/street names, address ranges and addresses, including changes in names of roads/streets and address range changes, including standards followed for naming, addressing and address conversions:
RETENTION: PERMANENT

- d Aerial photographs and final maps created in conjunction with system implementation:
RETENTION: PERMANENT

Computer-Aided Dispatch (CAD)

1179 CO2 923, MU1 789, MI1 797

Computer-aided dispatch (CAD) or incident data file,

containing data on each call received and equipment dispatch or other resulting action taken:

RETENTION: 3 years

NOTE: In some automated systems no MSAG data file exists, and the CAD or incident data file assumes this function. In these cases local governments should consider maintaining this record as a perpetual data file, and 1 year after replaced by superseding data file. Incidents involving minors, casualties, serious injuries, homicides, fires which are incendiary in nature or under investigation, or unsolved law enforcement cases, may necessitate retention of data relating to these incidents longer for potential or ongoing legal needs. Contact the State Archives for additional advice.

1180 CO2 531, MU1 494, MI1 431

Emergency call receipt and/or equipment dispatch record,

including but not limited to police or fire incident report or alarm report, generated each time an alarm or call is received and equipment is dispatched or other resulting action taken

- a When record contains no information on emergency medical treatment of an individual:

RETENTION: 3 years

NOTE: Incidents involving minors, casualties, serious injuries, homicides, fires which are incendiary in nature or under investigation, or unsolved law enforcement cases, may necessitate retention of data relating to these incidents longer for potential or ongoing legal needs. Records custodians may wish consult their attorney, counsel or law enforcement agency before these records are disposed of regarding any potential longer legal value. Contact the State Archives for additional advice.

- b When record contains information on emergency medical treatment of an individual:

RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

1181 CO2 924, MU1 790, MI1 798

Geographic Information System (G.I.S.) records used in emergency dispatch process

- a Street, road right-of-way, road centerline, hydrant, tax parcel or other data layer

(official copies maintained and/or updated by dispatching unit):

RETENTION: Maintain as perpetual data files, and 1 year after superseded

- b Street, road right-of-way, road centerline, hydrant, tax parcel or other data layers (other than official copies, where official copy is maintained by other unit of local government which maintains the G.I.S.):

RETENTION: 0 after no longer needed

- c G.I.S. file and process documentation records, covering G.I.S. operations where dispatch unit creates, revises or performs analyses on data layers and related files:

RETENTION: Maintain until G.I.S. system used in dispatch is superseded or no longer used.

1182 CO2 532, MU1 495, MI1 432

Communications log

(radio, telephone, alarm or other) recording each communication between caller and receiving unit or between dispatch unit and mobile unit or field personnel, for law enforcement agency, fire department or district, emergency medical or central emergency dispatch unit:

RETENTION: 3 years after last entry

NOTE: Local governments should consult their attorney or counsel before these records are disposed of regarding any potential legal value.

1183 CO2 533, MU1 496, MI1 433

Recording of communications

kept by dispatch unit of law-enforcement agency, fire department or district, emergency medical service or central emergency dispatch unit:

RETENTION: 0 after information posted to emergency call receipt and/or equipment dispatch record

NOTE: Records custodians may wish to consult their attorney, counsel or law enforcement agency before these records are disposed of regarding any potential legal value. The State Police suggests that these tapes be retained for at least 30 days if economically feasible. Recordings of serious incidents may warrant longer retention for legal reasons. These tapes should be retained until legal action is resolved, or the relevant specific communications should be transferred onto a separate tape. Contact the State Archives for additional advice.

1184 CO2 925, MU1 791, MI1 799

Call receipt and dispatch related reports,

other than individual incident reports

- a Incident data files submitted to New York Department of State:
RETENTION: 2 years
- b Summary data reports and detailed reports containing information of potential legal or fiscal value:
RETENTION: 6 years
- c Internal information reports of no legal or fiscal value, such as daily activity reports:

RETENTION: 0 after no longer needed

Public Safety: General

NOTE: Software and software manuals and documentation are not considered "records" under the Local Government Records Law. Local governments may need, however, to retain older versions of software, as well as relevant manuals and documentation, to document the operation of public safety related systems for legal purposes, such as defending the integrity of systems in court actions. Contact your counsel or attorney for advice in this area prior to destroying outdated software and related documentation.

◆ **NOTE:** Child seat inspection records are covered by item no. 1091 in the Transportation and Engineering section.

◆ **1185** CO2 572, MU1 534, MI1 471

Accreditation records for law enforcement, fire fighting or prevention or emergency medical services agency or unit

a Assessment reports, annual compliance surveys (compliance reports), standard compliance reports, and other correspondence:

RETENTION: 10 years

b Contents of file folders used to demonstrate compliance with the program, provided they are copies:

RETENTION: 0 after accreditation period ends or is renewed

1186 CO2 926, MU1 792, MI1 800

Emergency vehicle, apparatus and equipment records

NOTE: Items covering purchase, warranty, repair, fuel use, and replacement are found in the Public Property and Equipment section.

a Vehicle upkeep and use records, including records of incidents where vehicle responded and equipment was used:

RETENTION: 3 years

b Vehicle readiness checklist, or equivalent record, for any emergency vehicle, needed to ensure that necessary equipment and material is in place and in proper order:

RETENTION: 3 years

c Record of equipment (other than firearms) issued to public safety personnel:

RETENTION: 1 year after equipment returned or otherwise disposed of

◆ **1187** CO2 535, MU1 498, MI1 435

Training records for law-enforcement officers, E-911, dispatch or fire-fighting personnel,

but excluding emergency medical personnel

- a Individual's record of courses attended and/or completed, including basic information on course content:
RETENTION: 6 years after individual leaves service
NOTE: Local officials may wish to keep these records longer, possibly for the career of the individual, if the records are consulted throughout that period.
- b Training materials, which address core law enforcement, firefighting, or dispatch activities:
RETENTION: 40 years
- c Training materials, which address general public safety issues or non-core law enforcement activities:
RETENTION: 1 year
- d Division of Criminal Justice Services training materials:
RETENTION: 0 after no longer needed
- e Attendance lists:
RETENTION: 1 year

1188 CO2 927, MU1 793, MI1 801

Alarm records

- a Permit files for connecting fire, water or burglar alarm to public safety agency emergency telephone system, including applications, copies of permits, inspection reports and related records:
RETENTION: 6 years after denial, expiration or renewal
- b Alarm or fire alarm box call record containing basic information on each alarm transmitted:
RETENTION: 3 years
- c False alarm records, including but not limited to lists of false alarms, notices sent to property owners and records of assessing and collecting fines for responses to false alarms:
RETENTION: 6 years
- d Alarm location records, including maps and listing and descriptions of alarms:
RETENTION: 3 years after superseded or obsolete

1189 CO2 928, MU1 794, MI1 802

Public safety personnel service data file

or equivalent record, including incident and activity attendance information showing names of personnel present at fire or other emergency, including attendance at training, drills, meetings and other official activities

NOTE: This item does not cover the personnel records of officer, employee or volunteer. See the Personnel/Civil Service section of this schedule.

- a Summary data on an individual:
RETENTION: 3 years
- b Detailed data on an individual, when posted to or listed on summary data file or other record:

RETENTION: 1 year

- c Detailed data on an individual, when not posted to or listed on summary data file or other record:

RETENTION: 3 years

1190 CO2 929, MU1 795, MI1 803

Public safety real property data file,

containing basic and detailed information on land and structures, including hazards, property inspections, and individuals associated with properties

- a Basic or "history file" data:

RETENTION: Maintain as updated perpetual data file, for as long as system remains in use and property covered comes under service area

NOTE: Local governments should consider permanent retention of the basic data elements of these property "history" files for all parcels of property, or the creation and permanent retention of "snapshots" of this data. This information may be useful for long-range planning purposes, and for community, urban planning, public safety issues, and other research. Contact the State Archives for additional advice.

- b Detailed data, including plans and computer-assisted design records:

RETENTION: 0 after superseded or obsolete

- c Records of updates and corrections to property data:

RETENTION: 3 years after update or correction made

1191 CO2 1061, MU1 919,

Wild animal notification records,

consisting of annual notifications as defined pursuant to Section 209-cc of General Municipal Law

- a Notifications received by municipal clerks from persons owning, harboring, or possessing wild animals:

RETENTION: 4 years

- b Notifications sent from municipal clerks to public safety agencies:

RETENTION: 1 year or when superseded

1192 CO2 930, MU1 796, MI1 804

Documentation of macros, queries, and reports

- a Relating to specific case investigation or subject file:

RETENTION: Retain as long as the case investigation or subject file for which the documentation is created is retained

- b Not relating to specific case investigation or subject file:

RETENTION: 0 after no longer needed

NOTE: Depending on the results obtained from generating these macros, queries and reports, local officials may wish to retain these records for potential legal and other uses.

1193 CO2 931, MU1 797, MI1 805

Hazardous materials records

- a Hazardous materials location report or exemption filed with fire department or district, or equivalent record:
RETENTION: 3 years after hazardous materials no longer stored at site
NOTE: Local officials may wish to retain these records longer, possibly as long as 40 years, if the hazardous materials listed on this record include substances listed in Subpart Z, 29 CFR (federal O.S.H.A. Regulations).
- b Textual reference information containing medical, chemical or other information used to assist dispatchers and responding personnel, and maps of agency/service coverages:
RETENTION: 3 years after superseded or obsolete
- c Reports on hazardous materials found in the service area in its entirety, or at specific locations:
RETENTION: 3 years after hazardous materials listed in report are no longer present at listed sites
NOTE: Local officials may wish to retain these records longer, possibly as long as 40 years, if the hazardous materials listed on this record include substances listed in Subpart Z, 29 CFR (federal O.S.H.A. Regulations). In addition, if these reports document the presence of hazardous materials in a community at a given time, they should be appraised for historical significance. These records may have immediate significance for fire fighting and disaster prevention and long-term research value in situations where the hazardous materials found in the area had a significant impact on the community. Contact the State Archives for additional advice.

1194 CO2 932, MU1 798, MI1 806

Standard Operating Procedures

for call receipt and dispatch, including codes, abbreviations and authority file:

RETENTION: PERMANENT

NOTE: Detailed routine procedures are covered by item no. 52 in the General Administration section.

1195 CO2 933, MU1 799, MI1 807

Reference files on municipalities, districts and volunteer entities

in service or neighboring areas:

RETENTION: 0 after superseded or obsolete

NOTE: Appraise these records for historical significance prior to disposition. These records may have long-term historical value in documenting emergency services in a given area. Contact the State Archives for additional advice.

◆ 1196**Community outreach and education program records,**

including but not limited to those for drug and alcohol prevention, citizen/youth police academy, neighborhood watch and other crime prevention, and youths. Records include official copy of publications, recordings, or informational literature prepared for public

distribution, training materials, participant applications and supporting documentation:
RETENTION: 6 years

◆ 1197

Ride-along program records,

including applications to participate, waivers of liability, and criminal background check results:

RETENTION: 3 years

Emergency Medical Services

1198 CO2 934, MU1 800, MI1 808

Patient care records

- a Ambulance run or prehospital care record created each time a patient is transported by emergency vehicle and/or administered medical treatment:
RETENTION: 6 years, or 3 years after individual treated and/or transported reaches age 18, whichever is longer
- b Patient care data file, containing medical treatment and/or billing information on individual treated by emergency medical personnel:
RETENTION: 6 years, or 3 years after individual treated and/or transported reaches age 18, whichever is longer
 - c Summary record of all patients treated and/or transported:
RETENTION: 3 years

1199 CO2 540, MU1 503, MI1 440

Ambulance run or emergency medical treatment chronological log,
or equivalent record:

RETENTION: 6 years after last entry

1200 CO2 541, MU1 504, MI1 441

Emergency medical training records,

covering local government employees who receive training

- a Application for training or certification filed by individual:
RETENTION: 6 months
- b Original entry training records, when posted to summary record:
RETENTION: 1 year
- c Original entry training records, when not posted to summary record:
RETENTION: 7 years
- d Summary record of training:
RETENTION: 7 years

NOTE: Local officials may wish to keep these records longer, possibly for the career of the individual, if the records are consulted throughout that period.

- e Course materials, except final or annual reports:
RETENTION: 7 years after course completed

1201 CO2 935, MU1 900, MI1 809

Emergency medical training records,

covering local governments which are course sponsors, including but not limited to information on individuals, course files, and information on instructors, as required by Section 800.20, 10NYCRR

- a Information on individuals and course files:
RETENTION: 5 years
- b Information on instructors:
RETENTION: 5 years after working association of each instructor cease

1202 CO2 936, MU1 801, MI1 810

Rescue and disaster response reports

and related records, covering specific incidents:

RETENTION: 3 years, but not until 3 years after any minor involved attains age 18

NOTE: Specific rescue and disaster response records should be appraised for historical value, and may warrant permanent retention, based on the serious nature of the incident involved. These records may not be duplicated in disaster response files, covered by item no. 146 in the Civil Defense/Disaster Preparedness section. Contact the State Archives for additional advice.

1203 CO2 937, MU1 802, MI1 811

Emergency medical services reports,

containing information on such subjects as specific types of medical emergencies, types of supplies used, and call frequency

- a Reports containing billing information:
RETENTION: 7 years
- b Reports not containing billing information:
RETENTION: 1 year
- c Summary data received from New York State Department of Health:
RETENTION: 0 after no longer needed

Fire Fighting and Prevention

1204 CO2 542, MU1 505, MI1 442

Blotter

or equivalent record providing summary information on all significant activities of a fire department or district:

RETENTION: PERMANENT

1205 CO2 543, MU1 506, MI1 443

Log,

journal, or similar chronological record of all activity at a fire station:

RETENTION: 3 years after date of most recent entry

1206 CO2 544, MU1 507, MI1 444

Fire department or district incident listing or report,

received from or sent to New York State Division of Homeland Security and Emergency Services (Office of Fire Prevention and Control)

- a When blotter or equivalent record is not kept by department or district:
RETENTION: PERMANENT
- b When incidents listed on printout are also shown on blotter or log:
RETENTION: 0 after no longer needed
- c County fire coordinator's, marshal's or emergency services director's information copy:
RETENTION: 0 after no longer needed

1207 CO2 545, MU1 508, MI1 445

Reports on fire-fighting activity,

not including incident reports

- a Reports dealing with serious incidents or problems, or major issues with long-term implications, such as covering overall status of fire-fighting apparatus, equipment and facilities, fire-fighting readiness capability and personnel performance evaluation, and fire casualty reports:
RETENTION: PERMANENT
- b Reports on routine activities, including but not limited to daily activity report, daily communications report, false alarm investigation report, and other periodic report, which contain information of legal or fiscal value:
RETENTION: 6 years
- c Reports on routine activities, which do not contain information of legal or fiscal value, and reports which contain information duplicated in reports covered by part "a" or part "b," above:
RETENTION: 0 after no longer needed
- d Informational reports received from county fire coordinator:
RETENTION: 0 after no longer needed

1208 CO2 546, MU1 509, MI1 446

Fire investigation records

- a First, second or third degree arson investigation records, disaster or casualty investigation records, or records of investigations of major fires or significant fires of suspicious origin:
RETENTION: PERMANENT
- b Fourth degree arson investigation records:
RETENTION: 10 years
- c Routine fire investigation records, not covered by parts "a" or "b," above,

including fifth degree arson investigation records:

RETENTION: 3 years

- d Master summary record of all fire investigations:

RETENTION: PERMANENT

◆ 1209

Burn injury reports

(cases of victims that sustain substantial 2nd and 3rd degree burns) that medical officials submit to the New York State Office of Fire Prevention and Control:

RETENTION: 0 after no longer needed

1210 CO2 547, MU1 510, MI1 447

Fire mutual aid plan

- a Final plan, including maps and other attachments:

RETENTION: PERMANENT

- b Background materials and supporting documentation used in producing final plan:

RETENTION: 3 years after final plan completed

1211 CO2 548, MU1 511, MI1 448

Fire safety inspection records

- a Master summary record of inspections performed:

RETENTION: PERMANENT

- b Report on inspection at school, public building, multifamily dwelling, or commercial or industrial facility and notice of violation:

RETENTION: 21 years

- c Report on inspection of single family dwelling and notice of violation:

RETENTION: 6 years

1212 CO2 549, MU1 512, MI1 449

Fire evacuation plan, disaster response plan, fire drill report, fire safety survey,
but not including mutual aid plan:

RETENTION: 3 years after superseded or obsolete

1213 CO2 550, MU1 513, MI1 450

Fire hydrant records

- a Master record of hydrant locations:

RETENTION: 0 after superseded

- b Installation, repair, location, maintenance, inspection and replacement records:

RETENTION: 3 years after hydrant replaced, removed or use discontinued

1214 CO2 553, MU1 516, MI1 453

Copies of volunteer department or organization fund-raising records,
maintained by municipality or fire district:

RETENTION: 6 years

1215 CO2 938, MU1 803, MI1 812

Controlled burn records,

covering legally approved burning of leaves and debris permitted by fire department or district:

RETENTION: 3 years

◆ Length of Service Award Program for Volunteer Firefighters and Volunteer Ambulance Workers

NOTE: Annual reports of the Length of Service Award Program are covered by item 23 in the General Administration section.

◆ 1216 CO2 555, MU1 517, MI1 454

Length of Service Award Program (LOSAP),

including plan document, trust document, summary of provisions, adoption agreement, point system, and similar documents

a Benefit plan (including all revisions and amendments):

RETENTION: 0 after superseded and no longer needed to determine benefits

b Drafts and supporting documentation used in producing and updating plan:

RETENTION: 1 year

◆ 1217 CO2 556, MU1 518, MI1 455

Annual list of volunteers

who qualify for a year of service credit under Length of Service Award Program (LOSAP) received from third party administrator:

RETENTION: 0 after superseding report received

1218 CO2 557, MU1 519, MI1 456

Summary records of volunteers

listing points earned and providing breakdown of types of services and how points earned under Length of Service Award Program (LOSAP)

a Annual summary report or listing:

RETENTION: 55 years

b Monthly or other periodic reports or listings:

RETENTION: 3 years

◆ 1219 CO2 558, MU1 520, MI1 457

Length of Service Award Program (LOSAP) records relating to individual volunteer

a Records showing points earned and providing breakdown of types of services and how individual earned points:

RETENTION: 6 years after individual leaves service or program terminated

- b Copy of individual participant statements received from third party administrator:
RETENTION: 6 years after individual leaves service or program terminated
- c Copy of forms completed for participation including applications, enrollment forms, or similar documents and related records:
RETENTION: 6 years after individual leaves service or program terminated
- d Beneficiary designation records:
RETENTION: 0 after superseded or obsolete or contributions paid
- e Records relating to individual's challenge to plan's, department's or district's assignment or of number of points earned:
RETENTION: 3 years after appeal concluded or other disagreement otherwise resolved

Law Enforcement: General

- ◆ 1220 CO2 559, MU1 521, MI1 458

Incident, complaint, or arrest summary record or log

containing a summary of activities, when records or data are not submitted to the New York State Division of Criminal Justice Services (DCJS):

RETENTION: PERMANENT

NOTE: Copies of records or data submitted to DCJS are covered under item no. 1221 below. Most pre-1950 records have historical value.

- 1221 CO2 567, MU1 529, MI1 466

Law enforcement reports, studies or data queries,
including their documentation

- a Reports, studies or queries having legal or fiscal value, such as reports covering use of equipment and personnel resources, reports on crime in specific neighborhoods, reports based on the Clery Act, or on specific kinds of criminal activity:
RETENTION: 6 years
NOTE: Appraise records covered by part "a" for archival value. Reports and studies analyzing law enforcement activity within a municipality for specific kind of criminal activity or a given area may be valuable for long-term planning, analysis of trends in law enforcement, and for historical and other research. Contact the State Archives for additional advice.
- b Reports, studies or queries having no legal or fiscal value, such as daily communications or other routine internal reports:
RETENTION: 0 after no longer needed
- c Uniform Crime Reports submitted to State Division of Criminal Justice:
RETENTION: 1 year
- d Incident-based reports or queries:
RETENTION: 3 years

- e Report or study of law enforcement activity within municipality, generated for local law enforcement agency by county, regional or state law enforcement agency (local law enforcement agency copy):

RETENTION: 0 after no longer needed

NOTE: Appraise records covered by parts "e" and "f" for archival value. Reports and studies analyzing law enforcement activity within a municipality or specific area may be valuable for long-term planning, analysis of trends in law enforcement, and for historical and other research. Contact the State Archives for additional advice.

- f Report or study of law enforcement activity within municipality, generated for local law enforcement agency by county, regional or state law enforcement agency (copy retained by county or regional creating agency):

RETENTION: 3 years

◆ 1222 CO2 561, MU1 523, MI1 460

Case investigation record

for adult, juvenile offender, youthful offender or juvenile delinquent, including but not limited to complaint, investigation report, arrest report, property record, court order, and disposition of the case

NOTE: Classification of a case investigation record should be based on the case's final disposition (the crime or offense an individual is convicted of or pleads to). A case may be closed if it results in prosecution and appeals are exhausted, it results in a settlement, it results in no arrest, or when restitution is no longer sought.

- a For homicides, suicides, arson (first, second or third degree), missing persons (until located), aggravated sexual assault (first degree), course of sexual conduct against a child (first degree), active warrants, and stolen or missing firearms (until recovered or destroyed):

RETENTION: PERMANENT

- b For all felonies except those covered by parts "a" and "c", and fatalities other than homicides:

RETENTION: 25 years after case closed

NOTE: Appraise case investigation files for these felonies for historical and other research value, as well as for analysis of long-term trends. Contact the State Archives for additional advice.

- c For fourth degree arson and non-fatal (including vehicular) accidents:

RETENTION: 10 years after case closed

- d For misdemeanor:

RETENTION: 5 years after case closed

- e When offense involved was a violation or traffic infraction:

RETENTION: 1 year after case closed

- f When investigation reveals no offense has been committed by adult:

RETENTION: 5 years

- g When individual involved was a juvenile and no arrest was made, or no offense was committed:

RETENTION: 1 year after individual attains age 18

- h Domestic incident report, created pursuant to Section 140.10(5), Criminal Procedure Law, when case investigation record is created:

RETENTION: Retain for 4 years or as long as rest of case investigation report, whichever is longer.

- i For sexual offenses against a child as defined by the Child Victims Act, excluding sexual offenses in part "a" above:

RETENTION: 0 after child attains age 55

1223 CO2 939, MU1 804, MI1 813

Master summary record of case investigation information:

RETENTION: 0 after no longer needed to access case investigation records

NOTE: Appraise this record for archival value. This record may supplement the incident data summary record in providing summary information on all case investigations conducted by the law enforcement agency. Contact the State Archives for additional advice.

◆ 1224 CO2 562, MU1 524, MI1 461

Individual identification file,

except jail or penitentiary prisoner case record, including but not limited to fingerprint cards, photographs, record sheets from other agencies, local arrest and disposition records, and miscellaneous reports

NOTE: Section 160 of the Criminal Procedure Law requires that individual identification records be returned to the individual involved or destroyed when criminal actions are terminated in favor of the accused or by conviction for a noncriminal offense.

- a When offense involved was a crime (misdemeanor or felony):

RETENTION: 5 years after death of individual, or 90 years after individual's date of birth, whichever is shorter, provided no arrest in the last 5 years

NOTE: Records created before establishment of the D.C.J.S. statewide automated identification system in 1966 are not duplicated at the state level and should be appraised for both archival value and ongoing legal and administrative purposes. Contact the State Archives for additional advice.

- b When offense involved was a violation or traffic infraction:

RETENTION: 5 years

- c Digital "mug shot" file, containing digital photos and relevant accompanying data on an individual, when official copies of photos are retained in hard copy as part of part "a" or "b," above:

RETENTION: 0 after no longer needed

NOTE: Digital "mug shot" file, containing digital photos and relevant accompanying data on an individual, when official copies of photos are not retained in hard copy, must be retained as specified in part "a" or "b," above. Appraise these digital files for archival, legal and administrative value. They may have long term value in criminal investigation. Contact the State Archives and the

- Division of Criminal Justice Services for additional advice.
- d Fingerprint records, born-digital or scanned, transmitted to the Division of Criminal Justice Services:
RETENTION: 0 after no longer needed
 - e Photo arrays, created by combining identification photos for identification and investigative purposes:
RETENTION: Retain as long as relevant case investigation record.
 - f Criminal record summaries ("rap sheets"), received from Federal Bureau of Investigation or other law enforcement agency:
RETENTION: Retain most current copy as long as relevant case investigation, or 0 after superseded or obsolete if unrelated to case investigation
 - g Authorized requests for criminal information contained in local government law enforcement agency records, along with response and record of action taken:
RETENTION: 6 years
 - h When offense involved was a crime committed by a juvenile, other than a Class A or B felony, and no subsequent crime committed:
RETENTION: 0 after individual attains age 21 or 3 years after discharge, whichever is later

◆ 1225 CO2 940, MU1 805, MI1 814

Personal information data file

- a Data on criminals and suspects:
RETENTION: Retain data for 5 years after death of individual, or 90 years after individual's date of birth, whichever is shorter, provided no arrest in the last 5 years
- b Data on associated persons, such as victims, relatives and witnesses:
RETENTION: Retain data as long as, or information as part of, relevant case investigation record.
- c Documentation of updates and changes to data:
RETENTION: Retain as long as data which has been changed or updated.
- d Trouble and discrepancy reports regarding personal information data:
RETENTION: 3 years

1226

Request for personal information from New York State Department of Motor Vehicles (DMV),

including driver's license photo:

RETENTION: 5 years

◆ 1227 CO2 941, MU1 806, MI1 815

County- or region-wide arrest information cumulative data file,

covering county- or region-wide area:

RETENTION: Maintain as perpetual data file, and 3 years after replaced by superseding file

1228 CO2 942, MU1 807, MI1 816

Profiling reports and related records,

including macros, workspaces or other files (including all documentation) created in profiling process

- a Relating to specific case investigation:
RETENTION: Retain as long as relevant case investigation record
- b Not relating to specific case investigation:
RETENTION: 0 after obsolete

1229 CO2 1062, MI1 914

Confidential informant records,

maintained separately from confidential informant information contained in case investigation records

- a Master index or listing of confidential informants:
RETENTION: PERMANENT
- b Detailed information on confidential informant:
RETENTION: 0 after individual is deceased or 90 years after individual's date of birth

Law Enforcement: Personal Property

1230 CO2 563, MU1 525, MI1 462

Personal property record

- a For dangerous weapon, including but not limited to receipt, identification tag, and report of destruction:
RETENTION: 6 years after disposition of property, or 0 after disposition of any related case investigation records, whichever is longer
NOTE: Local law enforcement officials may wish to retain these records longer for investigative or other long-term administrative purposes. See also item no. 1236, below.
- b For other property, including but not limited to receipt, confiscated currency report, identification tag, and report of public auction or destruction:
RETENTION: 6 years after disposition of property

1231 CO2 566, MU1 528, MI1 465

Identification records for an individual person or for number-engraved property

- a Personal identification card for an individual, including Sheriff ID, copies of child fingerprint records and records of distribution of child identification kits:
RETENTION: 0 after no longer needed
NOTE: Local governments should consult with their legal counsel to determine if these records merit continuing retention due to their legal value or for law enforcements purposes, such as in locating and identifying missing children.

- b Property number assignment register:
RETENTION: 0 after obsolete
- c Identification/validation records for missing or stolen property, license plates, licenses, registrations or ID cards (if not part of case investigation records):
RETENTION: 0 after no longer needed

1232 CO2 570, MU1 532, MI1 469

Pawn shop records,

including lists of pawn shops, purchase and sale reports and reports on stolen

RETENTION: 5 years

1233 CO2 589, MU1 550, MI1 487

Bicycle licensing or registration record

- a When a fee is charged:
RETENTION: 6 years after expiration or renewal
- b When no fee is charged:
RETENTION: 1 year after expiration or renewal

Law Enforcement: Firearms

◆ 1234 CO2 592, MU1 553, MI1 490

Firearm licensing (pistol permit) file,

including application for license to sell, carry, possess, repair and dispose of firearms, amendments, transfers, and supporting records such as affidavit of character reference, criminal history and mental health check, fingerprint record, and verification of reason for license. Also includes

- a When application is approved:
RETENTION: 6 years after license was renewed, recertified, canceled, revoked, or expired, or after individual is known to have deceased or
NOTE: Freedom of Information exemption requests are covered by item no. 707 in Public Access to Records section.
- b When application is disapproved, after any litigation is completed:
RETENTION: 6 months
- c When application is incomplete:
RETENTION: 90 days

1235 CO2 593, MU1 554, MI1 491

Individual firearm purchase record:

RETENTION: 6 years

1236 CO2 594, MU1 555, MI1 492

Certificate of nondestruction of, or notice of intent to destroy, weapon or dangerous instrument, appliance, or substance,

including results of New York State Police files search:

RETENTION: 6 years after disposition of property, or 0 after disposition of any related case investigation records, whichever is longer

NOTE: See also item no. 1230, above.

1237 CO2 596, MU1 557, MI1 494

Records of issuance of firearms or other weapons to law enforcement personnel:

RETENTION: 3 years after return or other disposition of weapon

1238 CO2 597, MU1 558, MI1 495

Repair and maintenance records for firearms or other weapons used by law enforcement personnel:

RETENTION: 3 years after weapon no longer in use

1239 CO2 943, MU1 808, MI1 817

Record of stolen or missing firearms:

RETENTION: 0 after all firearms are located or destroyed

Law Enforcement: Motor Vehicles

◆ **NOTE:** A case may be closed if it results in prosecution and appeals are exhausted, it results in a settlement, it results in no arrest, or when restitution is no longer sought.

◆ **1240** CO2 583, MU1 544, MI1 481

Traffic and parking violation records,

including parking, speeding or other appearance ticket (other than court's copy); officer's supporting deposition; parking violation hearing records; "boot and tow" records; and related records:

RETENTION: 3 years after case closed

◆ **1241** CO2 587, MU1 548, MI1 485

Traffic enforcement camera and speed-timing records

a Original record produced by camera, radar or other speed-timing device, except license plate reader records:

RETENTION: 2 years after case closed

b License plate reader data:

RETENTION: 20 years

c License plate reader hits on hot list data from the eJusticeNY Integrated Justice Portal:

RETENTION: Retain as long as the case investigation to which the hit relates is retained

d Records of use of camera or speed-timing, such as radar activity log and reports

of speed or traffic enforcement monitoring:

RETENTION: 3 years

NOTE: These records may have long-term value in transportation planning, in providing information on average and excessive speeds for specific road segments.

- e Calibration and other quality control and testing records for speed-timing devices and traffic enforcement cameras:

RETENTION: 3 years after device no longer in use

◆ **1242** CO2 584, MU1 545, MI1 482

Vehicle accident case record,

including vehicle accident report and related records, after case closed:

RETENTION: 6 years, or 3 years after youngest individual involved attains age 18, whichever is longer

NOTE: This item does not cover the case investigation record. See item no. 1222, above.

1243 CO2 585, MU1 546, MI1 483

Vehicle history files,

including information on specific vehicles or vehicle models, including those which have been involved in accidents or used in the commission of crimes:

RETENTION: 0 after no longer needed

1244 CO2 586, MU1 547, MI1 484

Individual's driving and accident records

- a Order, report, or notice concerning vehicle operator's license or registration, including but not limited to order of suspension or revocation of license, notice of compliance with order of suspension or revocation, notice of noncompliance, notice of restoration of license, and report of lost or stolen plates:

RETENTION: 3 years

- b Driver's summary record of accidents, violations and other activities:

RETENTION: 0 after death of individual, or 90 years after date of birth, if death not verified

1245 CO2 588, MU1 549, MI1 486

Impounded or abandoned vehicle record,

including but not limited to impound report, tow-away notice to owner, request for information to determine the last owner, notice to owner and lien holders that vehicle has been taken into custody as abandoned, affidavit stating how ownership was acquired by municipality, transfer of ownership document, and bill of sale:

RETENTION: 6 years after disposition of vehicle by local government

1246 CO2 590, MU1 551, MI1 488

Reports or other records of repossessed vehicles, not impounded by law enforcement agency:

RETENTION: 1 year

1247 CO2 591, MU1 552, MI1 489

Vehicle towing records

- a Lists of companies available for towing vehicles:
RETENTION: 0 after superseded or obsolete
- b Contract or agreement with towing firm:
RETENTION: 6 years after expiration or termination

1248 CO2 944, MU1 809, MI1 818

Driver-vehicle examination report or equivalent record,

created when local law enforcement agency conducts motor carrier safety inspection:

RETENTION: 7 years

1249 CO2 945, MU1 810, MI1 819

Motor vehicle accident and other summary data,

reports and other records:

RETENTION: 6 years

NOTE: Appraise these records for archival value. These records may be useful in providing summary information on all motor vehicle accidents, and may reveal long-term trends and accident-prone areas and vehicles. Contact the State Archives for additional advice.

Law Enforcement: Incarceration

◆ **NOTE:** Video and audio recordings used for security purposes are covered by item 846 in the Public Property and Equipment section.

1250 CO2 576, MU1 537, MI1 474

Master summary record of all prisoners,

including "daily record of the commitments and discharges of all prisoners," including date of entrance, name, offense, term of sentence and other information required by Section 500-f, Correction Law:

RETENTION: PERMANENT

1251 CO2 946, MU1 811, MI1 820

Prisoner data file:

RETENTION: Maintain data for each prisoner 15 years after death or discharge of that prisoner

NOTE: If this record takes the place of the master summary record (item no. 1250, above) then it must be retained permanently.

1252 CO2 577, MU1 538, MI1 475

Prisoner case record

- a Case records, including but not limited to commitment, general information history, presentence investigation reports, record sheets from other agencies, record of personal property taken from prisoner upon commitment, record of letters written and received, copies of general correspondence concerning prisoner, reports of infractions of rules, prisoner's health records, and suicide prevention screening records, but not including commissary records:
RETENTION: 15 years after death or discharge of prisoner
- b Commissary records, including listing of items requested by prisoner, and prisoner transaction record:
RETENTION: 3 years

1253 CO2 578, MU1 539, MI1 476

Facility housing supervision records, including prisoners' activities log, including such information as identities of visitors, prisoners' phone calls and mail, and records of visits to cells by officers checking on condition of prisoners:

RETENTION: 3 years

1254 CO2 579, MU1 540, MI1 477

Prisoners' periodic work report
listing names of prisoners by work assignments:

RETENTION: 3 years after all prisoners listed have been discharged

1255 CO2 580, MU1 541, MI1 478

Complaint or incident report involving alleged prisoner abuse, injury, or similar occurrence

showing description of the problem, identifying the individuals involved and stating the action taken, after any litigation has been completed:

RETENTION: 6 years, or 0 after individual involved attains age 21, whichever is longer

1256 CO2 581, MU1 542, MI1 479

Inspection, audit and other reports or studies, conducted by New York State Commission of Correction or other state or local agency, covering such subjects as jail conditions, compliance with state standards, and prisoner fatalities:

RETENTION: 6 years

NOTE: Appraise these records for archival value. Local officials should retain permanently any reports or studies documenting serious incidents or problems. Contact the State Archives for additional advice.

1257 CO2 582, MU1 543, MI1 480

Reports relating to local correctional facility or lock-up

- a Reports containing legal and fiscal information:
RETENTION: 6 years

NOTE: Appraise these records for archival value. Reports and studies analyzing facility prisoners, occupancy or conditions may be useful for long-term planning,

analysis of trends in law enforcement, and for historical and other research.
Contact the State Archives for additional advice.

- b Reports of short-term internal administrative value:
RETENTION: 0 after no longer needed

1258 CO2 947, MU1 812, MI1 821
Population counts, including daily census of prisoners:
RETENTION: 3 years

1259 CO2 948, MU1 813, MI1 822
Visitation records,
including schedule of visits and visitor identification information:
RETENTION: 3 years

1260 CO2 949, MU1 814, MI1 823
Dietary services records

- a Food service records, including meal counts, roster of prisoners' diet orders, and dietary services studies:
RETENTION: 3 years
- b Menus:
RETENTION: 1 year

1261 CO2 950, MU1 815, MI1 824
Health and sanitation inspection and related records,
including records of action taken to correct any problems:
RETENTION: 6 years

1262 CO2 951, MU1 816, MI1 825
Review and censorship records for incoming printed materials and publications,
including evaluations by staff and suitability determinations:
RETENTION: 3 years

1263 CO2 952, MU1 817, MI1 826
Prisoner exercise records,
including schedule of exercise periods, results of exercise area searches and explanation of any limitations of exercise:
RETENTION: 3 years

1264 CO2 953, MU1 818, MI1 827
Application of change in maximum facility capacity,
including determination from New York State Commission of Correction, facility staffing determinations, and related records:
RETENTION: 3 years after superseded by subsequent change in capacity

1265 CO2 954, MU1 819, MI1 828
Substitute jail order

issued by New York State Commission of Correction, authorizing the confinement of some or all prisoners in another correctional facility, and related records:

RETENTION: 3 years

NOTE: Appraise these records for archival value. These records may provide important information on conditions at the correctional facility which warrant the moving of prisoners to another facility. Contact the State Archives for additional advice.

Law Enforcement: Miscellaneous

1266 CO2 560, MU1 522, MI1 459

Warrant execution and subpoena or summons service records

- a Original signature copies of arrest and other warrants executed by law enforcement agency:
RETENTION: 5 years after warrant executed or recalled
- b Other warrant related records, including copies without original signatures and warrant control records:
RETENTION: 5 years after date of most recent entry in record
- c Copies of subpoenas and summonses, and records of their service:
RETENTION: 2 years
- d Warrant information file:
RETENTION: Maintain data on each warrant as long as that warrant is valid

1267 CO2 955, MU1 820, MI1 829

Domestic violence records,

covering single or multiple incidents, not relating to specific case investigation records, including domestic incident report, created pursuant to Section 140.10(5), Criminal Procedure Law, when no case investigation record is created:

RETENTION: 4 years

◆ 1268 CO2 573, MU1 535, MI1 472

Alcohol and drug testing records

- a Results of tests administered by law enforcement personnel, when not included in case investigation records:
RETENTION: 5 years
- b Records pertaining to the verification and maintenance (including calibration) of breath analysis instruments and standards, including but not limited to operator's form, testing data, solution sample certifications, and operational checklist:
RETENTION: 3 years after device no longer in use
- c Calibration, quality control, and testing records for other types of equipment:
RETENTION: 3 years after device no longer in use

1269 CO2 564, MU1 526, MI1 463

Escort service record,

including activities such as funeral, parade, military escort, escorting prisoner to and from court or jail, and delivery of blood to hospital:

RETENTION: 3 years

1270 CO2 565, MU1 527, MI1 464

Vacant place check record,

including vacant houses and other places to be checked during patrols:

RETENTION: 0 after obsolete

◆ 1271

Criminal background check records

for checks performed at the request of another agency or business for volunteer or employment purposes:

RETENTION: 3 years

◆ 1272

Bicycle helmet inspection records,

including checklists:

RETENTION: 3 years

1273 CO2 568, MU1 530, MI1 467

Alcoholic beverage establishment sale and use reports,

including checks of New York State Division of Alcoholic Beverage Control (ABC) violations:

RETENTION: 5 years

1274 CO2 569, MU1 531, MI1 468

Parolee and sex offender records

a Lists of parolees or sex offenders living within a jurisdiction:

RETENTION: 0 after superseded or obsolete

b Detailed records on individual parolee or sex offender:

RETENTION: 0 after person's parole terminated

NOTE: This does not include records created pursuant to the Sex Offender Registration Act, which are covered by item nos. 1275 and 1276, immediately below.

1275 CO2 956, MU1 821, MI1 830

Subdirectory of High-Risk (Level 3) Sex offenders:

RETENTION: 0 after superseded

NOTE: The Division of Criminal Justice Services (DCJS) strongly recommends the destruction of superseded information as soon as superseding information is received.

1276 CO2 957, MU1 822, MI1 831

Sex offender registration records,

including but not limited to official notification upon registration, change of address information, determination of final risk level, notification of error or change in jurisdiction, notification that offender is no longer registerable, annual address verification, 90-day personal verification (for level 3 offenders), and community notification information

- a For level 1 or 2 offender, when offender remains in local law enforcement agency's jurisdiction:
RETENTION: 0 after death of individual, or 5 years after completion of registration period, whichever is earlier
- b For level 1 or 2 offender, when offender has left local law enforcement agency's jurisdiction:
RETENTION: 0 after death of individual, or 5 years after offender leaves that jurisdiction, whichever is earlier
- c For level 3 offender, when offender remains in local law enforcement agency's jurisdiction:
RETENTION: 0 after death of individual, or individual attains age 100
- d For level 3 offender, when offender has left local law enforcement agency's jurisdiction:
RETENTION: 0 after death of individual, or 5 years after offender leaves that jurisdiction, whichever is earlier

◆ **1277** CO2 571, MU1 533, MI1 470

Missing person records

where another has jurisdiction in the case:

NOTE: Records of lead agency are covered by the case investigation records item

- a When person not found:
RETENTION: 0 after individual attains age 90
- b When person is found:
RETENTION: 1 year
- c Validation records, received from and submitted to Division of Criminal Justice Services:
RETENTION: 6 months

1278 CO2 958, MU1 823, MI1 832

Video or audio recordings of booking or arrest processing

- a When litigation and/or criminal proceedings have commenced:
RETENTION: 3 years, but not until any individual has attained age 21, and not until 1 year after any litigation or criminal proceedings have concluded
- b When litigation and/or criminal proceedings have not commenced:
RETENTION: 3 years, but not until any individual has attained age 21

1279 CO2 959, MU1 824, MI1 833

Copy of order of protection,

filed with local law enforcement agency having jurisdiction, pursuant to Article 530,

Criminal Procedure Law, and related records

- a Copy of order of protection:
RETENTION: 6 months after order expires or otherwise becomes invalid
- b List or similar record of orders of protection in effect in local jurisdiction:
RETENTION: Maintain data on each order as long as that order is valid

◆ **1280** CO2 960, MU1 825, MI1 834

Recordings taken from mobile and stationary units,

including but not limited to vehicle cameras, body-worn cameras, and video surveillance

- a When recording relates to specific case investigation:
RETENTION: Retain as long as the case investigation to which the recording relates is retained
- b When recording does not relate to specific case investigation, such as routine traffic stop:
RETENTION: 6 months
NOTE: Recordings of potentially important incidents may warrant longer retention for legal reasons, even if no case investigation has been initiated. Local law enforcement agencies should carefully review these recordings before destroying or reusing them. In addition, recordings of specific pursuits, arrests and other serious incidents should be appraised for archival or long-term administrative value. Contact the State Archives for advice.

◆ **1281** CO2 575, MU1 536, MI1 473

Child abuse or maltreatment reports

and related records, reporting law enforcement agency copy, when not included in case investigation record

NOTE: This item covers copies of child abuse and maltreatment reports and related records retained by law enforcement agencies reporting suspected abuse and maltreatment to the State Central Register or to child protective services units of county social services departments. If these records are included in case investigation records, see item no. 1222.

- a For sexual offenses against a child as defined by the Child Victims Act:
RETENTION: 0 after child attains age 55
- b All other offenses:
RETENTION: 3 years

◆ **1282**

Confidential information received, including from tip hotline:

RETENTION: 1 year

1283 CO2 574,

Sheriff's civil action case record,

including but not limited to record of service, collections and disbursements, correspondence, copy of court order and related records

- a When money has been paid, when no payment is involved, or when money judgment has not been fully satisfied:
RETENTION: 6 years after date of last entry in record
- b Listing or index of cases which have been destroyed:
RETENTION: PERMANENT
- c Index or finding aid used in identifying or locating existing cases:
RETENTION: Retain so that all existing cases can be identified and located.

1284 CO2 961,

Facility inmate work crew records,

covering crews from state or county correctional facilities performing work outside the facilities for local government or not-for-profit organization, including but not limited to request for work crew and site visit report

- a County correctional facility's copies of records relating to work performed by its prisoners:
RETENTION: 6 years after all prisoners involved were discharged
- b County agency copies of records of work performed for them by prisoners from state facilities:
RETENTION: 2 years

1285 CO2 595,

Gun dealer or gunsmith record book

(transaction book):

RETENTION: PERMANENT

1296

Transportation records

for mental health admissions (emergency, voluntary, and involuntary), including notifications to county or municipal health offices:

RETENTION: 3 years

◆ **Law Enforcement: NYS Integrated Justice Portal and Related Records**

◆ **NOTE:** The New York State Integrated Justice Portal replaced the New York Statewide Police Information Network (NYSPIN).

1286 CO2 962, MU1 826, MI1 835

Lists and posters showing "most wanted" persons, homeland security advisories, and all points bulletins (APBs):

RETENTION: 0 after superseded or no longer needed

1287 CO2 963, MU1 827, MI1 836

Integrated Justice Portal validation records,

including monthly print-out received from New York State Police and related system entry validation records:

RETENTION: 13 months from date report received

1288 CO2 964, MU1 828, MI1 837

Integrated Justice Portal system purging records,

including "purge reports" received from New York State Police and records relating to data reentry:

RETENTION: 0 after any necessary data reentry completed

1289 CO2 965, MU1 829, MI1 838

Integrated Justice Portal message records,

covering any messages sent or received over Integrated Justice Portal:

RETENTION: 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining significant messages as part of case investigation records.

1290 CO2 966, MU1 830, MI1 839

Daily "archive" information

retained in electronic format (on removable electronic media) from Integrated Justice Portal:

RETENTION: 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining archive data as long as may be needed for convenience of reference.

1291 CO2 967, MU1 831, MI1 840

Log of all transactions,

covering all data entry into Integrated Justice Portal:

RETENTION: 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining electronic logs as long as may be needed for convenience of reference.

1292 CO2 968, MU1 832, MI1 841

Individual person's authorization

to use the Integrated Justice Portal

- a Records created by local law enforcement agency, including records of individual's training and acknowledgment of test results:

RETENTION: 0 after individual no longer authorized to use the system

- b Listing of authorized individuals, received from State Police:

RETENTION: 0 after no longer needed

1293 CO2 969, MU1 833, MI1 842

Miscellaneous paper records created from predecessor systems:

RETENTION: 0 after no longer needed

RECREATION

Parks, Recreational Programs and Civic Centers

- 853** CO2 609, MU1 569, MI1 506
Participation, attendance, or enrollment records
for park, recreational facility, camp, civic center, or club
- a Summary record or report:
RETENTION: 6 years
 - b Records of original entry, including worksheets, used admission tickets and ticket stubs:
RETENTION: 6 years, or 1 year after posting to summary record or report, whichever is shorter
 - c Statement of disposition of unused tickets, when a fee is charged:
RETENTION: 6 years
- 854** CO2 610, MU1 570, MI1 507
Park, recreational facility, marina, civic center, or club permits,
granted to individual, family, or organization, including but not limited to application, affidavit, and copy of stub or license
- a Permit records, when a fee is charged:
RETENTION: 0 after invalid, but not less than 6 years
 - b Permit records, when no fee is charged:
RETENTION: 0 after invalid, but not less than 1 year
 - c Lease or rental agreement for marina slip:
RETENTION: 6 years after expiration, termination or denial
 - d Records of dispensing of fuel or other goods or services at marina:
RETENTION: 6 years
- 855** CO2 611, MU1 571, MI1 508
Parental consent records
allowing child's participation in recreational activities, including authorization for medical treatment:
RETENTION: 6 years, or 3 years after child attains age 18, whichever is longer
- 856** CO2 612, MU1 572, MI1 509
Planning and development records
covering such topics as facility construction, improvement and usage:
RETENTION: 6 years
NOTE: Construction records for recreation facilities are covered by item no. 806 in the Public Property and Equipment section. Appraise these records for historical

significance prior to disposition. Final reports and studies, especially for major facilities and significant programs, may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

857 CO2 613, MU1 573, MI1 510

Special event file,

including but not limited to official copy of any program or promotional literature, or photographs of events or performances, background materials and supporting documentation:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Official copies of programs or promotional literature, or photographs of significant events or performances, may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

858 CO2 614, MU1 574, MI1 511

Athletic program records

- a Lists of athletes or participants, records of competitions, and other records except scouting records and scouting and training videos:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Official score and record books, team and action photographs and videotapes of and programs for significant competitions may have historical value in documenting community-based amateur athletics. Records with historical value should be retained permanently. Parental consents are covered by item no. 855.

- b Scouting reports and videotapes used for scouting and training purposes:

RETENTION: 0 after no longer needed

859 CO2 970, MU1 834, MI1 843

Field trip records,

including but not limited to trip request data; bus driver, staff and chaperone assignments; list of attendees and trip reports:

RETENTION: 6 years after date of most recent entry

860 CO2 971, MU1 835, MI1 844

Bus or other vehicle use file,

covering school bus or other vehicle used for transporting persons involved in recreational activities, including but not limited to copies of contracts, certificates of insurance, driver information, daily logs or other reports, and copies of applicable rules and regulations:

RETENTION: 6 years

861 CO2 972, MU1 836, MI1 845

Applications for individual acceptance to camp,
or participation in specific recreational programs and activities

- a If applicant is accepted or allowed to participate, and a fee is charged:
RETENTION: 6 years after attendance or participation ends
- b If applicant is accepted or allowed to participate, and no fee is charged:
RETENTION: 3 years after attendance or participation ends
- c If applicant is not accepted:
RETENTION: 3 years

People With Developmental Disabilities Recreational Programs

- 862** CO2 615, MU1 575, MI1 512
Master summary record
of participants in People With Developmental Disabilities recreation program:
RETENTION: 6 years after last entry
- 863** CO2 616, MU1 576, MI1 513
Case record of participant in People With Developmental Disabilities recreational program,
including individual registration, medical evaluation, social development evaluation, intake/screening report and discharge evaluation:
RETENTION: 6 years after participation ends, or 3 years after individual attains age 18, whichever is longer

Camps

- 864** CO2 973, MU1 837, MI1 846
Facility information data record
containing basic data on camp facilities:
RETENTION: 6 years after facility no longer exists
- 865** CO2 974, MU1 838, MI1 847
Permits and approvals
to operate camp, covering pool, beach, food service and all related permits, including applications and related materials:
RETENTION: 3 years after approval, denial, withdrawal or expiration
- 866** CO2 975, MU1 839, MI1 848
Reports of camp operation and inspection,
including facility safety, health and food service reports:
RETENTION: 21 years
- 867** CO2 976, MU1 840, MI1 849

Routine reports,
including analysis of pool or beach water samples:
RETENTION: 1 year

868 CO2 977, MU1 841, MI1 850

Health records for individual camper:

RETENTION: 6 years, but not less 3 years after than camper attains age 18

869 CO2 978, MU1 842, MI1 851

Log or list of illnesses, accidents, injuries

or other health and safety related incidents

- a When information is also contained in individual health records files:
RETENTION: 1 year
- b When information is not contained in individual health records files:
RETENTION: 6 years, but not less than 3 years after youngest person listed in record attains age 18

870 CO2 979, MU1 843, MI1 852

Food management records

- a Program participation agreement, including attachments and amendments:
RETENTION: 6 years after termination of agreement
- b Other program records, including but not limited to application to participate as a sponsor, individual child participation application records, requisition and approval of requisition for donated commodities, and fiscal records such as adding machine tapes, purchase orders, claims and vouchers:
RETENTION: 6 years
- c Free and reduced meal policy statement, with attachments and certificate of acceptance:
RETENTION: 3 years after policy superseded
- d Meal counts and dietary services studies:
RETENTION: 3 years
- e Menus:
RETENTION: 1 year

871 CO2 980, MU1 844, MI1 853

Food inspection and investigation records,

including inspection report for preparation or serving area and food sanitation complaint investigation records

- a When any significant problem is encountered:
RETENTION: 21 years
- b When no significant problem is encountered:
RETENTION: 3 years

872 CO2 981, MU1 845, MI1 854

Scholarship records

including but not limited to applications, recommendations, authorization of awards, financial statements, accounting data, list of scholarships awarded campers, and correspondence:

RETENTION: 6 years

REGIONAL MARKET AUTHORITY

873

MI1 514

Produce delivery records,

including but not limited to daily load delivery tickets and weigh scale records:

RETENTION: 2 years

SCHOOL DISTRICT AND BOCES

Administration

◆ **NOTE:** Superintendent's records are covered under item no. 471 in the Executive section. Youth court case files are covered under Youth Services section.

874 ED1 167,

School district records

created prior to consolidation of municipal school districts into centralized districts

NOTE: For attendance and school census records of predecessor school districts, see the Student Records section. Other series of school records created prior to consolidation should be treated as a discrete series for each of the consolidated districts. Appropriate retention periods for these records are addressed elsewhere.

- a Basic records including but not limited to school district trustees' minutes; school commissioners' reports; school district "record books;" records of formation, alteration or consolidation of districts; teacher hiring and salary records; school fund and other accounting ledgers; district tax rolls or lists; school library reports and book lists; certificates of apportionment and annual and special reports:

RETENTION: PERMANENT

- b Supporting fiscal and administrative documentation, including but not limited to receipts, warrants and orders to pay, canceled checks, bank statements, and routine correspondence:

RETENTION: 6 years

875 ED1 466,

Non-public school discontinuance records,

including but not limited to notification of transfer of discontinued non-public school student records to other school or agency, and non-public school student records transferred from discontinued non-public school to public school district:

RETENTION: PERMANENT

876 ED1 168,

District organization file

covering school districts and BOCES

- a Records documenting the establishment, extension, alteration, consolidation, or dissolution of district including but not limited to petition, records of public hearing, correspondence with New York State agencies, maps, surveys, special reports and studies, and photographs:

RETENTION: PERMANENT

- b Background materials and supporting documentation, including but not limited to

periodic reports, routine correspondence, memoranda, and copies of district budgets:

RETENTION: 6 years

- 877** ED1 171,
School district/BOCES registration and accreditation records,
 including but not limited to application for and registration from State Education Department (SED), results of review of registration status, accreditation by private evaluating agency and award received from federal Department of Education, SED and other agencies and organizations:

RETENTION: PERMANENT

- 878** ED1 48,
Basic Educational Data System (BEDS) records,
 including School Data Form, School District Summary Form, personnel master summary data and related reports used to report summary data on instructional programs to the State Education Department:

RETENTION: 5 years

◆ **879**

Questionnaire on student race and ethnicity

responsive to state and federal statistical data requirements:

RETENTION: 3 years or 3 years after audit, review, or investigation is completed, whichever is later

- 880** ED1 401,
School district, individual school, or BOCES improvement records,
 covering review by State Education Department (SED) of academic performance, aptitude test scores, school safety or violence, fiscal management, or overall administration

- a Official notifications from SED, final versions of corrective action and school improvement plans, results of SED progress reviews, summary of corrective actions taken, and significant correspondence:

RETENTION: PERMANENT

- b Other records, including but not limited to draft corrective action and school improvement plans, results of data analyses, notes and correspondence:

RETENTION: 6 years after date of most recent entry in record

NOTE: Appraise these records for historical significance prior to disposition. Records documenting schools or districts "in need of improvement" or "in need of corrective action" or placed "under registration review" by SED may have continuing value for historical or other research and should be considered for permanent retention unless the information they contain is duplicated or summarized in records covered by part "a" of this item. Contact the State Archives for additional information.

- 881** ED1 148,

Administrative reports

covering grades, test scores, staffing, fiscal matters, complaints about use of corporal punishment, school prayer certification, annual professional performance reviews (APPR) and other activities and performance of school district or BOCES, including reports prepared for inclusion with annual State aid consolidated funding application

- a Significant reports, including public school performance report, covering academic performance, attendance, suspension and drop-out rates for the previous year; school district and BOCES report cards, covering expenditures for administration and improvement, student academic performance indicators, and measures of fiscal performance; district progress report, providing annual summary data on standardized achievement and aptitude test results, Regents and other examination test results, and analyses of test data, as well as other information on such subjects as enrollment and attendance, staffing, class size, graduating classes and ethnicity; and similar administrative reports:

RETENTION: PERMANENT

- b School progress report, when information can be readily extracted from district progress report:

RETENTION: 5 years

- c School progress report, when information cannot be readily extracted from district progress report:

RETENTION: PERMANENT

- d Final version of comprehensive assessment report (CAR), received from State Education Department, and returned upon verification, when report is created instead of a district progress report, and it contains annual summary data on standardized achievement and aptitude test results, Regents and other examination test results, and analyses of test data, as well as other information on such subjects as enrollment and attendance, staffing, class size, graduating classes and ethnicity, and/or it constitutes a report published by the school district:

RETENTION: PERMANENT

- e Final version of comprehensive assessment report (if not covered by part d):

RETENTION: 5 years

- f Routine reports and background files and supporting documentation used in creating, verifying, or correcting any reports covered by this item:

RETENTION: 6 years

882

ED1 402,

Administrative plans

covering grades, test scores, staffing, pupil attendance, fiscal matters, and overall activities and performance of school district or BOCES, including plans prepared for inclusion with annual State aid consolidated funding application, not covered by specific items found elsewhere in this schedule, including comprehensive district education (or equivalent) plan; district plan for participation by teachers and parents in school-based planning and shared decision-making; attendance plan, including proposed strategies for attendance improvement and dropout prevention; and similar administrative plans

- a Final versions of significant plans, including all amendments:
RETENTION: PERMANENT
- b Other plans and background files and supporting documentation for all plans, including results of data analysis, along with plan submission records:
RETENTION: 6 years
- c Data created or modified specifically for creation of comprehensive district education (or equivalent) plan or copy of data submitted to the State Education Department (SED):
RETENTION: 5 years
NOTE: This data may come from a student information system (see item no. 953 in the Student Records section) and may also relate to data collected relative to Local Education Agency Programs (see item no. 979 in the Supplemental Education Services section). If identical data serves more than one function, the longest applicable minimum retention period must be followed.

883

ED1 394,

Records of auxiliary organizations or activities,

including but not limited to parent support organizations, such as PTA, employee unions, parent sponsored clubs, after-school activities which are not officially sanctioned by the school, and other miscellaneous records in the custody or possession of the school district or BOCES:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records which document the history of the community and its citizens may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

◆ 884

Commencement records

- a Official copy of commencement program or other publication:
RETENTION: PERMANENT
- b Other commencement records, including but not limited to copies of speeches, press clippings and press releases, and event planning and logistics records:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Records such as speeches and photographs may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

◆ 885

Alumni directory

or other master summary record of alumni and all other degree recipients, such as published alumni catalog, providing names of alumni, years of graduation, and other information such as degrees granted and place of residence:

RETENTION: PERMANENT

886

ED1 341,

Pre-K and/or "Head Start" records

covering children enrolled in program operated by school district

NOTE: Schools may prefer to maintain these records as part of a student cumulative education record file. See item no. 948 in the Student Records subsection.

- a Individual child's folder, including but not limited to application from parent/guardian, individual service plan, conference notes, year-end or other reports, health records, family profile and social information:
RETENTION: 0 after child attains age 21
- b Applications from parent/guardian for enrollment of child in program, where child is not accepted or is not enrolled in program:
RETENTION: 3 years
- c Annual or other master listing of students enrolled in program:
RETENTION: 20 years

887

ED1 471,

Family literacy program records

- a Family folder, including but not limited to application from parent/guardian, testing records, service plan, records of home visits, conference notes, year-end progress or other reports, health records, family profile and social information:
RETENTION: 0 after youngest child attains age 21
- b Applications (including related testing records) from parent/guardian for enrollment of child in program, where child is not accepted or is not enrolled in program:
RETENTION: 3 years
- c Annual or other master listing of students and families enrolled in program:
RETENTION: 20 years
- d Performance indicators used to monitor, evaluate and improve program:
RETENTION: 6 years after superseded or obsolete

◆ 888

ED1 462,

Residency determination records

for student, other than information contained in cumulative education record file, and including hearing record

- a For cases where determination is decided through a hearing:
RETENTION: 1 year after date of final determination or 1 year after student no longer enrolled in district, whichever is longer
- b For cases where residency is verified without a hearing:
RETENTION: 1 year after date of final determination

◆ 889

ED1 469,

Appeal or petition to the Commissioner of Education,

along with related records, when not related to a specific series of records listed on this Schedule:

RETENTION: 3 years after resolution of appeal or petition

NOTE: This item includes, but is not limited to, appeals filed pursuant to Sects. 310 and 3012-c and -d, Education Law (latter relates to annual professional performance reviews (APPR)). Appeals or petitions relating to specific series of records listed on this Schedule should be retained as part of or as long as that respective series.

- 890** ED1 467,
Copies of custody orders and other miscellaneous social services records
 relating to individual students, maintained by school districts and BOCES:
 RETENTION: 0 after student attains age 18

- 891** ED1 465,
Parolee and sex offender records,
 including lists of parolees or sex offenders living within a jurisdiction:
 RETENTION: 0 after superseded or obsolete

- 892** ED1 170,
Non-public school student text book loan records,
 including request for text books and record of loan and return:
 RETENTION: 5 years

Food Management and Child Nutrition

- 893** ED1 135,
Food management and child nutrition records
- a Program participation agreement, including attachments and amendments:
 RETENTION: 6 years after termination of agreement
 - b Other program records, including but not limited to application to participate as a sponsor, individual child participation application, records including meal counts, requisition and approval of requisition for donated commodities, and fiscal records such as adding machine tapes, purchase orders, claims and vouchers:
 RETENTION: 3 years after end of school fiscal year
 NOTE: Fiscal records relating to food management and child nutrition do not need to be retained for 6 years as similar fiscal records found in the Fiscal section of this Schedule must be retained.
 - c Free and reduced meal policy statement, with attachments and certificate of acceptance:
 RETENTION: 3 years after policy superseded
- 894** ED1 136,
Food inspection and investigation records
- a Inspection report for preparation or serving area:
 RETENTION: 3 years

- b Food sanitation complaint investigation or food embargo records, for investigations other than food- or water-borne disease investigations:
RETENTION: 6 years after last entry
- c Food sanitation complaint investigation or food embargo records, when a food- or water-borne disease investigation is conducted:
RETENTION: 21 years
NOTE: Appraise these records for long-term uses, warranting longer, if not permanent, retention prior to disposition. Records covered by this subitem may be useful in the future in documenting cases of serious food poisoning, such as where death or serious illness occurs from E. coli contamination. Contact the State Archives for additional advice.

Gifted and Talented Programs

- 895** ED1 325,
Student folder for student enrolled in gifted and talented program,
including but not limited to application or offer for participation, testing or eligibility determination records, progress reports, product assessment, samples of student's work, notes and correspondence:
RETENTION: 6 years after student participation in program terminates
NOTE: Schools may prefer to maintain these records as part of a student cumulative education record file. See item no. 948 in the Student Records subsection.
- 896** ED1 326,
Lists of students applying for participating and/or enrolled in gifted and talented program(s)
- a Annual list of students enrolled in gifted and talented program(s):
RETENTION: 20 years
 - b List of students who applied for and/or were denied placement:
RETENTION: 3 years
 - c Other lists of students, created for internal administrative purposes:
RETENTION: 0 after no longer needed
- 897** ED1 327,
Application and/or offer for participation in gifted and talented program,
including eligibility identification and testing records, when student is not enrolled or does not participate in program:
RETENTION: 3 years
- 898** ED1 328,
Documentation of the process for selection and placement
for students in gifted and talented program, including explanation and justification of acceptance criteria, and district program plan:

RETENTION: PERMANENT

Health

◆ 899

ED1 137,

Student's health record,

including but not limited to health history; individualized health care plan; immunization record; results and recommendations from examination, screening, or treatment; parent or guardian referral and permission record; and teacher's comments

- a Summary record or individual records when not posted to summary record:
RETENTION: 0 after individual attains age 27
- b Individual records when posted to summary record, except blood and body fluids incident report:
RETENTION: 1 year after end of school year
- c Individual immunization record, including authorization and/or parental
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer
NOTE: These records may be requested beyond their minimum legal retention period by persons needing proof of certain immunizations for college admission or other purposes. The State Archives recommends that school districts and BOCES evaluate the need to retain immunization records longer than the stated minimum retention period for these purposes.
- d Blood and body fluids incident report, even when posted to summary record:
RETENTION: 0 after individual attains age 27
- e Physician authorization to resume athletic activity after a traumatic brain injury:
RETENTION: PERMANENT

900

ED1 138,

Log of students' accidents and illnesses

during school day:

RETENTION: 1 year after end of school year

NOTE: This retention period presumes that information contained in the log is also contained in the individual and/or summary health records covered by parts a. and/or b. of item no. 899. If this information is not posted to the student's individual and/or summary health records, then the log must be retained until the youngest student listed in it attains age 27.

901

ED1 139,

Student's psychological or social assessment record file

NOTE: Institutional school districts should retain all these records until the student attains age 27.

- a Report regarding student's ability, personality, family, and environmental influences:

RETENTION: 6 years after report written

- b Source materials used in preparing report, including "protocols," tests and notes, for students not classified as special education:

RETENTION: 1 year after report written

- c Source materials used in preparing report, including "protocols," tests and notes, for students classified as special education:

RETENTION: 6 years

902 ED1 329,

Inventory, storage, receipt and distribution records

for vaccines and controlled substances (or other drugs or medication) administered to students and/or employees:

RETENTION: 5 years

903 ED1 330,

Student health summary reports,

covering all or groups of students, including school immunization survey summary and communicable disease summary report:

RETENTION: 3 years

904 ED1 457,

Early intervention program records,

including but not limited to case record and screening, assessment and referral

- a Individual case record:

RETENTION: 7 years after discharge or last contact, but no less than 3 years after person attains age 18

- b Screening, assessment and referral records, not found in individual case

RETENTION: 7 years

Instruction

905 ED1 143,

Curriculum records

NOTE: This also includes high school equivalency, alternative learning and adult education courses offered by a school district or BOCES.

- a Course curriculum and related records describing course of instruction and course content:

RETENTION: PERMANENT

- b Approved curriculum variance application:

RETENTION: 10 years after variance approved

- c Approved application for occupational education (work-study) curriculum:

RETENTION: 4 years after curriculum discontinued

- d Approved application for curriculum other than occupational education (work-study):
RETENTION: 1 year after curriculum discontinued
 - e Denied application for curriculum approval or variance:
RETENTION: 1 year after end of school year
 - f Individualized home instruction plan (IHIP), worksheets, and other related home schooling records:
RETENTION: 6 years after student graduates or would normally have graduated from high school
 - g Curriculum planning records:
RETENTION: 0 after no longer needed
NOTE: Reports and studies prepared as part of curriculum planning may have long-term value meriting continued preservation. Local officials should evaluate these records for continued, or permanent, preservation. Contact the State Archives for additional advice.
- 906** ED1 144,
Teacher's lesson plan:
RETENTION: 0 after no longer needed by school district or BOCES
- 907** ED1 145,
Instructor's grade records, test scores, and marking sheets,
including records documenting the evaluation of scientific models, biological specimens, chemical compounds or other objects or materials produced in lab or shop settings:
RETENTION: 2 years
- ◆ **908** ED1 146,
Examinations,
including test answer papers, examination scoring certificates and Regents examinations:
RETENTION: 2 years after end of school year
NOTE: Scores may be used in annual professional performance reviews (APPR).
- 909** ED1 147,
Records of hypodermic syringes and needles
acquired for educational use or for administration of vaccines and other controlled substances to students and/or employees
- a Certificate of need for educational use:
RETENTION: 6 years after certificate expires
 - b Other records, including records of purchase, inventory, destruction, loss or theft:
RETENTION: 6 years
- 910** ED1 149,
Training records for law-enforcement officers, E-911, dispatch or fire-fighting

personnel

NOTE: This item covers official records of public safety training conducted by county vocational education and extension boards or other ED-1 users.

- a Individual's record of courses attended and/or completed, including basic information on course content:

RETENTION: 6 years after individual leaves service

NOTE: Local officials may wish to keep these records longer, possibly for the career of the individual, if the records are consulted throughout that period.

- b Official copy of training manual or bulletin:

RETENTION: 50 years

- c Course instruction records, including attendance lists and lesson plan:

RETENTION: 1 year

911 ED1 333,

Application for and approval to offer high school equivalency preparation program,

physical education program, occupational education program, instructional programs for incarcerated students, adult education, alternative learning program, foreign exchange visitor program, or similar programs, including application by school district or BOCES, letter of determination, information on participating staff, State Education Department (SED) program review records, service plans, reports submitted to SED and correspondence:

RETENTION: 6 years

912 ED1 334,

Regents examination and competency test report:

RETENTION: 5 years

◆ **913**

Unused Regents examinations:

RETENTION: 1 year after end of school year

NOTE: Completed examination and test papers are covered by item 908 in the Instruction subsection and item 948c in the Student Records subsection.

914 ED1 335,

Summary records of standardized aptitude and achievement tests,

including but not limited to test result summaries, copies of tests, eligibility determination records, and records describing testing programs:

RETENTION: 1 year after end of school year

NOTE: For schools or districts placed "under corrective action" or "under registration review" by SED, these records may need to be retained until these designations are canceled by SED and no longer apply. Scores may be used in annual professional performance reviews (APPR).

915 ED1 458,

Emergency medical training records,

covering local governments which are course sponsors, including but not limited to information on individuals, course files, and information on instructors, as required by Section 800.20, 10NYCRR

NOTE: This item covers records of emergency medical training for which school districts, BOCES or other ED-1 users are course sponsors. See item no. 930 in the School Safety subsection for records of training received by school personnel or students

- a Information on individuals and course files:
RETENTION: 5 years
- b Information on instructors:
RETENTION: 5 years after working association of each instructor ceases

Magnet Schools

- 916** ED1 336,
Documentation of process used for application, selection and placement
of students in magnet school program, including explanation and justification of acceptance criteria:

RETENTION: PERMANENT

- 917** ED1 337,
Lists of students applying for placement and/or placed in magnet schools

- a Annual list of students placed in magnet schools:
RETENTION: 20 years
- b List of students who applied for and/or were denied placement:
RETENTION: 3 years
- c Other lists of students, created for internal administrative purposes:
RETENTION: 0 after no longer needed

- 918** ED1 338,
Individual student application for placement in magnet school

- a When application is approved:
RETENTION: 6 years or student participation in program terminates, whichever is later
- b When application is not approved or student does not enroll in program:
RETENTION: 3 years

- 919** ED1 339,
Application to New York State Education Department to operate magnet school(s),
including district plan and related records

- a Original application, including district plan for operating magnet school(s):

RETENTION: PERMANENT

- b Renewal application and all other related records:
RETENTION: 6 years

- 920 ED1 340,
Records of magnet school program monitoring by New York State Education Department,

including but not limited to monitoring report, response and records of any resulting action taken:

RETENTION: 6 years after date of most recent entry in record

Nursing Education

- 921 ED1 175,
Program operation authorization records,
including but not limited to application, inspection reports, authorization, and registration:

RETENTION: PERMANENT

- 922 ED1 176,
Program catalog,
including but not limited to course of instruction, course content, and rules and regulations:

RETENTION: PERMANENT

- 923 ED1 178,
State Education Department licensing examination eligible list:

RETENTION: 3 years after the end of the school year

School Safety

◆ **NOTE:** For building security records and video recordings maintained for security purposes, see item nos. 811 and 846 in the Public Property and Equipment section. Other items previously in this subsection may be found in the General Administration section.

- 924 ED1 62,
Disaster preparedness or crisis relocation records

NOTE: See item no. 926, below, for district-wide and school safety plans.

- a Copies of plans held by local government, including supporting maps, when official copies prepared under Section 23, Executive Law, are maintained by

county or other local government which created them, along with other disaster preparedness plans, not prepared under Section 23, Executive Law, intended for specific buildings or for use by specific local government units:

RETENTION: 3 years after superseded

- b Background materials and supporting documentation used in preparation of plans:

RETENTION: 3 years

925

ED1 66,

Rescue and disaster response reports

and related records, including responses to threats or hazards to the public, school facilities or vehicles due to natural, technological, or human-made circumstances and/or the discovery of possible explosives, pathogens or other hazardous substances, covering specific incidents

- a Records of major disasters, including information on the response of all agencies to the disaster, including such records as photographs, press clippings, property damage reports, records of emergency response, summary reports of personal injuries, records relating to demolition and new construction, and correspondence:

RETENTION: PERMANENT

- b Records of other than “major” disasters:

RETENTION: 3 years, but not until 3 years after any minor involved attains age 18

NOTE: Specific records should be appraised for historical value and may warrant permanent retention based on the serious nature of the incident involved. These would include actual discovery of explosives, pathogens or hazardous materials, and major facility evacuations and quarantines. Contact the State Archives for additional advice in this area.

◆ 926

ED1 491,

District-wide school safety and building-level emergency response plans

- a Final approved copies of plans, along with all revisions and amendments:

RETENTION: PERMANENT

- b Plan development, adoption and related records, including records of school safety teams:

RETENTION: 6 years

◆ 927

ED1 492,

School violence and dangerous school records

NOTE: Requests for transfer and related records of individual students are covered by item no. 948b in the Student Records: Academic Records subsection.

- a Violent and disruptive incident (VADIR) and Dignity for All Students Act (DASA) reports and summary records, including copies of summary information submitted to the State Education Department (SED):

RETENTION: 0 after youngest person involved attains age 27

NOTE: Summary records may need to be retained longer, even permanently, if

they document school violence, or if a school has been designated a persistently dangerous school. Contact the State Archives for additional advice.

- b Violent and disruptive incident data received back from SED:
RETENTION: 0 after data verified and any necessary corrections completed
- c Persistently dangerous school designation records, including SED citation, plan for corrective action, results of audits and monitoring, student transfer protocol and lists of transferring students, and documentation of removal of designation:
RETENTION: PERMANENT

928 ED1 493,

Sexual molestation and sexual harassment records,

maintained separately from student health records or employee personnel records, and not including child abuse or maltreatment reports, covered by item no. 27 in the General Administration section:

RETENTION: 0 after youngest person involved attains age 27

929 ED1 246,

Fire and building condition records,

including but not limited to fire safety inspection reports, fire drill reports, fire alarm records, fire inspection reports, fire investigation reports, structural safety inspection reports, building condition surveys and visual inspection reports

- a Fire safety inspection reports prepared pursuant to Section 807-a, Education Law:
RETENTION: 3 years
NOTE: Although Section 807-a of Education Law authorizes school authorities to destroy these reports after 3 years, the State Archives strongly urges that school authorities holding the "official" or "record" copies of these reports retain these records for 21 years to meet possible legal needs, including for use in personal injury litigation involving minors.
- b Structural safety inspection reports and building condition surveys, required by Section 409-d, Education Law and 8NYCRR 155.4:
RETENTION: 21 years
- c Visual inspection reports, required by 8NYCRR 155.4:
RETENTION: 5 years
- d Records other than reports and surveys covered by parts "a," "b" and "c," above:
RETENTION: 3 years

930 ED1 35,

Emergency medical training records

including defibrillator training, covering local government employees and students who receive training

NOTE: This item covers records of emergency medical training received by school personnel and students. For records of emergency medical training courses for which schools, BOCES or other ED-1 users are course sponsors, see item no. 915 in the Instruction subsection.

- a Training and certification applications and lists of persons who have taken or need to take training:
RETENTION: 0 after superseded or obsolete
- b Original entry training records, when posted to summary record:
RETENTION: 1 year
- c Original entry training records, when not posted to summary record:
RETENTION: 7 years
- d Summary record of training:
RETENTION: 6 years after individual leaves service or student graduates or would normally have graduated from high school, but no less than 7 years
NOTE: Local officials may wish to keep these records longer, possibly for the career of the individual, if the records are consulted throughout that period.
- e Course materials, except final or annual reports:
RETENTION: 7 years after course completed

Special Education: Individual Student Records

NOTE: Section 300.624(b) of 34 CFR requires school districts and BOCES to destroy, at the parent's request pursuant to Section 300.624(a), "personally identifiable information" contained in these records, when this information "is no longer needed to provide educational services to the child." However, pursuant to Section 300.624(b), "a permanent record of the student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation." (See item no. 934, below, and item no. 948, in the Student Records subsection.) Such destruction may occur before the legal minimum retention period stated above has arrived, **if it is conducted strictly according to the procedures outlined in federal regulations and guidelines provided by the federal Department of Education and the New York State Education Department's Office for Special Education Services.**

School districts and BOCES should carefully determine what educational needs warrant retention of any records which parents might request be destroyed. In informing parents of their rights, school districts and BOCES may also wish to remind parents that certain records with personally identifiable information may be useful in the future to the parents or children for other purposes, such as for social security benefits or to qualify for future services from the New York State Office for People With Developmental Disabilities. To protect the school district or BOCES in the case of a future request for records destroyed at parental request, school officials should consider maintaining a record of any such destruction done at parental request with remaining records in the applicable set of records. For additional information, contact the State Education Department, Office of Special Education, Special Education Quality Assurance.

◆ 931 ED1 267,

Special education file

of student (including both school-age students and preschool children) with a disability

NOTE: This does not cover summary data found in the student's cumulative education

record which are covered under item no. 948. Records documenting students' Career Development and Occupational Studies (CDOS) commencement credentials and Skills and Achievement Commencement Credentials for Students with Severe Disabilities are covered by item 948a in the Student Records subsection.

- a Student information sheet, most recent year's IEP (Individualized Education Program), evaluation record, student exit summary, and summary record (if created):

RETENTION: 6 years after student graduates/would normally have graduated from high school or 6 years after student attains age 21, whichever is shorter

NOTE: These records may be needed more than 6 years beyond the student's graduation or 21st birthday to verify previous disability, especially in connection with applications by former students for social security or other benefits. At the same time, unnecessarily long retention of these records may jeopardize the personal privacy safeguards contained in Section 300 of Title 34 of the Code of Federal Regulations. School districts and BOCES should weigh these concerns carefully and consult their attorney or counsel before establishing policy concerning retention of these records beyond their legal minimum retention periods.

- b Other special education records including but not limited to attendance record, copy of high school transcript or student progress reports, referral form, individual evaluations, IEP's (except most recent), behavior intervention plan (except most recent) parent communication, agency communication, and attendance/staff reports, behavior/staff changes records, test papers, psychologists' notes and "protocols," regardless of whether or not student is declassified from special education:

RETENTION: 6 years

NOTE: Health records should be filed in the student's health record in the Health subsection.

- c Federal Medical Assistance records for Special Education and Case Management Services, including but not limited to all documentation, logs, surveys, reports, remittance statements and memoranda of advisements pursuant to the School Supportive Health Services Program (SSHSP) and the Preschool Supportive Health Services Program (PSHSP):

RETENTION: 6 years after date of payment to school district or BOCES

932

ED1 365,

Records of special education "committee minutes,"

where needs of various students and their progress and problems are discussed, when significant information is transferred or posted to individual student special education records:

RETENTION: 6 years

NOTE: If significant information is not transferred or posted to the special education file for each individual student, then these records must be retained for 6 years after student graduates/would normally have graduated from high school or 6 years after student attains age 21, whichever is shorter, as per item no. 931a. Committees covered by this

item include committees on special education, and subcommittees on special education.

- 933** ED1 271,
Referral service records of preschool student with a disability,
 including but not limited to intake information record, record of referral for services,
 follow-up review record, and correspondence:
 RETENTION: 6 years
- 934** ED1 366,
**Basic record listing special education student's name, address, phone number,
 grades, attendance record, classes attended, grade level completed, and year
 completed,**
 created pursuant to Section 300.624(b) of 34 CFR:
 RETENTION: 6 years after student graduates/would normally have graduated from high
 school or 6 years after student attains age 21, whichever is shorter
 NOTE: This item covers the "basic record" for special education students which some
 schools maintain separate from the student's "permanent record card" (see item no. 948
 in the Student Records subsection). If information from this separate "basic record" is
 included in the student's "permanent record card", which must be retained permanently,
 then the retention period for this record is 0 after no longer needed. If the student's
 "permanent record card" does not, however, contain any reference to specific education
 status, then school districts and BOCES should consider retaining this record
 permanently. Federal regulations permit the maintenance of a "permanent record"
 containing this information "without time limitation." Schools which maintain a single
 "permanent record" for all students, including special education students, should use
 item no. 948, from the Student Records subsection, to authorize records disposition.
- 935** ED1 367,
**Basic data on any student contained in an automated special education records
 system,**
 including name, age, sex, personal identification (social security number or other
 number used to identify student), address, grade and/or class, type of disability, referral
 date, date service initiated, date of declassification, and level of service:
 RETENTION: 0 after no longer needed
 NOTE: School districts and BOCES should consider permanent retention of the basic
 data elements of these special education records systems on an annual or biannual basis,
 such as at the beginning and/or end of the school year. This information may be useful
 for long-range planning purposes, such as projecting trends in special education needs
 and services. Contact the State Archives for additional advice in this area.
- 936** ED1 376,
**Documentation of regular updates made to basic data contained in special
 education data file,**
 such as covering corrections, deletions or additions to data:
 RETENTION: 1 year

Special Education: Financial Tracking and Reporting

- 937 ED1 268,
State agency notification to school district identifying student with a disability placed in residential facility,
(State Education Department STAC [System for Tracking and Accounting for Children] 200 Form or equivalent) prepared by state agency other than State Education Department:
RETENTION: 6 years after notice superseded, or student attains age 21, whichever is shorter
- 938 ED1 269,
Commissioner of Education approval for providing and funding special education services,

(State Education Department STAC [System for Tracking and Accounting for Children] 3 Form or equivalent), identifying child, services provider, and type, duration and cost of services:
RETENTION: 6 years
- 939 ED1 270,
Federal assistance records for special education,
including but not limited to application, advisement, eligible student survey form, reports, statement of payment and memorandum of instruction:
RETENTION: 6 years

Special Education: Program Administration

- 940 ED1 368,
Plans prepared in relation to providing special education services
- a School district annual or biennial plan outlining special program and education services, required by Section 200.2(c) of 8NYCRR:
RETENTION: PERMANENT
 - b Special education space requirement plan developed by BOCES, including related correspondence and any amendments:
RETENTION: 6 years after superseded
- 941 ED1 369,
Reports relating to special education program
(not covered by other items in this Schedule)
- a Summary reports of student data:
RETENTION: 6 years

- b Annual and other reports covering the evaluation, referral, placement and review processes, and IEP (Individualized Education Program) development:

RETENTION: 6 years

942 ED1 370,

Waivers permitting a school district or BOCES to implement an innovative special education program,

along with applications, correspondence, reports and all related records

- a Waiver granted on an annual basis:

RETENTION: 6 years

- b Waiver granted on a permanent basis:

RETENTION: 6 years after expiration

- c Annual or other reports submitted to New York State Education Department (SED) regarding operation and evaluation of the program:

RETENTION: 6 years

943 ED1 371,

Records of special education program monitoring by New York State Education Department (SED),

including but not limited to monitoring report, response and records of any resulting action taken:

RETENTION: 6 years after date of most recent entry in record, or until the next program review is completed, whichever is later

Special Education: Miscellaneous

944 ED1 372,

Census and register of students with disabilities

residing in school district, eligible to attend school or pre-school special education program:

RETENTION: 6 years

NOTE: This item does not cover the school census listing all persons of school age residing in the district which is covered by item no. 956, found in the Student Records section, Student Information Systems and Related Records subsection. If the general school census and the census and register of students with disabilities are one and the same record, follow the instructions given under item no. 956.

945 ED1 373,

Lists maintained in relation to providing special education services,

including but not limited to list of names and resumes of impartial hearing officers, list of free or low-cost legal and other relevant services, list of public and private agencies and other professional resources where independent evaluations may be obtained, list of potential surrogate parents, and list of preschool programs:

RETENTION: 6 years

NOTE: This does not cover the register, census or list of students with disabilities, which is covered by item no. 944.

946 ED1 374,

Requests for access to special education records

- a Requests for access by parents and authorized employees:
RETENTION: 1 year
- b All other requests, maintained pursuant to Section 300.563 of 34 CFR, including name of party requesting access, date access denied or granted, and purpose for which access is requested:
RETENTION: 5 years

947 ED1 375,

Records of special education testing of students,

where students are not classified as requiring special education

- a Lists of students tested but not classified:
RETENTION: 6 years
- b Records relating to individual student not classified, including but not limited to referral, results of testing and evaluation report:
RETENTION: 0 after student attains age 21, but not less than 6 years

Student Records: Academic Records

◆ **NOTE:** Provisions of the Common Core Implementation Reform Act (Chapter 56 of the Laws of 2014, Part AA, Subpart B), NYS Education Law § 305(45) and (46)), and SED's implementing regulations (Section 104.3 of the Regulations of the Commissioner of Education), prohibit school districts and BOCES from including a student's individual scores on a State administered standardized English language arts (ELA) or mathematics assessment for grades 3 through 8 on the student's transcript, and from maintaining these scores in the student's permanent record.

◆ **948** ED1 275,

Student cumulative education record file (including "permanent record card")

NOTE: This covers resident full-time students, including those receiving home instruction and non-resident full-time students paying tuition. The birth names of transgender and gender nonconforming students should be stored in a separate folder from the student's permanent academic record in part "a" and kept confidential, but maintained permanently.

- a Cumulative achievement record equivalent (sometimes known as "Permanent Record Card") for elementary and secondary school, New York State career development and occupational studies (CDOS) commencement credential, and skills and achievement commencement credential, including but not limited to information on school entry, withdrawal and graduation, subjects taken, grades

received from examinations, career plan in effect during the school year in which the student exits high school, and work skills employability profile:

RETENTION: PERMANENT

- b Other student records, including but not limited to registration record; screening evaluation reports; home language questionnaire, English language proficiency identification assessment results, and related records; remedial program participation record; Section 504 evaluations, accommodation plans and related records; state assessment opt out records; counselor notes; teacher comments; correspondence; and transfer or discharge notice:
RETENTION: 6 years after student graduates or would normally have graduated from high school
- c Examination (including Regents examination) test results, local proficiency test results, papers and answer sheets, homework, and duplicate copies of report cards when information regarding subjects taken and final grades received is posted to the pupil's cumulative achievement record:
RETENTION: 2 years after end of school year
- d Program admission application, when application is approved:
RETENTION: 6 years or student participation in program terminates, whichever is later
- e Program admission application, when application is not approved or student does not enroll in program:
RETENTION: 3 years
- f Cumulative achievement record maintained by BOCES, including information on credits, grades, attendance, instructors' comments and employability profile:
RETENTION: PERMANENT
- g Other student records maintained by BOCES, including annual and periodic progress reports, from which information is posted to cumulative achievement record:
RETENTION: 6 years after student graduates or would normally have graduated from high school
- h School district's copy of BOCES cumulative achievement and other BOCES student records:
RETENTION: 6 years after student graduates or would normally have graduated from high school
- i Copies or abstracts of student records, sent by a high, middle, and/or intermediate school in another district to elementary, middle, and/or intermediate school which student had attended, and which district does not operate a high, middle school, and/or intermediate school itself:
RETENTION: 0 after no longer needed
NOTE: For copies of student records received from other school districts that do operate a high, middle, and/or intermediate school, use item no. 19.
- j Unclaimed diplomas:
RETENTION: 1 year

NOTE: School districts and BOCES may wish to keep these records longer for convenience of both school personnel and graduates who may request their diploma at some later date.

- k Proof of residency records for student, excluding residency investigations and hearing records:

RETENTION: Retain most current until 6 years after student graduates or would normally have graduated from high school. Destroy older proofs 6 years after superseded.

◆ 949 ED1 281,

Student records covering non-district students, and students attending high school equivalency, alternative learning, driver's education, and adult education courses including records related to the National External Diploma Program (NEDP) and Comprehensive Adult Student Assessment Systems (CASAS)

NOTE: This does not cover non-resident full-time students paying tuition. Their records are covered by item no. 948. This item does cover records of students who pay tuition and reside in another district, but take occasional courses in the district where these records are maintained. It also covers records of resident students taking high school equivalency or non-diploma courses and adult residents taking BOCES career and technical education courses.

- a Student records, including but not limited to parental consent, approval from student's school district, program participation application, summary of participant achievements and attendance, record of courses taken including grades and examination results, but excluding examination test papers and answer sheets:

RETENTION: 0 after student attains age 24, but not less than 6 years

- b Examination test papers and answer sheets:

RETENTION: 1 year

950 ED1 377,

Student portfolio,

containing samples of a student's best work, and including progress reports and grades (where applicable):

RETENTION: 6 years after student graduates or would normally have graduated from high school

NOTE: The student and teacher may weed out and dispose of individual student papers in the portfolio at the end of each school year, providing samples of the student's best work are retained as specified above.

◆ 951 ED1 276,

Certificate of Regents high school and college entrance diplomas issued

or Career Development and Occupational Studies (CDOS) commencement credentials and Skills and Achievement Commencement Credentials for Students with Severe Disabilities issued

- a If posted to cumulative achievement record:

RETENTION: 0 after posting

- b If not posted to cumulative achievement record:
RETENTION: PERMANENT

952 ED1 277,
Examination records,
relating to Regents preliminary and literacy examinations, created prior to 1970:
RETENTION: 0 after no longer needed

Student Records: Student Information Systems and Related Records

NOTE: Many school districts and BOCES maintain data on students in automated systems, known generically as "Student Information Systems." These systems usually contain certain basic or core data on each student. The basic data elements usually consist of the name, age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class of each student. This information may be kept in electronic format or in paper printout lists or microform output. If it is kept in electronic format, it need not be maintained online, but may be stored on external media if desired.

Student information systems typically include school census data, in fact some systems are based on a single record covering the entire family rather than an individual student. The retention periods for census information on the family of a student is covered by item no. 956, below. Student information systems also typically contain summary academic/grade and attendance information. They may also contain detailed grade and attendance data. Retention of academic/grade and attendance information is specified in the Academic Records and Attendance Records subsections.

Student information systems often contain information in other areas, such as student health, special education, discipline, class and bus scheduling, awards and honors, and athletics. These records are covered by items at various locations throughout the School District and BOCES section. These items and retention periods apply to these records, regardless if they are contained in or generated by a student information system.

953 ED1 378,
Basic data on any student contained in or produced by an automated student information system, information system,
including name, age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class:

RETENTION: 0 after no longer needed

NOTE: School districts and BOCES should consider permanent retention of the basic data elements of these student information systems on an annual or bi-annual basis, such as at the beginning and/or end of the school year. This information may be useful for long-range planning purposes, teaching with historical records projects, and community history research. Contact the State Archives for additional advice.

954 ED1 379,

Lists of students

created prior to or in lieu of the maintenance of student data in automated student information systems, containing such information as student's age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class, and sometimes ethnicity, summary grade, attendance and deportment information

a All lists created prior to 1910:
RETENTION: PERMANENT

b Lists created since 1910:
RETENTION: 0 after no longer needed

NOTE: School districts and BOCES should consider permanent retention of these lists on an annual or bi-annual basis, such as at the beginning and/or end of the school year. This information may be useful for long-range planning purposes, teaching with historical records projects, and community history research. Contact the State Archives for additional advice in these areas.

955 ED1 380,

Documentation of regular updates made to student lists or student data file,

such as covering corrections, deletions or additions to student data:

RETENTION: 1 year

956 ED1 43,

School census records

NOTE: The Census and Register of Students With Disabilities is covered by item no. 944, found in the Special Education subsection. If the (general) school census, covered by this item, and the Census and Register of Students with Disabilities are one and the same record, this item covers its retention.

a All school census records created prior to 1949 (some early 19th century census records only list names of parents) including so-called "attendance registers" used between 1895 and 1928, in booklet form provided by the State Office of Public Instruction, later the State Education Department (these booklets also contain the school census, trustees' annual reports, registers of visitors, and other information); and school census and enrollment reports, created between 1929 and circa 1949, in booklets provided by the State Education Department, or their equivalents:

RETENTION: PERMANENT

b Post-1949 school census records, maintained in updateable card-file format:
RETENTION: 6 years after information it contains becomes obsolete

NOTE: While not required to do so, school districts and BOCES may wish to retain some school census records maintained in this format permanently for local and family history research and teaching with historical records projects. Contact the State Archives if you would like additional information on this subject, or to discuss your district's census records in detail.

c Post-1949 school census records, maintained in list, booklet, computer printout or electronic format:

RETENTION: Retain one complete census permanently for every 5 year interval; retain others for 6 years

957

ED1 272,

Pupil personnel cumulative record (guidance folder),

containing information on all aspects of student's school career:

RETENTION: 6 years after student graduates or would have normally graduated from high school

Student Records: Attendance Records

958

ED1 44,

Student's attendance record (register),

including but not limited to each student's name, date of birth, names of parents or guardian, address, and daily attendance, absence and tardiness

- a All attendance records created prior to 1929, including "attendance registers" used between 1895 and 1928, in booklet form provided by the State Office of Public Instruction, later State Education Department (these booklets also contain the school census, trustees' annual reports, registers of visitors, and other information):

RETENTION: PERMANENT

- b "Attendance registers" used from 1929 to the present, containing information set forth in Section 104.1 of 8NYCRR:

RETENTION: 6 years

NOTE: If annual or bi-annual lists of students are not available for certain school years, school districts and BOCES may wish (but are not required) to retain post-1929 attendance registers for those years in their place to provide students' names. If separate student lists are available, school districts and BOCES may wish to retain examples of the detailed post-1929 attendance registers for use in historical research or in teaching with historical records projects. Contact the State Archives for additional advice in this area.

- c Detailed attendance data contained in electronic format in student information systems, or maintained as system output:

RETENTION: 6 years

- d Employee oath or affirmation related to verification of the student attendance register:

RETENTION: Retain as long as the attendance register to which it relates

959

ED1 46,

Student's absence record,

including but not limited to parent's excuse, investigation report, and record of attendance at religious observance or education:

RETENTION: 1 year after end of school year

960

ED1 49,

Attendance reports and other summary attendance records, not

containing detailed information on individual absences

- a Annual or bi-annual attendance report:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Annual reports containing attendance information submitted to the State Education Department for State aid reimbursement purposes are covered by item no. 881 in the School District and BOCES section, Administration subsection.

- b Periodic reports and other records used to complete annual or bi-annual report:

RETENTION: 1 year

Student Records: Extra-Curricular Activities

961

ED1 93,

Student organization records

- a Lists of members or participants, records of activities, competitions and performances, and other records of officially-supported student organizations except scouting records and scouting and training videos:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Photographs and videos of and programs for certain competitions and performances may have historical value in documenting student activities. Records with historical value should be retained permanently. Parental consents are covered by item no. 969, below. Health related records are found in the School District and BOCES section, Health subsection.

- b Scouting reports and videos used for scouting and training purposes:

RETENTION: 0 after no longer needed

962

ED1 94,

Athletic program records

- a Lists of athletes or participants, records of interscholastic competitions and intramural athletics, and other records except scouting records and scouting and training videos:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Official score and record books, team and action photographs and videos of and programs for interscholastic competitions may have historical value in documenting interscholastic student athletics. Records with historical value should be retained permanently. Parental consents are covered by item no. 969, below. Health related records are found in the School District and BOCES section, Health subsection.

- b Scouting reports and videos used for scouting and training purposes:
RETENTION: 0 after no longer needed

963 ED1 381,

Fund raising records

generated by student organizations, athletic teams and "booster clubs" to help support extra-curricular activities:

RETENTION: 6 years

964 ED1 280,

Extra-curricular activity selection and evaluation records,

including applications, nominations, qualifications, evaluations, ratings, voting records, records of appeals of selection or evaluation decisions, lists of students or student materials selected or not selected, and related records concerning the selection or evaluation of students or student materials for participation or inclusion in activities such as athletic teams, the National Honor Society, the National Junior Honor Society, school plays, school art shows, school newspapers or literary magazines, and other activities:

RETENTION: 6 months after end of selection or evaluation process or 6 months after final resolution of any appeal of a selection or evaluation decision, whichever is later

Student Records: Miscellaneous

965 ED1 274,

Student employment certificate record ("working papers"),

including but not limited to application, evidence of age, parent's consent, physical fitness certificate, and employment certificate or rejection of application:

RETENTION: 0 after student attains age 21

966 ED1 278,

Student disciplinary records,

including but not limited to detention notice, suspension notice, suspension hearing record, correspondence, and related records

- a Records of major disciplinary actions, including suspensions:
RETENTION: 3 years after end of school year, but no less than 3 years after student attains age 18

- b Records of minor disciplinary actions:
RETENTION: 3 years after end of school year
NOTE: School districts and BOCES may wish to retain all or select records of minor disciplinary actions for a lengthier period, especially in situations where the records may be needed for use in litigation alleging that a student was improperly disciplined due to an unrecognized learning disability. Such litigation could potentially commence up to the time when the student attains age 21.

- 967** ED1 279,
Scholarship program records,
 (covering academic, athletic or other scholarships) including but not limited to scholarship applications, list of eligible candidates, list of competition winners and alternates, and reports:
 RETENTION: 1 year after scholarships awarded
 NOTE: Policies and procedures for awarding and administering scholarships are covered under item no. 52 and consideration should be made to retain these records until the scholarship program is discontinued.
- 968** ED1 282,
Records of gifts and prizes awarded students:
 RETENTION: 3 years
- 969** ED1 47,
School bus pass and parent's consent
 for student to participate in, or request for student to be excused from, specific activity, including but not limited to physical education program, field trip, or athletic program:
 RETENTION: 1 year after end of school year
- 970** ED1 382,
Missing child notification and related records,
 received from State Division of Criminal Justice Services
- a Notification of missing child and need to "flag" student record, and subsequent notification to remove "flag" from record, when missing child is located:
 RETENTION: 0 after receiving notification that child is no longer missing
 - b Notification of missing child and need to "flag" student record, when child is not reported as having been located:
 RETENTION: 6 years after student graduates or would normally have graduated from high school
 - c Letter of notification, and letter of correction, when child reported missing is identified as not having been a student at school district receiving notification:
 RETENTION: 1 year
- ◆ **971**
Student emergency contact record,
 including the names, addresses, phone numbers, and other information for individuals designated as student emergency contacts. Information may be used in conjunction with school safety and disaster plans:
 RETENTION: Destroy when information is superseded or student leaves the district, whichever is shorter
- ◆ **972**
Records of compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and related legislation

concerning access to student education records and participation in surveys on or activities in designated areas

- a Request for hearing on content of student education records, decision of hearing, and student statement on content of disputed record:
RETENTION: Retain for the same period the disputed records are maintained
- b Record of requests for access to and disclosures of personally identifiable information from the student education records, as required by FERPA regulations:
RETENTION: Retain for the same period the requested records are maintained
NOTE: For records of requests for student information which are not subject to FERPA requirements, see item no. 53 in the General Administration section.
Requests by students for information on themselves are covered by item no. 948.
- c Request for nondisclosure of directory information or non-participation in surveys on or activities in designated areas:
RETENTION: 1 year after request is terminated or is no longer valid or 1 year after the concerned records are no longer maintained
- d Consent for records disclosure:
RETENTION: 1 year after consent is terminated or 1 year after the concerned records are no longer maintained
- e Waiver of right to inspect and review confidential letters and statements placed in student education records:
RETENTION: 1 year after waiver is terminated or 1 year after the concerned records are no longer maintained
- f Directory Information Policy Statement:
RETENTION: PERMANENT
- g Annual or other notice of rights under FERPA or related legislation concerning access to student records or participation in surveys on or activities in designated areas:
RETENTION: 3 years after issued or superseded or obsolete, whichever is later

Supplemental Education Services

NOTE: This section covers Compensatory Education, Academic Invention Services (AIS), Language Proficiency, and equivalent supplemental education programs.

NOTE: Records documenting the initial identification and any subsequent review process of English proficiency are covered under the student's cumulative record, item no. 948b.

973

ED1 315,

Supplemental education records for individual student,

including but not limited to letters of notification to parent(s) or guardian(s), copies of individual test results, parental or guardian consent (if applicable), student's

personalized plan, student final and other progress reports, but not including individual student progress log:

RETENTION: 6 years

NOTE: For records of supplemental education services included in an individual student's cumulative education file, see item no. 948 in the Student Records subsection.

974 ED1 316,

Individual student progress log:

RETENTION: 1 year

975 ED1 317,

Lists of students enrolled in supplemental education programs

- a Master list of students, created annually or for each class:
RETENTION: 20 years
- b Other lists of students, created for internal administrative purposes:
RETENTION: 0 after no longer needed

976 ED1 318,

Application to the State Education Department to conduct supplemental education program,

including district plan and related records

- a District plan for conducting program:
RETENTION: PERMANENT
- b Other related records, including plan development and submission records, background material and supporting documentation:
RETENTION: 6 years after program ends

977 ED1 319,

Records of program monitoring by the State Education Department,

including but not limited to notification of visit, monitoring report, response and records of any resulting action taken:

RETENTION: 6 years after date of most recent entry in record

978 ED1 320,

Payroll breakdown and other background documentation of program,

providing information such as details of program time spent by individual staff members:

RETENTION: 6 years

979 ED1 321,

Supplemental education testing records covering tests conducted under Local Education Agency Programs (LEAP) or equivalent programs,

used to determine eligibility for supplemental education programs, submitted to New York State Education Department

- a Data maintained by school district:

- RETENTION: 5 years
- b Duplicate school district data maintained by BOCES:
RETENTION: 0 after no longer needed
 - c Testing eligibility determination and testing protocols, official copies of tests, and summary records describing testing programs:
RETENTION: PERMANENT
 - d Summary records of test results:
RETENTION: 6 years
 - e Test papers, answer sheets, test administration notes, test schedules and other routine test administration records:
RETENTION: 1 year after end of school year

980 ED1 494,**Records of supplemental education testing of students, where students are NOT determined to need supplemental education**

- a Lists of students tested but not entered in supplemental education program:
RETENTION: 6 years
- b Records relating to individual student not entered in supplemental education program:
RETENTION: 0 after student attains age 21, but not less than 6 years

981 ED1 496,**Records covering outside providers of supplemental education services**

NOTE: Records dealing with individual students, including specific requests to receive services from outside providers, are covered by item no. 973.

- a Lists of outside providers of services and lists of students receiving services from specific providers:
RETENTION: 1 year after superseded or obsolete
- b Outside provider files, excluding contracts and legal agreements:
RETENTION: 6 years after outside provider no longer used by school district or BOCES
- c Contracts or legal agreements with outside providers:
RETENTION: 6 years after expiration or termination or 6 years after final payment under contract, whichever is later

Teacher Resource and Computer Training Center**982** ED1 294,**Annual and semi-annual statistical, narrative and fiscal reports**

submitted to the State Education Department:

RETENTION: PERMANENT

- ◆ 983 ED1 295,
Course records
 a Official copy of brochure or other publication announcing and describing courses to be offered:
 RETENTION: PERMANENT
 b Attendance records for course:
 RETENTION: 8 years
 c Course development records, including, but not limited to, course proposal, instructor's name and curriculum vitae, and evaluation of the need for the course:
 RETENTION: 8 years
- ◆ 984 ED1 296,
Workshop records
 a Official copy of brochure or other publication announcing and describing workshops to be offered:
 RETENTION: PERMANENT
 b Attendance records for workshop:
 RETENTION: 8 years
 c Records of credits awarded for workshop attendance (if applicable):
 RETENTION: 0 after posted to individual earnings (in-service) credit record
 NOTE: If credits are awarded for workshop attendance, and these are not posted to individual earnings (in-service) credit record, these records must be retained for 55 years.
 d Workshop development records, including, but not limited to, course proposal, instructor's name and curriculum vitae, and evaluation of the need for the course:
 RETENTION: 8 years
- 985 ED1 297,
Individual earnings (in-service) credit record,
 including information on courses attended and credits earned:
 RETENTION: 75 years after date of birth of employee or 55 years after earliest document in file if date of birth is not known
 NOTE: Schools and BOCES should maintain records of individual earnings (inservice) credits as part of personnel files. See item no. 636 in the Personnel/Civil Service section.
- 986 ED1 298,
Course and workshop registration records,
 including but not limited to course registration and approval form, registration acknowledgement and rejection or cancellation notice:
 RETENTION: 1 year
- ◆ 987 ED1 299,
Course evaluation and survey records
 a Official copy of evaluation or survey form and instructions:

RETENTION: 8 years

- b Summary of evaluation or survey results:

RETENTION: 8 years

- c Individual returned evaluation or survey forms:

RETENTION: 0 after summary of results completed

988 ED1 300,

Listing of canceled courses or workshops:

RETENTION: 1 year

989 ED1 301,

Grading and scoring records for individual teacher,

including records of grading and scoring of college level courses attended:

RETENTION: 2 years

Transportation: School Bus Routing and Scheduling

NOTE: Some school districts and BOCES employ automated systems to handle their school bus routing and scheduling. Some of these systems have Geographic Information System (G.I.S.) capabilities, permitting the use of computer mapping to assist in the bus routing and scheduling, and having the ability to perform some analysis of spatial data. The items below are meant to cover not only electronic records contained in these automated systems, but also maps, reports and other system output maintained in both traditional hard copy and electronic format as well. These items also cover manually-generated records of districts and BOCES which do not employ automated systems for bus routing and scheduling.

Some school bus routing and scheduling G.I.S. contain components permitting mapping and other spatial data analysis useful in other areas, such as planning for facility construction and reorganizing school boundaries within a district. While these records cover functions broader than merely bus routing and scheduling, because these records are contained in and generated by bus routing and scheduling systems, these planning-related records are listed below.

990 ED1 386,

Automated road/street file or data layer contained in school bus routing and scheduling G.I.S.:

RETENTION: Maintain as updated data file as long as system is in use, and for 1 year after system upgraded or replaced

991 ED1 387,

Automated student data file contained in school bus routing and scheduling G.I.S. or other automated system, G.I.S. or other automated system,

used primarily for school bus routing and scheduling:

RETENTION: Maintain as updated data file as long as system is in use, and for 1 year

after system upgraded or replaced

NOTE: If this data file also serves as the basic data file of an automated student information system (see item no. 953 in the Student Records: Student Information Systems and Related Records subsection), or if no automated student information system exists and this data file constitutes the school district's or BOCES' only record listing and providing basic information on all students, the school district or BOCES should consider permanent retention of the basic data elements. See note to item no. 953 for additional information.

992 ED1 389,
Automated individual school information data file (sometimes contained in school bus routing and scheduling G.I.S.)

containing basic data on school building and its administration, and summary student information, for each school within a district:

RETENTION: Maintain as updated data file as long as system is in use, and for 6 years after system upgraded or replaced

993 ED1 499,
Transportation-related system operation history file,

containing significant data and/or periodic data snapshots, generated from detailed system data

NOTE: Appraise these records for archival value. History files may contain valuable information to document system operation over a period of time. Contact the State Archives for additional advice in this area.

a When created at regular intervals, such as annually:

RETENTION: 0 after no longer needed

b Created when data from this file is used in conjunction with planning reports, studies or special projects:

RETENTION: Retain as long as the reports, studies and other principal records for which the history file or snapshots are created are retained.

994 ED1 500,
Records of updates, corrections and confirmations to data files

used in automated transportation-related systems, including assignments:

RETENTION: 1 month

995 ED1 302,
Transportation-related routing and scheduling reports, studies or data queries,
including documentation of macros, queries, and reports:

RETENTION: 0 after no longer needed

NOTE: Appraise the records for archival value. Certain reports and studies may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice. Macros or queries are created for a number of reasons. For example, an automated system might be used to produce maps and reports which recommend and lead to construction of an additional elementary school in a school

district. In this case, the system output reports and maps should be retained permanently. The State Archives recommends that any macro or query created as part of this process also be retained as long as the resulting report or study. See also item no. 998.

- 996** ED1 305,
School bus route schedule, map or diagram,
 including such information as locations and times of stops and number of students transported
- a Schedule, map or diagram produced periodically to show routes usually traveled by school buses:
 RETENTION: 6 years after superseded or obsolete
 - b Schedule, map or diagram produced daily or for each trip, showing route traveled on particular day or trip by school bus:
 RETENTION: 1 month
- 997** ED1 390,
Routine correspondence and similar records relating to school bus routing and scheduling,
 included but not limited to letters and maps of bus routes sent to parents and correspondence received relating to updating information on bus routes and schedules:
 RETENTION: 1 year
- 998** ED1 391,
Planning studies conducted using school bus routing and scheduling or other automated system,
 covering areas such as new school facility construction and alteration of boundaries within district
- a Official copy of publications, videotapes, or informational literature prepared for public distribution:
 RETENTION: PERMANENT
 - b Final maps, plans, statistical tables, reports and studies:
 RETENTION: PERMANENT
 - c Background materials and supporting documentation:
 RETENTION: 6 years after project completed, or after date of final entry in record
- 999** ED1 501,
System operational records of original entry
 created in non-automated system or used for data entry or verification, where significant information is data entered or posted to reports and other summary records, including but not limited to tachographic charts and other records generated by vehicle data recorders:
 RETENTION: 0 after no longer needed for administrative or legal purposes and relevant information posted to summary record
 NOTE: Records custodians should consult their attorney or counsel before these records

are disposed of regarding any potential legal value. Recordings of serious incidents may warrant longer retention for legal reasons. Tapes or other records generated by data recorders should be retained until legal action is resolved.

Transportation: Other School Transportation Records

NOTE: School bus camera recordings are covered by item no. 846 in Public Property and Equipment section.

- ◆ **1001** ED1 303,
School bus driver qualification file,
 including but not limited to driver training certificates, character references, application for employment, physical examination, driving examination and training records

 - a For employees of school district or BOCES:
 RETENTION: 6 years after termination of employment
 - b For individuals who are not employees of school district or BOCES:
 RETENTION: 3 years
- 1002** ED1 304,
School bus purchase and capacity approval application records:
 RETENTION: 0 after no longer needed
 NOTE: This item does not cover school bus purchase files, which are covered by item no. 547 in the Fiscal section, Purchasing subsection, and school bus maintenance files, which are covered by item no. 817 in the Public Property and Equipment section.
- 1003** ED1 306,
School bus ridership list or pupil transportation eligibility record for common carriers and contract yellow buses,
 including names of students for each trip:
 RETENTION: 6 years
- 1004** ED1 308,
Driver's daily log report:
 RETENTION: 6 years
- 1005** ED1 309,
Non-public school pupil transportation records,
 including parental requests and consents:
 RETENTION: 3 years
- 1006** ED1 392,
School bus safety drill records:
 RETENTION: 3 years

1007 ED1 395,

Field trip records,

including but not limited to trip request data; bus driver, staff and chaperone assignments; list of attendees and trip reports:

RETENTION: 6 years after date of most recent entry

1008 ED1 396,

Commuter traffic reduction program records,

covering Employee Commute Option (ECO), Transportation Demand Management (TDM), or similar program records

- a Compliance plan (initial or consolidated), including but not limited to such records as worksite profile, survey results, average passenger occupancy (APO) calculations, forecasted participation, summary of trip reduction strategies, list of worksites and implementation schedule, and also covering revisions and updates, including records relating to agency review, approval, disapproval and appeal (copies maintained by local government acting as Local Administrative Agency):
RETENTION: 6 years after superseded or obsolete

NOTE: Appraise these records for archival value. These records may be useful in providing information on relieving traffic congestion problems in certain urban areas. Contact the State Archives for additional advice.

- b Compliance plan (initial or consolidated), including but not limited to such records as worksite profile, survey results, average passenger occupancy (APO) calculations, forecasted participation, summary of trip reduction strategies, list of worksites and implementation schedule, and also covering revisions and updates (copy maintained by local government employer):

RETENTION: 3 years after superseded or obsolete

- c Bi-annual maintenance report (copy maintained by local government employer or local government acting as Local Administrative Agency):

RETENTION: 6 years

- d Information on potential participants, including list of applicants and individual employee surveys:

RETENTION: 3 years

◆ 1294

School bus photo violation monitoring system records

NOTE: Recordings from school bus cameras used for security purposes are covered by item no. 846 in the Public Property and Equipment section. Case investigation records are covered under item no. 1222 in the Public Safety section.

- a When recording relates to specific case investigation:

RETENTION: Retain as long as the case investigation to which the recording relates is retained

- b When recording does not relate to specific case investigation:

RETENTION: 6 months

SOCIAL SERVICES (COUNTY)

◆ 1134 CO2 617,

County social services case record

- a Where first entry is 1950 or earlier, including but not limited to application for assistance or services, eligibility forms, case history, authorization of assistance or services, and correspondence:

RETENTION: PERMANENT

- b For adopted child, where first entry is 1951 or later, including but not limited to pre-adoption history, medical report on natural mother and child, and correspondence, but not covering adoption subsidy:

RETENTION: PERMANENT

- c For cases involving children, where first entry is 1951 or later, and covering one of the following: abuse or maltreatment; family adopting a child; child health; medical assistance; protective services; or day care child's medical records; except for adopted child sealed case record, which must be retained permanently; including but not limited to application for assistance or services, eligibility forms, authorization of assistance or services, and correspondence:

RETENTION: 0 after youngest child attains age 28

NOTE: Sections 422.5 and 422.6 of the Social Services Law, as amended by Chapter 12 of the Laws of 1996, Chapter 136 of the Laws of 1999, and Chapter 555 of the Laws of 2000, contain legal requirements relating to retention of reports of child abuse and maltreatment held by county social services departments. The current requirements are as follows:

1. Reports, which are unfounded, received by the State Central Register prior to February 12, 1996, must be destroyed or have information expunged from them forthwith.

2. Reports, which are unfounded, received by the State Central Register after February 11, 1996, must be legally sealed forthwith and retained for 10 years after receipt of the report (by the State Central Register), and then must be destroyed or have information expunged from them, except such reports must be destroyed prior to the passage of 10 years upon direction of the NYS Office of Children and Family Services pursuant to provisions of Chapter 555 of the Laws of 2000.

3. All indicated (substantiated) reports must be retained for 10 years after the youngest child mentioned in the report attains age 18, and then must be destroyed or have information expunged from them.

For additional information on this subject, contact Counsel's Office, New York State Office of Children and Family Services, 52 Washington Street, North

Building, Room 133, Rensselaer, NY 12144-2796; phone, (518) 474-3333. Although item no. 1134, sections c and e have a less than permanent retention period, the State Archives recommends that county social services agencies consider permanently retaining services case histories (narrative and comment sheets), where they exist. These histories contain information not available elsewhere, and document counties' roles in public assistance programs.

- d For preventive services to children, where first entry is 1951 or later:
RETENTION: 6 years after 18th birthday of youngest child in the family
- e For foster care cases, where first entry is 1951 or later:
RETENTION: 30 years after the discharge of the child from foster care
NOTE: Although item no. 1134, sections c and e have a less than permanent retention period, the State Archives recommends that county social services agencies consider permanently retaining services case histories (narrative and comment sheets), where they exist. These histories contain information not available elsewhere, and document counties' roles in in public assistance programs.
- f For child held in detention home, children's shelter or similar facility, where first entry is 1951 or later, including but not limited to admission and release notice, copy of court order, copy of admission physical examination, psychiatric evaluation, accusation of staff abuse, list of personal property, and clothing inventory:
RETENTION: 0 after child attains age 21
NOTE: For child that is a foster care case, follow disposition requirements under part e.
- g Non-services and services case files, other than those described in other parts of this item, including programs such as Public Assistance and Care, Medical Assistance, Supplemental Nutrition Assistance Program (SNAP), Adult Services, and Aid to Dependent Children, where first entry is 1951 or later, and including but not limited to application for assistance or services, eligibility forms, authorization of assistance or services, and correspondence:
RETENTION: 6 years after case closed
NOTE: The United States Department of Agriculture (USDA), Food and Consumer Services (FCS), requires that certain case files involving Supplemental Nutrition Assistance Program (SNAP) be retained for a longer period of time than stated in part "g". If there has been an intentional program violation (IPV) disqualification, the case record must be retained for the life of the individual involved, or until FCS has notified the State Office of Temporary and Disability Assistance that the case record is no longer needed. For cases involving work requirement violations and permanent disqualifications, the case records must be retained for the life of the individual involved or until that individual attains age 60, whichever is shorter. For additional information, contact the Division of Temporary Assistance, New York State Office of Temporary and Disability Assistance, at (518) 474-9300.
- h Home Energy Assistance Program (HEAP) case files, including regular benefit, emergency benefit, and clean and tune benefit:

RETENTION: 6 program years, including the current program year

- i Home Energy Assistance Program (HEAP) case files, including Heating Equipment Repair and Replacement (HERR) and Cooling Assistance Component benefits:

RETENTION: 10 years

- j Adoption subsidy case record:

RETENTION: 10 years after child attains age 21

◆ 1135 CO2 618,

Denied or withdrawn application for assistance or services

or to adopt child or to offer foster care, excluding foster homes, including related records:

RETENTION: 6 years after the denial or withdrawal of the application

1136 CO2 619,

Register,

index or other record showing applications or requests for assistance or services or showing participation in program:

RETENTION: 6 years after last entry

1137 CO2 620,

Social services case transaction history or case activity control log

listing actions taken on case and dates, including public assistance, adult services, children's services, adoption case, and day care registration:

RETENTION: PERMANENT

◆ 1138

Application for foster home, including related records

- a Approved application and related records:

RETENTION: 6 years after termination or expiration of foster home certification or license

- b Denied, withdrawn, or expired application and related records:

RETENTION: 6 years after the denial, withdrawal or expiration of the application

1139 CO2 621,

Foster home case activity control log:

RETENTION: 6 years after termination of foster home certification or license

1140 CO2 622,

Record of assistance granted

- a When assets have been assigned:

RETENTION: 10 years after case closed

- b When there has been no assignment of assets:

RETENTION: 6 years after case closed

- 1141 CO2 623,
Asset assignment record:
RETENTION: 10 years after case closed
- 1142 CO2 624,
Asset register:
RETENTION: 6 years after last case closed
- 1143 CO2 625,
Property records,
including deed, mortgage, lien or estate records, and appraisal of fair market value:
RETENTION: 6 years after assets liquidated or recoupment is completed
- 1144 CO2 626,
Utilization review and long-term care placement records,
where county social services conducts review and placement functions:
RETENTION: 6 years
- 1145 CO2 627,
Payment roll, schedule or history:
RETENTION: 10 years after case closed
- 1146 CO2 982,
Copies of authorization for payment,
retained in accounting office, pursuant to 18NYCRR and Office of Temporary and
Disability Assistance (OTDA) policy:
RETENTION: 6 years
- ◆ 1147 CO2 628,
Medicare, Medicaid or insurance carrier claim records,
including but not limited to schedule of payments, copy of claim, listing of invalid or
rejected claims, vendor payment list, list of claims submitted for payment, and list of
checks received:
RETENTION: 10 years
- ◆ 1148 CO2 629,
Insurance and reimbursement related reports,
including Medicare or Medicaid cost report, certified uniform financial or statistical
report, and all necessary supporting documentation:
RETENTION: 10 years
- 1149 CO2 630,
Support collection accounting records
a Official record of account:
RETENTION: 6 years after case closed

- b Original entry and intermediary records, used in posting information to official account record:
RETENTION: 6 years
- c Fiscal and statistical reports relating to support collection:
RETENTION: 6 years

1150 CO2 631,**Support collection enforcement case records:**

RETENTION: 6 years after youngest child affected by order attains age 21

1151 CO2 632,**Master summary record**

(index or register) of support collection cases:

RETENTION: PERMANENT

1152 CO2 983,**Support collection case review and adjustment records:**

RETENTION: 6 years after youngest child affected by order attains age 21

1153 CO2 984,**Social services case management system reports,**

produced from manual or automated case management or other systems used to monitor and report on service and non-service cases, other than reports which are specific to individual cases or are covered by other items in this section

- a When needed for audit or other fiscal purposes:
RETENTION: 6 years
- b When not needed for audit or other fiscal purposes:
RETENTION: 0 after no longer needed

NOTE: Social services case management and related systems generate numerous daily, weekly, monthly, quarterly and other reports. Some of these reports are needed for six years for fiscal audit and related purposes. Other reports can be destroyed after shorter periods of time, such as after they are superseded by subsequent reports, after the preparation of related reports, after passage of specific time periods, or after they are no longer needed for administrative purposes. For further information on determining appropriate retention periods for specific reports, contact the New York State Office of Temporary and Disability Assistance and the New York State Office of Children and Family Services.

1154 CO2 633,**Cemetery records**

relating to alms house or county home, including but not limited to interment, exhumation or removal records; inscriptions from headstones; burial permits; and maps or surveys of grave locations:

RETENTION: PERMANENT

1155 CO2 634,

Register or equivalent summary record listing residents of county poor house or alms house:

RETENTION: PERMANENT

1156 CO2 985,

Adult home/adult care/adult shelter/family shelter facility records

- a Resident/participant records, including personal, financial and dietary planning records, and related records:

RETENTION: 3 years after death or discharge

- b Facility/program records, including records documenting the operation and maintenance of the facility; daily census reports; incident reports; business records; records relating to the application or renewal of the operating certificate; admission and discharge registers; program records including service procedures, activities schedules, agreements with external service providers, disaster and emergency plans, and records of evacuation drills; food service records including menus and food procedure records; records of the maintenance of the physical plant and environmental standards; staff records including personnel procedures, job descriptions, staffing schedules and payment records; certificates or reports issued by local and state jurisdictions related to facility operation; and related records:

RETENTION: 7 years after end of calendar year or 7 years after superseded or obsolete, whichever is longer

◆ **1157**

Child and adult day care providers review records,

including monthly, quarterly, and annual reports:

RETENTION: 6 years

1158 CO2 986,

Domestic violence liaison screening and case records

- a Screening forms completed by applicants/recipients of public assistance indicating presence of domestic violence and subsequent records assessing credibility of individual's assertion of domestic violence, records of services referrals, assessments for waivers of public assistance program requirements, and related records:

RETENTION: 6 years after completion of liaison's services to an individual

- b Screening forms indicating no presence of domestic violence:

RETENTION: 1 year

◆ **1159** CO2 987,

Domestic violence residential program records,

including case records, daily rosters, incident reports, disaster and emergency plans, and related records:

RETENTION: 6 years after termination of operation of the program

◆ 1160 CO2 988,

Domestic violence safe home network records,

including names and addresses of safe homes; lists of family/household members residing in safe homes; records of interviews with members of safe homes; information on orientation and training of safe home providers; description of safe home environments; lists of safe home rules; copies of agreements between safe home providers and the network concerning their respective responsibilities; copies of annual evaluations of safe homes; records of complaints and follow-up; records of fires, accidents and serious incidents in safe homes; and related records:

RETENTION: 6 years after termination of operation of the program

◆ 1161 CO2 989,

Domestic violence safe dwelling records,

including descriptions of physical plant; security plans; diagrams of rooms; locations of smoke detectors, fire extinguishers and telephones; lists of safe dwelling rules; records of fires and accidents; copies of annual reevaluations of safe dwellings; and related records:

RETENTION: 6 years after termination of operation of the program

1162 CO2 990,

Domestic violence nonresidential services records

- a Case records, including names of persons requesting services, reasons for requests, names of minor children and/or other family/household members receiving services, types of services provided, and related records:

RETENTION: 6 years after case closure

- b Daily logs showing number of telephone hotline calls and other telephone calls requesting information and/or referral:

RETENTION: 6 years

1163 CO2 607,

Rape crisis intervention records

- a Individual client consultation case record of rape crisis intervention program:

RETENTION: 6 years after last entry, or 3 years after any minor involved attains age 18, whichever is later

- b Master summary record (log or index) to client consultations or other activities:

RETENTION: PERMANENT

1164 CO2 1063,

Child fatality investigative reports and records

- a Record copy of report concerning the death of a child whose care and custody or guardianship have been transferred to an authorized agency or whose death has been reported to the State Central Register, received from the NYS Office of Children and Family Services or prepared by a local or regional fatality review team pursuant to Sections 20(5) and 422-b, Social Services Law:

RETENTION: PERMANENT

- b Non-record copies of child fatality investigative reports, which are provided to the county legislature and county executive:
RETENTION: 0 after no longer needed
- c Investigative records, when investigation into child's death is conducted by a local or regional fatality review team:
RETENTION: 10 years after completion of investigation and preparation of final report

◆ 1165

Fraud complaint and investigation file

- a For fraud case complaint records, when no action is taken:
RETENTION: 6 years after decision not to investigate
- b For fraud case complaint or investigation records, when additional action is taken:
RETENTION: 10 years after case closed

SOCIAL SERVICES (OTHER THAN COUNTY)

- 1166** MU1 577,
Overseers of the poor records,
including accounts, reports, claims, indentures and records of relief granted:
RETENTION: PERMANENT
- 1167** MU1 578,
Monthly or other periodic reports,
submitted by town or city welfare officer to local governing body or county social
services department:
RETENTION: PERMANENT
- 1168** MU1 579,
Municipal social services case record,
including but not limited to application for assistance or services, eligibility forms, case
history or equivalent narrative record, authorization of assistance or services, record of
assistance or services provided and correspondence
- a Where first entry dates from 1972 or earlier:
RETENTION: PERMANENT
 - b Where first entry is 1973 or later:
RETENTION: 6 years after case closed, but not until any minor involved attains
age 28
- 1169** MU1 846,
City veterans' relief records,
including but not limited to records of supplies or services provided veterans, home
relief order, payment vouchers and lists of supplies purchased from vendors:
RETENTION: PERMANENT

SOIL AND WATER CONSERVATION

NOTE: This does **not** cover records of the U.S.D.A. Natural Resources Conservation Service offices which are located in each county. Their records are federal records, and their retention is not governed by the State Archives.

◆ **NOTE:** Records documenting the establishment, change, or dissolution of agricultural district are covered by item no. 43 in General Administration section.

1009 CO2 635, MI1 515

Memorandum of understanding

between soil and water conservation district and state, federal or other agency, indicating services to be performed and work to be carried out:

RETENTION: PERMANENT

1010 CO2 636, MI1 516

Release or agreement

granted soil and water conservation district by landowner for drainage or irrigation purposes:

RETENTION: PERMANENT

1011 CO2 637, MI1 517

Cooperator's case file:

RETENTION: PERMANENT

NOTE: Municipal cooperators' case files involving discretionary planning review are covered by item no. 124 in the Building and Property Regulation section.

1012 CO2 638, MI1 518

Request for assistance or information, and response

provided by soil and water conservation district, when no agreement is entered into by the two parties:

RETENTION: 3 years

1013 CO2 639, MI1 519

Cooperator's individual account record

documenting payment for services:

RETENTION: 6 years after last entry

1014 CO2 640, MI1 520

Master summary record of all contacts

made by soil and water conservation district:

RETENTION: PERMANENT

- 1015** CO2 641, MI1 521
Individual contact record
(log or contact sheet) recording all contacts made by soil and water conservation district:
RETENTION: 2 years
- 1016** CO2 642, MI1 522
Geographic reference file
containing summary information on technical assistance and consultation provided in municipality or geographic area, and basic data on major soil and water conservation projects:
RETENTION: PERMANENT
- 1017** CO2 643, MI1 523
Soil group worksheet,
containing detailed breakdown of soil types and land uses for parcel of agricultural property, used in calculating agricultural assessment:
RETENTION: 1 year after superseded by updated worksheet
- 1018** CO2 644, MI1 524
Soil maps,
showing detailed breakdown of soil types and groups, including aerial photographs used in producing maps:
RETENTION: PERMANENT
- 1019** CO2 991, MI1 855
Copy of environmental impact statement (E.I.S.),
furnished soil and water conservation district for information and comments
- a When no comments are forwarded to lead agency:
RETENTION: 0 after no longer needed
 - b When comments are forwarded to lead agency:
RETENTION: 1 year
 - c Comments on E.I.S. furnished lead agency by district:
RETENTION: 6 years
- 1020** CO2 993, MI1 857
Soil test results for farmland soil sample,
including nutrient analysis and recommendations:
RETENTION: 3 years
- 1021** CO2 994, MI1 858
Watershed farmer's case file,
including but not limited to farm management assessment, environmental assessment, plan evaluation, whole farm plan and supporting data:
RETENTION: PERMANENT

TAXATION AND ASSESSMENT

Real Property Taxation/Assessment Systems

NOTE: Some local governments in the state use automated systems to keep track of various functions of their offices regarding taxation and assessment. These systems, which we are referring to generically as "Real Property Taxation/Assessment Systems," contain information in such areas as valuation, basic property information, comparable sales, grievances, and tax collection. In general, these systems do not replace existing hard copy-based systems, but do create some of the forms and other paper records in these files. In addition, these systems contain data files and other electronic records not found in manual systems. The items below are meant to cover not only electronic records contained in these automated systems, but also maps, reports and other system output maintained in both traditional hard copy and electronic format as well.

More importantly, these systems often contain summary information on specific parcels of real property, including improvements located on them. The taxation/assessment history data file, listed below, may contain retrospective information on ownership, sales, land use, property characteristics and structures for a single parcel of property over a period of time.

These systems include the Real Property System (RPS) developed by the New York State Office of Real Property Tax Services (ORPTS), as well as locally-developed and commercial off-the-shelf systems, some of which take the place of the RPS and others of which incorporate or utilize RPS system data. While the RPS software is developed by a state agency, system files which contain information entered by a local government are considered local government records.

1022 CO2 995, MU1 847,

Real property history data file contained in taxation/assessment data system, and related records, created for informational and reference purposes, containing summary and/or cumulative historical information on such areas as property ownership, sales, land use, property characteristics and structures:

RETENTION: 0 after no longer needed

NOTE: Counties and municipalities should consider permanent retention of these real property taxation/assessment history data files for all parcels of property. This information may be useful for long-range planning purposes, mass reappraisal, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed records maintained in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

1023 CO2 996, MU1 848,

Real property current data file contained in taxation/assessment data system

(either RPS or equivalent system),

and related records, containing current information on such areas as property ownership, sales, land use, property characteristics and structures:

RETENTION: 0 after no longer needed, but not less than 4 years

NOTE: Counties and municipalities should consider permanent retention of the basic data elements of these real property taxation/assessment systems for all parcels of property. These data elements may be outputted to electronic, paper, microfilm or other format, or may be transferred to an automated real property history data file (see item no. 1022). Contact the State Archives for additional advice. A series of interrelated and inseparable files currently contained in the RPS system hold both summary and detailed taxation/assessment data. This Schedule treats these files as one record.

1024 MU1 606, ED1 497, MI1 859

Master Summary record of real property transfers within area served by local government:

RETENTION: 0 after no longer needed, but not less than 6 years

NOTE: Appraise these records for historical significance. These records, compiled from real property transfer reports received from the county, may have continuing value for historical or other research. Contact the State Archives for additional advice.

1025 CO2 997, MU1 849,

Street address/parcel number authority data file,

used to supply this or other system with accurate, up-to-date information on real property tax parcel numbers, property owners' names and addresses, parcel sizes, E-911 or other street addresses, or to correlate multiple addressing and/or parcel numbering systems:

RETENTION: Maintain as updated data file as long as address and/or parcel numbering systems the file contains are in use, and as long as necessary to access records identified by previous address or numbering systems.

1026 CO2 998, MU1 850,

Final assessment roll sequential master backup file

(sometimes known as "taxable status" file), produced annually by RPS or equivalent system, containing assessment data submitted to the New York State Office of Real Property Tax Services:

RETENTION: 10 years after filing of related assessment roll

NOTE: This data may have secondary value beyond the purpose for which it is created, if it can serve as a "snapshot" of assessment data, and no other annual snapshot is created. This record may be valuable in place of or in conjunction with an automated real property history data file. Contact the State Archives for additional advice on the maintenance and uses of these records.

1027 CO2 999, MU1 851,

Lists, reports, studies, special projects and analyses

created from data contained in one or more data files in real property taxation/assessment system or subsystem

- a Final reports and studies resulting from analysis of system data, containing significant information on real property and structures located thereon, used for such purposes as long-range planning, reappraisal, or historical preservation:
RETENTION: PERMANENT
- b Background materials and supporting documentation:
RETENTION: 6 years after project completed, or after date of final entry in record
- c Preliminary reports and studies resulting from analysis of system data, containing routine information on real property and structures located thereon, or used to produce final reports and studies, as well as lists, logs or other internal information records:
RETENTION: 0 after no longer needed

Valuation and Assessment

1028 CO2 645, MU1 582,

Assessor's field data, including field book and automated field assessment data file, containing assessor's notes and computations used in determining property valuation:

RETENTION: 4 years after last entry

1029 CO2 646, MU1 583,

Property assessment record card

or equivalent master summary record of improvements and alterations to unit of real property, and resulting valuation and assessment:

RETENTION: PERMANENT

1030 CO2 1000, MU1 852,

Physical inventory and property description detailed data file,

used to produce property assessment record card or equivalent record, containing detailed property description (and sometimes related valuation) information, as well as photographic images and outline sketches of properties and structures located on them:

RETENTION: 0 after no longer needed, but not less than 4 years

NOTE: Counties and municipalities should consider permanent retention of these detailed property description data files for all parcels of property. This information may be very useful for community, urban planning and architectural history research. If this is not feasible, then the State Archives strongly recommends that the most important data elements be preserved either in the system or output to "history" files, reports or other system output. Images contained in the system may be particularly valuable for architectural, community and historical research. Contact the State Archives for additional advice on the creation and maintenance of these records.

1031 CO2 647, MU1 584,

Records used in determining property valuation,

including but not limited to property valuation detailed data file, used to conduct analyses and perform computations necessary for valuation or revaluation of property; detailed property description; file content sheet; inventory content sheet; comparative property valuations; comparative sales records and comparables and/or sales data file; standard valuation criteria data and copies of building and zoning records:

RETENTION: 4 years after superseded or obsolete

NOTE: If the file content sheet is merely used for posting information on assessment changes, it is covered by item no. 62 in the General Administration section.

1032 CO2 1001, MU1 853,

Mass reappraisal records

- a Final or justification reports or studies, created or received as part of mass appraisal process:

RETENTION: PERMANENT

- b Detailed data, cost tables, preliminary reports and computations created or received as part of mass appraisal process:

RETENTION: 4 years

1033 CO2 1002, MU1 854,

Questionnaires and data mailings sent to property owners,

used to update information and to verify assessment and property description information maintained by local government:

RETENTION: 1 year after any necessary changes are posted to official records

1034 CO2 648, MU1 585,

Railroad ceiling and special franchise assessment determination records

- a Annual certificate of state-determined ceiling or assessment:

RETENTION: PERMANENT

- b Railroad ceiling and special franchise assessment records, other than annual certificate, including but not limited to notice of tentative ceiling or assessment, and record of apportionment to districts:

RETENTION: 3 years

1035 CO2 649, MU1 586, ED1 283, MI1 525

Equalization rate records

- a Certificate of final equalization rate, as determined by New York State Office of Real Property Tax Services:

RETENTION: PERMANENT

- b Equalization rate determination records other than certificate of final rate, including but not limited to notice of tentative rate, data submitted and reports submitted to New York State Office of Real Property Tax Services:

RETENTION: 3 years

1036 CO2 650, MU1 587,

Tax maps,

including updates and revisions

- a Official copy of map created by or for county:
RETENTION: PERMANENT
- b Certification of proper maintenance of tax maps:
RETENTION: 2 years
- c Property index cards, supplemental data and background files, used in tax map preparation and maintenance:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Property index cards and related records may contain retrospective sales and other property history information, which may be very valuable if the same information is not contained in a real property history file.

1037 ED1 284, MI1 526

Copy of tax map

held by local government which does not conduct assessments, where official copy is held by county or municipality:

RETENTION: 0 after no longer needed

1038 CO2 651, MU1 588,

Tax assessment and approval records for state-owned lands subject to taxation, including certificate of approval from New York State Office of Real Property Tax Services, notice of determination, lists of taxable state land, working papers, correspondence, and reports:

RETENTION: 6 years

NOTE: Appraise these records for historical significance. Certain records describing state-owned property, determining the amount of tax payable and concerning specific uses of state lands which are a matter of public concern may merit permanent retention. Contact the State Archives for additional advice in this area.

1039 CO2 652, MU1 589,

Tax exemption or abatement file

covering veterans, aged, School Tax Relief Program (STAR), nonprofit organizations, new business, conservation easements, forest land, and other exemptions or abatements

- a Original detailed application and supporting documentation:
RETENTION: 6 years after expiration of exemption or abatement
- b Renewal applications, routine correspondence and memoranda (when original detailed application is maintained):
RETENTION: 6 years
- c Application denial records, including results of hearing:
RETENTION: 6 years after final determination
- d Forms used to report social security numbers/taxpayer identification numbers and not containing other substantive information, for use in income verification programs:

RETENTION: 0 after no longer needed

- e Records documenting exemptions under payments in lieu of taxes (PILOT):
RETENTION: 6 years

1040 CO2 653, MU1 590,

Assessment/tax grievance file,

including but not limited to application for re-evaluation, copy of advisory appraisal, petition, statement of complaint, copy of hearing results and correspondence:

RETENTION: 6 years after final determination

NOTE: Minutes of the Assessment Board of Review must be retained permanently. See item no. 47 in the General Administration section.

1041 CO2 1003, MU1 855, ED1 383,

Copies of tax grievance or judicial assessment review records

received by school districts, non-assessing villages and counties, including but not limited to copies of petition and notice filed pursuant to sections 708(3) and 730(8), Real Property Tax Law:

RETENTION: 1 year

NOTE: The receiving agency may wish to retain these records longer if the grievance or judicial assessment review may involve a substantial potential future tax refund.

1042 CO2 654, MU1 591,

Agricultural land assessment records,

including but not limited to application for agricultural value assessment and correspondence

- a For lands within agricultural district:

RETENTION: 6 years

- b For lands outside of agricultural district:

RETENTION: 20 years

1043 CO2 655, MU1 592,

Assessor's annual report,

created and filed pursuant to Part 8193-4, 20NYCRR:

RETENTION: 10 years

Assessment Roll/Tax Roll

1044 CO2 656, MU1 593, ED1 285, MI1 527

Working papers or other intermediary records

used in preparation of, or in posting changes to, assessment roll or tax roll, including but not limited to assessor's notes, Record of Taxable Status and automated data file:

RETENTION: 3 years after filing of roll

◆ 1045 CO2 657, ED1 286, MU1 594, MI1 528

Assessment and tax rolls

(including records relating to correction of errors on assessment and/or tax rolls)

- a Tentative assessment roll:
RETENTION: 5 years after filing
NOTE: Tentative rolls are maintained by cities, towns, assessing villages, and Tompkins and Nassau counties.
- b Final assessment roll:
RETENTION: 10 years after filing
NOTE: The official copy of the final assessment roll is filed with the county, with copies of the roll also filed with the constituent municipalities.
- c Copies of assessment rolls
RETENTION: 0 after no longer needed
NOTE: Copies of assessment rolls are maintained by counties which prepare them for towns, villages, and cities located within the county. Also includes copies of assessment rolls prepared by Westchester County cities and towns for the county.
- d Warrant copy of tax roll, including warrant or levy to collect taxes:
RETENTION: PERMANENT
NOTE: The official copy is often filed with the county. All towns turn over the warrant copy of tax roll to the county, except for Westchester County towns, and all school districts except for city school districts. Villages may turn over roll to county.
- e Non-warrant copy of tax roll prepared for internal administrative use when warrant copy is retained permanently:
RETENTION: 1 year after filing
- f Abstract of tax roll:
RETENTION: 0 after no longer needed
NOTE: An abstract is simply a summary record, with selected information from the tax roll, which may or may not be prepared. Appraise these records for potential long-term research value before destruction. Some abstracts may provide an overview of the taxation process that cannot be easily obtained from the tax rolls.
- g Non-warrant copy of tax roll prepared by the county and submitted to city or town showing county taxes:
RETENTION: 5 years
NOTE: When a county prepares its warrant for county taxes, it also prepares and send to each of the cities and towns a non-warrant copy of the city and town assessment roll showing county taxes for properties on those rolls. These non-warrant copies of city/town tax rolls, showing only county taxes and not city or town taxes, are used by the cities and towns to prepare their warrant rolls.

◆ 1046

Non-official copies of tentative and final assessment rolls,
maintained by non-assessing jurisdictions:

RETENTION: 1 year

Tax Collection

◆ 1047 CO2 658, MU1 595, ED1 287, MI1 529

Tax collection records

- a Tax collection data file, returned copy of tax bill, copy of tax bill sent by assessing entity, copy of receipt issued taxpayer, collector's daily accounts, receiving office tapes, records of overpayment, rebate or refund, record or notice of payment of post-due taxes, report on tax monies collected, request for extension of time to collect taxes, and similar records:

RETENTION: 6 years

NOTE: Documentation of payment of school taxes must be retained permanently as it may affect the title to real property. Usually this information will be found on the warrant tax roll (item no. 1045d, above). If the warrant copy of the tax roll does not contain this information, then copies of paid tax bills or equivalent records must be retained permanently to document this tax payment information.

- b Tax collection history data, containing summary tax collection history information, created from tax collection data file:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. This data may be useful for a number of years for convenience of reference, and may possibly have long-term historical value.

- c Documentation of regular updates or corrections made to tax collection

RETENTION: 6 years

- d Records requesting tax bills or statements be sent to third-party designees:

RETENTION: 6 years after request expires or is withdrawn

1048 CO2 659, MU1 596, ED1 288, MI1 530

Statement or list of unpaid taxes or taxes due,

or other lists, reports or studies relating to tax collection:

RETENTION: 6 years

1049 CO2 660, MU1 597, ED1 289, MI1 531

Tax escrow account records

- a Notification of creation, transfer or termination of escrow account, when original record is maintained by county:

RETENTION: 1 year after transfer or termination of account

- b Notification of creation, transfer or termination of escrow account, when original record is not maintained by county:

RETENTION: 6 years after transfer or termination of account

- c List of tax escrow accounts:

RETENTION: 1 year after superseded or obsolete

Tax Redemptions and Sales

1050 CO2 661, MU1 598,

Master summary record of real property tax lien sales:

RETENTION: PERMANENT

1051 CO2 662, MU1 599,

Real property tax lien sale records

- a Official copy of tax lien sale (or auction) list or catalog:
RETENTION: PERMANENT
- b Official copy of notice of sale and proof of publication:
RETENTION: PERMANENT
- c Letter notifying owner, mortgagee, lien-holder or any other "interested party" of the forthcoming sale and proof of personal delivery of letter of notification (by process server), or proof of delivery and receipt via certified or registered mail:
RETENTION: PERMANENT
- d Tax lien sale records, including but not limited to tax lien foreclosure and sale data file, copy of deed, bids, abstract of sale, memoranda and correspondence, documentation of regular updates or corrections made to tax lien data file, except letter of notification, proof of delivery and receipt of letter of notification, sale book and official copy of notice of sale, proof of publication, sale (or auction) catalog or list:
RETENTION: 6 years after sale

1052 CO2 663, MU1 600,

Master summary record

(register, log or index file) of real property tax lien redemptions and/or discharges:

RETENTION: PERMANENT

1053 CO2 664, MU1 601,

Real property tax lien redemption records,

including but not limited to notice of foreclosure, certificate of redemption, record of payment of tax and penalties, memoranda and correspondence, except master summary record:

RETENTION: 6 years after redemption or discharge of lien

NOTE: These records may have value in documenting title to real property. The State Archives suggests that these records be evaluated, in conjunction with the master summary record, above, before disposition takes place.

Miscellaneous

1054 CO2 665, MU1 602,

Real property transfer report,

including copy of deed, submitted to New York State Office of Real Property Tax Services (covers form RP-5217 or equivalent):

RETENTION: 6 years

1055 CO2 666, MU1 603, ED1 290, MI1 532

Informational listing or index

used in relation to taxation and assessment, including but not limited to lists of property owners, real estate transfers, address changes, exempt properties, filed grievances, tax redemptions, notice of bankruptcy or foreclosure proceeding (including from U.S. bankruptcy courts), and billing addresses:

RETENTION: 1 year after superseded or obsolete

1056 CO2 667, MU1 604, ED1 291, MI1 533

Records of apportionment of tax monies

a Annual certificate of apportionment sent to municipality or district:

RETENTION: PERMANENT

b Apportionment records, except annual certificates:

RETENTION: 6 years

1057 CO2 668, MU1 605, ED1 292, MI1 534

Tax search record,

including but not limited to record of searches conducted, abstract of search results, correspondence and memoranda:

RETENTION: 6 years

1058 CO2 669, MU1 607, ED1 293, MI1 535

Tax levy and tax rate determination records,

including computation of constitutional tax margin and statement filed with State Comptroller's Office:

RETENTION: 6 years

1059 ED1 498,

School property tax report card,

prepared for ensuing school year as part of the school budget process:

RETENTION: PERMANENT

TRANSPORTATION AND ENGINEERING

Airport

NOTE: Changes in recordation and recordkeeping requirements for airports are likely to occur during and after the time this Schedule is being finalized for publication. The State Archives will notify local governments which operate airports of any new state or federal records retention requirements. Conversely, these local governments should inform the State Archives when they become aware of any such requirements, or when any records not covered by this schedule are received or created.

1060 CO2 670, MU1 608, MI1 536

Operation certification records,

involving certification from the Federal Aviation Administration (FAA)

- a Operating certificate, application for certification and FAA inspection reports relating to certification, operational manual (including all updates):
RETENTION: PERMANENT
- b Security-related and other mandates and circulars received from the FAA, along with any related correspondence, dealing with significant issues:
RETENTION: PERMANENT
- c Security-related and other mandates and circulars received from the FAA, along with any related correspondence, not dealing with significant issues:
RETENTION: 1 year after superseded, obsolete or no longer needed

◆ **1061** CO2 671, MU1 609, MI1 537

Airport security and safety records

- a Security or safety inspection records, which contain non-routine information or indicate need for maintenance, repairs, or changes in airport operational policies:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Inspection records documenting serious problems or conditions may have historical value and may merit permanent retention. Contact the State Archives for additional advice.
- b Records of routine inspections performed at airport, where longer retention is not necessary for administrative, fiscal or legal reasons:
RETENTION: 1 year
- c Other security records, including but not limited to visitor's register, security officers' logs or reports, automated security system reports, false alarm reports, and records of security videotape review:
RETENTION: 3 years

NOTE: Record documenting potentially important incidents may warrant longer retention for legal reasons. Airport officials should carefully review these records before destroying them. Original records may need to be retained longer than 3 years even if posted to summary records. Contact the State Archives for additional advice.

- d Summary security records, including periodic reports:
RETENTION: 6 years
- e Security plan and registration record submitted to the New York State Department of Transportation under provisions of Section 14-m, Transportation Law:
RETENTION: 3 years

1062 CO2 672, MU1 610, MI1 538

Airport tenant legal and reference files

- a Contract negotiations, contracts, leases and significant correspondence:
RETENTION: 6 years after expiration, revocation or renewal
NOTE: Appraise these records for historical significance prior to disposition. These records may document the important roles these facilities play in the economic development of the community. In such cases, these records may have continuing value for historical or other research meriting their permanent retention. Contact the State Archives for additional advice.
- b Correspondence, including but not limited to complaints about tenants:
RETENTION: 6 years
- c Informational materials, including but not limited to lists of tenants' employees, sample of airline schedules, brochures and advertising materials:
RETENTION: 0 after obsolete
NOTE: For copies of actual airline schedules, see item no. 1065.
- d Airline employee security background check, security clearance, and identification records:
RETENTION: 6 years after employee no longer employed at airport

1063 CO2 673, MU1 611, MI1 539

Airport incident or accident reports

- a Incident data summary record recording incidents or accidents at airport:
RETENTION: 3 years after last entry
- b Incident or accident report and related records:
RETENTION: 3 years
NOTE: Appraise these records for historical significance prior to disposition. Records documenting serious incidents or accidents have historical value and may merit permanent retention. (For disaster files, see also item no. 146 in the Civil Defense/Disaster Preparedness section.) Contact the State Archives for additional advice.

1064 CO2 1004, MU1 901, MI1 860

Accreditation records for airport personnel,

accredited by American Association of Airports, Airports Council International, or other

organization

- a Accreditation records relating to individuals:
RETENTION: 6 years after termination of service
- b Other records, including lists of accredited individuals:
RETENTION: 0 after superseded or obsolete

1065 CO2 1005, MU1 902, MI1 861

Airline/airport schedule and usage records,

such as those received from airlines or the FAA, including monthly reports, passenger counts, cargo and load records

- a Summary records, and records containing information with fiscal or legal implications:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Summary records may have historical value in documenting airport activity and may merit permanent retention. Contact the State Archives for additional advice.
- b Routine records, not containing information with fiscal or legal implications:
RETENTION: 1 year
NOTE: Data and related records submitted to and received from the New York State Department of Transportation relative to financial assistance and grant applications is covered by item no. 55b in the General Administration section.

1066 CO2 1006, MU1 903, MI1 862

Fuel (jet fuel and service vehicle fuel), de-icer or other chemical storage and dispensing records

for airport

- a Consumption and dispensing records for fuel, oil, or similar products used by service vehicles, equipment or airplanes:
RETENTION: 6 years
NOTE: Appraise these records for historical significance prior to disposition. Summary records may have historical value in documenting the use of fuel and other chemicals at airports and may merit permanent retention. Contact the State Archives for additional advice.
- b Substance testing records:
RETENTION: 3 years
- c Approvals from the New York State Department of Environmental Conservation (or other agency) for storage and dispensing of fuel and other substances:
RETENTION: 7 years after expiration or termination of approval or denial of application
- d Records relating to non-significant leakage, spillage and runoff:
RETENTION: 6 years
- e Records relating to significant leakage, spillage and runoff, or any leakage from underground storage tanks:
RETENTION: PERMANENT

NOTE: For other petroleum bulk storage records, see item no. 823 in the Public Property and Equipment section.

- f Plans to control leakage, spillage, or runoff, or to deal with accidents and emergencies:

RETENTION: PERMANENT

Highway, Engineering, and Public Works

NOTE: Records relating to water, wastewater, and landfill projects may be found in the Environmental Health section. Records relating to publicly owned property and equipment may be found in the Public Property and Equipment section.

NOTE: Certain records found in this section may be needed for litigation involving personal injury incurred by minors. Where appropriate, these records should be retained for 3 years after the individual involved attains age 18, even if the specified retention period has expired.

- ◆ **1067** CO2 675, MU1 613, MI1 541

Highway or other transportation structure maintenance and repair records

covering routine maintenance and repair activities, tree cutting, and pavement marking:

RETENTION: 6 years

- 1068** CO2 676, MU1 614, MI1 542

Snow and ice removal records,

including log or report of weather conditions:

RETENTION: 6 years

- 1069** CO2 677, MU1 615, MI1 543

Highway or transportation structure history file

containing summary information on highways, roads, streets, bridges, elevated railways, overpasses, underpasses, culverts, and other structures, except records covering routine maintenance and repair activities

- a All records in file, except draft or intermediary records documenting other than significant changes and those closely duplicating other records in file:

RETENTION: PERMANENT

- b Draft or intermediary records documenting other than significant changes, or closely duplicating other records in file:

RETENTION: 0 after no longer needed

- ◆ **1070** CO2 678, MU1 616, MI1 544

Project file for capital transportation improvement

covering highways, roads, streets, bridges, other structures, parking lots and garages, and public transportation system improvements

- a Feasibility studies; successful bids; plans, specifications and designs; project

description; in-progress and completion photographs; inspection reports; environmental impact statement; annual project statement; fiscal and other final reports, and significant correspondence:

RETENTION: 6 years after highway or structure no longer exists or is abandoned

- b Supplementary documentation, including application for assistance, project budget, interim fiscal reports, claims, contracts, vouchers, work orders, memoranda, worksheets, routine correspondence and detailed construction specifications:

RETENTION: 6 years after last entry in project file or, if project involves bonds, 6 years after final bond redemption

- c Records related to New York State Department of Transportation-issued grants or the Consolidated Local Street and Highway Improvement (CHIPS) and Extreme Winter Recovery (EWR) programs, including but not limited to project certification, invoices, equipment usage statements, payroll records, curb ramp installation photos, proof of payment, and summary records:

RETENTION: 36 years after reimbursement from state

- d Unsuccessful bids:

RETENTION: 6 years after final payment under contract

- e All records, when project is proposed but not undertaken:

RETENTION: 6 years after last entry

NOTE: For additional plans, maps, designs, sketches, designs, architectural drawings and photographs of buildings and facilities, see item nos. 1072 and 1073.

1071 CO2 679, MU1 617, MI1 545

Master summary record

(index, log or register) of transportation improvement projects:

RETENTION: PERMANENT

1072 CO2 680, MU1 618, MI1 546

Official maps, plans, diagrams, drawings, photographs, surveys, engineering and survey notes, detailed specifications, profiles or cross-sections of highways, roads, streets, bridges, or other structures

including indices or finding aids, when not relating to specific project design files, covered by item no. 1073, immediately below

- a Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for significant highway or structure:

RETENTION: PERMANENT

- b Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for other than significant highway or structure:

RETENTION: 6 years after structure no longer exists

- c Other related non-graphic design file documents, including correspondence, cost estimates, reports, planning studies and other records:

RETENTION: 6 years after completion of project

NOTE: Some of these non-graphic documents may need to be retained for 6 years after the highway or structure no longer exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

- d Template or other similar automated framework or reference files used in conjunction with more specific automated design files:
RETENTION: Retain as long as the related specific automated design files are retained.
- e Index or similar record used to locate, identify and access plans, maps, designs, sketches, architectural drawings, photographs and other existing records:
RETENTION: Maintain as perpetual data file or other record, deleting information only relating to records that have been disposed of

1073 CO2 1007, MU1 904, MI1 863

Design file for capital transportation improvement project,

including plans, maps, designs, sketches, designs, architectural drawings, and photographs for highways and other transportation structures maintained by local government

- a Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for significant highway or structure:
RETENTION: PERMANENT
- b Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for other than significant highway or structure:
RETENTION: 6 years after highway or structure no longer exists
- c Detailed schematic drawings, not covered by parts "a" or "b," including detailed specifications not appearing on plans, maps, designs, sketches, and architectural drawings:
RETENTION: 6 years after highway or structure no longer exists
- d Other related non-graphic design file documents, including correspondence, cost estimates, reports, planning studies and other records:
RETENTION: 6 years after completion of project
NOTE: Some of these non-graphic documents may need to be retained for 6 years after the highway or structure no longer exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.
- e Template or other similar automated framework or reference files used in conjunction with more specific automated design files:
RETENTION: Retain as long as the related specific automated design files are retained.
- f Index or similar record used to locate, identify and access plans, maps, designs, sketches, architectural drawings, photographs and other existing records:
RETENTION: Maintain as perpetual data file or other record, deleting information only relating to records that have been disposed of

1074 CO2 1008, MU1 905, MI1 864

Highway, road, street or transportation structure management automated maintenance, repair and inspection system records,

also containing information such as on motor vehicle accidents, highway safety, highway-related permits, complaints and requests for service

NOTE: This does not apply to automated systems used by public transportation systems, see item no. 1093 in the Public Transportation subsection, below.

- a Detailed data file containing information such as on maintenance and repairs:
RETENTION: 0 after no longer needed
NOTE: Because of the amount of detailed data collected by such systems, such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements, unless official copies are maintained outside the system and are disposed consistent with item nos. 1067, 1068, 1079, 1081, 1082, 1083, and 1085 in this section. It is recommended that local officials store this data offline long enough to meet audit or any other requirements. Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.
- b Automated system operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:
RETENTION: 6 years
NOTE: Appraise these records for archival value. History files may contain valuable information to document highway, road, street or transportation structure management over a period of time. Contact the State Archives for additional advice in this area.
- c Logs, schedule, reports, and queries (including macros, queries and necessary documentation used in report and query generation), which contain information of legal or fiscal value:
RETENTION: 6 years
- d Logs, schedules, reports, and queries (including macros, queries and necessary documentation used in report and query generation), which do not contain information of legal or fiscal value, such as when no work is performed and no funds expended:
RETENTION: 0 after no longer needed
- e Geographic Information System (G.I.S.) street/road data file used as base maps for system operation, derived from official G.I.S. data maintained by other unit of local government:
RETENTION: 0 after no longer needed
NOTE: Appraise these records for archival value. If G.I.S. data layers contain "value added" information on highways, roads, streets and transportation structures not found in the source files from which they were created, they may have secondary uses. Contact the State Archives for additional advice in this area.
- f Copies of maps, plans, diagrams, drawings, photographs, surveys, engineering and survey notes, detailed specifications, profiles or cross-sections, where official

copies are maintained elsewhere, and are covered by item no. 1072, above:

RETENTION: 0 after no longer needed

1075 CO2 681, MU1 619, MI1 547

Right-of-way records,

including legal description of right-of-way, copies of deeds, maps and photographs:

RETENTION: PERMANENT

1076 CO2 682, MU1 620, MI1 548

Property acquisition records,

documenting acquisition of real property obtained through eminent domain proceedings for transportation-related project, including record of public hearing, findings and determination, appraisal information, copy of court proceedings and correspondence:

RETENTION: PERMANENT

1077 CO2 683, MU1 621, MI1 549

Recommendation

of Highway Superintendent or Commissioner of Public Works for expenditure of highway or road fund money:

RETENTION: 6 years

1078 CO2 684, MU1 622, MI1 550

Report or "inventory"

received from and submitted to New York State Department of Transportation on status, mileage, improvements, or other characteristics of highways and bridges:

RETENTION: 5 years

NOTE: Appraise these records for historical significance prior to disposition. These records may constitute a valuable summary listing of highways and structures. Contact the State Archives for additional advice.

1079 CO2 685, MU1 623, MI1 551

Complaint or request for service,

including notification (including communication log and telephone call log) of unsafe, dangerous or defective condition of highway, street, road, bridge, sidewalk, or other capital improvement, including but not limited to inspection report and record of abatement of condition

- a Summary record (such as log or register) of complaints or requests:
RETENTION: 6 years after disposition of all complaints, petitions or requests listed
- b Complaint or request for service, including follow-up records, where remedial action is taken:
RETENTION: 6 years after remedial action taken or condition otherwise abated, whichever occurs first
- c Complaint or request for service, including follow-up records, where no remedial action is taken:

RETENTION: 1 year

1080 CO2 686, MU1 624, MI1 552

Transportation- or engineering-related reports, studies or data queries,

including their supporting documentation, covering subjects such as traffic congestion studies, traffic safety studies, traffic sign or signal survey, speed limit change request, including but not limited to information gathering forms; copies of accident reports and court records; copies of maps, plans and surveys; and correspondence

- a Reports, studies or queries having legal or fiscal value:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Some of these reports and studies, including their detailed documentation, may contain significant information on such subjects as traffic congestion and traffic safety, and may reveal long-term trends and accident-prone areas and vehicles. Contact the State Archives for additional advice.

- b Reports, studies or queries having no legal or fiscal value, such as daily activity, individual "crew" or "shift" reports, "daily communications or other routine internal reports:

RETENTION: 0 after no longer needed

1081 CO2 687, MU1 625, MI1 553

Traffic sign or signal erection, relocation, or removal records

- a Records relating to individual or group of interconnected signs or signals, such as authorization for actions taken, photographs, copies of accident reports, copies of maps and surveys, sketches and diagrams, traffic surveys and correspondence:

RETENTION: 6 years after sign or signal replaced or no longer exists, whichever is shorter

- b Road sign or signal listing:

RETENTION: 0 after superseded or obsolete

- c Reports and other records of malfunctioning or missing sign or signal:

RETENTION: 1 year after sign or signal repaired, removed or replaced

1082 CO2 689, MU1 627, MI1 555

Copies of motor vehicle accident reports

received from law-enforcement or other government agency

- a Accident reports where design or maintenance of highway or structure is relevant to accident:

RETENTION: 6 years

- b Routine accident reports:

RETENTION: 1 year

1083 CO2 690, MU1 628, MI1 556

Highway related permit file

covering handling of oversized vehicles or equipment, or temporary barricading, obstruction, closing, excavation, construction or encroachment:

RETENTION: 6 years after expiration or denial of permit

1084 CO2 691, MU1 629, MI1 557

Public improvement permit file

covering construction work which improves facilities benefiting the public:

RETENTION: 6 years after expiration or denial of permit

NOTE: This does not apply to building permits or environmental health related permits. See the Building and Property Regulation and Environmental Health sections of this Schedule.

1085 CO2 692, MU1 630, MI1 558

Inspection records

for bridges, elevated railways and similar structures:

RETENTION: 6 years after structure no longer in use or inspected features have been replaced

1086 CO2 693, MU1 631, MI1 559

Intergovernmental agreements, contracts or orders

relative to highway maintenance, and sharing of equipment, materials or services:

RETENTION: 6 years after expiration

1087 CO2 694, MU1 632, MI1 560

Engineer's reference files,

usually arranged by topic, name or number of road, or name of municipality or other government agency:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. These records may contain valuable information on a variety of highway- and transportation-related subjects. Contact the State Archives for additional advice.

◆ **1088** CO2 695, MU1 633, MI1 561

Parking lot or garage usage records

a Summary record of usage:

RETENTION: 6 years

b Traffic counts, daily statistics, or similar records of original entry:

RETENTION: 6 years

c Tickets, copies or stubs of tickets:

RETENTION: 1 year

d Copies of permits, applications, and related records, including for handicapped parking:

RETENTION: 6 years after expiration of permit or denial of application

◆ **1089** CO2 696, MU1 634, MI1 562

Parking permit records,

including handicapped parking

- a Copies of permits, applications, and related records, when a fee is involved:
RETENTION: 6 years after expiration of permit or denial of application
- b Copies of permits, applications, and related records, when no fee is involved:
RETENTION: 1 year after expiration of permit or denial of application
- c Master listing of permits or designated parking spaces or other summary record:
RETENTION: 0 after obsolete or superseded

1090 CO2 697, MU1 906, MI1 865

Copies of highway, street, road or bridge records received from other governmental jurisdiction:

- a Where construction or maintenance of highway, street, road or bridge in question is responsibility of local government which receives the records, including instances where highways, streets or roads under separate jurisdictions abut:
RETENTION: 6 years after highway or structure no longer exists
- b Copies of records received for information purposes only:
RETENTION: 1 year

1091 CO2 1009, MU1 907, MI1 866

Child safety seat inspection records,

including but not limited to requests for inspection, inspection reports and log or schedule of inspections performed:

RETENTION: 3 years

NOTE: Some of these records may need to be retained longer for potential legal needs, in case inspected vehicles are involved in personal injury accidents. Consult counsel to determine which records, if any, may need to be retained longer to meet these needs.

Public Transportation System

1092 CO2 698, MU1 635, MI1 563

Map, plan, schedule, diagram or sketch

of entire system or specific branch or route providing information on stations, stops, dates of operation and times of arrival and departure

- a Final or "as built" copies of official maps, plans and designs showing system route and details of structures, along with draft or intermediary copies that document significant changes:
RETENTION: PERMANENT
- b Draft or intermediary copies of official maps, plans and designs showing system route and details of structures, that do not document significant changes:
RETENTION: 0 after no longer needed
- c Schedules and diagrams showing individual routes and route and time changes:
RETENTION: 1 year after superseded or obsolete
NOTE: Appraise these records for historical significance prior to disposition.

Records with historical value should be retained permanently. Local governments should consider permanent retention of samples only of schedules and diagrams covered by part "c" of the above item. Contact the State Archives for additional advice in this area.

1093 CO2 1010, MU1 908, MI1 867

Automated operational system

used to monitor and schedule operation of public transportation passenger vehicles (busses and subway vehicles), including Supply Control and Data Acquisition (SCADA) or equivalent system, used to monitor environmental conditions (temperature, humidity, air quality) in vehicles or various areas accessible to the public

NOTE: For reports and queries from system data, see item no. 1345. For alarm, problem and emergency records created from system data, see item no. 1346.

- a Detailed data file containing information such as on vehicle stops, usage, locations at specific times or intervals:

RETENTION: 0 after no longer needed

NOTE: Because of the amount of detailed data collected by such systems, such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements. It is recommended that public transportation systems store this data offline long enough to meet such requirements. Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.

- b System operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:

RETENTION: 6 years

NOTE: Appraise these records for archival value. History files may contain valuable information to document system operation over a period of time. Contact the State Archives for additional advice in this area.

- c Voice data maintained in or by automated system, including conversations between central operational unit and individual vehicle operators, and voice data used for annunciation on vehicles:

RETENTION: 0 after no longer needed

NOTE: Records custodians may wish to consult their attorney, counsel or law enforcement agency before these records are disposed of regarding any potential legal value. Recordings documenting serious incidents may warrant longer retention for legal reasons. These tapes should be retained until legal action is resolved, or the relevant specific communications should be transferred onto a separate tape. Contact the State Archives for additional advice.

1094 CO2 699, MU1 636, MI1 564

System operational records of original entry

created in non-automated system or used for data entry or verification, where significant information is data entered or posted to reports and other summary records (including but not limited to passenger counts, tickets, and stubs):

RETENTION: 0 after posted to summary record

1095 CO2 1011, MU1 909, MI1 868

Operational reports and queries for public transportation system,
including macros, queries and necessary documentation used in report and query generation

- a Reports and queries dealing with serious incidents or problems, or major issues with long-term implications:
RETENTION: PERMANENT
- b Reports on routine activities, which contain information of legal or fiscal value:
RETENTION: 6 years
- c Reports on routine activities, which do not contain information of legal or fiscal value:
RETENTION: 0 after no longer needed

1096 CO2 1012, MU1 910, MI1 869

Public transportation system alarm, problem and emergency records

- a Narrative records documenting serious problems or emergencies, including data necessary to support such records:
RETENTION: PERMANENT
- b Records documenting minor or routine alarms or problems, including detailed data generated by automated systems when certain parameters are exceeded:
RETENTION: 3 years
- c Contingency or similar plans to deal with emergency situations:
RETENTION: PERMANENT

1097 CO2 1013, MU1 856, MI1 870

Bus driver's daily work or tour of duty report,

reporting road failures and any defects noted, created pursuant to 17NYCRR Section 721.21 (b)

- a If report indicates no maintenance problems, or when no significant work is performed and no funds expended:
RETENTION: 6 months
- b If significant work is performed and funds are expended:
RETENTION: 6 years after vehicle no longer in use

1098 CO2 1014, MU1 911, MI1 871

Public transportation safety plan files,

covering plans submitted to New York State Department of Transportation pursuant to Part 975, 17NYCRR

- a Copy of plan, including all amendments:
RETENTION: PERMANENT
- b Background materials and supporting documentation:
RETENTION: 6 years

1099 CO2 700, MU1 637, MI1 565

Operational certification and review records

relating to approval and inspection by New York State Department of Transportation

- a Operations review records:
RETENTION: PERMANENT
- b Certificate of inspection and approval to operate:
RETENTION: 6 years after invalid
- c Copies of operational records received from private transportation companies serving local government under contract:
RETENTION: 0 after no longer needed
- d Data collected in preparation of annual fiscal and service data reports, including statistical sampling records:
RETENTION: 6 years after submission of related report

1100 CO2 1015, MU1 912, MI1 872

Special federal- or state-funded public transportation program records,

covering Special Transportation Services for the Transportation Disabled, special mobility improvement projects related to transportation enhancements within the Metropolitan Commuter Transportation District, and Rural Public Transportation Assistance Program

- a Service plans (including all amendments), final or annual reports, results of audits and reviews, and related policies and procedures, including eligibility requirements and documentation of provider or services coordinator selection:
RETENTION: PERMANENT
- b Background materials and supporting documentation:
RETENTION: 6 years

1101 CO2 1016, MU1 857, MI1 873

Commuter traffic reduction program records,

covering Employee Commute Option (ECO), Transportation Demand Management (TDM), or similar program records

- a Compliance plan (initial or consolidated), including but not limited to such records as worksite profile, survey results, average passenger occupancy (APO) calculations, forecasted participation, summary of trip reduction strategies, list of worksites and implementation schedule, and also covering revisions and updates, including records relating to agency review, approval, disapproval and appeal (copies maintained by local government acting as Local Administrative Agency):
RETENTION: 6 years after superseded or obsolete
NOTE: Appraise these records for archival value. These records may be useful in providing information on relieving traffic congestion problems in certain urban areas. Contact the State Archives for additional advice.
- b Compliance plan (initial or consolidated), including but not limited to such records as worksite profile, survey results, average passenger occupancy (APO) calculations, forecasted participation, summary of trip reduction strategies, list of

worksites and implementation schedule, and also covering revisions and updates (copy maintained by local government employer):

RETENTION: 3 years after superseded or obsolete

- c Bi-annual maintenance report (copy maintained by local government employer or local government acting as Local Administrative Agency):

RETENTION: 6 years

- d Information on potential participants, including list of applicants and individual employee surveys:

RETENTION: 3 years

1102 CO2 1017, MU1 913, MI1 874

Special public transportation related studies,

covering subjects such as commuter parking, car pooling, bicycle paths, bicycle lanes, and bus route changes

- a Final reports, including all attachments:

RETENTION: PERMANENT

- b Background materials and supporting documentation:

RETENTION: 6 years after completion of report or date of most recent entry in record

1103 CO2 1018, MU1 914, MI1 875

Special bus trip records

covering trips conducted outside normal public transportation schedule, such as "curb-to-curb" handicapped vehicle use; transportation provided by aging, youth, veterans' and other specialized services; and trips to special events; and including applications for service, lists of attendees, trip reports, and records of fees collected:

RETENTION: 6 years

1104 CO2 1019, MU1 915, MI1 876

Predecessor public transportation company records,

covering private bus companies, trolley, horse-car railroad, or turnpike companies, held by successor local government agency:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Some of these records will likely possess significant value for historical or other research and should be retained permanently. These records may contain valuable information which supplements records created by the local government itself, and may constitute some of very few existing records documenting these functions before the 1970s. Contact the State Archives for additional advice.

◆ **1105** CO2 1064, MI1 915

Annual affidavit of compliance

submitted to the New York State Department of Motor Vehicles certifying compliance with requirements for bus drivers as indicated in Article 19-A of Vehicle and Traffic Law, including accompanying annual statistical report on miles traveled by buses, driver

convictions and accidents, and related information:
RETENTION: 3 years after end of current year

Toll Bridge or Toll Road

1106 CO2 701, MU1 638, MI1 566
Copies of, applications for, or canceled or validated tickets or pass books:
RETENTION: 1 year

1107 CO2 702, MU1 639, MI1 567
Cumulative record or sale or issuance of toll books, tickets, or passes:
RETENTION: 6 years

1108 CO2 703, MU1 640, MI1 568
Traffic or usage counts
for toll bridge or toll road:
RETENTION: 6 years

1109 CO2 704, MU1 641, MI1 569
Operational log
for toll bridge or toll road:
RETENTION: 6 years after date of last entry

VETERANS' SERVICES

- ◆ **1110** CO2 707, MU1 858,
Client counseling file,
including but not limited to basic data form, interview and counseling records, copies of state and federal veterans' benefit forms, and records of referral to New York State Division of Veterans' Affairs:

RETENTION: 10 years after no activity and completion of the most recent counseling service

NOTE: A 1973 fire destroyed many records at the National Military Personnel Records Center. Local veterans service agencies may need to retain records predating 1973 in order to provide information contained in those records destroyed in that fire.
- 1111** CO2 708, MU1 859,
Log or register
showing summary information on all client contacts:
RETENTION: 6 years after last entry
- 1112** CO2 709, MU1 860,
Monthly statistical report
submitted to New York State Division of Veterans' Affairs:
RETENTION: 1 year

YOUTH SERVICES

1113 CO2 710, MU1 644,

Annual comprehensive plan and compliance report

relating to youth services, also includes detention care plan or report:

RETENTION: PERMANENT

1114 CO2 711, MU1 645,

Master summary record

(log or master index) of youths served by youth service program:

RETENTION: 15 years

1115 CO2 712, MU1 646,

Individual client consultation case file:

RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

1116 CO2 713, MU1 647,

Individual client employment placement records,

including but not limited to master index card, job order form, and periodic statistical report:

RETENTION: 3 years

1117 CO2 1020, MU1 916, ED1 468,

Youth court case files,

documenting the operation of youth courts, including but not limited to records of cases heard by the courts; forms signed by defendants, their guardians, and youth court staff; records concerning completion of sentence requirements, such as community service; and case notes of contacts made in reference to a defendant's case:

RETENTION: 6 years after case closed or 3 years after individual attains age 18, whichever is longer

ZOO

1118 CO2 714,

Accreditation and licensure records

required for zoo operation:

RETENTION: PERMANENT

1119 CO2 715,

Permits and licenses

required for such activities as specific loan, transfer, sale, transport, possession, breeding and salvage of animals

a State permit records:

RETENTION: 2 years after expiration of permit or denial of application

b Federal license and permit records:

RETENTION: 5 years after expiration of license or permit or denial of application

1120 CO2 716,

Individual animal history files,

containing information on background, breeding, medical history, maintenance and growth of animals, and reports received from Species360 (formerly International Species Information System (I.S.I.S.)):

RETENTION: PERMANENT

1121 CO2 717,

Detailed medical treatment records

for animals, where basic medical information is posted to individual animal history files:

RETENTION: 3 years after animal dies or is no longer in collection

1122 CO2 718,

Dietary records

covering food preparation and feeding of animals:

RETENTION: 1 year

SUBJECT INDEX

Note: Page numbers are in bold type, followed by item numbers in brackets.

- 1910, records predating, **xiv**
 4-H youth programs, **62** [246], **65** [259]
 503 report, **110** [449b]
 911 system. *See* E-911
- A**
- Absence reports. *See* Attendance
 Academic Intervention Services (AIS). *See*
 Supplemental education services
 Access to records. *See* Public access to records
 Accession records
 library, **154** [592]
 museum, **163** [627]
 ACCES-VR. *See* Adult Career and Continuing
 Education Services-Vocational Rehabilitation
 Accidents, illnesses, and injuries
 airports, **326** [1063]
 burns, **240** [1209]
 camps and campers, **263** [869]
 disasters, **37** [146]
 driving record, **249** [1244]
 emergency calls, **231** [1180]
 fires, **239** [1207a, 1208a]
 insurance reports, **150** [576]
 juvenile offenders, **243-244** [1222]
 logs, student, **273** [900]
 mines, **228** [851d]
 minors, **335** [1091]
 motor vehicles, **331-332** [1074], **333** [1082], **249**
 [1242-1244], **250** [1249]
 prisoners, **251** [1255]
 public employees, **176-177** [659-660]
 reports, **5** [24]
 residential programs, **309-310** [1159-1161]
 traffic safety, **333** [1080-1081]
 Accounting
 billing, **126** [514-515]
 cash transactions, **125** [506-508]
 court-controlled funds, **125** [511]
 credit cards, **127** [521]
 encumbrances, **125** [509]
 ledgers and journals, **124-125** [502-505]
 other post employment benefits, **131** [543]
 past due accounts, **125** [510]
 receipts and disbursements, **125-126** [512-513,
 519]
 registers, **124-125** [505]
 tax collection records, **322** [1047]
- Accreditation
 airports, **326-327** [1064]
 community college, **39** [150]
 public health facilities, **195** [715]
 public safety, **233** [1185]
 school district and BOCES, **267** [877]
 zoos, **343** [1118]
 Achievement tests. *See* Standardized tests
 Acquired immune deficiency syndrome. *See* HIV
 ADA. *See* Americans with Disabilities Act
 Adding machine tapes, **125** [508]
 camp food management, **263** [870]
 claims and warrants, **123-124** [500]
 Addresses. *See* Master Street Address Guide; Streets
 and addresses; Voter registration
 Adirondack Park Agency project reviews, **12** [56]
 Administrators, **118** [471]
 Adoption, **304-306** [1134-1135]
 medical records, **200** [743 Note]
 subsidy, **306** [1134]
 Adoption of schedule, **xi**
 Adult Career and Continuing Education Services-
 Vocational Rehabilitation (ACCES-VR), **82-83**
 [359]
 Adult education
 curriculum, **274-275** [905]
 student records, **288** [949]
 program, **276** [911]
 Advertisements
 airlines, **326** [1062c]
 food labeling, **59** [232]
 political, **86** [372]
 sale of property, **57** [225d], **215** [805]
 Affidavits
 building and code compliance, **26-27** [112]
 bus drivers, **339-340** [1105]
 disadvantaged-owned business, **2** [8]
 dog control, **77** [328]
 dog spaying and neutering, **77** [328]
 minority- and women-owned business, **2** [8]
 recreational permits, **260** [854]
 Affirmative action. *See* Equal employment
 After school activities. *See* Extra-curricular activities
 Agendas, **9-10** [48]. *See also specific subjects*
 Aging and senior services
 applications, **19** [85]
 bus transportation, **339** [1103]
 client files, **19** [85]
 community college enrollment, **19** [87]

- cooperative extension, **63** [251-252]
- logs, **19** [84]
- nutrition programs, **19** [86]
- planning records, **19** [83]
- volunteers, **19** [87]
- Agricultural districts, **9** [43], **64** [254]
- Agriculture. *See also* Cooperative Extension
 - animal disease testing, **93** [398]
 - dairy farms, **64** [256]
 - land assessment, **320** [1042]
 - land commitment, **76** [325]
 - soils, **314** [1017-1018, 1020]
 - vehicles and equipment safety training, **64-65** [258]
 - watershed, **314** [1021]
- Aid to Dependent Children, **305** [1134g]
- AIDS. *See* HIV
- Air contamination permits, **96** [409]
- Air quality monitoring, **96** [410]
 - radon testing, **97** [411]
- Airports, **325-328** [1060-1066]
 - accreditation, **326-327** [1064]
 - fuel and chemicals, **327-328** [1066]
 - incidents, **326** [1063]
 - operation certification, **325** [1060]
 - schedules, **327** [1065]
 - security and safety, **325-326** [1060-1061]
 - tenant files, **326** [1062]
- Alarms, **234** [1188]. *See also* False alarms
 - environmental facilities, **106** [438]
 - public safety, **234** [1188]
 - public transportation, **337** [1096]
- Alcohol and substance abuse
 - individual case record, **202** [753]
 - patient records, **202** [753]
 - prevention programs, **196** [721], **236-237** [1196]
 - testing, **42** [163], **178-179** [668-669], **188** [1123], **253** [1268]
- Alcohol use in instruction, **47** [190]
- Alcoholic beverage sales
 - law enforcement, **254** [1273]
 - licenses, **158** [609]
- ALI. *See* Automatic Location Information
- All points bulletins, **257** [1286]
- Alms houses, **308-309** [1154-1155]
- Alternative learning
 - curriculum, **274-275** [905]
 - program, **276** [911]
 - student records, **288** [949]
- Alumni
 - community college, **41** [157-158]
 - school district, **269** [885]
- Ambulances, emergency medical service, **237** [1198-1199]
- Americans with Disabilities Act (ADA) compliance, **225-226** [842-845]
- Anatomic part and tissue donation, non-transplant, **211-212** [795]
- ANI. *See* Automatic Number Information
- Animal control laws, violations, **78** [335]
- Animals. *See also* Zoos
 - bites, **92** [397c]
 - chattel mortgages, **2-3** [9], **68** [272]
 - cruelty, **78** [332]
 - dangerous, **78** [332]
 - dog damage claims, **78** [333]
 - farm animal diseases, **93** [398]
 - rabies, **78** [336], **92-93** [397]
 - register of brands, **72** [296]
 - shelters, **78** [334]
 - use in experiments and testing, **92** [396]
- Annual Professional Performance Review (APPR), **169-170** [636c], **171** [640], **180-181** [678-680], **267-269** [881-882], **270-271** [889], **275** [908], **276** [914]
- Annual reports, **16** [74]. *See also* Fiscal records; *specific subjects*
 - assessor, **320** [1043]
- Annulment records. *See* Marriage Records
- APBs. *See* All points bulletins
- APO. *See* Average passenger occupancy
- Application development. *See* Data processing
- Applications. *See also* Approvals; Certificates and certification; Licensing; Permits; *specific programs*.
 - absentee ballots, **84-85** [363c]
 - access to records, **191** [705-706]
 - aging or senior services, **19** [85]
 - airport certification, **325** [1060]
 - business loans, **160** [612-614]
 - camps, **262** [865]
 - civil service, **184** [693, 695]
 - community service projects, **57** [225f]
 - contracting trade licenses, **157** [605]
 - curriculum, **274-275** [905]
 - disadvantaged-owned business, **2** [8]
 - discretionary planning reviews, **32** [124]
 - economic development, **56-58** [221-226]
 - educational opportunity centers, **81** [348]
 - educational programs, **276** [911]
 - electric or gas supply system connection, **88** [376]
 - employment, **169** [636]
 - exclusion of self-liquidating indebtedness, **122** [488]
 - federal housing assistance, **56** [222]
 - foster care, **306** [1135]
 - grants, **12** [55a]
 - hazardous substances, **93-94** [402]
 - heritage areas, **136** [567]
 - housing rehabilitation, **57** [225c]
 - job training, **194** [712-714]
 - library cards, **154** [595]

- licenses. *See* Licensing
- minority- and women-owned business, **2** [8]
- parks, camps, and recreational programs, **260** [854], **261-262** [861]
- permits. *See* Certificates and certification; Licensing; Permits
- pesticide use, **224** [837]
- petroleum storage, **221** [823]
- poor person status, **24** [104]
- prison capacity changes, **252** [1264]
- private sewage disposal systems, **93-94** [402]
- private water supply, **93-94** [402]
- program admission, **286-288** [948]. *See also specific programs*
- public water supply systems, **104** [431]
- radio licenses, **221** [822]
- realty subdivisions, **93-94** [402]
- rental assistance, **58** [226]
- self-liquidating indebtedness, **122** [488]
- social services, **312** [1168]
- state aid funding, **123** [496]
- tax exemption, **161** [623]
- training courses, **18** [82]
- transportation project assistance, **328-329** [1070]
- urban cultural parks, **136** [567]
- veteran's benefits, **52** [206d]
- Appointment calendars, **12-13** [57]
- Appointments
- college counseling services, **43** [168]
 - election officials, **85** [365]
 - public health facilities, **195** [718]
- Apportionment
- mortgage taxes, **75** [316-319]
 - taxes, **324** [1056]
- APPR. *See* Annual Professional Performance Review
- Appraisal. *See also* Property acquisition; Real property
- eminent domain, **332** [1076]
 - estate settlement, **127** [522]
 - historical significance, **xix-xx**
 - insurance, **150** [576], **151** [583]
 - mortgage taxes, **75** [318]
 - property, **57** [225d], **215** [803], **317** [1027a], **332** [1076]
 - records, **20-21** [92]
 - social services assets, **307** [1143]
- Approvals. *See also* Applications; Certificates and certification; Licensing; Permits
- airport fuels and chemicals, **327-328** [1066]
 - budgetary changes, **122-123** [493]
 - college curriculum, **40** [153]
 - educational opportunity centers, **80** [339]
 - electric or gas supply system connection, **88** [376]
 - environmental facilities, **104** [431]
 - housing rehabilitation, **57** [225c]
 - juvenile detention facilities, **152** [585]
 - outside activities, **178** [667]
 - public transportation, **338-339** [1101]
 - radioactive materials, **206** [772]
 - real property acquisition, **215** [803]
 - secondary employment, **178** [667]
- Aquatic weed harvesting and control, **221-222** [824]
- Arbitration, employee grievances, **174** [651]
- Architectural drawings
- capital construction, **216-217** [807-808]
 - environmental facilities, **103** [430]
 - environmental restoration, **98-99** [417]
 - highways and bridges, **329** [1072a-b], **330** [1073]
- Archival records
- administrative, **20-21** [92]
 - definition, **xix**
 - finding aids, **21** [93]
- Archival research, **21** [94]
- Arrests and warrants, **243-244** [1222], **253** [1266]
- cumulative area information files, **245** [1227]
- Arson, **6** [26], **239-240** [1208], **243-244** [1222]. *See also* Fire fighting and prevention
- Artificial insemination, **211-212** [795]
- Asbestos, **222** [828]. *See also* Toxic substances
- Asbestos Hazardous Emergency Response Act, **222** [828]
- Asbestos school management plans, **222** [828], **223** [830]
- Assessment and valuation. *See* Valuation and assessment
- Assessors
- dog or rabies damage reports, **78** [333]
 - mortgage taxes appraisals, **75** [318]
 - tax roll, **320-321** [1044-1045]
- Assumed business names, **2** [6]
- Athletics
- community college, **41-43** [159-165]
 - K-12, **273** [899e], **292-293** [962, 964]
 - recreational programs, **261** [858]
- Attendance
- child day care, **4** [16]
 - civic center events, **260** [853]
 - educational opportunity centers, **81** [347, 349, 350]
 - employees, **129** [529], **170-171** [638]
 - parks and recreation, **260** [854]
 - public safety personnel, **234-235** [1189]
 - school districts, **4** [15]
 - students, **291** [959]
 - substance abuse training, **179** [671b]
- Attorney's records, **22-24** [95-104]. *See also specific subjects*
- Auctions, real property, **215** [805]
- Audio data
- emergency dispatch, **232** [1183]
 - environmental health, **106** [439]

public transportation, **336** [1093a]
 public water supply, **106** [439]
 voice conversations, **10-11** [51]
 wastewater disposal, **106** [439]

Audits, **119** [472-474]
 Americans with Disabilities Act compliance, **225**
 [843]
 computer audit trail files, **145** [1320]
 Cooperative Extension, **62** [242]
 data trail files, **145** [1320]
 dog licensing and validation, **77** [330]
 effect on retention, **xiii**
 energy consumption, **91** [390]
 environmental, **222** [825]
 financial audits, **119** [472-474]
 internal investigations, **5** [25]
 mortgage tax recording procedure, **74** [312]
 non-fiscal, **5** [25]
 payroll, **129** [525a]
 radiology program safety, **208** [777]
 weights and measures, **60** [234]

Automated program listing, **141-142** [1303]
 Automated systems. *See* Data processing;
 Geographic Information Systems (GIS); Student
 information systems
 Automatic Location Information, **229-230** [1175-
 1177]
 discrepancy reports, **230** [1175b]
 records, **230** [1177]
 Automatic Number Information, **230** [1177]
 Autopsies, **66-67** [264-266]
 Auxiliary organizations, **269** [883]
 Average Passenger Occupancy
 commuter traffic, **338-339** [1101a-b]
 Awards. *See* Gifts and bequests; Scholarships

B

Background checks, criminal, **254** [1271]
 Bail, **134** [561]
 Ballots, **84-85** [363]
 small business elections, **161** [621]
 Bank statements, **119-120** [475]
 Banking and investment, **119-121** [475-484]
 checking, **119-120** [475-478], **124-125** [505]
 deposit books and slips, **120** [480-482]
 direct deposit records, **131** [544]
 pre-consolidation, **266** [874]
 statements, **119-120** [475]
 warrants, **123** [499]
 Bankruptcy lists, **324** [1055]
 Basic Educational Data System (BEDS), **267** [878]
 Beaches. *See* Community sanitation; Pools and
 beaches
 Benchmark testing, automated systems, **142** [1305]

Benefits. *See* Insurance; Personnel
 Betting. *See* Off-track betting
 Bicycle helmet inspections, **254** [1272]
 Bicycle licensing and registration, **247** [1233]
 Bicycle paths, **339** [1102]
 Bids
 bonds and notes, **121** [485]
 canceled, **129** [529]
 capital construction, **33** [130], **215-216** [806]
 disadvantaged-owned business, **2** [8]
 environmental restoration, **98-99** [417]
 highways, roads, and bridges, **328-329** [1070]
 minority- and women-owned business, **2** [8]
 property acquisition and sale, **57** [225d-e]
 purchasing, **132** [547]
 Bill of lading, **132** [550]
 Bill of sale, property, **126** [515]
 Billing records, **126** [514]. *See also* Fiscal records;
specific subjects
 emergency medical reports, **238** [1203a]
 Bingo, licensing and inspection, **3** [11]
 Biological monitoring, toxic substances, **175** [654a]
 Biologics distribution and testing, **205** [767]
 Birth records
 held by health agency or facility, **208** [778]
 official, **xvi**
 out-of-state and unofficial, **1** [3]
 Blood testing
 lead poisoning, **209** [785]
 nutrition programs, **208** [781]
 Blotters
 fire fighting, **238** [1204]
 Board of Elections, **xvii**, **68** [270], **86** [373]
 Board of Fire Underwriters, **90** [387]
 Boards of Cooperative Educational Services. *See*
 BOCES
 Boats, police and fire vehicles. *See* Law enforcement
 BOCES. *See also specific programs and types of
 records*
 accreditation, **267** [877]
 budget, school district copy, **122** [489]
 curriculum, **274-275** [905]
 regional information center, **148** [1336]. *See also
 specific programs and types of records*
 registration, **267** [877]
 special education, **284** [940], **285** [942]
 student records, **286-288** [948]
 Bonds, notes and securities, **121-122** [485-488]
 bank records and reports, **121** [483-484]
 cancelled obligations, **xv**
 court funds reports, **133** [558]
 depository agreements, **120** [479]
 destruction, **121** [Note]
 lien bonds, **69** [278]
 proof of publication, **8** [36a]
 surety bonds, public officials, **176** [655]

- transportation company expired undertaking, **72** [294]
 - turnpike company, **72** [295]
 - Book selection, library materials, **155** [600]
 - Boot and tow records, **248** [1240]
 - Bridges. *See* Highways, bridges, and public works
 - Brucellosis tests, **93** [398]
 - Budgets, **122-123** [489-494, 1170]. *See also specific subjects*
 - capital construction, **215-216** [806]
 - district, **8** [40]
 - district organization, **266-267** [876]
 - public health, **196** [722]
 - school budget notices, **123** [1170]
 - Building/property history systems, **29-30** [105]
 - Buildings and Facilities. *See also* Construction; Housing; Public property
 - asbestos removal, **223** [830]
 - building condition surveys, **280** [929]
 - code complaints, **25** [108]
 - condemnation and demolition, **28** [115]
 - construction, **25** [108-109], **26-28** [111-116]
 - fire safety inspections, **25-26** [110]
 - historic preservation, **9** [44]
 - inspections, **25-26** [109-111], **29** [105]
 - inventories, **218** [814]
 - lead removal, **223** [830]
 - maintenance, **25** [109]
 - permit issuance data files, **27** [113]
 - permits, **26-27** [112], **29** [105]
 - plans, **26** [112 Note], **30-32** [118-124]
 - property purchase and resale, **57** [225e]
 - rehabilitation and reconstruction, **57** [225c], **223** [830]
 - safety inspections, **280** [929]
 - security, **218** [811], **226** [846]
 - use records, **218** [812]
 - Bulletins, **14-15** [68]. *See also specific subjects*
 - Burglar alarms. *See* Alarms
 - Bus routes. *See* Public transportation; School buses
 - Buses and bus drivers. *See also* Public transportation; School buses
 - field trips, **261** [859]
 - parks and recreation, **261** [860]
 - reports, **337** [1097]
 - school bus driver qualifications, **302** [1001]
 - Businesses, **72** [298]. *See also* Local development corporation
 - assumed business names, **2** [6]
 - consultation services, **160** [615-616]
 - consumer practices inspections, **59** [228]
 - disadvantaged-owned business, **2** [8]
 - economic development, **79** [337-338]
 - grants, awards, and gifts, **126-127** [520]
 - licenses and permits, **157** [606]
 - minority- and women-owned, **2** [8]
 - relocation, **57** [225b]
 - tax exemptions, **319-320** [1039]
 - By-laws
 - Cooperative Extension, **61** [237]
 - small businesses, **161** [620]
- ## C
- Cable television, public access, **15-16** [72]
 - CAD. *See* Computer-aided dispatch; *See* Computer-assisted design
 - Calendars, **12-13** [57], **14** [68], **118** [471]
 - Calibrations
 - alcohol and drug testing, **178** [668]
 - bulk milk and other volumetric measures, **60** [236]
 - radar, **249** [1241e]
 - radiologic equipment, **207** [775]
 - Call receipts, **232-233** [1184]
 - Campaign financing and expenditures, **86** [372]
 - Camps, **262** [864-872]. *See also* Pools and beaches; Recreational programs
 - enrollment, **260** [853]
 - facilities, **262** [864], **262-263** [866-867]
 - food management, **263** [870-871]
 - health and safety, **263** [868-869]
 - permits, **262** [865]
 - sanitation, **101-102** [424-427]
 - scholarships, **263-264** [872]
 - Canceled checks, **120** [476]
 - school districts, **4** [15b]
 - Cancellation register, bonds, **121** [486]
 - Cancelled obligations, **xv**. *See also* Bonds, notes and securities
 - Cancer studies, **209** [786]
 - Candidate designation and nomination, **86** [369]
 - Canvass records, civil service, **183-184** [692]
 - Capital construction, **215-217** [806-808]. *See also* Buildings and Facilities; Construction; Highways, bridges, and public works; Specifications parking lots and garages, **328-329** [1070] public property, **215-217** [806-808] transportation improvements, **328-329** [1070-1071], **330** [1073]
 - Capital facilities plan, **228** [852]
 - CAR. *See* Comprehensive assessment report (CAR)
 - Career development and occupational studies (CDOS) commencement credential, **286-287** [948a], **288-289** [951]
 - Cash bail records, **134** [561]
 - Cash transactions, **90** [384], **125** [506-508]
 - electric and gas utilities, **90** [384]
 - probationary restitution, **190** [1131]
 - reports, **133** [555]
 - Cashier's slips, **121** [485]

- Casualties. *See also* Accidents, illnesses, and injuries;
Incidents
fires, **239** [1208a]
- Catalogs
library, **155** [598]
museums, **163** [626]
park exhibits, **137** [570]
- CDOS commencement credential, **286-287** [948a],
288-289 [951]
- Cemeteries, **308** [1154]
bills of sale, **35** [133]
deeds, **35** [132, 134]
maps, **308** [1154]
permits, **35** [138]
social services, **308** [1154]
surveys, **308** [1154]
- Censorship
library materials, **155** [601]
prisons, **252** [1262]
- Census, **1** [1-2]
firefighters, **241** [1217]
mines, **228** [851f]
patients, **198** [733]
prisoners, **252** [1258]
school districts, **4** [15]
students with disabilities, **285** [944]
students, K-12, **290-291** [956]
- Certificates and certification. *See also* Approvals;
Licensing; Permits
acceptance of office, **86** [370]
adult care facilities, **309** [1156]
airport operation, **325** [1060]
animal damage claims, **78** [333]
apportionment, **4** [15], **324** [1056]
assumed business names, **2** [6]
Board of Fire Underwriters, **90** [387]
civil service eligibility, **183-184** [692]
commercial pesticides and herbicides applicator,
224 [836-837]
district laboratory supply stations, **205** [768]
election notices, **85** [366]
elections, counties, **68** [269-270]
emergency medical services, **237-238** [1200]
equalization rates, **318** [1035a]
excise, **3** [13]
firearms, nondestruction of or intent to destroy,
247-248 [1236]
housing rehabilitation, **57** [225c]
incorporation, **72** [298]
insurance, **28** [116a], **151** [582]
juvenile detention approvals, **152** [584]
landfill closures, **115** [464]
laws, **7** [30]
lifeguards, **179** [672]
military active service status, **158** [610]
missing or nonexistent records, **191** [706c]
municipal officials, **71** [290]
notary public, **7** [34]
occupancy, **26-27** [112], **29** [105]
payment of monies, **133-134** [559]
payroll submitted to civil service for, **182** [685]
petroleum storage, **221** [823]
population, **1** [2]
public health facilities, **195** [715]
public transportation, **338** [1099]
rabies protection, **92-93** [397]
railroad ceilings and special franchises, **318**
[1034]
realty subdivision approval, **94-95** [405]
Regents diplomas, **288-289** [951]
relief from disabilities, **189** [1125]
relocation completion, **57** [225b]
rental assistance, **58** [226]
residency, community college, **4-5** [19], **54**
[210]
safety training, **64-65** [258]
school district apportionment, **4** [15a]
Small Business Administration, **160** [617]
stock, **72** [298]
tax apportionment, **75** [319]
valuation, mortgage taxes, **75** [317]
vital records, **208** [778]
voting machines and elections, **85** [364]
weights and measures, **59** [230]
well drillers, **97-98** [413g]
- CETA. *See* Comprehensive Employment and
Training Act
- Change of address, voter registration, **86-87** [374]
Change orders, capital construction, **215-216** [806]
Chaperones, field trips, **261** [859]
Chargeback records, **132-133** [553]
Charitable donations, local development corporation,
161-162 [625]
- Charters
community college, **47** [193]
government bodies, **8** [41]
library, **154** [591]
- Charts and graphs
electric and gas utilities, **70** [281]
environmental conditions, **227-228** [850]
environmental facilities, **106** [438]
flowcharts, **141** [1301], **142** [1304]
noise level monitoring, **6** [28]
patient care, **200** [746]
pumpage, water flow, pressure, and chemicals,
105 [435]
water supply, **226-227** [849]
- Chattel mortgages, **2-3** [9], **68** [272]
- Checks, **120** [476-478]
canceled, **120** [476]
copies and check stub, **120** [478]
insurance, **150** [576]

- Medicare or Medicaid payments, **196** [724]
- payroll, **120** [476]
- pre-consolidation, **266** [874]
- registers, **124-125** [505]
- voided, **120** [476]
- Chemicals. *See also* Hazardous materials; Toxic substances
 - airports, **327-328** [1066]
 - hazardous materials information, **235-236** [1193]
 - levels in water and waste systems, **105** [434]
 - toxic substance inventories, **175** [654a]
 - water supply turbidity analyses, **107** [442]
- Child Victims Act, **6** [27], **243-244** [1222], **256** [1281]
- Children
 - child abuse, **6** [27], **256** [1281], **304-306** [1134]
 - child day care, **4** [16]
 - child fatality investigations, **310-311** [1164]
 - emergency calls, **231** [1179 Note, 1180 Note]
 - health records, **xiii-xv**
 - motor vehicle safety, **335** [1091]
 - nutrition, **271-272** [893-894]
 - out-patient records, **200** [745], **209** [782]
- Children with Special Health Care Needs Program, **197** [726]
- CHIPS. *See* Consolidated Local Street and Highway Improvement
- Circuits, network systems, **147** [1328-1329]
- City veterans' relief, **312** [1169]
- Civic centers, **260-262** [853-861]. *See also* Recreational programs
 - participation and attendance, **260** [853]
- Civil defense and disaster preparedness and response, **36-38** [139-149]
- Civil service. *See also* Personnel
 - appointment reviews, **185** [696]
 - approvals, **186** [699]
 - certification, **183-184** [692]
 - eligibility, **183-184** [692]
 - employees, **182-183** [686-688]
 - examinations, **184-185** [695-696]
 - hiring, **184** [693-694]
 - job classification, **183** [689]
 - Labor management meetings, **173** [648]
 - payroll report, **182** [685]
 - seniority list, **185** [697]
 - unions **59** [394], **269** [883]
 - vacancies, **183** [690-691]
- Civil Service Commission. *See* New York State Civil Service Commission
- Claims and warrants, **123-124** [495-501]
 - abstracts, **125-126** [513]
 - claims register, **124-125** [505]
 - insurance case records, **150** [576]
 - insurance, health and life, **172-173** [645]
 - notices, **22** [95], **123** [498]
 - unemployment insurance, **173** [646]
 - Volunteer Firefighters Benefit Law cases, **150** [577]
 - workers' compensation, **150** [577]
- Clean indoor air acts, violations, **95** [406]
- Clery Act, **242-243** [1221]
- Climate action plans, **99** [418]
- Clinical laboratory tests, **203-204** [758], **204** [761]
- Clinics. *See* Counseling services; Laboratory records; Medical records; Public health
- Clubs, enrollment and attendance, **260** [853]. *See also* Recreational Programs
- Clubs, parent-sponsored, **269** [883]. *See also* Recreational programs; Student organizations
- COBRA. *See* Consolidated Omnibus Budget Reconciliation Act
- Co-composting, **111** [452]
- Code enforcement, **28** [Note]
- Code of ethics, employee attestations, **178** [666]
- Code tables, **148** [1334]
- Codebooks, data processing, **141** [1302]
- Collection development
 - library materials, **155** [600]
 - museums, **163** [627]
- Combined Real Estate Transfer Tax Return, **76** [323]
- Commencement credentials, **286-287** [948a], **288-289** [951]
- Commencements
 - community college, **48** [197]
 - school district, **269** [884]
- Commissary records, prisoners, **251** [1252b]
- Commission of Correction
 - inspections, **251** [1256]
 - prison capacity determinations, **252** [1264]
 - substitute jail orders, **252-253** [1265]
- Commissioner of deeds, **7** [34]
- Commissioner of Education
 - appeals, **270-271** [889]
 - subversive activity reports, **182** [684]
- Commissioner of Elections, **68** [269]
- Commissioner of Public Works, transportation funding recommendations, **332** [1077]
- Commissioner's reports, school districts, **4** [15a]
- Committee on Open Government. *See* New York State Committee on Open Government
- Communicable disease, **201** [749]
 - public health incident files, **214** [802]
- Communications. *See also* Computer-aided dispatch; E-911; Integrated Justice Portal
 - emergency dispatch records, **232** [1182-1183]
 - highway and bridge conditions, **332-333** [1079]
 - Law enforcement, **242** [1221b]
 - logs, **13** [63]
- Communications groups, special franchises, **158** [608]
- Community colleges

- academic affairs, **39-40** [150-154], **41** [150-154]
 admissions, **51** [205]
 alumni, **41** [157-158]
 athletics, **41-43** [159-165]
 attendance, **47** [189], **51-52** [206]
 audits, degrees and grades, **54** [213]
 campus safety, **48-49** [198]
 commencements, **48** [197]
 continuing education, **52** [207]
 counseling services, **43** [166-171]
 course listings, **46** [183]
 curriculum, **39** [151-153]
 development, **44** [172]
 disabled students, **44** [173-174]
 discipline, student, **54** [214]
 establishment plan, **47** [193]
 examinations, **46** [188]
 financial aid, **44-45** [175-176], **128** [1172]
 fire safety, **45-46** [182], **47** [194]
 fiscal records, **45** [177-179]
 food management, **50** [201-202]
 gifts and prizes, **54** [212]
 grade books, **46** [185]
 housing, **45** [180-181]
 instruction, **46-47** [183-192]
 missing student notification policy and
 procedures, **48-49** [198]
 nursing education programs, **55** [220]
 placement, **43** [171]
 president's office, **51** [204]
 public information, **40** [154]
 radiation use, **50-51** [203]
 recruitment, **55** [216]
 research, **41** [150-154]
 schedules, **46** [187]
 student grievances, **54-55** [215]
 student listings, **4** [18]
 student organizations, **50** [200]
 student records, **51-55** [205-220]
 syllabus, **46** [184]
 Tuition Assistance Program (TAP) reports, **44-45**
 [176]
 Community development, **56-58** [221-226]
 Community history, **138** [572]
 Community outreach, **236-237** [1196]
 Community sanitation
 data files, **100-101** [421]
 facility information data files, **101** [424]
 permits, **101** [425]
 reports and inspections, **102** [426]
 violations, **102** [427]
 Community service, **9** [46], **57** [225f-g]
 youth, **342** [1117]
 Compensatory education. *See* Supplemental
 education services
 Complaints, **17** [77]
- airport tenants, **326** [1062]
 Americans with Disabilities Act, **225** [844]
 buildings, **25** [108-109], **27-28** [114]
 camp food service, **263** [871]
 citizen complaints, **17-18** [79]
 community relations, **139** [573-574]
 consumer protection, **59** [227, 229]
 corporal punishment, **267-268** [881]
 equal employment, **139** [573]
 food labeling and sanitation, **102-103** [429]
 fraud, **311** [1165]
 human rights, **139** [573]
 law enforcement, **243-244** [1222]
 legal, **22** [95]
 library materials, **155** [601]
 ombudsman, **17-18** [79]
 port facility, **187** [702]
 prisoners, **251** [1255]
 Rehabilitation Act of 1973, **225** [844]
 safe homes, **310** [1160]
 sanitary code, **95** [406]
 taxation, **320** [1040]
 tobacco sales, **213** [800f]
 traffic safety, **332-333** [1079]
 transportation structures, **332-333** [1079]
- Compliance**
 Americans with Disabilities Act (ADA), **225-226**
 [842-845]
 Family Educational Rights and Privacy Act of
 1974 (FERPA), **53-54** [209], **294-295** [972]
 Health Insurance Portability and Accountability
 Act (HIPAA) and the Health Information
 Technology for Economic and Clinical Health
 Act (HITECH), **203** [756]
 NYSAFE Act, **191-192** [707]
 Compliance plans, commuter traffic, **338** [1101]
 Comprehensive assessment report (CAR), **267-268**
 [881]
 Comprehensive district education plan, **268-269**
 [882]
 Comprehensive Employment and Training Act
 (CETA) programs, **194** [712-714]
 Comprehensive long-range plan for educational
 facilities, **228** [852]
 Comptroller. *See also* New York State Office of the
 State Comptroller
 debt-contracting power statement, **121** [487]
 financial audits, **119** [472a]
 self-liquidating indebtedness, **122** [488]
 Computer equipment, **142** [1307]
 technical support, **148-149** [1337-1339]
 Computer operations. *See also* Network services
 audit trail files, **145** [1320]
 benchmark testing, **142** [1305]
 computer usage, **144** [1313-1314]
 conversion plans, **142-143** [1308]

- data dictionaries and reports, **148** [1334-1335]
- disaster preparedness, **143** [1309]
- file destruction reports, **146** [1325]
- hardware documentation, **142** [1307]
- help desk logs, **149** [1338]
- input documents, **144** [1316]
- macros and startup files, **144-145** [1317]
- operating procedures, **142** [1306]
- output data and reports, **145-146** [1321-1322]
- print files, **145** [1319]
- program code, **141-142** [1303-1304]
- scheduling, **144** [1315]
- security, **143-144** [1310-1312]
- software acquisition and review, **149** [1339]
- support services, **148-149** [1337]
- system backup files, **143** [1310]
- tape library, **146** [1324, 1326]
- user access files, **143** [1311]
- valid transaction files, **145** [1318]
- Computer training centers. *See* Teacher resource and computer training centers
- Computer usage, **144** [1313-1314]
- Computer-aided dispatch
 - communications records, **232-233** [1182-1184]
 - emergency calls, **231** [1180]
 - geographic information system, **231-232** [1181]
 - hazardous materials, **235-236** [1193]
 - incident data, **231** [1179], **232-233** [1184]
 - involving minors, **231** [1179 Note, 1180 Note]
 - reports, **232-233** [1184]
 - standard operating procedures, **236** [1194]
 - supplemental information on persons and places, **229** [1174]
- Computer-assisted design, **216-217** [807-808], **329-330** [1072-1073]
- Conditional release, inmates, **190** [1133]
- Condominiums, mortgage tax credits, **74** [314]
- Confidential informants, **246** [1229]
- Confidential information, **256** [1282]
- Confidentiality, **xxiii**
- Conservation
 - museums, **163** [627]
 - soil and water districts, **313-314** [1009-1021]
 - tax exemptions, **319-320** [1039]
- Conservation Advisory Council, **116-117** [465-470]
- Consolidated Local Street and Highway Improvement (CHIPS), **328-329** [1070]
- Consolidated Omnibus Budget Reconciliation Act, **172-173** [645]
- Consolidation
 - fire districts **8** [40]
 - government entities **8** [41]
 - school districts, **266-267** [874, 876]
- Constitutional tax margin computations, **324** [1058]
- Construction
 - building / property history system reports and studies, **29** [107a]
 - capital construction, **215-217** [806-807]
 - disaster response, **37** [146]
 - environmental facilities, **103** [430]
 - highways and bridges, **333-334** [1083-1084]
 - historical preservation, **9** [44]
 - museum exhibits, **163** [626]
 - planning reviews, **31-32** [123]
 - power plants, **88** [377]
 - realty subdivisions, **94-95** [405]
 - utilities, **88** [377]
- Construction, **25-28** [108-117]
- Consumer protection, **59** [227-229]
- Consumer surveys, special franchises, **158** [608]
- Contingency plans, environmental facilities, **106** [438]
- Continuing education. *See* Teacher resource and computer training centers; Training
- Continuing Teacher and Leader Education, **18** [81]
- Contract negotiations
 - port facility, **187** [702a]
 - public employees, **173-174** [649]
- Contractors. *See also* Vendors
 - financial or political interest disclosures, **5** [21]
 - Labor Law reports, **226** [848]
- Contracts, **7** [32]
 - airport tenants, **326** [1062]
 - building loans, **71** [291]
 - capital construction, **215-216** [806]
 - educational opportunity centers, **80** [342]
 - environmental facilities, **103** [430]
 - environmental restoration, **98-99** [417]
 - Executive, Supervisor, Mayor, Superintendent, Administrator, Manager, County Sheriff, or Police Chief, **118** [471]
 - hazardous waste collection, **113** [455c]
 - highway, bridge, and road maintenance, **328-329** [1070], **334** [1086]
 - housing rehabilitation, **57** [225c]
 - purchasing, **132** [547]
 - recreational programs transportation, **261** [860]
 - vehicle towing, **250** [1247]
- Contributions, campaign, **86** [372]
- Controlled burns, **241** [1215]
- Controlled substances. *See also* Alcohol and substance abuse
 - storage and distribution, **211** [793-794]
- Conversion plans, computer operating systems, **142-143** [1308]
- Cooperative Extension. *See also* Agriculture
 - administrative, **61-62** [237-243]
 - aging and senior services, **63** [251-252]
 - agricultural districts, **64** [254]
 - dairy farm businesses, **64** [256]
 - farm animal disease testing, **63** [250]
 - food and nutrition, **62-63** [244-249]

- programs, **61-62** [241]
 - safety training, **64-65** [258]
 - soil testing, **64** [255]
 - surplus food distribution, **63-64** [253]
 - watershed farmers, **64** [257]
 - Copper. *See* Lead and copper
 - Copyright records, **15** [70]
 - Cornell University, **61** [237], **62** [242-243]
 - Coroner, **66-67** [260-268]
 - Corporal punishment reports, **267-268** [881]
 - Correctional facilities, **251-252** [1257]. *See also* Law enforcement; Public safety
 - administrative, **251-252** [1257-1258]
 - capacity change, **252** [1264]
 - census of prisoners, **252** [1258]
 - commissary, **251** [1252b]
 - conditional release, **190** [1133]
 - dietary services, **252** [1260]
 - facilities, **252** [1264]
 - health and sanitation, **252** [1261]
 - incidents, **251** [1255]
 - inmate work crews, **225** [841], **257** [1284]
 - inspections, **251** [1256]
 - mail review and censorship, **252** [1262]
 - prisoner data, **250-251** [1250-1252]
 - prisoner exercise, **252** [1263]
 - substitute jail order, **252-253** [1265]
 - supervision and visits, **251** [1253]
 - visitors, **252** [1259]
 - work assignments, **251** [1254]
 - youth detention, **342** [1113]
 - Corrective action plans and records - K-12 schools, **148** [1336], **267** [880], **276** [914], **279-280** [927]
 - Correspondence, **11-12** [53]. *See also specific subjects*
 - Counseling services
 - community college, **43** [166-171]
 - educational opportunity centers, **81** [349-350], **82** [358]
 - veterans' services, **341** [1110]
 - youth services, **342** [1115]
 - County board of elections, **xvii**, **68** [270], **84-85** [Note, 363], **86** [372, 373]
 - County clerk
 - building loan contracts, **71** [291]
 - businesses, **72** [298]
 - certificate of authority, **73** [304]
 - election records, **68** [269-271]
 - explosives licensing, **73** [301]
 - licenses, **73** [301], **158** [610]
 - liens, **2-3** [9], **68-71** [272-288]
 - military discharge papers, **72** [292]
 - mortgage taxes, **74-75** [309-319]
 - oath of office, **73** [305-306], **176** [657]
 - passports, **73** [302]
 - power of attorney, **73** [303]
 - real property, **75-76** [320-325]
 - register of slaves, **72** [297]
 - register of stallions and cattle, **72** [296]
 - separation, notice of, **73** [308]
 - transportation, **72** [294-295]
 - vacancy notices, **178** [664]
 - volunteer fire companies, **73** [300]
 - wills and deeds, **72** [299]
 - County Executive, **118** [471]
 - Court orders, **7** [30], **22** [95], **125** [511], **134** [561], **243** [1222] **256-257** [1283], **305** [1134f]
 - cash bail, **134** [561]
 - Sheriff's civil actions, **256-257** [1283]
 - Court records, **xv**
 - assignments, **23-24** [103]
 - fiscal reports, **133** [558]
 - probation, **188** [1123]
 - youth court, **342** [1117]
 - Court-controlled funds, **125** [511]
 - Credential files, medical professionals, **195** [717]
 - Credit cards, **127** [521]
 - Credit Line Mortgage Certificate, **76** [323]
 - Crime. *See* Law enforcement
 - Criminals and suspects, personal information, **245** [1225]
 - Crisis relocation, **36** [139]
 - Cross sections, highways and bridges, **329-330** [1072]
 - Cruelty to animals, **78** [332]
 - CTLE. *See* Continuing Teacher and Leader Education
 - Cultural parks, **136** [566]
 - Curriculum records - K-12, **274-275** [905], **298** [983]. *See also* Instruction; *specific programs*
 - Custody orders, **271** [890]
 - Cytogenetic referrals, **204** [760]
- ## D
- Damage claims, animals, **78** [333]
 - Dangerous animals, **7** [32]
 - Dangerous schools, **267** [880], **279-280** [927]
 - DASA. *See* Dignity for All Students Act
 - Data files. *See also* Computer operations; Data processing
 - buildings and property, **26** [111], **27** [113], **29** [105], **30** [119]
 - environmental health, **100-101** [421]
 - highways and bridges, **331-332** [1074]
 - laboratory tests, **203-204** [758]
 - public health patients, **199** [739]
 - public safety, **234-235** [1189-1190, 1192]
 - public transportation, **336** [1093], **337** [1095]
 - real property taxation, **315-317** [Note, 1022-1023, 1025-1027]

- security breach notifications, **147** [1333]
- solid waste disposal, **113-114** [456e]
- street names and addresses, **29** [106]
- tax assessment, **320** [1044]
- vehicle use, **219-220** [819]
- zoning, **32-33** [127]
- Data input and control, **144** [1316]
- Data processing. *See also* Computer operations; Data files; Network services
 - data administration, **148** [1334-1335]
 - dictionaries, **141** [1302], **148** [1334-1335]
 - general administration, **140** [1297-1299]
 - internet services, **149** [1340-1341]
 - network services, **146-147** [1327-1332]
 - security breach notifications, **147** [1333]
 - systems and application development, **140-142** [1300-1305]
 - user support, **148-149** [1337-1339]
- Data Protection Review Board (DPRB)
 - public health data, **198** [735]
- Database systems, social services, **308** [1153]
- Day care, adult, **309** [1157]
- Day care, child, **4** [16], **304-305** [1134c], **306** [1137], **309** [1157]
- DBA - Doing Business As. *See* Assumed business names
- DBE. *See* Disadvantaged-owned businesses
- Death records
 - held by health agency or facility, **208** [778]
 - official, **xvi**
 - out-of-state and unofficial, **1** [3]
- Debt-contracting power statement
 - bonds, **121** [487]
- DEC. *See* New York State Department of Environmental Conservation
- Declinations, voter registration, **86-87** [374]
- Deeds, **72** [299]
 - gifts and bequests, **9** [45]
 - real property, **324** [1054]
 - social services assets, **307** [1143]
- Defibrillator training, **280-281** [930]
- Demolition
 - disasters, **37** [146]
 - environmental restoration, **98-99** [417]
 - power plants, **88** [377]
 - urban renewal, **57** [225d]
 - utilities, **88** [377]
- Demolition disposal sites. *See* Solid waste management
- Demonstration projects, solid waste management, **114-115** [462]
- Dental records
 - clinics, **208** [780]
 - out-patients, **200** [745]
- Department of Agriculture and Markets. *See* New York State Department of Agriculture and Markets
- Department of Environmental Conservation. *See* New York State Department of Environmental Conservation
- Department of Health. *See* New York State Department of Health
- Department of Transportation. *See* New York State Department of Transportation
- Deposit books and slips, **120** [480-482]
- Depository agreements, **120** [479]
- Depreciation
 - life or mortality study - electric and gas utilities, **90** [385]
- Destruction of records, **20** [88]
 - parental requests, special education records, **20** [90]
- Detention facilities, juveniles, **152** [585]
- Detention notices - K-12 students, **293** [966]
- Developmental disabilities. *See* New York State Office for People with Developmental Disabilities
- Dietary services
 - juvenile detention facilities, **153** [590]
 - prisons, **252** [1260]
 - public health facilities, **197-198** [730]
- Dig Safely NY, **226** [847]
- Dignity for All Students Act (DASA), **279-280** [927]
- Diplomas, Regents high school and college entrance, **288-289** [951]
- Direct deposit records, **131** [544]
- Directories
 - alumni, **41** [158], **269** [885]
 - disadvantaged-owned business, **2** [8]
 - minority- and women-owned business, **2** [8]
- Disability assistance, **307** [1146]
- Disabled persons
 - assistance, **17-18** [79]
 - community college, **44** [173-174]
 - educational opportunity centers, **82-83** [359]
 - special bus transportation, **339** [1103]
 - transportation, **338** [1100]
- Disadvantaged-owned businesses (DBE), **2** [8]
- Disaster preparedness and response, **36-38** [139-149]. *See also* Emergencies; Incidents
 - adult care facilities, **309** [1156]
 - airports, **327-328** [1066]
 - dam safety, **36** [142]
 - data processing systems, **143** [1309]
 - death reports, **66** [263]
 - federal emergency management and disaster response grants, **37** [147]
 - fire safety, **240** [1212]
 - residential programs, **309** [1159]
 - schools, **278-279** [924-926]
 - supply and equipment distribution, **37** [146]
 - test evacuation and mock disaster response, **36** [140]
 - training, **36** [141]

- Discharge monitoring. *See* Solid waste management facilities; Wastewater treatment water supply, **100** [420f-g]
- Disciplinary records
employees, **170** [637]
students, **293** [966]
- Disclosures, financial, ethical, or political interest, **5** [21], **171** [639], **178** [667]
- Discovery records and exhibits, **23** [101]
- Discretionary planning reviews, **32** [124]
- Disease indexes. *See also* Communicable disease; specific types
public health, **198** [732]
- Dismissal notices, consumer practices, **59** [229]
- Dissolution
government bodies, **8** [41]
local development corporation, **161** [624]
school districts, **266-267** [874, 876]
- District Attorney, **xvii**
- Districts
establishment, change, and dissolution, **9** [43]
historic, **9** [44]
reference file, **8** [40]
- Division of Alcoholic Beverage Control. *See* New York State Division of Alcoholic Beverage Control
- Division of Human Rights. *See* New York State Division of Human Rights
- Division of Veterans' Affairs. *See* New York State Division of Veterans' Affairs
- Divorce records. *See also* Marriage Records
out-of-state and unofficial, **1** [3]
- Documentation
data processing, **141** [1302]
hardware, **142** [1307]
software development, **141** [1301]
software manuals, **233** [Note]
technical program, **142** [1304]
vehicle use data system, **219-220** [819]
- Dog identification and control, **77-78** [326-336]
dangerous animals, **78** [332-333]
- Domestic partnerships, **1** [4]
- Domestic violence, **253** [1267]
residential programs, **309** [1159]
safe homes, **310** [1160-1161]
screening and referrals, **309** [1158]
- Donations
community college, **44** [172]
employee leave, **129** [530]
gifts and bequests, **9** [45]
local government, **9** [45]
organ and tissue donation, **211-212** [795-796]
real property, **215** [803]
- DORIS. *See* New York City Department of Records and Information Services
- DPRB. *See* Data Protection Review Board
- Draft documents, **13** [62]
- Drainage districts, **9** [43]
- Drainage, soil conservation, **313** [1010]
- Drawings. *See also* Architectural drawings; Charts and graphs; Maps; Sketches; Specifications
highways and bridges, **331-332** [1074f]
port facility, **187** [700]
public health facilities, **197** [728]
public water supplies, **104** [431]
solid waste and wastewater systems, **104** [431]
- Drinking water. *See also* Private water supply; Public water supply
lead and copper content, **223** [831]
- Drivers' licenses, public employees, **178** [665]
- Drivers, tour of duty reports, **337** [1097]. *See also* Buses and bus drivers
- Driver-vehicle examinations, **250** [1248]
- Driving records, **249** [1244]
- Drugs and drug testing. *See* Alcohol and substance abuse; Controlled substances
- Dues collection, local development corporation, **161** [622]
- Duplicate records, **13** [58]. *See also specific subjects.*
- Dwellings. *See* Buildings
- ## E
- E-311 system, **230** [1176]
- E-911. *See also* Computer-aided dispatch; Emergencies
automatic number location, **229-230** [1175]
involving minors, **231** [1179 Note, 1180 Note]
non-emergency records, **230** [1176]
standard operating procedures, **236** [1194]
street addresses, **229** [1173]
system development, **230-231** [1178]
telephone utility addresses, **229-230** [1175]
- Early intervention program - infants and toddlers, **202** [755], **274** [904]
- Earnings credit records
public employees, **169** [636]
- Earnings record, **130** [534]
- Eat Smart New York (ESNY) and Supplemental Nutrition Assistance Program Education (SNAP-Ed), **62-63** [244-249]
- Echocardiograms, **200-201** [747]
- ECO. *See* Employee commute option
- Economic assessment, cultural parks, **136** [566]
- Economic development, **56-58** [221-226], **79** [337-338]
- Economic opportunity, **139** [573-575]
- Education Law, **169** [636]
- Educational opportunity centers
administrative, **80** [340-342]
admissions, **81** [348]
class information, **81** [347], **82** [355-356]

- counseling, **82** [351, 358]
 curriculum, **80** [344]
 disabled students, **82-83** [359]
 disciplinary records, **81** [349], **82** [352, 354]
 fiscal reports, **83** [360]
 programs and course offerings, **80-81** [339, 343-347]
 radiation use, **83** [361]
 student information, **81** [349-355], **82** [357], **152** [586]
- EFNEP. *See* Expanded Food and Nutrition Education Program
- EIS. *See* Environmental impact statements
- EKG and EEG tracings, **200-201** [747]
- Elections, **68** [269-271]
 campaign finance, **86** [372]
 candidate designation and nomination, **86** [369]
 Cooperative Extension, **61** [239]
 certificate of acceptance of office, **86** [370]
 referendums, **85** [367]
 small businesses, **161** [621]
 voter registration, **84** [362]
 voting records, **84-85** [363]
- Electric and gas utilities, **88-90** [375-389]. *See also* Energy
- Energy
 Board of Fire Underwriters' certificate, **90** [387]
 cash transaction record, **90** [384]
 charts and graphs, **89** [381]
 construction, demolition, and retirement, **88** [377]
 dam safety, **36** [142]
 electric or gas supply system connection, **88** [376]
 ledgers, **89** [380, 383]
 life or mortality study, **90** [385]
 meters, **90** [387-389]
 municipal lighting, **89** [381]
 permits, **88** [375]
 power generation reports, **88** [378a]
 service interruptions and repair, **88** [378c], **90** [386]
 station and system components, **89** [379]
 utility company petition, **101** [423]
- Electric substations, transformers, power poles, **89** [379]
- Electronic data processing. *See* Data processing
- Electronic records, **xviii**. *See also* Data files; *specific subjects*
- Eligible lists, **183-184** [692]
- Email, **xviii**
- Emergencies. *See also* Computer-aided dispatch; Disaster preparedness and response; E-911; Fire fighting and prevention
 airport fuels and chemicals, **327-328** [1066]
 dam safety, **36** [142]
 environmental facilities, **106** [438]
 federal emergency management and disaster response grants, **37** [147]
 food storage, **37** [144]
 fuel allocation, **37** [145]
 involving minors, **231** [1179 Note, 1180 Note]
 personnel training, **233-234** [1187]
 pesticide use, **96** [408d]
 public transportation, **337** [1096]
 public water supplies, **109** [446]
 solid waste management facilities, **112** [454]
 supply and equipment distribution, **37** [146]
 test evacuation and mock disaster response, **36** [140]
 wastewater treatment, **110-111** [449]
- Emergency dispatch. *See* Computer-Aided Dispatch
- Emergency medical services, **237-238** [1198-1203]. *See also* Public Safety
 accreditation, **233** [1185]
- Emergency operating centers, **37** [148]
- Emergency rooms, original entry records, **200** [746]
- Emergency vehicles and equipment, **233** [1186]
- Eminent domain
 property acquisition, **57** [225d]
 transportation, **332** [1076]
- Emissions monitoring, **97** [412]
- Employee Commute Option, **338** [1101]
- Employee unions, **269** [883]
- Employees. *See also* Civil service; Comprehensive Employment and Training Act; Equal Employment; Payroll; Personnel; Teachers; Training
 absences and accruals, **129** [529], **170-171** [638]
 applications for training, **18** [82]
 assistance program, **215-216** [806]
 attestations, **178** [666]
 Cooperative Extension, **61** [239]
 credentials, medical professionals, **195** [717]
 earnings (in-service) credit, **169** [636], **298** [984-985]
 ethics, **178** [667]
 garnishments of salary, **129-130** [531]
 individual earnings records, **130** [534]
 injury and illness record, **176-177** [659-660]
 mentor teacher internship plan, **181** [681-682]
 mines, **228** [851f]
 orders of protection, **8** [37]
 personal earnings records, **130** [534]
 professional development plan, **180-181** [678]
 professional performance review, **169-170** [636c], **171** [640], **180-181** [678-680], **267-269** [881-882], **270-271** [889], **275** [908], **276** [914]
 subversive activity reports, **182** [684]
 tuition reimbursement, **127** [523]
- Employment. *See also* Comprehensive Employment and Training Act; Personnel; Youth employment programs
 civil service, **184** [693-694]
- Employment Eligibility Verification Form I-9, **169** [636], **179-180** [673], **184** [693]

- Employment placement records, youth services, **342** [1116]
- Encumbrances
 notices, **125** [509]
 registers, **124-125** [505]
- Endowments, **9** [45]
- Energy, **91** [390-395]
 audits, **91** [390]
 consumption, **91** [390], **227-228** [850]
 efficiency testing, **91** [391]
- Engineer's files. *See also* Construction; Specifications
 highways and bridges, **334** [1087]
- Enrollment. *See also* Community colleges
 aging or senior services, **19** [87]
 Cooperative Extension, **61** [238]
 county board of elections, **86** [373]
 educational opportunity center, **80** [341]
 library programs, **155-156** [603]
 parks, camps, civic centers, clubs, and
 recreational facilities, **260** [853]
 training courses, **18** [81-82]
- Entertainment events permits, **157** [606]
- Enumerator's lists, dog owners, **77** [326]
- Environmental assessment
 public facilities, **227-228** [850]
 public transportation, **336** [1093]
 watershed farms, **314** [1021]
- Environmental Conservation Law, **95-96** [408], **98** [414-415], **99** [419]
- Environmental data, power generating facilities, **3** [14]
- Environmental disturbances, **93** [399]
- Environmental facilities
 alarms, problems, and emergencies, **106** [438]
 automated operating systems, **104-105** [433]
 capital construction, **103** [430]
 charts and graphs, **105** [435]
 inspections and maintenance, **104** [432]
 monitoring, **110-111** [449]
 operator qualifications, **105** [436]
 permits, **104** [431]
 reports and studies, **99-100** [420]
 sensor data, **104** [433a]
- Environmental health. *See also* Public water supply;
 Solid waste management
 audio data, **106** [439]
 audits, **222** [825]
 climate action plans, **99** [418]
 data files, **100-101** [421-422]
 laboratory testing, **203-204** [758c], **204** [761a],
206 [771]
 property acquisition, **93** [401]
 realty subdivisions, **94-95** [405]
 trailer parks and mobile homes, **157-158** [607]
 utility company petition, **101** [423]
- Environmental impact statements, **116** [466]
 capital construction, **215-216** [806]
 conservation districts, **314** [1019]
 environmental facilities, **103** [430]
 environmental restoration, **98-99** [417]
 highway improvement, **328-329** [1070a]
 mines, **228** [851]
- Environmental impact studies, **31-32** [123-124]
- Environmental management, **116-117** [465-470]
 spills, **93-94** [402-403]
- Environmental Protection Agency reports, **107** [441],
110 [449b]
- Environmental restoration, **98-99** [417]
- EPA. *See* Environmental Protection Agency
- Equal employment, **172** [643]
 complaints, **139** [573]
- Equalization rate records, **318** [1035]
- Equipment and maintenance
 disabled students, **44** [173]
 emergency equipment, **233** [1186]
 fire-fighting, **239** [1207a]
 laboratory, **204** [762]
- E-Rate (Universal Service Schools and Libraries
 Program), **127** [1171]
- Escort service, law enforcement, **253-254** [1269]
- Escrow accounts, **322-323** [1049]
- ESNY. *See* Eat Smart New York (ESNY) and
 Supplemental Nutrition Assistance Program
 Education (SNAP-Ed)
- Estates
 fiscal records, **127** [522]
 gifts and bequests, **9** [45]
- Estoppel, proof of publication of notice, **121** [485]
- Ethics
 employee, **178** [667]
- Ethnicity. *See also* Human rights
 community college, **49-50** [199]
 educational opportunity centers, **80** [341]
 ethnicity and race questionnaire, student, **267**
 [879]
- Evacuation
 adult care facilities, **309** [1156]
 fire safety, **240** [1212]
- Evidence log, **23** [99]
- EW. *See* Extreme Winter Recovery
- Examinations (tests), **275** [907-908]. *See also* Civil
 service; Standardized tests; Students; *specific*
programs
 civil service, **184-185** [695-696]
 community college, **46** [188]
 educational opportunity centers, **81** [349b], **82**
 [357]
 K-12 student, **275** [907-908], **286-288** [948-949],
289 [952]
 Regents, **166** [633], **244-245** [1224], **276** [912-
 913], **306** [1137]
- Excavation

highways, **333-334** [1083]
 underground facilities, **226** [847]
 Excise certificates, **3** [13]
 Executive's office, **118** [471]
 Exemptions
 hazardous materials, **235-236** [1193]
 mortgage taxes, **74** [314]
 tax assessment, **319-320** [1039]
 Exercise periods, prisons, **252** [1263]
 Exhibits
 cultural parks, **136** [566], **137** [570]
 heritage areas, **137** [570]
 library, **155-156** [603]
 museums, **163** [626]
 Exhumation, **308** [1154]
 Experiments, animal use, **92** [396]
 Explosives
 licenses, **73** [301]
 permits, **157** [606]
 Extra-curricular activities - K-12 students
 athletics, **292-293** [962, 964]
 field trips, **303** [1007]
 parent sponsored, **269** [883]
 student organizations, **292** [961], **293** [963-964]
 Extreme Winter Recovery (EWR), **328-329** [1070]

F

FAA. *See* Federal Aviation Administration
 Facilities. *See* Buildings and Facilities; Maintenance and repair; Public property
 Facility report card, **222** [827]
 Fallout shelters, **37-38** [148 Note, 149]
 False alarms, **234** [1188c]
 airport security, **325-326** [1061c]
 fires, **239** [1207b]
 security, **218** [811]
 False Claims Law, **119** [Note]
 Family Educational Rights and Privacy Act (FERPA), **53** [209], **294-295** [972]
 Family literacy programs, **270** [887]
 Family Medical Leave Act (FMLA), **172** [644]
 Family planning, out-patient records, **200** [745]
 Farms. *See* Agriculture
 FCC. *See* Federal Communications Commission
 Feasibility studies, **98-99** [417]
 businesses, **160** [612-614]
 capital construction, **103** [430a], **215-216** [806]
 E-911, **230** [1178a]
 economic development, **79** [337-338]
 hazardous waste disposal, **112-113** [455]
 highways, roads, and bridges, **328-329** [1070a]
 public health facilities, **197** [728]
 visitor centers, **136** [566]
 Federal aid, **123** [496]
 Federal assistance
 housing and urban development, **56** [222]
 special education, **284** [939]
 Federal Aviation Administration (FAA) certification and inspection, **325** [1060]
 schedules, **327** [1065]
 Federal Communications Commission (FCC)
 licensing, **221** [822]
 Federal Emergency Management Agency
 federal emergency management and disaster response grants, **37** [147]
 Federal Housing Administration
 community development, **57** [225e]
 foreclosures, property purchase, and resale, **57** [225e]
 Federal projects, planning records, **32** [124]
 Federal revenue sharing, **123** [496]
 Federal surplus property acquisition, **36-37** [143]
 Felonies, **243** [1222a-c]
 FEMA. *See* Federal Emergency Management Agency
 FERPA. *See* Family Educational Rights and Privacy Act
 Fetal deaths, **208** [778 Note]
 FHA. *See* Federal Housing Administration
 Field books, tax assessor, **317** [1028]
 Field trips
 K-12 schools, **303** [1007]
 recreational programs, **261** [859]
 Films, medical records, **200-201** [747]
 Financial aid
 community college, **44-45** [175-176], **128** [1172]
 K-12, **128** [1172]
 Financial disclosures, public employees, **171** [639]
 Finding aids, **21** [93]
 Fines. *See* Violations
 Fingerprints, **244-245** [1224], **246-247** [1231]
 Fire alarms, **234** [1188]
 Fire calls, **231** [1180]
 Fire districts
 payroll, **129** [524f]
 reference files, **8** [40]
 Fire fighting and prevention, **218** [813], **240** [1212].
See also Public safety
 accreditation, **233** [1185]
 burn injury reports, **240** [1209]
 controlled burns, **241** [1215]
 fire safety, **240** [1211-1212]
 firefighters, **241-242** [1216-1219]
 fund-raising, **240** [1214]
 hydrants, **240** [1213]
 incidents and response, **238-239** [1204-1207]
 inspections, **25-26** [110], **29** [105], **47** [194], **240** [1211]
 investigations, **239-240** [1208]
 mutual aid, **240** [1210]

- public buildings, **218** [813]
- safe homes, **190** [1131]
- training, **233-234** [1187]
- watercraft. *See* Law enforcement
- Fire pump chlorinators
 - permits, **97** [413e-f], **106-107** [440c-d]
 - testing records, **108** [443 a-b]
- Firearms, **243-244** [1222-1223]
 - disposition, **247-248** [1236]
 - gun dealers transaction book, **257** [1285]
 - law enforcement personnel, **248** [1237-1238]
 - law enforcement property records, **246** [1230]
 - licensing, **247** [1234]
 - missing or stolen, **248** [1239]
 - safety training, **64-65** [258]
 - sales, **247** [1235]
- Firemen's Retirement System
 - payroll reports, **130** [538]
- Firewall logs, **143-144** [1312]
- Fiscal records. *See also* Accounting; Audits; Banking and investment; Bids; Bonds, notes and securities; Budgets; Checks; Claims and warrants; Payroll; Purchasing; Taxes; *specific subjects*
 - athletic scholarships, **42** [160]
 - audits, **119** [472-474]
 - banking and investment, **119-121** [475-484]
 - bonds and notes, **121-122** [485-488]
 - budgets, **122-123** [489-494, 1170]
 - camp food services, **263** [870b]
 - capital construction, **215-216** [806]
 - capital transportation improvement, **328-329** [1070]
 - claims and warrants, **123-124** [495-501]
 - community college, **45** [177-179]
 - community service projects, **57** [225f]
 - court-controlled funds, **125** [511]
 - direct deposit records, **131** [544]
 - economic development, **57** [225a]
 - educational opportunity centers, **80** [341]
 - elections, **86** [372]
 - environmental restoration, **98-99** [417]
 - financial disclosures, **5** [22]
 - financial or political interest, **5** [21], **171** [639], **178** [667]
 - general accounting, **124-127** [502-522]
 - grants, **12** [55b]
 - highway improvement, **328-329** [1070-1071]
 - liens. *See* Liens)
 - Medicare and Medicaid, **196-197** [725]
 - off-track betting, **165** [628]
 - other post employment benefits, **131** [543]
 - payroll, **128-131** [524-544]
 - Preschool special education claims, **197** [726]
 - probationary restitution, **190** [1131]
 - public facility usage, **218** [812]
 - public health, **196-197** [722-727]
 - purchasing, **132-133** [546-554]
 - reports, **133-134** [555-561]
 - school district, pre-consolidation, **266** [874]
 - school districts, **4** [15]
 - Small Business Administration reports, **160** [618]
 - social services, **307-308** [1145-1152]
 - soil and water conservation, **313** [1013]
- Fiscal reports
 - environmental facilities, **103** [430]
- Fisheries and fish stocking, **116-117** [468]
- Fishing licenses, **158** [610]
- Flea markets, permits, **157** [606]
- Flood control, **117** [470]
 - dam safety, **36** [142]
- Flowcharts, data processing, **141** [1301]
- Fluoridation
 - approvals, **104** [431]
 - permits, **97** [413e-f], **106-107** [440c-d]
- FMLA. *See* Family Medical Leave Act
- FOIL. *See* Freedom of Information Law
- Food distribution, surplus, **18** [80]
- Food embargos, **102-103** [429]
- Food establishments, data files, **100-101** [421]
- Food inspection and investigation, **271-272** [894]
- Food labelling, **102-103** [429]
- Food safety
 - inspection and sanitation, **50** [202], **102-103** [429]
- Food sale permits, frozen desserts and oleomargarine, **102** [428e]
- Food services
 - adult care facilities, **309** [1156]
 - camps, **262** [865-866], **263** [870-871]
 - community colleges, **50** [201-202]
 - health facilities, **197-198** [730]
 - zoo animals, **343** [1122]
- Food stamps, **305** [1134g]
- Foreclosures
 - real property informational listings, **324** [1055]
 - tax lien sales, **323** [1050-1053]
 - urban development, **57** [225e]
- Foreign exchange visitor program, **276** [911]
- Forensics
 - data file, **203** [758b]
 - laboratory tests, **204** [761a], **206** [770]
 - reports, **205** [765]
- Foster care, **304-306** [1134, 1135, 1138, 1139]
- Foster home, **306** [1138-1139]
- Franchises, property assessment, **318** [1034]
- Freedom of Information Law (FOIL), **xviii-xix, 191-192** [703-707]
- Fuel. *See also* Petroleum
 - consumption, **91** [390], **220** [820]
 - emergency allocations, **37** [145]
 - jet fuel, **327-328** [1066]
 - marinas, **260** [854d]
 - petroleum storage, **94** [404], **221** [823]

spills, **94** [403]
 Fuel bills, weatherization files, **91** [391]
 Fund-raising records, including lottery and raffle
 extra-curricular activities - K-12, **293** [963]
 fire departments, **240** [1214]
 government-operated, **3** [12]
 Funds expenditures. *See also specific subjects*
 encumbered and unencumbered, **122** [492]
 highway or road fund money, **332** [1077]
 Funds transfers, **122-123** [493], **124-125** [505]

G

Games of chance. *See* Bingo; Lottery, raffle and
 fund-raising; Off-track betting
 Garage and yard sales, licenses and permits, **157**
 [606]
 Gas analysis and measurement, **88-89** [378d-f, 381c-
 d]
 Gas pipelines, **89** [379]
 GED. *See* High school equivalency
 General contracting, licenses, **157** [605]
 Geographic Information System (GIS)
 data used for vehicle routing scheduling, **220**
 [819e]
 emergency dispatch, **231-232** [1181]
 highway operations, **331** [1074e]
 school bus routing and scheduling, **299-300** [990-
 992]
 Geographic reference files, **31** [122]
 soil and water conservation, **314** [1016]
 Gifted and talented programs, **272-273** [895-898]
 Gifts and bequests, **9** [45]
 Gifts and prizes awarded to students, **294** [968]
 GIS. *See* Geographic Information System
 Government establishment and reorganization, **8** [41]
 Grade reports, **275** [907], **286-288** [948-950], **299**
 [989]. *See also* Progress reports
 Grants, awards and gifts, **126-127** [520]
 federal emergency management and disaster
 response grants, **37** [147]
 heritage areas, **136** [566]
 housing rehabilitation, **57** [225c]
 program files, **12** [55]
 Graphs. *See* Charts and graphs
 Grievances. *See also* Complaints
 assessment, **320** [1040]
 community college students, **54-55** [215]
 educational opportunity centers, **82** [353]
 employees, **174** [651], **175** [653d]
 judicial assessment, **320** [1041]
 real property informational listings, **324** [1055]
 real property taxation and assessment, **315** [Note]
 taxes, **320** [1040-1041]
 Guarantees and warranties, **132** [549]

Guidance folders, **291** [957]
 Guns. *See* Firearms

H

Handicapped children, Education Law compliance, **4**
 [17]
 Handicapped parking, **334-335** [1089]
 Hazardous buildings, maintenance and inspection, **25**
 [109]
 Hazardous materials. *See also* Safety data sheets
 air quality testing, **96** [410]
 applications and investigations, **93-94** [402-403]
 asbestos, **222** [828], **223** [830]
 disposal, **112-113** [455]
 public safety, **235-236** [1193]
 radon detection test kit distribution, **97** [411]
 spills and releases, **93-94** [402-403]
 storage facilities, **94** [404], **221** [823]
 waste collection, **98** [415], **112-113** [455]
 waste generation, **294** [967]
 Head Start programs, **270** [886]
 Health facilities, **197-199** [728-737]
 certification, licensing, and accreditation, **195**
 [715]
 Health Information Technology for Economic and
 Clinical Health Act (HITECH) compliance and
 disclosure, **203** [756]
 Health Insurance Portability and Accountability Act
 (HIPAA) compliance and disclosure, **203** [756]
 Health insurance, public employees, **172-173** [645]
 Health professionals, record keeping, **xiii-xiv**
 Health records. *See also* Medical records
 campers, **263** [868-869]
 child day care program, **4** [16]
 employee medical records, **177** [661]
 family literacy program, **270** [887]
 Indian reservations, **200** [745]
 pre-K and Head Start, **270** [886]
 prisoners, **250-251** [1252]
 records retention requirements, **xiii-xiv**
 special education, **281-282** [931]
 students, **273-274** [899-904]
 Hearings. *See also* Public hearings
 district organization, **266-267** [876]
 residency determination, K-12 student, **270** [888]
 student disciplinary, **293** [966]
 Heating and cooling
 energy use, **91** [390]
 weatherization, **91** [391]
 Help desk logs, **149** [1338]
 Herbicides. *See* Pesticides and herbicides
 Heritage areas, **136-137** [566-571]
 High school equivalency, **81** [349b]
 curriculum, **274-275** [905]

program, **276** [911]
 Higher Education General Information Survey (HEGIS), **40** [152]
 Highway Superintendent, funding recommendations, **332** [1077]
 Highways, bridges, and public works
 bus drivers reports, **337** [1097]
 capital improvement, **328-329** [1070-1071], **330** [1073]
 condition, **332-333** [1079]
 construction and closings, **333-334** [1083-1084]
 cross sections, **329-330** [1072]
 differing jurisdictions, **335** [1090]
 engineer's files, **334** [1087]
 funding recommendations, **332** [1077]
 history, **328** [1069]
 inspections, **331-332** [1074], **334** [1085]
 inventories and status reports, **332** [1078]
 maintenance and repair, **328** [1067], **334** [1086]
 management, **331-332** [1074]
 maps, photographs, and drawings, **329-330** [1072]
 parking, **334-335** [1088-1089]
 permits, **333-334** [1083-1084]
 planning and design, **329-330** [1072a-c]
 property acquisition, **332** [1076]
 right-of-way, **332** [1075]
 snow and ice removal, **328** [1068]
 toll roads and bridges, **340** [1106-1109]
 turnpike companies, **339** [1104]
 HIPAA. *See* Health Insurance Portability and Accountability Act
 Historian, **138** [572]
 Historic preservation, **9** [44]
 Historic structures, capital construction, **215** [806 Note]
 Historic zones. *See* Heritage areas
 Historical significance of records, **xix-xx**. *See also specific types of records*
 HITECH. *See* Health Information Technology for Economic and Clinical Health Act
 HIV contact notification, **213-214** [801]
 HIV screening, **211** [792f]
 Holter monitors, **200-201** [747 Note]
 Home acquisition program, **57** [225h]
 Home Energy Assistance, **305-306** [1134h-i]
 Home improvement, permits, **157** [606]
 Home instruction, **274-275** [905], **286-288** [948]
 Home language questionnaire, **287** [948b]
 Homeland security advisories, **257** [1286]
 Hospitals. *See* Medical Records; Patient care; Public health
 Housing
 demolition, **57** [225d]
 rehabilitation, **56** [221]
 rental assistance, **58** [226]

vacant home checks, **254** [1270]
 Housing authorities, records disposition, **xv**
 HUD applications. *See* Federal assistance
 Human immunodeficiency virus. *See* HIV
 Human rights, **139** [573-575]
 Hunting licenses, **158** [610]
 Hydrants, **240** [1213]
 Hydro-electric power plants, **88-90** [375-389]
 licenses, **3** [14]
 Hydrological monitoring, public water supply, **107** [442], **108-109** [444-445]
 Hypodermic syringes, educational use, **47** [192]

I

I-9 Employment Eligibility Verification Form, **169** [636], **179-180** [673], **184** [693]
 Identification records
 airport employees, **326** [1062d]
 civil service exams, **185** [696c]
 employees, **171-172** [642]
 law enforcement, **244-245** [1224], **246-247** [1230-1231]
 students - K-12, **13-14** [65]
 IEP. *See* Individualized Education Program (IEP)
 Ignition interlock device, **188** [1123]
 IHIP. *See* Individualized home instruction plan (IHIP)
 Illnesses. *See also* Accidents, illnesses, and injuries;
 Occupational illnesses and injuries
 public employees, **176-177** [659-662]
 Immunizations
 individual immunization record, **4** [16], **210** [790], **273** [899]
 vaccine storage and distribution, **274** [902]
 Impounded or abandoned vehicles, **249** [1245]
 Incarcerated students program, **276** [911]
 Incarceration. *See* Correctional facilities
 Incidents. *See also* Accidents, illnesses, and injuries;
 Disaster preparedness and response; Emergencies;
 Fire fighting and prevention; Law enforcement;
 Occupational illnesses and injuries
 adult care facilities, **309** [1156]
 airports, **326** [1063]
 public health, **214** [802]
 public transportation, **336** [1093a Note, 1093c Note], **337** [1096]
 residential programs, **309** [1159]
 safe homes, **310** [1160-1161]
 Incinerators
 emissions monitoring, **97** [412]
 permits, **96** [409]
 Income and need determinations. *See also specific subjects*
 business and resident relocations, **57** [225b]

- Income documentation, weatherization, **91** [391]
- Incorporation
 government bodies, **8** [41]
 library, **154** [591]
 small businesses, **161** [620]
- Indexes, **13** [61]. *See also specific subjects*
- Indian reservation health records, **200** [745]
- Indigent defendants, **23-24** [103]
- Individual earnings (in-service) credit
 teachers, **298** [984-985]
- Individualized Education Program (IEP), **281-282** [931], **284-285** [941]
- Individualized home instruction plan (IHIP), **274-275** [905]
- Industrial development, **79** [337-338]
- Industrial waste
 permits, **109** [447b]
 pretreatment, **109-110** [448]
 reports, **110** [449e]
- Infection control, public health facilities, **199** [737]
- Information resources management plans, **140** [1299]
- Infrastructure improvements, **29** [107a]
- Injuries. *See* Accidents, illnesses, and injuries;
 Occupational illnesses and injuries
- Inmate work crews, **225** [841], **257** [1284]. *See also*
 Correctional facilities
- Inscriptions, headstones, **308** [1154]
- Insect control, **95-96** [407-408]
- In-service credits, **169** [636], **298** [984-985]
- Inspections
 airport operation, **325-326** [1060-1061]
 alarms, **234** [1188a]
 Americans with Disabilities Act compliance, **225** [843]
 asbestos, **222** [828]
 bicycle helmets, **254** [1272]
 buildings, **25-27** [108-112], **29** [105]
 camps, **262** [866], **263** [871]
 capital construction, **215-216** [806]
 child safety, **335** [1091]
 community sanitation, **102** [426]
 community service projects, **57** [225f-g]
 consumer practices, **59** [227-228]
 elections, **84-85** [363d-e]
 electric and gas utilities, **88-89** [377-378]
 environmental facilities, **103** [430-432]
 environmental restoration, **98-99** [417]
 equipment and vehicles, **219** [817]
 farm animals, **93** [398]
 farms, **63** [250]
 fire safety, **25-26** [110], **47** [194], **218** [813], **240** [1211], **280** [929]
 food preparation and serving, **271-272** [894]
 highways, roads, and bridges, **88** [377], **328-329** [1070], **331-332** [1074], **334** [1085]
 landfill closures, **115** [464]
 motor vehicles, **250** [1248]
 nursing education programs, **278** [921]
 pesticide use, **96** [408c]
 petroleum storage, **94** [404], **221** [823]
 pools and beaches, **224** [839]
 power plants, **88** [377, 378b]
 prisons, **251** [1256]
 public health facilities, **195** [716]
 public property, **219** [817]
 public transportation, **338** [1099]
 public water supply, **99** [419]
 radiologic equipment, **207** [775]
 sanitary code, **95** [406]
 solid waste management, **112** [454], **115** [463]
 tobacco sales, **213** [800e]
 trailers and mobile homes, **157-158** [607]
 wastewater treatment, **99** [419], **110-111** [449]
 weights and measures, **60** [233, 235]
 workplace safety, **222** [826]
- Installation records, **17** [78]
- Instruction, **274-277** [905-915]
- Instructor's grade records, test scores and marking sheets, **275** [907], **299** [989]
- Insurance, **150-151** [576-583]
 appraisals, **151** [583]
 certificate of authority, **73** [304]
 claims, **150** [576]
 contractors, **28** [116]
 disability, **172-173** [645]
 employee benefits, **172-173** [645-646]
 fire, **150-151** [579]
 firefighters, **241-242** [1219]
 health, **172-173** [645]
 liability, **150** [Note]
 life, **172-173** [645]
 motor vehicles, **150** [576]
 policies, **150-151** [579-581]
 property, **150-151** [579]
 public health facilities, **196-197** [725]
 recreational programs transportation, **261** [860]
 social services, **307** [1147-1148]
 solid waste management facility, **114** [457]
 theft, **150-151** [579]
 title insurance, **151** [581]
 unemployment, **173** [646]
- Integrated Justice Portal, **248-249** [1241], **257-259** [1286-1293]
- Interagency referral forms, weatherization, **91** [395]
- Interlibrary loan, library, **154-155** [597]
- Internal information records, **12-13** [57]
- Internal investigations, **5** [25]
- Internal Revenue Service, **166** [634]
- International Species Information Systems (ISIS)
 reports. *See* Species360 reports
- Internet, **14-15** [68], **149** [1340-1341]. *See also*
 E-mail

E-Rate (Universal Service Schools and Libraries Program), **127** [1171]
 Interns and volunteers, personnel records, **169** [636]
 Interstate water carriers, **108** [443e]
 Interviews, civil service, **184** [694]
 Intrinsic value, **xiv**
 Inventories
 chemicals and hazardous substances, **175** [654a]
 controlled substances, **274** [902]
 cultural parks, **136** [566]
 defunct businesses, **157** [606]
 hypodermic syringes and needles, **275** [909]
 maintenance and repair, **217** [809g]
 motor vehicles, **218** [814]
 museums, **163** [626-627]
 natural resources, **116** [465]
 network circuits, **147** [1328]
 park exhibits, **137** [570]
 pesticides and herbicides, **224** [834]
 property, **218** [814], **317** [1030]
 records, **20** [89]
 supplies, **218-219** [815]
 surplus food, **18** [80]
 vaccines, **274** [902]
 Investigations
 affirmative action, **172** [643]
 bingo and games of chance, **135** [562a]
 child fatality, **310-311** [1164]
 consumer protection, **59** [229]
 crimes, **231** [1180a Note]
 deaths, **66** [260], **67** [267]
 elections, **86** [371]
 employee grievances, **174** [651]
 fires, **218** [813], **239-240** [1208]
 food safety, **102-103** [429]
 hazardous substances, **93-94** [402-403]
 indigent defendants, **23-24** [103]
 internal, **5** [25]
 laboratory data file, **205** [765]
 lead poisoning, **100-101** [421], **209** [783-784]
 pesticide use, **96** [408c]
 petroleum spills, **93-94** [402-403]
 probation, **188** [1123]
 public administrator, **193** [708-711]
 public safety data files, **235** [1192]
 rabies and dangerous animal contact, **92-93** [397]
 student absence, **291** [959]
 Invoices, **132** [550-551]
 IRM plans. *See* Information resource management plans
 Irrigation, soil conservation, **313** [1010]
 IRS. *See* Internal Revenue Service
 ISIS. *See* Species360 reports

J

JCOPE. *See* New York State Joint Commission on Public Ethics
 Job actions, **174** [650]
 Job classification
 civil service, **183** [689]
 public works, **226** [848]
 Job placement, **17-18** [79]
 Job postings, **183** [690]
 Job Training Partnership Act programs, **194** [712-714]
 Judgments, **71** [288]
 Junk dealers, permits, **157** [606]
 Junk yards, licenses, **93** [400]
 Juvenile detention, **152-153** [584-590]

L

Labor costs classification, **129** [526]
 Labor Law, **177-178** [663]
 Labor Law reports, contractors, **226** [848]
 Labor management meetings, **173** [648]
 Laboratory records
 animal use in testing, **92** [396]
 biologics receipt and distribution, **205** [767]
 blood collection and use, **205** [766]
 district supply station, **205** [768]
 equipment, **204** [762-763]
 general, **203-204** [757-761]
 lead poisoning, **209** [783-784]
 protocols, **204-205** [764]
 referrals, **204** [760]
 reports and studies, **205** [765], **212** [797]
 supply station, **205** [768]
 test results, **205-206** [769-771], **224-225** [840]
 worksheets, **204** [761]
 Lake George Commission project reviews, **12** [56]
 Lakes, river, stream and watershed studies, **117** [469]
 Landfills. *See also* Solid waste management closure, **115** [464]
 construction and improvement, **103** [430]
 solid waste management facilities, **112** [454]
 Landlord agreements, weatherization, **91** [391]
 Landlord/tenant advisory services, **17-18** [79]
 Landowners, soil and water conservation, **313** [1011, 1013]
 Language proficiency. *See* Supplemental education services
 Language questionnaire, home, **287** [948b]
 Law enforcement. *See also* Correctional facilities accreditation, **233** [1185]
 child abuse, **256** [1281]
 civilian ride-along program, **237** [1197]
 confidential informants, **246** [1229]
 confidential information received, including tip

- hotline, **256** [1282]
- criminal background checks, **254** [1271]
- criminals and suspects, **244-245** [1224-1225]
- cumulative arrest information, **245** [1227]
- domestic violence, **253** [1267]
- escort service, **253-254** [1269]
- firearms, **247-248** [1234-1239]
- incidents, **242-244** [1220-1223]
- information data files, **244-245** [1224]
- Integrated Justice Portal, **248-249** [1241], **257-259** [1286-1293]
- missing persons, **255** [1277]
- motor vehicles, **248-250** [1240-1249]
- order of protection, **255-256** [1279]
- parolees and sex offenders, **189-190** [1128], **254-255** [1274-1276]
- personal information data files, **245** [1225]
- personal property, **246-247** [1230-1233]
- probationer list, **189** [1127]
- profiling reports, **246** [1228]
- sex-offenders, **254-255** [1274-1276]
- Sheriff's civil actions, **256-257** [1283]
- training, **233-234** [1187]
- vacant place checks, **254** [1270]
- video or audio recordings, **255** [1278], **256** [1280]
- warrants and subpoenas, **253** [1266]
- watercraft, **248-250** [1240-1249]
- Laws, local, **7** [30]
- Leachate
 - disposal, **114** [460]
 - wastewater treatment, **111** [451]
- Lead and copper
 - abatement, **223** [830]
 - data files, **100-101** [421]
 - poisoning, **58** [225i], **209** [783-785]
 - water supply remediation, **223** [831]
- LEAP. *See* Local Education Agency Programs (LEAP)
- Leases, **7** [32]
 - airport tenants, **326** [1062]
 - port facility, **187** [702a]
- Ledgers and journals, **124** [502-504]
 - electric and gas utilities, **89** [383]
 - school districts, **4** [15]
- Legal actions. *See also specific subjects*
 - affect on retention period, **xiii**
- Legal agreements, **7** [32]
- Legal cases, **22-24** [95-104]
- Legal documents. *See specific subjects*
- Legal Identity Report, mines, **228** [851c]
- Legal notices, **8** [36]
- Legal opinions, **6** [29]
- Legal precedents
 - correspondence, **11** [53a]
- Legislation, historic preservation, **9** [44]
- Legislative body, establishment or reapportionment, **8** [38]
- Length of Service Award Program for Volunteer Firefighters and Volunteer Ambulance Workers, **241-242** [1216-1219]
 - Beneficiary designation, **241-242** [1219]
- Lesson plans, **275** [906]. *See also* Instruction
- Liability insurance, **151** [580]
 - contractors, **28** [116]
 - solid waste management, **114** [457]
- Libraries. *See* Public libraries
- License plates
 - lost or stolen, **247** [1231c], **249** [1244a]
- Licensing examinations, nursing, **278** [923]
- Licensing. *See also* Approvals; Certificates and certification; Permits
 - alcoholic beverage sales, **3** [13]
 - bicycles, **247** [1233]
 - bingo and games of chance, **135** [562-564]
 - contracting trades, **157** [605]
 - dogs, **77-78** [326-327, 331]
 - driving record, **249** [1244]
 - explosives, **157** [606]
 - fallout shelters, **37-38** [149]
 - Federal Communications Commission, **221** [822]
 - firearms, **247** [1234]
 - fishing, **158** [610]
 - garage and yard sales, **157** [606]
 - health facilities, **195** [715]
 - hunting, **158** [610]
 - junk yards, **93** [400]
 - law enforcement, **247** [1231c]
 - lottery, raffle, or other fund-raising, **3** [12], **135** [565]
 - marine, **158** [610]
 - power generating facilities, **3** [14]
 - radios, **221** [822]
 - recreational facilities, **260** [854]
 - sporting, **158** [610]
 - zoos, **343** [1119]
- Liens
 - chattel mortgages and conditional sales, **2-3** [9], **68** [272]
 - condominium or homeowners' association, **70** [285]
 - federal tax liens, **69** [275]
 - financial statements under Uniform Commercial Code, **68** [272]
 - hospital liens, **69** [274]
 - lien bonds, **69** [278]
 - mechanic's liens, **69** [273]
 - miscellaneous, **71** [287]
 - New York City records, **69** [277]
 - public welfare liens, **69-70** [279]
 - real and personal property assignment, **70** [280]
 - search records, **70** [283]

- state records, **69** [276]
- surety bail bonds, **70** [281]
- vessel, **70-71** [286]
- victims' awards, **70** [282]
- Life insurance
 - public employees, **172-173** [645]
- Life or mortality study, **90** [385]
- Lifeguard certification, **179** [672]
- Liquor licenses, **3** [13]
- Lists and registers, **13** [61]
 - accounting, **124-125** [505]
 - archival records, **21** [93]
 - archives users, **23** [96]
 - athletes, **261** [858]
 - bond and note issue and cancellation, **121** [486]
 - bond purchasers, **121** [485]
 - building and property systems, **29-30** [107]
 - civil service seniority, **185** [697]
 - community college students, **4** [18]
 - commuters, **339** [1101d]
 - disadvantaged-owned business, **2** [8]
 - dog owners, **77** [326]
 - election officials, **86** [373]
 - eligible, civil service, **183-184** [692]
 - employment training participants, **194** [714]
 - fallout shelters, **37-38** [149]
 - gifted and talented students, **272** [896]
 - government officials and employees, **176** [656], **182** [687], **191** [704]
 - invoice, **132** [551]
 - job action participants, **174** [650]
 - laboratory tests, **203** [757]
 - magnet school students, **277** [917]
 - mailing lists, **13** [60]
 - minority- and women-owned business, **2** [8]
 - permissible medical procedures, **195** [715]
 - pre-K and Head Start students, **270** [886]
 - private radio locations, **221** [822d]
 - professions, **2** [7]
 - proof of residency, **54** [210]
 - property assignment numbers, **247** [1231b]
 - purchase orders, claims, and contracts, **125-126** [513]
 - records transfer, **20** [90]
 - restitution delinquents, **190** [1132]
 - special education services, **285-286** [945]
 - students, community college, **46** [186]
 - students, educational opportunity center, **82** [355]
 - students with disabilities, **285** [944]
 - subject matter lists of records, **191** [703]
 - supplemental education program students, **296** [975]
 - tax-related data, **324** [1055]
 - toxic substances, information and handlers, **175** [654b]
 - underground facilities, **226** [847]
 - vendors, **132** [548]
 - visitors, **218** [811]
 - walking tour participants, **136-137** [569]
 - warrants, outstanding, **123-124** [500]
 - weatherization clients, **91** [392]
 - Literacy programs, **270** [887]
 - Loans
 - businesses, **160** [612-614], **161** [619]
 - economic development, **57** [225a], **79** [337-338]
 - heritage area exhibits, **137** [570]
 - housing rehabilitation, **57** [225c]
 - library borrowing, **154** [596]
 - museum exhibits, **163** [626]
 - park exhibits, **137** [570]
 - student loan disclosures, **185-186** [698]
 - Lobbying, **5** [23]
 - Local development corporation, **160-162** [612-625]
 - Local Education Agency Programs (LEAP)
 - supplemental education eligibility tests, **296-297** [979]
 - Local government cable television, **16** [72e]
 - Local history, **14** [67 Note]
 - Local laws and ordinances, violations, **7** [31]
 - Local laws and regulations, **1** [5]
 - Logs, **13** [59], **16** [73]. *See also specific programs*
 - accidents, illnesses, and injuries, **176-177** [659-660], **273** [900]
 - aging or senior services, **19** [84]
 - airport security, **325-326** [1061c]
 - ambulance use, **237** [1199]
 - archives research and users, **21** [94]
 - buildings and property, **25** [108], **30** [107b]
 - camp accidents, illnesses, and injuries, **263** [869]
 - certificates of occupancy, **26** [112b]
 - communication, **13** [63]
 - complaints and petitions, **17** [77a]
 - domestic violence, **310** [1162]
 - environmental facilities, **112-113** [455]
 - fire station activity, **238-239** [1205]
 - help desk, **149** [1338]
 - highways, maintenance, and improvement, **328** [1068], **329** [1071]
 - Integrated Justice Portal, **248-249** [1241], **257-259** [1286-1293]
 - internal administrative, **13** [59]
 - internet usage, **149** [1340-1341]
 - legal case, **23** [97]
 - maintenance and repair, **17** [78]
 - occupational injuries, **176** [659]
 - organ donations, **212** [796]
 - patients' personal property, **197** [727]
 - periodic activity, **16** [73]
 - planning and zoning reviews, **31** [121]
 - power plants and power distribution, **89** [380]
 - prisoners' activity, **251** [1253]
 - probation case assignments, **190** [1130]

public water supplies, **105** [434]
 real property, **215** [804]
 school bus driver, **302** [1004]
 social services, **306** [1136-1137, 1139]
 soil and water conservation, **314** [1015]
 solid waste management, **105** [434]
 telephone calls, **13** [64]
 toll roads and bridges, **340** [1109]
 veterans' services, **341** [1111]
 visitors, **218** [811]
 wastewater systems, **105** [434]
 weights and measures, **60** [233]
 Long range planning
 educational facilities, **228** [852]
 real property, **316-317** [1027]
 real property history files, **315** [1022]
 Long-term care
 medical records, **200** [744]
 placement, **213** [799]
 pre-admission, **199** [742]
 screening, **199** [742]
 social services, **307** [1144]
 LOSAP. *See* Length of Service Award Program for
 Volunteer Firefighters and Volunteer Ambulance
 Workers
 Lottery, raffle and fund-raising records, **3** [12], **135**
 [565]
 government-operated, **3** [12]
 Lower income housing rental assistance, **58** [226]

M

Macros. *See* Data files
 Magazine certificates, **158-159** [611]
 Mailing lists, **13** [60]
 Maintenance and repair, **17** [78]
 adult care facilities, **309** [1156]
 buildings and facilities, **217-218** [809-810]
 bus drivers reports, **337** [1097]
 drainage systems, **98** [414]
 electric and gas service, **88** [378c]
 emergency equipment, **233** [1186]
 energy use monitoring, **227-228** [850]
 environmental facilities, **104** [432]
 equipment and vehicles, **219** [817]
 fire hydrants, **240** [1213]
 highways and bridges, **328** [1067], **331-332**
 [1074], **334** [1086]
 housing, **25** [109]
 laboratory equipment, **204** [762]
 public property, **217-218** [809-810]
 public transportation, **339** [1101c]
 Mammograms, **200-201** [747 Note]. *See also*
 Medical screening; Screening
 Manager, **118** [471]
 Manpower Development and Training Act programs,
194 [712-714]
 Manuals. *See also* Documentation
 emergency training, **233-234** [1187]
 procedures, policies, and standards, **11** [52]
 Maps. *See also specific programs*
 alarm locations, **234** [1188d]
 buildings and property, **26** [111 Note, 112c], **29**
 [105]
 capital construction, **216-217** [807-808]
 cemeteries, **308** [1154]
 crisis relocation, **36** [139]
 discretionary planning reviews, **32** [124]
 districts, **8** [40]
 E-911 development, **230-231** [1178]
 election districts, **86** [373]
 environmental facilities, **103** [430]
 environmental restoration, **98-99** [417]
 flood insurance, **117** [470]
 gifts and bequests, **9** [45]
 hazardous materials, **235-236** [1193]
 highways and bridges, **329-332** [1072-1074]
 mines, **228** [851]
 mutual aid, **240** [1210]
 natural resources, **116** [465]
 planning, **30-32** [120, 123]
 port facility, **187** [700]
 property acquisition, **57** [225d]
 public transportation, **335-336** [1092]
 public water supply systems, **104** [431]
 real property, **315** [1022]
 realty subdivisions, **94-95** [405]
 right-of-way, **332** [1075]
 school bus routes, **301** [996-998]
 shoreline, **117** [470]
 soil types, **314** [1018]
 solid waste and wastewater systems, **104** [431]
 tax maps, **318-319** [1036]
 traffic reports and studies, **333** [1080]
 walking tours, **136-137** [569]
 watershed studies, **117** [469]
 zoning, **32** [126]
 Marinas, permits, **260** [854]
 Marine licenses, **158** [610]
 Marriage records
 official, **xvi**, **72** [293]
 out-of-state and unofficial, **1** [3]
 Master Street Address Guide (MSAG), **229** [1173]
 Material Safety Data Sheets. *See* Safety data sheets
 Maternal and child health, **209** [782]
 Mayors, **118** [471]
 Measurements. *See* Calibrations; Charts and graphs;
 Weights and measures; *specific subjects*
 Medical Assistance, **305** [1134g]
 Medical care. *See also* Medical records; Public health
 emergencies, **231** [1180]

- nutrition programs, **208** [781]
- parks and recreational facilities, **260** [855]
- protocols and procedures, **195** [715]
- zoo animals, **343** [1121]
- Medical committee records, **197** [729]
- Medical examiner, **66-67** [260-268]
- Medical information
 - hazardous materials, **235-236** [1193]
- Medical records
 - alcohol or substance abuse, **179** [670]
 - children, **304-306** [1134]
 - films, **200-201** [747]
 - Health Information Technology for Economic and Clinical Health Act (HITECH) compliance and disclosure, **203** [756]
 - Health Insurance Portability and Accountability Act (HIPAA) compliance and disclosure, **203** [756]
 - hospital patients, **200** [743]
 - insurance, **150** [576]
 - juvenile detention youths, **152** [586]
 - long-term care, **200** [744]
 - out-patients, **200** [745]
 - public employees, **177** [661-662], **185** [696]
 - zoo animals, **343** [1120]
- Medical rehabilitation, **208** [779]
- Medical reports
 - Americans with Disabilities Act, **225** [844]
 - civil service examinations, **185** [696f-h]
 - insurance, **150** [576]
 - People With Developmental Disabilities recreational program (was mental development recreational programs), **262** [863]
- Medical scholarships, **5** [20]
- Medical screening, **209** [785], **210-211** [792]. *See also* Mammograms
 - early intervention, **202** [755]
- Medical waste disposal, public health facilities, **212-213** [798]
- Medicare and Medicaid, **196** [723], **307** [1147]
 - public health facilities, **196-197** [724-725]
- Medications. *See* Pharmaceuticals
- Meeting files, **9-10** [48]
 - external groups, **10** [50]
 - non-governing bodies, **10** [49]
 - televised meeting records, **15-16** [72]
- Membership
 - local development corporation, **161** [622]
 - museum, **163-164** [1295]
- Memoranda, **12-13** [57]. *See also specific subjects*
- Memorandum of understanding, soil and water conservation district, **313** [1009]
- Mental health, **201-202** [750-752]. *See also*
 - Counseling services; Public health admission forms, **201-202** [751]
- Mentor teacher internship plan, **181** [681-682]
- Menus. *See also* Dietary services
 - camp food management, **263** [870]
 - community colleges, **50** [201]
 - juvenile detention facilities, **153** [590]
 - public health facilities, **197-198** [730]
- Metadata, data processing, **141** [1302]
- Meters, gas and electric, **90** [388-389]
- Microfilmed records, **xvii-xviii**
- Middle States Association of Colleges and Secondary Schools, accreditation, **39** [150]
- Midwives, **2** [7]
- Military active service status certification, **158** [610]
- Military discharges, **72** [292]
- Military service, **1** [5]
 - civil service, **184** [692f]
- Mine Safety and Health Administration (MSHA)
 - reports and data, **228** [851]
- Mines, **228** [851]
- Mini-PERB, **174-175** [652-653]
- Minority- and women-owned businesses, **2** [8]
- Minors, dispatch calls, **231** [1179 Note, 1180 Note]
- Minors. *See* Youth services; *specific subjects*
- Minutes
 - facility committee, **197** [729]
 - non-governing bodies, **10** [49]
 - official, **9** [47]
 - special education, **282-283** [932]
 - verbatim, **10-11** [51]
- Misdemeanors, **243** [1222d]
 - identification files, **244** [1224a]
- Missing children, **294** [970]
- Missing or stolen property, identification records, **247** [1231c]
- Missing persons, **243-244** [1222-1223], **255** [1277]
- Mobile homes, permits, **157-158** [607]
- Model resolution, **xxiii-xxiv**
- Money orders, **120** [477]
- Mortgage taxes, **74-75** [309-319]
- Mortgages
 - chattel mortgages, **2-3** [9]
 - lien assignment, **70** [280]
 - real property, **75** [320]
- Most wanted posters, **257** [1286]
- Motor vehicles, **xvii**. *See also* Public property; Public transportation
 - accidents, **249** [1242], **250** [1249], **333** [1082]
 - car pooling, **339** [1102]
 - driver examinations, **250** [1248]
 - driving record, **249** [1244]
 - emergency equipment, **233** [1186]
 - fuel consumption, **220** [820]
 - ignition interlock devices for Office of Probation and Correctional Alternatives, **188** [1123]
 - impounded or repossessed, **249-250** [1245-1246]
 - insurance, **150** [576]
 - inventories, **218** [814]

- law enforcement, **248-250** [1240-1249]
 - logs, **219-220** [819]
 - maintenance and repair, **219** [817]
 - public employees, **178-179** [665, 668-669]
 - recreational programs, **261** [860]
 - towing records, **250** [1247]
 - vehicle history, **249** [1243]
 - watercraft. *See* Law enforcement
 - MSAG. *See* Master Street Address Guide
 - Mug shots, law enforcement, **244-245** [1224]
 - Municipal compliance report, dogs, **77-78** [331]
 - Municipal lighting, **89** [382]
 - Municipal planning, **30-32** [118-124]
 - Museums, **163-164** [626-627, 1295]
 - Mutual aid, fire fighting, **240** [1210]
 - MV-104 form, **66** [262]
 - MWBE. *See* Minority- and women-owned businesses
- N**
- Narcotics. *See* Alcohol and substance abuse
 - National Honor Society, **293** [964]
 - National Junior Honor Society, **293** [964]
 - Natural resources
 - inventories, **116** [465]
 - management plan, **116** [467]
 - Needles and syringes, **275** [909]
 - Neighbor notification records, pesticides, **224** [833]
 - Network services
 - circuits installation and inventories, **147** [1328-1329]
 - implementation plans, **147** [1332]
 - internet logs, **149** [1340-1341]
 - network usage, **147** [1330-1331]
 - site visits, **146-147** [1327]
 - support services, **146-147** [1327]
 - New York City Department of Records and Information Services, **xvi**, **193** [Note]
 - New York City records, **xvi**
 - New York State Civil Service Commission
 - approvals, **186** [699]
 - New York State Committee on Open Government, **xviii-xix**
 - New York State Comptroller's Office. *See* New York State Office of the State Comptroller
 - New York State Department of Agriculture and Markets
 - audits, **60** [234]
 - certification, **59** [230]
 - dog licensing and breeding, **77-78** [330-331]
 - New York State Department of Environmental Conservation, **105** [435], **112** [454]
 - air contamination, **96** [409]
 - discharge monitoring, **112** [454d]
 - environmental audit reports, **222** [825]
 - fuel storage and dispensing, **327-328** [1066]
 - hazardous materials contact number, **113** [456c Note]
 - hunting and fishing licenses, **158** [610]
 - individual load delivery records, **113-114** [456]
 - mines owned by local governments, **228** [851]
 - pesticide applicator certification, **96** [408b]
 - SPDES permits and reports, **100** [420f-g]
 - wastewater discharge reports, **110** [449d]
 - water supply or wastewater disposal system
 - permits and approvals, **97-98** [413]
 - New York State Department of Health
 - emergency medical reports, **238** [1203c]
 - environmental health, **95-96** [408], **101** [421 Note], **107-108** [442-443]
 - pesticides and herbicides, **95-96** [408], **224** [835]
 - radiologic equipment approvals, **206** [772]
 - water supply or wastewater disposal system
 - permits and approvals, **97-98** [413]
 - water supply reports, **107** [441c]
 - New York State Department of Labor
 - Facility health and safety inspections, **222** [826]
 - liens, **69** [276]
 - occupational injuries and illness surveys, **176** [658]
 - New York State Department of Motor Vehicles
 - bus driver affidavit of compliance, **339-340** [1105]
 - death reports, **66** [262]
 - liens, **69** [276]
 - requests for personal information, **245** [1226]
 - New York State Department of State, **161-162** [625], **232-233** [1184]
 - New York State Department of Taxation and Finance
 - liens, **69** [276]
 - mortgage taxes, **74** [310, 313], **75** [316]
 - reports, **165** [631]
 - sales taxes, **126** [516]
 - New York State Department of Transportation
 - airports, **325-326** [1061], **327** [1065b Note]
 - capital transportation improvement, **328-329** [1070]
 - certification, **338** [1099]
 - inspections, **338** [1099]
 - public transportation safety plans, **337** [1098]
 - reports, **327** [1065 Note], **332** [1078]
 - New York State Division of Alcoholic Beverage Control, **254** [1273]
 - New York State Division of Criminal Justice Services, **189-190** [1126-1128], **233-234** [1187], **242-243** [1220-1221], **244-245** [1224], **294** [970]
 - New York State Division of Homeland Security and Emergency Services
 - Office of Fire Prevention and Control, **239** [1206], **240** [1209]
 - New York State Division of Human Rights

- complaints, **139** [573]
 - New York State Division of Veterans' Affairs reports, **341** [1110, 1112]
 - New York State Education Department, **82-83** [359], **180** [676], **279-280** [927], **290-291** [956], **297** [982]
 - educational opportunity center approvals, **80** [339]
 - magnet schools, **277-278** [919-920]
 - nursing education, **278** [923]
 - registration records, community college, **40** [153]
 - special education, **285** [942-943]
 - supplemental education, **296-297** [976, 977, 979]
 - New York State Employees' Retirement System payroll reports, **130** [538]
 - New York State Gaming Commission, **165** [628-630], **166-168** [633, 635]
 - New York State Higher Education Services Corporation, **185-186** [698]
 - New York State Joint Commission on Public Ethics, **5** [23]
 - New York State Office for People with Developmental Disabilities, **181-182** [682-683]
 - New York State Office of Attorney General charitable funds collection reports, **161-162** [625]
 - New York State Office of Children and Family Services
 - juvenile detention facilities, **152** [584-585]
 - social services, **304-306** [1134], **307** [1146]
 - New York State Office of Parks, Recreation and Historic Preservation
 - applications, heritage areas, and urban culture parks, **136** [567]
 - New York State Office of Real Property Tax Services
 - equalization rates, **318** [1035a]
 - real property transfers, **324** [1054]
 - taxable status file, **316** [1026]
 - New York State Office of Temporary and Disability Assistance, **304-306** [1134], **307** [1146]
 - New York State Office of the State Comptroller
 - constitutional tax margin, **324** [1058]
 - debt-contracting power statement, **121** [487]
 - financial audits, **119** [472a]
 - self-liquidating indebtedness, **122** [488]
 - New York State Police, **247-248** [1236]. *See also* Law enforcement; Integrated Justice Portal
 - New York State Public Employment Relations Board (PERB), **173-174** [649]. *See also* Mini-PERB
 - New York State School Asbestos Safety Act, **222** [828]
 - New York State Teachers' Retirement System, **130** [538]
 - Newsletters, **14-15** [68]
 - Noise level monitoring, **6** [28]
 - Nominations
 - Cooperative Extension, **61** [240]
 - public office, **86** [369]
 - small business elections, **161** [621]
 - Non-district student records, **288** [949]
 - Non-emergency response, **230** [1176]
 - Non-profit organizations, tax exemptions, **319-320** [1039]
 - Non-public school
 - discontinuance records, **266** [875]
 - pupil transportation, **302** [1005]
 - textbook loan, **271** [892]
 - Nonresident pupil tuition, **126** [514]
 - Notary public, **7** [34]
 - Notices
 - appearances, **7** [35]
 - claim, **22** [95], **123** [498]
 - elections, **68** [269]
 - encumbrance, **125** [509]
 - estoppel, proof of publication, **121** [485]
 - real property sale, **215** [805]
 - school budget, **123** [1170]
 - Nuclear power plants, licenses, **3** [14]
 - Nursing
 - education, **278** [921-923]
 - original entry records, **200** [746]
 - public health facilities, **198** [734]
 - Nursing education, **278** [921-923]
 - Nutrition programs, **208** [781]
 - aging and senior services, **19** [86]
 - children, **271-272** [893-894]
 - eligibility and certification, **208** [781]
 - Supplemental Nutrition Assistance Program (SNAP), **304-306** [1134]
 - Supplemental Nutrition Assistance Program Education (SNAP-Ed) and Eat Smart New York (ESNY), **62** [244]
 - NYSAFE Act, **191-192** [707]
 - NYSPIN. *See* Integrated Justice Portal
- ## O
- OAR-S30 form, **130** [537]
 - Oath of office, **73** [305-306], **176** [657]
 - Occupational education
 - curriculum, **274-275** [905]
 - program, **276** [911]
 - Occupational illnesses and injuries, **175-176** [654], **176-177** [658-661]
 - Occupational Safety and Health Administration (OSHA), **175-177** [654, 659-661], **235-236** [1193]
 - Office of Real Property Tax Services. *See* New York State Office of Real Property Tax Services
 - Officials, financial disclosures, **5** [22]
 - Off-track betting, **165-168** [628-635]
 - Old records, pre-1910, **xiv**
 - Ombudsman records, **17-18** [79]
 - OPEB. *See* Other post employment benefits

Open Meetings Law, **xix, 10** [49]
 Operating rooms, original entry records, **200** [746]
 Operator qualifications, environmental facilities, **105** [436]
 Opinion surveys, **16-17** [76]
 Orders, claims payments, **123** [499]
 Orders of protection, **8** [37], **255-256** [1279]
 Ordinances, **7** [30]
 Organ donation, **211-212** [795-796]
 Organization chart, **171** [641]
 ORPS. *See* New York State Office of Real Property Tax Services
 ORPTS. *See* New York State Office of Real Property Tax Services
 OSHA. *See* Occupational Safety and Health Administration
 Other post employment benefits
 accounting and fiscal reports, **131** [543]
 Outpatients, medical records, **200** [745]
 Outside activities, **178** [667]
 Overtime, **122-123** [493], **129** [530]

P

Packing slips, **132** [550]
 Parent requests for records destruction, special education students, **281** [Note]
 Parent-teacher organizations, **269** [883]
 Parental consent
 alternative learning, high school equivalency, and adult education courses, **288** [949]
 child day care emergency medical treatment, **4** [16]
 community college, **55** [219]
 health treatment, **273** [899]
 immunizations, **4** [16], **210** [790], **273** [899]
 library programs, **155-156** [603]
 museum programs, **163** [626]
 non-public school pupil transportation, **302** [1005]
 photographs, **15** [71]
 recreational activities, **260** [855]
 release of records under Family Educational Rights and Privacy Act (FERPA), **53** [209], **294-295** [972]
 school activities, **294** [969]
 student employment certificate, **293** [965]
 supplemental education services, **295-296** [973]
 Parking facilities
 capital improvement, **328-329** [1070]
 handicapped parking, **334-335** [1089]
 use, **334** [1088]
 Parks. *See* Recreational programs
 Parolees, **271** [891], **254** [1274]
 Partnership statements, domestic partners, **1** [4]

Passenger records, public transportation, **336-337** [1094]
 Passports, **73** [302]
 Password files, **143** [1311]
 Past due accounts, **125** [510]
 Pathology. *See* Laboratory records
 Patient care. *See also* Medical records; Public health case records, **200** [743-746], **201** [749], **202** [755] census, **198** [733] conferences, **201** [748] early intervention, **202** [755] emergency medical service, **237** [1198] films, **200-201** [747] general, **199** [738-741], **202** [754] medical reports and studies, **202** [754] mental health, **201** [750], **202** [752] original entry records, **200** [746] screening, **199** [742]
 Patient data system transactions, **202** [754]
 Patient utilization review, **213** [799]
 Patron registration, rare books and materials, **155** [602]
 Pawn shops, **247** [1232]
 Payment in lieu of taxes (PILOT), **319-320** [1039]
 Payment recoupment, **126** [518]
 Payroll, **128-131** [524-544], **166-168** [635] civil service certification copy, **182** [685] contractor or subcontractor, **226** [848] individual earnings records, **130** [534] supplemental education services, **296** [978]
 People With Developmental Disabilities recreational program (was Mental retardation recreational programs), **262** [863]
 PERB. *See* New York State Public Employment Relations Board (PERB)
 Performance bonds, contracting trade licensing, **157** [605]
 Permanent record cards, **283** [934], **286-288** [948]
 Permits, **157** [606]. *See also* Approvals; Certificates and certification; Licensing
 air contamination, **96** [409]
 alarms, **234** [1188a]
 building, **29** [105]
 burials, **308** [1154]
 camps, **262** [865]
 cemeteries, **35** [138]
 certificates of occupancy, **26-27** [112, 113]
 community sanitation, **101** [425]
 controlled burns, **241** [1215]
 electric or gas supply system connection, **88** [376]
 environmental disturbances, **93** [399]
 environmental facilities, **104** [431]
 flea markets, **157** [606]
 garage sales, **157** [606]
 handicapped parking, **334-335** [1088-1089]
 hazardous waste disposal, **112-113** [455]

- highways and bridges, **331-332** [1074], **333-334** [1083-1084]
 historic preservation, **9** [44]
 incinerators, **96** [409]
 mines, **228** [851]
 mobile home, **157-158** [607]
 non-structural building modifications, **26** [112c]
 parking lots and garages, **334-335** [1088d, 1089]
 parks, civic centers, camps, and recreational facilities, **260** [854]
 pool and beach operation, **224** [839]
 project reviews, **12** [56]
 public water supplies, **99** [419]
 real property, **315** [1022]
 recreational facilities, **260** [854]
 resource recovery facilities, **96** [409]
 service food establishments, **102** [428]
 solid waste management, **104** [431]
 tobacco regulation, **213** [800]
 utility operations, **88** [375]
 wastewater treatment, **97-98** [413], **99** [419], **109-110** [447-448]
 water supply, **97-98** [413], **99** [419], **106-107** [440], **226-227** [849]
 yard sales, **157** [606]
 zoos, **343** [1119]
- Personal property
 law enforcement records, **246** [1230]
 prisoners, **250-251** [1252]
 public health patients, **197** [727]
- Personnel. *See also* Civil service; Employees;
 Teachers
 absences and accruals, **129** [529], **170-171** [638]
 adult care facilities, **309** [1156]
 airline tenants, **326** [1062c]
 alcohol or drug testing, **178-179** [668-670]
 commercial motor vehicle drivers, alcohol and drug testing, **178** [668], **179** [671]
 contract negotiations, **173-174** [649]
 disciplinary records, **170** [637]
 education and training, **171** [640], **179** [671]
 employee attestations, **178** [666]
 employee benefits, **172-173** [645-646]
 employee illnesses and injuries, **176-177** [658-660]
 employment eligibility verification, **215** [805]
 equal employment opportunity, **172** [643]
 Family Medical Leave Act (FMLA), **172** [644]
 general administrative, **169-170** [636-637], **171** [641]
 grievances and job actions, **174** [650-651]
 identification cards, **171-172** [642]
 medical records, **177** [661-662]
 motor vehicle operation, **178-179** [665, 668-669, 671]
 oaths and signatures, **176** [657]
 public safety, **234-235** [1189]
 retirement incentives, **173** [647]
 rosters, **176** [656]
 surety bonds, **176** [655]
 workplace safety, **175-178** [654, 659-661, 663], **222** [826]
- Personnel deployment, maintenance and repair, **217** [809]
 Pesticides and herbicides, **95-96** [408], **223-224** [832-837]
 aquatic weed control, **221-222** [824]
 neighbor notification records, **224** [833]
- Petitions. *See also* Complaints
 district establishment or dissolution, **8** [40]
 elections, **86** [369]
 political subdivision, **8** [41]
 referendums, **85** [367]
 service, **17** [77]
 tax grievances, **320** [1040-1041]
 utility company, **101** [423]
 zoning, **33** [128-129]
- Petroleum
 bulk storage, **94** [404], **221** [823]
 spills, **93-94** [402-403]
- Petty cash
 cash transactions, electric, and gas utilities, **90** [384]
- Pharmaceuticals
 storage and distribution, **211** [793-794]
- Photocopying, **15** [69]
- Photographs, **15** [71]. *See also* Architectural drawings; Maps
 athletic programs, **261** [858]
 building permits, **26-27** [112]
 capital construction, **215-217** [806-808]
 college events, **47-48** [195]
 community development, **58** [225k]
 consent for use, **15** [71]
 disasters, **37** [146]
 districts, **8** [40]
 E-911 development, **230-231** [1178]
 environmental facilities, **103-104** [430-431]
 heritage area exhibits, **137** [570]
 highways, roads, and bridges, **328-332** [1070, 1072-1074]
 lake, river, stream, and watershed studies, **117** [469]
 law enforcement, **244-245** [1224]
 museum exhibits, **163** [626]
 natural resources, **116** [465]
 park exhibits, **137** [570]
 planning reviews, **31-32** [123]
 port facility, **187** [700]
 property assessment, **317** [1030]
 real property acquisition, **215** [803]
 right-of-way, **332** [1075]

- soil types, **314** [1018]
- special events, **261** [857]
- students and activities, **292-293** [961-962]
- traffic signs and signals, **333** [1081]
- urban cultural park programs, **137** [571]
- walking tours, **136-137** [569]
- watershed studies, **117** [469]
- Physical education program, K-12, **276** [911]
- Physical fitness and agility examination, civil service, **185** [696f-h]
- Physically Handicapped Children's Program, **197** [726]
- Physician's indexes public health, **198** [732]. *See also* Communicable disease; Public health
- Picketing. *See* Job actions
- PILOT. *See* Payment in lieu of taxes
- Pistols. *See* Firearms
- Placement in residential facility, students with disabilities, **284** [937]
- Planning records
 - administrative, **12-13** [57]
 - aging and senior services, **19** [83]
 - buildings and property, **29-32** [107, 118-124]
 - disaster preparedness, **36** [139]
 - economic development, **57** [225a]
 - highways and bridges, **328-332** [1070, 1072-1074]
 - parks, civic centers, and recreational facilities, **260-261** [856]
 - planning review case files, **31-32** [123-124]
 - urban, **29** [105 Note]
- Plans. *See also specific programs*
 - Americans with Disabilities Act compliance, **225** [842]
 - asbestos management, **222** [828]
 - buildings, **31-32** [123-124]
 - capital construction, **216-217** [807-808]
 - climate action, **99** [418]
 - comprehensive district education, **268-269** [882]
 - corrective action, **267** [880], **279-280** [927]
 - crisis relocation, **36** [139]
 - economic development, **57** [225a]
 - educational facilities, **228** [852]
 - emergency management and response, **279** [926]
 - environmental facilities, **103-104** [430-431]
 - environmental restoration, **98-99** [417]
 - fallout shelters, **37-38** [149]
 - heritage area management plan, **136** [566]
 - highways and bridges, **329-332** [1072-1074]
 - individualized home instruction plan (IHIP), **274-275** [905]
 - information resources management, **140** [1299]
 - juvenile detention facilities, **152** [585]
 - lesson, **275** [906]
 - magnet school, **277-278** [919]
 - mentor teacher internship, **181** [681-682]
 - mines, **228** [851]
 - natural resource management, **116** [467]
 - network implementation, **147** [1332]
 - park exhibits, **137** [570]
 - port facility, **187** [700]
 - professional development, **180-181** [678]
 - professional performance review, **169-170** [636c], **171** [640], **180-181** [678-680], **267-269** [881-882], **270-271** [889], **275** [908], **276** [914]
 - property acquisition, **57** [225d]
 - public health facilities, **197** [728]
 - public transportation, **335-336** [1092], **337** [1098]
 - real property, **315** [1022]
 - realty subdivisions, **94-95** [405]
 - recreational facilities, **260-261** [856]
 - school improvement, **267** [880]
 - school safety, **279** [926]
 - school violence corrective action, **279-280** [927]
 - solid waste management facility, **114** [461]
 - special education services, **284** [940]
 - traffic reports and studies, **333** [1080]
 - visitor centers, **136** [566]
 - zoning variances and permits, **33** [129]
- Plot plan, **215** [803]
- Plumbing licenses, **157** [605]
- Poisoning, **209** [782-785]
- Police. *See* Law enforcement; Public safety
- Police Chief, **118** [471]
- Policemen's Retirement System payroll reports, **130** [538]
- Policies
 - camp food management, **263** [870]
 - data processing, **140** [1297]
 - insurance, **150-151** [579-581]
 - policy making, **11** [53a]
 - reports, **16** [74]
 - toxic substances handling, **176** [654f]
- Policies and standards manuals, **11** [52]
- Political advertising, **86** [372]
- Political candidates, financial disclosure, **5** [22]
- Political interest disclosure, **5** [21]
- Political parties, financial disclosures, **5** [22]
- Political subdivision, **8** [41]
- Pollbooks, **84** [362]
- Pools and beaches. *See also* Camps; Recreational programs
 - beach erosion, **117** [470]
 - camps, **262** [865]
 - laboratory test results, **206** [771]
 - permits, **224** [837-838], **262** [865]
 - reports, **224** [839], **262-263** [867]
- Poor houses, **308-309** [1155]
- Poor person status, **24** [104]
- Poor relief, **312** [1166-1169]
- Population survey, mines, **228** [851f]
- Port facility, **187** [700-702]

- Portfolios, student, **288** [950]
 Post employment benefits, **131** [543]
 Postal records, **14** [66]
 Power of attorney, **73** [303]
 Power outages, **90** [386]
 Power plants, **88-90** [375-389]
 dam safety, **36** [142]
 licenses, **3** [14]
 Power poles, **89** [379]
 Prayer in school, certification reports, **267-268** [881]
 Pre-1910 records, **xiv**
 Pre-admission screening records, long-term care, **199** [742]
 Pre-consolidation of school districts, **266** [874]
 Pre-K programs, **270** [886]
 Preschool special education claims, **197** [726]
 Preschool special education program, **202** [755]
 Preschool Supportive Health Services Program (PSHSP), **281-282** [931]
 Prescriptions, **18** [82], **196** [723], **211** [794]
 Press clippings. *See specific subjects*
 Press releases, **14-15** [68]
 Prisoners. *See* Correctional facilities; Inmate work crews
 Private water supply, **93-94** [402], **97-98** [413]. *See also* Public water supply
 applications, **93-94** [402]. *See also* Public water supply
 government use, **226-227** [849]
 reports, **107-108** [443]
 Prizes and gifts awarded to students, **294** [968]
 Probation, **188-190** [1123-1133]
 Probationer list, **189** [1127]
 Procedures manuals, **11** [52], **236** [1194]
 Process exhaust and ventilation systems permits, **96** [409]
 Proclamations, **7** [30]
 Professional development plan, **180-181** [678]
 Professional performance review, **169-170** [636c], **171** [640], **180-181** [678-680], **267-269** [881-882], **270-271** [889], **275** [908], **276** [914]
 Profiling reports, criminal cases, **246** [1228]
 Program admission applications - K-12 students, **286-288** [948]. *See also specific programs*
 Program files. *See also* Educational opportunity centers; *specific subjects*
 Cooperative Extension, **61-62** [241]
 grants, **12** [55]
 local government cable television, **16** [72e]
 plans, **16** [75]
 program materials, **14-15** [68]
 public access television, **15-16** [72a-c]
 public safety, **236-237** [1196-1197]
 urban cultural parks, **137** [571]
 Program monitoring
 magnet schools, **184** [694]
 special education, **285** [943]
 Program plans, **16** [75]. *See also specific programs*
 Program registration, college curriculum, **40** [153]
 Progress reports, **267-268** [881]. *See also* Students; *specific programs*
 Project reviews, **12** [56]
 Proof of publication, **8** [36]
 elections, **85** [366]
 exclusion of self-liquidating indebtedness, **122** [488]
 Property acquisition, **57** [225d]. *See also* Appraisal; Eminent domain; Real property
 community development, **56** [221]
 cultural parks, **136** [566]
 environmental health, **93** [401]
 relocations, **57** [225b]
 Property assessment. *See* Valuation and assessment
 Property damage. *See also* Insurance
 disasters, **37** [146]
 reports, **6** [26]
 Property disposition
 environmental restoration, **98-99** [417]
 Property inventories, **218** [814]
 Property owners, informational listings, **324** [1055]
 Property records, decedents, **67** [268]
 Property reports, criminal investigations, **243-244** [1222]
 Prospectus, bonds, **121** [485]
 Protocols
 laboratory testing, **204-205** [764]
 medical examiner, **66** [264]
 PSHSP. *See* Preschool Supportive Health Services Program (PSHSP)
 PTA. *See* Parent-teacher organizations
 Public access television, **15-16** [72]
 Public access to records, **20** [88 Note], **191-192** [703-707]
 requests for evidence, **20** [88 Note]
 special education records, **286** [946]
 Public administrator, **193** [708-711]
 Public assistance. *See* Social services
 Public Assistance and Care, **305** [1134g]
 Public benefit corporations
 New York City, **xvi**
 records not covered, **xv**
 Public buildings and facilities. *See also* Buildings and facilities
 Americans with Disabilities Act, **225-226** [842-845]
 fire safety inspections, **25-26** [110b]
 lead and copper remediation, **223** [831]
 maintenance and inspection, **25** [109a-b]
 security, **218** [811], **226** [846]
 use records, **218** [812]
 Public defenders, **22-24** [95-104]
 Public employment and training, **194** [712-714]

- Public health. *See also* Communicable diseases; Counseling services; Laboratory records; Medical records
 camps, **262-263** [866-869]
 census of patients, **198** [733]
 certification and licensing, **195** [715]
 credentials, medical professionals, **195** [717]
 facilities, **197-199** [728-737], **212-213** [798]
 fiscal records, **196-197** [722-727]
 general, **195-196** [715-721]
 hazard reports, **100** [420e]
 Health Information Technology for Economic and Clinical Health Act (HITECH) compliance and disclosure, **203** [756]
 Health Insurance Portability and Accountability Act (HIPAA) compliance and disclosure, **203** [756]
 hospital stays, **198** [735]
 incident files, **214** [802]
 infection control, **199** [737]
 medical waste, **212-213** [798]
 patient activities, **198** [731]
 patients. *See* Patient care
 quality assurance, **198-199** [736]
 radiology, **206** [772-777]
- Public hearings, **10-11** [51]
 audits, **119** [474]
 budget, **122** [489]
 district establishment or dissolution, **8** [40]
 eminent domain, **332** [1076]
 employee grievances, **174** [651]
 employees' disciplinary actions, **170** [637]
 juvenile detention facility operations, **152** [584]
 recordings, **15-16** [72]
 tax exemptions, **319-320** [1039]
 taxation, **320** [1040]
 tobacco sales and distribution, **213** [800b-c]
 zoning, **33** [128-129]
- Public libraries, **154-156** [591-603]
 classes and programs, **155-156** [603]
 E-Rate, **127** [1171]
 exhibits, **155-156** [603]
 interlibrary loan, **154-155** [597]
 library card applications, **154** [595]
 Universal Service Schools and Libraries Program (E-Rate), **127** [1171]
- Public meetings
 recordings, public access television, **15** [72a-b]
 recordings, voice conversations, **10-11** [51]
- Public property. *See also* Buildings and facilities; Capital construction; Maintenance and repair; Motor vehicles; Public buildings and facilities; Real property; *specific subjects*
 fuels, **220** [820], **221** [823]
 inventories, **218-219** [814-815]
 maintenance and repair, **219** [817]
 real property acquisition or sale, **215** [803-805]
 sale or discard, **219** [816]
 supplies and equipment requests, **220-221** [821]
 surplus federal property acquisition, **36-37** [143]
 vehicle use, **219-220** [819]
 warranties and specifications, **219** [818]
- Public safety. *See also* Computer-aided dispatch; E-911; Emergency medical services; Fire fighting and prevention; Law enforcement
 accreditation, **233** [1185]
 alarms, **234** [1188]
 community outreach, **236-237** [1196]
 emergency equipment, **233** [1186]
 hazardous materials, **235-236** [1193]
 real property, **235** [1190]
 reference files, **236** [1195]
 standard operating procedures, **236** [1194]
 test evacuation and mock disaster response, **36** [140]
 training, **233-234** [1187]
- Public safety officer training, **275-276** [910]
- Public service projects. *See* Community service
- Public transportation, **335-340** [1092-1105]
 alarms and emergencies, **337** [1096]
 capital improvements, **328-329** [1070]
 commuter traffic, **338-339** [1101-1102]
 environmental conditions, **336** [1093]
 incidents, **336** [1093c Note]
 maps and schedules, **335-336** [1092]
 operations, **336-337** [1093-1095], **338** [1099]
 plans, **335-336** [1092]
 predecessor company records, **339** [1104]
 routes, **335-336** [1092]
 safety, **337** [1098]
 special bus transportation, **339** [1103]
 special funded programs, **338** [1100]
- Public utilities
 income tax returns, **3** [10]
 special franchises, **158** [608]
- Public water supply. *See also* Environmental facilities
 audio data, **106** [439]
 construction and improvement, **103** [430]
 data files, **100-101** [421]
 discharge monitoring, **100** [420f]
 emergency plans, **109** [446]
 health hazards, **100** [420e]
 hydrological monitoring, **107** [442], **108-109** [444-445]
 inspections, **99** [419]
 laboratory test results, **206** [771]
 lead and copper content, **223** [831]
 permits and approvals, **97-98** [413], **99** [419], **103** [430], **106-107** [440]
 reports and studies, **99-100** [420], **107** [441]
 testing, **99-100** [419-420], **107-108** [442-]

443]
 Publications, **14-15** [68]. *See also specific subjects and types*
 computer system print files, **145** [1319]
 elections, **85** [366]
 heritage area exhibits, **137** [570]
 museum exhibits, **163** [626]
 solid waste management, **114-115** [462]
 special projects, **12** [54]
 substance abuse training, **179** [671]
 television viewer guide, **16** [72d]
 training courses, **18** [81]
 walking tours, **136-137** [569]
 Publicity
 airports and airlines, **326** [1062]
 educational opportunity centers, **80** [342]
 Executive, Supervisor, Mayor, Superintendent, Administrator, Manager, County Sheriff, or Police Chief, **118** [471]
 heritage area exhibits, **137** [570]
 park exhibits, **137** [570]
 port facility, **187** [702]
 press releases, **14-15** [68]
 urban cultural park programs, **137** [571]
 Pupil personnel cumulative record, **291** [957]
 Purchase orders and requisitions, **132** [546]
 camp food services, **263** [870b]
 Purchasing, **132-133** [546-554]
 food, **271** [893]
 library materials, **155** [599]
 school bus purchase and capacity approval applications, **302** [1002]

Q

Quality assurance, public health, **198-199** [736]
 Quality control
 alcohol and drug testing, **178** [668]
 laboratory equipment and procedures, **204** [763]
 radiologic equipment, **207** [775]
 Queries, **30** [107b Note]. *See also Data files; specific subjects*
 Questionnaires. *See specific subjects*

R

Rabies, **78** [333, 336], **92-93** [397]
 Race and ethnicity questionnaire, student, **267** [879]
 Radar. *See Speed enforcement*
 Radiation use
 educational opportunity centers, **83** [361]
 community colleges, **50-51** [203]
 Radio licensing, **221** [822]

Radiologic health
 equipment and materials, **206** [772], **207** [775]
 exposure, **206-207** [773], **207** [776]
 program safety, **208** [777]
 theft or radiation release, **207** [776]
 Radon. *See Hazardous materials*
 Raffle, lottery, and fund-raising records
 government-operated, **3** [12]
 Railroad ceilings and special franchises, **318** [1034]
 Railways, **328** [1069]. *See also Highways, bridges, and public works*
 inspections, **334** [1085]. *See also Highways, bridges, and public works*
 Rap sheets, **245** [1224f]
 Rape crisis intervention, **310** [1163]
 Rare books
 accession records, **154** [592]
 patron registration, **155** [602]
 Real property, **315** [Note]. *See also Appraisal; Property Acquisition; Public property; Taxes; Valuation and assessment*
 acquisition, **215** [803-805]
 building permit data, **32-33** [127 Note]
 county clerk's records, **75-76** [320-325]
 current data, **315-316** [1023]
 eminent domain, **332** [1076]
 highways and bridges, **332** [1075-1076]
 history files, **315** [1022]
 housing rehabilitation, **57** [225c]
 improvements and alterations, **317** [1029]
 information listings or indexes, **324** [1055]
 liens, **70** [280]
 mechanic's liens, **69** [273]
 public safety, **235** [1190]
 reports, **316-317** [1027]
 social services assets, **307** [1141-1143]
 tax lien sales, **323** [1050-1053]
 taxation, **324** [1055]
 transfers, **324** [1054]
 visitor centers, **136** [566]
 Realty subdivisions
 environmental health approvals, **94-95** [405]
 Reapportionment, **8** [38]
 Receipts and disbursements, **125-126** [507-508, 512-513, 519]. *See also Fiscal records; specific subjects*
 cash bail, **134** [561]
 real property, **75** [322]
 taxes, **322** [1047]
 travel expenses, **134** [560]
 Record of Taxable Status, **320** [1044]
 Recordings, **10-11** [51], **15-16** [72a-c]. *See also Audio data*
 airport security, **325-326** [1061c]
 athletic program, **292-293** [962]
 athletics scouting, **261** [858b]
 law enforcement, **255** [1278], **256** [1280]

- public access television, **15-16** [72]
- public meetings, **15-16** [72a-b]
- recreational programs, **261** [857-858]
- security, **226** [846]
- solid waste management, **114-115** [462]
- special projects, **12** [54]
- student organization, **292** [961]
- substance abuse training, **179** [671]
- Records
 - appraisal and disposition, **20** [88]
 - retrieval requests, **21** [94]
 - transfer lists, **20** [90]
- Records access. *See* Public access to records
- Records not found in schedule, **xiv-xvii**
- Recreational programs. *See also* Camps
 - applications, **261-262** [861]
 - enrollment and attendance, **260** [853]
 - parental consent, **260** [855]
 - permits, **260** [854]
 - planning and development, **260-261** [856]
 - programs, **261** [857-859]
 - vehicle use, **261** [860]
- Recruitment, civil service, **184** [694]
- Recycling. *See* Solid waste management facilities
- Referendum records, **85** [367]
- Referrals
 - cytogenetic laboratory tests, **204** [760]
 - disadvantaged-owned business, **2** [8]
 - minority- and women-owned business, **2** [8]
 - ombudsman, **17-18** [79]
 - public health facilities, **196** [720]
 - special education, **283** [933]
- Refuse districts, **9** [43]
- Regents diplomas, **288-289** [951]
- Regents examinations, **267-268** [881], **275** [908], **276** [912-913], **286-288** [948], **289** [952]
- Regional information centers (BOCES). *See also specific programs and types of records*
 - data, **148** [1336]
- Regional market authority, **265** [873]
- Register of professions, **2** [7]
- Registration. *See also specific programs*
 - bicycles, **247** [1233]
 - firearms, **247** [1234]
 - library patrons, **155** [602]
 - lobbying, **5** [23]
 - nursing education, **278** [921]
 - pesticides, **224** [836]
 - school districts and BOCES, **267** [877]
 - voter, **84** [362]
- Registration review records, **85-86** [368], **160** [614], **267** [880]
- Regulations, **7** [30]
- Rehabilitation Act of 1973 compliance, **225-226** [842-845]
- Reimbursements claims, **123** [496]
- Reinstatements, **170** [637]
 - civil service eligibility, **183-184** [692]
- Release of contract or agreement, **7** [32]
- Relocation
 - businesses and residents, **57** [225b]
 - tenants, **56** [221]
- Remedial education. *See* Supplemental education services
- Renewals, contracting trade licensing, **157** [605]
- Rent collection
 - community development, **57** [225d Note]
 - property acquisition, **57** [225d]
 - relocations, **57** [225b]
- Rental assistance, **58** [226]
 - housing rehabilitation, **57** [225d]
- Rentals
 - marinas, **260** [854c]
- Reorganization of governments, **8** [41]
- Repair. *See* Maintenance and repair
- Report cards
 - school district and BOCES, **267-268** [881]
 - school facility, **222** [827]
 - school property tax, **324** [1059]
 - student, **286-288** [948]
- Reports. *See also* Data files; Fiscal records; *specific subjects*
 - annual, **16** [74]
 - internal, **12-13** [57], **16** [73]
 - periodic, **16** [73]
- Repossessed vehicles. *See* Motor vehicles
- Reproductive tissue donation, **211-212** [795]
- Requests. *See also specific programs*
 - access to special education records, **286** [946]
 - building and property information, **29-30** [107]
 - building services, **28** [114 Note]
 - conservation assistance, **313** [1012]
 - donation of sick and vacation leave, **129** [530]
 - Freedom of Information, **191** [706]
 - laboratory tests, **204** [759]
 - overtime, **129** [530]
 - public property use, **220-221** [821]
- Rescue and disasters, emergency medical services, **238** [1202]
- Research value of records, **xix-xx**
 - urban planning, **26** [111 Note]
- Residency, proof, **4-5** [19], **35** [134], **270** [888], **286-288** [948]
- Resolutions, **7** [30]
- Resource recovery facilities permits, **96** [409]
- Restitution
 - delinquents, **190** [1132]
 - probation, **190** [1131]
- Resumes, **169** [636], **184** [693]
- Retail establishments, inspections, **59** [228]
- Retirement
 - declined membership, **172-173** [645]

early retirement incentives, **173** [647]
 electric and gas utilities, **88** [377]
 employee declaration of intent, **172-173** [645]
 payroll, **128-129** [524-525 Note]
 pension system reports, **130** [538]
 salary verification, **128-129** [524]
 Revenue sharing claims, **123** [496]
 Reviews
 administrative, **12-13** [57]
 discretionary planning reviews, **32** [124]
 mandatory planning reviews, **31-32** [123]
 patient utilization, **213** [799]
 Revised items, **xii**
 Revoked teacher certifications, **180** [677]
 RIC. *See* Regional Information Centers (BOCES)
 Right-of-way
 highways and bridges, **332** [1075]. *See also*
 Eminent domain
 Road signs, **333** [1081]
 Roads
 failures and defects, **337** [1097]
 temporary closures, **229** [1173d]
 Rodenticides. *See* Pesticides and herbicides
 Routes, school buses and public transportation. *See*
 Public transportation; School buses
 Routing slips, **12-13** [57]
 Rural Public Transportation Assistance, **338** [1100]

S

Safe homes, domestic violence, **310** [1160-1161]
 Safety. *See also* Fire fighting and prevention;
 Inspections; Public safety; School safety
 highways and bridges, **331-332** [1074]
 public transportation, **337** [1098]
 radiological health and equipment, **208** [777]
 Safety data sheets, **175** [654a-c]
 toxic substances, **175** [654a-c]
 Safety inspections, **222** [826], **280** [929]
 Salary schedules, contract negotiations, **173-174**
 [649]
 Salary verification. *See* Payroll
 Sale agreements. *See* Property acquisition
 Sales tax, **126** [516]
 Sales, approval to conduct, **157** [606]
 Sanitary code violations, **95** [406]
 Sanitary surveys, **107** [441a], **108** [443d], **110** [449a]
 wastewater treatment, **110-111** [449]
 Sanitation. *See also* Community sanitation
 prisons, **252** [1261]
 SAP. *See* Substance Abuse Professional's records
 SBA. *See* Small Business Administration
 SCADA. *See* Supply Control and Data Acquisition
 Schedules. *See also specific subjects or types*
 adult care facilities, **309** [1156]
 airports, **327** [1065]
 college classes, **46** [187]
 internal administrative, **13** [59]
 maintenance and repair, **217** [809]
 office and travel, **12-13** [57]
 public transportation, **335-336** [1092]
 Schematic drawings
 capital construction, **216** [807c]
 highways and bridges, **330** [1073]
 Scholarships
 athletic, **42** [160]
 camps, **263-264** [872]
 community college, **54** [211]
 county medical scholarship program, **5** [20]
 K-12, **294** [967]
 School budget notices, **123** [1170]
 School buses
 drivers, **302** [1001, 1004]. *See also* Buses
 and bus drivers; Transportation; Vehicles
 field trips, **303** [1007]
 maintenance, **219** [817]
 non-public school pupil transportation, **302**
 [1005]
 parks and recreation, **261** [860]
 purchase and capacity approval applications, **302**
 [1002]
 ridership, **302** [1003]
 routing and scheduling, **299-302** [Note, 990-999]
 safety drills, **302** [1006]
 school bus photo violation monitoring system,
 303 [1294]
 School census, **290-291** [956]
 School district and BOCES report cards, **267-268**
 [881]
 School district progress reports, **267-268** [881]
 School districts
 alumni, **269** [885]
 establishment, alteration, consolidation, or
 dissolution, **85** [367], **266-267** [876]
 organization, **266-267** [876]
 pre-consolidation, **266** [874]
 registration and accreditation, **267** [877]
 School facility report card, **222** [827]
 School improvement plans and records, **267** [880]
 School lunches and meals, **271** [893]
 School performance
 improvement plans and records, **267** [880]
 School prayer certification reports, **267-268** [881]
 School property tax report card, **324** [1059]
 School safety, **278-281** [924-930]
 improvement plans and records, **267** [880]
 safety plan records, **279** [926]
 School Supportive Health Services Program
 (SSHSP), **281-282** [931]
 School Tax Relief Program (STAR), **319-320** [1039]
 School violence, **267** [880], **279-280** [927]

- Schools
 budget notices, **123** [1170]
 commencements, **269** [884]
 districts, **8** [40]
 E-Rate, **127** [1171]
 fire safety inspections, **25-26** [110b]
 health service, **209** [782]
 maintenance and inspection, **25** [109a-b]
 Universal Service Schools and Libraries Program (E-Rate), **127** [1171]
 Scouting, athletic, **261** [858b]
 Scouting reports, **292-293** [961-962]
 Screening. *See also* Medical screening;
 Mammograms; Patient care
 long-term care facilities, **199** [742]
 persons evaluated, but not treated, **195-196** [719]
 Physically-Handicapped Children's Program, **195-196** [719]
 public health facilities, **195-196** [719]
 Sealer of weights and measures, **59-60** [230-235]
 Secondary employment, **178** [667]
 Section **310** appeals, **270-271** [889]
 Section **504** evaluations, **286-288** [948]
 Securities. *See* Bonds, notes and securities
 Security
 airports, **325-326** [1060-1061, 1062d]
 buildings, **218** [811]
 computer systems, **143-144** [1311-1312]
 recordings, **226** [846]
 safe homes, **310** [1161]
 Security guard, **169** [636]
 Self-liquidating indebtedness, **122** [488]
 Senior services. *See* Aging and senior services
 Senior volunteer records, **19** [84]
 Seniority list, civil service, **185** [697]
 Sensor data
 environmental conditions, **227** [850a]
 environmental facilities, **104** [433a]
 public water supply, **108** [444]
 Separation, notice of, **73** [308]
 Separation records. *See* Marriage Records
 Septic tank cleaners
 permits, **109** [447b]
 reports, **110** [449e]
 Service food establishments
 permits and approvals, **102** [428]
 sanitation, **101-102** [424-427]
 Service requests, **17** [77]
 repair and maintenance, **17** [77-78]
 Sewage disposal, private systems, **93-94** [402]
 Sewer. *See* Wastewater treatment
 Sewer districts, **9** [43]
 Sex Offender Registration Act, **254-255** [1274-1276]
 Sex offenders, **254-255** [1274-1276]
 Sexual molestation and harassment, **280** [928]
 Sexually transmitted disease, **201** [749d-e]
- Sheriff
 cash bail, **134** [561]
 civil actions, **256-257** [1283]
 office files, **118** [471]
 Sheriff ID, **246-247** [1231]
 Sidewalk condition reports, **332-333** [1079]
 Signature cards, **7** [33]
 Signatures, public employee, **73** [305]
 Site plans, **29** [105], **31-32** [123]
 real property acquisition, **215** [803]
 Site visits
 automation support services, **148-149** [1337]
 network services, **146-147** [1327]
 Sketches, **15** [71]. *See also* Architectural drawings;
 Charts and graphs; Drawings; Maps
 buildings, **26-27** [112], **31-32** [123-124]
 community development, **58** [225k]
 environmental facilities, **104** [432]
 environmental restoration, **98-99** [417]
 heritage exhibits, **137** [570]
 museum exhibits, **163** [626]
 park exhibits, **137** [570]
 planning reviews, **31-32** [123-124]
 public transportation, **335-336** [1092]
 real property assessment, **317** [1030]
 traffic signs and signals, **333** [1081]
 utility system, **89** [379]
 Skills and achievement commencement credential, **286-287** [948a], **288-289** [951]
 Slaves, register, **72** [297]
 Slides, **15** [71]
 museum exhibits, **163** [626]
 park exhibits, **137** [570]
 Sludge and biosolids, **111** [450]
 Small Business Administration
 certification, **160** [617]
 financial reports, **160** [618]
 local development, **160** [614]
 SNAP. *See* Supplemental Nutrition Assistance Program
 SNAP-Ed. *See* Supplemental Nutrition Assistance Program Education
 Snow removal, **328** [1068]
 Social and psychological assessments, **273-274** [901]
 Social Security
 certification, community college, **52** [206b]
 changes, **307** [1147]
 educational opportunity centers, **81** [349]
 employee declaration of intent, **130** [535]
 payroll, **128-129** [524-525 Note]
 salary verification, **128-129** [524]
 wage reports, **130** [536]
 Social services
 adoption, **304-306** [1134-1135]
 adult care facilities, **309** [1156]
 assets, **307** [1141-1143]

- case history, **306** [1137]
- case management, **308** [1153]
- case record, **304-306** [1134]
- cemeteries, **308** [1154]
- child abuse, **304-306** [1134]
- child fatality investigation, **310-311** [1164]
- county poor house, **308-309** [1154-1155]
- domestic violence, **309-310** [1158-1162]
- fiscal records, **307-308** [1145-1152], **309** [1156]
- foster care, **306** [1135, 1139]
- fraud investigations and complaints, **311** [1165]
- logs and registers, **306** [1136-1137, 1139], **307** [1142]
- medical records, **200** [745]
- rape crisis intervention, **310** [1163]
- utilization, **307** [1144]
- Software, **140-141** [1300]. *See also* Computer operations; Data files; Data processing; Network services
- Software development, **315** [Note]
- Soil and water conservation districts, **313-314** [1009-1021]
- Soils
 - testing, **64** [255]
 - types, **314** [1017-1018, 1020]
- Solid waste management
 - demonstration projects, **114-115** [462]
 - inspections, **104** [431]
 - leachate, **114** [460]
 - local solid waste management plans, **114** [461]
 - permits, **104** [431]
 - recycling, **114** [458-459]
 - research and demonstration projects, **114-115** [462]
 - self-inspection records, **115** [463]
- Solid waste management facilities. *See also*
 - Environmental facilities
 - byproduct disposal, **114** [460]
 - construction and improvement, **103** [430]
 - hazardous waste collection, **112-113** [455]
 - load delivery records, **112-113** [455-456]
 - local plans, **114** [461]
 - permits, **112** [453]
 - proof of insurance, **114** [457]
 - reports, **112** [454]
- Sonograms, **200-201** [747]
- SPARCS. *See* Statewide Planning and Research Cooperative System
- SPDES. *See* State Pollutant Discharge Elimination System
- Special education, **281-286** [931-947]
 - Children with Special Health Needs Care Program, **197** [726]
 - parental requests for records destruction, **281** [Note]
 - Physically Handicapped Children's Program, **197** [726]
- Special elections, **85** [367]
- Special events, **261** [857]
 - heritage areas, **137** [571]
 - licenses and permits, **157** [606]
 - parks and recreation, **261** [857]
- Special franchises, **158** [608]
- Special projects, **12** [54]
 - real property assessment, **316-317** [1027]
- Special Supplemental Nutrition Program for Women, Infants, and Children, **208** [781]
- Special Transportation Services for the Transportation Disabled, **338** [1100]
- Special use permits, **29** [105], **31-33** [123, 125, 127]
- Species360 reports, **343** [1120]
- Specifications
 - capital construction, **215-216** [806]
 - construction, **31** [123d]
 - economic development, **57** [225a]
 - electric and gas production and transmission, **88** [377]
 - environmental facilities, **103-104** [430-431]
 - environmental restoration, **98-99** [417]
 - highways, roads, and bridges, **328-329** [1070a-b]
 - housing rehabilitation, **57** [225c]
 - information systems development, **140-141** [1300]
 - juvenile detention facilities, **152** [585]
 - port facility, **187** [700]
 - property acquisition, **57** [225d]
 - public health facilities, **197** [728]
 - public property, **219** [818]
 - purchasing, **132** [547]
 - realty subdivisions, **94-95** [405]
 - software development, **140-141** [1300]
 - zoning, **33** [129c]
- Speed enforcement
 - motor vehicles, **248-249** [1241]
 - timing, **248-249** [1241]
- Spillage
 - airport fuels and chemicals, **327-328** [1066]
 - petroleum storage, **221** [823]
- Sporting licenses, **158** [610]
- Sports programs. *See* Athletics
- SSHSP. *See* School Supportive Health Services Program (SSHSP)
- STAC forms. *See* State Education Department STAC (System for Tracking and Accounting for Children)
- Staffing reports, **267-268** [881]
- Standardized tests, **267-268** [881], **276** [914]. *See also* Examinations (tests)
- Standards manuals, **86** [372]
- Standing order files, **132** [552]
- STAR (School Tax Relief Program) tax exemption or abatement, **319-320** [1039]

- State aid, **123** [496]
 State Archives contact information, **xxiii**
 State Central Register reports, abused children, **304-306** [1134]
 State Comptroller's Office. *See* New York State Office of the State Comptroller
 State Education Department STAC (System for Tracking and Accounting for Children), **284** [937-938]
 State-owned lands, tax determination records, **319** [1038]
 State Pollutant Discharge Elimination System (SPDES)
 permits and reports, **99** [419d], **100** [420f-g], **109** [448a], **110** [449d], **112** [454d]
 State Sanitary Code
 lead and copper levels, **223** [831]
 State Tax Commission. *See* New York State Department of Taxation and Finance
 State University of New York (SUNY)
 college curriculum approvals, **40** [153]
 educational opportunity centers, **80** [339], **83** [360]
 fiscal reports, **45** [179]
 Statewide Planning and Research Cooperative System, public health data, **198** [735]
 Stationary combustion installation permits, **96** [409]
 Statistics
 alcohol and drug testing, **178** [668c-d]
 educational opportunity center, **80** [341]
 noise level monitoring, **6** [28]
 periodic activity, **16** [73]
 public health facilities, **196-197** [725]
 veterans' services, **341** [1112]
 water supply, **226** [847]
 Stenographer's notebooks, **10-11** [51]
 Stenotypes, **10-11** [51]
 Stock certificates, **72** [298]
 Storm damage, **117** [470]
 flood and beach erosion **60** [887], **117** [470]
 utility service, **90** [386]
 Stream, lake, river and watershed studies, **117** [469]
 Street and road closures, temporary, **229** [1173]
 Street lights, **89** [382]
 Streets and addresses. *See also* Geographic Information System
 data files, **29** [106]
 E-911 development, **230-231** [1178]
 official record, **8** [39]
 tax parcels, **316** [1025]
 Strikes, employees, **174** [650]
 Structural safety inspection reports, **280** [929]
 Student employment certificate, **293** [965]
 Student exit summary, **281-282** [931]
 Student information systems, **52-53** [208], **289** [953], **291** [958]
 Student loans, **184** [695], **185-186** [698]
 Students - Community College. *See also* Community colleges
 coursework, **55** [218]
 disabled, **44** [173-174]
 financial accounts, **45** [178]
 grievances, **54-55** [215]
 orders of protection, **8** [37]
 residing in municipality, **4** [18]
 student folders, **51-52** [206]
 Students - Educational opportunity centers. *See also* Educational opportunity centers
 disabled, **82-83** [359]
 examinations (tests), **81** [349b], **82** [357]
 grievances, **82** [353]
 orders of protection, **8** [37]
 student folders, **81** [349]
 transcripts, **81** [349b], **82** [357]
 Students - K-12. *See also specific programs and types of records*
 academic records, **134** [560], **203** [756], **286-289** [948-952]
 accidents and illnesses, **273** [900]
 attendance, **290-292** [956, 958-960]
 basic data, **289-291** [Note, 953-957], **299-300** [991]
 detention notices, **293** [966]
 diplomas, certificate of Regents high school and college entrance, **288-289** [951]
 disciplinary records, **293** [966]
 emergency contact information, **294** [971]
 emergency medical training, **280-281** [930]
 employment certificates, **293** [965]
 extra-curricular activities, **292-293** [961-964]
 gifted and talented, **272-273** [895-898]
 guidance folders, **291** [957]
 health records, **273-274** [899-904]
 ID cards, **13-14** [65]
 lists, **289-290** [954]
 magnet schools, **277** [917-918]
 missing children, **294** [970]
 non-district students, **286-288** [948-949]
 non-public school students, **266** [875]
 orders of protection, **8** [37]
 parental consent for school activities, **294** [969]
 portfolios, **288** [950]
 race and ethnicity questionnaire, **267** [879]
 residency determination, **270** [888], **286-288** [948]
 scholarships and awards, **294** [967-968]
 suspension notices and hearings, **293** [966]
 Students - Medical
 medical scholarships, **5** [20]
 Students - Pre-Kindergarten. *See also specific programs and types of records*
 Children with Special Health Needs Care

- Program, **197** [726]
 - orders of protection, **8** [37]
 - Physically Handicapped Children's Program, **197** [726]
 - pre-K and Head Start, **270** [886]
 - special education claims, **197** [726]
 - Subdivisions, planning, **31-32** [123]
 - Subject files. *See also specific subjects*
 - supporting documentation, **11-12** [53]
 - Subject matter lists, government records, **191** [703]
 - Subpoenaed records or exhibits, **23** [100-101]
 - Subpoenas, **23** [100-101], **253** [1266]
 - Substance abuse. *See* Alcohol and substance abuse
 - Substance Abuse Professional's records, **178-179** [669]
 - Substations, transformers, poles and generators, **89** [379]
 - Substitute jail orders, **252-253** [1265]
 - Substitute teacher registry, **181-182** [683]
 - Subversive activity reports, **182** [684]
 - Subways. *See* Public transportation
 - Suicides, **243-244** [1222], **250-251** [1252]
 - Sulfur content, gas, **88** [378d]
 - Summary records, **13** [61]. *See also specific subjects*
 - Summons, **253** [1266]
 - SUNY. *See* State University of New York
 - Superintendent, **118** [471]
 - Superseded records retention and disposition
 - schedules, **x**
 - Supervisors, **118** [471]
 - Supplemental education services, **295-297** [973-981]
 - applications, **296** [976]
 - individual student records, **295-296** [973-974]
 - lists of students, **296** [975]
 - payroll and time records, **296** [978]
 - program monitoring, **296** [977]
 - providers, **297** [981]
 - testing, **296-297** [979-980]
 - Supplemental Nutrition Assistance Program (SNAP), **304-306** [1134]
 - Supplemental Nutrition Assistance Program
 - Education (SNAP-Ed) and Eat Smart New York (ESNY), **62-63** [244-249]
 - Supplies requests, **220-221** [821]
 - Supply Control and Data Acquisition (SCADA)
 - Automated hydrological monitoring system, **108** [444]
 - environmental facilities, **104-105** [433]
 - public transportation, **336** [1093]
 - reports, studies, and data queries, **105-106** [437]
 - Support services
 - network services, **146-147** [1327]
 - software acquisition and review, **149** [1339]
 - user and office automation, **148-149** [1337]
 - Sureties, transportation company expired undertaking, **72** [294]
 - Surety bonds, **70** [281], **176** [655]
 - Surplus food, **18** [80]
 - Surplus property
 - acquisition, **36-37** [143]
 - disposal, **219** [816]
 - Surrogate's Court, public administrator petitions, **193** [708]
 - Surrogate's decrees, estate settlement, **127** [522]
 - Surveys
 - cemeteries, **308** [1154]
 - districts, **8** [40]
 - employee commute options, **338-339** [1101]
 - exhibit visitors, **137** [570]
 - fallout shelters, **37-38** [149]
 - fire safety, **240** [1212]
 - fisheries, **116** [468a]
 - gifts and bequests, **9** [45]
 - government establishment or reorganization, **8** [41]
 - hazardous waste sites, **98** [415]
 - highways and bridges, **331-332** [1074f]
 - insurance, **151** [583]
 - juvenile detention facilities, **152** [585]
 - mine employees, **228** [851f]
 - museum visitors, **163** [626]
 - natural resources, **116** [465]
 - park exhibits, **137** [570]
 - political subdivision, **8** [41]
 - public health facilities, **195** [716]
 - radiologic equipment, **207** [775]
 - real property, **75** [321]
 - special franchises, **158** [608]
 - traffic reports and studies, **333** [1080]
 - turnpike company, **72** [295]
 - Suspension
 - service food establishments, **102** [428]
 - students - K-12, **293** [966]
 - Syphilis
 - laboratory reports, **205-206** [769]
 - treatment, **201** [749d]
 - Syringes and needles, **166** [634]
 - System backups, **141-142** [1303], **143** [1310]
 - System for Tracking and Accounting for Children (STAC), **284** [937-938]
 - Systems. *See* Computer operations; Data processing
- ## T
- Tape libraries, **146** [1324, 1326]
 - Tape recordings. *See* Audio data; Recordings
 - Tapes. *See* Recordings
 - Taxes. *See also* Liens; Payroll
 - abatement and exemption, economic development, **79** [337]
 - abstract of tax roll, **321** [1045e]

- apportionment, **324** [1056]
- assessment reviews, **320** [1041]
- assessment rolls - tentative and final - non-official copies, **321-322** [1046]
- determinations, State-owned lands, **319** [1038]
- emergency medical, **276-277** [915], **280-281** [930]
- escrow account, **322-323** [1049]
- exemptions and abatement, **79** [337-338], **126** [517], **161** [623]
- federal and state tax documents, **131** [539-542]
- general accounting, **126** [516-517]
- grievances, **320** [1040-1041]
- increase limits, proof of publication, **8** [36a]
- informational listings, **324** [1055]
- levies and rate determinations, **324** [1058]
- lien sales, **323** [1050-1053]
- listings, **324** [1055]
- local development corporation, **161-162** [625]
- occupancy, **126** [516]
- off-track betting, **165** [631]
- rate determination, **324** [1058]
- real property, **315-317** [Note, 1022-1023, 1026-1027]
- redemptions and sales, **323** [1050-1053]
- sales tax, **126** [516]
- school property tax report card, **324** [1059]
- state-owned land, **319** [1038]
- tax collection, **322-323** [1047-1049]
- tax maps, **319** [1037]
- tax parcels, **29** [106]
- tax roll, **320-321** [1044-1045]
- tax searches, **324** [1057]
- taxable status file, **316** [1026]
- taxes due, **322** [1048]
- valuation and assessment. *See* Valuation and assessment)
- TDM. *See* Transportation Demand Management
- Teacher resource and computer training centers, **297-299** [982-989]
 - course evaluations, **298-299** [987]
 - course records, **298** [983]
 - earnings credit records, **298** [985]
 - grade records, **299** [989]
 - reports, **297** [982]
 - workshops, **298** [984]
- Teachers. *See also* Employees; Instruction
 - certification records, **169** [636], **180** [676-677]
 - Continuing Teacher and Leader Education (CTLE), **18** [81]
 - earnings (in-service) credit, **298** [984-985]
 - grade and test records, **275** [907-908]
 - hiring and salaries, **4** [15]
 - lesson plans, **275** [906]
 - mentor teacher internship plan, **181** [681-682]
 - professional development plan, **180-181** [678]
 - professional performance review, **169-170** [636c], **171** [640], **180-181** [678-680], **267-269** [881-882], **270-271** [889], **275** [908], **276** [914]
 - substitute teacher registry, **181-182** [683]
 - subversive activity reports, **182** [684]
 - training course information, **18** [81]
 - unions, **269** [883]. *See also* Employees; Labor management meetings
- Technical documentation. *See* Documentation
- Technical memoranda, project planning, **30-31** [120]
- Telephone hotline calls, **310** [1162]
- Telephone logs, **13** [64]
 - Cooperative Extension, **61-62** [241]
 - public health facilities, **196** [720]
- Telephone numbers, **229** [1173], **230** [1177]
- Telephone utility address records, **229-230** [1175]
- Television records, public access, **15-16** [72]
- Temperature charts, original entry records, **200** [746]
- Tenants
 - advisory services, **17-18** [79]
 - port facility, **187** [702]
 - property acquisition, **57** [225d]
 - relocation, **56** [221]
- Termination records
 - civil service employment, **184** [694]
 - educational opportunity centers, **80** [341], **81** [349], **82** [352]
 - public employees, including volunteers and interns, **169-170** [636-637]
- Testing. *See also* Laboratory records
 - alcohol and substance abuse, **253** [1268]
 - energy efficiency, **91** [391]
 - water quality, **99-100** [420], **107** [442]
 - water supply, **226-227** [849]
- Tests. *See* Examinations (tests)
- Textbook loans, non-public school students, **271** [892]
- Theft
 - insurance policies, **150-151** [579]
 - radioactive materials, **207** [776]
 - reports, **6** [26]
- Tickets
 - parking lots and garages, **334** [1088c]
 - produce delivery, **265** [873]
 - public transportation, **336-337** [1094]
 - recreational programs, **260** [853]
 - toll roads and bridges, **340** [1106-1107]
 - traffic, **248** [1240]
- Time cards, sheets and books, **129** [528], **170-171** [638]
- Tip hotline, law enforcement, **256** [1282]
- Tissue donation, **211-212** [795-796]
- Title insurance, **151** [581]
- Title searches, **76** [324]
- Tobacco regulation, **213** [800]
- Tobacco use prevention and control program, **196**

- [721]
- Toll roads and bridges, **340** [1106-1109]
- Tolls and fares collection, **125** [507]
- Tombstone inscriptions, **308** [1154]
- Tow records, impounded vehicles, **249** [1245], **250** [1247]
- Toxic substances. *See also* Asbestos; Hazardous materials; Pesticides and herbicides exposure, **175-176** [654] medical records, **177** [661] storage facilities, **94** [404], **221** [823] training, **175-176** [654d-e]
- Toxicology
 data file, **203** [758b]
 laboratory tests, **204** [761a]
 test results, **206** [770]
- Tracings. *See also* Architectural drawings; Sketches capital construction, **216-217** [807-808]
- Traffic. *See also* Highways, bridges, and public works
 commuter traffic reduction, **338-339** [1101]
 infractions, **248** [1240]
 reports and studies, **333** [1080]
 signs and signals, **333** [1080-1081]
 toll roads and bridges, **340** [1108]
- Trailers and mobile homes, permits, **157-158** [607]
- Training. *See also* Manpower Development and Training Act; Teacher resource and computer training centers
 commercial pesticides and herbicides applicators, **224** [837]
 course records, **18** [81-82]
 course registration, **18** [82]
 disaster preparedness and emergency management, **36** [141]
 election officials, **85-86** [368]
 emergency medical services, **275** [910], **276-277** [915], **237-238** [1200, 1201]
 employment and training program, **194** [712-714]
 mentor teacher internship plan, **181** [681-682]
 motor vehicle alcohol or substance abuse, **179** [671]
 public employees, **171** [640]
 public safety, **233-234** [1187]
 school bus driver training, **302** [1001]
 teacher training course information, **18** [81]
 toxic substances, **175-176** [654d-e]
- Transcripts, **51-52** [206a]
 autopsies, **66** [265]
 community college admissions, **51** [205]
 educational opportunity centers, **81** [349b]
 student requests, community college, **52** [206e]
- Transfer of funds register **38** [98], **124-125** [505]
- Transfer stations. *See* Solid waste management facilities
- Transfer taxes, real property, **76** [323]
- Transformers, substations, poles, towers or generators, **89** [379]
- Transfusions, **205** [766]
- Transplantation, organs and tissue donation, **211-212** [795-796]
- Transportation, **72** [294]. *See also* Airports; Highways, bridges, and public works; Motor vehicles; Public transportation; School buses; Toll roads and bridges
 Employee Commute Option (ECO), **303** [1008]
 interstate water carriers, **108** [443e]. *See also* Airports; Highways, bridges, and public works
 Transportation company expired undertaking, **338** [1101]
- Trash collectors, permits, **157** [606]
- Travel expenses, **134** [560]
- Travel schedules, **12-13** [57]
- Treasurer designation, campaigns, **86** [372]
- Triage, original entry records, **200** [746]
- Trolleys, **339** [1104]
- Trust funds, gifts and bequests, **9** [45]
- Trustees records, pre-consolidation, **266** [874]
- Tuberculosis, **209-210** [787-789]
 cattle testing, **63** [250]
 out-patients, **200** [745]
- Tuition billing for nonresident pupil - K-12, **126** [514]
- Tuition reimbursement
 public employees, **127** [523]
- Turnpike companies, **72** [295], **339** [1104]
- Typhoid carriers, **201** [749]
- ## U
- U.S. Department of Housing and Urban Development
 community development applications, **56** [222]
- Underground facilities, **226** [847]
- Underground storage tanks, **221** [823d-f]
- Unemployment insurance, **173** [646]
- Uniform Commercial Code, financial statements, **68** [272]
- Uniform Crime Reports, **243** [1221c]
- Unions, employee, **269** [883]
- Universal Service Schools and Libraries Program (E-Rate), **127** [1171]
- Urban cultural park, **136-137** [566-571]
- Urban development, federal assistance, **56** [222]
- Urban renewal, **56-58** [221-226]
- Usage files
 internet, **149** [1341]
 network systems, **147** [1330]
- User guides and manuals, data processing, **141** [1301]
- Utilities, electric and gas, **88-90** [375-389]

Utility poles, **89** [379]

Utilization review, public health patients, **199** [741]

V

Vacancies, civil service, **183** [690-691]

Vacancy in public office, notices, **178** [664]

Vacant buildings, police checks, **254** [1270]

Vacations, **170-171** [638]

Vaccine distribution, **210** [791]. *See also*

Immunization

VADIR. *See* Violent and disruptive incident

Valuation and assessment. *See also* Taxes

agricultural land, **320** [1042]

assessment rolls, **316** [1026], **320-322** [1044-1046]

assessor's records, **29** [106], **317** [1028], **320** [1043]

comparative data, **317-318** [1031]

equalization rates, **318** [1035]

field data, **317** [1028]

grievances, **320** [1040-1041]

mass reappraisal, **318** [1032]

property assessment, **317-318** [1029-1032]

property inventories, **317** [1030]

questionnaires, **318** [1033]

railroad ceiling, **318** [1034]

reappraisal, **318** [1032]

state-owned land, **319** [1038]

tax abatement and exemptions, **319-320** [1039]

tax grievances, **320** [1040-1041]

Vandalism reports, **6** [26]

Variances

solid waste and wastewater systems, **104** [431]

public water supply, **106** [440b]. *See also* Permits

Vehicles. *See* Motor vehicles; Public property

Vendors

claim vouchers, **123** [495]

financial or political interest, **5** [21]

maintenance and repair, **217** [809f]

permits, **157** [606]

public health facilities, **196** [724]

purchasing files, **132** [548]

Veterans, **341** [1110-1112]

application, community college, **52** [206d]

City veterans' relief, **312** [1169]

civil service examinations, **185** [696e]

discharge papers, **72** [292]

educational opportunity centers, **81** [349]

special bus transportation, **339** [1103]

tax exemptions, **319-320** [1039]

Veterinarians

certificates, **77** [328]

rabies vaccinations, **78** [336]

Victims, **70** [282]

personal information, **245** [1225]

Video lottery gaming. *See* off-track betting, **166-168** [635]

Videos. *See* Recordings

Videotapes. *See* Recordings

Viewer guides, **16** [72d]

Violations. *See also* Inspections

alcohol or substance abuse, **179** [670]

alcohol sales, **254** [1273]

animal control, **78** [335]

buildings, **25** [108-109], **27-28** [114]

community sanitation, **102** [427]

consumer protection, **59** [227, 229]

criminal code, **243** [1222e]

criminal identification files, **244** [1224a]

fire safety, **25-26** [110]

food stamps, **305** [1134g]

job actions, **174** [650]

local law and ordinances, **7** [31]

motor vehicles, **248** [1240]

sanitary code, **95** [406]

tobacco sales and distribution, **213** [800]

water quality, **100** [420c-d], **107** [441d]

watershed rules, **107** [441d]

weights and measures, **60** [235]

Violence, school, **267** [880], **279-280** [927]

Violent and disruptive incident, **279-280** [927]

Visitor centers

heritage areas, **136** [568]

proposals, **136** [566]

Visitors

airport security, **325-326** [1061c]

heritage area exhibits, **137** [570]

juvenile detention facilities, **152-153** [589]

museum exhibits, **163** [626]

park exhibits, **137** [570]

prisons, **124** [503], **252** [1259]

public buildings register, **218** [811]

school, **218** [811]

Vital records, **208** [778]

Vital statistics, registrars, **208** [778 Note]

Voice conversations, **10-11** [51]. *See also* Audio data

Voided checks, **120** [476]

Volunteer ambulance companies, **241-242** [1216-1219]

Volunteer fire companies, **73** [300], **240** [1214], **241-242** [1216-1219]

Volunteer Firefighter Service Awards. *See* Length of Service Award Program for Volunteer Firefighters and Volunteer Ambulance Workers

Volunteer firefighters. *See* Fire fighting and prevention

Volunteer Firefighters Benefit Law cases, **150** [577]

Volunteer Firefighters Insurance Service (VFIS)

census of firefighters, **241** [1217]

Volunteers

aging or senior services, **19** [87]
 personnel records, **169** [636]
 public safety reference files, **236** [1195]
 Voter action, political subdivision, **8** [41]
 Voter registration, **84** [362]
 agency assistance, **86-87** [374]
 declination to register forms [862], **87** [374a]
 Voting. *See* Elections
 Voting machines, certification, **85** [364]
 Vouchers. *See also* Fiscal records; Purchasing
 capital construction, **215-216** [806]
 cash bail, **134** [561]
 city veterans' relief, **312** [1169]
 environmental facilities, **103** [430]
 environmental restoration, **98-99** [417]
 highways, roads, and bridges, **329** [1070b]

W

W-2 form, **131** [540]
 W-2G form, **166** [634]
 W-3 form, **131** [540]
 W-4 form, **131** [541]
 W-9 form, **131** [540]
 Wage reports, **130** [536-537]
 Wagering. *See also* Off-track betting
 reports, **165-166** [632]
 Waivers
 local legislation, **157** [606]
 mandatory disinfection, **99** [419c]
 special education program, **285** [942]
 tobacco regulation, **213** [800d]
 Walk-outs. *See* Job actions
 Walking tours, heritage areas, **136-137** [569]
 Warranties and guarantees, **132** [549]
 Warranties, public property, **219** [818]
 Warrants and claims. *See* Claims and warrants
 Warrants and subpoenas, **253** [1266]
 Wastewater disposal
 audio data, **106** [439]
 inspections, **99** [419]
 permits, **97-98** [413], **99** [419], **103** [430]
 reports and studies, **99-100** [420]
 Wastewater treatment, **109-111** [447-452]
 co-composting, **111** [452]
 components, **104** [432]
 construction, **103** [430]
 data files, **100-101** [421]
 industrial waste, **222-223** [829]
 leachate, **111** [451]
 permits, **109-110** [447-448]
 reports and studies, **110-111** [449]
 sludge and biosolids, **111** [450]
 Water analysis, pools and beaches, **206** [771b]
 Water conservation. *See* Conservation
 Water distribution, **107-108** [443]
 permits, **97** [413d, 413f], **106-107** [440c-d]
 reports, **108** [443c]
 Water districts, **9** [43]
 Water quality
 solid waste management facilities, **112** [454]
 testing, **107** [442]
 violations, **100** [420c-d], **107** [441d]
 Water sample tests
 pools, **224-225** [840]
 Water supply, used by local government, **226-227**
 [849]
 Water testing
 camps, **262-263** [867]
 drinking water and public facilities, **223** [831]
 lead and copper content, **223** [831]
 Water treatment plants
 permits, **104** [431]. *See also* Environmental
 facilities; Public water supply
 reports, **107-108** [443]
 Watercraft, police and fire vehicles. *See* Law
 enforcement
 Watershed
 farm management, **314** [1021]
 reports, **107** [441]
 rules violations, **100** [420c-d]
 studies, **117** [469]
 Weapons, **246** [1230]. *See also* Firearms
 Weather conditions, **328** [1068]
 Weatherization, **91** [391]
 clients, **91** [394]
 referrals, **91** [395]
 state assistance plans, **91** [393]
 Web pages, publications, **14-15** [68]
 Weed control, **221-222** [824]
 Weigh scales, regional market authority, **265** [873]
 Weights and measures, **59-60** [230-236]
 Welfare, **312** [1166-1169]
 fraud complaints and investigations, **311** [1165]
 Well driller, certification, **97-98** [413g]
 Wetlands. *See* Environmental management
 WIC programs. *See* Special Supplemental Nutrition
 Program for Women, Infants, and Children
 Wild animal notifications, **235** [1191]
 Wills, **72** [299]
 Wiring schematics, network implementation, **147**
 [1332]
 Witnesses, personal information, **245** [1225]
 Women- and minority-owned businesses, **2** [8]
 Work crew, inmate, **225** [841], **257** [1284]
 Work Force Investment Act
 programs, **194** [712-714]
 Work orders, **17** [78]
 Americans with Disabilities Act compliance, **225**
 [842b]
 capital construction, **215-216** [806]

- electric and gas utilities, **88** [377]
- environmental facilities, **103** [430]
- highways, roads, and bridges, **329** [1070b]
- network systems, **149** [1341]
- power plants, **88** [377]
- Work reports, prisoners, **251** [1254]
- Work schedules, personnel, **170-171** [638]
- Work stoppage, **174** [650]
- Workers' compensation, **150** [577-578], **151** [580],
176-177 [659-660]
- Workforce Innovation and Opportunity Act
programs, **194** [712-714]
- Working documents, **13** [62]
- Working papers, student, **293** [965]
- Worksheets, **13** [62]
 - park exhibits, **137** [570]
- Work-study. *See* Occupational education

X

X-ray films, **200-201** [747], **210** [789]

Y

Yard and garage sales, licenses and permits, **157**
[606]

Youth court, **342** [1117]

Youth employment programs, **194** [712-714]

Youth services, **342** [1113-1117]

Youths, juvenile detention, **152** [586-587]

Z

Zoning, **32-34** [125-131]

- changes, **29** [107a]
- discretionary planning reviews, **32** [124]
- maps, **32** [126]
- notifications of proposed changes, **33** [130]
- planning reviews, **31-32** [123]
- property assessment, **317-318** [1031]
- variances and permits, **33** [129]
- violations, **7** [31]

Zoos, **343** [1118-1122]

**Town of Carmel
60 McAlpin Ave
Mahopac, New York 10541
(845) 628-1500**



**PROCUREMENT POLICY
AND
PROCEDURES**

Revised August 2020

**Adopted by Resolution of
Carmel Town Board
Date
“insert resolution when passed”**

TABLE OF CONTENTS

SECTION I. PROCUREMENT POLICY OBJECTIVES4
SECTION II. CATEGORIES OF PROCUREMENTS/PURCHASING5
PURCHASING & PUBLIC WORKS PRICE CHARTS6
PURCHASE CONTRACTS FLOWCHART8
PUBLIC WORKS CONTRACTS FLOWCHART9
SECTION III. SOLE SOURCE10
SECTION IV. EMERGENCIES11
SECTION V. PROFESSIONAL SERVICES12
PROFESSIONAL SERVICES FLOWCHART14
SECTION VI. PIGGYBACKING15
SECTION VII. THE PURCHASING PROCESS16
SECTION VIII. RESPONSIBLE PURCHASING AGENTS17
EXHIBIT “A” SOLE SOURCE JUSTIFICATION FORM18
EXHIBIT “B” EMERGENCY JUSTIFICATION FORM19
EXHIBIT “C” VERBAL QUOTES FORM20

SECTION I: PROCUREMENT POLICY OBJECTIVES

The following sets forth the policies and procedures of the Town of Carmel to meet the requirements of General Municipal Law, (GML) Sections 103 and 104.

PURPOSE

Goods and services which are required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost, and to guard against favoritism, improvidence, extravagance, fraud and corruption. The Procurement Policy confirms the commitment of The Town of Carmel to ensure that its purchases of goods and services are made legally, fairly, prudently, competently, and at the lowest possible cost offered by responsible vendors. This Procurement Policy and General Municipal Law Sections 103 and 104 provide guidance to those involved in the purchasing process. The Town of Carmel adopts this following Procurement Policy in accordance with Section 104b of the General Municipal Law (GML) Procurement.

ANALYZE THE PROPOSED PROCUREMENT/PURCHASE

Generally, the official(s) responsible for making the particular procurement will make the initial determination as to how such purchases are to be made under New York State Law and this policy, as follows:

- Comply with New York State Law regarding Municipal Purchasing
- Determine whether an item is available under State or County contract
- For legal issues regarding the applicability of competitive bidding requirements, verify with the Town Legal Counsel, as appropriate
- In the case of a lease, determine that a document is a true lease and not an installment purchase contract
- Determine whether it is expected that over the course of the fiscal year, the Town will spend in excess of the competitive bidding thresholds for the same or similar items or services
- Promote timely procurement of goods and services for the daily operation
- Promote prudent spending of the funds by ensuring competition and obtaining maximum value for purchasing dollars spent
- Promote fair and open competition among vendors in an impartial manner
- Provide for uniformity in purchasing by all Town of Carmel Departments

SECTION II. CATEGORIES OF PROCUREMENTS/PURCHASING

It is important to distinguish between contracts for Public Works and Purchase Contracts, as these items are not defined in the General Municipal Law. This distinction is especially important because there is a \$15,000 difference between the bidding thresholds.

Many times, contracts involve both goods and services and it is difficult to determine which bid limit to apply. Each procurement must be reviewed on a case-by-case basis and a determination must be made as to what kind of contract is involved. As a general rule, if the contract involves a substantial amount of services, such that it is the predominate element and goods are incorporated into the project, it will be considered a contract for public works. Conversely, if services or labor are only minimal or incidental to the acquisition of goods, (delivery, setup, installation or assembly) it is considered a purchase contract for goods.

If a Purchasing Agent is unclear whether the procurement is a ‘Purchase Contract’ or ‘Public Works Contract’ contact the Comptroller’s Office for guidance.

Refer to Procurement Methods Charts on Pages 6 and 7

PROCUREMENT METHODS USED FOR COMPETITIVE BIDDING

This chart identifies the procurement/purchasing categories subject to the Competitive Bidding Requirements of Section 103 GML or the Town Procurement Policy required by Section 104-b GML and where further information can be found.

Procurement Category	Subject to Competitive Bidding (§103)	Procurement Policy (§104-b)	Reference Law
Purchase and Public Works Contracts:			
1. Purchase Contract – Above \$20,000	X		103 GML
2. Purchase Contract – Below \$20,000		X	104 GML
3. Contract for Public Work – Above \$35,000	X		103 GML
4. Contract for Public Work – Below \$35,000		X	104 GML
Procurement Exempt from GML §103 and §104-b			
5. Agencies for Blind or Severely Handicapped, etc.		X	175-b SFL
6. Correctional Institutions		X	184 CL
7. State Contract *		X	104 GML
8. County Contract *		X	103(3) GML
Procurement Exempt from GML §103 and 104b			
9. Sole Source (See section III)		X	103(4) GML
10. Emergencies (See section IV)		X	103(4) GML
11. Professional Services (See Section V)		X	103(4) GML
12. True Leases		X	103(4) GML
13. Insurance		X	103(4) GML
14. Second-Hand Equipment from Another Government		X	103(6) GML

Statutory Exceptions from These Policies and Procedures. Exceptions include procurements made pursuant to General Municipal Law, Section 103(3) (through county contracts) or Section 104 (through state contract), State Finance Law, Section 175-b (from agencies for the blind or other severely handicapped, special employment programs for the mentally ill or veteran’s workshops), and Correction Law, Section 186 (articles manufactured in correctional institutions).

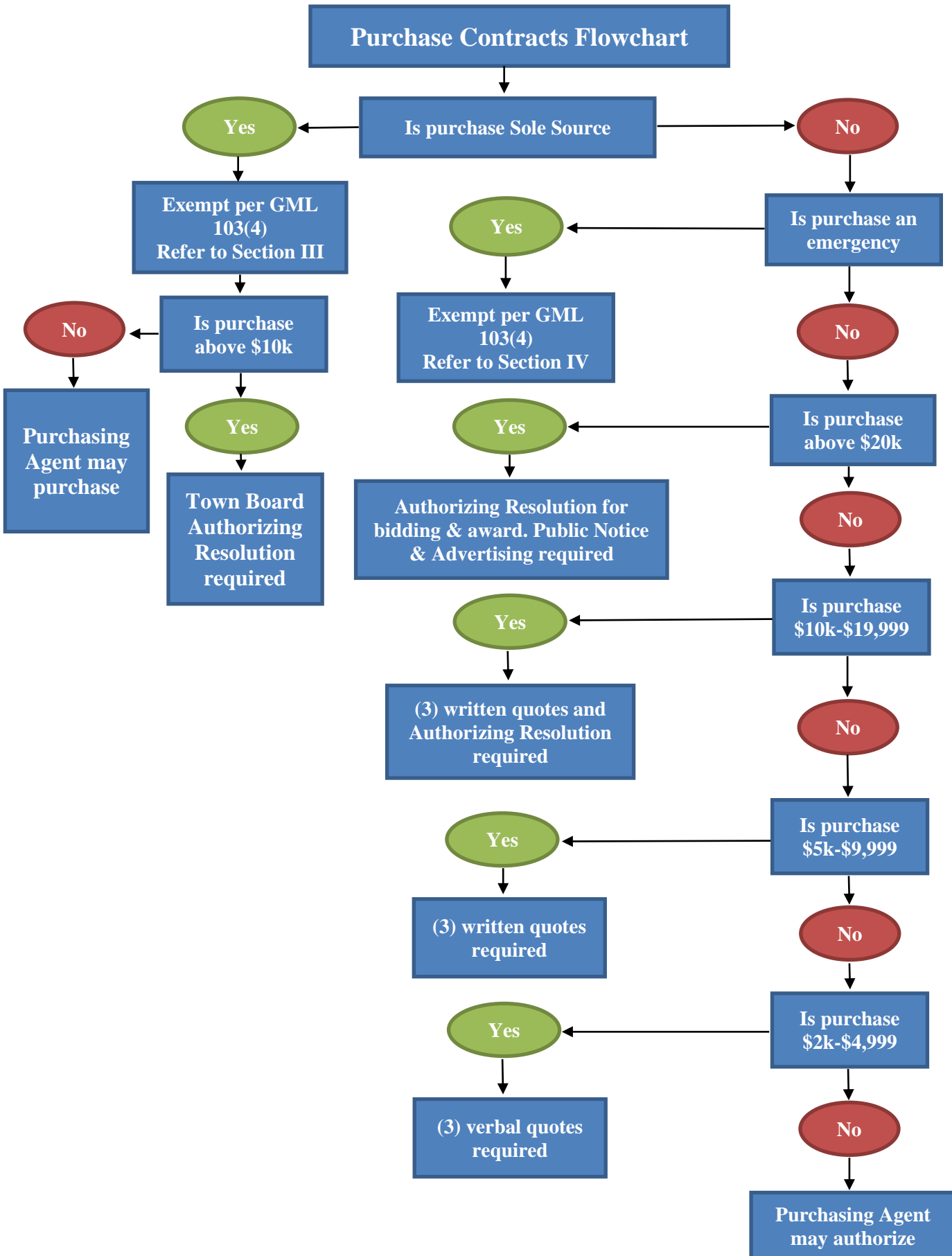
*** The fact that a vendor is willing to meet or even provide pricing below an awarded State or County Bid Contract does not provide a basis for a contract or purchase award**

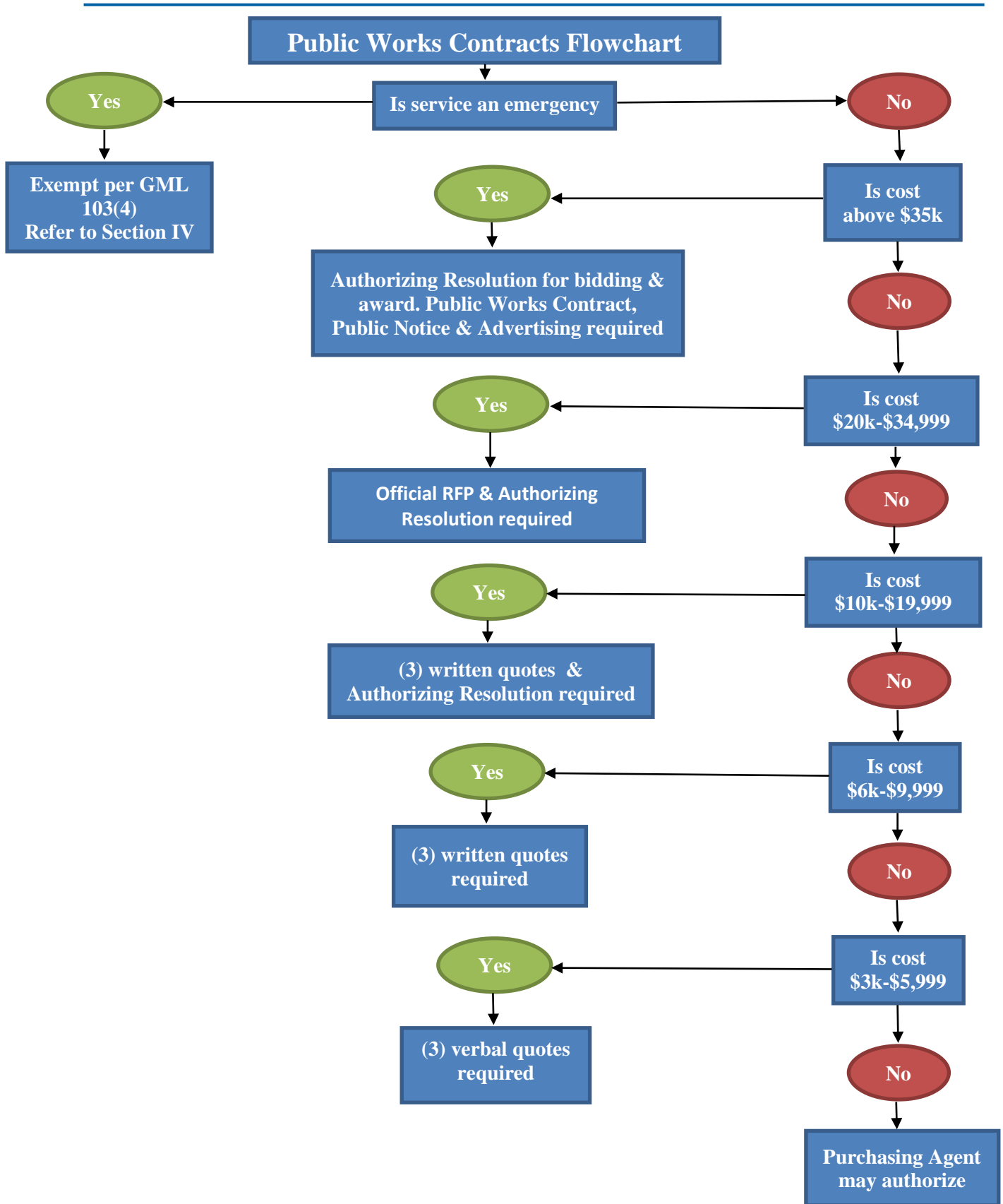
METHODS OF COMPETITION TO BE USED FOR NON-BID PROCUREMENTS EXEMPT FROM GML103

The Town Board of the Town of Carmel requires that the method to be used for seeking competition depends on the amount and type of procurement listed in the following chart.

TYPE AND AMOUNT OF PROCUREMENT	VERBAL QUOTES		WRITTEN QUOTES	WRITTEN QUOTES	OFFICIAL RFPS	EXEMPT PER GML
	0	3	3	3 AUTHORIZING RESOLUTION REQUIRED	AUTHORIZING RESOLUTION REQUIRED	
Purchase Contracts Below \$20,000						
Under 1,999	X					
2,000-4,999		X				
5,000-9,999			X			
10,000 – 19,999				X		
Public Work Contracts Below \$35,000						
Under 2,999	X					
3,000-5,999		X				
6,000-9,999			X			
10,000-19,999				X		
20,000 – 34,999					X	
Emergencies (refer to SEC IV)						X
Insurance						X
Professional Services (refer to SEC V)					X	X
True Leases						X
Second-Hand Equipment from other Govts.						X
Sole Source Providers (refer to SEC III)						X

➤ (See Exhibit C) Verbal Quotes Form





SECTION III. SOLE SOURCE

Competitive bidding is not required under §103 in the General Municipal Law in those limited situations when there is only one possible source from which to procure goods or services required to uniquely serve the public interest, for which there is no substantial equivalent and, which are, in fact, available from only one source. In making these determinations, the purchasing agent should document the unique benefits received as compared to other goods or services available in the marketplace; that no other goods or services provide substantially equivalent or similar benefits; and that, considering the benefits received, the cost is reasonable, when compared to other goods or services in the marketplace.

A Town Board Authorizing Resolution is required for Sole Source Purchases that exceed \$10,000

➤ **(See Exhibit A) A Sole Source Justification Form must be completed, approved by the Purchasing Agent and accompany all paperwork submitted to the Comptroller's Office for payment. If the purchase will exceed \$10,000, a Town Board Authorizing Resolution is required.**

SECTION IV. EMERGENCIES

Subdivision (4) of General Municipal Law §103 sets forth an exception to purchasing and bidding requirements for emergency situations and provides as follows:

“Notwithstanding the provisions of subdivision one of this section, in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer, Council or agency of a political subdivision or district therein.”

There are three basic statutory criteria to be met in order to fall within this exception:

1. The situation must arise out of an accident or unforeseen occurrence or condition;
2. Public buildings, public property, or the life, health, safety or property of the political sub-division's residents must be affected;
3. The situation must require immediate action, which cannot await competitive bidding.

In cases of emergency situations which meet the criteria above, the following procedures will be used:

1. Contact the vendor immediately and arrange the purchase or service.
2. If the emergency purchases or services were below \$10,000, an Emergency Justification Form must be completed, approved by the Purchasing Agent and accompany all paperwork submitted to the Comptroller's Office for payment, unless supporting documentation is available for submission which sufficiently meets the statutory criteria listed above.
3. If the emergency purchases or services were above \$10,000, an Emergency Justification Form must be completed, approved by the Purchasing Agent and accompany all paperwork submitted to the Comptroller's Office for payment. The box indicating that notification will be made to the Town Board must be checked and a Town Board Resolution should be passed acknowledging said emergency.

➤ **(See Exhibit B) Emergency Justification Form**

SECTION V. PROFESSIONAL SERVICES

One of the most prominent exceptions to competitive bidding is professional services. Professional services generally include services rendered by attorneys, engineers, auditors and certain other services requiring specialized or technical skills, expertise or knowledge, the exercise of professional judgment or a higher degree of creativity.

Professional services are specifically exempt from public bidding under GML 103(4). They are however subject to the application of this policy and require actions which are dependent upon the category that the professional service falls into and cost threshold.

For purposes of procurement, there are two general categories of Professional Services, those which have a **Finite Scope** and/or duration and those that are **Indeterminable** in scope at the time of engagement. It is important to identify which type at the outset, as the two types vary in procurement procedure. Where the professional service is identified as a Finite Scope refer to the chart for procurement requirements based upon various monetary thresholds. Where the professional service is Indeterminable a Town Board Resolution is required to engage the Professional.

FINITE SCOPE

Either a set project scope or a fixed duration where complete pricing can be determined at the time of engagement.

Examples:

- Engineering Design services for a project that involves the design, permitting and construction oversight of one thousand feet of water main in a known location. This example shows that a fixed price can be determined for this professional service.
- Planning Board Consultant for a period of one year where the scope of services is identified. This example also shows that a fixed price can be determined for a specific duration and scope.

AMOUNT OF PROCUREMENT	PROFESSIONAL SERVICE FINITE SCOPE APPROVAL REQUIREMENT
Under \$4,999	Recommendation of Purchasing Agent
\$5,000 - \$9,999	Recommendation of Purchasing Agent and with the approval of the Town Supervisor
\$10,000 - \$19,999	Prices will be obtained by formal written proposals from at least (3) sources and presented by the Department Head to the Town Board and the award will be made by an Authorizing Town Board Resolution
\$20,000 and Above	Prices will be obtained by RFP and presented by the Department Head to the Town Board and the award will be made by an Authorizing Town Board Resolution

PROFESSIONAL SERVICES - continued

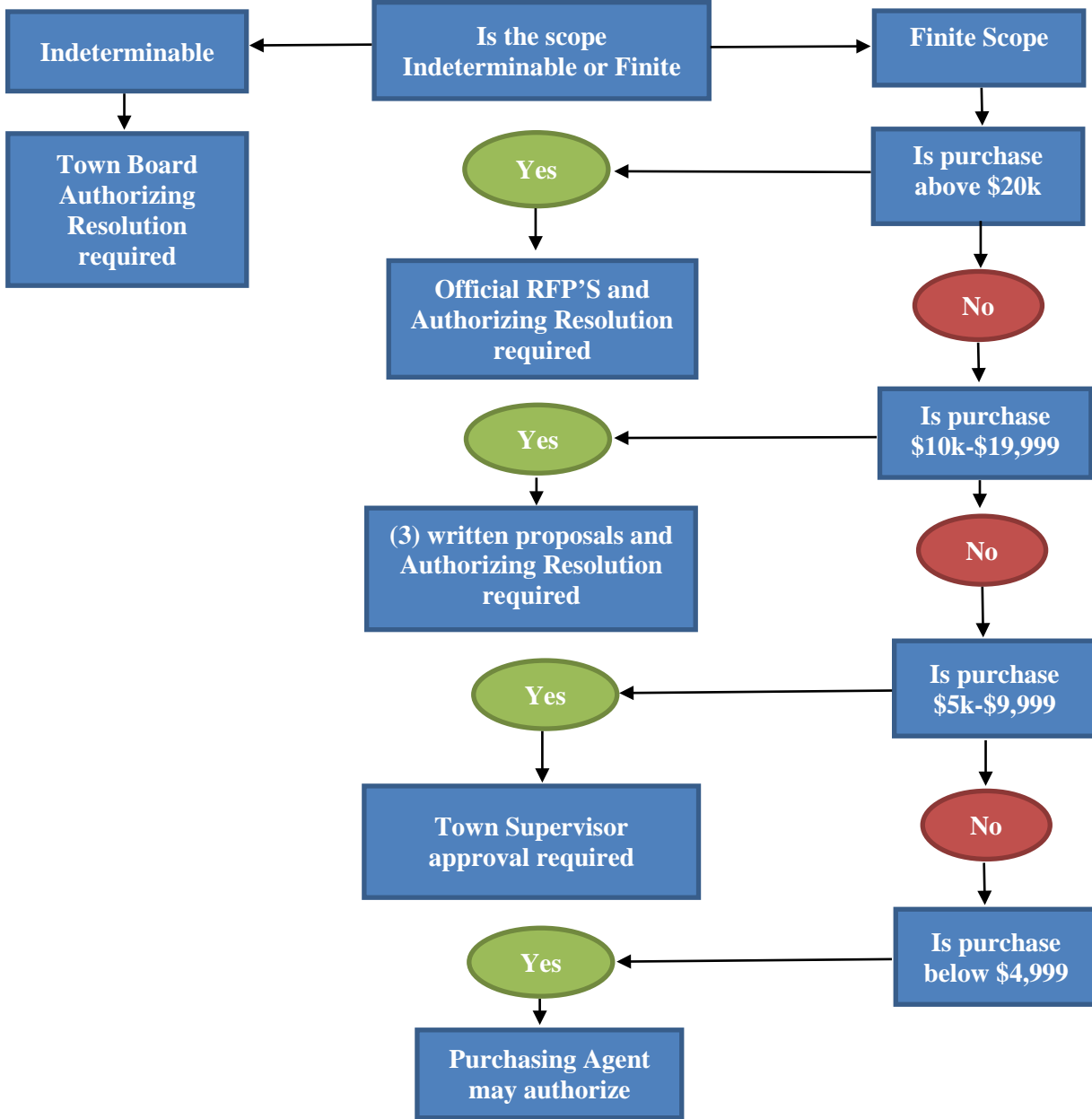
INDETERMINABLE

At the time of engagement of the professional service, the duration and/or scope and ultimate cost cannot be determined. A Town Board resolution is required to engage the Professional.

Example:

- The Town wishes to engage a law firm for representation in a lawsuit. The very nature of litigation makes it impossible to determine how long it will go on or what level of effort will be required to prosecute or defend the lawsuit.

Professional Services Flowchart



SECTION VI. PIGGYBACKING

GML 103(16) authorizes political subdivisions to purchase apparatus, material, equipment and supplies and to contract for services related to the installation, maintenance and repair of those items through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision of district therein. In purchasing, this concept is known as “piggybacking”. While the above authorizes “piggybacking” on United States contracts and contracts of “any state”, by adoption of this procurement policy, the Town Board limits the application of “piggybacking” to only contracts of the State of New York or any municipal instrument of the State of New York (county, town, village or school district).

There are five prerequisites to the Piggybacking option:

1. In accordance with this policy, the contract must have been let by an Agency of the State of New York or political subdivision thereof (the Host). This is straight forward.
2. The contract must have been made available for use by other governmental entities. For this, you will need to examine the documents that were used by the Host in the procurement process. There must be language indicating in the solicitation that the Vendor understands that the bid price for a particular item will be extended to other entities. It is not enough that the Vendor unilaterally extends the pricing to the Town of Carmel.
3. You must compare the bid process followed by the Host with the process adopted by the Town of Carmel. In the case of Public Bids procured in compliance with GML 103, you may presume that the Host followed the law, which is the same law that the Town of Carmel is required to follow. However, in procurements that were made below the statutory thresholds (\$35,000 and \$20,000), you must look to the process followed by the Host and determine if that process substantially conforms to the Town of Carmel’s Procurement Policy in both monetary thresholds and authorizing authority (Purchasing Agent, Supervisor, Town Board). This is not a perfect test as procurement policies vary, but there should be a written explanation of why the procurement substantially complies with the Town’s policy.
4. Staleness- The cost of goods and services vary with time. Most of the time costs go up, but there are instances where prices decrease. The Purchasing Agent should look to the market conditions at the time of purchasing to ensure that the “piggyback” provides for pricing that is comparative to current pricing.
5. Monetary thresholds- Piggybacking does not eliminate Town Board Authorization where the procurement exceeds monetary thresholds. For Purchases and Public Work above \$10,000 a Town Board Authorizing Resolution is required.

If a Purchasing Agent is uncertain as to whether the Piggybacking can be utilized contact Comptroller’s Office for guidance.

SECTION VII. THE PURCHASING PROCESS

The purchasing process is designed to provide a system of internal control over purchasing, to ensure that the proper authorizations are obtained before items are purchased, and to ensure that Town of Carmel's Procurement Policy is followed. A number of forms are generated as part of the purchasing process to document the validity of the purchases. It is imperative as a local government that we remain transparent in our fiscal matters.

I. REQUISITIONS

The REQUISITION initiates a request to purchase goods or services from a vendor. Once all required quotes, bids, contracts, and resolutions are obtained a requisition must be entered into the KVS Financial Software System by the designated department representative. When entering a requisition written quotes are required to be uploaded in the "Attachments" tab. Verbal quotes may be noted in the "Memo" tab or uploaded in the "Attachments" tab using the Verbal Quotes Form (see EXHIBIT "C"). If the purchase is a sole source or emergency this must be indicated on the description line. At this time the correct appropriation number must be entered. If an account is over budget, a budget transfer request must be submitted to the Comptroller's Office before proceeding. Upon completion of entering a requisition, an email will be sent to the authorized departmental purchasing agent for approval. Upon department approval the requisition will be reviewed by the Comptroller's Office. If the department does not have access to KVS an email must be sent to the Comptroller's Office with the details of the requested purchase.

II. PURCHASE ORDERS

Once a requisition has been fully approved, a purchase order will be created and a system generated email will be sent to the department representative that created the requisition. If the department does not have access to KVS once the requisition is approved a purchase order will be emailed to the departmental personnel requesting the purchase.

At this point the goods or services can be purchased from the vendor.

III. VOUCHERS/VENDOR CLAIM FORMS

The department representative should timely provide to the Comptroller's Office the documents needed to approve and pay vendors' invoices. These documents must include the purchase order, all invoices associated with the purchase, and a vendor claim form signed by the vendor and approved by the authorized departmental purchasing agent. Any required quotes, bids, contracts or resolutions must be attached to the submitted paperwork.

SECTION VIII. RESPONSIBLE PURCHASING AGENTS

Pursuant to Chapter 402 of the Laws of 2007, effective August 2020, as required under Section 104 of the NYS General Municipal Law, the Town is including the names of the municipal officials responsible for purchasing decisions, as follows:

<u>Position Title</u>	<u>Position Incumbent</u>
Town Supervisor	Kenneth Schmitt
Town Deputy Supervisor	Suzanne McDonough
Town Board	Frank Lombardi
Town Board	Michael Barile
Town Board	Robert Schanil
Town Justice	Daniel Miller
Town Justice	Thomas Jacobellis
Court Clerk	Patricia Genna
Comptroller	Mary Ann Maxwell
Town Assessor	Glenn Droese
Town Clerk	Ann Spofford
Deputy Town Clerk	Alice Daly
Receiver of Taxes	Kathleen Kraus
Deputy Receiver of Taxes	Gary Kiernan
Town Civil Engineer	Richard Franzetti
Town Engineering Project Coordinator	Robert Vara
Principal Account Clerk	Eileen Brennan
Highway Superintendent	Michael Simone
Deputy Highway Superintendent	Michael Martin
Interim Commanding Officer	John Dearman
Lieutenant	Stephen Kunze
Codes Enforcer	Michael Carnazza
Director of Parks and Recreation	James Gilchrist

UPDATING THE POLICIES AND PROCEDURES

The Town Board shall annually review these policies and procedures. The Comptroller's Office shall be responsible for conducting an annual review of the Procurement Policy and for evaluation of the internal control structure established to ensure compliance with the procurement policy.

EXHIBIT "A"

Sole Source Justification Form
Town of Carmel Procurement Policy

Procurement Policy, Section V: Sole Source Procurement

A sole source procurement is justified when there is only one good or service that can reasonably meet the need *and* there is only one vendor who can provide the good or service.

Department: _____

Vendor name: _____

Goods or Services: _____

State the basis for identifying this vendor as a sole source, check any that apply:

- The vendor is the manufacturer of the product and has no distributors.
- The vendor is the only reseller of the manufacturer's product in this geographic region.
- Item to be purchased is a supply for equipment which is under warranty, and use of any product other than specified will void the warranty.
- Item is proprietary and is additional product or software which must work with an existing system.
- This purchase will exceed **\$10,000** and will require a Town Board Authorizing Resolution.
- Other (provide explanation):

Purchasing Agent's signature for approval: _____

EXHIBIT "B"

**Emergency Justification Form
Town of Carmel Procurement Policy**

Procurement Policy, Section VI: Emergency Procurement

Subdivision (4) of General Municipal Law §103 sets forth an exception to purchasing and bidding requirements for emergency situations

Department: _____

Vendor names: _____

Nature of emergency: _____

Estimated cost: _____

There are three basic statutory criteria to be met in order to fall within the emergency purchase exception. State the basis for identifying an emergency purchase or service, check any that apply:

- The situation arose out of an accident or unforeseen occurrence or condition.
- Public buildings, public property, or the life, health, safety or property of the political sub-division's residents were affected.
- The situation required immediate action, which could not await competitive bidding.
- The emergency purchases or services exceeded **\$10,000** and will be submitted to the Town Board for presentation at a Town Board Meeting to acknowledge said emergency. A Town Board Resolution should be passed acknowledging the same.
- Other (provide explanation):

Purchasing Agent's signature for approval: _____



8/12/2020 Work Session Agenda Item #3
TOWN OF CARMEL RECREATION AND PARKS DEPARTMENT

SYCAMORE PARK • MAHOPAC, NEW YORK 10541

JAMES R. GILCHRIST, CPRP, DIRECTOR

TELEPHONE: (845) 628-7888

FAX: (845) 628-2820

E-MAIL: carmelrecreation@ci.carmel.ny.us

WEBPAGE: www.ci.carmel.ny.us

DATE: August 6, 2020

TO: Carmel Town Board
Carmel Town Hall

FROM: James R. Gilchrist, CPRP
Director, Recreation and Parks

SUBJECT: Airport Park Phase 3 – Septic System Bid Package

Insite Engineering, Surveying & Landscape Architecture, PC has submitted a bid package for the Airport Park Phase 3 -Septic System. I have attached the package along with the project plans for your review.

Please add this to the August 12, 2020 Town Board Work Session agenda and contact me with any questions.

/ns
Attachments

TOWN OF CARMEL
PUTNAM COUNTY, NEW YORK

PARK AND ATHLETIC COMPLEX (FORMER AIRPORT PROPERTY)
PHASE 3 – SEPTIC SYSTEM CONTRACT

CONTRACT C-270

CONTRACT DOCUMENTS
ISSUED FOR BID

JULY 31, 2020



Prepared by:
Insite Engineering, Surveying & Landscape Architecture, P.C.
3 Garrett Place
Carmel, New York 10512

Ann Spofford
Town Clerk
Town of Carmel

Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

Telephone: 845.628.1500
Fax: 845.628.7434

LEGAL NOTICE
ADVERTISEMENT FOR BID

NOTICE IS HEREBY GIVEN that sealed bids will be received at the Office of the Town Clerk, Town of Carmel, 60 McAlpin Avenue, Mahopac, New York 10541, until 11:00 am on September 14, 2020 immediately after which the bids will be opened publicly and read for the following:

CONTRACT #C-270
PARK AND ATHLETIC COMPLEX (FORMER AIRPORT PROPERTY)
PHASE 3 – SEPTIC SYSTEM CONTRACT

All bidders must comply with Section 103(a) and 103(d) of the General Municipal Law relating to non-collusive bidding and waiver of immunity against criminal prosecution.

Contract Documents may be examined at the OFFICE OF THE TOWN CLERK between the hours of 8:30 am and 4:30 pm beginning August 27, 2020.

Copies of Bid Documents may be obtained at the Office of the Town Clerk upon receipt of \$50.00 per set; cash, credit card (convenience fee applies), certified check or money order, payable to the Town of Carmel, **non-refundable**. Bidders, who submitted a bid for the project in March will be provided one set of Bid Documents at no cost.

One Bid per prospective bidder will be received. Bids shall be on a lump sum basis. Bids must be submitted in a sealed envelope, with all required bidding documents, at the above address and must bear on the face thereof the name and address of the bidder and the inscription: Bid for Park and Athletic Complex (Former Airport Property) Phase 3 – Septic System Contract, C-270. The bidder is solely responsible for ensuring delivery to the Town Clerk.

Prospective bidder's requests for mailing of Contract Documents will be filled by Federal Express or United Parcel Service. Prospective bidders shall furnish a prepaid Air Bill and packaging. Neither OWNER nor ENGINEER shall be responsible for any delay in such shipment. Prospective bidders shall make such request and provide such air bill a minimum of one (1) week prior to pre-bid conference.

Neither the OWNER nor the ENGINEER will be responsible for full or partial sets of Contract Documents, including any Addenda, obtained from other sources.

A **pre-bid conference** will be held on September 2, 2020 at 10 AM, at the site located at 161-165 Hill Street, Mahopac, New York 10541. The purpose of the pre-bid conference is to afford the prospective Bidders and interested parties an opportunity to raise questions

pertaining to the Bidding and Contract Documents and for the OWNER or its representatives to clarify any points.

The work under this Contract comprises the furnishing of all tools, equipment, materials and labor for the construction of the Park and Athletic Complex (Former Airport Property) Phase 3 – Septic System Contract, located in the Town of Carmel, New York, complete, in place, tested and ready for use in accordance with the Contract Documents prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.

The project consists of irrigation water supply improvements associated with a new Park and Athletic Complex (Former Airport Property) as shown, specified and required to complete the Project.

The foregoing is a general description only and shall not be construed as a complete description of the Work to be performed for this Project.

Bid security and proof of qualifications to perform the Work shall be as described in the Instructions to Bidders.

Bidders shall comply with all special and statutory requirements in accordance with the Instructions to Bidders.

Contract time of commencement and completion will be as specified in the Agreement.

The Bid Bond Form is contained in the Proposal.

Each bid shall be accompanied by a Bid Bond, or Certified Check accompanied by a Certificate of Surety, the coverage of which is specified in the Instructions to Bidders.

This project is subject to the provisions of Article 5-A of the General Municipal Law of the State of New York and certificates required thereunder shall be available for public inspection at the office of the Town Clerk, Town of Carmel, New York.

For any reason whatsoever, or for no reason, the Town reserves the right to waive any informalities in the bids or to reject any and all bids. No bidder may withdraw their bid except by written request submitted at least twenty-four hours before the time of opening or until the lapse of 180 days after the actual opening thereof.

The Town is exempt from payment of sales and compensating use taxes of the State of New York and of Cities and Counties on all materials to be incorporated into the Work. These taxes shall not be included in the Bid.

The Town will furnish the required certificates of tax exemption to the CONTRACTOR for use in the purchase of supplies and materials to be incorporated into the Work.

The Town's exemption does not apply to construction tools, machinery, equipment or other property purchased by or leased by the CONTRACTOR, or to supplies or materials not incorporated into the Work.

Non-Discrimination in Employment:

It is the policy of the Town that their Contractors shall comply with all Federal, State, and local law, policy orders, rules and regulations which prohibit unlawful discrimination against any employee or applicant for employment because of race, creed, color, or national origin, and will take affirmative action to insure that they are afforded equal employment opportunities without discrimination because of race, creed, color or national origin.

Provisions concerning this requirement are detailed in the Supplementary Conditions.

By Order of the Town Board
of the Town of Carmel
Ann Spofford, Town Clerk

TOWN OF CARMEL
PUTNAM COUNTY, NEW YORK

PARK AND ATHLETIC COMPLEX (FORMER AIRPORT PROPERTY)
PHASE 3 – SEPTIC SYSTEM CONTRACT
CONTRACT C-270

INSTRUCTIONS TO BIDDERS

TABLE OF ARTICLES

1. Defined Terms
2. Bids Received
3. Location and Description of Project
4. Copies of Bidding Documents
5. Qualifications of Bidders
6. Examination of Contract Documents and Site
7. Interpretations and Addenda
8. Bid Security
9. Contract Time
10. Liquidated Damages
11. Substitute Material and Equipment
12. Subcontractors and Others
13. Preparation of Bid
14. Submission of Bid
15. Modification or Withdrawal of Bid
16. Opening of Bids
17. Disqualification of Bidders
18. Bids to Remain Open
19. Award of Contract
20. Contract Securities
21. Contractor's Insurance
22. Execution of Agreement
23. Notice to Proceed
24. Exceptions
25. Quantity, Delivery and Appropriation
26. Special Requirements
27. Pre-Bid Conference
28. Prevailing Wage Rates

ARTICLE 1 - DEFINED TERMS

- 1.1 Terms used in these Instructions to Bidders, which are defined in the General and Supplementary Conditions, have the meanings assigned to them in the General and Supplementary Conditions. The term "Successful Bidder" means the Bidder to whom OWNER (on the basis of OWNER's evaluation as hereinafter provided) awards the Contract.

ARTICLE 2 - BIDS RECEIVED

- 2.1 Refer to Notice to Bidders for information on receipt of Bids.

ARTICLE 3 - LOCATION AND DESCRIPTION OF PROJECT

- 3.1 Refer to Contract Documents for the location and description of the Project.

ARTICLE 4 - COPIES OF BIDDING DOCUMENTS

- 4.1 Refer to Notice to Bidders for information on examination and procurement of documents.
- 4.2 Complete sets of Bidding Documents and ALL Supplemental Information shall be used in preparing Bids; neither OWNER nor ENGINEER assumes any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.
- 4.3 OWNER and ENGINEER in making copies of Bidding Documents available on the above terms do so only for the purpose of obtaining Bids on the Work and do not confer a license or grant for any other use.

ARTICLE 5 - QUALIFICATIONS OF BIDDERS

- 5.1 Bidders shall be experienced in the kind of Work to be performed, shall have the necessary equipment therefore, and shall possess sufficient capital to properly execute the Work within the time allowed. Bids received from Bidders who have previously failed to complete work within the time required, or who have previously performed similar work in an unsatisfactory manner, may be rejected. A Bid may be rejected if Bidder cannot show that he has the necessary ability, plant and equipment to commence the Work at the time prescribed and thereafter to prosecute and complete the Work at the rate or within the time specified. A Bid may be rejected if Bidder is already obligated for the performance of other work which would delay the commencement, prosecution or completion of the Work.

- 5.2 As evidence of his competency to perform the Work, Bidder shall complete and submit with his Bid the Bidder's Qualification Statement which is bound in the Project Manual. Low Bidders may be asked to furnish additional data to demonstrate competency.
- 5.3 Each Bid must contain evidence of Bidder's qualifications to do business in New York State or covenant to obtain such qualification prior to execution of Agreement.
- 5.4 Bids will not be considered from Bidders currently listed on the State of New York's, the Department of Labor's, or the United States Environmental Protection Agency's debarred lists.
- 5.5 A Bid shall not be awarded to persons or entities other than "Eligible CONTRACTORS." An "Eligible CONTRACTOR" for purposes of this Section is a CONTRACTOR that has a satisfactory record of business integrity. A CONTRACTOR shall be deemed to lack the requisite record of business integrity if any of the following criteria are met:
- A. Criminal conduct in connection with government contracts or the conduct of business activities involving: a) the infliction, attempted infliction, or threat of death, intentional personal injury, or intentional property damage, in connection with involvement in a pattern of racketeering, labor racketeering, extortion, obstruction of justice, or other comparable crimes; b) bribery, fraud, bid rigging, embezzlement, theft, perjury, forgery, or other comparable crimes; c) serious moral turpitude, fundamental lack of integrity, or a pattern or practice of a knowing disregard for the law so as to call into question the integrity of the proposed CONTRACTOR; or (d) conspiracy to do any of the above acts. Evidence of such conduct shall consist of (A)(1) a judgment of conviction, (2) a pending criminal indictment, or (3) a formal grant of immunity in connection with a criminal prosecution, in each case of a proposed CONTRACTOR, any director or officer, any principal, and any employee primarily responsible for contracting procedures, or any holder of five percent (5%) or more of the shares or equity of the proposed CONTRACTOR, or any affiliate or subsidiary of the proposed CONTRACTOR; or (B) any ongoing criminal investigation by a law enforcement agency in which the proposed CONTRACTOR, any director or officer, any principal, employee primarily responsible for contracting procedures, or any holder of five percent (5) or more of the share or equity of the proposed CONTRACTOR, or any affiliate of the proposed CONTRACTOR is a target.
 - B. An actual determination of a willful noncompliance with the prevailing wage requirements of Section 220 of the Labor Law by the proposed CONTRACTOR or any affiliate thereof.

- C. An actual determination by a person or entity which has jurisdiction of a significant willful violation of the Workers' Compensation Law, including, but not limited to, the failure to maintain required workers compensation or disability coverage.
- D. An actual determination by a person or entity which has jurisdiction of a submission by the proposed CONTRACTOR to a government agency of a false or misleading statement on a uniform questionnaire or other form in connection with a bid or proposal for, or award of a Contract or request for approval of a subcontractor.
- E. A conviction or judgment of civil liability against the proposed CONTRACTOR for fraud in connection with a bid or proposal for or award of a Contract or request for approval of a subcontract.
- F. Debarment or current suspension of the proposed CONTRACTOR for reasons of business integrity from consideration for the award of contracts with a government, governmental entity or public authority pursuant to any procedure enacted by statute or adopted by regulation providing for notice and hearing.
- G. Arrears for more than one year on income, sales or payroll taxes.

ARTICLE 6 - EXAMINATION OF CONTRACT DOCUMENTS AND SITE

- 6.1 Before submitting a Bid, each Bidder shall (a) examine the Contract Documents thoroughly, (b) visit the site to familiarize himself with local conditions that may in any manner affect cost, progress or performance of the Work, (c) familiarize himself with federal, state and local laws, ordinances, rules and regulations that may in any manner affect cost, progress or performance of the Work; and (d) study and carefully correlate Bidder's observations with the Contract Documents.
- 6.2 A statement that the Bidder or his authorized representative has personally inspected the project site is required from each Bidder. A Site Visitation Statement is bound in the Project Manual and shall be submitted with each Bid.
- 6.3 On written request, OWNER will provide each Bidder access to the site to conduct such investigations and tests as each Bidder deems necessary for submission of his Bid.
- 6.4 The lands upon which the Work is to be performed and other lands designated for use by CONTRACTOR in performing the Work are identified in the Supplementary Conditions, General Requirements or Drawings.

Access, easements and/or land acquisition required for the Work shall be secured by the OWNER.

- 6.5 The submission of a Bid will constitute an incontrovertible representation by the Bidder that he has complied with every requirement of this Article 6 and that the Contract Documents are sufficient in scope and detail to indicate and convey understanding of all terms and conditions for performance of the Work, and that proper and necessary inspection of the site has been performed.

ARTICLE 7 - INTERPRETATIONS AND ADDENDA

- 7.1 All questions about the meaning or intent of the Bidding Documents or the Contract Documents shall be submitted to the ENGINEER in writing. In order to receive consideration, questions must be received by the ENGINEER no later than 2:00 p.m. of the ninth day prior to the date fixed for the opening of Bids. Any interpretations of questions so raised, which in the opinion of the ENGINEER require interpretations, will be issued by Addenda mailed or delivered to all parties recorded by the ENGINEER as having received the Bidding and Contract Documents for receipt not later than three days prior to the date fixed for the opening of Bids. CONTRACTOR shall be mailed such notices to its business address unless otherwise specified. The ENGINEER or OWNER will not be responsible for oral interpretations or clarifications which anyone presumes to make on their behalf.
- 7.2 OWNER may issue such additional Addenda as may be necessary to clarify, correct or change the Bidding Documents or the Contract Documents. Such Addenda, if any, will be issued in the manner and within the time period stated in Paragraph 7.1.

ARTICLE 8 - BID SECURITY

- 8.1 Bids must be accompanied by a certified check, cashier's check, or Bid Bond in the sum of five (5) percent of the grand total bid amount, and not including add / alternates.
- 8.2 Bid Bond shall be on the form bound in the Project Manual. Bid Bond shall be issued by a surety meeting the requirements of Paragraph 5.1 of the General Conditions.
- 8.3 The bid security of the Successful Bidder will be retained until such Bidder has executed the Agreement and furnished the required Contract Security, whereupon the bid security will be returned. If the Successful Bidder fails to execute and deliver the Agreement and furnish the required Contract Security within ten days after the Notice of Award, OWNER may annul the Notice of Award and the bid security of that Bidder will be forfeited to the OWNER as liquidated damages for such failure.
- 8.4 The bid security of any Bidder whom OWNER believes to have a reasonable chance of receiving the award may be retained by OWNER until the earlier of the third day, Saturdays, Sundays and holidays excepted, after the Effective Date of the Agreement as executed by the Successful Bidder or the ninety-first day after the Bid opening. The bid

security of other Bidders will be returned within ten days after the Bid opening, Saturdays, Sundays and holidays excepted.

ARTICLE 9 - CONTRACT TIME

9.1 The number of days within which the Work is to be substantially completed and fully completed (the Contract Time) are set forth in the Agreement.

ARTICLE 10 - LIQUIDATED DAMAGES

10.1 Provisions for liquidated damages, if any, are set forth in the Agreement.

ARTICLE 11 - SUBSTITUTE MATERIAL AND EQUIPMENT

11.1 Whenever it is indicated in the Drawings or specified in the Specifications that a substitute or "or-equal" item of material or equipment may be furnished or used by CONTRACTOR if acceptable to ENGINEER, application for such acceptance will not be considered by ENGINEER until after the Effective Date of the Agreement. The procedure for submittal of any such application by CONTRACTOR and consideration by ENGINEER is set forth in Paragraph 6.3 of the General Conditions which may be supplemented in the General Requirements.

11.2 Refer to Section 1H2 of the General Requirements for the period of time after the Effective Date of the Agreement during which the ENGINEER will accept applications for substitute or "or-equal" items of material or equipment.

ARTICLE 12 - SUBCONTRACTORS AND OTHERS

12.1 If the General or Supplementary Conditions require the identity of certain Subcontractors and other persons and organizations to be submitted to OWNER in advance of the Notice of Award, the apparent Successful Bidder, and any other Bidder so requested, shall within seven days after the day of the Bid opening submit to OWNER a list of all Subcontractors and other persons and organizations (including those who are to furnish the principal items of material and equipment) proposed for those portions of the Work as to which such identification is so required. Such list shall be accompanied by an experience statement with pertinent information as to similar projects and other evidence of qualification for each such Subcontractor, person and organization if requested by OWNER. If OWNER or ENGINEER after due investigation has reasonable objection to any proposed Subcontractor, other person or organization, may before giving the Notice of Award request the apparent Successful Bidder to submit an acceptable substitute without an increase in bid price. If the apparent Successful Bidder declines to make any such substitution, the Contract shall not be awarded to such Bidder, but his declining to make any such substitution will constitute grounds for sacrificing his bid security. Any Subcontractor, other person or organization so listed and to whom OWNER or

ENGINEER does not make written objection prior to the giving of the Notice of Award will be deemed acceptable to OWNER and ENGINEER.

- 12.2 No CONTRACTOR shall be required to employ any Subcontractor, other person or organization against whom he has reasonable objection.

ARTICLE 13 - PREPARATION OF BID

- 13.1 A Bid must be made on the Bid Form bound in the Project Manual, or the Bid Form included in an Addendum, as applicable. The Bid Form shall be attached to the Project Manual and it shall not be altered in any way.
- 13.2 The Bid Form must be completed in blue or black ink. Blank spaces in the Bid Form must be filled in correctly where indicated, and the Bidder must state, both in words and numerals, the prices for which he proposes to do each and every item of Work. Ditto marks shall not be used.
- 13.3 A Bidder shall execute his Bid as stated below.
- A. A Bid by an individual shall show his name and official address.
 - B. A Bid by a partnership or limited liability company must be executed in the partnership or limited liability company name and signed by a partner or member/manager of the limited liability company. His title must appear under his signature and the official address of the partnership shall be shown.
 - C. A Bid by a corporation must be executed in the corporate name by an officer of the corporation and must be accompanied by a certified copy of a Resolution of the Board of Directors authorizing the person signing the Bid to do so on behalf of the corporation. The corporate seal shall be affixed and attested by the secretary. The state of incorporation and the official corporate address shall be shown.
 - D. All names must be printed below the signatures.
 - E. All partnerships, limited liability companies and corporations shall be duly registered and licensed to do business in New York State.
- 13.4 The Bid shall contain an acknowledgment of the receipt of all Addenda in the space provided on the Bid Form.
- 13.5 The name, address and phone number to which communications regarding the Bid are to be directed shall be shown.

13.6 In addition to the Bid Form, the following listed documents shall be executed in the manner described in Paragraph 13.3 unless another manner is indicated, and submitted with the Bid.

- *A. Bid Security.
- *B. Certified Copy of Resolution of Board of Directors (if corporation).
- *C. Bidder's Qualification Statement.
- *D. Noncollusion Affidavit.
- *E. Certification per NYS GML Section 103-g.
- *F. Certification By Bidder Regarding Equal Employment Opportunity.
- *G. Certification of Nonsegregated Facilities.
- *H. Site Visitation Statement.

* Forms included in Project Manual.

ARTICLE 14 - SUBMISSION OF BID

14.1 Bids shall be submitted at the time, place and in the manner specified indicated in the Notice to Bidders.

14.2 Bids submitted by mail shall be sent by certified mail, return receipt requested. The OWNER will not be responsible for the late delivery of mail.

ARTICLE 15 - MODIFICATION OR WITHDRAWAL OF BID

15.1 Withdrawal Prior to Bid Opening:

- A. A Bidder may withdraw his Bid up to 24 hours before the time fixed for the opening of Bids by communicating his purpose in writing to the OWNER. Such instrument evidencing withdrawal shall be duly signed and notarized with the original version delivered to the Office of the Town Clerk. Upon receipt of such written notice, the unopened Bid will be returned to the Bidder.

15.2 Modification Prior to Bid Opening:

- A. If a Bidder wishes to modify his Bid, he must withdraw his initial Bid in the manner specified in Paragraph 15.1.A and submit a new Bid.

15.3 Withdrawal of Bid After Bid Opening:

- A. If the OWNER fails to award a Contract for this Work within 180 days from the date of opening of Bids, the Bidder may nullify or withdraw his Bid by

communicating his purpose in writing to the OWNER. Prior to expiration of the 180-day period, and in the absence of written notice of withdrawal thereafter, the Bid shall be deemed to be in full force and effect.

ARTICLE 16 - OPENING OF BIDS

- 16.1 Bids will be opened as indicated in the Notice to Bidders.
- 16.2 Bids received by mail or otherwise after the time specified for the opening of Bids will not be accepted and will be returned to the Bidder unopened.
- 16.3 When Bids are opened publicly they will be read aloud, and an abstract of the amounts of the base Bids and major alternatives (if any) will be made available after the opening of Bids.

ARTICLE 17 - DISQUALIFICATION OF BIDDERS

- 17.1 Bids for the same Work from an individual, or a firm, partnership, limited liability company, limited liability partnership, corporation or an association under the same or different names will not be considered. Reasonable grounds for believing that any Bidder is interested in more than one Bid for the Work may be cause for disqualification of that Bidder and the rejection of all Bids in which that Bidder is interested.

ARTICLE 18 - BIDS TO REMAIN OPEN

- 18.1 All Bids shall remain open for 180 days after the day of the opening of Bids, but the OWNER may, in his sole discretion, release any Bid and return the bid security prior to that date.

ARTICLE 19 - AWARD OF CONTRACT

- 19.1 NOT USED.
- 19.2 OWNER reserves the right to reject any Bid not accompanied by specified documentation and bid security.
- 19.3 OWNER reserves the right to reject any Bid if it shows any omissions, alterations of form, additions not called for, conditions or qualifications, or irregularities of any kind.
- 19.4 OWNER reserves the right to reject any Bid that, in its sole and absolute discretion, is considered to be unbalanced or unreasonable as to the total amount bid or the amount bid for any lump sum or unit price item.

- 19.5 In evaluating Bids, discrepancies between words and figures will be resolved in favor of words. Discrepancies in the multiplication and the product shall be resolved in favor of the correct product of the multiplication operation. Discrepancies between the addition and the sum shall be resolved in favor of the correct sum of the addition operation.
- 19.6 In evaluating Bids, OWNER will consider the qualifications of Bidders; whether or not the Bids comply with the prescribed requirements; the alternatives, if any; and the lump sum and unit prices, if requested in the Bid Form. The OWNER reserves the right to accept any items or group of items of any Bid.
- 19.7 OWNER may consider the qualifications and experience of Subcontractors and other persons and organizations, (including those who are to furnish the principal items of material or equipment), proposed for those portions of the Work as to which the identity of Subcontractors and other persons and organizations must be submitted as provided in the Supplementary Conditions.
- 19.8 OWNER may conduct such investigation as he deems necessary to assist in the evaluation of any Bid and to establish the responsibility, qualifications and financial ability of the Bidders, proposed Subcontractors and other persons and organizations, to do the Work in accordance with the Contract Documents. OWNER reserves the right to reject the Bid of any Bidder who does not pass any such evaluation to OWNER's satisfaction.
- 19.9 If a Contract is to be awarded, it will be awarded to the lowest responsive and responsible Bidder, who has neither been disqualified nor rejected pursuant to Article 5, Article 17 or this Article 19.

ARTICLE 20 - CONTRACT SECURITIES

- 20.1 Performance and Payment Bonds shall be furnished in the forms bound in the Project Manual. The amounts of and other requirements for Performance and Payment Bonds are stated in Paragraph 5.1 of the General Conditions. The requirements for delivery of Bonds are stated in Paragraph 2.1 of the General Conditions. Additional requirements may be stated in the Supplementary Conditions.

ARTICLE 21 - CONTRACTOR'S INSURANCE

- 21.1 The requirements for CONTRACTOR's insurance are stated in Article 5 of the General Conditions and in the Supplementary Conditions. The requirements for delivery of Certificates of Insurance are stated in Paragraph 2.1 of the General Conditions.
- 21.2 The Successful Bidder shall within five days from the date of the receipt of Notice of Award deliver to OWNER, for his review and approval, the required policies of insurance. Upon approval, the policies will be returned to the Bidder and he shall submit Certificates of Insurance to the OWNER as stated in the General Conditions.

ARTICLE 22 - EXECUTION OF AGREEMENT

- 22.1 The Successful Bidder, or his authorized representative, will be required to produce the Contract Securities offered by him and execute the Agreement within ten days from the date of the Notice of Award.
- 22.2 The OWNER will prepare the documents, and will identify, in the Notice of Award, the method in which the documents will be executed.

ARTICLE 23 - NOTICE TO PROCEED

- 23.1 Issuance of the Notice to Proceed shall be as stated in Article 2 of the General Conditions.

ARTICLE 24 - EXCEPTIONS

- 24.1 NOT USED.

ARTICLE 25 - QUANTITY, DELIVERY AND APPROPRIATION

- 25.1 Unless otherwise specified in the Bid Form, Supplementary Conditions or General Requirements for an individual class of commodity, the quantities listed in the Bid Form are estimates only, and the OWNER does not guarantee to purchase any definite quantities. The amount purchased, however, shall constitute all of the OWNER's requirements during the term of the Contract, whether they be more or less than the estimate given.
- 25.2 The OWNER reserves the right to purchase additional quantities, if the need may indicate, at the same unit price as established within the Contract during the term of the Contract.

ARTICLE 26 - SPECIAL REQUIREMENTS

- 26.1 Refer to General and Supplementary Conditions and General Requirements for further Special Requirements.

ARTICLE 27 - PRE-BID CONFERENCE

- 27.1 A pre-bid conference will be held on September 2, 2020 at 10:00 AM., at the site located at 161-165 Hill Street, Mahopac, New York 10541. The purpose of the pre-bid conference is to afford the prospective Bidders and interested parties an opportunity to raise questions pertaining to the Bidding and Contract Documents and for the OWNER or its representatives to clarify any points.
- 27.2 Nothing discussed during the pre-bid conference will be construed to have changed the intent of the Bidding and Contract Documents. These documents as issued stand. Any potential clarifications, which may be required as a result of the pre-bid conference, will be issued in an Addendum to the Bidding and Contract Documents.

ARTICLE 28 - PREVAILING WAGE RATES

- 28.1 The Prevailing Wage Rate Determinations are included in the Supplementary Conditions.

**BID FORM
AND FORMS TO ACCOMPANY BID**

(THIS BID FORM SHALL NOT BE DETACHED FROM THE CONTRACT SPECIFICATIONS. THE ENTIRE CONTRACT SPECIFICATIONS SHALL BE RETURNED WITH THE EXECUTED BID)

BID FORM

BID FOR:

The Town of Carmel, Putnam County, New York
Park and Athletic Complex (Former Airport Property) Phase 3 – Septic System Contract,
Contract C-270

BID TO:

Town of Carmel
60 McAlpin Avenue
Mahopac, New York 10541

BID FROM: _____

(Print or Type Name of Bidder)
(/A Corporation/A Partnership/An Individual/A Joint Venture/
[Bidder to strike out inapplicable terms.]

Involved Parties:

The undersigned Bidder offers and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Contract Documents to complete all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.

Bidder declares that no person or persons other than those named herein are interested in this Bid; that this Bid is made without collusion with any other person, firm or corporation; and that no person or persons acting in any official capacity for the OWNER are directly or indirectly interested in this Bid, or in any portion of the profit thereof.

In submitting this Bid, Bidder represents, as more fully set forth in the Agreement, that he/she has examined the Instructions to Bidders, all of the other Bidding Documents and all of the Contract Documents; that he/she has examined the actual site and locality where the Work is to be performed; that he/she has familiarized themselves with the legal requirements (federal, state and local laws, ordinances, rules and regulations); that he/she has made such independent investigations as they deem necessary; and that he/she has satisfied themselves as to all conditions affecting cost, progress or performance of the Work.

Bidder further agrees as follows: 1) that this Bid shall remain open and may not be withdrawn for the time period set forth in the Instructions to Bidders; 2) that Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of bid security; and that, 3) upon acceptance of this Bid, Bidder will execute the Agreement and will furnish the required contract securities and insurance certificates within the time period(s) set forth in the Instructions to Bidders, which are incorporated herein by reference for full meaning and import.

The approximate quantities of Work to be performed under the proposed Agreement are set forth in the Bid Form. These quantities are to be considered as approximate only and are given solely for the comparison of Bids. The OWNER does not expressly or by implication agree that the actual amounts will correspond therewith, but reserves the right to increase or decrease the amount of any item or portion of the Work as may be deemed necessary by the ENGINEER. The CONTRACTOR shall at no time make claim for anticipated profit or loss of profits because of any difference between the quantities of Work actually done, or of material actually furnished, and the estimated quantities. The CONTRACTOR will be paid only for the actual quantities of Work performed at the Contract bid prices.

AMOUNTS TO BE SHOWN IN BOTH WORDS AND NUMERALS. IN CASE OF DISCREPANCY, AMOUNTS SHOWN IN WORDS WILL GOVERN.

In accordance with the above understandings and agreements, Bidder will complete the Work for the following sums:

TOWN OF CARMEL
 PARK AND ATHLETIC COMPLEX (FORMER AIRPORT PROPERTY) PHASE 3 - SEPTIC SYSTEM CONTRACT

CONTRACT ITEMS

CONTRACT C-270

PAYMENT ITEM DESCRIPTION & UNIT PRICE (IN WORDS)	ESTIMATED QUANTITY UNIT	UNIT PRICE (IN FIGURES)	TOTAL AMOUNT
<p>BASE BID WORK</p> <p style="text-align: right;">DOLLARS</p> <p>AND</p> <p style="text-align: right;">CENTS</p>	<p>Lump Sum</p>	<p>\$</p>	<p>\$</p>
<p>ROCK REMOVAL</p> <p style="text-align: right;">DOLLARS</p> <p>AND</p> <p style="text-align: right;">CENTS</p>	<p>10 Cubic Yards</p>	<p>\$</p>	<p>\$</p>
<p>GRAND TOTAL BID</p>			<p>\$</p>

TOTAL AMOUNT BID

PARK AND ATHLETIC COMPLEX (FORMER AIRPORT PROPERTY) PHASE 3 – SEPTIC SYSTEM CONTRACT, CONTRACT C-270

GRAND TOTAL BID (Excluding Add / Alternates)

IN FIGURES _____

IN WORDS _____

(This total is for convenience in comparing Bids and is not an official part of this Bid. The official total for this Bid shall be established in accordance with Article 19.5 of the Instructions to Bidders.)

Bidder agrees that the Work will be substantially completed within the number of days indicated in the Agreement. Bidder accepts the provisions of the Agreement as to liquidated and special damages in the event of failure to substantially complete the Work on time.

Bidder acknowledges receipt of the Addenda listed below and further acknowledges that the provisions of each Addendum have been included in the preparation of this Bid.

<u>Addendum No.</u>	<u>Date Received</u>	<u>Addendum No.</u>	<u>Date Received</u>
---------------------	----------------------	---------------------	----------------------

The following listed documents are to be submitted with and made a condition of this Bid.

- *1. Bid Security in the amount of Dollars
(\$_____).
- *2. Certificate of Surety. (Prospective Bidders submitting anything other than a Bid Bond shall include a Certificate of Surety)
- *3. Certified Copy of Resolution of Board of Directors (if corporation).
- *4. Bidder's Qualification Statement with Supporting Data.
- *5. Non-Collusive Bidding Certification.
- *6. Certificate Pursuant to New York State General Municipal Law§ 103-g
- *7. Certification By Bidder Regarding Equal Employment Opportunity.
- *8. Certification of Nonsegregated Facilities.
- *9. Site Visitation Statement.

*Forms included in Project Manual

Communications concerning this Bid shall be addressed to the Bidder at the following address:

The terms used in this Bid, which are defined in the General and Supplementary Conditions, have the meanings assigned to them in the General and Supplementary Conditions.

Respectfully submitted on _____, 20__.

If BIDDER is:

An Individual

By _____
(Individual's Signature)

(Printed or Typed Name of Individual)

Doing business as _____

Business Address: _____

Phone No: _____

A Partnership

By _____
(Firm's Name)

(Partner's Signature)

(Printed or Typed Name of Partner)

Business Address: _____

Phone No: _____

A Corporation

By _____
(Corporation's Name)

(State of Incorporation)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(CORPORATE SEAL)

Attest _____
(Secretary)

Business Address: _____

Phone No: _____

A Limited Liability Company

By _____
(Limited Liability Company's Name)

(State of Limited Liability Company)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(LIMITED LIABILITY COMPANY SEAL)

Attest _____
(Secretary)

Business Address: _____

Phone No: _____

A Limited Liability Partnership

By _____
(Limited Liability Partnership's Name)

(State of Limited Liability Partnership)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(LIMITED LIABILITY PARTNERSHIP SEAL)

Attest _____
(Secretary)

Business Address: _____

Phone No: _____

A Joint Venture

By _____
(Signature)

(Printed or Typed Name)

(Address)

By _____
(Signature)

(Printed or Typed Name)

(Address)

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above).

++ END OF SECTION ++

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we _____

(Insert Name, or Legal Title, of Bidder)

of _____

(Insert Address of Bidder)

as Principal, hereinafter called the Principal, and _____

(Insert Name, or Legal Title, of Surety)

of _____

(Insert Address of Surety)

a corporation duly organized under the laws of the State of _____

as Surety, hereinafter called the Surety, are firmly bound unto the Town of Carmel, as Obligee, hereinafter called the Obligee, in the penal sum of _____

Dollars.

(Surety to Insert Amount)

For the payment of which sum well and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a Bid for Town of Carmel Park and Athletic Complex (Former Airport Property) Phase 3 – Septic System Contract, Contract C-270.

NOW, THEREFORE, if the Obligee shall accept the Bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such Bid, and provide such insurances as may be specified in the Bidding or Contract Documents, and give such Bond or Bonds as may be specified in the Bidding or Contract Documents with good and sufficient surety acceptable to the Obligee, or in the event of the failure of the Principal to enter such Contract and provide such insurances and give such Bond or Bonds, if the Principal shall pay to the Obligee the penal amount of this Bond, then this obligation shall be null and void, otherwise to remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety shall not be impaired or affected in any way by any extension of the time within which the Oblige may accept the Bid of the Principal and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, on this _____ day of _____, 20____.

------(Individual Principal)-----

By _____
(Individual's Signature)

(Printed or Typed Name of Individual)

Doing business as _____

------(Partnership Principal)-----

By _____
(Firm's Name)

(Partner's Signature)

(Printed or Typed Name of Partner)

------(Corporate Principal)-----

By _____
(Corporation's Name)

(State of Incorporation)

By _____(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(CORPORATE SEAL)

Attest _____
(Secretary)

------(Joint Venture Principals)-----

By _____
(Signature)

(Printed or Typed Name)

By _____
(Signature)

(Printed or Typed Name)

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above).

------(Corporate Surety)-----

By _____
(Corporation's Name)

By _____
(Signature of Officer or Attorney-in-Fact*)

(Printed or Typed Name and Title of Officer, or Name of Attorney-In-Fact*)

(CORPORATE SEAL)

Attest _____
(Secretary)

* Attach certified and effective dated copy of power of attorney showing authority of attorney-in-fact to execute in behalf of corporation.

CERTIFICATE OF SURETY

(To be submitted if a bank check is submitted as Bid security)

The undersigned hereby certifies that he/she is the duly authorized agent of

(Name of Surety)

duly authorized to do business in the State of New York; and agree to furnish to

(Name of Bidder)

the bond or bonds required by the Bid Documents for this contract if awarded to the bidder. The maximum amount that Surety will be surety for on each bond is

(Name of Surety)

By _____
(signature)

(name-printed)

(title)

(address)

CERTIFIED COPY OF RESOLUTION OF
BOARD OF DIRECTORS
OF

(Name of Corporation)

RESOLVED that _____
(Person Authorized to Sign)

_____ of _____
(Title) (Name of Corporation)

be authorized to sign and submit the Bid of this corporation for the following project:

Town of Carmel, Park and Athletic Complex (Former Airport Property) Phase 3 –
Septic System Contract, Contract C-270

The foregoing is a true and correct copy of the resolution

adopted by _____ at a meeting
(Name of Corporation)

of its Board of Directors held on the _____ day of _____,
20_____.

By _____

Title _____

(SEAL)

This form must be completed if the Bidder is a corporation.

BIDDER'S QUALIFICATION STATEMENT

(Completion of this statement is required in advance of consideration for award of Contract.)

SUBMITTED TO:

The Town of Carmel
60 McAlpin Avenue
Mahopac, New York 10541

SUBMITTED FOR:

Town of Carmel
Park and Athletic Complex (Former Airport Property) Phase 3 – Septic System Contract,
Contract C-270

SUBMITTED BY:

Name: _____

(Print or Type Name of Bidder)
(A Corporation/A Partnership/An Individual/A Joint Venture
[Bidder to strike out inapplicable terms.]

Address: _____

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter.

(Note: Attach separate sheets as required.)

1.0 How many years has your organization been in business as a general contractor?

2.0 How many years has your organization been in business under its present name?

3.0 Has any construction contract to which you have been a party been terminated by the owner; have you ever terminated work on a project prior to its completion for any reason; has any surety which issued a performance bond on your behalf ever completed the work in its own name or financed such completion on your behalf; has any surety expended any monies in connection with a contract for which they furnished a bond on your behalf? If the answer to any portion of this question is "yes", please furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project.

4.0 Has any officer, partner, member or manager of your organization ever been an officer, partner, member or manager of another organization that had any construction contract terminated by the owner; terminated work on a project prior to its completion for any reason; had any surety which issued a performance bond complete the work in its own name or financed such completion; or had any surety expend any monies in connection with a contract for which they furnished a bond? If the answer to any portion of this question is "yes", please furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project.

5.0 List name of project, owner, architect or engineer, contract amount, percent complete and scheduled completion of the major construction projects your organization has in process on this date.

6.0 List names of projects, owner, architect or engineer, contract amount, date of completion and percent of work with own forces of three athletic field projects of the same general nature as this project which your organization has completed in the past five years.

1. .

2. .

3. .

- 7.0 List name, address and telephone number of a reference for each project listed under Items 6.0 and 7.0, above.
- 8.0 List names and construction experience of the principal individuals of your organization.
- 9.0 List the states and categories of construction in which your organization is legally qualified to do business.
- 10.0 List name, address and telephone number of an individual who represents each of the following and whom OWNER may contact for a financial reference:
- 10.1 One surety:
- 10.2 Two banks:
- 10.3 Three major material suppliers:
- 11.0 Attach a financial statement, prepared on an accrual basis, in a form which clearly indicates assets, liabilities and net worth.
- 11.1 Date of financial statement: _____
- 11.2 Name of firm preparing statement: _____

Dated at _____ this _____
day of _____, 20__.

(Print or Type Name of Bidder)

By _____

(Title)

(Seal, if corporation)

------(Affidavit for Individual)-----

_____ being duly sworn, deposes and says that:

- a) the financial statement, taken from Bidder's books, is a true and accurate statement of their financial condition as of the date thereof; and b) all of the foregoing qualification information is true, complete, and accurate.

------(Affidavit for Partnership)-----

_____ being duly sworn, deposes and says that:

- a) he/she is a member of the partnership of _____;
- b) he/she is familiar with the books of said partnership showing its financial condition; c) the financial statement, taken from the books of said partnership, is a true and accurate statement of the financial condition of the partnership as of the date thereof; and d) all of the foregoing qualification information is true, complete, and accurate.

------(Affidavit for Corporation)-----

_____ being duly sworn, deposes and says that:

- a) he/she is _____ of _____
(Full Name of Corporation)
- b) he/she is familiar with the books of said corporation showing its financial condition; c) the financial statement, taken from the books of said corporation, is a true and accurate statement of the financial condition of said corporation as of the date thereof; and d) that all of the foregoing qualification information is true, complete, and accurate.

------(Affidavit for a Limited Liability Company)-----

_____ being duly sworn, deposes and says that:

- a) he/she is _____ of _____;
(Full Name of Limited Liability Company)
- b) he/she is familiar with the books of said Limited Liability Company showing its financial condition; c) the financial statement, taken from the books of said Limited Liability Company, is a true and accurate statement of the financial condition of said Limited Liability Company as of the date thereof; and d) that all of the foregoing qualification information is true, complete, and accurate.

-----Acknowledgment-----

_____ being duly sworn, deposes and says

that he/she is _____ of _____
(Name of Bidder)

that he/she is duly authorized to make the foregoing affidavit and that he/she makes it on behalf of

() himself/herself; () said partnership; () said corporation; () said limited liability company

Sworn to before me this _____ day of _____ 20____,

in the County of _____ State of _____.

(Notary Public)

My commission expires _____

(Seal)

Partnership only: Affiant further says that the following is a complete and accurate list of the names and addresses of the members of said partnership:

Affiant further say that said partnership is represented by the following attorneys: _____; and is also represented by the following resident agents in _____ County, _____

By submission of this bid or proposal, the undersigned bidder(s) (certified) (certify) that to the best of (their) knowledge and belief:

- (a) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, as to any matter relating to such prices with any other bidder or with any competitor.
- (b) The prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (c) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid.

IN WITNESS WHEREOF, (we) (I) have executed this certificate and affirm the truth of the statements therein set forth under penalty of perjury the _____ day of _____ 20 ____.

(Signature of Individual Signing Bid) _____

by _____

The corresponding certification form to be required:

**CERTIFICATION PURSUANT TO NEW YORK STATE
GENERAL MUNICIPAL LAW § 103-g**

By submission of this Bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint Bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law.

I hereby affirm under the penalties of perjury that the foregoing statement is true.

Signature

Print name and Title

Bidder

Address

CORPORATE RESOLUTION

Resolved that _____ be authorized to sign and submit the Bid of this corporation for _____ to the Town of Carmel and to include in such Bid the certificate required in section 103-g of the New York State General Municipal Law as the act and deed of such corporation and for any inaccuracies or misstatements in such certificate, this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the Resolution adopted by _____ Corporation at a meeting of its Board of Directors held on the _____ day of _____, 20 _____.

Secretary

CERTIFICATION BY BIDDER REGARDING EQUAL EMPLOYMENT OPPORTUNITY

(Name of Bidder)

(Grant or Project No.)

INSTRUCTIONS

This certification is required pursuant to Executive Order 11246, Part II, Section 203(b), (30 F.R. 12319-25). Each Bidder is required to state in their Bid whether they have participated in any previous contract or subcontract subject to the Equal Opportunity Clause; and, if so, whether they have under applicable filing requirements.

CONTRACTOR'S CERTIFICATION

CONTRACTOR's Name: _____

Address: _____

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.
YES _____ NO _____
2. Compliance reports were required to be filed in connection with such contract or subcontract.
YES _____ NO _____

If YES, state what reports were filed and with what agency.

3. Bidder has filed all compliance reports due under applicable instructions, including SF-100.
YES _____ NO _____
4. If answer to Item 3 is "NO", please explain in detail on reverse side of this certification.

Certification - The information above is true and complete to the best of my knowledge and belief. A willfully false statement is punishable by law. (U.S. Code, Title 18, Section 1001).

(Name and Title of Signer - Please Type or Print)

(Signature)

(Date)

CERTIFICATION OF NONSEGREGATED FACILITIES

(Applicable to federally assisted construction contracts and related subcontracts, exceeding \$10,000, which are not exempt from the provisions of the Equal Opportunity Clause.)

By the submission of this Bid, the Bidder, Offeror, Applicant, Contractor or Subcontractor certifies that they do not maintain or provide for their employees any segregated facilities at any of their establishments, and that they do not permit their employees to perform their services at any location, under their control, where segregated facilities are maintained. The Bidder, Offeror, Applicant, Contractor or Subcontractor agrees that a breach of this certification is a violation of the Equal Opportunity Clause in this Contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. Bidder, Offeror, Applicant, Contractor or Subcontractor further agrees that (except where they have obtained identical certifications from proposed Subcontractors for specific time periods) they will obtain identical certifications from proposed Subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause; that they will retain such certifications in their files; and that they will forward the notice to such proposed Subcontractors (except where the proposed Subcontractors have submitted identical certifications for specific time periods).

(Signature)

(Date)

(Name and Title of Signer - Please Type or Print)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

SITE VISITATION STATEMENT

I am _____
(Name)

of _____
(Firm or Corporation)

the Bidder making the Bid for the Construction of the Town of Carmel, Park and Athletic Complex (Former Airport Property) Phase 3 – Septic System Contract, Contract C-270, and certify that I or my authorized representative has personally inspected the job site.

By: _____
(Signature of Bidder)

(Title or Position)

(Seal, if Bid by Corporation)

(Printed or Typed Name of Bidder)

TOWN OF CARMEL
PUTNAM COUNTY, NEW YORK

PARK AND ATHLETIC COMPLEX (FORMER AIRPORT PROPERTY)
PHASE 3 – SEPTIC SYSTEM CONTRACT
CONTRACT C-270

AGREEMENT

THIS AGREEMENT is dated as of the ____ day of _____, in the year ____, by and between The Town of Carmel, 60 McAlpin Avenue, Mahopac, New York 10541, (hereinafter called OWNER), and _____ (hereinafter called CONTRACTOR).

WITNESSETH: The OWNER and the CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1 - WORK

- 1.1 CONTRACTOR shall at his own cost and expense furnish all labor, services, tools, materials, equipment and incidentals necessary to perform all Work required by the Contract Documents for the Construction of the Park and Athletic Complex (Former Airport Property) Phase 3 – Septic System Contract in complete accordance with the Contract Documents. The Work under the Contract Documents is generally described in the General Notes.
- 1.2 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as the Construction of Park and Athletic Field Complex (former Airport Property) Phase 3 – Septic System Contract.

ARTICLE 2 - CONTRACT DOCUMENTS

- 2.1 The Contract Documents are defined in the General Conditions. The Contract Documents, which comprise the entire Agreement between OWNER and CONTRACTOR, and are specifically made a part hereof, and are incorporated by reference into this Agreement.

ARTICLE 3 - ENGINEER

- 3.1 Insite Engineering, Surveying & Landscape Architecture, P.C. has contracted with the OWNER as ENGINEER for this Project and will assume all duties and responsibilities and have all rights and authority assigned to ENGINEER in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

It is expressly understood and agreed by the OWNER and CONTRACTOR herein that no contractual relationship of any type whether quasi-contractual, implied, functional or other is intended to be formed or exists between any parties other than the undersigned OWNER and CONTRACTOR.

ARTICLE 4 - CONTRACT TIME

- 4.1 The Work will be substantially completed within 30 days from the date when the Contract Time commences to run as provided in Paragraph 2.3 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 14.9 of the General Conditions within 60 days from the date of Substantial Completion.

ARTICLE 5 - LIQUIDATED AND SPECIAL DAMAGES

5.1 Liquidated Damages:

- A. Liquidated damages are not established for this contract.

5.2 Special Damages:

- A. CONTRACTOR shall pay OWNER the actual costs reasonably incurred by OWNER for engineering, legal and inspection forces employed on the Work for each day that expires after the time specified in Article 4 for Substantial Completion, (adjusted for any extensions thereof made in accordance with Article 12 of the General Conditions), until the Work is substantially complete. If CONTRACTOR fails to complete the Project within the Contract Time specified in Article 4, all fines levied by Regulatory Agencies on the OWNER for such failure shall be paid by the CONTRACTOR.
- B. After Substantial Completion, if CONTRACTOR shall neglect, refuse or fail to complete the remaining Work within the Contract Time, CONTRACTOR shall pay OWNER the actual costs reasonably incurred by OWNER for engineering, legal and inspection forces employed on the Work for each day that expires after the time specified in Article 4 for the Work to be completed and ready for final payment (adjusted for any extensions thereof made in accordance with Article 12 of the General Conditions), until the Work is completed and ready for final payment. If CONTRACTOR fails to complete the Project within the Contract Time specified in Article 4, all fines levied by Regulatory Agencies on the OWNER for such failure shall be paid by the CONTRACTOR.
- 5.3 OWNER may deduct the amount of special damages from monies due CONTRACTOR under this Agreement. If the time for the completion of this Work shall be extended, then the OWNER shall be fully authorized and empowered to deduct from the final estimates the amount of special damages determined as hereinbefore stipulated, for each day that the CONTRACTOR shall be in default as to the prescribed completion of the Work

beyond the date to which the time for said completion shall have been extended.

ARTICLE 6 - CONTRACT PRICE

- 6.1 OWNER shall pay CONTRACTOR for performance of the Work in accordance with the Contract Documents the prices stipulated in CONTRACTOR's Bid, which Bid is attached hereto. Payment shall be subject to additions and deductions by Change Order as provided in Article 11 of the General Conditions.

ARTICLE 7 - PAYMENT PROCEDURES

- 7.1 CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

7.2 Progress Payments:

- A. OWNER shall make monthly progress payments (once every thirty day cycle) on account of the Contract Price on the basis of CONTRACTOR's Applications for Payment as recommended by ENGINEER. CONTRACTOR's Applications for Payment shall be as defined in a schedule established by the OWNER. All progress payments will be on the basis of the progress of the Work measured by the installed quantity of the items at the unit prices bid, as identified on the Contract Bid Form. Measurement of the installed quantities, and payment for same, will be in accordance with Section 1C of the detailed specifications. A progress payment will not be made whenever the value of the Work completed since the last previous progress payment is less than \$5,000.00. No payment will be made until the Construction Schedule is submitted and approved. No subsequent progress payment shall be made where required revisions to the approved Construction Schedule have not been submitted and approved.
- B. OWNER shall retain, as retainage, from the CONTRACTOR five percent of each progress payment.

7.3 Final Payment:

- A. Upon final completion and acceptance of the Work in accordance with Paragraph 14.9 of the General Conditions, OWNER shall pay the remainder of the Contract Price, minus the five (5) percent retained percentage, as recommended by ENGINEER as provided in said Paragraph 14.9. The OWNER shall retain for a period of one year from the date of Substantial Completion an amount equal to five (5) percent of the Contract Amount. At the end of the one year period, the OWNER shall pay the five percent retainage to the CONTRACTOR, provided that the CONTRACTOR has met all of his obligations to the satisfaction of the OWNER and the ENGINEER.

77.4 Certified Payroll:

- A. It is the public policy of the Town of Carmel and the laws of the State of New York that prevailing wages and supplements be paid to all workers engaged to perform Work under this Contract, whether as a general CONTRACTOR or Subcontractor, and that this Contract be performed in compliance with all applicable laws including, without limitation, the Occupational Safety and Health Act and the requirements of the New York State Labor Law.
- B. To ensure compliance with the prevailing wages and supplements language of this Contract, the CONTRACTOR and all Subcontractors shall furnish to the OWNER on behalf of himself and each of their Subcontractors weekly certified copies of payroll and other such information required by the OWNER to satisfy that the Provisions of the Labor Laws, as to the hours of employment and rates of wages, are being observed. This includes evidence that all prescribed benefits and supplemental payments as stipulated in the most current New York State Prevailing Rate Schedule have been made. Submittal of certified payroll shall accompany each Application for Payment. CONTRACTOR claims for Partial Payment of work completed will not be processed by the OWNER for payment, unless the required certified payroll information has been received, along with the Application for Payment.

ARTICLE 8 - INTEREST

- 8.1 All moneys not paid when due hereunder shall bear interest as provided under General Municipal Law Section 106-b.

ARTICLE 9 - CONTRACTOR'S REPRESENTATIONS

- 9.1 As part of the inducement for OWNER to enter into this Agreement, CONTRACTOR makes the following representations:
 - A. CONTRACTOR has familiarized himself with the nature and extent of the Contract Documents, Work, site, locality, and with all local conditions and federal, state and local laws, ordinances, rules and regulations that in any manner may affect cost, progress, performance or furnishing of the Work.
 - B. CONTRACTOR has made or caused to be made examinations, investigations and tests and studies as he deems necessary for the performance of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents; and no additional examinations, investigations, tests, reports or similar data are or will be required by CONTRACTOR for such purposes.
 - C. CONTRACTOR has correlated the results of all such observations, examinations, investigations, tests, reports and studies with the terms and conditions of the

Contract Documents.

- D. CONTRACTOR has given ENGINEER written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

ARTICLE 10 - DRAWINGS AND ADDENDA

- 10.1 The Drawings comprise a set entitled "Town of Carmel Park and Athletic Complex (Former Airport Property) Phase 3 – Septic System Contract, dated July 2020:
- 10.2 Addenda consisting of Numbers __ to ____, inclusive.

ARTICLE 11 - MISCELLANEOUS

- 13.1 Terms used in this Agreement which are defined in Article 1 of the General Conditions have the meanings indicated in the General Conditions.
- 13.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.
- 13.3 OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, and its partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

STATE OF NEW YORK) ss:
COUNTY OF PUTNAM)

On the _____ day of _____, 20____, before me personally came Kenneth Schmitt to me known, who, being by me duly sworn, did depose and say that he resides in Mahopac, New York; that he is the Supervisor of the Town of Carmel, the municipal corporation described in the foregoing instrument and that his signature was affixed pursuant to a resolution of the Town Board of the Town of Carmel enacted on _____.

NOTARY PUBLIC

STATE OF NEW YORK) ss:
COUNTY OF PUTNAM)

On the _____ day of _____, 20____, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that he resides at _____, that he is the _____ of _____, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of the said corporation; and that he signed his name thereto by like order.

NOTARY PUBLIC

PERFORMANCE BOND INFORMATION FORM

City / Town / Village _____

County _____

Construction Contract Number _____

Name of Contract _____

Name of Contractor _____

Address _____

Entity Issuing Security Bond _____

Address _____

Bonding Agent _____

Address _____

Amount of Bid _____

Duration of Bond From _____ To _____

Bond Identification Number _____

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, _____

_____,
(Name of Contractor)

_____, a _____
(Address of Contractor) (Corporation, Partnership, or Individual)

hereinafter called Principal (the "Principal"), and _____,
(Name of Surety)

_____, a corporation organized and existing under laws of
(Address of Surety)

the _____ of _____,
hereinafter called Surety (the "Surety"), are held and firmly bound unto _____

_____,
(Name of Owner) (Address of Owner)

hereinafter called OWNER (the "OWNER"), as hereinafter set forth, in the full and just sum of
_____ Dollars (\$_____),

lawful money of the United States of America, for the payment of which sum well and truly to
be made, Principal and Surety bind themselves, their heirs, executors, administrators, successors
and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered
into a certain Agreement with the OWNER, dated the _____ day of
_____, 20____, a copy of which is hereto attached and made a part
hereof for the construction of:

and which is hereinafter referred to as the Contract.

NOW, THEREFORE, the terms and conditions of this Bond are and shall be that if: (a) the Principal well, truly and faithfully shall comply with and shall perform the Contract in accordance with the Contract Documents, at the time and in the manner provided in the Contract and in the Contract Documents, and if the Principal shall satisfy all claims and demands incurred in or related to the performance of the Contract by the Principal or growing out of the performance of the Contract by the Principal, and if the Principal shall indemnify completely and shall save harmless the OWNER and all of its officers, agents and employees, from any and all costs and damages which the OWNER and all of its officers, agents and employees may sustain or suffer by reason of the failure of the Principal to do so, and if the Principal shall reimburse completely and shall pay to the OWNER any and all costs and expenses which the OWNER and all of its officers, agents and employees may incur by reason of any such default or failure of the Principal; and (b) if the Principal shall remedy, without cost to the OWNER, all defects which may develop during the period of one (1) year from the date of final payment and acceptance of said Contract by the OWNER of the Work to be performed under the Contract in accordance with the Contract Documents, which defects in the sole judgment of the OWNER or its legal successors in interest, shall be caused by or shall result from defective or inferior materials or workmanship, then this Bond shall be void; otherwise, this Bond shall be and shall remain in force and effect.

The Principal and the Surety specifically agree that costs and damages covered by this bond include liquidated damages and special damages including any and all fines or other penalties levied by regulatory agencies on the OWNER.

The Principal and the Surety agree that any alterations, changes and/or additions to the Contract Documents, and/or any alterations, changes and/or additions to the Work to be performed under the Contract in accordance with the Contract Documents, and/or any alterations, changes and/or additions to the Contract, and/or any giving by the OWNER of any extensions of time for the performance of the Contract in accordance with the Contract Documents, and/or any act of forbearance of either the Principal or the OWNER toward the other with respect to the Contract Documents and the Contract, and/or the reduction of any percentage to be retained by the OWNER as permitted by the Contract Documents and by the Contract, shall not release, in any manner whatsoever, the Principal and the Surety, or either of them, or their heirs, executors, administrators, successors and assigns, from liability and obligations under this Bond; and the Surety, for value received, does waive notice of any such alterations, changes, additions, extensions of time, acts of forbearance and/or reduction of retained percentage.

The Principal and the Surety agree that no final settlement between the OWNER and the Principal shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

Whenever Principal shall be, and declared by OWNER to be in default under the Contract, the OWNER having performed OWNER's obligations thereunder, the Surety may promptly remedy the default, or shall promptly: (a) complete the Contract in accordance with its terms and conditions; or (b) obtain a Bid or Bids for completing the Contract in accordance with

its terms and conditions, and upon determination by Surety of the lowest responsible Bidder, or, if the OWNER elects, upon determination by the OWNER and the Surety jointly of the lowest responsible Bidder, arrange for a contract between such Bidder and OWNER, and make available as Work progresses (even though there should be a default or a succession of defaults under the Contract or Contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion less the balance of the Contract Price; but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the Contract Price," as used in this paragraph, shall mean the total amount payable by OWNER to Principal under the Contract and any amendments thereto, less the amount properly paid by OWNER to Principal.

Any suit under this Bond must be instituted before the expiration of two years from the date on which final payment under the Contract falls due.

No right of action shall accrue on this Bond to or for the use of any person or corporation other than the OWNER named herein or the heirs, executors, administrators or successors of the OWNER.

In witness whereof, this instrument is executed in _____ counterparts, each of which shall be deemed an original, this the _____ day of _____, 20__.

------(Individual Principal)-----

By _____
(Individual's Signature)

(Printed or Typed Name of Individual)

Doing business as _____

------(Partnership Principal)-----

By _____
(Firm's Name)

(Partner's Signature)

(Printed or Typed Name of Partner)

------(Corporate Principal)-----
--

By _____
(Corporation's Name)

(State of Incorporation)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(CORPORATE SEAL)

Attest _____
(Secretary)

------(Joint Venture Principals)-----

By _____
(Signature)

(Printed or Typed Name)

By _____
(Signature)

(Printed or Typed Name)

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above).

------(Corporate /SPC Surety)-----

By _____
(Corporation's Name)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(CORPORATE SEAL)

Attest _____
(Secretary)

Attach certified and effective dated copy of power of attorney showing authority of attorney-in-fact to execute in behalf of corporation.

------(Limited Liability Company Principal)-----

By _____
(Limited Liability Company Name)

(State of Limited Liability Company)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(LIMITED LIABILITY COMPANY SEAL)

Attest _____
(Secretary)

------(Limited Liability Partnership Principal)-----

By _____
(Limited Liability Partnership Name)

(State of Limited Liability Partnership)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(LIMITED LIABILITY PARTNERSHIP SEAL)

Attest _____
(Secretary)

Note: Date of Bond must not be prior to date of Agreement.

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, _____

_____,
(Name of Contractor)

_____, a _____,
(Address of Contractor) (Corporation, Partnership, or Individual)

hereinafter called Principal (the "Principal"), and _____,
(Name of Surety)

_____, a corporation organized and existing under laws of the ____
(Address of Surety)

_____ of _____,

hereinafter called Surety (the "Surety"), are held and firmly bound unto _____,
(Name of Owner)

_____,
(Address of Owner)

hereinafter called OWNER (the "OWNER"), as hereinafter set forth, in the full and just sum of _____ Dollars (\$_____._____), lawful money of the United States of America, for the payment of which sum well and truly to be made, Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain Agreement with the OWNER, dated the _____ day of _____, 20____, a copy of which is hereto attached and made a part hereof for the construction of:

and which is hereinafter referred to as the Contract.

NOW, THEREFORE, the terms and conditions of this Bond are and shall be that if the Principal and any Subcontractor of the Principal to whom any portion of the Work under the Contract shall be subcontracted, and if all assignees of the Principal and of any such Subcontractor, promptly shall pay or shall cause to be paid, in full, all money which may be due any claimant supplying labor or materials in the prosecution and performance of the Work in accordance with the Contract and in accordance with the Contract Documents, including any amendment, extension or addition to the Contract and/or to the Contract Documents, for material furnished or labor supplied or labor performed, then this Bond shall be void; otherwise, this Bond shall be and shall remain in force and effect.

This Bond shall be solely for the protection of claimants supplying labor or materials to the Principal or to any Subcontractor of the Principal in the prosecution of the Work covered by the Contract, including any amendment, extension or addition to the Contract. The term "claimant" when used herein, shall mean any individual, firm, partnership, association or corporation. The phrase "labor or materials", when used herein, shall include public utility services and reasonable rentals of equipment, but only for periods when the equipment rented is actually used at the site of the Work covered by the Contract. The provisions of this Bond shall be applicable whether or not the material furnished or labor performed enters into and becomes a component part of the building, Work or improvement contemplated by the Contract Documents and the Contract.

The Principal and the Surety agree that any claimant, who has performed labor or furnished material in the prosecution of the Work in accordance with the Contract and in accordance with the Contract Documents, including any amendment, extension or addition to the Contract and/or to the Contract Documents, and who has not been paid therefor, in full, before the expiration of ninety (90) days after the day on which such claimant performed the last of such labor or furnished the last of such materials for which payment is claimed, may institute an action upon this Bond, in the name of the claimant, in assumpsit, to recover any amount due the claimant for such labor or material, and may prosecute such action to final judgment and may have execution upon the judgment; provided, however, that: (a) any claimant who has a direct contractual relationship with any Subcontractor of the Principal, but has no contractual relationship, express or implied, with the Principal, may institute an action upon this Bond only if such claimant first shall have given written notice, to the Principal, within ninety (90) days from the date upon which such claimant performed the last of the labor or furnished the last of the materials for which payment is claimed, stating, with substantial accuracy, the amount claimed and the name of the person for whom the Work was performed or to whom the material was furnished; and (b) no action upon this Bond shall be commenced after the expiration of one (1) year from the day upon which the last of the labor was performed or material was supplied, for the payment of which such action is instituted by the claimant; and (c) every action upon this Bond shall be instituted in the appropriate court of Putnam County where the Contract is situated, and not elsewhere.

The Principal and the Surety agree that any alterations, changes and/or additions to the Contract Documents, and/or any alterations, changes and/or additions to the Work to be performed under the Contract in accordance with the Contract Documents, and/or any alterations, changes and/or additions to the Contract, and/or any giving by the OWNER of any

extensions of time for the performance of the Contract in accordance with the Contract Documents, and/or any act of forbearance of either the Principal or the OWNER toward the other with respect to the Contract Documents and the Contract, and/or the reduction of any percentage to be retained by the OWNER as permitted by the Contract Documents and by the Contract, shall not release, in any manner whatsoever, the Principal and the Surety, or either of them, or their heirs, executors, administrators, successors and assigns, from liability and obligations under this Bond; and the Surety, for value received, does waive notice of any such alterations, changes, additions, extensions of time, acts of forbearance and/or reduction of retained percentage.

The Principal and the Surety agree that no final settlement between the OWNER and the Principal shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

In witness whereof, this instrument is executed in _____ counterparts, each of which shall be deemed an original, this the _____ day of _____, 20____.

------(Individual Principal)-----

By _____
(Individual's Signature)

(Printed or Typed Name of Individual)

Doing business as _____

------(Partnership Principal)-----

By _____
(Firm's Name)

(Partner's Signature)

(Printed or Typed Name of Partner)

------(Corporate Principal)-----

By _____
(Corporation's Name)

(State of Incorporation)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(CORPORATE SEAL)

Attest _____
(Secretary)

------(Joint Venture Principals)-----

By _____
(Signature)

(Printed or Typed Name)

By _____
(Signature)

(Printed or Typed Name)

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above.)

------(Corporate Surety)-----

By _____
(Corporation's Name)

By _____
(Signature of Officer or Attorney-in-Fact*)

(Printed or Typed Name and Title of Officer, or Name of Attorney-In-Fact*)

(CORPORATE SEAL)

Attest _____
(Secretary)

* Attach certified and effective dated copy of power of attorney showing the authority of attorney-in-fact to act in behalf of the corporation.

------(Limited Liability Company Principal)-----

By _____
(Limited Liability Company Name)

(State of Limited Liability Company)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(LIMITED LIABILITY COMPANY SEAL)

Attest _____
(Secretary)

------(Limited Liability Partnership Principal)-----

By _____
(Limited Liability Partnership Name)

(State of Limited Liability Partnership)

By _____
(Signature of Officer Authorized to Sign)

(Printed or Typed Name and Title of Officer Authorized to Sign)

(LIMITED LIABILITY PARTNERSHIP SEAL)

Attest _____
(Secretary)

Note: Date of Bond must not be prior to date of Agreement.

GENERAL CONDITIONS

TABLE OF ARTICLES

1. Definitions
2. Preliminary Matters
3. Contract Documents: Intent and Reuse
4. Availability of Lands; Physical Conditions; Reference Points
5. Bonds and Insurance
6. Contractor's Responsibilities
7. Work by Others
8. Owner's Responsibilities
9. Engineer's Status During Construction
10. Changes in the Work
11. Change of Contract Price
12. Change of the Contract Time
13. Warranty and Guarantee; Tests and Inspections; Correction, Removal or Acceptance of Defective Work
14. Payments to Contractor and Completion
15. Suspension of Work and Termination
16. Dispute Resolution
17. Miscellaneous

ARTICLE 1 - DEFINITIONS

- 1.1 Wherever used in these General Conditions or in the other Contract Documents, the following terms have the meanings indicated which are applicable to both the singular and plural thereof.
 - A. Defined Terms:
 1. Addenda: Written or graphic instruments issued by the ENGINEER prior to the opening of Bids which clarify, correct, or change the Bidding Documents or the Contract Documents.
 2. Agreement: The written agreement between OWNER and CONTRACTOR covering the Work to be performed; other Contract Documents are attached to the Agreement and made a part thereof as provided therein.

3. Application for Payment: The form (AIA Form G702, or it's successor) accepted by ENGINEER which is to be used by CONTRACTOR in requesting progress or final payment and which is to include such supporting documentation as is required by the Contract Documents.
4. Bid: The offer or proposal of the Bidder submitted on the prescribed form setting forth the prices for the Work to be performed.
5. Bidder: Any person, firm or corporation submitting a Bid for the Work.
6. Bidding Documents: Notice to Bidders or advertisement, if any, Instructions to Bidders, other bidding information and requirements, Bidding Forms and attachments, Contract and Bond forms, and the proposed Contract Documents, including any Addenda issued prior to receipt of Bids.
7. Bonds: Bid, performance, and labor and material Payment Bonds and other instruments of security.
8. Change Order: A written order to CONTRACTOR signed by OWNER authorizing an addition, deletion or revision in the Work, or an adjustment in the Contract Price or the Contract Time issued after the Effective Date of the Agreement.
9. Contract Documents: The Agreement, Addenda (which pertain to the Contract Documents), CONTRACTOR's Bid (including documentation accompanying the Bid and any post-Bid documentation submitted prior to the Notice of Award) as an exhibit to the Agreement, the Bonds, these General Conditions, the Supplementary Conditions, the Specifications, the Drawings as the same may be more specifically identified in the Agreement, together with all modifications issued after execution of the Agreement.
10. Contract Price: The moneys payable by OWNER to CONTRACTOR under the Contract Documents as stated in the Agreement.
11. Contract Time: The number of days (computed as provided in Paragraph 17.2) or the date stated in the Agreement for the completion of the Work.
12. CONTRACTOR: The person, firm or corporation with whom OWNER has executed the Agreement. Whenever the Project is to be constructed under multiple direct contracts, the term "CONTRACTOR" shall mean the appropriate prime CONTRACTOR. Whenever a specific prime CONTRACTOR is referred to, terms such as "General CONTRACTOR", "Electrical CONTRACTOR", etc. will be used.
13. Day: A calendar day of twenty-four hours measured from midnight to the next midnight.

14. Defective: An adjective which when modifying the word Work refers to Work that is unsatisfactory, faulty or deficient, or does not conform to the Contract Documents or does not meet the requirements of any inspection, reference standard, test or approval referred to in the Contract Documents, or has been damaged prior to ENGINEER's recommendation for final payment (unless responsibility for the protection thereof has been assumed by OWNER at Substantial Completion in accordance with Paragraph 14.5).
15. Drawings: The Drawings which show the character and scope of the Work to be performed and which have been prepared or approved by ENGINEER and are referred to in the Contract Documents.
16. Effective Date of the Agreement: The date indicated in the Agreement on which it becomes effective, but if no such date is indicated, it means the date on which the Agreement is signed and delivered by the last of the two parties to sign and deliver.
17. ENGINEER: The person, firm or corporation named as such in the Agreement.
18. Field Order: A written order issued by ENGINEER which orders minor changes in the Work in accordance with Paragraph 10.2 but which does not involve a change in the Contract Price or the Contract Time.
19. General Requirements: Sections of Division 1 of the Specifications.
20. Modifications: (a) A written amendment of the Contract Documents signed by both parties, (b) a Change Order, or (c) a Field Order. A Modification may only be issued after the Effective Date of the Agreement.
21. Notice of Award: The written notice by OWNER to the apparent successful Bidder stating that upon compliance by the apparent successful Bidder with the conditions precedent enumerated therein, within the time specified, OWNER will sign and deliver the Agreement.
22. Notice to Proceed: A written notice given by OWNER to CONTRACTOR fixing the date on which the Contract Time will commence to run and on which CONTRACTOR shall start to perform his obligations under the Contract Documents.
23. OWNER: The Town of Carmel.
24. Project: The total construction of which the Work to be provided under the Contract Documents may be the whole or a part as indicated elsewhere in the Contract Documents.
25. Project Manual: The bound documentary information prepared for bidding and constructing the Project. A listing of the contents of the Project Manual, which may be bound in one or more volumes, is contained in the table(s) of contents.
26. Resident Project Representative: The authorized representative of ENGINEER who is assigned to the site or any part thereof.

27. Samples: Physical examples furnished by the CONTRACTOR to illustrate materials, equipment or workmanship, and to establish standards by which some portions of the Work will be judged.
28. Shop Drawings: All drawings, diagrams, illustrations, schedules and other data which are specifically prepared by or for CONTRACTOR to illustrate some portion of the Work and all illustrations, brochures, standard schedules, performance charts, instructions, diagrams and other information prepared by a manufacturer, fabricator, supplier or distributor and submitted by CONTRACTOR to illustrate material or equipment for some portion of the Work.
29. Specifications: Those portions of the Contract Documents consisting of written technical descriptions of materials, equipment, construction systems, standards and workmanship as applied to the Work and certain administrative details applicable thereto.
30. Subcontractor: An individual, firm or corporation having a direct contract with CONTRACTOR or with any other Subcontractor for the performance of a part of the Work at the site.
31. Substantial Completion: The Work (or a specified part thereof) has progressed to the point where, in the opinion of ENGINEER as evidenced by ENGINEER's definitive Certificate of Substantial Completion, it is sufficiently complete, in accordance with the Contract Documents, so that the Work (or specified part) can be utilized for the purposes for which it was intended; or if there be no such certificate issued, when final payment is due in accordance with Paragraph 14.9.A. The terms "substantially complete" and "substantially completed" as applied to any Work refer to Substantial Completion thereof.
32. Supplementary Conditions: Modifications and additions to the General Conditions.
33. Unit Price Work: Work to be paid for on the basis of unit prices contained in the Contract Documents.
34. Work: The entire completed construction or the various separately identifiable parts thereof required to be furnished under the Contract Documents. Work is the result of performing services, furnishing labor and furnishing and incorporating materials and equipment into the construction, all as required by the Contract Documents.

ARTICLE 2 - PRELIMINARY MATTERS

2.1 Delivery of Bonds and Insurance Certificates:

- A. When CONTRACTOR executes Agreement with OWNER, CONTRACTOR shall deliver to OWNER such Bonds as CONTRACTOR may be required to furnish in accordance with Article 5.

- B. When CONTRACTOR executes Agreement with OWNER, CONTRACTOR shall deliver to OWNER, with a copy to ENGINEER, certificates (and other evidence of insurance requested by OWNER) which CONTRACTOR is required to purchase and maintain in accordance with Article 5, and OWNER shall deliver to CONTRACTOR certificates (and other evidence of insurance requested by CONTRACTOR) which OWNER is required to purchase and maintain in accordance with Article 5.

2.2 Copies of Documents:

- A. OWNER shall furnish to CONTRACTOR up to four copies (unless otherwise provided in the General Requirements) of the Drawings and Specifications as are reasonably necessary for the execution of the Work. Additional copies will be furnished, upon request, at the cost of reproduction.

2.3 Commencement of Contract Time; Notice to Proceed:

- A. The Contract Time will commence to run on the day indicated in the Notice to Proceed.

2.4 Starting the Project:

- A. CONTRACTOR shall start to perform the Work on the date when the Contract Time commences to run, but no Work shall be done at the site prior to the date on which the Contract Time commences to run.

2.5 Before Starting Construction:

- A. Before undertaking each part of the Work, CONTRACTOR shall carefully study and compare the Contract Documents and check and verify pertinent figures shown thereon and all applicable field measurements. CONTRACTOR shall promptly report in writing to ENGINEER any conflict, error or discrepancy which he may discover and shall obtain a written interpretation or clarification from ENGINEER before proceeding with any Work affected thereby.
- B. Within ten days after the Effective Date of the Agreement (unless otherwise specified in the General Requirements), CONTRACTOR shall submit to ENGINEER for review and acceptance, an estimated progress schedule indicating the starting and completion dates of the various stages of the Work, a preliminary schedule of Shop Drawing submissions, and a preliminary schedule of values of the Work.

- C. Within ten days after the effective date of the Agreement the CONTRACTOR shall submit to the ENGINEER for approval a complete list of the Vendors the CONTRACTOR has selected to furnish the equipment and material specified for the Work.

2.6 Preconstruction Conference:

- A. Within ten days after the Effective Date of the Agreement, but before CONTRACTOR starts the Work at the site, a conference will be held for review and acceptance of the schedules, referred to in Paragraph 2.5.B, to establish procedures for handling Shop Drawings and other submittals and for processing Applications for Payment, and to establish a working understanding among the parties as to the Work.

ARTICLE 3 - CONTRACT DOCUMENTS: INTENT AND REUSE

3.1 Intent:

- A. The Contract Documents are the property of the OWNER and comprise the entire Agreement between OWNER and CONTRACTOR concerning the Work. They may be altered only by a Modification. As stated in Article 3 of the Agreement and reiterated herein, it is expressly understood and agreed by the OWNER and CONTRACTOR herein that no contractual relationship of any type whether quasi contractual, implied, functional or other is intended to be formed between any parties other than the undersigned OWNER and CONTRACTOR.
- B. The Contract Documents are complementary; what is called for by one is as binding as if called for by all. If, during the performance of the Work, CONTRACTOR finds a conflict, error or discrepancy in the Contract Documents, he shall report it to ENGINEER in writing at once and before proceeding with the Work affected thereby; however, CONTRACTOR shall not be liable to OWNER or ENGINEER for failure to report any conflict, error or discrepancy in the Specifications or Drawings unless CONTRACTOR had actual knowledge thereof or should reasonably have known thereof.
- C. It is the intent of the Specifications and Drawings to describe a complete Project (or part thereof) to be constructed in accordance with the Contract Documents. Any Work that may reasonably be inferred from the Specifications or Drawings as being required to produce the intended result shall be supplied whether or not it is specifically called for, at no additional cost to the OWNER.
- D. The Specifications may describe or the Drawings may show the general arrangement of an item of material or equipment when the actual details of said

arrangement will vary with the source of the material or equipment. In such cases, CONTRACTOR shall bear all direct and indirect costs to accommodate the item of material or equipment furnished, whether the item of material or equipment is furnished by a manufacturer named in the Specifications or is furnished as an approved substitute or "or equal" item of material or equipment.

- E. When words in the Specifications or on the Drawings, which have a well-known technical or trade meaning, are used to describe Work, materials or equipment such words shall be interpreted in accordance with such meaning. Reference to standard specifications, manuals or codes of any technical society, organization or association, or to the code of any governmental authority, whether such reference be specific or by implication, shall mean the latest standard specification, manual or code in effect at the time of opening Bids (or, on the effective date of the Agreement if there were no Bids), except as may be otherwise specifically stated. However, no provision of any referenced standard specification, manual or code (whether or not specifically incorporated by reference in the Contract Documents) shall change the duties and responsibilities of OWNER, CONTRACTOR or ENGINEER, or any of their agents or employees from those set forth in the Contract Documents. Clarifications and interpretations of the Contract Documents shall be issued by ENGINEER as provided for in Paragraph 9.3.
- F. The Contract Documents shall be governed by the laws of the State of New York.

3.2 Re-use of Documents:

- A. Neither CONTRACTOR nor any Subcontractor, manufacturer, fabricator, supplier or distributor shall have or acquire any title to or ownership rights in any of the Drawings, Specifications or other documents (or copies of any thereof) prepared by or bearing the seal of ENGINEER; and they shall not re-use any of them on extensions of the Project or any other project without written consent of OWNER and ENGINEER and specific written verification or adaptation by ENGINEER.

ARTICLE 4 - AVAILABILITY OF LANDS; PHYSICAL CONDITIONS; REFERENCE POINTS

4.1 Availability of Lands:

- A. OWNER shall furnish, as necessary to accomplish the Work all access, easements or acquisition of the lands upon which the Work is to be performed, rights-of-way for access thereto, and such other lands which are designated for the use of CONTRACTOR. Easements for permanent structures or permanent pipelines will be obtained and paid for by OWNER, unless otherwise provided in the Contract Documents.

- B. CONTRACTOR shall provide for all additional lands and access thereto that may be required for temporary construction facilities or storage of materials and equipment.

4.2 Unforeseen Physical Conditions:

- A. CONTRACTOR shall promptly notify OWNER and ENGINEER in writing of any subsurface or latent physical conditions at the site or in an existing structure differing materially from those indicated or referred to in the Contract Documents. ENGINEER will promptly review those conditions and advise OWNER in writing if further investigations or tests are necessary. Promptly thereafter, OWNER shall obtain the necessary additional investigations and tests and furnish copies to ENGINEER and CONTRACTOR. If ENGINEER finds that the results of such investigations or tests indicate that there are subsurface or latent physical conditions which differ materially from those intended in the Contract Documents, and which could not reasonably have been anticipated by CONTRACTOR, a Change Order shall be issued incorporating the necessary revisions.

4.3 Reference Points:

- A. The CONTRACTOR shall be responsible for establishing all reference and control points necessary to accurately layout and construct the Work. Prior to starting construction, the CONTRACTOR shall furnish four certified copies of this reference point system drawings to the ENGINEER and OWNER. Any discrepancies between the reference system of the OWNER and that of the CONTRACTOR shall immediately be brought to the attention of the OWNER, in writing by the CONTRACTOR.
- B. CONTRACTOR shall be responsible for laying out the Work and providing intermediate reference points (certified copies of the layout data and intermediate reference points shall be furnished to the ENGINEER), and shall protect and preserve the established reference points and shall make no changes or relocations without the prior written approval of OWNER. CONTRACTOR shall report to ENGINEER whenever any reference point is lost or destroyed or requires relocation because of necessary changes in grades or locations, and shall be responsible for replacement or relocation of such reference points by professionally qualified personnel.

ARTICLE 5 - BONDS AND INSURANCE

5.1 Performance, Payment and Other Bonds:

- A. CONTRACTOR shall furnish Performance and Payment Bonds, each in an amount at least equal to the Contract Price, as security for the faithful performance and payment of all CONTRACTOR's obligations under the Contract Documents. These Bonds shall remain in effect at least until one year after the date of final payment, except as otherwise provided by law. CONTRACTOR shall also furnish such other Bonds as are required by the Supplementary Conditions. All Bonds shall be in the forms prescribed by the Bidding Documents or Supplementary Conditions and be executed by such sureties as:
1. Are licensed to conduct business in the State where the Project is located, and
 2. Are named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" as published in Circular 570 (amended) by the Audit Staff Bureau of Accounts, U.S. Treasury Department.

All Bonds signed by an agent must be accompanied by a certified copy of the authority to act.

- B. If the surety on any Bond furnished by CONTRACTOR is declared bankrupt or becomes insolvent or its right to do business is terminated in any State where any part of the Project is located or it ceases to meet the requirements of Paragraph 5.1.A, CONTRACTOR shall within five days thereafter substitute another Bond and surety, both of which shall be acceptable to OWNER.

5.2 Contractor's Liability Insurance:

- A. CONTRACTOR shall purchase and maintain such comprehensive general liability and other insurance as will provide protection from claims set forth below which may arise out of or result from CONTRACTOR's performance of the Work and CONTRACTOR's other obligations under the Contract Documents, whether such performance of the Work is by CONTRACTOR, by any Subcontractor, by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable:
1. Claims under workers' or workmen's compensation, disability benefits and other similar employee benefit acts;
 2. Claims for damages because of bodily injury, occupational sickness or disease, or death of CONTRACTOR's employees;
 3. Claims for damages because of bodily injury, sickness or disease, or death of any person other than CONTRACTOR's employees;

4. Claims for damages insured by personal injury liability coverage which are sustained (a) by any person as a result of an offense directly or indirectly related to the employment of such person by CONTRACTOR, or (b) by any other person for any other reason;
 5. Claims for damages, other than to the Work itself, because of injury to or destruction of tangible property, including loss of use resulting therefrom;
 6. Claims for damages because of bodily injury or death of any person or property damage arising out of the ownership, maintenance or use of any motor vehicle; and
 7. Claims for damages because of bodily injury or death of any person arising out of operation of law.
- B. The insurance required by Paragraph 5.2.A shall include the specific coverages and be written for not less than the limits of liability and coverages provided in the Supplementary Conditions or required by law, whichever is greater. All such insurance shall remain in effect until final payment and at all times thereafter when CONTRACTOR may be correcting, removing or replacing defective Work in accordance with Paragraph 13.7. The comprehensive general liability insurance shall include completed operations insurance and shall include OWNER, ENGINEER and their agents and employees as additional insureds. CONTRACTOR shall maintain such completed operations insurance for at least two years after final payment and shall furnish OWNER with evidence of continuation of such insurance at final payment and one year thereafter.

5.3 Contractual Liability Insurance:

- A. The comprehensive general liability insurance required by Paragraph 5.2.A shall include contractual liability insurance applicable to CONTRACTOR's obligations under Paragraph 6.15.

5.4 Owner's Liability Insurance:

- A. OWNER shall be responsible for purchasing and maintaining OWNER's own liability insurance and, at OWNER's option, may purchase and maintain such insurance as will protect OWNER against claims which may arise from operations under the Contract Documents.

5.5 Property Insurance:

- A. Unless otherwise provided in the Supplementary Conditions, CONTRACTOR shall purchase and maintain property insurance upon the Work at the site to the full insurable value thereof (subject to such deductible amounts as may be provided in the Supplementary Conditions or as required by law). This insurance

shall include the interests of the OWNER, CONTRACTOR, ENGINEER and Subcontractors in the Work; shall insure against the perils of fire and extended coverage; shall include "all risk" insurance for physical loss and damage including theft, vandalism and malicious mischief, collapse and water damage, and such other perils as may be specified in the Supplementary Conditions; shall include damages, losses and expenses arising out of or resulting from any insured loss or incurred in the repair or replacement of any insured property (including fees and charges of engineers, architects, attorneys and other professionals); and shall provide that all insurance proceeds are to be paid to OWNER "as Trustee". If not covered under the "all risk" insurance or otherwise provided in the Supplementary Conditions, CONTRACTOR shall purchase and maintain similar property insurance on portions of the Work stored on or off the site or in transit when such portions of the Work are to be included in an Application for Payment. All such insurance required by this Paragraph 5.5.A shall remain in effect until the Work is substantially completed.

- B. OWNER shall purchase and maintain such boiler and machinery insurance as may be required by the Supplementary Conditions or by law. This insurance shall include the interest of OWNER, CONTRACTOR and Subcontractors in the Work. OWNER shall file a copy of all policies required by this paragraph with CONTRACTOR before an exposure to loss may occur.
- C. The policies of insurance required under this Paragraph 5.5 shall provide that neither the OWNER nor the CONTRACTOR, nor their insurers, shall have any right of subrogation against any of the other parties enumerated in Paragraph 5.6. It is the intention of the OWNER and CONTRACTOR that the policies shall protect all of the enumerated parties and be primary coverage for any and all losses covered by the insurance described in Paragraphs 5.5.A and 5.5.B.

5.6 Waiver of Rights:

- A. OWNER and CONTRACTOR waive all rights against each other and the Subcontractors and their agents and employees and against ENGINEER, and separate Contractors (if any) and their Subcontractors', agents and employees, for damages caused by fire or other perils to the extent covered by insurance provided under Paragraph 5.5, or any other property insurance applicable to the Work, except such rights as they may have to the proceeds of such insurance held by OWNER as trustee. OWNER or CONTRACTOR, as appropriate, shall require similar waivers in writing by ENGINEER, and from each separate Contractor and each Subcontractor; each such waiver will be in favor of all other parties enumerated in this Paragraph 5.6.

5.7 Receipt and Application of Proceeds:

- A. Any insured loss under the policies of insurance required by Paragraph 5.5 shall be adjusted with OWNER and made payable to OWNER as trustee for the insureds, as their interests may appear, subject to the requirements of any applicable mortgage clause and of Paragraph 5.7.B. OWNER shall deposit in a separate account any money so received, and he shall distribute it in accordance with such agreement as the parties in interest may reach. If no other special agreement is reached, the damaged Work shall be repaired or replaced, the moneys so received applied on account thereof and the Work and the cost thereof covered by an appropriate Change Order.
- B. OWNER as trustee shall have power to adjust and settle any loss with the insurers unless one of the parties in interest shall object in writing within fifteen days after the occurrence of loss to OWNER's exercise of this power. If such objection be made, OWNER as trustee shall make settlement with the insurers in accordance with such agreement as the parties in interest may reach. If required in writing by any party in interest, OWNER as trustee shall upon the occurrence of an insured loss, give bond for the proper performance of his duties.

5.8 Partial Utilization - Property Insurance:

- A. If OWNER finds it necessary to occupy or use a portion or portions of the Work prior to Substantial Completion of all of the Work, such use or occupancy may be accomplished in accordance with Paragraph 14.6; provided that no such use or occupancy shall commence before the insurers providing the property insurance have acknowledged notice thereof and in writing effected the changes in coverage necessitated thereby. The insurers providing the property insurance shall consent by endorsement on the policy or policies, but the property insurance shall not be canceled or lapse on account of any such partial use or occupancy.

5.9 Certificates of Insurance:

- A. All certificates of the insurance required to be purchased by CONTRACTOR pursuant to Article 5 shall be filed in accordance with Paragraph 2.1.B. Certificates shall be acceptable to OWNER and shall contain a provision that coverages afforded under the policies will not be canceled, materially changed or renewal refused until at least thirty days' prior written notice has been given to OWNER and ENGINEER by certified mail.

5.10 Additional Bonds and Insurance:

- A. OWNER may require CONTRACTOR to furnish such other Bonds and such additional insurance, in such form and with such sureties or insurers as OWNER may specify. If such other Bonds or such other insurance are specified in the Contract Documents, the premiums shall be paid by CONTRACTOR; if subsequent thereto, they shall be paid by OWNER except as otherwise provided in Paragraph 6.3.A.1 and Paragraph 13.8.B.

ARTICLE 6 - CONTRACTOR'S RESPONSIBILITIES

6.1 Supervision and Superintendence:

- A. CONTRACTOR shall supervise and direct the Work competently and efficiently, devoting such attention thereto and applying such skills and expertise as may be necessary to perform the Work in accordance with the Contract Documents. CONTRACTOR shall be solely responsible for the means, methods, techniques, sequences and procedures of construction, and safety measures incident thereto. CONTRACTOR shall be responsible to see that the finished Work complies accurately with the Contract Documents.
- B. CONTRACTOR shall keep on the Work at all times during its progress a competent resident superintendent, who shall not be replaced without written notice to OWNER and ENGINEER except under extraordinary circumstances. The superintendent will be CONTRACTOR's representative at the site and shall have authority to act on behalf of CONTRACTOR. All communications given to the superintendent shall be as binding as if given to CONTRACTOR.

6.2 Labor, Materials and Equipment:

- A. CONTRACTOR shall provide competent, suitably qualified personnel to survey and lay out the Work and perform construction as required by the Contract Documents. CONTRACTOR shall at all times maintain good discipline and order at the site. Except in connection with the safety or protection of persons or the Work or property at the site or adjacent thereto, and except as otherwise indicated in the Supplementary Conditions, all Work at the site shall be performed during regular working hours, and CONTRACTOR will not permit overtime work or the performance of Work on Saturday, Sunday or any legal holiday without OWNER's written consent given after prior written notice to ENGINEER.
- B. CONTRACTOR shall furnish all materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances and all other facilities and incidentals necessary for the execution, testing, initial operation and

completion of the Work. Except as otherwise specified in the General Requirements, CONTRACTOR shall furnish all fuel, power, light, heat, telephone, water and sanitary facilities necessary for the execution, testing, initial operation and completion of the Work.

- C. All materials and equipment shall be of good quality and new, except as otherwise provided in the Contract Documents. If required by ENGINEER, CONTRACTOR shall furnish satisfactory evidence (including reports or required tests) as to the kind and quality of materials and equipment.
- D. All materials and equipment shall be applied, installed, connected, erected, used, cleaned and conditioned in accordance with the instructions of the applicable manufacturer, fabricator, supplier or distributor, except as otherwise provided in the Contract Documents; but no provision of any such instructions will be effective to impose on ENGINEER responsibility for the means, methods, techniques, sequences or procedures of construction or for safety precautions incident thereto.

6.3 Substitutions:

- A. Whenever materials or equipment are specified or described in the Drawings or Specifications by using the name of a proprietary item or the name of a particular manufacturer, fabricator, supplier or distributor, the naming of the item is intended to establish the type, function and quality required. Unless the name is followed by words indicating that no substitution is permitted, materials or equipment of other manufacturers, fabricators, suppliers or distributors may be accepted by ENGINEER if sufficient information is submitted by CONTRACTOR to allow ENGINEER to determine that the material or equipment proposed is equivalent to that named. The procedure for review by ENGINEER will be as set forth in Paragraphs 6.3.A.1 and 6.3.A.2 below and as supplemented in the General Requirements.
 - 1. Requests for review of substitute items of material and equipment will not be accepted by ENGINEER from anyone other than CONTRACTOR. If CONTRACTOR wishes to furnish or use a substitute item of material or equipment, CONTRACTOR shall make written application to ENGINEER for acceptance thereof, certifying that the proposed substitute will perform adequately the functions and achieve the results called for by the general design, be similar and of equal substance to that specified and be suited to the same use as that specified. The application will state that the evaluation and acceptance of the proposed substitute will not prejudice CONTRACTOR's timely achievement of Substantial Completion, whether or not acceptance of the substitute for use in the Work will require a change in the Drawings or Specifications to adapt the design to the

substitute and whether or not incorporation or use of the substitute in connection with the Work is subject to payment of any license fee or royalty. All variations of the proposed substitute from that specified shall be identified in the application and available maintenance, repair and replacement service will be indicated. The application will also contain a statement that CONTRACTOR agrees to pay all costs that will result directly or indirectly from acceptance of such substitute, including costs of redesign and claims of other Contractors affected by the resulting change. ENGINEER may require CONTRACTOR to furnish at CONTRACTOR's expense additional data about the proposed substitute. ENGINEER will be allowed a reasonable time within which to evaluate the proposed substitute. ENGINEER will be the sole judge of acceptability and no substitute will be ordered or installed without ENGINEER's prior written acceptance. OWNER may require CONTRACTOR to furnish at CONTRACTOR's expense a special performance guarantee or other surety with respect to any substitute.

2. ENGINEER will record time required by ENGINEER and ENGINEER's consultants in evaluating substitutions proposed by CONTRACTOR and in making changes in the Drawings or Specifications occasioned thereby. Whether or not ENGINEER accepts a proposed substitute, CONTRACTOR shall reimburse OWNER for the charges of ENGINEER and ENGINEER's consultants for evaluating any proposed substitute.

6.4 Concerning Subcontractors:

- A. CONTRACTOR shall not employ any Subcontractor or other person or organization (including those who are to furnish the principal items of materials or equipment), whether initially or as a substitute, against whom OWNER or ENGINEER may have reasonable objection. A Subcontractor or other person or organization identified in writing to OWNER and ENGINEER by CONTRACTOR prior to the Notice of Award and not objected to in writing by OWNER or ENGINEER prior to the Notice of Award will be deemed acceptable to OWNER and ENGINEER. If OWNER or ENGINEER after due investigation has reasonable objection to any Subcontractor, other person or organization proposed by CONTRACTOR after the Notice of Award, CONTRACTOR shall submit an acceptable substitute and the Contract Price shall not be increased or decreased. CONTRACTOR shall not be required to employ any Subcontractor, other person or organization against whom CONTRACTOR has reasonable objection. Acceptance of any Subcontractor, other person or organization by OWNER or ENGINEER shall not constitute a waiver of any right of OWNER or ENGINEER to reject defective Work.

- B. CONTRACTOR shall be fully responsible for all acts and omissions of his Subcontractors and of persons and organizations directly or indirectly employed by them and of persons and organizations for whose acts any of them may be liable to the same extent that CONTRACTOR is responsible for the acts and omissions of persons directly employed by CONTRACTOR. Nothing in the Contract Documents shall create any contractual relationship between OWNER or ENGINEER and any Subcontractor or other person or organization having a direct contract with CONTRACTOR, nor shall it create any obligation on the part of OWNER or ENGINEER to pay or to see to the payment of any moneys due any Subcontractor or other person or organization, except as may otherwise be required by law. OWNER or ENGINEER may furnish to any Subcontractor or other person or organization, to the extent practicable, evidence of amounts paid to CONTRACTOR on account of specific Work done.
- C. The Divisions and Sections of the Specifications and the identifications of any Drawings shall not control CONTRACTOR in dividing the Work among Subcontractors or delineating the Work to be performed by any specific trade.
- D. All Work performed for CONTRACTOR by a Subcontractor will be pursuant to an appropriate agreement between CONTRACTOR and the Subcontractor which specifically binds the Subcontractor to the applicable terms and conditions of the Contract Documents for the benefit of OWNER and the ENGINEER and contains waiver provisions as required by Paragraph 5.6. CONTRACTOR shall pay each Subcontractor a just share of any insurance moneys received by CONTRACTOR on account of losses under policies issued pursuant to Paragraph 5.5.

6.5 Patent Fees and Royalties:

- A. CONTRACTOR shall pay all license fees and royalties and assume all costs incident to the use in the performance of the Work or the incorporation in the Work of any invention, design, process, product or device which is the subject of patent rights or copyrights held by others. If a particular invention, design, process, product or device is specified in the Contract Documents for use in the performance of the Work and if to the actual knowledge of OWNER or ENGINEER its use is subject to patent rights or copyrights calling for the payment of any license fee or royalty to others, the existence of such rights shall be disclosed by OWNER in the Contract Documents. CONTRACTOR shall indemnify and hold harmless OWNER and ENGINEER and anyone directly or indirectly employed by either of them from and against all claims, damages, losses and expenses (including attorneys' fees) arising out of any infringement of patent rights or copyrights incident to the use in the performance of the Work or

resulting from the incorporation in the Work of any invention, design, process product or device not specified in the Contract Documents, and shall defend all such claims in connection with any alleged infringement of such rights.

6.6 Permits:

- A. Unless otherwise indicated in the Supplementary Conditions, CONTRACTOR shall obtain and pay for all safety permits, construction permits and licenses. OWNER shall assist CONTRACTOR, when necessary, in obtaining such permits and licenses. CONTRACTOR shall pay all governmental charges and inspection fees necessary for the prosecution of the Work, which are applicable at the time of opening of Bid. CONTRACTOR shall also pay all charges of utility service companies for connections to the Work, and OWNER shall pay all charges of such companies for capital costs related thereto.

The CONTRACTOR must be familiar with these permits and be responsible for compliance with the permit requirements. However, there is no guarantee that the permits contain all the requirements with which the CONTRACTOR must comply. These permits are not part of the Contract Documents.

- C. The CONTRACTOR shall strictly comply with the conditions of all permits.

6.7 Laws and Regulations:

- A. CONTRACTOR shall give all notices and comply with all Federal, State and local laws, ordinances, rules and regulations applicable to the Work. If CONTRACTOR observes that the Specifications or Drawings are at variance therewith, CONTRACTOR shall give ENGINEER prompt written notice thereof, and any necessary changes shall be adjusted by an appropriate Modification. If CONTRACTOR performs any Work knowing or having reason to know that it is contrary to such laws, ordinances, rules and regulations, and without such notice to ENGINEER, CONTRACTOR shall bear all costs arising therefrom; however, it shall not be CONTRACTOR's primary responsibility to make certain that the Specifications and Drawings are in accordance with such laws, ordinances, rules and regulations.

6.8 Taxes:

- A. CONTRACTOR shall pay all sales, consumer, use and other similar taxes required to be paid by him in accordance with the law of the place of the Project.

6.9 Use of Premises:

- A. CONTRACTOR shall comply with the following requirements unless otherwise indicated in the Detailed Specifications.
- B. CONTRACTOR shall confine construction equipment, the storage of materials and equipment and the operations of workmen to areas permitted by law, ordinances, permits, or the requirements of the Contract Documents, and shall not unreasonably disturb more of the various premises than the absolute minimum required for the proper performance of the Work.
- C. During progress of the Work, CONTRACTOR shall keep the premises free from accumulations of waste materials, rubbish and other debris resulting from the Work. At the completion of the Work CONTRACTOR shall remove all waste materials, rubbish and debris from and about the premises as well as all tools, appliances, construction equipment and machinery, and surplus materials, and shall leave the site clean and ready for resumption of normal use. CONTRACTOR shall restore to their original condition those disturbed portions of the site not designated for alteration by the Contract Documents.
- D. CONTRACTOR shall not load nor permit any part of any structure to be loaded in any manner that will endanger the structure, nor shall CONTRACTOR subject any part of the Work or adjacent property to stresses or pressures that will endanger them.

6.10 Record Documents:

- A. CONTRACTOR shall keep one record copy of all Specifications, Drawings, Addenda, Modifications, Shop Drawings and Samples, and Permits at the site in good order, dimensioned and annotated to show all changes made and utilities encountered during the construction process. These shall be available to ENGINEER for examination and shall be delivered to ENGINEER for OWNER upon completion of the Work.

6.11 Safety and Protection:

- A. CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the Work. CONTRACTOR shall take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury or loss to:
 - 1. All employees on the Work and other persons who may be affected thereby, including confined space entry;
 - 2. All the Work and all materials or equipment to be incorporated therein, whether in storage on or off the site; and

3. Other property at the site of the Work or adjacent thereto, including but not limited to trees, shrubs, lawns, walks, pavements, driveways, roadways, structures and utilities not designated for removal, relocation or replacement in the course of construction.
- B. CONTRACTOR shall comply with all applicable laws, ordinances, rules, regulations and orders of any public body having jurisdiction for the safety of persons or property or to protect them from damage, injury or loss; and shall erect and maintain all necessary safeguards for such safety and protection. CONTRACTOR shall notify owners of adjacent property and utilities when prosecution of the Work may affect them. CONTRACTOR shall cooperate with the utility owner in the protection, removal, relocation or replacement of such utility property. All damage, injury or loss to any property caused, directly or indirectly, in whole or in part, by CONTRACTOR, any Subcontractor or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, shall be remedied by CONTRACTOR. CONTRACTOR's duties and responsibilities for the safety and protection of the Work shall continue until such time as all the Work is completed and ENGINEER has issued a notice to OWNER and CONTRACTOR in accordance with Paragraph 14.9 that the Work is acceptable.
 - C. CONTRACTOR shall designate a responsible member of his organization to be at the site of the Work during all operations whose duty shall be the enforcement of the applicable safety regulations and the prevention of accidents. This person shall be a qualified and experienced expert in construction safety requirements and procedures and shall be designated in writing by CONTRACTOR to OWNER.

6.12 Emergencies:

- A. In emergencies affecting the safety or protection of persons or the Work or property at the site or adjacent thereto, CONTRACTOR, without special instruction or authorization from ENGINEER or OWNER, is obligated to act to prevent threatened damage, injury or loss. CONTRACTOR shall give ENGINEER prompt written notice of any significant changes in the Work or deviations from the Contract Documents caused thereby.

6.13 Shop Drawings and Samples:

- A. After checking and verifying all field measurements, CONTRACTOR shall submit to ENGINEER for review and approval, in accordance with Paragraph 4.4 and the accepted schedule of Shop Drawings submissions (see Paragraph 2.6) and the procedures specified in the General Requirements, copies of all Shop Drawings, which shall have been checked by and stamped with the approval of

CONTRACTOR and identified as ENGINEER may require. The data shown on the Shop Drawings will be complete with respect to dimensions, design criteria, materials of construction and the like to enable ENGINEER to review the information as required.

- B. CONTRACTOR shall also submit to ENGINEER for review and approval with such promptness as to cause no delay in Work, all Samples required by the Contract Documents. All Samples will have been checked by and stamped with the approval of CONTRACTOR, and identified clearly as to material, manufacturer, any pertinent catalog numbers and the use for which intended.
- C. At the time of each submission, CONTRACTOR shall in writing call ENGINEER's attention to all deviations that the Shop Drawings or Samples may have from the requirements of the Contract Documents.
- D. ENGINEER will review and approve with reasonable promptness Shop Drawings and Samples, but ENGINEER's review and approval shall be only for conformance with the design concept of the Project and for compliance with the information given in the Contract Documents and shall not extend to means, methods, sequences, techniques or procedures of construction or to safety precautions or programs incident thereto. The review and approval of a separate item as such will not indicate approval of the assembly in which the item functions. CONTRACTOR shall make all corrections required by ENGINEER and shall return the required number of corrected copies of Shop Drawings and resubmit new Samples for review and approval. CONTRACTOR shall direct specific attention in writing to revisions other than the corrections called for by ENGINEER on previous submittals. CONTRACTOR's stamp of approval on any Shop Drawing or Sample shall constitute a representation to OWNER and ENGINEER that CONTRACTOR has either determined and verified all quantities, dimensions, field construction criteria, materials, catalog numbers, and similar data or assumes full responsibility for doing so, and that CONTRACTOR has reviewed or coordinated each Shop Drawing or Sample with the requirements of the Work and the Contract Documents.
- E. Where a Shop Drawing or Sample is required by the Specifications, no related Work shall be commenced until the submittal has been reviewed and approved by ENGINEER.
- F. ENGINEER's review and approval of Shop Drawings or Samples shall not relieve CONTRACTOR from responsibility for any deviations from the Contract Documents unless CONTRACTOR has in writing called ENGINEER's attention to such deviation at the time of submission and ENGINEER has given written

concurrence and approval to the specific deviation, nor shall any concurrence and approval by ENGINEER relieve CONTRACTOR from responsibility for errors or omissions in the Shop Drawings or Samples.

6.14 Continuing The Work:

- A. CONTRACTOR shall carry on the Work and maintain the progress schedule during all disputes or disagreements with OWNER. No Work shall be delayed or postponed pending resolution of any disputes or disagreements, except as CONTRACTOR and OWNER may otherwise agree in writing.

6.15 Indemnification:

- A. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless OWNER and ENGINEER and their agents, employees and consultants from and against all claims, damages, losses and expenses including, but not limited to attorneys' fees arising out of or resulting from the performance of the Work and non-compliance with any and all Permits relating to the Project held by the OWNER, provided that any such claim, damage, loss or expense (1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting therefrom and (2) is caused in whole or in part by either (a) any negligent act or omission of CONTRACTOR, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable regardless of whether or not it is caused in part by a party indemnified hereunder, or (b) arises out of operation of law as a consequence of any act or omission of CONTRACTOR, any Subcontractor, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, regardless of whether any of them has been negligent.
- B. In any and all claims against OWNER or ENGINEER or any of their agents, employees or consultants by any employee of CONTRACTOR, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the indemnification obligation under Paragraph 6.15.A shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for CONTRACTOR or any Subcontractor under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts.
- C. The obligations of CONTRACTOR under Paragraph 6.15A shall not extend to the liability of ENGINEER, his agents, employees or consultants arising out of the ENGINEER's preparation or approval of maps, Drawings, written opinions, reports, surveys, Change Orders, designs or Specifications.

ARTICLE 7 - WORK BY OTHERS

- 7.1 OWNER may perform additional work related to the Project by himself, or have additional work performed by utility service companies, or let other direct contracts therefor which shall contain General Conditions similar to these. CONTRACTOR shall afford the utility service companies and the other Contractors who are parties to such direct contracts (or OWNER, if OWNER is performing the additional work with OWNER's employees) reasonable opportunity for the introduction and storage of materials and equipment and the execution of work, and shall properly connect and coordinate his Work with theirs.
- 7.2 If any part of CONTRACTOR's Work depends for proper execution or results upon the work of any such other Contractor or utility service company (or OWNER), CONTRACTOR shall inspect and promptly report to ENGINEER in writing any patent or apparent defects or deficiencies in such work that render it unsuitable for such proper execution and results.

CONTRACTOR's failure to so report shall constitute an acceptance of the other work as fit and proper for integration with CONTRACTOR's Work except for latent defects and deficiencies in the other work.

- 7.3 CONTRACTOR shall do all cutting, fitting and patching of his Work that may be required to make its several parts come together properly and integrate with such other work. CONTRACTOR shall not endanger any work of others by cutting, excavating or otherwise altering their work and will only cut or alter their work with the written consent of ENGINEER and the others whose work will be affected.
- 7.4 If the performance of additional work by other Contractors or utility service companies or OWNER was not noted in the Contract Documents, written notice thereof shall be given to CONTRACTOR prior to starting any such additional work. If CONTRACTOR believes that the performance of such additional work by OWNER or others involves additional expense or requires an extension of the Contract Time, CONTRACTOR may make a claim therefor as provided in Articles 11 and 12 provided that the CONTRACTOR will make no claim which is barred by the provisions of Paragraph 12.3.

ARTICLE 8 - OWNER'S RESPONSIBILITIES

- 8.1 OWNER shall issue all communications to CONTRACTOR through ENGINEER.
- 8.2 In case of termination of the employment of ENGINEER, OWNER shall appoint an Engineer whose status under the Contract Documents shall be that of the former ENGINEER.

- 8.3 OWNER shall furnish the data required by OWNER under the Contract Documents promptly and shall make payments to CONTRACTOR promptly after they are due as provided in Paragraphs 14.4.A and 14.9.A.
- 8.4 OWNER's duties in respect of providing lands and easements and providing engineering surveys to establish reference points are set forth in Paragraphs 4.1.A and 4.4. Paragraph 4.2.A refers to OWNER's identifying and making available to CONTRACTOR copies of reports of investigations and tests of subsurface and latent physical conditions at the site or those reports that otherwise may affect performance of the Work which have been utilized by ENGINEER in preparing the Drawings and Specifications.
- 8.5 OWNER's responsibilities in respect of purchasing and maintaining insurance are set forth in Article 5.
- 8.6 In connection with OWNER's rights to request changes in the Work in accordance with Article 10, OWNER (especially in certain instances as provided in Paragraph 10.4) is obligated to execute Change Orders.
- 8.7 OWNER's responsibility in respect of certain inspections, tests and approvals is set forth in Paragraph 13.3.
- 8.8 In connection with OWNER's right to stop Work or suspend Work, see Paragraphs 13.5A and 15.1. Paragraph 15.2A deals with OWNER's right to terminate services of CONTRACTOR under some circumstances.

ARTICLE 9 - ENGINEER'S STATUS DURING CONSTRUCTION

9.1 OWNER's Representative:

- A. ENGINEER will be OWNER's representative during the construction period. The duties and responsibilities and the limitations of authority of ENGINEER as OWNER's representative during construction are set forth in the Contract Documents and shall not be extended without written consent of OWNER and ENGINEER.

9.2 Visits to Site:

- A. ENGINEER will not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. ENGINEER may make visits to the site at intervals appropriate to the various stages of construction to observe the progress and quality of the executed Work and to determine, in general, if the Work is proceeding in accordance with the Contract Documents.

On the basis of such visits and on-site observations, ENGINEER will inform OWNER of the progress of the Work and will endeavor to guard OWNER against defects and deficiencies in the Work.

9.3 Clarifications and Interpretations:

- A. ENGINEER will issue with reasonable promptness such written clarifications or interpretations of the Contract Documents (in the form of Drawings or otherwise) as ENGINEER may determine necessary, which shall be consistent with or reasonably inferable from the overall intent of the Contract Documents. If CONTRACTOR believes that a written clarification or interpretation justifies an increase in the Contract Price or Contract Time, CONTRACTOR may make a claim therefor as provided in Articles 11 and 12.

9.4 Rejecting Defective Work:

- A. ENGINEER will have authority to disapprove or reject Work which ENGINEER believes to be defective, and will also have authority to require special inspection or testing of the Work as provided in Article 13, whether or not the Work is fabricated, installed or completed.

9.5 Project Representation:

- A. If OWNER and ENGINEER agree, ENGINEER will designate a Resident Project Representative or Representatives to assist ENGINEER in observing the performance of the Work. The duties, responsibilities and limitations of authority of any such Resident Project Representative and assistants will be as provided in the Supplementary Conditions. If OWNER designates another agent to represent him at the site who is not ENGINEER's agent or employee, the duties, responsibilities and limitations of authority of such other person will be as set forth in the Supplementary Conditions.

9.6 Decisions on Disagreements:

- A. ENGINEER will be the initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the Work thereunder. Claims, disputes and other matters relating to the acceptability of the Work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of the Work shall be referred initially to ENGINEER in writing with a request for a formal decision in accordance with this Paragraph, which ENGINEER will render in writing within a reasonable time. Written notice of each such claim, dispute and other matter shall be delivered by the claimant to ENGINEER and the other parties to the Agreement within fifteen days of the occurrence of the event giving rise thereto, and complete written

supporting data will be submitted to ENGINEER and the other party within forty-five days of such occurrence unless ENGINEER allows an additional period of time to ascertain more accurate data. In his capacity as interpreter and judge, ENGINEER will not show partiality to OWNER or CONTRACTOR and will not be liable in connection with any interpretation or decision rendered in good faith in such capacity.

- B. The rendering of a decision by ENGINEER pursuant to Paragraph 9.6.A with respect to any such claim, dispute or other matter (except any which have been waived by the making or acceptance of final payment as provided in Paragraph 14.9) will be a condition precedent to any exercise by OWNER or CONTRACTOR of such rights or remedies as either may otherwise have under the Contract Documents or at law in respect of any such claim, dispute or other matter.

9.7 Limitations on ENGINEER's Responsibilities:

- A. Neither ENGINEER's authority to act under this Article 9 or elsewhere in the Contract Documents nor any decision made by ENGINEER in good faith either to exercise or not exercise such authority shall give rise to any duty or responsibility of ENGINEER to CONTRACTOR, and Subcontractor, any manufacturer, fabricator, supplier or distributor or any of their agents or employees or any other person performing any of the Work.
- B. Whenever in the Contract Documents the terms "as ordered", "as directed", "as required", "as allowed", "as approved" or terms of like effect or import are used, or the adjectives "reasonable", "suitable", "acceptable", "proper", or "satisfactory" or adjectives of like effect or import are used to describe a requirement, direction, review or judgment of ENGINEER as to the Work, it is intended that such requirement, direction, review or judgment will be solely to evaluate the Work for compliance with the Contract Documents (unless there is a specific statement indicating otherwise). The use of any such term or adjective never indicates that ENGINEER shall have authority to supervise or direct performance of the Work or authority to undertake responsibility contrary to the provisions of Paragraphs 9.7.C and 9.7.D.
- C. ENGINEER will not supervise, direct, control or have authority over or be responsible for CONTRACTOR's means, methods, techniques, sequences or procedures of construction, or the safety precautions and programs incident thereto, and ENGINEER will not be responsible for CONTRACTOR's failure to perform the Work in accordance with the Contract Documents.

- D. ENGINEER will not be responsible for the acts or omissions of CONTRACTOR or of any Subcontractors, or of the agents or employees of any CONTRACTOR or Subcontractor, or of any other persons at the site or otherwise performing any of the Work.

ARTICLE 10 - CHANGES IN THE WORK

- 10.1 Without invalidating the Agreement, OWNER may, at any time or from time to time, order additions, deletions or revisions in the Work; these will be authorized by Change Orders. Upon receipt of a Change Order, CONTRACTOR shall proceed with the Work involved. All such Work shall be executed under the applicable conditions of the Contract Documents. If any Change Order causes an increase or decrease in the Contract Price or an extension or shortening of the Contract Time, an equitable adjustment will be made as provided in Article 11 or Article 12 on the basis of a claim made by either party.
- 10.2 ENGINEER may authorize minor changes in the Work not involving an adjustment in the Contract Price or the Contract Time which are consistent with the overall intent of the Contract Documents. These may be accomplished by a Field Order and shall be binding on OWNER, and also on CONTRACTOR who shall perform the change promptly. If CONTRACTOR believes that a Field Order justifies an increase in the Contract Price or Contract Time, CONTRACTOR may make a claim therefor as provided in Article 11 or Article 12.
- 10.3 Additional Work performed without authorization of Change Order will not entitle CONTRACTOR to an increase in the Contract Price or an extension of the Contract Time, except as provided in Paragraphs 10.2, 13.4B, and except in the case of an emergency as provided in Paragraph 6.12.
- 10.4 OWNER shall execute appropriate Change Orders prepared by ENGINEER covering changes in the Work which are required by OWNER, or required because of unreasonable unforeseen physical conditions or emergencies, or because of uncovering Work found not to be defective, or as provided in Paragraphs 11.6 and 15.1, or because of any other claim of CONTRACTOR for a change in the Contract Time or the Contract Price which is recommended by ENGINEER.
- 10.5 If notice of any changes affecting the general scope of the Work or change in the Contract Price is required by the provisions of any Bond to be given to the surety, it will be CONTRACTOR's responsibility to so notify the Surety, and the amount of each applicable Bond shall be adjusted accordingly. CONTRACTOR shall furnish proof of such adjustment to OWNER.

ARTICLE 11 - CHANGE OF CONTRACT PRICE

- 11.1 The Contract Price constitutes the total compensation (subject to authorized adjustments) payable to CONTRACTOR for performing the Work. All duties, responsibilities and obligations assigned to or undertaken by CONTRACTOR shall be at his expense without change in the Contract Price.
- 11.2 The Contract Price may only be changed by a Change Order. Any claim for an increase in the Contract Price shall be based on written notice delivered to OWNER and ENGINEER within fifteen days of the occurrence of the event giving rise to the claim. Notice of the amount of the claim with supporting data shall be delivered within forty-five days of such occurrence unless ENGINEER allows an additional period of time to ascertain accurate cost data. All claims for adjustment in the Contract Price shall be determined by ENGINEER if OWNER and CONTRACTOR cannot otherwise agree on the amount involved. Any change in the Contract Price resulting from any such claim shall be incorporated in a Change Order.
- 11.3 The value of any Work covered by a Change Order or of any claim for an increase or decrease in the Contract Price shall be determined in one of the ways listed herein.
- A. Where the Work involved is covered by unit prices contained in the Contract Documents, by application of unit prices to the quantities of the items involved.
 - B. By mutual acceptance of a lump sum.
 - C. On the basis of the Cost of the Work (determined as provided in Paragraph 11.4) plus a Contractor's Fee for overhead and profit (determined as provided in Paragraph 11.5).
 - D. Whenever the cost of any Work is to be determined pursuant to Paragraphs 11.4.A and 11.4.B, CONTRACTOR will submit in form acceptable to ENGINEER, an itemized cost breakdown together with supporting data.
- 11.4 Cost of the Work:
- A. The term Cost of the Work means the sum of all costs necessarily incurred and paid by CONTRACTOR in the proper performance of the Work. Except as otherwise may be agreed to in writing by OWNER, such costs shall be in amounts no higher than those prevailing in the locality of the Project, shall include only the following items and shall not include any of the costs itemized in Paragraph 11.4.B.
 - 1. Payroll costs for employees in the direct employ of CONTRACTOR in the performance of the Work under schedules of job classifications agreed upon by OWNER and CONTRACTOR. Payroll costs for employees not

employed full time on the Work shall be apportioned on the basis of their time spent on the Work. Payroll costs shall include, but not be limited to, salaries and wages plus the cost of fringe benefits which shall include social security contributions, unemployment, excise and payroll taxes, workers' or workmen's compensation, health and retirement benefits, bonuses, sick leave, vacation and holiday pay applicable thereto. Such employees shall include superintendents and foremen at the site. The expenses of performing Work after regular working hours, on Saturday, Sunday or legal holidays shall be included in the above to the extent authorized by OWNER.

2. Cost of all materials and equipment furnished and incorporated in the Work, including reasonable costs of transportation and storage thereof, and manufacturers' field services required in connection therewith. All cash discounts shall accrue to CONTRACTOR unless OWNER deposits funds with CONTRACTOR with which to make payments, in which case the cash discounts shall accrue to OWNER. All trade discounts, rebates and refunds, and all returns from sale of surplus materials and equipment shall accrue to OWNER, and CONTRACTOR shall make provisions so that they may be obtained.
3. Payments made by CONTRACTOR to the Subcontractors for Work performed by Subcontractors. If required by OWNER, CONTRACTOR shall obtain competitive bids from Subcontractors acceptable to CONTRACTOR and shall deliver such bids to OWNER who will then determine, with the advice of ENGINEER which bids will be accepted. If a subcontract provides that the Subcontractor is to be paid on the basis of Cost of the Work plus a fee, the Subcontractor's Cost of the Work shall be determined in the same manner as CONTRACTOR's Cost of the Work. All subcontracts shall be subject to the other provisions of the Contract Documents insofar as applicable.
4. Costs of special consultants employed for services specifically related to the Work.
5. Supplemental costs including the following:
 - a. The proportion of necessary transportation, travel and subsistence expenses of CONTRACTOR's employees incurred in discharge of duties connected with the Work.
 - b. Cost, including transportation and maintenance, of all materials, supplies, equipment, machinery, appliances, office and temporary facilities at the site and hand tools not owned by the workmen, which are consumed in the performance of the Work, and cost less market value of such items used but not consumed which remain the property of CONTRACTOR.
 - c. Rentals of all construction equipment and machinery and the parts thereof whether rented from CONTRACTOR or others in accordance with rental agreements approved by OWNER with the

advice of ENGINEER, and the costs of transportation, loading, unloading, installation, dismantling and removal thereof -- all in accordance with terms of said rental agreements. The rental of any such equipment, machinery or parts shall cease when the use thereof is no longer necessary for the Work.

- d. Sales, use or similar taxes related to the Work, and for which CONTRACTOR is liable, imposed by any governmental authority.
- e. Deposits lost for causes other than CONTRACTOR's negligence, royalty payments and fees for permits and licenses.
- f. Losses and damages (and related expenses), not compensated by insurance or otherwise, to the Work or otherwise sustained by CONTRACTOR in connection with the execution of the Work, provided they have resulted from causes other than the negligence of CONTRACTOR, any Subcontractor, or anyone directly or indirectly employed by any of them or for whose acts any of them may be liable. Such losses shall include settlements made with the written consent and approval of OWNER. No such losses, damages and expenses shall be included in the Cost of the Work for the purpose of determining CONTRACTOR's Fee. If, however, any such loss or damage requires reconstruction and CONTRACTOR is placed in charge thereof, CONTRACTOR shall be paid for services a fee proportionate to that stated in Paragraph 11.5.
- g. The cost of utilities, fuel and sanitary facilities at the site.
- h. Minor expenses such as telegrams, long distance telephone calls, telephone service at the site, expressage and similar petty cash items in connection with the Work.
- i. Cost of premiums for additional Bonds and insurance required because of changes in the Work.

B. The term Cost of the Work shall not include any of the following:

- 1. Payroll costs and other compensation of CONTRACTOR'S officers, executives, principals (of partnership and sole proprietorships), general managers, engineers, architects, estimators, lawyers, auditors, accountants, purchasing and contracting agents, expeditors, timekeepers, clerks and other personnel employed by CONTRACTOR whether at the site or in his principal or a branch office for general administration of the Work and not specifically included in the agreed upon schedule of job classifications referred to in Paragraph 11.4.A.1 - all of which are to be considered administrative costs covered by the CONTRACTOR's Fee.
- 2. Expenses of CONTRACTOR's principal and branch offices other than CONTRACTOR's office at the site.

3. Any part of CONTRACTOR's capital expenses, including interest on CONTRACTOR's capital employed for the Work and charges against CONTRACTOR for delinquent payments.
4. Cost of premiums for all Bonds and for all insurance whether or not CONTRACTOR is required by the Contract Documents to purchase and maintain the same (except for additional Bonds and insurance required because of changes in the Work).
5. Costs due to the negligence of CONTRACTOR, any Subcontractor, or anyone directly or indirectly employed by any of them or for whose acts any of them may be liable, including but not limited to, the correction of defective Work, disposal of materials or equipment wrongly supplied and making good any damage to property.
6. Other overhead or general expense costs of any kind and the costs of any item not specifically and expressly included in Paragraph 11.4.A.

11.5 CONTRACTOR's Fee:

- A. The CONTRACTOR's Fee allowed to CONTRACTOR for overhead and profit shall be determined as follows:
 1. A mutually acceptable fixed fee; or if none can be agreed upon.
 2. A fee based on the following percentages of the various portions of the Cost of the Work:
 - a. For costs incurred under Paragraphs 11.4.A.1 and 11.4.A.2, the CONTRACTOR's Fee shall not exceed a total of twenty percent (ten percent for overhead and ten percent for profit).
 - b. For costs incurred under Paragraph 11.4.A.3, the CONTRACTOR's Fee shall not exceed a total of five percent; and if a subcontract is on the basis of Cost of the Work plus a fee, the maximum allowable to the Subcontractor as a fee for overhead and profit shall not exceed a total of twenty percent.
 - c. No fee shall be payable on the basis of costs itemized under Paragraphs 11.4.A.4, 11.4.A.5 and 11.4.B.
 - d. The amount of credit to be allowed by CONTRACTOR to OWNER for any such change which results in a net decrease in cost, will be the amount of the net decrease plus a deduction in CONTRACTOR's Fee by an amount equal to ten percent of the net decrease.
 - e. When both additions and credits are involved in any one change, the adjustment in CONTRACTOR's Fee shall be computed on the basis of the net change in accordance with Paragraphs 11.5.A.2.a through 11.5.A.2.d, inclusive.

11.6 Cash Allowances:

- A. It is understood that CONTRACTOR has included in the Contract Price all allowances so named in the Contract Documents and shall cause the Work so covered to be done by such Subcontractors, manufacturers, fabricators, suppliers or distributors and for such sums within the limit of the allowances as may be acceptable to ENGINEER. Upon final payment, the Contract Price shall be adjusted as required and an appropriate Change Order issued. CONTRACTOR agrees that the original Contract Price includes such sums as CONTRACTOR deems proper for costs and profit on account of cash allowances. No demand for additional cost or profit in connection therewith will be allowed.

11.7 Unit Price Work:

- A. Where the Contract Documents provide that all or part of the Work is to be Unit Price Work, initially the Contract Price will be deemed to include for all Unit Price Work an amount equal to the sum of the established unit prices for each separately identified item of Unit Price Work times the estimated quantity of each item as indicated in the Agreement.

ARTICLE 12 - CHANGE OF THE CONTRACT TIME

- 12.1 The Contract Time may only be changed by a Change Order. Any claim for an extension in the Contract Time shall be based on written notice delivered to OWNER and ENGINEER within five days of the occurrence of the event giving rise to the claim. Notice of the extent of the claim with supporting data shall be delivered within ten days of such occurrence unless ENGINEER allows an additional period of time to ascertain more accurate data. All claims for adjustment in the Contract Time shall be determined by ENGINEER if OWNER and CONTRACTOR cannot otherwise agree. Any change in the Contract Time resulting from any such claim shall be incorporated in a Change Order.
- 12.2 The Contract Time will be extended in an amount equal to time lost due to delays beyond the control of CONTRACTOR if a claim is made therefor as provided in Paragraph 12.1. Such delays shall include, but not be limited to, acts or neglect by OWNER or others performing additional work as contemplated by Article 7, or to fires, floods, labor disputes, epidemics, abnormal weather conditions, or acts of God. No extension of the Contract Time will be granted where the delay is attributable to a Subcontractor, manufacturer, fabricator, supplier or distributor or any other party performing services or furnishing material or equipment on behalf of the CONTRACTOR unless such party's delay is attributable to one of the above enumerated causes.

- 12.3 The time limits concerning Substantial Completion and final completion as stated in the Contract Documents are of the essence. The provisions of this Article 12 shall not exclude recovery for damages (including compensation for additional professional services) for delay by either party, provided, however that CONTRACTOR shall not be entitled to damages for any delay occurring as a consequence of a delay in additional work being performed by others pursuant to Paragraph 7.1 hereof if the performance of said additional work was noted in the Contract Documents and the delay (by others) was not directly caused by the fault of OWNER.

ARTICLE 13 - WARRANTY AND GUARANTEE; TESTS AND INSPECTION; CORRECTION, REMOVAL OR ACCEPTANCE OF DEFECTIVE WORK

13.1 Warranty and Guarantee:

- A. CONTRACTOR warrants and guarantees to OWNER and ENGINEER that all Work will be in accordance with the Contract Documents and will not be defective.

Prompt notice of all defects observed by the ENGINEER shall be given to CONTRACTOR. All defective Work, whether or not in place, may be rejected or corrected as provided in this Article 13.

13.2 Access to Work:

- A. ENGINEER and ENGINEER's representatives, other representatives of OWNER, testing agencies and governmental agencies with jurisdictional interests will have access to the Work at reasonable times for their observation, inspection and testing. CONTRACTOR shall provide proper and safe conditions for such access.

13.3 Tests and Inspections:

- A. CONTRACTOR shall give ENGINEER timely notice of readiness of the Work for all required inspections, tests or approvals.
- B. If any law, ordinance, rule, regulation, code or orders of any public body having jurisdiction requires any Work (or part thereof) to specifically be inspected, tested or approved, CONTRACTOR (unless another party is specified in the General Requirements) shall assume full responsibility therefor, pay all costs in connection therewith and furnish ENGINEER the required certificates of inspection, testing or approval. CONTRACTOR shall also be responsible for and shall pay all costs in connection with any inspection or testing required by the

Specifications in connection with OWNER's or ENGINEER's acceptance of a manufacturer, fabricator, supplier or distributor of materials or equipment submitted for approval prior to CONTRACTOR's purchase thereof for incorporation in the Work. Unless otherwise specified, the cost of all other inspections, tests and approvals required by the Contract Documents shall be paid by CONTRACTOR.

- C. All inspections, tests or approvals other than those required by law, ordinance, rule, regulation, code or order of any public body having jurisdiction shall be performed by organizations acceptable to OWNER (or by ENGINEER if so specified).
- D. If any Work that is to be inspected, tested or approved is covered without written concurrence of ENGINEER, it must, if requested by ENGINEER, be uncovered for observation. Such uncovering shall be at CONTRACTOR's expense unless CONTRACTOR has given ENGINEER timely notice of CONTRACTOR's intention to cover such Work and ENGINEER has not acted with reasonable promptness in response to such notice.
- E. Neither observations by ENGINEER nor inspections, test or approvals by others shall relieve CONTRACTOR from his obligations to perform the Work in accordance with the Contract Documents.

13.4 Uncovering Work:

- A. If any Work is covered contrary to the written request of ENGINEER, it must, if requested by ENGINEER, be uncovered for ENGINEER's observation and recovered at CONTRACTOR's expense.
- B. If ENGINEER considers it necessary or advisable that covered Work be observed by ENGINEER or inspected or tested by others, CONTRACTOR, at ENGINEER's request, and upon reasonable notice to OWNER, shall uncover, expose or otherwise make available for observation, inspection or testing as ENGINEER may require, that portion of the Work in question, furnishing all necessary labor, material and equipment. If it is found that such Work is defective, CONTRACTOR shall bear all the expense of such uncovering, exposure, observation, inspection and testing and of satisfactory reconstruction, including compensation for additional professional services, and an appropriate deductive Change Order shall be issued. If, however, such Work is not found to be defective and there is no contradiction with Paragraph 13.3.D, CONTRACTOR shall be allowed an increase in the Contract Price or an extension of the Contract Time, or both, directly attributable to such uncovering, exposure, observation, inspection, testing and reconstruction if he makes a claim therefor as provided in Articles 11 and 12.

13.5 Owner May Stop the Work:

- A. If the Work is defective, or CONTRACTOR fails to supply sufficient skilled workmen or suitable materials or equipment, OWNER may order CONTRACTOR to stop the Work, or any portion thereof, until the cause for such order has been eliminated; however, this right of OWNER to stop the Work shall not give rise to any duty on the part of OWNER to exercise this right for the benefit of CONTRACTOR or any other party.

13.6 Correction or Removal of Defective Work:

- A. If required by ENGINEER, CONTRACTOR shall promptly, without cost to OWNER and as specified by ENGINEER, either correct any defective Work, whether or not fabricated, installed or completed, or, if the Work has been rejected by ENGINEER, remove it from the site and replace it with nondefective Work.

13.7 One Year Correction Period:

- A. If, within one year after the date of Substantial Completion or such longer period of time as may be prescribed by law or by the terms of any applicable special guarantee required by the Contract Documents, or by any specific provision of the Contract Documents, any Work is found to be defective, CONTRACTOR shall promptly, without cost to OWNER and in accordance with OWNER's written instructions, either correct such defective Work, or, if it has been rejected by OWNER, remove it from the site and replace it with nondefective Work. If CONTRACTOR does not promptly comply with the terms of such instructions, or in an emergency where delay would cause serious risk of loss or damage, OWNER may have the defective Work corrected or the rejected Work removed and replaced, and all direct and indirect costs of such removal and replacement, including compensation for additional professional services, shall be paid by CONTRACTOR.

13.8 Acceptance of Defective Work:

- A. If, instead of requiring correction or removal and replacement of defective Work, OWNER (and, prior to ENGINEER's recommendation of final payment, also ENGINEER) prefers to accept it, OWNER may do so. In such case, if acceptance occurs prior to ENGINEER's recommendation of final payment, a Change Order shall be issued incorporating the necessary revisions in the Contract Documents, including appropriate reduction in the Contract Price; or, if the acceptance occurs after such recommendation, an appropriate amount shall be paid by CONTRACTOR to OWNER.

- B. OWNER may require CONTRACTOR to furnish, at CONTRACTOR's expense, a special performance guarantee or other surety prior to acceptance of defective Work.

13.9 Owner May Correct Defective Work:

- A. If CONTRACTOR fails within a reasonable time after written notice of ENGINEER to proceed to correct defective Work or to remove and replace rejected Work as required by ENGINEER in accordance with Paragraph 13.6, or if CONTRACTOR fails to perform the Work in accordance with the Contract Documents (including any requirements of the progress schedule), OWNER may, after seven days' written notice to CONTRACTOR, correct or remedy any such deficiency. In exercising his rights under this Paragraph, OWNER shall proceed expeditiously. To the extent necessary to complete corrective and remedial action, OWNER may exclude CONTRACTOR from all or part of the site, take possession of all or part of the Work, and suspend CONTRACTOR's services related thereto, take possession of CONTRACTOR's tools, appliances, construction equipment and machinery at the site and incorporate in the Work all materials and equipment stored at the site or for which OWNER has paid CONTRACTOR but which are stored elsewhere. CONTRACTOR shall allow OWNER, OWNER's representatives, agents and employees such access to the site as may be necessary to enable OWNER to exercise his rights under this Paragraph. All direct and indirect costs of OWNER in exercising such rights shall be charged against CONTRACTOR in an amount verified by ENGINEER, and a Change Order shall be issued incorporating the necessary revisions in the Contract Documents and a reduction in the Contract Price. Such direct and indirect costs shall include, in particular but without limitation, compensation for additional professional services required and all costs of repair and replacement of work of others destroyed or damaged by correction, removal or replacement of CONTRACTOR's defective Work. CONTRACTOR shall not be allowed an extension of the Contract Time because of any delay in his performance of the Work attributable to the exercise by OWNER of OWNER's rights hereunder.

ARTICLE 14 - PAYMENTS TO CONTRACTOR AND COMPLETION

14.1 Schedules:

- A. At least twenty days prior to submitting the first application for a progress payment, CONTRACTOR shall (except as otherwise specified in the General Requirements) submit to ENGINEER a progress schedule, and a final schedule of Shop Drawings submissions for the Work. These schedules shall be satisfactory in form and substance to ENGINEER.

14.2 Application for Progress Payment:

- A. At least twenty days before each application for a progress payment falls due (but not more often than once a month), CONTRACTOR shall submit to ENGINEER for review an Application for Payment filled out and signed by CONTRACTOR covering the Work completed as of the date of the application and accompanied by such supporting documentation as is required by the Contract Documents and also as ENGINEER may reasonably require. Each subsequent Application for Payment shall include an affidavit of CONTRACTOR stating that all previous progress payments received on account of the Work have been applied to discharge in full all of CONTRACTOR's obligations reflected in prior Applications for Payment. The amount of retainage with respect to progress payments will be as stipulated in the Agreement.
- B. Applications will be incomplete without updated Shop Drawing and Project Schedules.
- C. Applications will be incomplete without updated As-Builts.
- D. Applications will be incomplete without Certified Payroll and Partial Waiver and Release of Liens.

14.3 CONTRACTOR's Warranty of Title:

- A. CONTRACTOR warrants and guarantees that title to all Work, materials and equipment covered by any Application for Payment, whether incorporated in the Project or not, will pass to OWNER at the time of payment free and clear of all liens, claims, security interests and encumbrances (hereafter in these General Conditions referred to as "Liens").

14.4 Review of Applications for Progress Payments:

- A. ENGINEER will, within ten days after receipt of each CONTRACTOR certified and signed Application for Payment, either indicate in writing his recommendation of payment and present the application to OWNER, or return the application to CONTRACTOR indicating in writing ENGINEER's reasons for refusing to recommend payment. In the latter case, CONTRACTOR may make the necessary corrections and resubmit the application. OWNER shall, within thirty days of presentation to him of the application for Payment with ENGINEER's recommendation, pay CONTRACTOR the amount recommended.
- B. ENGINEER's recommendation of any payment requested in an Application for Payment will constitute a representation by ENGINEER to OWNER, based on ENGINEER's on-site observations of the Work in progress as an experienced and

qualified design professional and on ENGINEER's review of the Application for Payment and the accompanying data and schedules that the Work has progressed to the point indicated; that, to the best of ENGINEER's knowledge, information and belief, the quality of the Work is in accordance with the Contract Documents (subject to an evaluation of the Work as a functioning Project upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents and any qualifications stated in the recommendation); and that CONTRACTOR is entitled to payment of the amount recommended. However, by recommending any such payment ENGINEER will not thereby be deemed to have represented that exhaustive or continuous on-site inspections have been made to check the quality or the quantity of the Work, or that the means, methods, techniques, sequences, and procedures of construction have been reviewed, or that any examination has been made to ascertain how or for what purpose CONTRACTOR has used the moneys paid or to be paid to CONTRACTOR on account of the Contract Price, or that title to any Work, materials or equipment has passed to OWNER free and clear of any liens.

- C. ENGINEER's recommendation of final payment will constitute an additional representation by ENGINEER to OWNER that the conditions precedent to CONTRACTOR's being entitled to final payment as set forth in Paragraph 14.9 have been fulfilled.
- D. ENGINEER may refuse to recommend the whole or any part of any payment if, in ENGINEER's opinion, it would be incorrect to make such representations to OWNER. ENGINEER may also refuse to recommend any such payment, or, because of subsequently discovered evidence or the results of subsequent inspections or tests, nullify any such payment previously recommended, to such extent as may be necessary in ENGINEER's opinion to protect OWNER from loss because:
 - 1. The Work is defective, or completed Work has been damaged requiring correction or replacement,
 - 2. Written claims have been made against OWNER or Liens have been filed in connection with the Work,
 - 3. The Contract Price has been reduced because of Modifications,
 - 4. OWNER has been required to correct defective Work or complete the Work in accordance with Paragraph 13.9,
 - 5. Of CONTRACTOR's unsatisfactory prosecution of the Work in accordance with the Contract Documents, or
 - 6. CONTRACTOR's failure to make payment to Subcontractors for labor, materials or equipment.

14.5 Substantial Completion:

- A. For the purpose of this Contract, "Substantial Completion" shall mean that the CONTRACTOR has completed installation of all Irrigation Water Supply Work.
- B. When CONTRACTOR considers the Work ready for its intended use, CONTRACTOR shall, in writing to OWNER and ENGINEER, certify that the Work is substantially complete and request that ENGINEER issue a Certificate of Substantial Completion. Within a reasonable time thereafter, OWNER, CONTRACTOR and ENGINEER shall make an inspection of the Work to determine the status of completion. If ENGINEER does not consider the Work substantially complete, ENGINEER will notify CONTRACTOR in writing giving his reasons therefor. If ENGINEER considers the Work substantially complete, ENGINEER will prepare and deliver to OWNER a tentative Certificate of Substantial Completion which shall fix the date of Substantial Completion. There shall be attached to the certificate a tentative list of items to be completed or corrected before final payment. OWNER shall have seven days after receipt of the tentative certificate during which OWNER may make written objection to ENGINEER as to any provisions of the certificate or attached list. If, after considering such objections, ENGINEER concludes that the Work is not substantially complete, ENGINEER will within fourteen days after submission of the tentative certificate to OWNER notify CONTRACTOR in writing, stating his reasons therefor. If, after consideration of OWNER's objections, ENGINEER considers the Work substantially complete, ENGINEER will within said fourteen days execute and deliver to OWNER and CONTRACTOR a definitive Certificate of Substantial Completion (with a revised tentative list of items to be completed or corrected) reflecting such changes from the tentative certificate as ENGINEER believes justified after consideration of any objections from OWNER. At the time of delivery of the tentative Certificate of Substantial Completion ENGINEER will deliver to OWNER and CONTRACTOR a written recommendation as to division of responsibilities pending final payment between OWNER and CONTRACTOR with respect to security, operation, safety, maintenance, heat, utilities and insurance. Unless OWNER and CONTRACTOR agree otherwise in writing and so inform ENGINEER prior to his issuing the definitive Certificate of Substantial Completion ENGINEER's aforesaid recommendation will be binding on OWNER and CONTRACTOR until final payment.
- C. OWNER shall have the right to exclude CONTRACTOR from the Work after the date of Substantial Completion, but OWNER shall allow CONTRACTOR reasonable access to complete or correct items on the tentative list.

14.6 Partial Utilization:

- A. Use by OWNER of completed portions of the Work may be accomplished prior to Substantial Completion of all the Work subject to the following:
1. OWNER at any time may request CONTRACTOR in writing to permit OWNER to use any part of the Work which OWNER believes to be substantially complete and which may be used without significant interference with construction of the other parts of the Work. If CONTRACTOR agrees, CONTRACTOR will certify to OWNER and ENGINEER that said part of the Work is substantially complete and request ENGINEER to issue a Certificate of Substantial Completion for that part of the Work. Within a reasonable time thereafter OWNER, CONTRACTOR and ENGINEER shall make an inspection of that part of the Work to determine its status of completion. If ENGINEER does not consider that part of the Work to be substantially complete, ENGINEER will notify OWNER and CONTRACTOR in writing giving his reason therefor. If ENGINEER considers that part of the Work to be substantially complete, ENGINEER will execute and deliver to OWNER and CONTRACTOR a certificate to that effect, fixing the date of Substantial Completion as to that part of the Work, attaching thereto a tentative list of items to be completed or corrected before final payment. Prior to issuing a Certificate of Substantial Completion as to part of the Work, ENGINEER will deliver to OWNER and CONTRACTOR a written recommendation as to the division of responsibilities pending final payment between OWNER and CONTRACTOR, with respect to security, operation, safety, maintenance, utilities and insurance for that part of the Work which shall become binding upon OWNER and CONTRACTOR at the time of issuing the definitive Certificate of Substantial Completion as to that part of the Work, unless OWNER and CONTRACTOR shall have otherwise agreed in writing and so informed ENGINEER. OWNER shall have the right to exclude CONTRACTOR from any part of the Work which ENGINEER has so certified to be substantially complete, but OWNER shall allow CONTRACTOR reasonable access to complete or correct items on the tentative list.
 2. In lieu of the issuance of a Certificate of Substantial Completion as to part of the Work, OWNER may take over operation of a facility constituting part of the Work whether or not it is substantially complete if such facility is functionally and separately usable; provided that prior to any such take over, OWNER and CONTRACTOR have agreed as to the division of responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, correction period, heat, utilities and insurance with respect to such facility.

3. No occupancy of part of the Work or taking over of operations of a facility will be accomplished prior to compliance with the requirements of Paragraph 5.8, in respect of property insurance.

14.7 Final Inspection:

- A. Upon written notice from CONTRACTOR that the Work is complete, ENGINEER will make a final inspection with OWNER and CONTRACTOR and will notify CONTRACTOR in writing of all particulars in which this inspection reveals that the Work is incomplete or defective. CONTRACTOR shall immediately take such measures as are necessary to remedy such deficiencies.

14.8 Final Application for Payment:

- A. After CONTRACTOR has completed all such corrections to the satisfaction of ENGINEER and delivered all maintenance and operating instructions, schedules, guarantees, Bonds, certificates of inspection, marked up record documents, and other documents - all as required by the Contract Documents, and after ENGINEER has indicated that the Work is acceptable (subject to the provisions of Paragraph 14.10) CONTRACTOR may make application for final payment following the procedures for progress payments. All prior progress payments shall be subject to review and correction by the ENGINEER and appropriate adjustments made as part of the final application procedure. The final Application for Payment shall be accompanied by all documentation called for in the Contract Documents and such other data and schedules as ENGINEER may reasonably require, together with complete and legally effective releases or waivers (satisfactory to OWNER) of all Liens arising out of or filed in connection with the Work. In lieu thereof and as approved by OWNER, CONTRACTOR may furnish receipts or releases in full; an affidavit of CONTRACTOR that the releases and receipts include all labor, services, material and equipment for which a Lien could be filed, and that all payrolls, material and equipment bills, and other indebtedness connected with the Work for which OWNER or his property might in any way be responsible, have been paid or otherwise satisfied; and consent of the Surety, if any, to final payment. If any Subcontractor, manufacturer, fabricator, supplier or distributor fails to furnish a release or receipt in full, CONTRACTOR may furnish a Bond or other collateral satisfactory to OWNER to indemnify OWNER against any Lien.

14.9 Final Payment and Acceptance:

- A. If, on the basis of ENGINEER's observation of the Work during construction and final inspection and ENGINEER's review of the final Application for Payment and accompanying documentation - all as required by the Contract Documents, ENGINEER is satisfied that the Work has been completed and CONTRACTOR has fulfilled all of his obligations under the Contract Documents, ENGINEER will, within ten days after receipt of the final Application for Payment, indicate in writing his recommendation of payment and present the application to OWNER for payment. Thereupon ENGINEER will give written notice to OWNER and CONTRACTOR that the Work is acceptable subject to the provisions of Paragraph 14.11. Otherwise, ENGINEER will return the application to CONTRACTOR indicating in writing the reasons for refusing to recommend final payment in which case CONTRACTOR shall make the necessary corrections and resubmit the application. If the application and accompanying documentation are appropriate as to form and substance, OWNER shall, within thirty days after receipt thereof, pay CONTRACTOR the amount recommended by ENGINEER.
- B. If, through no fault of CONTRACTOR, final completion is materially delayed and if ENGINEER so confirms, OWNER shall, upon receipt of CONTRACTOR's final Application for Payment and recommendation of ENGINEER, and without terminating the Agreement, make payment of the balance due for that portion of the Work fully completed and accepted. If the remaining balance to be held by OWNER for Work not fully completed or corrected is less than the retainage stipulated in the Agreement, and if Bonds have been furnished as required in Paragraph 5.1, the written consent of the Surety to the payment of the balance due for that portion of the Work fully completed and accepted shall be submitted by CONTRACTOR to ENGINEER with his application for such payment. Such payment shall be made under the terms and conditions governing final payment, except that it shall not constitute a waiver of claims.

14.10 CONTRACTOR's Continuing Obligation:

- A. CONTRACTOR's obligation to perform and complete the Work in accordance with the Contract Documents shall be absolute. Neither recommendation of any progress or final payment by ENGINEER, nor the issuance of a Certificate of Substantial Completion, nor any payment by OWNER to CONTRACTOR under the Contract Documents, nor any use or occupancy of the Work or any part thereof by OWNER, nor any act of acceptance by OWNER nor any failure to do so, nor the issuance of a notice of acceptability by ENGINEER pursuant to Paragraph 14.9, nor any correction of defective Work by OWNER shall constitute an acceptance of Work not in accordance with the Contract Documents or a release of CONTRACTOR's obligation to perform the Work in accordance with the Contract Documents.

14.11 Waiver of Claims:

- A. The making and acceptance of final payment shall constitute:
 - 1. A waiver of all claims by OWNER against CONTRACTOR, except claims arising from unsettled Liens, from defective Work appearing after final inspection pursuant to Paragraph 14.7.A or from failure to comply with the Contract Documents or the terms of any special guarantees specified therein; however it shall not constitute a waiver by the OWNER of any rights in respect of CONTRACTOR's continuing obligations under the Contract Documents; and
 - 2. A waiver of all claims by CONTRACTOR against OWNER other than those previously made in writing and still unsettled.

ARTICLE 15 - SUSPENSION OF WORK AND TERMINATION

15.1 OWNER May Suspend Work:

- A. OWNER may, at any time and without cause, suspend the Work or any portion thereof for a period of not more than ninety days by notice in writing to CONTRACTOR and ENGINEER which shall fix the date on which Work shall be resumed. CONTRACTOR shall resume the Work on the date so fixed. CONTRACTOR will be allowed an increase in the Contract Price or an extension of the Contract Time, or both, directly attributable to any suspension if he makes a claim therefor as provided in Articles 11 and 12.

15.2 OWNER May Terminate:

- A. Upon the occurrence of any one or more of the following events:
 - 1. If CONTRACTOR is adjudged bankrupt or insolvent,
 - 2. If CONTRACTOR makes a general assignment for the benefit of creditors,
 - 3. If a trustee or receiver is appointed for CONTRACTOR or for any of CONTRACTOR's property,
 - 4. If CONTRACTOR files a petition to take advantage of any debtor's act, or to reorganize under the bankruptcy or similar laws,
 - 5. If CONTRACTOR repeatedly fails to supply sufficient skilled workmen or suitable materials or equipment,
 - 6. If CONTRACTOR repeatedly fails to make prompt payments to Subcontractors or for labor, materials or equipment,
 - 7. If CONTRACTOR disregards laws, ordinances, rules, regulations or orders of any public body having jurisdiction,
 - 8. If CONTRACTOR disregards the authority of ENGINEER, or

9. If CONTRACTOR otherwise violates in any substantial way any provisions of the Contract Documents, OWNER may after giving CONTRACTOR and his Surety seven (7) days written notice, terminate the services of CONTRACTOR, exclude CONTRACTOR from the site and take possession of the Work and of all CONTRACTOR's tools, appliances, construction equipment and machinery at the site and use the same to the full extent they could be used by CONTRACTOR (without liability to CONTRACTOR for trespass or conversion), incorporate in the Work all materials and equipment stored at the site or for which OWNER has paid CONTRACTOR but which are stored elsewhere, and finish the Work as OWNER may deem expedient. In such case CONTRACTOR shall not be entitled to receive any further payment until the Work is finished. If the unpaid balance of the Contract Price exceeds the direct and indirect costs of completing the Work, including compensation for additional professional services, such excess shall be paid to CONTRACTOR. If such costs exceed such unpaid balance, CONTRACTOR shall pay the difference to OWNER. Such costs incurred by OWNER shall be verified by ENGINEER and incorporated in a Change Order, but in finishing the Work OWNER shall not be required to obtain the lowest figure for the Work performed.
- B. Where CONTRACTOR's services have been so terminated by OWNER, the termination shall not affect any rights of OWNER against CONTRACTOR then existing or which may thereafter accrue. Any retention or payment of moneys due CONTRACTOR by OWNER will not release CONTRACTOR from liability.
- C. Upon seven (7) days written notice to CONTRACTOR and ENGINEER, OWNER may, without cause and without prejudice to any other right or remedy, elect to abandon the Work and terminate the Agreement. In such case, CONTRACTOR shall be paid (without duplication of any items):
1. For completed and acceptable Work executed in accordance with the Contract Documents prior to the effective date or termination, including fair and reasonable sum of overhead and profit on such work;
 2. For expenses sustained prior to effective date of termination in performing services and furnishing labor, materials or equipment as required by the Contract Documents in connection with uncompleted Work, plus fair and reasonable sums for overhead and profit on such expenses;
 3. For amounts paid in settlement of terminated contracts with Subcontractors, manufacturers, fabricators, suppliers or distributors and others; and
 4. For reasonable expenses directly attributable to termination. CONTRACTOR shall not be paid on account of loss of anticipated profits or revenue or other economic loss or any consequential damages arising out of such termination.

15.3 CONTRACTOR May Stop Work or Terminate:

- A. If, through no act or fault of CONTRACTOR, the Work is suspended for a period of more than ninety days by OWNER or under an order of court or other public authority, or ENGINEER fails to act on any Application for Payment within thirty days after it is submitted, or OWNER fails for thirty days to pay CONTRACTOR any sum finally determined to be due, then CONTRACTOR may, upon seven (7) days written notice to OWNER and ENGINEER, and provided that OWNER or ENGINEER do not remedy such suspension or failure within that time, terminate the Agreement and recover from OWNER payment for all Work executed and any expense sustained plus reasonable termination expenses. In addition and in lieu of terminating the Agreement, if ENGINEER has failed to act on an Application for Payment or OWNER has failed to make any payment as aforesaid, CONTRACTOR may upon seven (7) days written notice to OWNER and ENGINEER stop the Work until payment of all amounts then due. The provision of this paragraph shall not relieve CONTRACTOR of his obligations under Paragraph 6.14 to carry on the Work in accordance with the progress schedule and without delay during disputes and disagreements with OWNER.

ARTICLE 16 - DISPUTE RESOLUTION

- 16.1 Unless otherwise provided in the Supplementary Conditions, all claims, disputes and other matters in question between OWNER and CONTRACTOR arising out of, or relating to the Contract Documents or the breach thereof, except for claims which have been waived by the making or acceptance of final payment as provided by Paragraph 14.11, shall be decided by the courts of the jurisdiction in which the Project is located.
- 16.2 In the case of any dispute that is required to be referred to ENGINEER initially for decision in accordance with Paragraph 9.6, no legal proceeding shall be instituted prior to the earlier of either (a) the date on which ENGINEER has rendered a decision, or (b) the tenth day after the parties have presented their evidence to ENGINEER; and no proceeding with respect to such dispute shall be commenced later than thirty days after the date on which ENGINEER has rendered a written decision in respect thereof.

ARTICLE 17 - MISCELLANEOUS

17.1 Giving Notice:

- A. Whenever any provision of the Contract Documents requires the giving of written notice it shall be deemed to have been validly given if delivered in person to the individual or to a member of the firm or to an officer of the corporation for whom it is intended, or if delivered at or sent by registered or certified mail, postage prepaid, to the last business address known for whom the notice is intended.

17.2 Computation of Time:

- A. When any period of time is referred to in the Contract Documents by days, it shall be computed to exclude the first and include the last day of such period. If the last day of any such period falls on a Saturday or Sunday or on a day made a legal holiday by the law of the applicable jurisdiction, such day shall be omitted from the computation.

17.3 General:

- A. Should OWNER or CONTRACTOR suffer injury or damage to his person or property because of any error, omission or act of the other party or of any of the other party's employees or agents or others for whose acts the other party is legally liable, claim shall be made in writing to the other party within a reasonable time of the first observance of such injury or damage.
- B. The duties and obligations imposed by these General Conditions and the rights and remedies available hereunder to the parties hereto, and, in particular but without limitation, the warranties, guarantees and obligations imposed upon CONTRACTOR, by Paragraphs 6.15, 13.1, 13.6, 13.9, 14.3 and 15.2 and all of the rights and remedies available to OWNER and ENGINEER thereunder, shall be in addition to, and shall not be construed in any way as a limitation of, any rights and remedies available to any or all of them which are otherwise imposed or available by law or contract except as to paragraph 16.2, by special warranty or guarantee or by other provisions of the Contract Documents, and the provisions of this Paragraph shall be as effective as if repeated specifically in the Contract Documents in connection with each particular duty, obligation, right and remedy to which they apply. All representations, warranties and guarantees made in the Contract Documents shall survive final payment and termination or completion of this Agreement.

+ + END OF SECTION + +

SUPPLEMENTARY CONDITIONS

(These Supplementary Conditions amend or supplement the General Conditions and other provisions of the Contract Documents as indicated below. All provisions which are not so amended or supplemented remain in full force and effect.)

TABLE OF ARTICLES

SC-1	Definitions
SC-5	Bonds and Insurance
SC-6	CONTRACTOR's Responsibilities
SC-7	Location of Existing Utilities
SC-8	Notification of Damaged Utilities
SC-9	ENGINEER's Status During Construction
SC-14	Notification of Interim Connections and Substantial Completion
SC-18	Statutory and Special Requirements and Provisions
SC-19	Prevailing Wage Rates

ARTICLE SC-1 - DEFINITIONS

SC1-1 The terms used in these Supplementary Conditions which are defined in the General Conditions have the meanings assigned to them in the General Conditions.

ARTICLE SC-5 - BONDS AND INSURANCE

SC5.1 Performance, Payment and Other Bonds:

- A. Add following new paragraphs immediately after Paragraph 5.1.B of the General Conditions:
- "1. Special Guarantee Bonds: Except as provided in Paragraph 5.10, whenever a special guarantee is required by the Specifications or any other Contract Document to be given by the CONTRACTOR, Subcontractor, installer, manufacturer, or any other person, such person shall furnish a Bond to OWNER. Such Bond is to be issued by a corporate surety, for the period of the guarantee, which shall commence on the date of final acceptance of the Work, product, material, etc. Such Bond or the guarantee from which it arises shall provide for replacement or repair of the defective work, product, material, etc., promptly upon notification of the existence of said defect. Unless otherwise required by the Specifications this requirement for a Bond shall be automatically waived where the guarantee is being furnished by a manufacturer of equipment regularly doing business in interstate commerce.
 2. Performance Bond and Payment Bond shall be in accordance with the forms included with the Agreement."

SC5.2 Contractor's Insurance Requirements:

- A. Notwithstanding any terms, conditions or provisions in any other writing between the parties, the contractor hereby agrees to effectuate the naming of the municipality as an unrestricted additional insured on the CONTRACTOR's insurance policies, with the exception of workers' compensation. Before any of the work is started under this contract, the CONTRACTOR shall file with the municipality a certificate(s).
- B. The policy naming the Town of Carmel and Putnam County as an additional insured shall:
 - Be an insurance policy from an A.M. Best rated "secured" or better, New York State admitted insurer.
 - Provide for 30 days' notice of cancellation.
 - State that the contractors' coverage shall be primary coverage for the municipality, its Board, employees and volunteers.
 - The Town of Carmel and Putnam County shall be listed as an additional insured by using endorsement CG 2026 or broader. The certificate must state that this endorsement is being used. If another endorsement is used, a copy shall be included with the certificate of insurance.
- C. The contractor agrees to indemnify the Town of Carmel and Putnam County for any applicable deductibles.
- D. Required Insurance:
 - Commercial General Liability Insurance
\$1,000,000 per occurrence/\$2,000,000 general and products/completed operations aggregates. The general aggregate shall apply on a per-project basis.
 - Automobile Liability
\$1,000,000 combined single limit for owned, hired and borrowed and non-owned motor vehicles. \$1,000,000 contracts above \$100,000.
 - Workers' Compensation
Statutory Workers' Compensation and Employers' Liability Insurance for all employees.
 - Owners/Contractors Protective Insurance
(Required for construction projects in excess of \$500,000). \$1,000,000 per occurrence/\$2,000,000 aggregate, with the municipality as the named insured.
 - Excess Insurance

Limits depending on the size of the project: \$1,000,000 limit for contracts above \$100,000, \$3,000,000 limit for contracts above \$250,000, and \$5,000,000 limit for contracts above \$500,000.

- Bid, Performance and Labor & Material Bonds

If required in the specifications, these bonds shall be provided by a New York State admitted Surety Company, in good standing.

- If any work is to be subcontracted, the proposed subcontractor must be reviewed with the Town of Carmel and Putnam County prior to acceptance.

- Professional Errors & Omission Insurance

All Professional Consultants such as Engineers, Architects, Surveyors, Contractor Construction Managers, Environmental, Attorneys and Accountants.

\$1,000,000 per occurrence/\$2,000,000 Aggregate for negligent professional acts of the consultant.

- E. Contractor acknowledges that failure to obtain such insurance on behalf of the municipality constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the municipality. The contractor is to provide the municipality with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities.

SC5.11 General Information on Bonds and Insurance Requirements:

- A. Add following new paragraphs to end of Article 5 of the General Conditions:
 1. Policies of insurance maintained by the OWNER or CONTRACTOR with respect to the Work on this Project shall be issued by a responsible insurance company or companies, duly qualified to do business in the State of New York, and shall be subject to approval of the OWNER as to financial security and stability. Such policies of insurance shall be nonassessable and shall be written in the name of and for the benefit of the OWNER, CONTRACTOR, and Subcontractors as their respective interests may appear.
 2. The required insurance coverages include the legal liability of the CONTRACTOR for loss or damage to property of the OWNER, and for indemnification of the OWNER, and the ENGINEER, and their representatives, agents and servants.
 3. The CONTRACTOR shall not commence or proceed to work under this Contract until he has obtained all required insurance and until he shall have filed the Certificates of Insurance with the OWNER.
 4. In the event that claims in excess of the amounts provided by insurance are filed by reason of any operations under the Agreement, the amount of excess of such claims, or any portion thereof, may be withheld from

payment due or to become due the CONTRACTOR, until such time as the CONTRACTOR shall furnish such additional security covering such claims as may be determined by the OWNER.

5. OWNER shall be named as an additional insured on each policy and the CONTRACTOR's insurers must have an A+ Operating and Class 15 financial rating as listed in Best's Key Rating Guide, latest edition.
6. CONTRACTOR expressly understands and agrees that any insurance protection required by these conditions shall in no way limit the CONTRACTOR's obligations created hereunder and shall not be construed to relieve the CONTRACTOR of any liability in excess of such coverage, nor shall it preclude the OWNER from taking any actions as are available to it under any provision of any agreement between the OWNER and the CONTRACTOR or otherwise available under the law.
7. CONTRACTOR shall also secure and maintain in force during the time required by the insured, the various insurances required by the State of New York, County of Putnam, and other governing and regulatory agencies.
8. If OWNER has any objections to the coverage afforded by or other provisions of the insurance required to be purchased and maintained by CONTRACTOR in accordance with Paragraphs 5.2, 5.3 and 5.5.A of the General Conditions on the basis of its not complying with the Contract Documents, OWNER will notify CONTRACTOR in writing thereof within ten days of the date of delivery of such certificates to OWNER in accordance with Paragraph 2.1.B of the General Conditions. If CONTRACTOR has any objections to the coverage afforded by or other provisions of the policies of insurance required to be purchased and maintained by OWNER in accordance with Paragraph 5.5.B of the General Conditions on the basis of it not complying with the Contract Documents, CONTRACTOR will notify OWNER in writing thereof within ten days of the date of delivery of such certificates to CONTRACTOR in accordance with Paragraph 2.1.B of the General Conditions. OWNER and CONTRACTOR will each provide to the other such additional information in respect of insurance provided by him as the other may reasonably request. Failure by OWNER or CONTRACTOR to give any such notice of objection within the time provided shall constitute acceptance of such insurance purchased by the other as complying with the Contract Documents."

ARTICLE SC-6 - CONTRACTOR'S RESPONSIBILITIES

SC6.2 Labor, Materials and Equipment:

- A. Add following new paragraphs immediately after Paragraph 6.2.D. of the General Conditions:
1. During freezing, stormy or inclement weather, no Work shall be done except such as can be done satisfactorily as determined by the ENGINEER and in a manner to secure first-class workmanship throughout.
 2. The CONTRACTOR shall furnish sufficient forces, materials and equipment, and shall work such hours, including night shift and overtime operations, as necessary, to ensure the prosecution of the Work in accordance with the then current construction schedule. If, in the opinion of the ENGINEER, the CONTRACTOR falls behind in meeting the schedule as presented in the update, the CONTRACTOR shall take such steps as may be necessary to improve his progress, and the ENGINEER may require him to increase the hours of Work, the number of shifts, overtime operations and the amount of construction materials and equipment without additional cost to the OWNER; however, as indicated in Section 1G12, the hours of work shall be limited to Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m., excluding legal holidays, unless approval is granted by the ENGINEER to work additional hours.
 3. All Work required by the CONTRACTOR to connect into local utilities shall be performed in accordance with all applicable local, County and State laws, rules and regulations."

SC6.3 Substitutions:

- A. Add the following new paragraph immediately after Paragraph 6.3.A.2 of the General Conditions:
- "3. The charges of the ENGINEER and its consultants shall be reimbursed to the OWNER as part of each progress payment, as applicable."

SC6.8 Taxes:

- A. Add a new Paragraph immediately after Paragraph 6.8.A of the General Conditions, which is to read as follows:
- "B. OWNER is exempt for payment of sales and compensating use taxes of the State of New York and of cities and counties on all materials to be incorporated into the Work.
1. OWNER will furnish the required certificates of tax exemption to

CONTRACTOR for use in the purchase of supplies and materials to be incorporated into the Work.

2. OWNER's exemption does not apply to construction tools, machinery, equipment, or other property purchased by or leased by CONTRACTOR, or to supplies or materials not incorporated into the Work."

SC6.11 Safety and Protection:

- A. Add following new paragraphs immediately after Paragraph 6.11.C of the General Conditions:

1. The CONTRACTOR shall comply with the Department of Labor Safety and Health Regulations for construction promulgated under the Occupational Safety and Health Act of 1970 (PL 91-596) and under Section 107 of the Contract Work Hours and Safety Standards Act (PL 91-54), as amended.
2. The attention of the CONTRACTOR is directed to the provisions of Section 4(b)(4) of the Occupational Safety and Health Act of 1970, as follows: 'Nothing in this Act shall be construed to supersede or in any manner affect any workman's compensation law or to enlarge or diminish or affect in any manner the common law or statutory rights, duties, or liabilities of employers and employees under any law with respect to injuries, diseases, or death of employees arising out of, or in the course of, employment.'
3. Hazard Communication Programs: CONTRACTOR shall be responsible for coordinating any exchange of material safety data sheets or other hazard communication information required to be made available to or exchanged between or among employers at the site in accordance with all laws, ordinances, rules, regulations and orders of any public body. CONTRACTOR shall provide a centralized location for the maintenance of the material safety data sheets or other hazard communication information required to be made available by any employer on the site. Location of the material safety data sheets or other hazard communication information shall be readily accessible to the employees of any employer on the site. Each subcontractor or employer shall furnish to the CONTRACTOR any material safety data sheets or other hazard communication information required to be made available to or exchanged between or among employers at the site in accordance with all laws, ordinances, rules, regulations and orders of any public body.
4. In addition to the safety and protection responsibilities of Section 6.11 of the General Conditions, the CONTRACTOR shall utilize OSHA

Approved Confined Space Entry procedures throughout the Work. Caution shall be exercised by the CONTRACTOR relative to oxygen deficiency, and the collection and accumulation of hazardous and toxic gases which may be present in sewers and appurtenant structures. The CONTRACTOR shall take required precautions for the detection of oxygen deficiency and toxic and hazardous gases, and shall provide the necessary safety apparatus in good working order, if and when oxygen deficiency and/or hazardous and toxic gases are encountered in the Work."

SC6.16 Notification of Utilities and Other Owners:

A. Add following new paragraphs to end of Article 6 of the General Conditions:

1. The CONTRACTOR shall be required to fully inform himself concerning the location of public or private facilities and structures on, under, or over the Project, which may interfere with his operations, and it shall be assumed that he has prepared his Bid and entered into the Contract in full understanding of the conditions to be encountered, and his responsibilities in connection therewith. From investigations and field surveys, the locations of such facilities and structures as have been brought to the attention of the ENGINEER are indicated on the Drawings, but the locations of water wells, septic systems or water, electric, gas, sewer, telephone lines, cable television service, fuel storage tanks, fuel lines, etc., and the nature of materials are not guaranteed. The indication on the Drawings of such facilities shall not be assumed to relieve the CONTRACTOR of any responsibility with respect thereto; neither shall the OWNER or ENGINEER be held responsible for any omission or failure to give notice to the CONTRACTOR of any other facility or structure on, under, or over the Project, or the presence of rock or other unsuitable material.
2. The CONTRACTOR shall notify all utilities that he will be making an excavation prior to the start of such work. Refer to Section 1A2 and 1G9 of the General Requirements for notification procedures and requirements."

ARTICLE SC-7 - LOCATION OF EXISTING UTILITIES

The location of known existing utilities as shown on the Plans, such as waterlines, storm drains, sewers and utility lines, have been located in accordance with the available information from the OWNERS. The OWNER and/or ENGINEER do not guarantee the completeness or the correctness of the data. The CONTRACTOR shall verify these locations and in no way shall the CONTRACTOR hold the OWNER and/or ENGINEER

responsible for utilities which may not be located as shown on or which may have been omitted from the Drawings. The CONTRACTOR shall take all necessary precautions to protect services and mains, and any damage to them shall be repaired immediately at the CONTRACTOR's expense. Where new construction crosses existing utilities, CONTRACTOR shall verify and/or determine location and elevation of same prior to the beginning of construction. It should be noted that the locations of house services from the gas and sewer mains are not known and therefore have not been shown on the Plans. Therefore, the CONTRACTOR shall take every precaution to contact the applicable utility owners to verify and/or to determine locations of same. CONTRACTOR to locate existing water mains and water services as required by the contract documents.

ARTICLE SC-8 - NOTIFICATION OF BROKEN UTILITIES

In the case of a gas, water, sewer, drain, conduit, electric line or other pipe becoming broken or damaged in the prosecution of the Work, the CONTRACTOR shall give immediate verbal and WRITTEN NOTICE to the ENGINEER, proper authorities and utility owners' representatives and shall be responsible for any damage to persons or property caused by such breaks. Failure to give prompt notice to the authorities and utility owners' representatives shall make the CONTRACTOR responsible for any needless loss of water, gas or electricity.

ARTICLE SC-9 - ENGINEER'S STATUS DURING CONSTRUCTION

SC 9.5 Project Representation:

- A. Add a new Paragraph immediately after Paragraph 9.5.A, which is to read as follows:
- B. Resident Project Representative(s) (RPR) is ENGINEER's agent at the site, will act as directed by and under the supervision of ENGINEER, and will confer with OWNER and ENGINEER regarding RPR's actions. RPR's dealings in matters pertaining to the on-site Work shall in general be with OWNER, ENGINEER and CONTRACTOR keeping them advised as necessary. RPR's dealings with Subcontractors shall only be through or with the full knowledge and approval of CONTRACTOR. RPR shall generally communicate with OWNER with the knowledge of and under the direction of ENGINEER.
 1. Duties and Responsibilities of RPR:
 - a. Schedules: Review the progress schedule, schedule of Shop Drawing and Sample submittals and schedule of values prepared by CONTRACTOR and consult with OWNER and ENGINEER concerning acceptability.
 - b. Conferences and Meetings: Attend meetings with CONTRACTOR, such as preconstruction conferences, progress meetings, job conferences and other project-

related meetings, and prepare and circulate copies of minutes thereof.

c. Liaison:

- 1) Serve as OWNER's and ENGINEER's liaison with CONTRACTOR, working principally through CONTRACTOR's superintendent and assist in understanding the intent of the Contract Documents; and assist ENGINEER in serving as OWNER's liaison with CONTRACTOR.
- 2) Assist in obtaining from OWNER additional details or information, when required for proper execution of the Work.
- 3) The coordination and monitoring provided by the Resident Project Representative will extend to the OWNER, the ENGINEER, and regulatory agencies.
- 4) All requests, submittals, approvals and coordination shall be handled by the Resident Project Representative.

d. Shop Drawings and Samples:

- 1) Record date of receipt of Shop Drawings and Samples, which are received at the site.
- 2) Receive Samples which are furnished at the site by CONTRACTOR, and notify ENGINEER of availability of Samples for examination.
- 3) Advise ENGINEER and CONTRACTOR of the commencement of any Work requiring a Shop Drawing or Sample if the submittal has not been approved by ENGINEER.

e. Review of Work, Rejection of Defective Work, Inspections and Tests:

- 1) Conduct on-site observations of the Work in progress to assist ENGINEER in determining if the Work is in general proceeding in accordance with the Contract Documents.
- 2) Report to ENGINEER whenever RPR believes that any Work is unsatisfactory, faulty or defective or does not conform to the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise ENGINEER of Work that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.
- 3) Verify that tests, equipment and systems startups

and operating and maintenance training are conducted in the presence of appropriate personnel, and that CONTRACTOR maintains adequate records thereof; and observe, record and report to ENGINEER appropriate details relative to the test procedures and startups.

- 4) Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections and report to ENGINEER.
- f. Interpretation of Contract Documents: Report to ENGINEER when clarifications and interpretations of the Contract Documents are needed and transmit to CONTRACTOR clarifications and interpretations as issued by ENGINEER.
- g. Modifications: Consider and evaluate CONTRACTOR's suggestions for modifications in Drawings or Specifications and report with RPR's recommendations to ENGINEER. Transmit to CONTRACTOR decisions as issued by ENGINEER.
- h. Records:
- 1) Maintain at the job site orderly files for correspondence, reports of job conferences, Shop Drawings and Samples, and reproductions of original Contract Documents including all Addenda, Change Orders, Field Orders, additional Drawings issued subsequent to the execution of the Agreement, ENGINEER's clarifications and interpretations of the Contract Documents, progress reports, and other Project related documents.
 - 2) Keep a record, recording CONTRACTOR hours on the job site, weather conditions, data relative to questions on Change Orders or changed conditions, list of job site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to ENGINEER.
 - 3) Record names, addresses and telephone numbers of all CONTRACTORS, Subcontractors and major suppliers of materials and equipment.
- i. Reports:
- 1) Furnish ENGINEER periodic reports as required of progress of the Work and of CONTRACTOR's compliance with the progress schedule and schedule

- of Shop Drawing and Sample submittals.
 - 2) Consult with ENGINEER in advance of scheduled major tests, inspections or start of important phases of the Work.
 - 3) Draft proposed Change Orders, obtaining backup material from CONTRACTOR and recommend to OWNER and ENGINEER Change Orders and Field Orders.
 - 4) Report immediately to ENGINEER and OWNER upon the occurrence of any accident.
- j. Payment Requests: Review Applications for Payment with CONTRACTOR for compliance with the established procedure for their submission and submit recommendations to OWNER and ENGINEER, noting particularly the relationship of the payment requested to the schedule of values, Work completed and materials and equipment delivered at the site but not incorporated in the Work.
- k. Certificates, Maintenance and Operation Manuals: During the course of the Work, verify that certificates, maintenance and operation manuals and other data required to be assembled and furnished by CONTRACTOR are applicable to the items actually installed and in accordance with the Contract Documents, and have this material delivered to ENGINEER for review and forwarding to OWNER prior to final payment for the Work.
- l. Completion:
- 1) Before ENGINEER issues a Certificate of Substantial Completion, submit to CONTRACTOR a list of observed items requiring completion or correction.
 - 2) Conduct final inspection in the company of ENGINEER, OWNER and CONTRACTOR and prepare a final list of items to be completed or corrected.
 - 3) Observe that all items on final list have been completed or corrected and make recommendations to ENGINEER concerning acceptance.
2. Limitations of Authority of RPR:
RPR shall not:
- a. Authorize any deviation from the Contract Documents or substitution of materials or equipment, unless authorized by ENGINEER.
 - b. Exceed limitations of OWNER's and ENGINEER's authority as set forth in the Agreement or the Contract

- Documents.
- c. Undertake any of the responsibilities of CONTRACTOR, Subcontractors or CONTRACTOR's superintendent.
 - d. Advise on, issue directions relative to or assume control over any aspect of the means, methods, techniques, sequences or procedures of construction unless such advice or directions are specifically required by the Contract Documents.
 - e. Advise on, issue directions regarding or assume control over safety precautions and programs in connection with the Work.
 - f. Accept Shop Drawing or Sample submittals from anyone other than CONTRACTOR.
 - g. Authorize OWNER to occupy the Project in whole or in part without agreement with CONTRACTOR.
 - h. Participate in specialized field or laboratory tests or inspections conducted by others except as specifically authorized by ENGINEER."

ARTICLE SC-14 - NOTIFICATION OF INTERIM CONNECTIONS AND SUBSTANTIAL COMPLETION

SC14.5 The CONTRACTOR shall notify the ENGINEER of the following:

- A. At least two weeks prior to his expected date of Substantial Completion CONTRACTOR shall notify ENGINEER in writing of this anticipated date.

ARTICLE SC-18 - STATUTORY AND SPECIAL REQUIREMENTS AND PROVISIONS

SC18.3 Noncollusive Bidding Requirements:

- A. In addition to the other provisions herein contained to be done or performed by the Bidders as part of these Bidding and Contract Documents each Bidder certifies:
 - 1. By submission of his Bid, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint Bid each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:
 - a. The prices in this Bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor;
 - b. Unless otherwise required by law, the prices which have been quoted in this Bid have not been knowingly disclosed by the

Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor; and

- c. No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a Bid for the purpose of restricting competition.
2. A Bid shall not be considered for award nor shall any award be made where Paragraphs 1.a., b. and c. above have not been complied with; provided, however, that if in any case the Bidder shall so state and shall furnish with the Bid a signed statement which sets forth in detail the reasons therefor. Where Paragraphs 1.a., 1.b. and 1.c. above have not been complied with, the Bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the Bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition. The fact that a Bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being Bid, does not constitute, without more, a disclosure within the meaning of Paragraph 1 above.
 3. Any Bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate Bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such Bid contains the certification referred to in Paragraph 1 above, shall be deemed to have been authorized by the board of directors of the Bidder, and such authorization shall be deemed to include the signing and submission of the Bid and the inclusion therein of the Noncollusion Affidavit as the act and deed of the corporation.
- B. A copy of the Noncollusion Affidavit is included with the Bid Form in this Project Manual.

SC18.4 Non-Discrimination in Employment:

- A. During the performance of this Contract, CONTRACTOR agrees as follows:
 1. CONTRACTOR will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin, and will take affirmative action to insure that they are afforded equal employment opportunities without discrimination because of race, creed, color or national origin. Such action shall be taken with reference but not limited to: recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff or termination, rates of pay or to the forms of

compensation, and selecting for training or retraining, including apprenticeship and on-the-job training.

2. CONTRACTOR will comply with the provisions of the Executive Law, Human Rights, Article 15, will furnish all information and reports deemed necessary by the State Commission for Human Rights under these non-discrimination clauses and such sections of the Executive Law, and will permit access to his books, records and accounts by the State Commission for Human Rights, the Attorney General, District Commissioner of Housing and Community Renewal and the Industrial Commission for purposes of investigation to ascertain compliance with these non-discrimination clauses of the Executive Law, Human Rights Law, Article 15.
3. This Contract may be forthwith canceled, terminated or suspended, in whole or in part, by the OWNER upon the basis of a finding made by the State Commission for Human Rights that CONTRACTOR has not complied with these non-discrimination clauses, and CONTRACTOR may be declared ineligible for future contracts made by or on behalf of the State or a public authority or agency of the State or housing authority, or an urban renewal agency, or contracts requiring the approval of the Commissioner of Housing and Community Renewal, until he has satisfied the State Commission for Human Rights after conciliation efforts by the Commission have failed to achieve compliance with these non-discrimination clauses and after a verified complaint has been filed with the Commission, notice thereof has been given to CONTRACTOR and an opportunity has been afforded him to be heard publicly before three members of the Commission. Such sanctions may be imposed and remedies invoked independently of or in addition to sanctions and remedies otherwise provided by law.
4. If this Contract is canceled or terminated under clause 3, in addition to other rights of the OWNER provided in this Contract upon its breach by CONTRACTOR, CONTRACTOR will hold the OWNER harmless against any additional expenses or costs incurred by the OWNER in completing the Work or in purchasing the services, materials, equipment or supplies contemplated by this Contract, and the OWNER may withhold payments from CONTRACTOR in an amount sufficient for this purpose and recourse may be had against the surety on the Performance Bond if necessary.
5. CONTRACTOR will include the provisions of clause 1 in every subcontract or purchase order to reflect the proper identity of the parties in such a manner that such provisions will be binding upon each Subcontractor or vendor as to operations to be performed within the State of New York. CONTRACTOR will take such actions in enforcing such provisions of such subcontract or purchase order as the OWNER may direct, including sanctions or remedies for non-compliance. If

CONTRACTOR becomes involved in or is threatened with litigation with a Subcontractor or vendor as a result of such direction by the OWNER, the CONTRACTOR shall promptly so notify the Attorney General, requesting him to intervene and to protect the interest of the State of New York.

SC-18.5 Payments to Subcontractors:

A. In accordance with New York State General Municipal Law, Section 106-b, CONTRACTOR shall:

1. Within fifteen calendar days of the receipt of any payment from the OWNER, the CONTRACTOR shall pay each of his Subcontractors and materialmen the proceeds from the payment representing the value of the work performed and/or materials furnished by the Subcontractor and/or materialman and reflecting the percentage of the Subcontractor's work completed or the materialman's material supplied in the requisition approved by the OWNER and based upon the actual value of the subcontract or purchase order less an amount necessary to satisfy any claims, liens or judgments against the Subcontractor or materialman which have not been suitably charged and less any retained amount as hereafter described. The CONTRACTOR shall retain not more than five percent of each payment to the Subcontractor and/or materialman except that the CONTRACTOR may retain in excess of five percent but not more than ten percent of each payment of the Subcontractor provided that prior to entering into a subcontract with the CONTRACTOR, the Subcontractor is unable or unwilling to provide a Performance Bond and a Labor and Material bond both in the full amount of the subcontract at the request of the CONTRACTOR. However, the CONTRACTOR shall retain nothing from those payments representing proceeds owed the Subcontractor and/or materialman from OWNER's payments to the CONTRACTOR for the remaining amounts of the contract balance after the work or portions thereof are substantially complete. Within fifteen calendar days of the receipt of payment from the CONTRACTOR, the Subcontractor and/or materialman shall pay each of his Subcontractors and materialman in the same manner as the CONTRACTOR has paid the Subcontractor. Nothing provided herein shall create any obligation on the part of the OWNER to pay or to see the payment of any moneys to any Subcontractor or Materialman from the CONTRACTOR nor shall anything provided herein serve to create any relationship in contract or otherwise, implied or expressed, between the Subcontractor or materialman and the OWNER.

SC 18.6 Prevailing Rate Schedule:

A. The labor on this Contract shall be performed in accordance with the requirements of Article 8 (Sections 220-223) of the New York State Labor Law.

The supplements to be provided and wages to be paid to workers, laborers, and mechanics employed on this Contract, determined pursuant to Section 220 of the Labor Law, are set forth in the schedules attached to and hereby made a part of these Supplementary Conditions.

- B. CONTRACTOR shall note that the wage and supplemental benefits shown in the attached schedules are subject to change. The wage rates and supplemental benefits to be paid and provided shall be those prevailing at the time the Contract is being performed.

SC-19 PREVAILING WAGE RATES

(ATTACHED)



Andrew M. Cuomo, Governor

Roberta Reardon, Commissioner

Town of Carmel
Jeffrey Contelmo, Sr. Principal Engineer
Town Hall
60 McAlpin Ave.
Mahopac NY 10541

Schedule Year 2020
Date Requested 07/20/2020
PRC# 2020007533

Location Airport Park
Project ID#
Project Type Septic system installation

PREVAILING WAGE SCHEDULE FOR ARTICLE 8 PUBLIC WORK PROJECT

Attached is the current schedule(s) of the prevailing wage rates and prevailing hourly supplements for the project referenced above. A unique Prevailing Wage Case Number (PRC#) has been assigned to the schedule(s) for your project.

The schedule is effective from July 2020 through June 2021. All updates, corrections, posted on the 1st business day of each month, and future copies of the annual determination are available on the Department's website www.labor.ny.gov. Updated PDF copies of your schedule can be accessed by entering your assigned PRC# at the proper location on the website.

It is the responsibility of the contracting agency or its agent to annex and make part, the attached schedule, to the specifications for this project, when it is advertised for bids and /or to forward said schedules to the successful bidder(s), immediately upon receipt, in order to insure the proper payment of wages.

Please refer to the "General Provisions of Laws Covering Workers on Public Work Contracts" provided with this schedule, for the specific details relating to other responsibilities of the Department of Jurisdiction.

Upon completion or cancellation of this project, enter the required information and mail **OR** fax this form to the office shown at the bottom of this notice, **OR** fill out the electronic version via the NYSDOL website.

NOTICE OF COMPLETION / CANCELLATION OF PROJECT

Date Completed: _____ Date Cancelled: _____

Name & Title of Representative: _____

Phone: (518) 457-5589 Fax: (518) 485-1870
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12240

General Provisions of Laws Covering Workers on Article 8 Public Work Contracts

Introduction

The Labor Law requires public work contractors and subcontractors to pay laborers, workers, or mechanics employed in the performance of a public work contract not less than the prevailing rate of wage and supplements (fringe benefits) in the locality where the work is performed.

Responsibilities of the Department of Jurisdiction

A Department of Jurisdiction (Contracting Agency) includes a state department, agency, board or commission; a county, city, town or village; a school district, board of education or board of cooperative educational services; a sewer, water, fire, improvement and other district corporation; a public benefit corporation; and a public authority awarding a public work contract.

The Department of Jurisdiction (Contracting Agency) awarding a public work contract MUST obtain a Prevailing Rate Schedule listing the hourly rates of wages and supplements due the workers to be employed on a public work project. This schedule may be obtained by completing and forwarding a "Request for wage and Supplement Information" form (PW 39) to the Bureau of Public Work. The Prevailing Rate Schedule MUST be included in the specifications for the contract to be awarded and is deemed part of the public work contract.

Upon the awarding of the contract, the law requires that the Department of Jurisdiction (Contracting Agency) furnish the following information to the Bureau: the name and address of the contractor, the date the contract was let and the approximate dollar value of the contract. To facilitate compliance with this provision of the Labor Law, a copy of the Department's "Notice of Contract Award" form (PW 16) is provided with the original Prevailing Rate Schedule.

The Department of Jurisdiction (Contracting Agency) is required to notify the Bureau of the completion or cancellation of any public work project. The Department's PW 200 form is provided for that purpose.

Both the PW 16 and PW 200 forms are available for completion [online](#).

Hours

No laborer, worker, or mechanic in the employ of a contractor or subcontractor engaged in the performance of any public work project shall be permitted to work more than eight hours in any day or more than five days in any week, except in cases of extraordinary emergency. The contractor and the Department of Jurisdiction (Contracting Agency) may apply to the Bureau of Public Work for a dispensation permitting workers to work additional hours or days per week on a particular public work project.

There are very few exceptions to this rule. Complete information regarding these exceptions is available on the ["Request for a dispensation to work overtime" form \(PW30\)](#) and ["4 Day / 10 Hour Work Schedule" form \(PW 30.1\)](#).

Wages and Supplements

The wages and supplements to be paid and/or provided to laborers, workers, and mechanics employed on a public work project shall be not less than those listed in the current Prevailing Rate Schedule for the locality where the work is performed. If a prime contractor on a public work project has not been provided with a Prevailing Rate Schedule, the contractor must notify the Department of Jurisdiction (Contracting Agency) who in turn must request an original Prevailing Rate Schedule form the Bureau of Public Work. Requests may be submitted by: mail to NYSDOL, Bureau of Public Work, State Office Bldg. Campus, Bldg. 12, Rm. 130, Albany, NY 12240; Fax to Bureau of Public Work (518) 485-1870; or electronically at the NYSDOL website www.labor.ny.gov.

Upon receiving the original schedule, the Department of Jurisdiction (Contracting Agency) is REQUIRED to provide complete copies to all prime contractors who in turn MUST, by law, provide copies of all applicable county schedules to each subcontractor and obtain from each subcontractor, an affidavit certifying such schedules were received. If the original schedule expired, the contractor may obtain a copy of the new annual determination from the NYSDOL website www.labor.ny.gov.

The Commissioner of Labor makes an annual determination of the prevailing rates. This determination is in effect from July 1st through June 30th of the following year. The annual determination is available on the NYSDOL website www.labor.ny.gov.

Payrolls and Payroll Records

Every contractor and subcontractor MUST keep original payrolls or transcripts subscribed and affirmed as true under penalty of perjury. As per Article 6 of the Labor law, contractors and subcontractors are required to establish, maintain, and preserve for not less than six (6) years, contemporaneous, true, and accurate payroll records. At a minimum, payrolls must show the following information for each person employed on a public work project: Name, Address, Last 4 Digits of Social Security Number, Classification(s) in which the worker was employed, Hourly wage rate(s) paid, Supplements paid

or provided, and Daily and weekly number of hours worked in each classification.

The filing of payrolls to the Department of Jurisdiction is a condition of payment. Every contractor and subcontractor shall submit to the Department of Jurisdiction (Contracting Agency), within thirty (30) days after issuance of its first payroll and every thirty (30) days thereafter, a transcript of the original payrolls, subscribed and affirmed as true under penalty of perjury. The Department of Jurisdiction (Contracting Agency) shall collect, review for facial validity, and maintain such payrolls.

In addition, the Commissioner of Labor may require contractors to furnish, with ten (10) days of a request, payroll records sworn to as their validity and accuracy for public work and private work. Payroll records include, but are not limited to time cards, work description sheets, proof that supplements were provided, cancelled payroll checks and payrolls. Failure to provide the requested information within the allotted ten (10) days will result in the withholding of up to 25% of the contract, not to exceed \$100,000.00. If the contractor or subcontractor does not maintain a place of business in New York State and the amount of the contract exceeds \$25,000.00, payroll records and certifications must be kept on the project worksite.

The prime contractor is responsible for any underpayments of prevailing wages or supplements by any subcontractor.

All contractors or their subcontractors shall provide to their subcontractors a copy of the Prevailing Rate Schedule specified in the public work contract as well as any subsequently issued schedules. A failure to provide these schedules by a contractor or subcontractor is a violation of Article 8, Section 220-a of the Labor Law.

All subcontractors engaged by a public work project contractor or its subcontractor, upon receipt of the original schedule and any subsequently issued schedules, shall provide to such contractor a verified statement attesting that the subcontractor has received the Prevailing Rate Schedule and will pay or provide the applicable rates of wages and supplements specified therein. (See NYS Labor Laws, Article 8 . Section 220-a).

Determination of Prevailing Wage and Supplement Rate Updates Applicable to All Counties

The wages and supplements contained in the annual determination become effective July 1st whether or not the new determination has been received by a given contractor. Care should be taken to review the rates for obvious errors. Any corrections should be brought to the Department's attention immediately. It is the responsibility of the public work contractor to use the proper rates. If there is a question on the proper classification to be used, please call the district office located nearest the project. Any errors in the annual determination will be corrected and posted to the NYSDOL website on the first business day of each month. Contractors are responsible for paying these updated rates as well, retroactive to July 1st.

When you review the schedule for a particular occupation, your attention should be directed to the dates above the column of rates. These are the dates for which a given set of rates is effective. To the extent possible, the Department posts rates in its possession that cover periods of time beyond the July 1st to June 30th time frame covered by a particular annual determination. Rates that extend beyond that instant time period are informational ONLY and may be updated in future annual determinations that actually cover the then appropriate July 1st to June 30th time period.

Withholding of Payments

When a complaint is filed with the Commissioner of Labor alleging the failure of a contractor or subcontractor to pay or provide the prevailing wages or supplements, or when the Commissioner of Labor believes that unpaid wages or supplements may be due, payments on the public work contract shall be withheld from the prime contractor in a sufficient amount to satisfy the alleged unpaid wages and supplements, including interest and civil penalty, pending a final determination.

When the Bureau of Public Work finds that a contractor or subcontractor on a public work project failed to pay or provide the requisite prevailing wages or supplements, the Bureau is authorized by Sections 220-b and 235.2 of the Labor Law to so notify the financial officer of the Department of Jurisdiction (Contracting Agency) that awarded the public work contract. Such officer MUST then withhold or cause to be withheld from any payment due the prime contractor on account of such contract the amount indicated by the Bureau as sufficient to satisfy the unpaid wages and supplements, including interest and any civil penalty that may be assessed by the Commissioner of Labor. The withholding continues until there is a final determination of the underpayment by the Commissioner of Labor or by the court in the event a legal proceeding is instituted for review of the determination of the Commissioner of Labor.

The Department of Jurisdiction (Contracting Agency) shall comply with this order of the Commissioner of Labor or of the court with respect to the release of the funds so withheld.

Summary of Notice Posting Requirements

The current Prevailing Rate Schedule must be posted in a prominent and accessible place on the site of the public work project. The prevailing wage schedule must be encased in, or constructed of, materials capable of withstanding adverse weather conditions and be titled "PREVAILING RATE OF WAGES" in letters no smaller than two (2) inches by two (2) inches.

The "Public Work Project" notice must be posted at the beginning of the performance of every public work contract, on each job site.

Every employer providing workers' compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

Every employer subject to the NYS Human Rights Law must conspicuously post at its offices, places of employment, or employment training centers, notices furnished by the State Division of Human Rights.

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post on the jobsite notices furnished by the NYS Department of Labor.

Apprentices

Employees cannot be paid apprentice rates unless they are individually registered in a program registered with the NYS Commissioner of Labor. The allowable ratio of apprentices to journeyworkers in any craft classification can be no greater than the statewide building trade ratios promulgated by the Department of Labor and included with the Prevailing Rate Schedule. An employee listed on a payroll as an apprentice who is not registered as above or is performing work outside the classification of work for which the apprentice is indentured, must be paid the prevailing journeyworker's wage rate for the classification of work the employee is actually performing.

NYSDOL Labor Law, Article 8, Section 220-3, require that only apprentices individually registered with the NYS Department of Labor may be paid apprenticeship rates on a public work project. No other Federal or State Agency of office registers apprentices in New York State.

Persons wishing to verify the apprentice registration of any person must do so in writing by mail, to the NYSDOL Office of Employability Development / Apprenticeship Training, State Office Bldg. Campus, Bldg. 12, Albany, NY 12240 or by Fax to NYSDOL Apprenticeship Training (518) 457-7154. All requests for verification must include the name and social security number of the person for whom the information is requested.

The only conclusive proof of individual apprentice registration is written verification from the NYSDOL Apprenticeship Training Albany Central office. Neither Federal nor State Apprenticeship Training offices outside of Albany can provide conclusive registration information.

It should be noted that the existence of a registered apprenticeship program is not conclusive proof that any person is registered in that program. Furthermore, the existence or possession of wallet cards, identification cards, or copies of state forms is not conclusive proof of the registration of any person as an apprentice.

Interest and Penalties

In the event that an underpayment of wages and/or supplements is found:

- Interest shall be assessed at the rate then in effect as prescribed by the Superintendent of Banks pursuant to section 14-a of the Banking Law, per annum from the date of underpayment to the date restitution is made.
- A Civil Penalty may also be assessed, not to exceed 25% of the total of wages, supplements, and interest due.

Debarment

Any contractor or subcontractor and/or its successor shall be ineligible to submit a bid on or be awarded any public work contract or subcontract with any state, municipal corporation or public body for a period of five (5) years when:

- Two (2) willful determinations have been rendered against that contractor or subcontractor and/or its successor within any consecutive six (6) year period.
- There is any willful determination that involves the falsification of payroll records or the kickback of wages or supplements.

Criminal Sanctions

Willful violations of the Prevailing Wage Law (Article 8 of the Labor Law) may be a felony punishable by fine or imprisonment of up to 15 years, or both.

Discrimination

No employee or applicant for employment may be discriminated against on account of age, race, creed, color, national origin, sex, disability or marital status.

No contractor, subcontractor nor any person acting on its behalf, shall by reason of race, creed, color, disability, sex or national origin discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates (NYS Labor Law, Article 8, Section 220-e(a)).

No contractor, subcontractor, nor any person acting on its behalf, shall in any manner, discriminate against or intimidate any employee on account of race, creed, color, disability, sex, or national origin (NYS Labor Law, Article 8, Section 220-e(b)).

The Human Rights Law also prohibits discrimination in employment because of age, marital status, or religion.

There may be deducted from the amount payable to the contractor under the contract a penalty of \$50.00 for each calendar day during which such person was discriminated against or intimidated in violation of the provision of the contract (NYS Labor Law, Article 8, Section 220-e(c)).

The contract may be cancelled or terminated by the State or municipality. All monies due or to become due thereunder may be forfeited for a second or any subsequent violation of the terms or conditions of the anti-discrimination sections of the contract (NYS Labor Law, Article 8, Section 220-e(d)).

Every employer subject to the New York State Human Rights Law must conspicuously post at its offices, places of employment, or employment training centers notices furnished by the State Division of Human Rights.

Workers' Compensation

In accordance with Section 142 of the State Finance Law, the contractor shall maintain coverage during the life of the contract for the benefit of such employees as required by the provisions of the New York State Workers' Compensation Law.

A contractor who is awarded a public work contract must provide proof of workers' compensation coverage prior to being allowed to begin work.

The insurance policy must be issued by a company authorized to provide workers' compensation coverage in New York State. Proof of coverage must be on form C-105.2 (Certificate of Workers' Compensation Insurance) and must name this agency as a certificate holder.

If New York State coverage is added to an existing out-of-state policy, it can only be added to a policy from a company authorized to write workers' compensation coverage in this state. The coverage must be listed under item 3A of the information page.

The contractor must maintain proof that subcontractors doing work covered under this contract secured and maintained a workers' compensation policy for all employees working in New York State.

Every employer providing worker's compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

Unemployment Insurance

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post on the jobsite notices furnished by the New York State Department of Labor.



Andrew M. Cuomo, Governor

Roberta Reardon, Commissioner

Town of Carmel
Jeffrey Contelmo, Sr. Principal Engineer
Town Hall
60 McAlpin Ave.
Mahopac NY 10541

Schedule Year 2020
Date Requested 07/20/2020
PRC# 2020007533

Location Airport Park
Project ID#
Project Type Septic system installation

Notice of Contract Award

New York State Labor Law, Article 8, Section 220.3a requires that certain information regarding the awarding of public work contracts, be furnished to the Commissioner of Labor. One "Notice of Contract Award" (PW 16, which may be photocopied), **MUST** be completed for **EACH** prime contractor on the above referenced project.

Upon notifying the successful bidder(s) of this contract, enter the required information and mail **OR** fax this form to the office shown at the bottom of this notice, **OR** fill out the electronic version via the NYSDOL website.

Contractor Information

All information must be supplied

Federal Employer Identification Number: _____		
Name: _____		
Address: _____ _____		
City: _____	State: _____	Zip: _____
Amount of Contract: \$ _____	Contract Type:	
Approximate Starting Date: ____/____/____	<input type="checkbox"/> (01) General Construction	
Approximate Completion Date: ____/____/____	<input type="checkbox"/> (02) Heating/Ventilation	
	<input type="checkbox"/> (03) Electrical	
	<input type="checkbox"/> (04) Plumbing	
	<input type="checkbox"/> (05) Other : _____	

Phone: (518) 457-5589 Fax: (518) 485-1870
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12240

Social Security Numbers on Certified Payrolls:

The Department of Labor is cognizant of the concerns of the potential for misuse or inadvertent disclosure of social security numbers. Identity theft is a growing problem and we are sympathetic to contractors' concern regarding inclusion of this information on payrolls if another identifier will suffice.

For these reasons, the substitution of the use of the last four digits of the social security number on certified payrolls submitted to contracting agencies on public work projects is now acceptable to the Department of Labor. This change does not affect the Department's ability to request and receive the entire social security number from employers during its public work/ prevailing wage investigations.

Construction Industry Fair Play Act: Required Posting for Labor Law Article 25-B § 861-d

Construction industry employers must post the "Construction Industry Fair Play Act" notice in a prominent and accessible place on the job site. Failure to post the notice can result in penalties of up to \$1,500 for a first offense and up to \$5,000 for a second offense. The posting is included as part of this wage schedule. Additional copies may be obtained from the NYS DOL website, www.labor.ny.gov. <https://labor.ny.gov/formsdocs/ui/IA999.pdf>

If you have any questions concerning the Fair Play Act, please call the State Labor Department toll-free at 1-866-435-1499 or email us at: dol.misclassified@labor.ny.gov .

Worker Notification: (Labor Law §220, paragraph a of subdivision 3-a)

This provision is an addition to the existing wage rate law, Labor Law §220, paragraph a of subdivision 3-a. It requires contractors and subcontractors to provide written notice to all laborers, workers or mechanics of the *prevailing wage rate* for their particular job classification *on each pay stub**. It also requires contractors and subcontractors to *post a notice* at the beginning of the performance of every public work contract *on each job site* that includes the telephone number and address for the Department of Labor and a statement informing laborers, workers or mechanics of their right to contact the Department of Labor if he/she is not receiving the proper prevailing rate of wages and/or supplements for his/her job classification. The required notification will be provided with each wage schedule, may be downloaded from our website www.labor.ny.gov or be made available upon request by contacting the Bureau of Public Work at 518-457-5589. *In the event the required information will not fit on the pay stub, an accompanying sheet or attachment of the information will suffice.

(05.19)

**To all State Departments, Agency Heads and Public Benefit Corporations
IMPORTANT NOTICE REGARDING PUBLIC WORK ENFORCEMENT FUND**

Budget Policy & Reporting Manual

B-610

Public Work Enforcement Fund

effective date December 7, 2005

1. Purpose and Scope:

This Item describes the Public Work Enforcement Fund (the Fund, PWEF) and its relevance to State agencies and public benefit corporations engaged in construction or reconstruction contracts, maintenance and repair, and announces the recently-enacted increase to the percentage of the dollar value of such contracts that must be deposited into the Fund. This item also describes the roles of the following entities with respect to the Fund:

- New York State Department of Labor (DOL),
- The Office of the State of Comptroller (OSC), and
- State agencies and public benefit corporations.

2. Background and Statutory References:

DOL uses the Fund to enforce the State's Labor Law as it relates to contracts for construction or reconstruction, maintenance and repair, as defined in subdivision two of Section 220 of the Labor Law. State agencies and public benefit corporations participating in such contracts are required to make payments to the Fund.

Chapter 511 of the Laws of 1995 (as amended by Chapter 513 of the Laws of 1997, Chapter 655 of the Laws of 1999, Chapter 376 of the Laws of 2003 and Chapter 407 of the Laws of 2005) established the Fund.

3. Procedures and Agency Responsibilities:

The Fund is supported by transfers and deposits based on the value of contracts for construction and reconstruction, maintenance and repair, as defined in subdivision two of Section 220 of the Labor Law, into which all State agencies and public benefit corporations enter.

Chapter 407 of the Laws of 2005 increased the amount required to be provided to this fund to .10 of one-percent of the total cost of each such contract, to be calculated at the time agencies or public benefit corporations enter into a new contract or if a contract is amended. The provisions of this bill became effective August 2, 2005.

**To all State Departments, Agency Heads and Public Benefit Corporations
IMPORTANT NOTICE REGARDING PUBLIC WORK ENFORCEMENT FUND**

OSC will report to DOL on all construction-related ("D") contracts approved during the month, including contract amendments, and then DOL will bill agencies the appropriate assessment monthly. An agency may then make a determination if any of the billed contracts are exempt and so note on the bill submitted back to DOL. For any instance where an agency is unsure if a contract is or is not exempt, they can call the Bureau of Public Work at the number noted below for a determination. Payment by check or journal voucher is due to DOL within thirty days from the date of the billing. DOL will verify the amounts and forward them to OSC for processing.

For those contracts which are not approved or administered by the Comptroller, monthly reports and payments for deposit into the Public Work Enforcement Fund must be provided to the Administrative Finance Bureau at the DOL within 30 days of the end of each month or on a payment schedule mutually agreed upon with DOL.

Reports should contain the following information:

- Name and billing address of State agency or public benefit corporation;
- State agency or public benefit corporation contact and phone number;
- Name and address of contractor receiving the award;
- Contract number and effective dates;
- Contract amount and PWEF assessment charge (if contract amount has been amended, reflect increase or decrease to original contract and the adjustment in the PWEF charge); and
- Brief description of the work to be performed under each contract.

Checks and Journal Vouchers, payable to the "New York State Department of Labor" should be sent to:

Department of Labor
Administrative Finance Bureau-PWEF Unit
Building 12, Room 464
State Office Campus
Albany, NY 12240

Any questions regarding billing should be directed to NYSDOL's Administrative Finance Bureau-PWEF Unit at (518) 457-3624 and any questions regarding Public Work Contracts should be directed to the Bureau of Public Work at (518) 457-5589.

Required Notice under Article 25-B of the Labor Law

**Attention All Employees, Contractors and Subcontractors:
You are Covered by the Construction Industry Fair Play Act**

The law says that you are an employee unless:

- You are free from direction and control in performing your job, **and**
- You perform work that is not part of the usual work done by the business that hired you, **and**
- You have an independently established business.

Your employer cannot consider you to be an independent contractor unless all three of these facts apply to your work.

It is against the law for an employer to misclassify employees as independent contractors or pay employees off the books.

Employee Rights: If you are an employee, you are entitled to state and federal worker protections. These include:

- Unemployment Insurance benefits, if you are unemployed through no fault of your own, able to work, and otherwise qualified,
- Workers' compensation benefits for on-the-job injuries,
- Payment for wages earned, minimum wage, and overtime (under certain conditions),
- Prevailing wages on public work projects,
- The provisions of the National Labor Relations Act, and
- A safe work environment.

It is a violation of this law for employers to retaliate against anyone who asserts their rights under the law. Retaliation subjects an employer to civil penalties, a private lawsuit or both.

Independent Contractors: If you are an independent contractor, **you must pay all taxes and Unemployment Insurance contributions required by New York State and Federal Law.**

Penalties for paying workers off the books or improperly treating employees as independent contractors:

- **Civil Penalty** First offense: Up to \$2,500 per employee
 Subsequent offense(s): Up to \$5,000 per employee
- **Criminal Penalty** First offense: Misdemeanor - up to 30 days in jail, up to a \$25,000 fine and debarment from performing public work for up to one year.
 Subsequent offense(s): Misdemeanor - up to 60 days in jail or up to a \$50,000 fine and debarment from performing public work for up to 5 years.

If you have questions about your employment status or believe that your employer may have violated your rights and you want to file a complaint, call the Department of Labor at (866) 435-1499 or send an email to dol.misclassified@labor.ny.gov. All complaints of fraud and violations are taken seriously. You can remain anonymous.

Employer Name:

IA 999 (09/16)

Attention Employees

THIS IS A: **PUBLIC WORK
PROJECT**

If you are employed on this project as a **worker, laborer, or mechanic** you are entitled to receive the **prevailing wage and supplements rate** for the classification at which you are working.

Chapter 629 of the Labor Laws of 2007:

These wages are set by law and must be posted at the work site. They can also be found at:
www.labor.ny.gov

If you feel that you have not received proper wages or benefits, please call our nearest office.*

Albany	(518) 457-2744	Patchogue	(631) 687-4882
Binghamton	(607) 721-8005	Rochester	(585) 258-4505
Buffalo	(716) 847-7159	Syracuse	(315) 428-4056
Garden City	(516) 228-3915	Utica	(315) 793-2314
New York City	(212) 932-2419	White Plains	(914) 997-9507
Newburgh	(845) 568-5156		

* For New York City government agency construction projects, please contact the Office of the NYC Comptroller at (212) 669-4443, or www.comptroller.nyc.gov – click on Bureau of Labor Law.

Contractor Name: _____

Project Location: _____

Requirements for OSHA 10 Compliance

Article 8 §220-h requires that when the advertised specifications, for every contract for public work, is \$250,000.00 or more the contract must contain a provision requiring that every worker employed in the performance of a public work contract shall be certified as having completed an OSHA 10 safety training course. The clear intent of this provision is to require that all employees of public work contractors, required to be paid prevailing rates, receive such training "prior to the performing any work on the project."

The Bureau will enforce the statute as follows:

All contractors and sub contractors must attach a copy of proof of completion of the OSHA 10 course to the first certified payroll submitted to the contracting agency and on each succeeding payroll where any new or additional employee is first listed.

Proof of completion may include but is not limited to:

- Copies of bona fide course completion card (*Note: Completion cards do not have an expiration date.*)
- Training roster, attendance record or other documentation from the certified trainer pending the issuance of the card.
- Other valid proof

**A certification by the employer attesting that all employees have completed such a course is not sufficient proof that the course has been completed.

Any questions regarding this statute may be directed to the New York State Department of Labor, Bureau of Public Work at 518-457-5589.

WICKS

Public work projects are subject to the Wicks Law requiring separate specifications and bidding for the plumbing, heating and electrical work, when the total project's threshold is \$3 million in Bronx, Kings, New York, Queens and, Richmond counties; \$1.5 million in Nassau, Suffolk and Westchester counties; and \$500,000 in all other counties.

For projects below the monetary threshold, bidders must submit a sealed list naming each subcontractor for the plumbing, HVAC and electrical and the amount to be paid to each. The list may not be changed unless the public owner finds a legitimate construction need, including a change in specifications or costs or the use of a Project Labor Agreement (PLA), and must be open to public inspection.

Allows the state and local agencies and authorities to waive the Wicks Law and use a PLA if it will provide the best work at the lowest possible price. If a PLA is used, all contractors shall participate in apprentice training programs in the trades of work it employs that have been approved by the Department of Labor (DOL) for not less than three years. They shall also have at least one graduate in the last three years and use affirmative efforts to retain minority apprentices. PLA's would be exempt from Wicks, but deemed to be public work subject to prevailing wage enforcement.

The Commissioner of Labor shall have the power to enforce separate specification requirements on projects, and may issue stop-bid orders against public owners for non-compliance.

Other new monetary thresholds, and similar sealed bidding for non-Wicks projects, would apply to certain public authorities including municipal housing authorities, NYC Construction Fund, Yonkers Educational Construction Fund, NYC Municipal Water Finance Authority, Buffalo Municipal Water Finance Authority, Westchester County Health Care Association, Nassau County Health Care Corp., Clifton-Fine Health Care Corp., Erie County Medical Center Corp., NYC Solid Waste Management Facilities, and the Dormitory Authority.

Contractors must pay subcontractors within a 7 days period.

(07.19)

Introduction to the Prevailing Rate Schedule

Information About Prevailing Rate Schedule

This information is provided to assist you in the interpretation of particular requirements for each classification of worker contained in the attached Schedule of Prevailing Rates.

Classification

It is the duty of the Commissioner of Labor to make the proper classification of workers taking into account whether the work is heavy and highway, building, sewer and water, tunnel work, or residential, and to make a determination of wages and supplements to be paid or provided. It is the responsibility of the public work contractor to use the proper rate. If there is a question on the proper classification to be used, please call the district office located nearest the project. District office locations and phone numbers are listed below.

Prevailing Wage Schedules are issued separately for "General Construction Projects" and "Residential Construction Projects" on a county-by-county basis.

General Construction Rates apply to projects such as: Buildings, Heavy & Highway, and Tunnel and Water & Sewer rates.

Residential Construction Rates generally apply to construction, reconstruction, repair, alteration, or demolition of one family, two family, row housing, or rental type units intended for residential use.

Some rates listed in the Residential Construction Rate Schedule have a very limited applicability listed along with the rate. Rates for occupations or locations not shown on the residential schedule must be obtained from the General Construction Rate Schedule. Please contact the local Bureau of Public Work office before using Residential Rate Schedules, to ensure that the project meets the required criteria.

Payrolls and Payroll Records

Contractors and subcontractors are required to establish, maintain, and preserve for not less than six (6) years, contemporaneous, true, and accurate payroll records.

Every contractor and subcontractor shall submit to the Department of Jurisdiction (Contracting Agency), within thirty (30) days after issuance of its first payroll and every thirty (30) days thereafter, a transcript of the original payrolls, subscribed and affirmed as true under penalty of perjury.

Paid Holidays

Paid Holidays are days for which an eligible employee receives a regular day's pay, but is not required to perform work. If an employee works on a day listed as a paid holiday, this remuneration is in addition to payment of the required prevailing rate for the work actually performed.

Overtime

At a minimum, all work performed on a public work project in excess of eight hours in any one day or more than five days in any workweek is overtime. However, the specific overtime requirements for each trade or occupation on a public work project may differ. Specific overtime requirements for each trade or occupation are contained in the prevailing rate schedules.

Overtime holiday pay is the premium pay that is required for work performed on specified holidays. It is only required where the employee actually performs work on such holidays.

The applicable holidays are listed under HOLIDAYS: OVERTIME. The required rate of pay for these covered holidays can be found in the OVERTIME PAY section listings for each classification.

Supplemental Benefits

Particular attention should be given to the supplemental benefit requirements. Although in most cases the payment or provision of supplements is straight time for all hours worked, some classifications require the payment or provision of supplements, or a portion of the supplements, to be paid or provided at a premium rate for premium hours worked. Supplements may also be required to be paid or provided on paid holidays, regardless of whether the day is worked. The Overtime Codes and Notes listed on the particular wage classification will indicate these conditions as required.

Effective Dates

When you review the schedule for a particular occupation, your attention should be directed to the dates above the column of rates. These are the dates for which a given set of rates is effective. The rate listed is valid until the next effective rate change or until the new annual determination which takes effect on July 1 of each year. All contractors and subcontractors are required to pay the current prevailing rates of wages and supplements. If you have any questions please contact the Bureau of Public Work or visit the New York State Department of Labor website (www.labor.ny.gov) for current wage rate information.

Apprentice Training Ratios

The following are the allowable ratios of registered Apprentices to Journey-workers.

For example, the ratio 1:1,1:3 indicates the allowable initial ratio is one Apprentice to one Journeyworker. The Journeyworker must be in place on the project before an Apprentice is allowed. Then three additional Journeyworkers are needed before a second Apprentice is allowed. The last ratio repeats indefinitely. Therefore, three more Journeyworkers must be present before a third Apprentice can be hired, and so on.

Please call Apprentice Training Central Office at (518) 457-6820 if you have any questions.

Title (Trade)	Ratio
Boilermaker (Construction)	1:1,1:4
Boilermaker (Shop)	1:1,1:3
Carpenter (Bldg.,H&H, Pile Driver/Dockbuilder)	1:1,1:4
Carpenter (Residential)	1:1,1:3
Electrical (Outside) Lineman	1:1,1:2
Electrician (Inside)	1:1,1:3
Elevator/Escalator Construction & Modernizer	1:1,1:2
Glazier	1:1,1:3
Insulation & Asbestos Worker	1:1,1:3
Iron Worker	1:1,1:4
Laborer	1:1,1:3
Mason	1:1,1:4
Millwright	1:1,1:4
Op Engineer	1:1,1:5
Painter	1:1,1:3
Plumber & Steamfitter	1:1,1:3
Rofer	1:1,1:2
Sheet Metal Worker	1:1,1:3
Sprinkler Fitter	1:1,1:2

If you have any questions concerning the attached schedule or would like additional information, please contact the nearest BUREAU of PUBLIC WORK District Office or write to:

New York State Department of Labor
 Bureau of Public Work
 State Office Campus, Bldg. 12
 Albany, NY 12240

District Office Locations:	Telephone #	FAX #
Bureau of Public Work - Albany	518-457-2744	518-485-0240
Bureau of Public Work - Binghamton	607-721-8005	607-721-8004
Bureau of Public Work - Buffalo	716-847-7159	716-847-7650
Bureau of Public Work - Garden City	516-228-3915	516-794-3518
Bureau of Public Work - Newburgh	845-568-5287	845-568-5332
Bureau of Public Work - New York City	212-932-2419	212-775-3579
Bureau of Public Work - Patchogue	631-687-4882	631-687-4902
Bureau of Public Work - Rochester	585-258-4505	585-258-4708
Bureau of Public Work - Syracuse	315-428-4056	315-428-4671
Bureau of Public Work - Utica	315-793-2314	315-793-2514
Bureau of Public Work - White Plains	914-997-9507	914-997-9523
Bureau of Public Work - Central Office	518-457-5589	518-485-1870

Putnam County General Construction

Boilermaker **07/01/2020**

JOB DESCRIPTION Boilermaker

DISTRICT 4

ENTIRE COUNTIES

Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester

WAGES

Per Hour:	07/01/2020	01/01/2021
Boilermaker	\$ 61.24	\$63.38
Repairs & Renovations	61.24	63.38

SUPPLEMENTAL BENEFITS

Per Hour:	07/01/2020	01/01/2021
Boilermaker	32% of hourly	32% of hourly
Repair \$ Renovations	Wage Paid + \$ 25.35	Wage Paid + TBA

NOTE: "Hourly Wage Paid" shall include any and all premium(s) pay.

Repairs & Renovation Includes replacement of parts and repairs & renovation of existing unit.

OVERTIME PAY

See (D, O) on OVERTIME PAGE
 Repairs & Renovation see (B,E,Q)

HOLIDAY

Paid: See (8, 16, 23, 24) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 11, 12, 15, 16, 22, 23, 24, 25) on HOLIDAY PAGE

NOTE: *Employee must work in pay week to receive Holiday Pay.
 **Employee gets 4 times the hourly wage rate for working Labor Day.

REGISTERED APPRENTICES

Wage per hour:
 (1/2) Year Terms at the following percentage of Boilermaker's Wage

1st	2nd	3rd	4th	5th	6th	7th
65%	70%	75%	80%	85%	90%	95%

Supplemental Benefits Per Hour:

	07/01/2020	01/01/2021
Apprentice(s)	32% of Hourly Wage Paid Plus Amount Below	32% of Hourly Wage Paid Plus Amount Below
1st Term	\$ 19.38	\$ TBA
2nd Term	20.24	TBA
3rd Term	21.08	TBA
4th Term	21.94	TBA
5th Term	22.79	TBA
6th Term	23.65	TBA
7th Term	24.48	TBA

NOTE: "Hourly Wage Paid" shall include any and all premium(s)

4-5

Carpenter **07/01/2020**

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester

WAGES

Per hour: 07/01/2020

Piledriver	\$ 55.93
Dockbuilder	\$ 55.93

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker \$ 52.44

OVERTIME PAY

See (B, E2, O) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE.

Paid: for 1st & 2nd yr.

Apprentices See (5,6,11,13,25)

Overtime: See (5,6,11,13,25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

Wages per hour

(1)year terms:

1st	2nd	3rd	4th
\$22.37	\$27.97	\$36.35	\$44.74

Supplemental benefits per hour:

All Terms: \$ 34.34

8-1556 Db

Carpenter

07/01/2020

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Putnam

WAGES

Per hour: 07/01/2020

Carpet/Resilient

Floor Coverer \$ 40.79

INCLUDES HANDLING & INSTALLATION OF ARTIFICIAL TURF AND SIMILAR TURF INDOORS/OUTDOORS.

SUPPLEMENTAL BENEFITS

Per hour:

\$ 37.17

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (18, 19) on HOLIDAY PAGE

Paid for 1st & 2nd yr.

Apprentices: See (5, 6, 11, 13, 16, 18, 19, 25)

Overtime: See (5, 6, 11, 13, 16, 18, 19, 25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

Wage per hour - (1) year terms:

1st	2nd	3rd	4th
\$16.29	\$20.17	\$26.00	\$31.82

Supplemental Benefits per hour - All apprentice terms:

\$ 26.86

8-2287Pn

Carpenter

07/01/2020

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester

WAGES

Per Hour: 07/01/2020

Marine Construction:

Marine Diver \$ 70.80
Marine Tender 50.34

SUPPLEMENTAL BENEFITS

Per Hour:

Journeyworker \$ 52.34

OVERTIME PAY

See (B, E, E2, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (18, 19) on HOLIDAY PAGE
Overtime: See (5, 6, 10, 11, 13, 16, 18, 19) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wages per hour:
One (1) year terms.

1st year \$ 22.37
2nd year 27.97
3rd year 36.35
4th year 44.74

Supplemental Benefits
Per Hour:

All terms \$ 34.34

8-1456MC

Carpenter **07/01/2020**

JOB DESCRIPTION Carpenter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester

WAGES

Per hour: 07/01/2020

Building
Millwright \$ 55.70

SUPPLEMENTAL BENEFITS

Per hour:

Millwright \$ 54.16

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (18,19) on HOLIDAY PAGE.

Overtime See (5,6,8,11,13,18,19,25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

Wages per hour:
One (1) year terms:

1st.	2nd.	3rd.	4th.
\$29.99	\$35.44	\$40.89	\$51.79

Supplemental benefits per hour:
One (1) year terms:

1st.	2nd.	3rd.	4th.
\$34.79	\$38.49	\$42.84	\$49.60

Carpenter **07/01/2020**

JOB DESCRIPTION Carpenter **DISTRICT 8**

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Westchester

PARTIAL COUNTIES

Orange: South of but including the following, Waterloo Mills, Slate Hill, New Hampton, Goshen, Blooming Grove, Mountainville, east to the Hudson River.

Putnam: South of but including the following, Cold Spring, TompkinsCorner, Mahopac, Croton Falls, east to Connecticut border.

Suffolk: West of Port Jefferson and Patchogue Road to Route 112 to the Atlantic Ocean.

WAGES

Per hour: 07/01/2020 10/18/2020

Core Drilling: Additional
Driller \$ 41.19 \$ 2.00

Driller Helper 32.62

Note: Hazardous Waste Pay Differential:

For Level C, an additional 10% above wage rate per hour

For Level B, an additional 10% above wage rate per hour

For Level A, an additional 10% above wage rate per hour

Note: When required to work on water: an additional \$ 0.50 per hour.

SUPPLEMENTAL BENEFITS

Per hour: 07/01/2020

Driller and Helper \$ 27.95

OVERTIME PAY

OVERTIME: See (B,E,K*,P,R**) on OVERTIME PAGE.

HOLIDAY

Paid: See (5,6) on HOLIDAY PAGE.

Overtime: * See (5,6) on HOLIDAY PAGE.

** See (8,10,11,13) on HOLIDAY PAGE.

8-1536-CoreDriller

Carpenter **07/01/2020**

JOB DESCRIPTION Carpenter **DISTRICT 8**

ENTIRE COUNTIES

Bronx, Kings, New York, Putnam, Queens, Richmond

PARTIAL COUNTIES

Nassau: That portion of the county that lies west of Seaford Creek and south of the Southern State Parkway.

WAGES

Per hour: 07/01/2020

Show Exhibit \$ 54.50

Bldg. Carpenter 54.00*

* Not applicable in Putnam County

SUPPLEMENTAL BENEFITS

Per hour worked:

Show Exhibit \$ 51.23

Bldg. Carpenter 46.73

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (18,19) on HOLIDAY PAGE.

Paid:for 1st & 2nd yr.

Apprentices See (5,6,11,13,16,18,19,25)

Overtime: See (5,6,11,13,16,18,19,25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

Wages per hour: Show Exhibit

(1) year terms:

1st.	2nd.	3rd.	4th.
\$21.80	\$27.25	\$35.43	\$43.60

Supplemental benefits per hour:

All terms \$ 33.79

Wages per hour: Bldg. Carpenter

(1) year terms:

1st	2nd	3rd	4th
\$19.20	\$22.20	\$26.45	\$34.33

Supplemental benefits per hour:

1st	2nd	3rd	4th
\$15.80	\$17.30	\$20.90	\$22.90

8-EXHIB

Carpenter - Building / Heavy&Highway

07/01/2020

JOB DESCRIPTION Carpenter - Building / Heavy&Highway

DISTRICT 11

ENTIRE COUNTIES

Putnam, Rockland, Westchester

WAGES

WAGES:(per hour)

	07/01/2020	07/01/2021
BUILDING/HEAVY & HIGHWAY/TUNNEL:		Additional
Carpenter	\$ 45.30	\$ 0.40

SHIFT DIFFERENTIAL: When it is mandated by a Government Agency irregular or off shift can be worked. The Carpenter shall receive an additional fifteen percent (15%) of wage plus applicable benefits.

NOTE:Carpenters employed in the removal or abatement of asbestos or any toxic or hazardous material or required to work near asbestos or any toxic or hazardous material and required to wear protective equipment shall receive two (2) hours extra pay per day, plus applicable supplemental benefits.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker \$ 31.53

OVERTIME PAY

BUILDING:

See (B, E, Q) on OVERTIME PAGE.

HEAVY&HIGHWAY/TUNNEL:

See (B, E, P, *R, **T, X) on OVERTIME PAGE.

*R applies to Heavy&Highway/Tunnel Overtime Holiday Code 25 with benefits at straight time rate.

**T applies to Heavy&Highway/Tunnel Overtime Holiday Codes 5 & 6 with benefits at straight time rate.

HOLIDAY

BUILDING:

Paid: See (1) on HOLIDAY PAGE.

Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE.

Holidays that fall on Sunday will be observed Monday.

HEAVY&HIGHWAY/TUNNEL:

Paid: See (5, 6, 25) on HOLIDAY PAGE including benefits.

Overtime: See (5, 6, 25) on HOLIDAY PAGE.

REGISTERED APPRENTICES

1 year terms at the following wage rates:

Indentured after July 1 2016

1st	2nd	3rd	4th	5th
\$ 22.40	\$ 26.16	\$ 28.05	\$ 29.93	\$ 33.70

Indentured before July 1 2016

1st	2nd	3rd	4th
\$ 22.40	\$ 26.16	\$ 29.93	\$ 33.70

SUPPLEMENTAL BENEFITS per hour:

All terms \$ 16.28

11-279.1B/HH

Electrician

07/01/2020

JOB DESCRIPTION Electrician

DISTRICT 11

ENTIRE COUNTIES

Orange, Putnam, Rockland

PARTIAL COUNTIES

Dutchess: Towns of Fishkill, East Fishkill, and Beacon.

WAGES

Per hour:

	07/01/2020	04/01/2021
Electrician Wireman/Technician	\$ 46.00	\$ 47.00

SHIFT DIFFERENTIAL: On Public Work in New York State when shift work is mandated either in the job specifications or by the contracting agency, the following rates apply:

Shift worked between 4:30pm & 12:30am	\$ 53.97	\$ 55.15
Shift worked between 12:30am & 8:30am	\$ 60.46	\$ 61.77

NOTE ADDITIONAL AMOUNTS PAID FOR THE FOLLOWING WORK LISTED BELOW (subject to overtime premiums):

- On jobs where employees are required to work from boatswain chairs, swinging scaffolds, etc., forty (40) feet or more above the ground, or under compressed air, using Scottair packs, gas masks or in shafts or tunnels, they shall receive an additional \$2.00 per hour above the regular straight time rate.
- Journeyman Wireman when performing welding or cable splicing: \$2.00 above the Journeyman Wireman rate of pay.
- Journeyman Wireman required to have a NYS Asbestos Certificate: \$2.00 above the Journeyman Wireman rate of pay.
- Journeyman Wireman required to have a CDL: \$2.00 above the Journeyman Wireman rate of pay.

SUPPLEMENTAL BENEFITS

Per hour:

	07/01/2020	04/01/2021
Journeyman	\$ 32.38 plus 3% of straight or premium wage	\$ 33.69 plus 3% of straight or premium wage

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6, 13, 15, 16, 25) on HOLIDAY PAGE

When the holiday falls on a Saturday it is observed the Friday before. When the holiday falls on a Sunday it is observed on the Monday after.

REGISTERED APPRENTICES

WAGES:

(1)year terms at the following rates

07/01/2020	1st	2nd	3rd	4th	5th	6th
1st Shift	\$ 13.20	\$ 17.60	\$ 22.00	\$ 26.40	\$ 30.80	\$ 33.00
2nd Shift	15.49	20.65	25.81	30.98	36.14	38.72
3rd Shift	17.35	23.13	28.91	34.70	40.48	43.47
04/01/2021	1st	2nd	3rd	4th	5th	6th
1st Shift	\$ 13.50	\$ 18.00	\$ 22.50	\$ 27.00	\$ 31.50	\$ 33.75
2nd Shift	15.84	21.12	26.40	31.68	36.96	39.60
3rd Shift	17.74	23.66	29.57	35.48	41.40	44.36

SUPPLEMENTAL BENEFITS per hour:

07/01/2020

1st term	\$ 14.92 plus 3% of straight or premium wage
2nd term	\$ 16.42 plus 3% of straight or premium wage
3rd term	\$ 18.42 plus 3% of straight or premium wage
4th term	\$ 19.92 plus 3% of straight or premium wage

5th & 6th term \$ 21.92 plus 3% of straight or premium wage

09/01/2020

1st term \$ 15.81 plus 3% of straight or premium wage
 2nd term \$ 16.31 plus 3% of straight or premium wage
 3rd term \$ 18.31 plus 3% of straight or premium wage
 4th term \$ 19.81 plus 3% of straight or premium wage
 5th term \$ 21.81 plus 3% of straight or premium wage
 6th term \$ 22.31 plus 3% of straight or premium wage

11-363/1

Elevator Constructor

07/01/2020

JOB DESCRIPTION Elevator Constructor

DISTRICT 1

ENTIRE COUNTIES

Columbia, Dutchess, Greene, Orange, Putnam, Sullivan, Ulster

PARTIAL COUNTIES

Delaware: Towns of Andes, Bovina, Colchester, Davenport, Delhi, Harpersfield, Hemdon, Kortright, Meredith, Middletown, Roxbury, Hancock & Stamford

Rockland: Only the Township of Stony Point.

Westchester: Only the Townships of Bedford, Lewisboro, Cortland, Mt. Kisco, North Salem, Pound Ridge, Somers and Yorktown.

WAGES

Per Hour	07/01/2020	01/01/2021
Mechanic	\$ 60.49	\$62.51
Helper	70% of Mechanic Wage Rate	70% of Mechanic Wage Rate

Four (4), ten (10) hour days may be worked for New Construction and Modernization Work at straight time during a week, Monday thru Thursday or Tuesday thru Friday.

***Four (4), ten (10) hour days are not permitted for Contract Work/Repair Work

NOTE - In order to use the '4 Day/10 Hour Work Schedule' as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule', form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour	07/01/2020	01/01/2021
Journeyman/Helper	\$ 34.765*	\$ 34.825*

(*)Plus 6% of regular hourly if less than 5 years of service. Plus 8% of regular hourly rate if more than 5 years of service.

OVERTIME PAY

See (D, O) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 15, 16) on HOLIDAY PAGE

Overtime: See (5, 6, 15, 16) on HOLIDAY PAGE

Note: When a paid holiday falls on Saturday, it shall be observed on Friday. When a paid holiday falls on Sunday, it shall be observed on Monday.

REGISTERED APPRENTICES

Wages per hour:				
0-6 mo*	6-12 mo	2nd yr	3rd yr	4th yr
50 %	55 %	65 %	70 %	80 %

(*)Plus 6% of the hourly rate, no additional supplemental benefits.

Supplemental Benefits per hour worked:

Same as Journeyman/Helper

1-138

Glazier

07/01/2020

JOB DESCRIPTION Glazier

DISTRICT 8

ENTIRE COUNTIES

Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester

WAGES

Per hour:	7/01/2020	5/31/2021 Additional
Glazier	\$ 57.55	\$ 2.00
*Scaffolding	58.55	
Glass Tinting & Window Film	29.17	
**Repair & Maintenance	29.17	

*Scaffolding includes swing scaffold, mechanical equipment, scissor jacks, man lifts, booms & buckets 24' or more, but not pipe scaffolding.

**Repair & Maintenance- All repair & maintenance work on a particular building, whenever performed, where the total cumulative contract value is under \$148,837. All Glass tinting, window film, regardless of material or intended use, and all affixing of decals to windows or glass.

SUPPLEMENTAL BENEFITS

Per hour:	7/01/2020
Journeyworker	\$ 34.59
Glass tinting & Window Film	20.29
Repair & Maintenance	20.29

OVERTIME PAY

See (B,H,V) on OVERTIME PAGE.

For 'Repair & Maintenance' and 'Glass Tinting & Window Film' see (B, B2, I, S) on overtime page.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (4, 6, 16, 25) on HOLIDAY PAGE
 For 'Repair & Maintenance' and 'Glass Tinting & Window Film' Only
 Paid: See(5, 6, 16, 25)
 Overtime: See(5, 6, 16, 25)

REGISTERED APPRENTICES

Wage per hour:
 (1) year terms at the following wage rates:

	7/01/2020
1st term	\$ 20.14
2nd term	28.21
3rd term	34.10
4th term	45.80

Supplemental Benefits:
 (Per hour)

1st term	\$ 16.16
2nd term	22.76
3rd term	25.16
4th term	29.73

8-1087 (DC9 NYC)

Insulator - Heat & Frost

07/01/2020

JOB DESCRIPTION Insulator - Heat & Frost

DISTRICT 8

ENTIRE COUNTIES

Dutchess, Orange, Putnam, Rockland, Westchester

WAGES

Per hour:	07/01/2020	05/31/2021
Insulator	\$ 55.00	\$ 2.00
Discomfort & Additional Training**	57.96	
Fire Stop Work*	29.44	

* Applies on all exclusive Fire Stop Work (When contract is for Fire Stop work only). No apprentices on these contracts only.

**Applies to work requiring; garb or equipment worn against the body not customarily worn by insulators; psychological evaluation; special training, including but not limited to "Yellow Badge" radiation training

Note: Additional \$0.50 per hour for work 30 feet or more above floor or ground level.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker	\$ 34.35
Discomfort & Additional Training	36.30
Fire Stop Work: Journeyworker	17.52

OVERTIME PAY

See (B, E, E2, Q, *T) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Note: Last working day preceding Christmas and New Years day, workers shall work no later than 12:00 noon and shall receive 8 hrs pay.

Overtime: See (2*, 4, 6, 16, 25) on HOLIDAY PAGE.

*Note: Labor Day triple time if worked.

REGISTERED APPRENTICES

(1) year terms:

Insulator Apprentices:

1st	2nd	3rd	4th
\$ 29.44	\$ 34.55	\$ 39.66	\$ 44.78

Discomfort & Additional Training Apprentices:

1st	2nd	3rd	4th
\$ 30.99	\$ 36.41	\$ 41.83	\$ 47.26

Supplemental Benefits paid per hour:

Insulator Apprentices:

1st term	\$ 17.52
2nd term	20.89
3rd term	24.25
4th term	27.61

Discomfort & Additional Training Apprentices:

1st term	\$ 18.50
2nd term	22.06
3rd term	25.62
4th term	29.18

Ironworker

07/01/2020

JOB DESCRIPTION Ironworker

DISTRICT 11

ENTIRE COUNTIES

Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster

WAGES

Per hour:

07/01/2020

Structural	\$ 48.98
Reinforcing*	48.98
Ornamental	48.98
Chain Link Fence	48.98

*NOTE: For Reinforcing classification ONLY, Ironworker 4-46Reinf rates apply in Rockland County's southern section (south of Convent Road and east of Blue Hills Road).

On Government Mandated Irregular Work Days or Shift Work, the following wage will be paid:

1st Shift	\$ 48.98
2nd Shift	62.38
3rd Shift	66.85

**Note- Any shift that works past 12:00 midnight shall receive the 3rd shift differential.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyman	\$ 40.35
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OVERTIME PAY

See (B1, Q, V) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 16) on HOLIDAY PAGE

If a holiday falls on Saturday, it will be observed Friday. If a holiday falls on Sunday, it will be observed Monday.

REGISTERED APPRENTICES

Wages:

(1) year terms at the following wage:

	1st yr	2nd yr	3rd yr	4th yr
1st Shift	\$ 24.49	\$ 29.39	\$ 34.29	\$ 39.18
2nd Shift	33.35	39.16	44.97	50.76
3rd Shift	36.31	42.42	48.53	54.63

Supplemental Benefits per hour:

1st year	\$ 34.60
2nd year	35.75
3rd year	36.90
4th year	38.05

11-417

Laborer - Building

07/01/2020

JOB DESCRIPTION Laborer - Building

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

WAGES

07/01/2020

Laborer	\$ 35.30 plus \$4.60**
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Laborer - Asbestos & Hazardous Materials Removal	\$ 41.55*
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* Abatement/Removal of:

- Lead based or lead containing paint on materials to be repainted is classified as Painter.
- Asbestos containing roofs and roofing material is classified as Roofer.

** This portion is not subject to overtime premium.

NOTE: Upgrade/Material condition work plan for work performed during non-outage under a wage formula of 90% wage/100% fringe benefits at nuclear power plants.

SUPPLEMENTAL BENEFITS

Per hour: 07/01/2020

Journeyworker	\$ 26.40
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OVERTIME PAY

See (B, E, E2, Q, *V) on OVERTIME PAGE

*Note: For Sundays and Holidays worked benefits are at the same premium as wages.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

LABORER ONLY

Hourly terms at the following wage:

Level A 0-1000 \$ 23.90	Level B 1001-2000 \$ 27.50	Level C 2001-3000 \$ 31.50	Level D 3001-4000 \$ 38.00	Level E 4001+ \$ 39.80
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Supplemental Benefits per hour:

Apprentices

Level A	\$ 12.35
Level B	15.20
Level C	17.80
Level D	18.20
Level E	26.40

8-235/B

Laborer - Heavy&Highway

07/01/2020

JOB DESCRIPTION Laborer - Heavy&Highway

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

WAGES

PUTNAM: APPLIES TO ALL HEAVY & HIGHWAY WORK EXCLUDING HIGHWAYS, STREETS, AND BRIDGES

GROUP I: Blaster and Quarry Master

GROUP II: Burner, Drillers(jumbo, joy, wagon, air track, hydraulic), Drill Operator, Self Contained Rotary Drill, Curbs/ Asphalt Screedman/Raker, Bar Person.

GROUP III: Pavement Breakers, Jeeper Operator, Jack Hammer, Pneumatic Tools (all), Gas Driller, Guniting, Railroad Spike Puller, Pipelayer, Chain Saw, Deck winches on scows, Power Buggy Operator, Power Wheelbarrow Operator, Bar Person Helper.

GROUP IV: Concrete Laborers, Asph. Worker, Rock Scaler, Vibrator Oper., Bit Grinder, Air Tamper, Pumps, Epoxy (adhesives, fillers and troweled on), Barco Rammer, Concrete Grinder, Crack Router Operator, Guide Rail-digging holes and placing concrete and demolition when not to be replaced, distribution of materials and tightening of bolts.

GROUP V: Drillers Helpers, Common Laborer, Mason Tenders, Signal Person, Pit Person, Truck Spotter, Powder Person, Landscape/Nursery Person, Dump Person, Temp. Heat.

GROUP VIA: Asbestos/Toxic Waste Laborer-All removal (Roads, Tunnels, Landfills, etc.) Confined space laborer

Wages:(per hour) 07/01/2020

GROUP I	\$44.45*
GROUP II	43.10*
GROUP III	42.70*
GROUP IV	42.35*
GROUP V	42.00*
GROUP VIA	44.00*
Operator Qualified	
Gas Mechanic	54.45*
Flagperson	35.65*

*NOTE: To calculate overtime premiums, deduct \$0.10 from above wages

SHIFT WORK: A shift premium will be paid on Public Work contracts for off-shift or irregular shift work when mandated by the NYS D.O.T. or other Governmental Agency contracts. Employees shall receive an additional 15% per hour above current rate for all regular and irregular shift work. Premium pay shall be calculated using the 15% per hour differential as base rate.

SUPPLEMENTAL BENEFITS

Per hour:
 Journeyworker:
 First 40 Hours
 Per Hour \$24.35
 Over 40 Hours
 Per Hour 18.10

OVERTIME PAY

See (B, E, P, R, S) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

NOTE: For Holiday Overtime: 5, 6 - Code 'S' applies
 For Holiday Overtime: 8, 9, 15, 25 - Code 'R' applies

REGISTERED APPRENTICES

	1st term 1-1000hrs	2nd term 1001-2000hrs	3rd term 2001-3000hrs	4th term 3001-4000hrs
07/01/2020	\$ 23.90	\$ 28.20	\$ 32.50	\$ 36.70

Supplemental Benefits per hour:

1st term	\$ 3.85 - After 40 hours: \$ 3.60
2nd term	\$ 3.95 - After 40 hours: \$ 3.60
3rd term	\$ 4.45 - After 40 hours: \$ 4.00
4th term	\$ 5.00 - After 40 hours: \$ 4.50

8-60H/H

Laborer - Heavy&Highway

07/01/2020

JOB DESCRIPTION Laborer - Heavy&Highway

DISTRICT 8

ENTIRE COUNTIES

Putnam

WAGES

APPLIES ONLY TO HIGHWAYS-STREETS and BRIDGES-

GROUP # 1:

Flagperson, Placing & maintenance of all flares, cones, lights, signs, barricades, traffic patterns and all reflective type materials for traffic control, custodial work, traffic directors, temporary heat or light tenders, tool room.

GROUP # 2:

All Other Classifications not listed in Group # 1 or Group # 3

GROUP # 3:

Asphalt Raker, Asphalt Screedman, Drilling Equipment Only Where a Separate Air Compressor Unit Supplies Power, Laser Beam Operator, Metal Form Setters/Aligners (sidewalk), Blaster.

WAGES per hour 07/01/2020

Group # 1	\$ 34.35*
Group # 2	\$ 38.11*
Group # 3	\$ 39.11*

*Subtract \$.50 to calculate overtime premium

Note: All employees working on a project that requires Hazwopper Certification will receive \$1.00 per hour over job classification rate of pay. All employees who work an irregular work day that starts after 9:00 AM on a governmental mandated work schedule shall be paid an additional 15% per hour.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyman \$ 24.15

OVERTIME PAY

See (B, E, E2, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 16, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

Note: Whenever a holidays falls on Sunday, it will be observed on the following Monday.

REGISTERED APPRENTICES

Wages per hour

1000 HOUR YEAR TERMS

1st Term	\$ 20.10
2nd Term	23.10
3rd Term	28.85
4th Term	33.60
5th Term	35.85

Note: All employees working on a project that requires Hazwopper Certification will receive \$1.00 per hour over job classification rate of pay. All employees who work an irregular work day that starts after 9:00 AM on a governmental mandated work schedule shall be paid an additional 15% per hour.

Supplemental Benefits per hour:

1st Term	\$ 12.70
2nd Term	16.30
3rd Term	16.30
4th Term	16.30
5th Term	24.70

8-235h/b

Laborer - Tunnel

07/01/2020

JOB DESCRIPTION Laborer - Tunnel

DISTRICT 11

ENTIRE COUNTIES

Columbia, Dutchess, Greene, Orange, Otsego, Putnam, Rockland, Sullivan, Ulster, Westchester

PARTIAL COUNTIES

Chenango: Townships of Columbus, Sherburne and New Berlin.

Delaware: Townships of Andes, Bovina, Middletown, Roxbury, Franklin, Hamden, Stamford, Delhi, Kortright, Harpersfield, Merideth and Davenport.

WAGES

Class 1: All support laborers/sandhogs working above the shaft or tunnel.

Class 2: All laborers/sandhogs working in the shaft or tunnel.

Class 4: Safety Miners

Class 5: Site work related to Shaft/Tunnel

WAGES: (per hour)

	07/01/2020	07/01/2021	07/01/2022
Class 1	\$ 50.45	\$ 51.95	\$ 53.45
Class 2	52.60	54.10	55.60
Class 4	59.00	60.50	62.00
Class 5	42.25	43.50	44.80

Toxic and hazardous waste, lead abatement and asbestos abatement work will be paid an additional \$ 3.00 an hour.

SHIFT DIFFERENTIAL...On all Government mandated irregular shift work:

- Employee shall be paid at time and one half the regular rate Monday through Friday.
- Saturday shall be paid at 1.65 times the regular rate.
- Sunday shall be paid at 2.15 times the regular rate.

SUPPLEMENTAL BENEFITS

Per hour:

Benefit 1	\$ 32.15	\$ 33.25	\$ 34.45
Benefit 2	48.15	49.80	51.60
Benefit 3	64.15	66.35	68.75

Benefit 1 applies to straight time hours, paid holidays not worked.

Benefit 2 applies to over 8 hours in a day (M-F), irregular shift work hours worked, and Saturday hours worked.

Benefit 3 applies to Sunday and Holiday hours worked.

OVERTIME PAY

See (B, E, Q, X) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 15, 25) on HOLIDAY PAGE
Overtime: See (5, 6, 15, 16, 25) on HOLIDAY PAGE

When a recognized Holidays falls on Saturday or Sunday, holidays falling on Saturday shall be recognized or observed on Friday and holidays falling on Sunday shall be recognized or observed on Monday. Employees ordered to work on the Saturday or Sunday of the holiday or on the recognized or the observed Friday or Monday for those holidays falling on Saturday or Sunday shall receive double time the established rate and benefits for the holiday.

REGISTERED APPRENTICES

FOR APPRENTICE RATES, refer to the appropriate Laborer Heavy & Highway wage rate contained in the wage schedule for the County and location where the work is to be performed.

11-17/60/235/754Tun

Lineman Electrician

07/01/2020

JOB DESCRIPTION Lineman Electrician

DISTRICT 6

ENTIRE COUNTIES

Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Wyoming, Yates

WAGES

Per hour:

NOTE: Includes Teledata Work within ten (10) feet of High Voltage Transmission Lines

Below rates applicable on all overhead and underground distribution and maintenance work, and all overhead and underground transmission line work and the installation of fiber optic cable where no other construction trades are or have been involved. (Ref #14.01.01)

07/01/2020

Lineman, Technician	\$ 53.50
Crane, Crawler Backhoe	53.50
Welder, Cable Splicer	53.50
Digging Mach. Operator	48.15
Tractor Trailer Driver	45.48
Groundman, Truck Driver	42.80
Equipment Mechanic	42.80
Flagman	32.10

Additional \$1.00 per hour for entire crew when a helicopter is used.

Below rates applicable on all electrical sub-stations, switching structures, fiber optic cable and all other work not defined as "Utility outside electrical work". (Ref #14.02.01-A)

Lineman, Technician	\$ 53.50
Crane, Crawler Backhoe	53.50
Cable Splicer	58.85
Certified Welder -	
Pipe Type Cable	56.18
Digging Mach. Operator	48.15
Tractor Trailer Driver	45.48
Groundman, Truck Driver	42.80
Equipment Mechanic	42.80
Flagman	32.10

Additional \$1.00 per hour for entire crew when a helicopter is used.

Below rates apply on switching structures, maintenance projects, railroad catenary install/maintenance third rail installation, bonding of rails and pipe type cable and installation of fiber optic cable. (Ref #14.02.01-B)

Lineman, Tech, Welder	\$ 54.82
Crane, Crawler Backhoe	54.82
Cable Splicer	60.30
Certified Welder -	
Pipe Type Cable	57.56

Digging Mach. Operator	49.34
Tractor Trailer Driver	46.60
Groundman, Truck Driver	43.86
Equipment Mechanic	43.86
Flagman	32.89

Additional \$1.00 per hour for entire crew when a helicopter is used.

Below rates applicable on all overhead and underground transmission line work & fiber optic cable where other construction trades are or have been involved. This applies to transmission line work only, not other construction. (Ref #14.03.01)

Lineman, Tech, Welder	\$ 56.01
Crane, Crawler Backhoe	56.01
Cable Splicer	56.01
Digging Mach. Operator	50.41
Tractor Trailer Driver	47.61
Groundman, Truck Driver	44.81
Equipment Mechanic	44.81
Flagman	33.61

Additional \$1.00 per hour for entire crew when a helicopter is used.

NOTE: THE FOLLOWING RATES WILL APPLY ON ALL CONTRACTING AGENCY MANDATED MULTIPLE SHIFTS OF AT LEAST FIVE (5) DAYS DURATION WORKED BETWEEN THE HOURS LISTED BELOW:

1ST SHIFT	8:00 AM to 4:30 PM REGULAR RATE
2ND SHIFT	4:30 PM to 1:00 AM REGULAR RATE PLUS 17.3 %
3RD SHIFT	12:30 AM to 9:00 AM REGULAR RATE PLUS 31.4 %

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday. Friday may be used as a make-up day. Tuesday thru Friday may be worked with no make-up day.

NOTE - In order to use the '4 Day/10 Hour Work schedule', as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour worked (also required on non-worked holidays):

The following SUPPLEMENTAL BENEFITS apply to all classification categories of CONSTRUCTION, TRANSMISSION and DISTRIBUTION.

Journeyman	\$ 24.90
	*plus 6.75% of hourly wage

*The 6.75% is based on the hourly wage paid, straight time rate or premium rate.

OVERTIME PAY

See (B, E, Q,) on OVERTIME PAGE. *Note* Double time for all emergency work designated by the Dept. of Jurisdiction.

NOTE: WAGE CAP - Double the straight time hourly base wage shall be the maximum hourly wage compensation for any hour worked. Contractor is still responsible to pay the hourly benefit amount for each hour worked.

HOLIDAY

Paid	See (5, 6, 8, 13, 25) on HOLIDAY PAGE plus Governor of NYS Election Day.
Overtime	See (5, 6, 8, 13, 25) on HOLIDAY PAGE plus Governor of NYS Election Day.

NOTE: All paid holidays falling on Saturday shall be observed on the preceding Friday. All paid holidays falling on Sunday shall be observed on the following Monday. Supplements for holidays paid at straight time.

REGISTERED APPRENTICES

WAGES per hour: 1000 hour terms at the following percentage of the applicable Journeyman Lineman wage.

1st	2nd	3rd	4th	5th	6th	7th
60%	65%	70%	75%	80%	85%	90%

SUPPLEMENTAL BENEFITS per hour: Same as Journeyman

Lineman Electrician - Teledata

07/01/2020

JOB DESCRIPTION Lineman Electrician - Teledata

DISTRICT 6

ENTIRE COUNTIES

Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

WAGES

Per hour:

For outside work, stopping at first point of attachment (demarcation).

	07/01/2020	01/01/2021
Cable Splicer	\$ 33.77	\$ 34.78
Installer, Repairman	\$ 32.05	\$ 33.01
Teledata Lineman	\$ 32.05	\$ 33.01
Tech., Equip. Operator	\$ 32.05	\$ 33.01
Groundman	\$ 16.99	\$ 17.50

NOTE: EXCLUDES Teledata work within ten (10) feet of High Voltage (600 volts and over) transmission lines. For this work please see LINEMAN.

NOTE: THE FOLLOWING RATES WILL APPLY ON ALL CONTRACTING AGENCY MANDATED MULTIPLE SHIFTS OF AT LEAST FIVE (5) DAYS DURATION WORKED:

1ST SHIFT	REGULAR RATE
2ND SHIFT	REGULAR RATE PLUS 10%
3RD SHIFT	REGULAR RATE PLUS 15%

SUPPLEMENTAL BENEFITS

Per hour:

Journeyman	\$ 5.06	\$ 5.06
	*plus 3% of wage paid	*plus 3% of wage paid

*The 3% is based on the hourly wage paid, straight time rate or premium rate.

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

NOTE: WAGE CAP - Double the straight time hourly base wage shall be the maximum hourly wage compensation for any hour worked.

Contractor is still responsible to pay the hourly benefit amount for each hour worked.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 16) on HOLIDAY PAGE

6-1249LT - Teledata

Lineman Electrician - Traffic Signal, Lighting

07/01/2020

JOB DESCRIPTION Lineman Electrician - Traffic Signal, Lighting

DISTRICT 6

ENTIRE COUNTIES

Columbia, Dutchess, Orange, Putnam, Rockland, Ulster

WAGES

Lineman/Technician shall perform all overhead aerial work. A Lineman/Technician on the ground will install all electrical panels, connect all grounds, install and connect all electrical conductors which includes, but is not limited to road loop wires; conduit and plastic or other type pipes that carry conductors, flex cables and connectors, and to oversee the encasement or burial of such conduits or pipes.

A Groundman/Groundman Truck Driver shall: Build and set concrete forms, handle steel mesh, set footer cages, transport concrete in a wheelbarrow, hand or machine concrete vibrator, finish concrete footers, mix mortar, grout pole bases, cover and maintain footers while curing in cold weather, operate jack hammer, operate hand pavement breaker, tamper, concrete and other motorized saws, as a drill helper, operate and maintain generators, water pumps, chainsaws, sand blasting, operate mulching and seeding machine, air tools, electric tools, gas tools, load and unload materials, hand shovel and/or broom, prepare and pour mastic and other fillers, assist digger operator equipment operator in ground excavation and restoration, landscape work and painting. Only when assisting a lineman technician, a groundman/truck driver may assist in installing conduit, pipe, cables and equipment.

A flagger's duties shall consist of traffic control only.
 (Ref #14.01.02)

Per hour:	07/01/2020
Lineman, Technician	\$ 47.48
Crane, Crawler Backhoe	47.48
Certified Welder	49.85
Digging Machine	42.73
Tractor Trailer Driver	40.36
Groundman, Truck Driver	37.98
Equipment Mechanic	37.98
Flagman	28.49

Above rates are applicable for installation, testing, operation, maintenance and repair on all Traffic Control (Signal) and Illumination (Lighting) projects, Traffic Monitoring Systems, and Road Weather Information Systems. Includes digging of holes for poles, anchors, footer foundations for electrical equipment; assembly of all electrical materials or raceway; placing of fish wire; pulling of cables, wires or fiber optic cable through such raceways; splicing of conductors; dismantling of such structures, lines or equipment.

NOTE: THE FOLLOWING RATES WILL APPLY ON ALL CONTRACTING AGENCY MANDATED MULTIPLE SHIFTS OF AT LEAST FIVE (5) DAYS DURATION WORKED BETWEEN THE HOURS LISTED BELOW:

1ST SHIFT	8:00 AM TO 4:30 PM REGULAR RATE
2ND SHIFT	4:30 PM TO 1:00 AM REGULAR RATE PLUS 17.3%
3RD SHIFT	12:30 AM TO 9:00 AM REGULAR RATE PLUS 31.4%

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday. Friday may be used as a make-up day. Tuesday thru Friday may be worked with no make-up day.

NOTE - In order to use the '4 Day/10 Hour Work schedule', as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour worked (but also required on non-worked holidays):

Journeyman	\$ 24.90
	*plus 6.75% of hourly wage

* The 6.75% is based on the hourly wage paid, straight time rate or premium rate.

Supplements paid at STRAIGHT TIME rate for holidays.

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE. *Note* Double time for all emergency work designated by the Dept. of Jurisdiction.

NOTE: WAGE CAP - Double the straight time hourly base wage shall be the maximum hourly wage compensation for any hour worked.

Contractor is still responsible to pay the hourly benefit amount for each hour worked.

HOLIDAY

Paid: See (5, 6, 8, 13, 25) on HOLIDAY PAGE and Governor of NYS Election Day.

Overtime: See (5, 6, 8, 13, 25) on HOLIDAY PAGE and Governor of NYS Election Day.

NOTE: All paid holidays falling on Saturday shall be observed on the preceding Friday. All paid holidays falling on Sunday shall be observed on the following Monday. Supplements for holidays paid at straight time.

REGISTERED APPRENTICES

WAGES per hour: 1000 hour terms.

	07/01/2020
1st term	\$ 28.49
2nd term	30.86
3rd term	33.24
4th term	35.61
5th term	37.98
6th term	40.36
7th term	42.73

SUPPLEMENTAL BENEFITS per hour: Same as Journeyman

6-1249aReg8LT

Lineman Electrician - Tree Trimmer

07/01/2020

JOB DESCRIPTION Lineman Electrician - Tree Trimmer

DISTRICT 6

ENTIRE COUNTIES

Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Wyoming, Yates

WAGES

Applies to line clearance, tree work and right-of-way preparation on all new or existing energized overhead or underground electrical, telephone and CATV lines. This also would include stump removal near underground energized electrical lines, including telephone and CATV lines.

Per hour:	07/01/2020	01/03/21	01/02/22	01/01/23
Tree Trimmer	\$ 26.56	\$ 27.36	\$ 28.25	\$ 29.59
Equipment Operator	23.49	24.19	24.98	26.17
Equipment Mechanic	23.49	24.19	24.98	26.17
Truck Driver	19.56	20.15	20.80	21.79
Groundman	16.11	16.59	17.13	17.94
Flag person	11.61	11.96	12.35	12.94

SUPPLEMENTAL BENEFITS

Per hour worked (but also required on non-worked holidays):

Journeyman	\$ 9.98 *plus 3% of hourly wage	\$ 9.98 *plus 3% of hourly wage	\$ 10.23 *plus 3% of hourly wage	\$ 10.48 *plus 3% of hourly wage
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* The 3% is based on the hourly wage paid, straight time rate or premium rate.

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

NOTE: WAGE CAP - Double the straight time hourly base wage shall be the maximum hourly wage compensation for any hour worked.

Contractor is still responsible to pay the hourly benefit amount for each hour worked.

HOLIDAY

Paid: See (5, 6, 8, 15, 16, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 15, 16, 25) on HOLIDAY PAGE

NOTE: All paid holidays falling on a Saturday shall be observed on the preceding Friday.

All paid holidays falling on a Sunday shall be observed on the following Monday.

6-1249TT

Mason - Building

07/01/2020

JOB DESCRIPTION Mason - Building

DISTRICT 9

ENTIRE COUNTIES

Dutchess, Orange, Putnam, Sullivan, Ulster

WAGES

Per hour:	07/01/2020	12/07/2020
Building:		
Tile, Marble,& Terrazzo		Additional
Mechanic/Setter	\$54.63	\$0.79

SUPPLEMENTAL BENEFITS

Per Hour:

Journeyworker:	\$ 22.31* + \$7.50
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* This portion of benefits subject to same premium rate as shown for overtime wages.

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

Double time rate applies after 10 hours

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6, 11, 15, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wage per hour:

(Counties of Orange & Putnam)

750 hour terms at the following wage rate:

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
1-	751-	1501-	2251-	3001-	3751-	4501-	5251-	6001-	6751-
750	1500	2250	3000	3750	4500	5250	6000	6750	7500
07/01/2020									
\$20.35	\$25.11	\$32.09	\$36.83	\$40.25	\$43.50	\$46.95	\$51.69	\$54.34	\$58.19

Supplemental Benefits per hour:
 (Counties of Orange & Putnam)

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$12.55*	\$12.55*	\$15.06*	\$15.06*	\$16.06*	\$17.56*	\$18.56*	\$18.56*	\$16.56*	\$21.81*
+\$0.66	+\$0.70	+\$0.80	+\$0.85	+\$1.23	+\$1.27	+\$1.62	+\$1.67	+\$5.82	+\$6.31

Wages per hour:
 (Counties of Dutchess, Sullivan, Ulster)

750 hour terms at the following wage rate:

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
1-	751-	1501-	2251-	3001-	3751-	4501-	5251-	6001-	6751-
750	1500	2250	3000	3750	4500	5250	6000	6750	7500
\$19.16	\$23.16	\$25.14	\$29.14	\$31.81	\$35.32	\$38.52	\$41.52	\$43.05	\$46.30

Supplemental Benefits per hour:
 (Counties of Dutchess, Sullivan, Ulster)

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$12.55*	\$12.55*	\$14.56*	\$14.56*	\$15.56*	\$16.06*	\$16.56*	\$17.56*	\$15.56*	\$20.31*
+\$0.64	+\$0.68	+\$0.73	+\$0.77	+\$1.14	+\$1.18	+\$1.52	+\$1.56	+\$6.08	+\$6.16
									9-7/52B

Mason - Building **07/01/2020**

JOB DESCRIPTION Mason - Building **DISTRICT 9**

ENTIRE COUNTIES
 Dutchess, Orange, Putnam, Sullivan, Ulster

WAGES

Per hour:	07/01/2020	12/07/2020
Building		
Tile, Marble, &		Additional
Terrazzo Finisher	\$ 45.12	\$0.67

SUPPLEMENTAL BENEFITS
 Journeyworker:

Per Hour	\$ 19.16*
	+ \$7.37

*This portion of benefits subject to same premium rate as shown for overtime wages

OVERTIME PAY
 See (A, *E, Q) on OVERTIME PAGE
 Double time rate applies after 10 hours on Saturdays.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 11, 15, 16, 25) on HOLIDAY PAGE

9-7/88B-tf

Mason - Building **07/01/2020**

JOB DESCRIPTION Mason - Building **DISTRICT 11**

ENTIRE COUNTIES
 Putnam, Rockland, Westchester

PARTIAL COUNTIES
 Orange: Only the Township of Tuxedo.

WAGES
 Per hour: 07/01/2020

Bricklayer	\$ 42.09
Cement Mason	42.09
Plasterer/Stone Mason	42.09
Pointer/Caulker	42.09

Additional \$1.00 per hour for power saw work
 Additional \$0.50 per hour for swing scaffold or staging work

SHIFT WORK: When shift work or an irregular work day is mandated or required by state, federal, county, local or other governmental agency contracts, the following premiums apply:
 Irregular work day requires 15% premium
 Second shift an additional 15% of wage plus benefits to be paid
 Third shift an additional 25% of wage plus benefits to be paid

SUPPLEMENTAL BENEFITS
 Per hour:
 Journeyman \$ 35.00

OVERTIME PAY
 OVERTIME:
 Cement Mason See (B, E, Q, W) on OVERTIME PAGE.
 All Others See (B, E, Q) on OVERTIME PAGE.

HOLIDAY
 Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6) on HOLIDAY PAGE
 Whenever any of the above holidays fall on Sunday, they will be observed on Monday. Whenever any of the above holidays fall on Saturday, they will be observed on Friday.

REGISTERED APPRENTICES
 Wages per hour:
 750 hour terms at the following percentage of Journeyman's wage

1st	2nd	3rd	4th	5th	6th	7th	8th
50%	55%	60%	65%	70%	75%	80%	85%

Supplemental Benefits per hour
 750 hour terms at the following percentage of journeyman supplements

1st	2nd	3rd	4th	5th	6th	7th	8th
50%	55%	60%	65%	70%	75%	80%	85%

Apprentices indentured before June 1st, 2011 receive full journeyman benefits

11-5wp-b

Mason - Building **07/01/2020**

JOB DESCRIPTION Mason - Building **DISTRICT 9**

ENTIRE COUNTIES
 Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester

WAGES
 Wages: 07/01/2020 01/14/2021

Additional

Marble Cutters & Setters \$ 60.35 \$0.95

SUPPLEMENTAL BENEFITS

Per Hour:

Journeyworker \$ 37.24

OVERTIME PAY

See (B, E, Q, V) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 11, 15, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wage Per Hour:

750 hour terms at the following wage.

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
1-750	751-1500	1501-2250	2251-3000	3001-3750	3751-4500	4501-5250	5251-6000	6001-6751	6751-7500
07/01/2020									
\$24.15	\$27.15	\$30.16	\$33.19	\$36.20	\$39.20	\$42.15	\$45.26	\$51.28	\$57.34

Supplemental Benefits per hour:

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$20.14	\$21.58	\$23.02	\$24.42	\$25.85	\$27.29	\$28.72	\$30.12	\$32.98	\$35.81

9-7/4

Mason - Heavy&Highway **07/01/2020**

JOB DESCRIPTION Mason - Heavy&Highway

DISTRICT 11

ENTIRE COUNTIES

Putnam, Rockland, Westchester

PARTIAL COUNTIES

Orange: Only the Township of Tuxedo.

WAGES

Per hour:

07/01/2020

Bricklayer	\$ 42.60
Cement Mason	42.60
Marble/Stone Mason	42.60
Plasterer	42.60
Pointer/Caulker	42.60

Additional \$1.00 per hour for power saw work

Additional \$0.50 per hour for swing scaffold or staging work

SHIFT WORK: When shift work or an irregular work day is mandated or required by state, federal, county, local or other governmental contracts, the following rates apply:

Irregular work day requires 15% premium

Second shift an additional 15% of wage plus benefits to be paid

Third shift an additional 25% of wage plus benefits to be paid

SUPPLEMENTAL BENEFITS

Per hour:

Journeyman \$ 34.99

OVERTIME PAY

Cement Mason See (B, E, Q, W, X)

All Others See (B, E, Q, X)

HOLIDAY

Paid: See (5, 6, 15, 25) on HOLIDAY PAGE
 Overtime: See (5, 6, 15, 25) on HOLIDAY PAGE

Whenever any of the above holidays fall on Sunday, they will be observed on Monday. Whenever any of the above holidays fall on Saturday, they will be observed on Friday.

REGISTERED APPRENTICES

Wages per hour:

750 hour terms at the following percentage of Journeyman's wage

1st	2nd	3rd	4th	5th	6th	7th	8th
50%	55%	60%	65%	70%	75%	80%	85%

Supplemental Benefits per hour

750 hour terms at the following percentage of journeyman supplements

1st	2nd	3rd	4th	5th	6th	7th	8th
50%	55%	60%	65%	70%	75%	80%	85%

Apprentices indentured before June 1st, 2011 receive full journeyman benefits

11-5WP-H/H

Operating Engineer - Building

07/01/2020

JOB DESCRIPTION Operating Engineer - Building

DISTRICT 9

ENTIRE COUNTIES

Bronx, Kings, New York, Putnam, Queens, Richmond, Westchester

PARTIAL COUNTIES

Dutchess: that part of Dutchess County lying south of the North City Line of the City of Poughkeepsie.

WAGES

NOTE:Construction surveying

Party chief--One who directs a survey party

Instrument Man--One who runs the instrument and assists Party Chief.

Rodman--One who holds the rod and assists the Survey Crew

Wages:(Per Hour) 07/01/2020

Building Construction:

Party Chief	\$ 74.75
Instrument Man	\$ 59.53
Rodman	\$ 40.79

Steel Erection:

Party Chief	\$ 78.44
Instrument Man	\$ 62.74
Rodman	\$ 44.39

Heavy Construction-NYC counties only:
 (Foundation, Excavation.)

Party Chief	\$ 83.87
Instrument man	\$ 63.61
Rodman	\$ 54.59

SUPPLEMENTAL BENEFITS

Per Hour: 07/01/2020

Building Construction & Steel \$ 22.85* + 6.90

Heavy Construction \$ 23.10* + 6.90

* This portion subject to same premium as wages

Non-Worked Holiday Supplemental Benefit:
\$ 16.45

OVERTIME PAY

See (A, B, E, Q) on OVERTIME PAGE

Code "A" applies to Building Construction and has double the rate after 7 hours on Saturdays.

Code "B" applies to Heavy Construction and Steel Erection and had double the rate after 8 hours on Saturdays.

HOLIDAY

Paid: See (5, 6, 9, 11, 15, 16, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 9, 11, 15, 16, 25) on HOLIDAY PAGE

9-15Db

Operating Engineer - Building

07/01/2020

JOB DESCRIPTION Operating Engineer - Building

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

PARTIAL COUNTIES

Dutchess: All the counties of Westchester and Putnam and the southern part of Dutchess County defined by the northern boundary line of the City of Poughkeepsie, then due east to Route 115, then north along Route 115 to Bedell Road, then east along Bedell Road to Van Wagner Road, then north along Van Wagner Road to Bower Road, then east along Bower Road to Route 44 and along Route 44 east to Route 343, then along Route 343 east to the northern boundary of Town of Dover Plains and east along the northern boundary of Town of Dover Plains to the border line of the State of Connecticut and bordered on the west by the middle of the Hudson River.

WAGES

GROUP I:

Cranes (All Types up to 49 tons), Boom Trucks, Cherry Pickers (All Types), Clamshell Crane, Derrick (Stone and Steel), Dragline, Franki Pile Rig or similar, High Lift (Lull or similar) with crane attachment and winch used for hoisting or lifting, Hydraulic Cranes, Pile Drivers, Potain and similar.

Cranes (All types 50-99 tons), Drill Rig Casa Grande (CAT or similar), Franki Pile Rig or similar, Hydraulic Cranes (All types including Crawler Cranes- No specific boom length).

Cranes (All types 100 tons and over), All Tower Cranes, All Climbing Cranes irrespective of manufacturer and regardless of how the same is rigged, Franki Pile Rig or similar, Conventional Cranes (All types including Crawler Cranes-No specific boom length), Hydraulic Cranes.

GROUP I-A: Barber Green Loader-Euclid Loader, Bulldozer, Carrier-Trailer Horse, Concrete Cleaning Decontamination Machine Operator, Concrete-Portable Hoist, Conway or Similar Mucking Machines, Elevator & Cage, Excavators all types, Front End Loaders, Gradall, Shovel, Backhoe, etc. (Crawler or Truck), Heavy Equipment Robotics Operator/Mechanic, Hoist Engineer-Material, Hoist Portable Mobile Unit, Hoist (Single, Double or Triple Drum), Horizontal Directional Drill Locator, Horizontal Directional Drill Operator and Jersey Spreader, Letourneau or Tournapull (Scrapers over 20 yards Struck), Lift Slab Console, etc., Lull HiLift or Similar, Master Environmental Maintenance Mechanics, Mucking Machines Operator/Mechanic or Similar Type, Overhead Crane, Pavement Breaker (Air Ram), Paver (Concrete), Post Hole Digger, Power House Plant, Road Boring Machine, Road Mix Machine, Ross Carrier and Similar Machines, Rubber tire double end backhoes and similar machines, Scoopmobile Tractor-Shovel Over 1.5 yards, Shovel (Tunnels), Spreader (Asphalt) Telephie (Cableway), Tractor Type Demolition Equipment, Trenching Machines-Vermeer Concrete Saw Trencher and Similar, Ultra High Pressure Waterjet Cutting Tool System, Vacuum Blasting Machine operator/mechanic, Winch Truck A Frame.

GROUP I-B: Compressor (Steel Erection), Mechanic (Outside All Types), Negative Air Machine (Asbestos Removal), Push Button (Buzz Box) Elevator.

GROUP II: Compactor Self-Propelled, Concrete Pump, Crane Operator in Training (Over 100 Tons), Grader, Machines Pulling Sheep's Foot Roller, Roller (4 ton and over), Scrapers (20 yards Struck and Under), Vibratory Rollers, Welder.

GROUP III-A: Asphalt Plant, Concrete Mixing Plants, Forklift (All power sources), Joy Drill or similar, Tractor Drilling Machine, Loader (1 1/2 yards and under), Portable Asphalt Plant, Portable Batch Plant, Portable Crusher, Skid Steer (Bobcat or similar), Stone Crusher, Well Drilling Machine, Well Point System.

GROUP III-B: Compressor Over 125 cu. Feet, Conveyor Belt Machine regardless of size, Compressor Plant, Ladder Hoist, Stud Machine.

GROUP IV-A: Batch Plant, Concrete Breaker, Concrete Spreader, Curb Cutter Machine, Finishing Machine-Concrete, Fine Grading Machine, Hepa Vac Clean Air Machine, Material Hopper (sand, stone, cement), Mulching Grass Spreader, Pump Gypsum etc, Pump-Plaster-GROUT-Fireproofing. Roller (Under 4 Ton), Spreading and Fine Grading Machine, Steel Cutting Machine, Siphon Pump, Tar Joint Machine, Television Cameras for Water, Sewer, Gas etc. Turbo Jet Burner or Similar Equipment, Vibrator (1 to 5).

GROUP IV-B: Compressor (all types), Heater (All Types), Fire Watchman, Lighting Unit (Portable & Generator) Pump, Pump Station (Water, Sewer, Portable, Temporary), Welding Machine (Steel Erection & Excavation).

GROUP V: Mechanics Helper, Motorized Roller (walk behind), Stock Attendant, Welder's Helper.

GROUP VI-B: Utility Man, Warehouse Man.

WAGES: (per hour)

07/01/2020

GROUP I	
Cranes- up to 49 tons	\$ 61.70
Cranes- 50 tons to 99 tons	63.86
Cranes- 100 tons and over	72.99
GROUP I-A	53.95
GROUP I-B	49.68
GROUP II	52.03
GROUP III-A	50.11
GROUP III-B	47.67
GROUP IV-A	49.60
GROUP IV-B	41.85
GROUP V	45.17
GROUP VI-A	52.96
GROUP VI-B	
Utility Man	42.83
Warehouse Man	44.92

An additional 20% to wage when required to wear protective equipment on hazardous/toxic waste projects.
 Engineers operating cranes with booms 100 feet but less than 149 feet in length will be paid an additional \$2.00 per hour.
 Engineers operating cranes with booms 149 feet or over in length will be paid an additional \$3.00 per hour.
 Loader operators over 5 cubic yard capacity additional .50 per hour.
 Shovel operators over 4 cubic yard capacity additional \$1.00 per hour.

SUPPLEMENTAL BENEFITS

Per hour:

07/01/2020

Journeyworker	\$ 28.52
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OVERTIME PAY

OVERTIME:..... See (B, E,P,R*,T**,U***,V) on OVERTIME PAGE.

HOLIDAY

Paid:..... See (5, 6, 11, 12, 15, 25) on HOLIDAY PAGE.

Overtime:..... See (5, 6, 11, 12, 15, 25) on HOLIDAY PAGE.

* For Holiday codes 11, 12, 15, 25, code R applies.

** For Holiday code 28, code T applies

*** For Holiday codes 5 & 6, code U applies

8-137B

Operating Engineer - Heavy&Highway

07/01/2020

JOB DESCRIPTION Operating Engineer - Heavy&Highway

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

PARTIAL COUNTIES

Dutchess: All the counties of Westchester and Putnam and the southern part of Dutchess County defined by the northern boundary line of the City of Poughkeepsie, then due east to Route 115, then north along Route 115 to Bedell Road, then east along Bedell Road to Van Wagner Road, then north along Van Wagner Road to Bower Road, then east along Bower Road to Route 44 and along Route 44 east to Route 343, then along Route 343 east to the northern boundary of Town of Dover Plains and east along the northern boundary of Town of Dover Plains to the border line of the State of Connecticut and bordered on the west by the middle of the Hudson River.

WAGES

GROUP I: Boom Truck, Cherry Picker, Clamshell, Crane, (Crawler, Truck),
 Dragline, Drill Rig (Casa Grande, Cat, or Similar), Floating Crane (Crane on Barges) under 100 tons, Gin Pole, Hoist Engineer-Concrete (Crane-Derrick-Mine Hoist), Knuckle Boom Crane, Rough Terrain Crane.

GROUP I-A: Auger (Truck or Truck Mounted), Boat Captain, Bulldozer-All Sizes, Central Mix Plant Operator, Chipper (all types), Close Circuit T.V., Combination Loader/Backhoe, Compactor with Blade, Concrete Finishing Machine, Gradall, Grader (Motor Grader), Elevator & Cage (Materials or Passenger), Excavator (and all attachments), Front End Loaders (1 1/2 yards and over), High Lift Lull and similar, Hoist (Single, Double, Triple Drum), Hoist Portable Mobile Unit, Hoist Engineer (Material), Jack and Bore Machine, Log Skidders, Mill Machines, Mucking Machines, Overhead Crane, Paver (concrete), Post Pounder (of any type), Push Cats, Road Reclaimer, Robot Hammer (Brokk or similar), Robotic Equipment (Scope of Engineer Schedule), Ross Carrier and similar, Scrapers (20 yard struck and over), Side Boom, Slip Form Machine, Spreader (Asphalt), Trenching Machines (Telephies-Vermeer Concrete Saw), Tractor Type Demolition Equipment, Vacuum Truck.

GROUP I-B: Asphalt Mobile Conveyor/Transfer Machine, Road Paver (Asphalt).

GROUP II-A: Ballast Regulators, Compactor Self Propelled, Fusion Machine, Rail Anchor Machines, Roller (4 ton and over), Scrapers (20 yard struck and under), Vibratory Roller (Riding), Welder.

GROUP II-B: Mechanic (Outside) All Types.

GROUP III: Air Tractor Drill, Asphalt Plant, Batch Plant, Boiler (High Pressure), Concrete Breaker (Track or Rubber Tire), Concrete Pump, Concrete Spreader, Excavator Drill, Farm Tractor, Forklift (all types), Gas Tapping (Live), Hydroseeder, Loader (1 1/2 yards and under), Locomotive (all sizes), Machine Pulling Sheeps Foot Roller, Portable Asphalt Plant, Portable Batch Plant, Portable Crusher (Apprentice), Powerhouse Plant, Roller (under 4 ton), Sheer Excavator, Skid Steer/Bobcat, Stone Crusher, Sweeper (with seat), Well Drilling Machine.

GROUP IV: Service Person (Grease Truck).

GROUP IV-B: Conveyor Belt Machine (Truck Mounted), Heater (all types), Lighting Unit (Portable), Maintenance Engineer (For Crane Only), Mechanics Helper, Pump (Fireproofing), Pumps-Pump Station/Water/Sewer/Gypsum/Plaster, etc., Pump Truck (Sewer Jet or Similar), Welders Helper, Welding Machine (Steel Erection), Well Point System.

GROUP V: All Tower Cranes-All Climbing Cranes and all cranes of 100-ton capacity or greater (3900 Manitowac or similar) irrespective of manufacturer and regardless of how the same is rigged, Hoist Engineer (Steel), Engineer-Pile Driver, Jersey Spreader, Pavement Breaker/Post Hole Digger.

WAGES: Per hour: 07/01/2020

Group I	\$ 62.38
Group I-A	54.95
Group I-B	57.92
Group II-A	52.61
Group II-B	54.26
Group III	51.68
Group IV-A	46.93
Group IV-B	40.24
Group V-A	
Engineer All Tower, Climbing and Cranes of 100 Tons	70.72
Hoist Engineer(Steel)	64.00
Engineer(Pile Driver)	68.27
Jersey Spreader,Pavement Breaker (Air Ram)Post Hole Digger	53.83

SHIFT DIFFERENTIAL:

A 15% premium on all hours paid, including overtime hours for 2nd, 3rd shifts on all government mandated off-shift work

Engineers operating cranes with booms 100 feet but less than 149 feet in length will be paid an additional \$2.00 per hour over the rate listed in the Wage Schedule. Engineers operating cranes with booms 149 feet or over in length will be paid an additional \$3.00 per hour over the rate listed in the Wage Schedule. Loader and Excavator Operators: over 5 cubic yards capacity \$0.50 per hour over the rate listed in the Wage Schedule. Shovel Operators: over 4 cubic yards capacity \$1.00 per hour over the rate listed in the Wage Schedule.

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday; Friday may be used as a make-up day.

NOTE - In order to use the 4 Day/10 Hour Work schedule Registration for Use of 4 Day/10 Hour Work Schedule, form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker:	07/01/2020
	\$ 30.50 up to 40 Hours
	After 40 hours \$ 21.35* PLUS \$ 1.15 on all hours worked

*This amount is subject to premium

OVERTIME PAY

See (B, E, E2, P, *R, **U) on OVERTIME PAGE

HOLIDAY

Paid:..... See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

Overtime..... See (5, 6, 8, 9, 15, 25) on OVERTIME PAGE

* For Holiday codes 8,9,15,25 code R applies

** For Holiday Codes 5 & 6 code U applies

Note: If employees are required to work on Easter Sunday they shall be paid at the rate of triple time.

REGISTERED APPRENTICES

(1)year terms at the following rate.

07/01/2020

1st term	\$ 27.48
2nd term	32.97
3rd term	38.47
4th term	43.96

Supplemental Benefits per hour:

\$ 22.50

8-137HH

Operating Engineer - Heavy&Highway

07/01/2020

JOB DESCRIPTION Operating Engineer - Heavy&Highway

DISTRICT 9

ENTIRE COUNTIES

Putnam, Westchester

PARTIAL COUNTIES

Dutchess: South of the North city line of Poughkeepsie

WAGES

Party Chief - One who directs a survey party

Instrument Man - One who runs the instrument and assists Party Chief

Rodman - One who holds the rod and in general, assists the Survey Crew

Categories cover GPS & Underground Surveying

Per Hour: 07/01/2020

Party Chief \$ 81.06

Instrument Man 61.32

Rodman 52.53

SUPPLEMENTAL BENEFITS

Per Hour: 07/01/2020

All Categories

Straight Time: \$ 23.10* plus \$6.90

Premium:

Time & 1/2 \$ 34.65* plus \$6.90

Double Time

\$ 46.20* plus \$6.90

Non-Worked Holiday Supplemental Benefits:

\$ 16.45

OVERTIME PAY

See (B, *E, Q) on OVERTIME PAGE

* Doubletime paid on all hours in excess of 8 hours on Saturday

HOLIDAY

Paid: See (5, 6, 7, 11, 12) on HOLIDAY PAGE

Overtime: See (5, 6, 7, 11, 12) on HOLIDAY PAGE

9-15Dh

Operating Engineer - Heavy&Highway - Tunnel

07/01/2020

JOB DESCRIPTION Operating Engineer - Heavy&Highway - Tunnel

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

PARTIAL COUNTIES

Dutchess: All the counties of Westchester and Putnam and the southern part of Dutchess County defined by the northern boundary line of the City of Poughkeepsie, then due east to Route 115, then north along Route 115 to Bedell Road, then east along Bedell Road to Van Wagner Road, then north along Van Wagner Road to Bower Road, then east along Bower Road to Route 44 and along Route 44 east to Route 343, then along Route 343 east to the northern boundary of Town of Dover Plains and east along the northern boundary of Town of Dover Plains to the border line of the State of Connecticut and bordered on the west by the middle of the Hudson River.

WAGES

GROUP I: Boom Truck, Cherry Picker, Clamshell, Crane(Crawler,Truck), Dragline, Drill Rig Casa Grande(Cat or Similar), Floating Crane(Crane on Barge-Under 100 Tons), Hoist Engineer(Concrete/Crane-Derrick-Mine Hoist), Knuckle Boom Crane, Rough Terrain Crane.

GROUP I-A: Auger(Truck or Truck Mounted), Boat Captain, Bull Dozer-all sizes, Central Mix Plant Operator, Chipper-all types, Close Circuit T.V., Combination Loader/Backhoe, Compactor with Blade, Concrete Finishing Machine, Gradall, Grader(Motor Grader), Elevator & Cage(Materials or Passengers), Excavator(and all attachments), Front End Loaders(1 1/2 yards and over), High Lift Lull, Hoist(Single, Double, Triple Drum), Hoist Portable Mobile Unit, Hoist Engineer(Material), Jack and Bore Machine, Log Skidder, Milling Machine, Moveable Concrete Barrier Transfer & Transport Vehicle, Mucking Machines. Overhead Crane, Paver(Concrete), Post Pounder of any type, Push Cats, Road Reclaimer, Robot Hammer(Brokk or similar), Robotic Equipment(Scope of Engineer Schedule), Ross Carrier and similar machines, Scrapers(20 yards struck and over), Side Boom, Slip Form Machine, Spreader(Asphalt), Trenching Machines, Telephies-Vermeer Concrete Saw, Tractor type demolition equipment, Vacuum Truck.

GROUP I-B: Asphalt Mobile Conveyor/Transfer Machine, Road Paver(Asphalt).

GROUP II-A: Ballast Regulators, Compactor(Self-propelled), Fusion Machine, Rail Anchor Machines, Roller(4 ton and over), Scrapers(20 yard struck and under), Vibratory Roller(riding), Welder.

GROUP II-B: Mechanic(outside)all types.

GROUP III: Air Tractor Drill, Asphalt Plant, Batch Plant, Boiler(High Pressure), Concrete Breaker(Track or Rubber Tire), Concrete Pump, Concrete Spreader, Excavator Drill, Farm Tractor, Forklift(all types of power), Gas Tapping(Live), Hydroseeder, Loader(1 1/2 yards and under), Locomotive(all sizes), Machine Pulling Sheeps Foot Roller, Portable Asphalt Plant, Portable Batch Plant, Portable Crusher(Apprentice), Powerhouse Plant, Roller(under 4 ton), Sheer Excavator, Skidsteer/Bobcat, Stone Crusher, Sweeper(with seat), Well Drilling Machine.

GROUP IV-A: Service Person(Grease Truck).

GROUP IV-B: Conveyor Belt Machine(Truck Mounted), Heater(all types), Lighting Unit(Portable), Maintenance Engineer(for Crane only), Mechanics Helper, Pump(Fireproofing), Pumps-Pump Station/Water/Sewer/Gypsum/Plaster, etc., Pump Truck(Sewer Jet or similar), Welding Machine(Steel Erection), Welders Helper.

GROUP V-A: Engineer(all Tower Cranes, all Climbing Cranes & all Cranes of 100 ton capacity or greater),Hoist Engineer(Steel-Sub Structure), Engineer-Pile Driver, Jersey-Spreader, Pavement breaker, Post Hole Digger

WAGES: (per hour)

07/01/2020

GROUP I	\$ 62.38
GROUP I-A	54.95
GROUP I-B	57.92
GROUP II-A	52.61
GROUP II-B	54.26
GROUP III	51.68
GROUP IV-A	46.93
GROUP IV-B	40.24
GROUP V-A	
Engineer-Cranes	70.72
Engineer-Pile Driver	68.27
Hoist Engineer	64.00
Jersey Spreader	53.83
Pavement Breaker	53.83
Post Hole Digger	53.83

SHIFT DIFFERENTIAL:

A 15% premium on all hours paid, including overtime hours for 2nd, 3rd shifts

on all government mandated off-shift work

An additional 20% to wage when required to wear protective equipment on hazardous/toxic waste projects. Operators required to use two buckets pouring concrete on other than road pavement shall receive \$0.50 per hour over scale. Engineers operating cranes with booms 100 feet but less than 149 feet in length will be paid an additional \$2.00 per hour. Engineers operating cranes with booms 149 feet or over in length will be paid an additional \$3.00 per hour. Operators of shovels with a capacity over (4) cubic yards shall be paid an additional \$1.00 per hour. Operators of loaders with a capacity over (5) cubic yards shall be paid an additional \$0.50 per hour.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker:

07/01/2020

\$ 22.50

+ \$8.00

(Limited to first 40 hours)

OVERTIME PAY

See (D, O, *U, V) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

* Note: For Holiday codes 5 & 6, code U applies.

Note: If employees are required to work on Easter Sunday, they shall be paid at the rate of triple time.

REGISTERED APPRENTICES

(1)year terms at the following rates:

07/01/2020

1st term \$ 27.48

2nd term 32.97

3rd term 38.47

4th term 43.96

Supplemental Benefits per hour:

07/01/2020

All terms \$ 22.50

8-137Tun

Operating Engineer - Marine Dredging

07/01/2020

JOB DESCRIPTION Operating Engineer - Marine Dredging

DISTRICT 4

ENTIRE COUNTIES

Albany, Bronx, Cayuga, Chautauqua, Clinton, Columbia, Dutchess, Erie, Essex, Franklin, Greene, Jefferson, Kings, Monroe, Nassau, New York, Niagara, Orange, Orleans, Oswego, Putnam, Queens, Rensselaer, Richmond, Rockland, St. Lawrence, Suffolk, Ulster, Washington, Wayne, Westchester

WAGES

These wages do not apply to Operating Engineers on land based construction projects. For those projects, please see the Operating Engineer Heavy/Highway Rates. The wage rates below for all equipment and operators are only for marine dredging work in navigable waters found in the counties listed above.

Per Hour: 07/01/2020 10/01/2020

CLASS A1 \$ 40.31 \$ 41.42

Deck Captain, Leverman
 Mechanical Dredge Operator
 Licensed Tug Operator 1000HP or more.

CLASS A2 35.92 36.91

Crane Operator (360 swing)

CLASS B To conform to Operating Engineer
 Dozer, Front Loader
 Operator on Land Prevailing Wage in locality where work
 is being performed including benefits.

CLASS B1 34.86 35.82

Derrick Operator (180 swing)

Spider/Spill Barge Operator
 Operator II, Fill Placer,
 Engineer, Chief Mate, Electrician,
 Chief Welder, Maintenance Engineer
 Licensed Boat, Crew Boat Operator

CLASS B2 Certified Welder	32.82	33.72
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CLASS C1 Drag Barge Operator, Steward, Mate, Assistant Fill Placer	31.92	32.80
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CLASS C2 Boat Operator	30.89	31.74
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CLASS D Shoreman, Deckhand, Oiler, Rodman, Scowman, Cook, Messman, Porter/Janitor	25.66	26.37
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SUPPLEMENTAL BENEFITS

Per Hour:

THE FOLLOWING SUPPLEMENTAL BENEFITS APPLY TO ALL CATEGORIES

All Classes A & B	07/01/2020 \$11.58 plus 7.5% of straight time wage, Overtime hours add \$ 0.63	10/01/2020 \$11.98 plus 8% of straight time wage, Overtime hours add \$ 0.63
All Class C	\$11.28 plus 7.5% of straight time wage, Overtime hours add \$ 0.48	11.68 plus 8% of straight time wage, Overtime hours add \$ 0.48
All Class D	\$10.98 plus 7.5% of straight time wage, Overtime hours add \$ 0.33	11.38 plus 8% of straight time wage, Overtime hours add \$ 0.33

OVERTIME PAY

See (B2, F, R) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 15, 26) on HOLIDAY PAGE

4-25a-MarDredge

Operating Engineer - Survey Crew - Consulting Engineer **07/01/2020**

JOB DESCRIPTION Operating Engineer - Survey Crew - Consulting Engineer

DISTRICT 9

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Putnam, Queens, Richmond, Suffolk, Westchester

PARTIAL COUNTIES

Dutchess: That part in Dutchess County lying South of the North City line of Poughkeepsie.

WAGES

Feasibility and preliminary design surveying, any line and grade surveying for inspection or supervision of construction.

Per hour: 07/01/2020
 Survey Classifications

Party Chief	\$ 45.32
Instrument Man	37.85
Rodman	33.14

SUPPLEMENTAL BENEFITS

Per Hour:

All Crew Members: \$ 19.50

OVERTIME PAY

OVERTIME:.... See (B, E*, Q, V) ON OVERTIME PAGE.

*Doubletime paid on the 9th hour on Saturday.

HOLIDAY

Paid: See (5, 6, 7, 11, 16) on HOLIDAY PAGE

Overtime: See (5, 6, 7, 11, 16) on HOLIDAY PAGE

9-15dconsult

Painter

07/01/2020

JOB DESCRIPTION Painter

DISTRICT 8

ENTIRE COUNTIES

Bronx, Kings, Nassau, New York, Putnam, Queens, Richmond, Suffolk, Westchester

WAGES

Per hour: 07/01/2020

Brush \$ 49.20*

Abatement/Removal of lead based or lead containing paint on materials to be repainted. 49.20*

Spray & Scaffold \$ 52.20*

Fire Escape 52.20*

Decorator 52.20*

Paperhanger/Wall Coverer 51.96*

*Subtract \$ 0.10 to calculate premium rate.

SUPPLEMENTAL BENEFITS

Per hour: 07/01/2020

Paperhanger \$ 30.70

All others 28.81

Premium 32.14**

**Applies only to "All others" category,not paperhanger journeyworker.

OVERTIME PAY

See (A, H) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

One (1) year terms at the following wage rate.

Per hour: 07/01/2020

Appr 1st term... \$ 19.12*

Appr 2nd term... 24.52*

Appr 3rd term... 29.72*

Appr 4th term... 39.75*

*Subtract \$ 0.10 to calculate premium rate.

Supplemental benefits:

Per Hour: 07/01/2020

Appr 1st term... \$ 14.32

Appr 2nd term... 17.78

Appr 3rd term... 20.40

Appr 4th term... 25.89

8-NYDC9-B/S

Painter

07/01/2020

JOB DESCRIPTION Painter

DISTRICT 8

ENTIRE COUNTIES

Putnam, Suffolk, Westchester

PARTIAL COUNTIES

Nassau: All of Nassau except the areas described below: Atlantic Beach, Ceaderhurst, East Rockaway, Gibson, Hewlett, Hewlett Bay, Hewlett Neck, Hewlett Park, Inwood, Lawrence, Lido Beach, Long Beach, parts of Lynbrook, parts of Oceanside, parts of Valley Stream, and Woodmere. Starting on the South side of Sunrise Hwy in Valley Stream running east to Windsor and Rockaway Ave., Rockville Centre is the boundary line up to Lawson Blvd. turn right going west all the above territory. Starting at Union Turnpike and Lakeville Rd. going north to Northern Blvd. the west side of Lakeville road to Northern blvd. At Northern blvd. going east the district north of Northern blvd. to Port Washington Blvd. West of Port Washington blvd. to St. Francis Hospital then north of first traffic light to Port Washington and Sands Point, Manor HAven, Harbour Acres.

WAGES

Per hour: 07/01/2020
 Drywall Taper \$ 49.20*

*Subtract \$ 0.10 to calculate premium rate.

SUPPLEMENTAL BENEFITS

Per hour: 07/01/2020
 Journeyman \$ 28.81

OVERTIME PAY

See (A, H) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wages - Per Hour: 07/01/2020

1500 hour terms at the following wage rate:

1st term \$ 19.12*
 2nd term 24.52*
 3rd term 29.72*
 4th term 39.75*

*Subtract \$ 0.10 to calculate premium rate.

Supplemental Benefits - Per hour:

One year term (1500 hours) at the following dollar amount.

1st year \$ 14.32
 2nd year 17.78
 3rd year 20.40
 4th year 25.89

8-NYDCT9-DWT

Painter - Bridge & Structural Steel

07/01/2020

JOB DESCRIPTION Painter - Bridge & Structural Steel

DISTRICT 8

ENTIRE COUNTIES

Albany, Bronx, Clinton, Columbia, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester

WAGES

Per Hour:
 STEEL:
 Bridge Painting: 07/01/2020 10/01/2020 10/01/2021
 \$ 50.25 \$ 51.50 \$ 53.00
 + 7.88* + 8.63* + 9.63*

ADDITIONAL \$6.50 per hour for POWER TOOL/SPRAY, whether straight time or overtime.

NOTE: All premium wages are to be calculated on base rate per hour only.

* For the period of May 1st to November 15th, this amount is payable up to 40 hours. For the period of Nov 16th to April 30th, this amount is payable up to 50 hours. EXCEPTION: First and last week of employment, and for the weeks of Memorial Day, Independence Day and Labor Day, where the amount is paid for the actual number of hours worked (no cap).

NOTE: Generally, for Bridge Painting Contracts, ALL WORKERS on and off the bridge (including Flagmen) are to be paid Painter's Rate; the contract must be ONLY for Bridge Painting.

SHIFT WORK:

When directly specified in public agency or authority contract documents for an employer to work a second shift and works the second shift with employees other than from the first shift, all employees who work the second shift will be paid 10% of the base wage shift differential in lieu of overtime for the first eight (8) hours worked after which the employees shall be paid at time and one half of the regular wage rate.

SUPPLEMENTAL BENEFITS

Per Hour:

Journeyworker:	07/01/2020	10/01/2020	10/01/2021
	\$ 10.20	\$ 10.90	\$ 10.90
	+ 29.65*	+ 30.00*	+ 30.60*

* For the period of May 1st to November 15th, this amount is payable up to 40 hours. For the period of Nov 16th to April 30th, this amount is payable up to 50 hours. EXCEPTION: First and last week of employment, and for the weeks of Memorial Day, Independence Day and Labor Day, where the amount is paid for the actual number of hours worked (no cap).

OVERTIME PAY

See (A, F, R) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (4, 6) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wage - Per hour:

Apprentices: (1) year terms

	07/01/2020	10/01/2020	10/01/2021
1st year	\$ 20.10 + 3.15*	\$ 20.60 + 3.45*	\$ 21.20 + 3.86*
2nd year	\$ 30.15 + 4.73*	\$ 30.90 + 5.18*	\$ 31.80 + 5.78*
3rd year	\$ 40.20 + 6.30*	\$ 41.20 + 6.90*	\$ 42.40 + 7.71*
Supplemental Benefits - Per hour:			
1st year	\$ 4.08 + 11.87*	\$ 4.36 + 12.00*	\$ 4.36 + 12.25*
2nd year	\$ 6.12 + 17.81*	\$ 6.54 + 18.01*	\$ 6.54 + 18.37*
3rd year	\$ 8.16 + 23.74*	\$ 8.72 + 24.02*	\$ 8.72 + 24.50*

8-DC-9/806/155-BrSS

Painter - Line Striping

07/01/2020

JOB DESCRIPTION Painter - Line Striping

DISTRICT 8

ENTIRE COUNTIES

Albany, Bronx, Clinton, Columbia, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester

WAGES

Per hour:

Painter (Striping-Highway):	07/01/2020	07/01/2021	07/01/2022
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Striping-Machine Operator*	\$ 30.10	\$ 30.32	\$ 31.53
Linerman Thermoplastic	\$ 36.53	\$ 36.93	\$ 38.34

Note: * Includes but is not limited to: Positioning of cones and directing of traffic using hand held devices. Excludes the Driver/Operator of equipment used in the maintenance and protection of traffic safety.

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday. Friday may be used as a make-up day.

NOTE - In order to use the '4 Day/10 Hour Work Schedule,' as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour paid:	07/01/2020	07/01/2021	07/01/2022
Journeyworker:			
Striping Machine Operator:	\$ 9.16	\$ 10.03	\$ 10.03
Linerman Thermoplastic:	\$ 9.16	\$ 10.03	\$ 10.03

OVERTIME PAY

See (B, B2, E2, F, S) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 20) on HOLIDAY PAGE
 Overtime: See (5, 20) on HOLIDAY PAGE

REGISTERED APPRENTICES

One (1) year terms at the following wage rates:

	07/01/2020	07/01/2021	07/01/2022
1st Term:	\$ 12.04	\$ 12.12	\$ 12.61
2nd Term:	\$ 18.06	\$ 18.19	\$ 19.82
3rd Term:	\$ 24.08	\$ 24.26	\$ 25.22

Supplemental Benefits per hour:

1st term:	\$ 9.16	\$ 10.03	\$ 10.03
2nd Term:	\$ 9.16	\$ 10.03	\$ 10.03
3rd Term:	\$ 9.16	\$ 10.03	\$ 10.03

8-1456-LS

Painter - Metal Polisher

07/01/2020

JOB DESCRIPTION Painter - Metal Polisher

DISTRICT 8

ENTIRE COUNTIES

Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

WAGES

	07/01/2020
Metal Polisher	\$ 36.33
Metal Polisher*	37.43
Metal Polisher**	40.33

*Note: Applies on New Construction & complete renovation

** Note: Applies when working on scaffolds over 34 feet.

SUPPLEMENTAL BENEFITS

Per Hour: 07/01/2020

Journeyworker:	
All classification	\$ 9.94

OVERTIME PAY

See (B, E, P, T) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 11, 15, 16, 25, 26) on HOLIDAY PAGE
 Overtime: See (5, 6, 9, 11, 15, 16, 25, 26) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wages per hour:
 One (1) year term at the following wage rates:

	07/01/2020
1st year	\$ 16.00
2nd year	17.00
3rd year	18.00
1st year*	\$ 16.39
2nd year*	17.44
3rd year*	18.54
1st year**	\$ 18.50
2nd year**	19.50
3rd year**	20.50

*Note: Applies on New Construction & complete renovation
 ** Note: Applies when working on scaffolds over 34 feet.

Supplemental benefits:
 Per hour:

1st year	\$ 6.69
2nd year	6.69
3rd year	6.69

8-8A/28A-MP

Plumber

07/01/2020

JOB DESCRIPTION Plumber

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

WAGES

Per hour:

	07/01/2020
Plumber and Steamfitter	\$ 57.86

SHIFT WORK:

When directly specified in public agency or authority contract documents, shift work outside the regular hours of work shall be comprised of eight (8) hours per shift not including Saturday, Sundays and holidays. One half (1/2) hour shall be allowed for lunch after the first four (4) hours of each shift. Wage and Fringes for shift work shall be straight time plus a shift premium of twenty-five (25%) percent. A minimum of five days Monday through Friday must be worked to establish shift work.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker \$ 37.56

OVERTIME PAY

See (B, E, E2, Q, V) on OVERTIME PAGE
 OVERTIME:... See on OVERTIME PAGE.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

(1)year terms at the following wages:

1st Term	\$ 21.44
2nd Term	24.62
3rd Term	28.42
4th Term	40.61

5th Term 43.58

Supplemental Benefits per hour:

1st term \$ 15.59
 2nd term 17.38
 3rd term 20.69
 4th term 27.20
 5th term 28.82

8-21.1-ST

Plumber - HVAC / Service **07/01/2020**

JOB DESCRIPTION Plumber - HVAC / Service

DISTRICT 8

ENTIRE COUNTIES

Dutchess, Putnam, Westchester

PARTIAL COUNTIES

Delaware: Only the townships of Middletown and Roxbury

Ulster: Entire County(including Walkkill and Shawangunk Prisons) except for remainder of Town of Shawangunk and Towns of Plattekill, Marlboro, and Wawarsing.

WAGES

Per hour: 07/01/2020

HVAC Service \$ 39.68
 + \$ 4.32*

*Note: This portion of wage is not subject to overtime premium.

SUPPLEMENTAL BENEFITS

Per hour: 07/01/2020

Journeyworker HVAC Service \$ 25.14

OVERTIME PAY

See (B, F, R) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 16, 25) on HOLIDAY PAGE

Overtime: See (5, 6, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

HVAC SERVICE

(1)year terms at the following wages:

07/01/2020				
1st yr.	2nd yr.	3rd yr.	4th yr.	5th yr.
\$ 18.05	\$ 21.33	\$ 26.66	\$ 32.76	\$ 35.46
+\$2.37*	+\$2.67*	+\$3.22*	+\$3.84*	+\$4.07*

*Note: This portion of wage is not subject to overtime premium.

Supplemental Benefits per hour:

Apprentices 07/01/2020

1st term \$ 19.03
 2nd term 20.09
 3rd term 21.30
 4th term 22.90
 5th term 24.07

8-21.1&2-SF/Re/AC

Plumber - Jobbing & Alterations **07/01/2020**

JOB DESCRIPTION Plumber - Jobbing & Alterations

DISTRICT 8

ENTIRE COUNTIES

Dutchess, Putnam, Westchester

PARTIAL COUNTIES

Ulster: Entire county (including Wallkill and Shawangunk Prisons in Town of Shawangunk) EXCEPT for remainder of Town of Shawangunk, and Towns of Plattekill, Marlboro, and Wawarsing.

WAGES

Per hour: 07/01/2020
Journeyworker: \$ 44.91

Repairs, replacements and alteration work is any repair or replacement of a present plumbing system that does not change existing roughing or water supply lines.

SHIFT WORK:

When directly specified in public agency or authority contract documents, shift work outside the regular hours of work shall be comprised of eight (8) hours per shift not including Saturday, Sundays and holidays. One half (1/2) hour shall be allowed for lunch after the first four (4) hours of each shift. Wage and Fringes for shift work shall be straight time plus a shift premium of twenty-five (25%) percent. A minimum of five days Monday through Friday must be worked to establish shift work.

SUPPLEMENTAL BENEFITS

Per hour:
Journeyworker \$ 31.60

OVERTIME PAY

See (B, *E, E2, Q, V) on OVERTIME PAGE

*When used as a make-up day, hours after 8 on Saturday shall be paid at time and one half.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
Overtime: See (5, 6, 8, 16, 25) on HOLIDAY PAGE

REGISTERED APPRENTICES

(1) year terms at the following wages:

1st year \$ 19.52
2nd year 21.65
3rd year 23.42
4th year 32.92
5th year 34.76

Supplemental Benefits per hour:

1st year \$ 10.21
2nd year 12.05
3rd year 15.88
4th year 21.42
5th year 23.29

8-21.3-J&A

Roofer **07/01/2020**

JOB DESCRIPTION Roofer

DISTRICT 9

ENTIRE COUNTIES

Bronx, Dutchess, Kings, New York, Orange, Putnam, Queens, Richmond, Rockland, Sullivan, Ulster, Westchester

WAGES

Per Hour: 07/01/2020

Roofer/Waterproofer \$ 44.25
+ \$7.00*

* This portion is not subject to overtime premiums.

Note: Abatement/Removal of Asbestos containing roofs and roofing material is classified as Roofer.

SUPPLEMENTAL BENEFITS

Per Hour: \$ 27.87

OVERTIME PAY

See (B, H) on OVERTIME PAGE

Note: An observed holiday that falls on a Sunday will be observed the following Monday.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6) on HOLIDAY PAGE

REGISTERED APPRENTICES

(1) year term

	1st	2nd	3rd	4th
	\$ 15.49	\$ 22.13	\$ 26.55	\$ 33.19
		+ 3.00*	+ 4.20*	+ 5.26*

Supplements:

	1st	2nd	3rd	4th
	\$ 3.57	\$ 14.10	\$ 16.85	\$ 20.98

9-8R

Sheetmetal Worker

07/01/2020

JOB DESCRIPTION Sheetmetal Worker

DISTRICT 8

ENTIRE COUNTIES

Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester

WAGES

07/01/2020

SheetMetal Worker \$ 46.92

SHIFT WORK

For all NYS D.O.T. and other Governmental mandated off-shift work:
 10% increase for additional shifts for a minimum of five (5) days

SUPPLEMENTAL BENEFITS

Journeyworker \$ 42.55

OVERTIME PAY

OVERTIME:.. See (B, E, Q,) on OVERTIME PAGE.

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6, 8, 15, 16, 23) on HOLIDAY PAGE

REGISTERED APPRENTICES

	1st	2nd	3rd	4th	5th	6th	7th	8th
	\$17.47	\$19.65	\$ 21.85	\$ 24.03	\$ 26.20	\$ 28.40	\$ 31.06	\$ 33.72

Supplemental Benefits per hour:

Apprentices

1st term	\$ 18.31
2nd term	20.60
3rd term	22.88
4th term	25.19
5th term	27.47
6th term	29.75
7th term	31.56
8th term	33.39

8-38

Sprinkler Fitter

07/01/2020

JOB DESCRIPTION Sprinkler Fitter

DISTRICT 1

ENTIRE COUNTIES

Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester

WAGES

Per hour

07/01/2020

Sprinkler \$ 45.52
 Fitter

SUPPLEMENTAL BENEFITS

Per hour

Journeyperson \$ 27.57

OVERTIME PAY

See (B, E, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE
 Overtime: See (5, 6) on HOLIDAY PAGE

Note: When a holiday falls on Sunday, the following Monday shall be considered a holiday and all work performed on either day shall be at the double time rate. When a holiday falls on Saturday, the preceding Friday shall be considered a holiday and all work performed on either day shall be at the double time rate.

REGISTERED APPRENTICES

Wages per hour

One Half Year terms at the following percentage of journeyperson's wage.

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
45%	50%	55%	60%	65%	70%	75%	80%	85%	90%

Supplemental Benefits per hour

1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
\$ 8.27	\$ 8.27	\$ 18.70	\$ 18.70	\$ 18.95	\$ 18.95	\$ 18.95	\$ 18.95	\$ 18.95	\$ 18.95 1-669.2

Teamster - Building / Heavy&Highway 07/01/2020

JOB DESCRIPTION Teamster - Building / Heavy&Highway

DISTRICT 8

ENTIRE COUNTIES

Putnam, Westchester

WAGES

GROUP A: Straight Trucks (6-wheeler and 10-wheeler), A-frame, Winch, Dynamite Seeding, Mulching, Agitator, Water, Attenuator, Light Towers, Cement (all types), Suburban, Station Wagons, Cars, Pick Ups, any vehicle carrying materials of any kind.

GROUP AA: Tack Coat

GROUP B: Tractor & Trailers (all types).

GROUP BB: Tri-Axle, 14 Wheeler

GROUP C: Low Boy (carrying equipment).

GROUP D: Fuel Trucks, Tire Trucks.

GROUP E: Off-road Equipment (over 40 tons): Athey Wagons, Belly Dumps, Articulated Dumps, Trailer Wagons.

GROUP F: Off-road Equipment (over 40 tons) Euclid, DJB.

GROUP G: Off-road Equipment (under 40 tons) Athey Wagons, Belly Articulated Dumps, Trailer Wagons.

GROUP H: Off-road Equipment(under 40 tons), Euclid.

GROUP HH: Off-road Equipment(under 40 tons) D.J.B.

GROUP I: Off-road Equipment(under 40 tons) Darts.

GROUP II: Off-road Equipment(under 40 tons) RXS.

WAGES:(per hour)

07/01/2020

GROUP A	\$ 42.47*
GROUP AA	45.27*
GROUP B	43.09*
GROUP BB	42.59*
GROUP C	45.22*
GROUP D	42.92*
GROUP E	43.47*
GROUP F	44.47*
GROUP G	43.22*
GROUP H	43.84*
GROUP HH	44.22*
GROUP I	43.97*
GROUP II	44.34*

* To calculate premium wage, subtract \$.20 from the hourly wage.

Note: Fuel truck operators on construction sites addit. \$5.00 per day.
 For work on hazardous/toxic waste site addit. 20% of hourly rate.

Shift Differential:NYS DOT or other Governmental Agency contracts shall receive a shift differential of Fifteen(15%)percent above the wage rate

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday.

NOTE - In order to use the '4 Day/10 Hour Work schedule', as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

SUPPLEMENTAL BENEFITS

Per hour:

Journeyworker

First 40 hours	\$ 33.64
41st-45th hours	15.18
Over 45 hours	0.26

OVERTIME PAY

See (B, E, P, R) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE
Overtime: See (5, 6, 8, 9, 15, 25) on HOLIDAY PAGE

8-456

Welder

07/01/2020

JOB DESCRIPTION Welder

DISTRICT 1

ENTIRE COUNTIES

Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Schuylar, Seneca, St. Lawrence, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

WAGES

Per hour 07/01/2020

Welder: To be paid the same rate of the mechanic performing the work.*

*EXCEPTION: If a specific welder certification is required, then the 'Certified Welder' rate in that trade tag will be paid.

OVERTIME PAY

HOLIDAY

1-As Per Trade

Overtime Codes

Following is an explanation of the code(s) listed in the OVERTIME section of each classification contained in the attached schedule. Additional requirements may also be listed in the HOLIDAY section.

NOTE: Supplemental Benefits are 'Per hour worked' (for each hour worked) unless otherwise noted

- (AA) Time and one half of the hourly rate after 7 and one half hours per day
- (A) Time and one half of the hourly rate after 7 hours per day
- (B) Time and one half of the hourly rate after 8 hours per day
- (B1) Time and one half of the hourly rate for the 9th & 10th hours week days and the 1st 8 hours on Saturday.
Double the hourly rate for all additional hours
- (B2) Time and one half of the hourly rate after 40 hours per week
- (C) Double the hourly rate after 7 hours per day
- (C1) Double the hourly rate after 7 and one half hours per day
- (D) Double the hourly rate after 8 hours per day
- (D1) Double the hourly rate after 9 hours per day
- (E) Time and one half of the hourly rate on Saturday
- (E1) Time and one half 1st 4 hours on Saturday; Double the hourly rate all additional Saturday hours
- (E2) Saturday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather
- (E3) Between November 1st and March 3rd Saturday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather, provided a given employee has worked between 16 and 32 hours that week
- (E4) Saturday and Sunday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather
- (E5) Double time after 8 hours on Saturdays
- (F) Time and one half of the hourly rate on Saturday and Sunday
- (G) Time and one half of the hourly rate on Saturday and Holidays
- (H) Time and one half of the hourly rate on Saturday, Sunday, and Holidays
- (I) Time and one half of the hourly rate on Sunday
- (J) Time and one half of the hourly rate on Sunday and Holidays
- (K) Time and one half of the hourly rate on Holidays
- (L) Double the hourly rate on Saturday
- (M) Double the hourly rate on Saturday and Sunday
- (N) Double the hourly rate on Saturday and Holidays
- (O) Double the hourly rate on Saturday, Sunday, and Holidays
- (P) Double the hourly rate on Sunday
- (Q) Double the hourly rate on Sunday and Holidays
- (R) Double the hourly rate on Holidays
- (S) Two and one half times the hourly rate for Holidays

- (S1) Two and one half times the hourly rate the first 8 hours on Sunday or Holidays One and one half times the hourly rate all additional hours.
- (T) Triple the hourly rate for Holidays
- (U) Four times the hourly rate for Holidays
- (V) Including benefits at SAME PREMIUM as shown for overtime
- (W) Time and one half for benefits on all overtime hours.
- (X) Benefits payable on Paid Holiday at straight time. If worked, additional benefit amount will be required for worked hours. (Refer to other codes listed.)

Holiday Codes

PAID Holidays:

Paid Holidays are days for which an eligible employee receives a regular day's pay, but is not required to perform work. If an employee works on a day listed as a paid holiday, this remuneration is in addition to payment of the required prevailing rate for the work actually performed.

OVERTIME Holiday Pay:

Overtime holiday pay is the premium pay that is required for work performed on specified holidays. It is only required where the employee actually performs work on such holidays. The applicable holidays are listed under HOLIDAYS: OVERTIME. The required rate of pay for these covered holidays can be found in the OVERTIME PAY section listings for each classification.

Following is an explanation of the code(s) listed in the HOLIDAY section of each classification contained in the attached schedule. The Holidays as listed below are to be paid at the wage rates at which the employee is normally classified.

- (1) None
- (2) Labor Day
- (3) Memorial Day and Labor Day
- (4) Memorial Day and July 4th
- (5) Memorial Day, July 4th, and Labor Day
- (6) New Year's, Thanksgiving, and Christmas
- (7) Lincoln's Birthday, Washington's Birthday, and Veterans Day
- (8) Good Friday
- (9) Lincoln's Birthday
- (10) Washington's Birthday
- (11) Columbus Day
- (12) Election Day
- (13) Presidential Election Day
- (14) 1/2 Day on Presidential Election Day
- (15) Veterans Day
- (16) Day after Thanksgiving
- (17) July 4th
- (18) 1/2 Day before Christmas
- (19) 1/2 Day before New Years
- (20) Thanksgiving
- (21) New Year's Day
- (22) Christmas
- (23) Day before Christmas
- (24) Day before New Year's
- (25) Presidents' Day
- (26) Martin Luther King, Jr. Day
- (27) Memorial Day
- (28) Easter Sunday



**New York State Department of Labor - Bureau of Public Work
State Office Building Campus
Building 12 - Room 130
Albany, New York 12240**

REQUEST FOR WAGE AND SUPPLEMENT INFORMATION

As Required by Articles 8 and 9 of the NYS Labor Law

Fax (518) 485-1870 or mail this form for new schedules or for determination for additional occupations.

This Form Must Be Typed

Submitted By:

(Check Only One)

Contracting Agency

Architect or Engineering Firm

Public Work District Office

Date:

A. Public Work Contract to be let by: (Enter Data Pertaining to Contracting/Public Agency)

1. Name and complete address (Check if new or change)

Telephone: ()

Fax: ()

E-Mail:

2. NY State Units (see Item 5)

01 DOT

02 OGS

03 Dormitory Authority

04 State University
Construction Fund

05 Mental Hygiene
Facilities Corp.

06 OTHER N.Y. STATE UNIT

07 City

08 Local School District

09 Special Local District, i.e.,
Fire, Sewer, Water District

10 Village

11 Town

12 County

13 Other Non-N.Y. State
(Describe)

3. SEND REPLY TO check if new or change)
Name and complete address:

Telephone:()

Fax: ()

E-Mail:

4. SERVICE REQUIRED. Check appropriate box and provide project information.

New Schedule of Wages and Supplements.

APPROXIMATE BID DATE :

Additional Occupation and/or Redetermination

PRC NUMBER ISSUED PREVIOUSLY FOR
THIS PROJECT :

OFFICE USE ONLY

B. PROJECT PARTICULARS

5. Project Title _____

Description of Work _____

Contract Identification Number _____

Note: For NYS units, the OSC Contract No. _____

6. Location of Project:
Location on Site _____

Route No/Street Address _____

Village or City _____

Town _____

County _____

7. Nature of Project - Check One:

- 1. New Building
- 2. Addition to Existing Structure
- 3. Heavy and Highway Construction (New and Repair)
- 4. New Sewer or Waterline
- 5. Other New Construction (Explain)
- 6. Other Reconstruction, Maintenance, Repair or Alteration
- 7. Demolition
- 8. Building Service Contract

8. OCCUPATION FOR PROJECT :

- Construction (Building, Heavy Highway/Sewer/Water)
- Tunnel
- Residential
- Landscape Maintenance
- Elevator maintenance
- Exterminators, Fumigators
- Fire Safety Director, NYC Only
- Guards, Watchmen
- Janitors, Porters, Cleaners, Elevator Operators
- Moving furniture and equipment
- Trash and refuse removal
- Window cleaners
- Other (Describe)

9. Has this project been reviewed for compliance with the Wicks Law involving separate bidding? YES NO

10. Name and Title of Requester

Signature



NEW YORK STATE DEPARTMENT OF LABOR
Bureau of Public Work - Debarment List

**LIST OF EMPLOYERS INELIGIBLE TO BID ON OR BE
AWARDED ANY PUBLIC WORK CONTRACT**

Under Article 8 and Article 9 of the NYS Labor Law, a contractor, sub-contractor and/or its successor shall be debarred and ineligible to submit a bid on or be awarded any public work or public building service contract/sub-contract with the state, any municipal corporation or public body for a period of five (5) years from the date of debarment when:

- Two (2) final determinations have been rendered within any consecutive six-year (6) period determining that such contractor, sub-contractor and/or its successor has WILLFULLY failed to pay the prevailing wage and/or supplements;
- One (1) final determination involves falsification of payroll records or the kickback of wages and/or supplements.

The agency issuing the determination and providing the information, is denoted under the heading 'Fiscal Officer'. DOL = New York State Department of Labor; NYC = New York City Comptroller's Office; AG = New York State Attorney General's Office; DA = County District Attorney's Office.

Debarment Database: To search for contractors, sub-contractors and/or their successors debarred from bidding or being awarded any public work contract or subcontract under NYS Labor Law Articles 8 and 9, or under NYS Workers' Compensation Law Section 141-b, access the database at this link: <https://applications.labor.ny.gov/EDList/searchPage.do>

For inquiries where WCB is listed as the "Agency", please call 1-866-546-9322

NYS DOL Bureau of Public Work Debarment List 07/10/2020

Article 8

AGENCY	Fiscal Officer	FEIN	EMPLOYER NAME	EMPLOYER DBA NAME	ADDRESS	DEBARMENT START DATE	DEBARMENT END DATE
DOL	NYC	****9839	A.J.S. PROJECT MANAGEMENT, INC.		149 FIFTH AVENUE NEW YORK NY 10010	12/29/2016	12/29/2021
DOL	DOL	****3344	ACT INC		6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	DOL	****4018	ADIRONDACK BUILDING RESTORATION INC.		4156 WILSON ROAD EAST TABERG NY 13471	03/26/2019	03/26/2024
DOL	AG	****1812	ADVANCED BUILDERS & LAND DEVELOPMENT, INC.		400 OSER AVE #2300HAUPPAUGE NY 11788	09/11/2019	09/11/2024
DOL	DOL	****1687	ADVANCED SAFETY SPRINKLER INC		261 MILL ROAD P.O BOX 296EAST AURORA NY 14052	07/29/2015	07/29/2020
DOL	DOL	****1687	ADVANCED SAFETY SPRINKLER INC		261 MILL ROAD P.O BOX 296EAST AURORA NY 14052	05/29/2019	05/29/2024
DOL	NYC	****6775	ADVENTURE MASONRY CORP.		1535 RICHMOND AVENUE STATEN ISLAND NY 10314	12/13/2017	12/13/2022
DOL	NYC		AGOSTINHO TOME		405 BARRETTO ST BRONX NY 10474	05/31/2018	05/31/2023
DOL	DOL		AJ TORCHIA		10153 ROBERTS RD SAUQUOIT NY 13456	08/09/2016	08/09/2021
DOL	DOL	****3344	ALL CATASTROPHE CONSTRUCTION TEAM INC	ACT INC	6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	DOL		AMADEO J TORCHIA	TORCHIA'S HOME IMPROVEMENT	10153 ROBERTS RD SAUQUOIT NY 13456	08/09/2016	08/09/2021
DOL	NYC		AMJAD NAZIR		2366 61ST ST BROOKLYN NY 11204	12/15/2016	12/15/2021
DOL	DOL		ANGELO F COKER			12/04/2018	12/04/2023
DOL	NYC		ANISUL ISLAM		C/O RELIANCE GENERAL CONS 644 OCEAN PARKWAYBROOKLYN NY 11230	09/02/2015	09/02/2020
DOL	DOL		ANITA SALERNO		158 SOLAR ST SYRACUSE NY 13204	01/07/2019	01/07/2024
DOL	NYC		ANTHONY J SCLAFANI		149 FIFTH AVE NEW YORK NY 10010	12/29/2016	12/29/2021
DOL	DOL		ANTHONY PERGOLA		3 WEST MAIN ST/SUITE 208 ELMSFORD NY 10323	01/23/2017	01/23/2022
DOL	DOL		ANTONIO ESTIVEZ		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	****3020	APCO CONTRACTING CORP		24 SOUTH MARYLAND AVENUE PORT WASHINGTON NY 11050	09/24/2012	09/02/2020
DOL	NYC	****9232	ARKAY CONSTRUCTION INC		102-104 GREYLOCK AVENUE BELLEVILLE NJ 07109	07/15/2015	07/15/2020
DOL	DOL		ARNOLD A. PAOLINI		1250 BROADWAY ST BUFFALO NY 14212	02/03/2020	02/03/2025
DOL	NYC		ARSHAD MEHMOOD		168-42 88TH AVENUE JAMAICA NY 11432	11/20/2019	11/20/2024
DOL	DOL		ARVINDER ATWAL		65 KENNETH PLACE NEW HYDE PARK NY 11040	07/19/2017	07/19/2022
DOL	NYC	****4779	ASTORIA GENERAL CONTRACTING CORP		35-34 31ST STREET LONG ISLAND CITY NY 11106	09/02/2015	09/02/2020
DOL	NYC	****7217	ASTRO COMMUNICATIONS OF NY CORP		79 ALEXANDER AVE- STE 36A BRONX NY 10454	10/30/2015	10/30/2020
DOL	NYC	****6683	ATLAS RESTORATION CORP.		35-12 19TH AVENUE ASTORIA NY 11105	08/02/2017	08/02/2022
DOL	NYC	****5532	ATWAL MECHANICALS, INC		65 KENNETH PLACE NEW HYDE PARK NY 11040	07/19/2017	07/19/2022
DOL	NYC	****2591	AVI 212 INC.		260 CROPSY AVENUE APT 11GBROOKLYN NY 11214	10/30/2018	10/30/2023
DOL	AG		AVTAR SINGH		116-24 127TH STREET SOUTH OZONE PARK NY 11420	12/22/2015	12/22/2020
DOL	AG		BALDEV SINGH		116-24 127TH STREET SOUTH OZONE PARK NY 11420	12/22/2015	12/22/2020
DOL	NYC		BALWINDER SINGH		421 HUDSON ST SUITE C5NEW YORK NY 10014	02/20/2019	02/20/2024
DOL	DOL		BARRY KINNEY		6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020

NYS DOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	NYC	****3915	BEACON RESTORATION INC		SUITE B-8 782 PELHAM PARKWAY SOUTHBRONX NY 10462	04/21/2016	04/21/2021
DOL	NYC	****8416	BEAM CONSTRUCTION, INC.		50 MAIN ST WHITE PLAINS NY 10606	01/04/2019	01/04/2024
DOL	DOL		BIAGIO CANTISANI			06/12/2018	06/12/2023
DOL	DOL	****4512	BOB BRUNO EXCAVATING, INC		5 MORNINGSIDE DR AUBURN NY 13021	05/28/2019	05/28/2024
DOL	DOL		BOGDAN MARKOVSKI		370 W. PLEASANTVIEW AVE SUITE 2.329HACKENSACK NJ 07601	02/11/2019	02/11/2024
DOL	DOL	****8551	BRANDY'S MASONRY		216 WESTBROOK STREET P O BOX 304SAYRE PA 18840	08/09/2016	08/09/2021
DOL	DOL	****1449	BRRESTORATION NY INC		140 ARCADIA AVENUE OSWEGO NY 13126	09/12/2016	09/12/2021
DOL	DOL		BRUCE MORSEY		C/O KENT HOLLOW SIDING LL 29A BRIDGE STREETNEW MILFORD CT 06776	01/15/2016	01/15/2021
DOL	DOL		BRUCE P. NASH JR.		5841 BUTTERNUT ROAD EAST SYRACUSE NY 13057	09/12/2018	09/12/2023
DOL	DOL	****0225	C&D LAFACE CONSTRUCTION, INC.		8531 OSWEGO RD BALDWINVILLE NY 13027	02/03/2020	02/14/2023
DOL	DOL	****8809	C.B.E. CONTRACTING CORPORATION		310 MCGUINNESS BLVD GREENPOINT NY 11222	03/07/2017	03/07/2022
DOL	DOL	****9383	C.C. PAVING AND EXCAVATING, INC.		2610 SOUTH SALINA ST SUITE 12SYRACUSE NY 13205	12/04/2018	12/04/2023
DOL	NYC		CALVIN WALTERS		465 EAST THIRD ST MT. VERNON NY 10550	09/09/2019	09/09/2024
DOL	DOL		CANTISANI & ASSOCIATES LTD		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL		CANTISANI HOLDING LLC			06/12/2018	06/12/2023
DOL	DOL		CARIBBEAN POOLS		C/O DOUGLAS L MALARKEY 64 VICTORIA DRIVEBINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL		CARMEN RACHETTA		8531 OSWEGO RD BALDWINVILLE NY 13027	02/03/2020	02/03/2025
DOL	DOL		CARMENA RACHETTA		8531 OSWEGO ROAD BALDWINVILLE NY 13027	02/03/2020	02/14/2023
DOL	DOL	****3812	CARMODY "2" INC			06/12/2018	06/12/2023
DOL	DOL	****1143	CARMODY BUILDING CORP	CARMODY CONTRACTING AND CARMODY CONTRACTING CORP.	442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL		CARMODY CONCRETE CORPORATION			06/12/2018	06/12/2023
DOL	DOL		CARMODY ENTERPRISES, LTD.		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL		CARMODY INC		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	****3812	CARMODY INDUSTRIES INC			06/12/2018	06/12/2023
DOL	DOL		CARMODY MAINTENANCE CORPORATION		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL		CARMODY MASONRY CORP		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	****8809	CBE CONTRACTING CORP		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	AG		CESAR J. AGUDELO		81-06 34TH AVENUE APT. 6EJACKSON HEIGHTS NY 11372	02/07/2018	02/07/2023
DOL	DOL	****7655	CHAMPION CONSTRUCTION SERVICES CORP		2131 SCHENECTADY AVENUE BROOKLYN NY 11234	11/18/2015	11/18/2020
DOL	DOL		CHARLES ZIMMER JR		216 WESTBROOK STREET P O BOX 304SAYRE PA 18840	08/09/2016	08/09/2021
DOL	DOL		CHRISTINE J HEARNE		C/O CJ-HEARNE CONSTRUCTIO 131 PONCE DE LEON AVE NEATLANTA GA 30308	12/01/2015	12/01/2020
DOL	DOL		CHRISTOPHER J MAINI		19 CAITLIN AVE JAMESTOWN NY 14701	09/17/2018	09/17/2023
DOL	DOL		CHRISTOPHER PASTEFANOU A/K/A CHRIS PASTEFANOU		1445 COMMERCE AVE BRONX NY 10461	05/30/2019	05/30/2024

NYSDOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	DOL	****0671	CJ-HEARNE CONSTRUCTION CO		SUITE 204 131 PONCE DE LEON AVENUE ATLANTA GA 30308	12/01/2015	12/01/2020
DOL	DOL	****1927	CONSTRUCTION PARTS WAREHOUSE, INC.	CPW	5841 BUTTERNUT ROAD EAST SYRACUSE NY 13057	09/12/2018	09/12/2023
DOL	NYC	****2164	CREATIVE TRUCKING INC		58-83 54TH STREET MASPETH NY 11378	02/26/2016	02/26/2021
DOL	DOL	****2524	CSI ELECTRICAL & MECHANICAL INC		42-32 235TH ST DOUGLSTON NY 11363	01/14/2019	01/14/2024
DOL	DOL	****7761	D L MALARKEY CONSTRUCTION		64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL	****7888	D L MALARKEY CONSTRUCTION INC		64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL	****5629	DAKA PLUMBING AND HEATING LLC		2561 ROUTE 55 POUGHQUAG NY 12570	02/19/2016	02/19/2021
DOL	NYC		DALJIT KAUR BOPARAI		185-06 56TH AVE FRESH MEADOW NY 11365	10/17/2017	10/17/2022
DOL	DOL		DANICA IVANOSKI		61 WILLETT ST. PASSAIC NJ 07503	10/26/2016	10/26/2021
DOL	DOL		DARIAN L COKER		2610 SOUTH SALINA ST SUITE 2CSYRACUSE NY 13205	12/04/2018	12/04/2023
DOL	DOL		DAVID MARTINEZ		C/O EMPIRE TILE INC 6 TREMONT COURTHUNTINGTON STATION NY 11746	03/08/2016	03/08/2021
DOL	NYC		DAVID WEINER		14 NEW DROP LANE 2ND FLOOR STATEN ISLAND NY 10306	11/14/2019	11/14/2024
DOL	DOL		DEBBIE STURDEVANT		29 MAPLEWOOD DRIVE BINGHAMTON NY 13901	02/21/2017	02/21/2022
DOL	AG		DEBRA MARTINEZ		31 BAY ST BROOKLYN NY 11231	03/28/2018	03/28/2023
DOL	DOL		DEDA GAZIVODAN		C/O DAKA PLUMBING AND H 2561 ROUTE 55 POUGHQUAG NY 12570	02/19/2016	02/19/2021
DOL	DOL		DELPHI PAINTING & DECORATING CO INC		1445 COMMERCE AVE BRONX NY 10461	05/30/2019	05/30/2024
DOL	DOL		DENNIS SCHWANDTNER		C/O YES SERVICE AND REPAIR 145 LODGE AVE HUNTINGTON STATION NY 11476	08/09/2016	08/09/2021
DOL	DOL		DF CONTRACTORS OF ROCHESTER, INC.		1835 DAANSEN RD. PALMYRA NY 14522	05/16/2017	05/16/2022
DOL	DOL		DF CONTRACTORS, INC.		1835 DAANSEN RD. PALMYRA NY 14522	05/16/2017	05/16/2022
DOL	NYC		DIMITRIOS KOUTSOUKOS		C/O ASTORIA GENERAL CONTR 35-34 31ST STREET LONG ISLAND CITY NY 11106	09/02/2015	09/02/2020
DOL	NYC		DIMITRIOS TSOUMAS		35-12 19TH AVENUE ASTORIA NY 11105	08/02/2017	08/02/2022
DOL	DOL		DOMENICO LAFACE		8531 OSWEGO RD BALDWINVILLE NY 13027	02/03/2020	02/14/2023
DOL	DOL	****3242	DONALD R. FORSAY	DF LAWN SERVICE	1835 DAANSEN RD. PALMYRA NY 14522	05/16/2017	05/16/2022
DOL	DOL		DONALD R. FORSAY		1835 DAANSEN RD. PALMYRA NY 14522	05/16/2017	05/16/2022
DOL	DOL		DORIS SKODA		C/O APCO CONTRACTING CORP 24 SOUTH MARYLAND AVENUE PORT WASHINGTON NY 11050	09/24/2012	09/02/2020
DOL	NYC	****7404	DOSANJH CONSTRUCTION CORP		9439 212TH STREET QUEENS VILLAGE NY 11428	02/25/2016	02/25/2021
DOL	DOL		DOUGLAS L MALARKEY	MALARKEY CONSTRUCTION	64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	NYC		DUARTE LOPES		66-05 WOODHAVEN BLVD. STE 2 REGO PARK NY 11374	04/20/2017	04/20/2022
DOL	DOL		E C WEBB		6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	DOL	****5175	EAGLE MECHANICAL AND GENERAL CONSTRUCTION LLC		11371 RIDGE RD WOLCOTT NY 14590	02/03/2020	02/03/2025
DOL	DOL		EARL L WILSON	WILSON BROTHER DRYWALL CONTRACTORS	36 ABERSOLD STREET ROCHESTER NY 14621	08/31/2015	08/31/2020
DOL	DOL		EAST COAST PAVING		2238 BAKER RD GILLET PA 16923	03/12/2018	03/12/2023

NYS DOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	NYC	****4269	EAST PORT EXCAVATION & UTILITIES		601 PORTION RD RONKONKOMA NY 11779	11/18/2016	11/18/2021
DOL	DOL	****0780	EMES HEATING & PLUMBING CONTR		5 EMES LANE MONSEY NY 10952	01/20/2002	01/20/3002
DOL	DOL	****3270	EMPIRE TILE INC		6 TREMONT COURT HUNTINGTON STATION NY 11746	03/08/2016	03/08/2021
DOL	NYC	****5917	EPOCH ELECTRICAL, INC		97-18 50TH AVE CORONA NY 11368	04/19/2018	04/19/2024
DOL	DOL	****7403	F & B PAINTING CONTRACTING INC		2 PARKVIEW AVENUE HARRISON NY 10604	09/26/2016	09/26/2021
DOL	DOL		FAIGY LOWINGER		11 MOUNTAIN RD 28 VAN BUREN DRMONROE NY 10950	03/20/2019	03/20/2024
DOL	DOL		FAY MATTHEW		C/O CHAMPION CONSTRUCTION 2131 SCHENECTADY AVENUE BROOKLYN NY 11234	11/18/2015	11/18/2020
DOL	DOL		FAZIA GINA ALI-MOHAMMED	C/O CHAMPION CONSTRUCTION	2131 SCHENECTADY AVENUE BROOKLYN NY 11234	11/18/2015	11/18/2020
DOL	DOL		FRANK BENEDETTO		19 CATLIN AVE JAMESTOWN NY 14701	09/17/2018	09/17/2023
DOL	DOL		FRANK BENEDETTO		C/O F & B PAINTING CONTRA 2 PARKVIEW AVENUE HARRISON NY 10604	09/26/2016	09/26/2021
DOL	DOL	****4722	FRANK BENEDETTO AND CHRISTOPHER J MAINI	B & M CONCRETE	19 CAITLIN AVE JAMESTOWN NY 14701	09/17/2018	09/17/2023
DOL	NYC		FRANK MAINI		1766 FRONT ST YORKTOWN HEIGHTS NY 10598	01/17/2018	01/17/2023
DOL	NYC	****6616	G & G MECHANICAL ENTERPRISES, LLC.		1936 HEMPSTEAD TURNPIKE EAST MEDOW NY 11554	11/29/2019	11/29/2024
DOL	DOL		GABRIEL FRASSETTI			04/10/2019	04/10/2024
DOL	DOL		GALINDA ROTENBERG		C/O GMDV TRANS INC 67-48 182ND STREET FRESH MEADOWS NY 11365	06/24/2016	06/24/2021
DOL	DOL		GEOFF CORLETT		415 FLAGGER AVE #302 STUART FL 34994	10/31/2018	10/31/2023
DOL	DA		GEORGE LUCEY		150 KINGS STREET BROOKLYN NY 11231	01/19/1998	01/19/2998
DOL	DOL		GIGI SCHNECKENBURGER		261 MILL RD EAST AURORA NY 14052	05/29/2019	05/29/2024
DOL	DOL		GIOVANNI LAFACE		8531 OSWEGO RD BALDWINVILLE NY 13027	02/03/2020	02/14/2023
DOL	NYC	****3164	GLOBE GATES INC	GLOBAL OVERHEAD DOORS	405 BARRETTO ST BRONX NY 10474	05/31/2018	05/31/2023
DOL	DOL	****5674	GMDV TRANS INC		67-48 182ND STREET FRESH MEADOWS NY 11365	06/24/2016	06/24/2021
DOL	NYC		GREAT ESTATE CONSTRUCTION, INC.		327 STAGG ST BROOKLYN NY 11206	10/10/2017	10/10/2022
DOL	DOL		GREGORY S. OLSON		P.O BOX 100 200 LATTA BROOK PARKHORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL		HANS RATH		24 ELDOR AVENUE NEW CITY NY 10956	02/03/2020	02/03/2025
DOL	NYC		HARMEL SINGH		15 CLINTON LANE HICKSVILLE NY 11801	02/25/2016	02/25/2021
DOL	NYC		HAROLD KUEMMEL		58-83 54TH STREET MASPETH NY 11378	02/26/2016	02/26/2021
DOL	NYC	****3228	HEIGHTS ELEVATOR CORP.		1766 FRONT ST YORKTOWN HEIGHTS NY 10598	01/17/2018	01/17/2023
DOL	DOL		HENRY VAN DALRYMPLE		2663 LANTERN LANE ATLANTA GA 30349	12/01/2015	12/01/2020
DOL	DOL	****8282	IDEMA DEVELOPMENT INC		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL	****8282	IDEMA GENERAL CONTRACTORS INC		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL	****7001	INTEGRATED CONSTRUCTION & POWER SYSTEMS INC		SUITE 100 2105 W GENESEE STREETS SYRACUSE NY 13219	01/06/2016	01/06/2021
DOL	DOL	****5131	INTEGRITY MASONRY, INC.	M&R CONCRETE	722 8TH AVE WATERVLIET NY 12189	06/05/2018	06/05/2023
DOL	DOL		IRENE KASELIS		32 PENNINGTON AVE WALDWICK NJ 07463	05/30/2019	05/30/2024

NYS DOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	AG		J A M CONSTRUCTION CORP		SUITE 125 265 SUNRISE HIGHWAY ROCKVILLE CENTRE NY 10457	04/07/2016	04/07/2021
DOL	DOL		J.A. HIRES CADWALLADER		P.O BOX 100 200 LATTA BROOK PARK HORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL		JAMES B RHYNDERS		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL		JAMES C. DELGIACCO		722 8TH AVE WATERVLIET NY 12189	06/05/2018	06/05/2023
DOL	DOL		JAMES E RHYNDERS		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	AG		JAMES FALCONE		SUITE 125 265 SUNRISE HIGHWAY ROCKVILLE CENTRE NY 10457	04/07/2016	04/07/2021
DOL	DOL		JAMES LIACONE		9365 WASHINGTON ST LOCKPORT IL 60441	07/23/2018	07/23/2023
DOL	DOL		JAMES RACHEL		9365 WASHINGTON ST LOCKPORT IL 60441	07/23/2018	07/23/2023
DOL	DOL		JAMES RHYNDERS SR		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL		JASON W MILLIMAN		C/O ROCHESTER ACOUSTICAL P O BOX 799 HILTON NY 14468	02/19/2016	02/19/2021
DOL	DOL	*****5368	JCH MASONRY & LANDSCAPING INC.		35 CLINTON AVE OSSINING NY 10562	09/12/2018	09/12/2023
DOL	NYC		JENNIFER GUERRERO		1936 HEMPSTEAD TURNPIKE EAST MEADOW NY 11554	11/29/2019	11/29/2024
DOL	DOL		JESSICA WHITESIDE		C/O BRRESTORATION NY INC 140 ARCADIA AVENUE OSWEGO NY 13126	09/12/2016	09/12/2021
DOL	AG		JOHN ANTHONY MASSINO		36-49 204TH STREET BAYSIDE NY 11372	02/07/2018	02/07/2023
DOL	DOL		JOHN F. CADWALLADER		200 LATTA BROOK PARK HORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL	*****4612	JOHN F. CADWALLADER, INC.	THE GLASS COMPANY	P.O BOX 100 200 LATTA BROOK PARK HORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL		JOHN GOCEK		14B COMMERCIAL AVE ALBANY NY 12065	11/14/2019	11/14/2024
DOL	AG	*****0600	JOHNCO CONTRACTING, INC.		36-49 204TH STREET BAYSIDE NY 11372	02/07/2018	02/07/2023
DOL	DOL		JON E DEYOUNG		261 MILL RD P.O BOX 296 EAST AURORA NY 14052	07/29/2015	07/29/2020
DOL	DOL		JON E DEYOUNG		261 MILL RD P.O BOX 296 EAST AURORA NY 14052	05/29/2019	05/29/2024
DOL	DOL		JORI PEDERSEN		415 FLAGER AVE #302 STUART FL 34994	10/31/2018	10/31/2023
DOL	DOL		JOSE CHUCHUCA		35 CLINTON AVE OSSINING NY 10562	09/12/2018	09/12/2023
DOL	AG		JOSEPH FALCONE		SUITE 125 265 SUNRISE HIGHWAY ROCKVILLE CENTRE NY 10457	04/07/2016	04/07/2021
DOL	NYC		JOSEPH FOLEY		66-05 WOODHAVEN BLVD. STE 2 REGO PARK NY 11374	04/20/2017	04/20/2022
DOL	DOL	*****9273	JOSEPH M LOVETRO		P O BOX 812 BUFFALO NY 14220	08/09/2016	08/09/2021
DOL	NYC		JOSEPH MARTINO		1535 RICHMOND AVENUE STATEN ISLAND NY 10314	12/13/2017	12/13/2022
DOL	DOL		JOY MARTIN		2404 DELAWARE AVE NIGARA FALLS NY 14305	09/12/2018	09/12/2023
DOL	DOL		JULIUS AND GITA BEHREND		5 EMES LANE MONSEY NY 10952	11/20/2002	11/20/3002
DOL	DOL	*****5062	K R F SITE DEVELOPMENT INC		375 LAKE SHORE DRIVE PUTNAM VALLEY NY 10579	01/23/2017	01/23/2022
DOL	NYC		K.S. CONTRACTING CORP.		29 PHILLIP DRIVE PARSIPPANY NJ 07054	02/13/2017	02/13/2022
DOL	DOL		KATIE BURDICK		2238 BAKER RD GILLETT PA 16923	03/12/2018	03/12/2023
DOL	DOL		KENNETH FIORENTINO		375 LAKE SHORE DRIVE PUTNAM VALLEY NY 10579	01/23/2017	01/23/2022
DOL	DOL	*****9732	KENT HOLLOW SIDING LLC		29A BRIDGE STREET NEW MILFORD CT 06776	01/15/2016	01/15/2021

NYS DOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	DOL		KIM SOROCENSKI		C/O SOLUTION MATTERS INC 198 NORWOOD ROADPORT JEFFERSON NY 11776	11/19/2015	11/19/2020
DOL	DOL	****3490	L & M CONSTRUCTION/DRYWALL INC.		1079 YONKERS AVE YONKERS NY 10704	08/07/2018	08/07/2023
DOL	DA	****8816	LAKE CONSTRUCTION AND DEVELOPMENT CORPORATION		150 KINGS STREET BROOKLYN NY 11231	08/19/1998	08/19/2998
DOL	AG	****4643	LALO DRYWALL, INC.		221 OLD FORD ROAD NEW PLATZ NY 12561	05/20/2016	05/20/2021
DOL	DOL	****4505	LARAPINTA ASSOCIATES INC		29 MAPLEWOOD DRIVE BINGHAMTON NY 13901	02/21/2017	02/21/2022
DOL	DOL		LAVERN GLAVE		161 ROBYN RD MONROE NY 10950	01/30/2018	01/30/2023
DOL	DOL	****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	06/24/2016	09/19/2022
DOL	DOL	****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	06/24/2016	09/19/2022
DOL	DOL	****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL	****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL	****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	01/17/2017	09/19/2022
DOL	DOL	****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL	****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL	****4388	LEN.J CONSTRUCTION, LLC		PO BOX 10007 ALBANY NY 12201	08/14/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	09/19/2017	09/19/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	08/14/2017	08/14/2022
DOL	DOL		LEROY NELSON JR		PO BOX 10007 ALBANY NY 12201	01/17/2017	09/19/2022
DOL	DA	****4460	LONG ISLAND GLASS & STOREFRONTS, LLC		4 MANHASSET TRL RIDGE NY 11961	09/06/2018	09/06/2023
DOL	AG	****4216	LOTUS-C CORP.		81-06 34TH AVENUE APT. 6EJACKSON HEIGHTS NY 11372	02/07/2018	02/07/2023
DOL	NYC		LUBOMIR PETER SVOBODA		27 HOUSMAN AVE STATEN ISLAND NY 10303	12/26/2019	12/26/2024
DOL	AG		LUIS MARTINEZ	LALO DRYWALL	211 MAIN ST. NEW PALTZ NY 12561	05/20/2016	05/20/2021
DOL	NYC		M & L STEEL & ORNAMENTAL IRON CORP.		27 HOUSMAN AVE STATEN ISLAND NY 10303	12/26/2019	12/26/2024
DOL	DOL		M ANVER BEIG		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	AG	****6957	M B DIN CONSTRUCTION INC		8831 20TH AVENUE/SUITE 6E BROOKLYN NY 11214	11/17/2015	11/17/2020
DOL	DOL		M. ANVER BEIG		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	NYC	****9590	MACK GLASSNAUTH IRON WORKS INC		137 LIBERTY AVENUE BROOKLYN NY 11212	12/21/2015	12/21/2020
DOL	DOL	****1784	MADISON AVE CONSTRUCTION CORP		39 PENNY STREET WEST ISLIP NY 11795	11/02/2016	11/02/2021
DOL	DOL		MALARKEY'S BAR & GRILL LLC		64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DOL	****0705	MALARKEY'S PUB & GRUB LLC		64 VICTORIA DRIVE BINGHAMTON NY 13904	02/04/2016	02/04/2021
DOL	DA		MANUEL P TOBIO		150 KINGS STREET BROOKLYN NY 14444	08/19/1998	08/19/2998
DOL	DA		MANUEL TOBIO		150 KINGS STREET BROOKLYN NY 11231	08/19/1998	08/19/2998
DOL	NYC		MAREK FABIJANOWSKI		50 MAIN ST WHITE PLAINS NY 10606	01/04/2019	01/04/2024
DOL	DOL		MARIACHI'S PIZZERIA		C/O DOUGLAS L MALARKEY 64 VICTORIA DRIVEBINGHAMTON NY 13904	02/04/2016	02/04/2021

NYS DOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	DOL		MARK MIONIS		6409 LAND O LAKES BLVD LAND O LAKES FL 34638	11/10/2015	11/10/2020
DOL	NYC		MARTINE ALTER		1010 NORTHERN BLVD. GREAT NECK NY 11021	03/09/2017	03/09/2022
DOL	DOL		MARVIN A STURDEVANT		29 MAPLEWOOD DRIVE BINGHAMTON NY 13901	02/21/2017	02/21/2022
DOL	DOL		MASONRY CONSTRUCTION, INC.		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	****3333	MASONRY INDUSTRIES, INC.		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	NYC		MATINA KARAGIANNIS		97-18 50TH AVE CORONA NY 11368	04/19/2018	04/19/2023
DOL	DOL		MATTHEW IDEMA GENERAL CONTRACTORS INC		91 COLLEGE AVENUE POUGHKEEPSIE NY 12603	12/04/2015	12/04/2020
DOL	DOL		MATTHEW P. KILGORE		4156 WILSON ROAD EAST TABERG NY 13471	03/26/2019	03/26/2024
DOL	DOL		MAURICE GAWENO		442 ARMONK RD MOUNT KISCO NY 10549	06/12/2018	06/12/2023
DOL	DOL	****6416	MCCALL MASONRY		P O BOX 304 SAYRE PA 18840	08/09/2016	08/09/2021
DOL	DOL		MCLEAN "MIKKI BEANE"		1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL		MCLEAN "MIKKI" DRAKE		1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL		MCLEAN M DRAKE-BEANE		1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL	****9445	MCLEAN M WALSH	ELITE PROFESSION AL PAINTING OF CNY	1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	DOL	****9445	MCLEAN M WALSH	ELITE PROFESSION AL PAINTING OF CNY	1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022
DOL	NYC	****5330	METRO DUCT SYSTEMS INC		1219 ASTORIA BOULEVARD LONG ISLAND CITY NY 11102	04/16/2014	11/19/2020
DOL	DOL		MICHAEL A PASCARELLA		SUITE 100 2105 WEST GENESEE STREET SYRACUSE NY 13219	01/06/2016	01/06/2021
DOL	NYC		MICHAEL HIRSCH		C/O MZM CORP 163 S MAIN STREET NEW CITY NY 10956	01/28/2016	01/28/2021
DOL	DOL		MICHAEL LENIHAN		1079 YONKERS AVE UNIT 4 YONKERS NY 10704	08/07/2018	08/07/2023
DOL	AG		MICHAEL RIGLIETTI		31 BAY ST BROOKLYN NY 11231	03/28/2018	03/28/2023
DOL	DOL		MICHAEL WILSON	WILSON BROTHER DRYWALL CONTRACTOR S	36 ABERSOLD STREET ROCHESTER NY 14621	08/31/2015	08/31/2020
DOL	DOL	****4829	MILESTONE ENVIRONMENTAL CORPORATION		704 GINESI DRIVE SUITE 29 MORGANVILLE NJ 07751	04/10/2019	04/10/2024
DOL	NYC	****9926	MILLENNIUM FIRE PROTECTION, LLC		325 W. 38TH STREET SUITE 204 NEW YORK NY 10018	11/14/2019	11/14/2024
DOL	NYC	****0627	MILLENNIUM FIRE SERVICES, LLC		14 NEW DROP LNE 2ND FLOOR STATEN ISLAND NY 10306	11/14/2019	11/14/2024
DOL	AG		MOHAMMED N CHATHA		8831 20TH AVENUE/SUITE 6E BROOKLYN NY 11214	11/17/2015	11/17/2020
DOL	DOL	****2737	MOUNTAIN'S AIR INC		2471 OCEAN AVENUE- STE 7A BROOKLYN NY 11229	09/24/2012	09/18/2020
DOL	NYC	****3826	MOVING MAVEN OF NY, INC.		1010 NORTHERN BLVD. GREAT NECK NY 11021	03/09/2017	03/09/2022
DOL	NYC	****3550	MOVING MAVEN, INC		1010 NORTHERN BLVD. GREAT NECK NY 11021	03/09/2017	03/09/2022
DOL	AG		MSR ELECTRICAL CONSTRUCTION CORP.		31 BAY ST BROOKLYN NY 11231	03/28/2018	03/28/2023
DOL	DOL		MUHAMMAD BEIG		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	DOL		MUHAMMAD BEIG		142 EAST MARKET STREET LONG BEACH NY 11561	03/07/2017	03/07/2022
DOL	DOL		MUHAMMAD PERVAIZ		C/O CHAMPION CONSTRUCTION 2131 SCHENECTADY AVENUE BROOKLYN NY 11234	11/18/2015	11/18/2020

NYS DOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	NYC	****3613	MZM CORP		163 S MAIN STREET NEW CITY NY 10956	01/28/2016	01/28/2021
DOL	DA	****9786	NATIONAL INSULATION & GC CORP		180 MILLER PLACE HICKSVILLE NY 11801	12/12/2018	12/12/2023
DOL	NYC	****4839	NEW YORK RIGGING CORP		58-83 54TH STREET MASPETH NY 11378	02/26/2016	02/26/2021
DOL	NYC		NICHOLAS FILIPAKIS		7113 FORT HAMILTON PARKWA BROOKLYN NY 11228	12/09/2016	12/09/2021
DOL	DOL	****6966	NORTH COUNTRY DRYWALL AND PAINT		23167 COUNTY ROUTE 59 DEXTER NY 13634	10/24/2016	10/24/2021
DOL	DOL	****0065	NORTHEAST LANDSCAPE AND MASONRY ASSOC		3 WEST MAIN ST/SUITE 208 ELMSFORD NY 10523	01/23/2017	01/23/2022
DOL	DOL	****1845	OC ERECTERS, LLC A/K/A OC ERECTERS OF NY INC.		1207 SW 48TH TERRACE DEERFIELD BEACH FL 33442	01/16/2018	01/16/2023
DOL	NYC	****0818	ONE TEN RESTORATION, INC.		2366 61ST ST BROOKLYN NY 11204	12/15/2016	12/15/2021
DOL	NYC		ORSON ARROYO		C/O METRO DUCT SYSTEMS 12-19 ASTORIA BOULEVARDLONG ISLAND CITY NY 11102	04/16/2014	11/19/2020
DOL	NYC		PARESH SHAH		29 PHILLIP DRIVE PARSIPPANY NJ 07054	02/13/2017	02/13/2022
DOL	NYC	****9422	PELIUM CONSTRUCTION, INC.		22-33 35TH ST. ASTORIA NY 11105	12/30/2016	12/30/2021
DOL	DOL		PETER M PERGOLA		3 WEST MAIN ST/SUITE 208 ELMSFORD NY 10523	01/23/2017	01/23/2022
DOL	DOL		PIERRE LAPORT		224 COUNTY HIGHWAY 138 BROADALBIN NY 12025	03/07/2017	03/07/2022
DOL	DOL	****1543	PJ LAPORT FLOORING INC		224 COUNTY HIGHWAY 138 BROADALBIN NY 12025	03/07/2017	03/07/2022
DOL	NYC	****5771	PMJ ELECTRICAL CORP		7113 FORT HAMILTON PARKWA BROOKLYN NY 11228	12/09/2016	12/09/2021
DOL	DOL	****0466	PRECISION BUILT FENCES, INC.		1617 MAIN ST PEEKSKILL NY 10566	03/03/2020	03/03/2025
DOL	NYC	****4532	PROFESSIONAL PAVERS CORP.		66-05 WOODHAVEN BLVD. REGO PARK NY 11374	04/20/2017	04/20/2022
DOL	DA	****6817	QUADRANT METAL BUILDINGS LLC		2740 SW MARTIN DOWNS BLVD PALM CITY FL 34990	08/25/2016	08/25/2021
DOL	NYC		RAMESHWAR ASU		137 LIBERTY AVENUE BROOKLYN NY 11212	12/21/2015	12/21/2020
DOL	NYC		RANTIK PARIKH		13 LORIANN ROAD WARREN NJ 07059	07/15/2015	07/15/2020
DOL	DOL	****1068	RATH MECHANICAL CONTRACTORS, INC.		24 ELDOR AVENUE NEW CITY NY 10956	02/03/2020	02/03/2025
DOL	DOL	****2633	RAW POWER ELECTRIC CORP		3 PARK CIRCLE MIDDLETOWN NY 10940	01/30/2018	01/30/2023
DOL	AG	****7015	RCM PAINTING INC.		69-06 GRAND AVENUE 2ND FLOORMASPETH NY 11378	02/07/2018	02/07/2023
DOL	DOL		REGINALD WARREN		161 ROBYN RD MONROE NY 10950	01/30/2018	01/30/2023
DOL	NYC	****3461	RELIANCE GENERAL CONSTRUCTION INC		644 OCEAN PARKWAY BROOKLYN NY 11230	09/02/2015	09/02/2020
DOL	DA		RIANN MULLER		2740 SW MARTIN DOWNS BLVD PALM CITY FL 34990	08/25/2016	08/25/2021
DOL	DOL	****9148	RICH T CONSTRUCTION		107 WILLOW WOOD LANE CAMILLUS NY 13031	11/13/2018	11/13/2023
DOL	DOL		RICHARD MACONE		8617 THIRD AVE BROOKLYN NY 11209	09/17/2018	09/17/2023
DOL	DOL		RICHARD REGGIO		1617 MAIN ST PEEKSKILL NY 10566	03/03/2020	03/03/2025
DOL	DOL	****9148	RICHARD TIMIAN	RICH T CONSTRUCTI ON	108 LAMONT AVE SYRACUSE NY 13209	10/16/2018	10/16/2023
DOL	DOL		RICHARD TIMIAN JR.		108 LAMONT AVE SYRACUSE NY 13209	10/16/2018	10/16/2023
DOL	DOL		RICHARD TIMIAN JR.		108 LAMONT AVE SYRACUSE NY 13209	11/13/2018	11/13/2023
DOL	DOL		ROBBYE BISSEsar		89-51 SPRINGFIELD BLVD QUEENS VILLAGE NY 11427	01/11/2003	01/11/3003
DOL	DOL		ROBERT A. VALERINO		3841 LANYARD COURT NEW PORT RICHEY FL 34652	07/09/2019	07/09/2024
DOL	DOL		ROBERT BRUNO		3 GAYLORD ST AUBURN NY 13021	11/15/2016	11/15/2021

NYS DOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	DOL		ROBERT BRUNO		5 MORNINGSIDE DRIVE AUBURN NY 13021	05/28/2019	05/28/2024
DOL	NYC		ROBERT HOHMAN		149 FIFTH AVE NEW YORK NY 10010	12/29/2016	12/29/2021
DOL	DOL	****3859	ROCHESTER ACOUSTICAL CORP		P O BOX 799 HILTON NY 14468	02/19/2016	02/19/2021
DOL	DOL		RODERICK PUGH		404 OAK ST SUITE 101SYRACUSE NY 13203	07/23/2018	07/23/2023
DOL	DOL	****4880	RODERICK PUGH CONSTRUCTION INC.		404 OAK ST SUITE 101SYRACUSE NY 13203	07/23/2018	07/23/2023
DOL	NYC		RODNEY SCOTT		201 HEMPSTEAD AVE WEST HEMPSTEAD NY 11552	10/30/2015	10/30/2020
DOL	DOL		ROMEO WARREN		161 ROBYN RD MONROE NY 10950	01/30/2018	01/30/2023
DOL	DOL		RONALD MESSEN		14B COMMERCIAL AVE ALBANY NY 12065	11/14/2019	11/14/2024
DOL	DOL		ROSEANNE CANTISANI			06/12/2018	06/12/2023
DOL	DOL		RYAN ALBIE		21 S HOWELLS POINT ROAD BELLPORT NY 11713	02/21/2017	02/21/2022
DOL	DOL	****3347	RYAN ALBIE CONTRACTING INC		21 S HOWELLS POINT ROAD BELLPORT NY 11713	02/21/2017	02/21/2022
DOL	DOL	****1365	S & L PAINTING, INC.		11 MOUNTAIN ROAD P.O BOX 408MONROE NY 10950	03/20/2019	03/20/2024
DOL	DOL	****7730	S C MARTIN GROUP INC.		2404 DELAWARE AVE NIAGARA FALLS NY 14305	09/12/2018	09/12/2023
DOL	NYC		SABIR MUHAMMED		SUITE B-8 782 PELHAM PARKWAY SOUTHBRONX NY 10462	04/21/2016	04/21/2021
DOL	DOL		SALVATORE A FRESINA			08/26/2016	08/26/2021
DOL	DOL		SAM FRESINA			08/26/2016	08/26/2021
DOL	NYC	****0349	SAM WATERPROOFING INC		168-42 88TH AVENUE APT.1 AJAMAICA NY 11432	11/20/2019	11/20/2024
DOL	NYC		SANDEEP BOPARAI		185-06 56TH AVE FRESH MEADOW NY 11365	10/17/2017	10/17/2022
DOL	NYC	****2117	SCOTT ELECTRICAL SERVICE, LLC.		201 HEMPSTEAD AVE WEST HEMPSTEAD NY 11552	10/30/2015	10/30/2020
DOL	DOL	****9751	SCW CONSTRUCTION		544 OLD ROUTE 23 ACRE NY 12405	02/14/2017	02/14/2022
DOL	AG		SERGIO RAYMUNDO		109 DUBOIS RD. NEW PALTZ NY 12561	05/20/2016	05/20/2021
DOL	NYC	****6597	SHAIRA CONSTRUCTION CORP.		421 HUDSON STREET SUITE C5NEW YORK NY 10014	02/20/2019	02/20/2024
DOL	DOL	****1961	SHANE BURDICK	CENTRAL TRAFFIC CONTROL, LLC.	2238 BAKER ROAD GILLETT PA 16923	03/12/2018	03/12/2023
DOL	DOL		SHANE BURDICK		2238 BAKER ROAD GILLETT PA 16923	03/12/2018	03/12/2023
DOL	DOL		SHANE NOLAN		9365 WASHINGTON ST LOCKPORT IL 60441	07/23/2018	07/23/2023
DOL	DOL		SHULEM LOWINGER		11 MOUNTAIN ROAD 28 VAN BUREN DRMONROE NY 10950	03/20/2019	03/20/2024
DOL	DOL	****0816	SOLAR ARRAY SOLUTIONS, LLC		9365 WASHINGTON ST LOCKPORT IL 60441	07/23/2018	07/23/2023
DOL	DOL	****4025	SOLUTION MATTERS INC		198 NORWOOD ROAD PORT JEFFERSON NY 11776	11/19/2015	11/19/2020
DOL	DOL	****2221	SOUTH BUFFALO ELECTRIC, INC.		1250 BROADWAY ST BUFFALO NY 14212	02/03/2020	02/03/2025
DOL	DOL	****3496	STAR INTERNATIONAL INC		89-51 SPRINGFIELD BLVD QUEENS VILLAGE NY 11427	08/11/2003	08/11/3003
DOL	DOL	****6844	STEAM PLANT AND CHX SYSTEMS INC.		14B COMMERCIAL AVENUE ALBANY NY 12065	11/14/2019	11/14/2024
DOL	DOL	****9933	STEED GENERAL CONTRACTORS, INC.		1445 COMMERCE AVE BRONX NY 10461	05/30/2019	05/30/2024
DOL	DOL		STEFANOS PAPANSTEFANOU, JR. A/K/A STEVE PAPANSTEFANOU, JR.		256 WEST SADDLE RIVER RD UPPER SADDLE RIVER NJ 07458	05/30/2019	05/30/2024
DOL	DOL	****9751	STEPHEN C WAGAR		544 OLD ROUTE 23 ACRE NY 12405	02/14/2017	02/14/2022
DOL	DOL		STEVE TATE		415 FLAGER AVE #302STUART FL 34994	10/31/2018	10/31/2023

NYSDOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	NYC		STEVEN GOVERNALE		601 PORTION RD RONKONKOMA NY 11779	11/18/2016	11/18/2021
DOL	DOL		STEVEN MARTIN		2404 DELWARE AVE NIAGARA FALLS NY 14305	09/12/2018	09/12/2023
DOL	DOL		STEVEN P SUCATO		15-68 208TH STREET BAYSIDE NY 11360	06/23/2016	06/23/2021
DOL	DOL		STEVEN TESTA		50 SALEM STREET - BLDG B LYNNFIELD MA 01940	01/23/2017	01/23/2022
DOL	NYC	****9432	SUBLINK LTD		346 THIRD AVENUE PELHAM NY 10803	11/19/2015	11/19/2020
DOL	NYC	****5863	SUKHMANY CONSTRUCTION, INC.		185-06 56TH AVE FRESH MEADOW NY 11365	10/17/2017	10/17/2022
DOL	DOL	****1060	SUNN ENTERPRISES GROUP, LLC		370 W. PLEASANTVIEW AVE SUITE 2.329HACKENSACK NJ 07601	02/11/2019	02/11/2024
DOL	DOL	****8209	SYRACUSE SCALES, INC.		158 SOLAR ST SYRACUSE NY 13204	01/07/2019	01/07/2024
DOL	DOL		TALAILA OCAMPA		1207 SW 48TH TERRACE DEERFIELD BEACH FL 33442	01/16/2018	01/16/2023
DOL	DOL	****9852	TAP STEEL INC		ROUTE 26 3101 P O BOX 457CONSTABLEVILLE NY 13325	01/28/2016	01/28/2021
DOL	DOL		TERRY THOMPSON		11371 RIDGE RD WOLCOTT NY 14590	02/03/2020	02/03/2025
DOL	DOL		TEST		P O BOX 123 ALBANY NY 12204	05/20/2020	05/20/2025
DOL	DOL	****5570	TESTA CORP		50 SALEM STREET - BLDG B LYNNFIELD MA 01940	01/23/2017	01/23/2022
DOL	DOL	****5766	THE COKER CORPORATION	COKER CORPORATIO N	2610 SOUTH SALINA ST SUITE 14SYRACUSE NY 13205	12/04/2018	12/04/2023
DOL	DOL	****8174	THE DALRYMPLE CORPORATION		UNIT 278 541 10TH STREET NWTALANTA GA 30318	12/01/2015	12/01/2020
DOL	DOL	****8174	THE DALRYMPLE GROUP LLC		289 JONESBORO RD/ STE 216 MCDONOUGH GA 30253	12/01/2015	12/01/2020
DOL	DOL		TIMOTHY A PALUCK		C/O TAP STEEL INC RTE 26 3101/ P O BOX 457CONSTABLEVILLE NY 13325	01/28/2016	01/28/2021
DOL	DOL	****3453	TORCHIA'S HOME IMPROVEMENT		10153 ROBERTS RD SAUQUOIT NY 13456	08/09/2016	08/09/2021
DOL	DOL	****8311	TRIPLE B FABRICATING, INC.		61 WILLETT ST. PASSAIC NJ 07503	10/26/2016	10/26/2021
DOL	DOL	****9407	TURBO GROUP INC		15-68 208TH STREET BAYSIDE NY 11360	06/23/2016	06/23/2021
DOL	DOL	****6392	V.M.K CORP.		8617 THIRD AVE BROOKLYN NY 11209	09/17/2018	09/17/2023
DOL	NYC		VALERIE VISCONTI		346 THIRD AVENUE PELHAM NY 10803	11/19/2015	11/19/2020
DOL	NYC	****7361	VIABLE HOLDINGS, INC.	MOVING MAVEN	1010 NORTHERN BLVD. GREAT NECK NY 11021	03/09/2017	03/09/2022
DOL	DOL		VICTOR ALICANTI		42-32 235TH ST DOUGLSTON NY 11363	01/14/2019	01/14/2024
DOL	DOL		VICTOR ROTENBERG		C/O GMDV TRANS INC 67048 182ND STREETFRESH MEADOWS NY 11365	06/24/2016	06/24/2021
DOL	NYC		VIKTAR PATONICH		2630 CROPSY AVE BROOKLYN NY 11214	10/30/2018	10/30/2023
DOL	DOL		VIKTORIA RATH		24 ELDOR AVENUE NEW CITY NY 10956	02/03/2020	02/03/2025
DOL	NYC		VITO GARGANO		1535 RICHMOND AVE STATEN ISLAND NY 10314	12/13/2017	12/13/2022
DOL	NYC	****3673	WALTERS AND WALTERS, INC.		465 EAST AND THIRD ST MT. VERNON NY 10550	09/09/2019	09/09/2024
DOL	DOL		WAYNE LIVINGSTON JR	NORTH COUNTRY DRYWALL AND PAINT	23167 COUNTY ROUTE 59 DEXTER NY 13634	10/24/2016	10/24/2021
DOL	DOL	****3296	WESTERN NEW YORK CONTRACTORS, INC.		3841 LAYNARD COURT NEW PORT RICHEY FL 34652	07/09/2019	07/09/2024
DOL	DOL		WHITE PLAINS CARPENTRY CORP		442 ARMONK RD	06/12/2018	06/12/2023
DOL	DOL		WILLIAM C WATKINS		1229 JAMES STREET SYRACUSE NY 13203	05/02/2017	05/02/2022

NYSDOL Bureau of Public Work Debarment List 07/10/2020

Article 8

DOL	DOL		WILLIAM DEAK		C/O MADISON AVE CONSTR CO 39 PENNY STREETWEST ISLIP NY 11795	11/02/2016	11/02/2021
DOL	DOL	****6195	WILSON BROTHER DRYWALL CONTRACTORS		36 ABERSOLD STREET ROCHESTER NY 14621	08/31/2015	08/31/2020
DOL	DOL	****4043	WINDSHIELD INSTALLATION NETWORK, INC.		200 LATTA BROOK PARK HORSEHEADS NY 14845	03/08/2018	03/08/2023
DOL	DOL	****4730	XGD SYSTEMS, LLC	TDI GOLF	415 GLAGE AVE #302STUART FL 34994	10/31/2018	10/31/2023
DOL	DOL	****7345	YES SERVICE AND REPAIRS CORPORATION		145 LODGE AVE HUNTINGTON STATION NY 11476	08/09/2016	08/09/2021
DOL	DOL		YURIY IVANIN		C/O MOUNTAIN'S AIR INC 2471 OCEAN AVENUE-STE 7ABROOKLYN NY 11229	09/24/2012	09/18/2020
DOL	NYC		ZAKIR NASEEM		30 MEADOW ST BROOKLYN NY 11206	10/10/2017	10/10/2022
DOL	NYC	****8277	ZHN CONTRACTING CORP		30 MEADOW ST BROOKLYN NY 11206	10/10/2017	10/10/2022

SECTION 1A1

SUMMARY OF WORK

1.1 LOCATION AND DESCRIPTION OF WORK

- A. Town of Carmel is implementing the further development of a park and athletic complex at the former Airport property in Mahopac. The project site south of the Putnam County Golf Course is located off of Long Pond Road (County Route 32). The site is currently developed with natural turf multipurpose fields, parking areas, entrance drives, park building, walking paths, and other park amenities. The Town seeks to take the next step in implementing the Site Master Plan with the installation of the septic system improvements. This project includes the following site improvements with the subject contract:
- Waste line connection to pipe stub exiting the building.
 - New septic tank and pump pit.
 - Electric and controls for pump pit.
 - Forcemain, distribution piping and septic trenches.
 - Fill for septic system and topsoil, seed, and mulch.
 - All work must be coordinated with the existing park operators and other ongoing work to assure the work does not interfere with ongoing operations.

CONTRACTOR to refer to supplementary documents for copies of permits for the Work.

- B. The Work is located in the Town of Carmel, Putnam County, New York as shown on the drawings.
- C. The summary of the Work as described in the following sections is an overall summary of the responsibilities of the CONTRACTOR and his relationship to the OWNER. It does not supersede the specific requirements of the other Contract Documents. The CONTRACTOR shall perform all work required for the construction to provide a project complete and ready for use.
- D. The CONTRACTOR shall fully cooperate and coordinate his activities with the Town of Carmel, all permitting agencies, and local emergency medical services to the extent required.
- E. Work at the least inconvenience to the adjacent property owners and the public. Complete the various parts of the Work in accordance with the schedule approved by the Engineer.

1.2 LIMITS OF PROPOSED WORK

- A. The CONTRACTOR shall endeavor to minimize disturbance to the maximum extent practicable in prosecuting the Work.
 - 1. Special efforts shall be made to minimize disturbance of environmentally sensitive lands.
 - 2. Special efforts shall be made to minimize disturbance of private developed lands.
- B. The CONTRACTOR is responsible for obtaining confirmation of property lines, work limits and right-of-ways prior to performing the Work.

1.3 GENERAL

- A. The Instruction to Bidders, Agreement, General and Supplementary Conditions, and Division 1, General Requirements, shall apply to all Work for this Project.
- B. Where articles of the Instructions to Bidders, Agreement and General and Supplementary Conditions are repeated in the Sections of Division 1, General Requirements, it is intended to elaborate or qualify such articles. It is not intended that other articles of the above documents shall be omitted or that additional requirements set forth in the above documents and noted herein shall be excluded from Contract requirements unless specifically noted as such hereinafter.
- C. The CONTRACTOR shall conduct his activities in accordance with the following general requirements.
 - 1. Maintain traffic and access to all park facilities affected by the Work.
 - 2. Backfill all pipe installed at end of day's activities up to and including rough grade.
 - 3. Finalize permanent backfilling, grading and landscaping/stabilization within 7 working days of installation.
 - 4. Conduct operations so that access and egress from park amenities adjacent to the Work is not impeded by stockpiling of supplies, materials or equipment or other impediments.

1.4 SINGLE CONTRACT

- A. The Project consists of Work under one Contract. The Work under this Contract shall be responsibility of a CONTRACTOR skilled in the installation of the systems as described within the Contract. The CONTRACTOR may subcontract such Work as requires mechanics other than those he normally employs, but the entire responsibility for complete performance of the respective Contract shall remain with the CONTRACTOR referred to above.
- B. The Technical Specifications of the Contract Documents include descriptions of all classifications of Work under this Project. Descriptions under the various Divisions

of each Contract are for a type of work or equipment that is usually associated with the Work done by the CONTRACTOR for this Project. Wherever used in a Section of Division 1 through Division 33, the term "CONTRACTOR" shall refer to the CONTRACTOR who is assigned the Work of the Contract.

1.5 CONTRACTOR'S USE OF PREMISES

- A. CONTRACTOR'S use of the premises shall be confined to the areas described in 1.2 above or to areas as designated by the OWNER and shown on the Contract Drawings.
 - 1. If additional area is required it shall be obtained by the CONTRACTOR at no additional cost to the OWNER.

- B. CONTRACTOR must share use of the premises with the OWNER'S personnel and other contractors.

- C. CONTRACTOR shall:
 - 1. Assume full responsibility for protection and safekeeping of products stored on and off premises.
 - 2. Move stored products that interfere with the operations of OWNER or other contractor.
 - 3. Obtain and pay for all additional storage or work areas required for his operations.

+ + END OF SECTION + +

SECTION 1A2

COORDINATION WITH UTILITIES

1.1 GENERAL

- A. Various gas mains, water mains and service lines, storm sewers, drains, telephone, electrical conduits and other underground utilities are located throughout the Contract area. The CONTRACTOR's attention is further directed to the various overhead utility lines existing throughout the Contract area. The CONTRACTOR, prior to commencement of construction, shall take all appropriate safety steps to ensure that all utilities are secured from contact or physical damage during construction. Unless otherwise specifically provided for, no additional compensation will be considered for any required repair, replacement, relocation, temporary support, protection or other costs involved with or about utility facilities.

1.2 NOTIFICATION

- A. Notify all utility companies, in writing, prior to starting construction and at least 3 working days prior to undertaking excavation in a particular area or street. In addition, contact the "Call-Before-You-Dig" Service, prior to excavating in each street or area of the Project.
- B. Prior to the commencement of excavation, arrange to have present a utility company representative to jointly examine all street markings, placed by the utility company, designating the locations of underground facilities. Do not, under any circumstances, obliterate or cover up any markings designating utility facilities prior to excavation of that facility. In the event a marking is obliterated, notify the utility company to replace or restore the markings.
- C. Ensure that utility valve boxes, manholes, hydrants and like items are readily accessible at all times. Do not store materials over such facilities.
- D. Use proper caution when excavating in and around utility service facilities. Machine excavation shall not come within two feet from the designated location of the utility line. After locating and verifying the location of the utility line, using hand tools, the CONTRACTOR may proceed with the careful use of power equipment.
- E. If an underground facility is accidentally contacted or disturbed, immediately notify the utility owner. Take protective measures as required by the OWNER of the utility.

- F. The CONTRACTOR shall be solely responsible for all costs resulting from all direct or indirect damage that may be done to any utility facility in the execution of the Work. The liability of the CONTRACTOR is absolute. The absence of an order from the ENGINEER directing the CONTRACTOR to take any particular precaution, or to refrain from performing any particular action, shall not excuse the CONTRACTOR to take any particular precaution, or to refrain from performing any particular action. Special precautions shall be taken by the CONTRACTOR to protect his workers, equipment and property of others while working in the vicinity of utilities.
- G. Operation of any existing utilities, valves, gates, equipment and like items required for the Work herein described, shall be performed by the OWNER of such facilities.
- H. Prior to backfilling, the respective utility representatives shall be given a minimum of 24 hours advance notice to inspect all uncovered facilities. Damaged utilities will be repaired by the respective utility company or by the CONTRACTOR before backfilling, at the CONTRACTOR's expense.
 - 1. Open excavation shall be protected in accordance with contract provisions, at the CONTRACTOR's expense.

+ + END OF SECTION + +

SECTION 1A4

OPERATIONS IN RIGHTS-OF-WAY

1.1 GENERAL

- A. CONTRACTOR's attention is directed to the fact that the Work requires construction adjacent to County roads as well as private property.
- B. The CONTRACTOR shall familiarize himself with regulations of the Putnam County Department of Highways & Facilities, before submitting his bid. All Work shall be executed in compliance therewith. In the event of any deviation between these Specifications and the rules, regulations, and specifications of the various departments, as to materials or methods of construction, it shall be understood that those requirements shall prevail with respect to Work performed in rights-of-way, unless the requirements of these Specifications are more stringent.
- C. Piping and all related appurtenances shall be installed as shown on the Contract Drawings or specified herein.
- D. Traffic flow shall be maintained at all times, unless otherwise shown or approved by the ENGINEER. Requirements for the maintenance and protection of traffic are specified in the General Requirements. Comply with all the Department of Highway various requirements and with the other Specifications relating to traffic regulation, warning signs, barricades, lights, and all similar criteria.
- E. The CONTRACTOR shall take all means necessary to prevent accidents. Sufficient flagmen, barricades, lights, signs and all other precautions necessary shall be furnished to provide safe conditions, both, day and night.

++ END OF SECTION ++

SECTION 1A5

OPERATIONS IN PARK ROADS AND EXISTING LANDSCAPED AREAS

1.1 GENERAL

- A. The OWNER will provide access to park property for the Work specified in this Contract, and the CONTRACTOR shall not enter or occupy with workers, tools, or materials any private ground outside the area provided, without the written consent of the property OWNER. CONTRACTOR shall abide by all conditions contained within the easement agreements with the Town.
- B. Notify the park DIRECTOR and the ENGINEER ten (10) days prior to removing or disturbing any tree, shrub, fence, sidewalk, building, structure, or improvement that may be encountered in the line of the Work, or in the path of the easement.
 - 1. The CONTRACTOR shall make the necessary provisions to insure that adequate access to the premises shall not be obstructed during the performance of the Work, and shall be maintained as shown and specified.
- C. Maintain proper enclosures, barricades, warning signs and lights which shall be kept lit during periods of darkness, for all Work in the park and rights-of-way. Prior to commencing construction, contact the OWNER, who will provide the widths and boundaries of all temporary and permanent easements obtained thereby.
- D. Construction areas will be of various widths. The CONTRACTOR shall be held responsible for all damage that may occur outside the limits of the work area which may be directly or indirectly attributed to his operations.
- E. Do not operate equipment or store materials on private property, outside the construction area, without first having obtained written consent from the OWNER of the property.

+ + END OF SECTION + +

SECTION 1A6

COORDINATION WITH OTHERS

1.1 GENERAL

- A. The CONTRACTOR shall coordinate and cooperate with the Town of Carmel, Putnam County, and the State of New York in every way required to assure satisfactory, expeditious completion of the Project within the Contract Time. The CONTRACTOR shall cooperate fully with all subcontractors, manufacturers, fabricators, suppliers, distributors, installers, testing agencies, and all others whose services, materials or equipment are required to assure completion of the Work within the Contract Time.
- B. The CONTRACTOR shall allow the permitting agencies, their officers, agents, employees, and subcontractors reasonable access to inspect any and all of the Work.
- D. The CONTRACTOR shall review progress schedules and installation procedures under all Sections which may affect its Work and shall coordinate the installation of all such Work.
- E. Coordination with Emergency Services and Utilities.
1. Coordinate with Police, Emergency Medical and Fire Services; medical facilities and school districts.
 - a. Maintenance of emergency service traffic is considered an essential component of the Work.
 2. Wherever water, sewer, petroleum, or gas mains, electric or telephone lines, cables, electric, or telephone poles, or other utilities are encountered, shown or anticipated, that may be in any way interfered with, the CONTRACTOR shall keep the utility company or municipal agency involved, fully informed in advance. The CONTRACTOR shall cooperate with the utility company or municipal agency on the protection, removal, relocation, and replacement of such structures and facilities.
 - a. The CONTRACTOR shall utilize "Code 53-Call Before You Dig" throughout the extent and duration of the Work.

++ END OF SECTION ++

SECTION 1A7

COORDINATION WITH PROPERTY OWNERS

1.1 GENERAL

- A. Activity on private property:
 - 1. The CONTRACTOR shall notify all property owners in writing, with a copy to the ENGINEER, no less than ten (10) days in advance of commencing any activity adjacent to their property.
 - 2. The notification shall describe the Work to be done, trees to be removed and similar relevant data and an estimate of the time the CONTRACTOR will be on the property.

++ END OF SECTION ++

SECTION 1A11

CONNECTIONS TO EXISTING FACILITIES

1.1 GENERAL

- A. Perform all construction necessary to complete connections and tie-ins into the existing facilities, including temporary connections and piping. Conduct all required work and test pits to locate the existing utilities and structures.
- B. Keep existing facilities in operation, as indicated in Sections 1A1 and 1A7, unless otherwise specifically permitted or approved in writing by the OWNER or the ENGINEER.
- C. The CONTRACTOR shall perform all construction activities so as to avoid interference with operations of the existing utilities and the Work of others.
- D. Comply with all applicable laws, ordinances and regulations of any public body having jurisdiction, for the safety of persons and property, and provide all necessary safeguards for such safety and protection.
- E. All materials and construction methods used for the connection to an existing utility and the requirements for protecting the same, shall comply with the respective utility company's requirements.

1.2 EXECUTION

- A. All operations of existing valves and controls, required for the Work, shall be performed by the OWNERS of the valves and controls, unless otherwise specified or CONTRACTOR is otherwise directed. No valve, gate or control, nor other item of equipment shall be operated without the OWNER's knowledge or approval.
- B. Insofar as possible, all installations shall be tested and in operating condition before the final tie-ins are made to the existing stream structures.
- C. The CONTRACTOR shall carefully coordinate all Work and schedules. The CONTRACTOR shall provide the ENGINEER with a written notice at least 48 hours before connections are to be started.
- D. The CONTRACTOR shall have completed all necessary preparatory Work and shall have adequate personnel available in order to maintain service. All equipment and supplies required to complete the Work shall be readily available at the site of the Work before the Work is commenced.

1.3 SUBMITTALS

- A. Submit detailed plans and schedules of the proposed permanent connection work, length of time required and maintenance arrangements. The information shall be submitted to the ENGINEER for review not less than 14 days prior to the beginning of Work at each location. Information submitted to the ENGINEER shall include a complete inventory of materials and equipment needed to perform the Work. No Work shall commence until the ENGINEER has reviewed the proposed plans and procedures submitted by the CONTRACTOR.

++ END OF SECTION ++

SECTION 1C

MEASUREMENT AND PAYMENT

1.1 DESCRIPTION

- A. The items listed below beginning with Article 1.4, refer to and are the same pay items listed in the Bid Form. They constitute all of the pay items for the completion of the Work. No direct or separate payment will be made for providing: miscellaneous temporary or accessory work, service, CONTRACTOR's field offices, layout surveys, job signs, sanitary requirements, testing, safety devices, approval and record drawings, water supplies, power, heat, removal of waste, watchmen, taxes, bonds, insurance, mobilization and demobilization, photographs, maintenance and protection of traffic and all other requirements of the General Conditions, Supplementary Conditions, General Requirements, and all other sections of the Project Manual. Compensation for all such services, things and materials shall be included in the prices stipulated for the lump sum and unit price pay items listed herein.
- B. Each lump sum and unit bid price will be deemed to include an amount considered by the CONTRACTOR to be adequate to cover CONTRACTOR's overhead and profit for each separately identified item.
- C. Where a payment item number has different types of materials or work included, the item number will be followed by a letter. The payment item number may be further defined by adding a number after the letter to indicate a particular work category such as depth or size of materials.

1.2 ENGINEER'S ESTIMATE OF QUANTITIES

- A. The ENGINEER's estimated quantities for unit bid prices, as listed in the Bid Form are approximate only and are included solely for the purpose of comparison of Bids. The OWNER does not expressly or by implication agree that the nature of the materials encountered below the surface of the ground or the actual quantities of material encountered or required will correspond therewith and reserves the right to increase or decrease any quantity or to eliminate any quantity as OWNER may deem necessary. The CONTRACTOR will not be entitled to any adjustment in a unit bid price as a result of any elimination or any change in an estimated quantity and agrees to accept the aforesaid unit bid prices as complete and total compensation for any additions or deductions as a result of more accurate measurement, changes or alteration in the Work ordered by the OWNER, or any other reason, and for use in the computation of the value of the Work performed for progress payment.

1.3 RELATED PROVISIONS SPECIFIED ELSEWHERE

- A. Payments to CONTRACTOR: Refer to General Conditions, Supplementary Conditions and Contract Agreement.
- B. Changes in Contract Price: Refer to General Conditions.
- C. All sections of the Contract Manual.

1.4 BASE BID WORK

Included under this item CONTRACTOR shall include in his lump sum bid, all costs for labor and materials all work identified in the project plans and specifications.

1.5 ROCK EXCAVATION

Included under this item the CONTRACTOR shall include all costs of rock excavation, disposal off-site and import, placement and compaction of suitable fill. Rock to be considered for payment must conform to the definition given in Section 31 23 16.26, Rock Removal of the Technical Specifications.

The quantity of rock excavation in cubic yards, to be measured for payment under this Item will be actual volume of rock excavated, measured in place prior to removal within the limits outlined herein, and as measured or ordered by the ENGINEER.

Payment lines for rock excavation in pipe trenches are twelve (12) inches on each side and six (6) inches below the proposed pipes. These parameters shall hold throughout the horizontal length of the pipeline. Payment lines for rock excavation for concrete manholes structures are twelve (12) inches on each side and six (6) inches below each drainage structure.

Any rock excavation outside the stated limits will not be included in the measurement for payment. Boulders meeting the requirement set forth in Section 31 23 16.26, Rock Removal will be measured as rock excavation.

The six-inch deep space below pipes and structures and the 12-inch wide space beside pipes in rock shall be filled with suitable bedding and backfill material as shown on the Drawings or directed by the Engineer and all cost associated with the backfill material shall be included in the cost of the rock excavation item.

The CONTRACTOR shall strip all rock and give reasonable notice to the ENGINEER and the Owner's Representative for measurement, and only rock, which has been measured by the ENGINEER, will be paid for. No payment will be allowed for boulders, which lie six (6) inches, or more outside of the limiting lines of trenches or structures; and which, by reason of the CONTRACTOR'S work, slide into the excavation. No rock will be paid for twice under this Item. No additional payment will be made for rock removed from deeper than specified excavations unless so ordered in writing by the ENGINEER.

Payment under this item shall be made for each cubic yard of rock excavation as measured and approved by the engineer.

+ + END OF SECTION + +

SECTION 1D1

PRECONSTRUCTION CONFERENCE

1.1 GENERAL

- A. Date, Time and Location: Conference will be held after execution of the Contract and before construction is started at the site. The ENGINEER will fix the date, time and location of the meeting, in accordance with requirements of the General Conditions.
- B. The ENGINEER will prepare the agenda, preside at the meeting, and prepare and distribute a transcript of proceedings to all parties.
- C. The CONTRACTOR shall provide data required, contribute the appropriate items for discussion, and be prepared to discuss all items on the agenda.

1.2 REQUIRED ATTENDANCE

- A. The CONTRACTOR and major Subcontractors.
- B. The OWNER's representative.
- C. The ENGINEER.
- D. Representatives of government agencies, utility owner representatives and other parties having any degree of control or responsibility, if available.

1.3 AGENDA

- A. Agenda will include, but will not necessarily be limited to, the following:
 - 1. Designation of responsible personnel.
 - 2. Subcontractors.
 - 3. Coordination with other OWNER's activities.
 - 4. Construction schedule.
 - 5. Processing of Shop Drawings.
 - 6. Processing of field decisions and Change Orders.
 - 7. Requirements for copies of Contract Documents.
 - 8. Insurance in Force.
 - 9. Progress Meeting Schedule.
 - 10. Schedule of Payments.
 - 11. Use of premises.

12. CONTRACTOR responsibility for minimizing construction impacts on traffic and abutters.
13. CONTRACTOR responsibility for safety and first aid procedures.
14. CONTRACTOR responsibility for implementing and maintaining all applicable environmental protection requirements.
15. CONTRACTOR responsibility for coordination with all utility companies and Town of Highlands.
16. CONTRACTOR responsibility for line and grade controls and stake out.
17. Security.
18. Housekeeping.
19. Field Offices.
20. Record Drawings.

+ + END OF SECTION + +

SECTION 1D2

PROGRESS MEETINGS

1.1 GENERAL

- A. Date and Time:
 - 1. Regular weekly Meetings during the period when the construction activity is underway at the project site: Dates and times shall be mutually agreed upon by the ENGINEER and the CONTRACTOR.
 - 2. Other Meetings: On call.
- B. Place: The CONTRACTOR's field office located at the site or other mutually agreed upon location.
- C. The ENGINEER will prepare the agenda, preside at meetings, and prepare and distribute a transcript of the proceedings to all parties.
- D. The CONTRACTOR shall provide data required and be prepared to discuss all items on the agenda.

1.2 MINIMUM ATTENDANCE

- A. The CONTRACTOR, Subcontractors and suppliers. Representatives present for each party shall be authorized to act on their behalf.
- B. The ENGINEER.
- C. The OWNER's representative.
- D. Others, as appropriate.

1.3 AGENDA

- A. Agenda will include, but will not necessarily be limited to, the following:
 - 1. Transcript of previous meeting.
 - 2. Progress since last meeting.
 - 3. Planned progress for next period.
 - 4. Problems, conflicts and observations.
 - 5. Change Orders.
 - 6. Applications for payment.
 - 7. Quality standards and control.
 - 8. Schedules, including off-site fabrication and delivery schedules. Corrective measures required.

9. Coordination between parties.
10. Environmental protection measures.
11. Other business.

+ + END OF SECTION + +

SECTION 1E3

CONSTRUCTION SCHEDULE

1.1 GENERAL

- A. In order to assure completion of the Work within the time stipulated, all activities of the CONTRACTOR will be scheduled and monitored by use of the bar chart method.
- B. The CONTRACTOR shall submit three (3) copies of the schedule for approval at least thirty (30) days prior to submitting first application for a progress payment, but not later than ten (10) days after the date of execution of the Agreement.
- C. The schedule shall be detailed in nature and shall include the calendar dates of start and completion of each task on the schedule.
- D. In the preparation of the schedule, the CONTRACTOR shall take into consideration Shop Drawing submittal and approval time, the delivery times of equipment and materials, Subcontractors' work, availability and abilities of workmen, weather conditions, any restrictions in operations at the Work site, and all other items that may affect completion of the Work within the time requirements of the Contract Documents.
- E. If the schedule as submitted by the CONTRACTOR is not sufficiently detailed, contains errors, or is unrealistic, it will be rejected in writing, and the CONTRACTOR shall submit an appropriately revised schedule within 7 days of the date of the notice of rejection. The procedure will be repeated as often as may be necessary until the schedule is found acceptable and approved by the ENGINEER.
- F. Pending approval of the construction schedule and required revisions of the approved project schedule, no progress payment will be made, except in such amounts as may be approved by the ENGINEER for materials received at the Project site as provided in the General Conditions.

1.2 REVISION OF PROJECT SCHEDULE

- A. The project schedule shall be revised every month during the project to reflect departures and changes from the previous schedule. If departures and changes during the previous period are of such minor nature that no useful purpose is served by revising the documents, the ENGINEER may waive this requirement.

- B. The CONTRACTOR shall furnish three (3) copies of the revised project schedule to the ENGINEER at the monthly progress meeting, as described in Paragraph 1.2 herein.

+ + END OF SECTION + +

SECTION 1E4

SHOP DRAWING SUBMITTAL AND CORRESPONDENCE PROCEDURE

1.1 GENERAL

- A. The submittal of Shop Drawings shall conform to the requirements of the General Conditions and procedures described in this Section.
- B. The CONTRACTOR shall submit to the ENGINEER Shop Drawings, certified tests, manufacturer specifications and other information, as required in the Contract Specifications.
- C. All materials and equipment furnished by the CONTRACTOR, to be incorporated in the Work, shall be subject to the review and inspection of the ENGINEER.
- D. The ENGINEER's review will be confined to a general arrangement and compliance with the Contract Documents only, and will not be for the purpose of checking dimensions, weights, clearances, fittings, tolerances, interferences or coordination of trades.

1.2 PROCEDURE

- A. Submit Shop Drawings electronically to the ENGINEER. The ENGINEER's email address shall be provided to the CONTRACTOR.
- B. A letter of transmittal shall accompany each submission. If data for more than one (1) Section of the Specifications is submitted, a separate transmittal letter shall accompany the data submitted for each Section.
- C. At the beginning of each letter of transmittal and each letter of inquiry, provide a reference heading indicating the following:
 - 1. OWNER's Name _____
 - 2. Project Name _____
 - 3. Contract No. _____
 - 4. Transmittal No. _____
 - 5. Specification Section No. _____
- D. If a Shop Drawing deviates from the requirements of the Contract Documents, the CONTRACTOR shall specifically note each variation in his letter of transmittal.

- E. All Shop Drawings submitted for approval shall have a title block with complete identifying information satisfactory to the ENGINEER.
- F. All Shop Drawings submitted shall bear the stamp of approval and signature of the CONTRACTOR as evidence that they have been reviewed by the CONTRACTOR. Submittals without this stamp of approval will not be reviewed by the ENGINEER and will be returned to the CONTRACTOR. The stamp shall contain the following minimum information:

Project Name and Contract No. _____

CONTRACTOR's Name _____

Date _____

-----Reference-----

Item _____

Specifications:

Section _____

Page No. _____

Para. No. _____

Drawing No. _____
of _____

Location _____

Submittal No. _____

Approved By _____

- G. A number shall be assigned to each submittal by the CONTRACTOR starting with No. 1 and then numbered consecutively. Resubmittals shall be identified by the same number followed by the suffix "A" for the first resubmittal, the suffix "B" for the second resubmittal, etc.

- H. After the ENGINEER completes his review, one copy of the Shop Drawings or the sepia, when furnished, will be returned to the CONTRACTOR marked with one of the following notations:
1. "No exceptions taken"
 2. "No exceptions taken except as noted"
 3. "Amend and Resubmit"
 4. "Rejected: See remarks"
- I. Upon return of a submittal marked "No exceptions taken" or "No exceptions taken except as noted" the CONTRACTOR may order, ship or fabricate the materials included on the submittal, provided it is in accordance with the corrections indicated.
- J. If a Shop Drawing marked "No exceptions taken except as noted" has extensive corrections or corrections affecting other drawings or Work, the ENGINEER may require that the CONTRACTOR make the corrections indicated thereon and resubmit the Shop Drawing for record purposes.
- K. If a submittal is unacceptable, it will be returned to the CONTRACTOR with one of the following notations:
1. "Amend and Resubmit"
 2. "Rejected: See remarks"
- L. Upon return of a submittal marked "Amend and Resubmit", the CONTRACTOR shall make the corrections indicated and repeat the initial approval procedure. The "Rejected: See remarks" notation is used to indicate material or equipment that is not acceptable. Upon return of a submittal so marked, the CONTRACTOR shall repeat the initial approval procedure utilizing acceptable material or equipment.
- M. Any related Work performed or equipment installed without an "No exceptions taken" or "No exceptions taken except as noted" Shop Drawing will be at the sole responsibility of the CONTRACTOR.
- N. Shop Drawings shall be submitted well in advance of the need for the material or equipment for construction and with ample allowance for time required to make delivery of material or equipment after data covering such, is approved. The CONTRACTOR shall assume the risk for all materials or equipment which are fabricated or delivered prior to the approval of the Shop Drawings. Materials or equipment will not be included in periodic progress payments until approval thereof has been obtained in the specified manner.
- O. The ENGINEER will review and process all submittals promptly, but a reasonable time should be allowed for this, for the Shop Drawings being revised and resubmitted, and for time required to return the approved Shop Drawings to the

CONTRACTOR.

- P. It is the CONTRACTOR's responsibility to review submittals made by his suppliers and Subcontractors before transmitting them to the ENGINEER, to assure proper coordination of the Work and to determine that each submittal is in accordance with his desires and that there is sufficient information about materials and equipment for the ENGINEER to determine compliance with the Contract Documents. Details on Shop Drawings submitted for review shall clearly show the relation of the various parts and where the Work depends upon field measurements; such measurements shall be obtained by the CONTRACTOR and noted on the Shop Drawings. Incomplete or inadequate submittals will be returned for revision without review.

- Q. The CONTRACTOR shall coordinate reviewed equipment Shop Drawings with Shop Drawings of related new and altered structures, including but not limited to, connecting details, supports, piping, electrical work and mechanical work to ensure proper accommodation of the furnished equipment.

- R. The CONTRACTOR shall furnish required submittals with complete information and accuracy in order to achieve required approval of an item within three submittals. All costs to the ENGINEER involved with subsequent submittals of Shop Drawings, samples or other items requiring approval, will be back charged to the CONTRACTOR, at the rate of three (3) times direct technical labor costs, by deducting such costs from payments due to the CONTRACTOR for the Work completed. In the event that the CONTRACTOR requests a substitution for a previously approved item, all of the ENGINEER's costs in the reviewing and approval of the substitution will be back charged to the CONTRACTOR unless the need for such substitution is beyond the control of the CONTRACTOR.

+ + END OF SECTION + +

SECTION 1E9

CONSTRUCTION PHOTOGRAPHS

1.1 GENERAL

- A. The CONTRACTOR shall retain a photographer to perform the services specified below. Submit qualification and experience to the ENGINEER.

1.2 PRE-CONSTRUCTION AND POST-CONSTRUCTION VIDEO RECORD

- A. The CONTRACTOR shall make a video record of all property which may be disturbed in any way as a result of this Contract. This includes property that has the potential for being disturbed by the CONTRACTOR, his Subcontractors, utility companies, re-routed traffic, etc.
- B. Prior to performing any work at a building the CONTRACTOR shall make a pre-construction video record of the existing conditions, both inside and outside, in the areas which could be disturbed by the construction activities.
- C. Video filming shall be made using high quality video equipment and tape. Recording format shall be DVD.
- D. Properties will be shot from different angles and in repetitive takes to obtain a clear and unimpeded view of the pre-construction condition of the site of the Work.
- E. In likewise manner, post construction video will be taken of the restored Project site. This video will include all Work conducted in the public domain and on all rights of way and easements.
- F. Video DVD's will be clearly denoted and chronicled with audio and/or visual information which will delineate the watermain by stationing the Work. A summary report indexing each DVD's contents and listing the areas covered by each, will be furnished to the ENGINEER. Pre-construction DVD's and report will be turned over to the ENGINEER within sixty days of the notice to proceed. Post construction DVD's and report will be turned over to the ENGINEER prior to the final payment.

1.3 PHOTOGRAPHS

- A. Provide a minimum of twelve (12) digital photographs and a maximum of twenty (20) digital photographs per week during construction activity.

- B. The ENGINEER shall approve the views to be taken.
1. Specific attention shall be given to documenting existing and restored conditions of manmade improvements and natural features such as trees, vegetation, landscaping, streams and environmentally sensitive areas.
 2. Special views of unusual conditions shall be taken at the direction of the ENGINEER, in addition to the regular views, in order to document the reasons for relocation of lines, special environmental areas or restoration considerations.
 3. The ENGINEER may direct additional photographs to be taken if conditions are such that those photographs taken are not sufficient to show special details and conditions.
- C. Before photographs are taken, the CONTRACTOR shall notify the ENGINEER not less than 24-hours in advance.

+ + END OF SECTION + +

SECTION 1F1

TESTING LABORATORY SERVICES FURNISHED BY CONTRACTOR

1.1 GENERAL

- A. The CONTRACTOR shall employ and pay for an independent testing laboratory to perform the specified services. Said laboratory shall meet the requirements of this Section. The laboratory selected shall be subject to approval by the ENGINEER.
- B. Inspection, sampling and testing shall be as specified in the individual Technical Specification Sections. These include, but are not limited to:
 - 1. Soils Compaction.
 - 2. Soil Material Gradation
 - 3. Vibration Monitoring.

1.2 QUALIFICATIONS OF LABORATORY

- A. Where applicable, meet "Recommended Requirements for Independent Laboratory Qualification", latest edition, published by the American Council of Independent Laboratories, and the basic requirements of ASTM E 329, "Standards of Recommended Practice for Inspection and Testing Agencies for Concrete and Steel as Used in Construction". The laboratory shall be authorized and certified as required to operate in the state in which the Project is located.
- B. Submit a copy of the report of inspection of facilities made by the Materials Reference Laboratory of National Bureau of Standards during most recent tour of inspection together with memorandum of remedies of any deficiencies reported by the inspection.
- C. Testing Equipment:
 - 1. The testing equipment shall be calibrated at a maximum of 12 month intervals by devices of accuracy traceable to either National Bureau of Standards or accepted values of natural physical constants.
 - 2. Submit one (1) copy of the certificate of calibration, made by the accredited calibration agency.

1.3 LABORATORY DUTIES

- A. Cooperate with the ENGINEER and provide qualified personnel promptly on notice.

- B. Perform specified inspections, sampling and testing of materials and methods of construction; comply with applicable standards; ascertain compliance with requirements of the Contract Documents.
- C. Promptly notify the ENGINEER and the CONTRACTOR of any irregularities or deficiencies of Work which are observed during performance of services.
- D. Promptly submit five (5) copies of reports of inspections and tests to the ENGINEER, including:
 - 1. Date issued.
 - 2. Project title and number.
 - 3. Testing laboratory name and address.
 - 4. Name and signature of inspector.
 - 5. Date of inspection or sampling.
 - 6. Record of temperature and weather.
 - 7. Date of test.
 - 8. Identification of product and Specification Section.
 - 9. Location of Project.
 - 10. Type of inspection or test.
 - 11. Results of tests and observations regarding compliance with the Contract Documents.
- E. Perform additional tests and services, as required, to assure compliance with the Contract Documents.

1.4 CONTRACTOR'S COORDINATION WITH LABORATORY

- A. Cooperate with the laboratory personnel, provide access to the Work and to Manufacturer's operations.
- B. Provide to the laboratory, representative samples of materials to be tested, in required quantities.
- C. Furnish labor and facilities:
 - 1. To provide access to Work to be tested.
 - 2. To obtain and handle samples at the site.
 - 3. To facilitate inspections and tests.
 - 4. For laboratory's exclusive use for storage and curing of test samples.
 - 5. Forms for preparing concrete test beams and cylinders.
- D. Notify the laboratory and the ENGINEER sufficiently in advance of operations to allow for assignment of personnel and scheduling of tests.
- E. Arrange with the laboratory and pay for additional samples and tests required, for

the CONTRACTOR's convenience.

1.5 PRODUCT TEST REPORTS

- A. Furnish copies of the product test reports where required or requested by the ENGINEER.

++ END OF SECTION ++

SECTION 1G9

PROTECTION OF THE WORK AND PROPERTY

1.1 GENERAL

- A. The CONTRACTOR shall be responsible for taking all precautions, providing all programs, and taking all actions necessary to protect the Work and all public and private property and facilities from damage as specified in the General Conditions and herein.
- B. In order to prevent damage, injury or loss, CONTRACTOR's actions shall include, but not be limited to, the following:
 - 1. Store apparatus, materials, supplies, and equipment in an orderly, safe manner that will not unduly interfere with the progress of the Work or the work of any other contractor or utility service company.
 - 2. Provide suitable storage facilities for all materials which are subject to injury by exposure to weather, theft, breakage, or otherwise.
 - 3. Place upon the Work or any part thereof only such loads that are consistent with the safety of that portion of the Work.
 - 4. Clean up frequently all refuse, rubbish, scrap materials, and debris caused by his operations, to the end that at all times the site of the Work shall present a safe, orderly and workmanlike appearance.
 - 5. Provide barricades and guard rails around openings, for scaffolding, for temporary stairs and ramps, around excavations, elevated walkways and other hazardous areas.
- C. The CONTRACTOR shall not, except after written consent from proper parties, enter or occupy with men, tools, materials or equipment, privately-owned land except on easements provided for that purpose.
- D. The CONTRACTOR shall assume full responsibility for the preservation of all public and private property or facility on or adjacent to the site at the time of construction. If any direct or indirect damage is done by or on account of any act, omission, neglect or misconduct in the execution of the Work by the CONTRACTOR, it shall be restored by the CONTRACTOR, at his expense, to a condition equal to that existing before the damage was done.
- E. The CONTRACTOR shall submit to the ENGINEER lists of damages to property that exist prior to construction or construction related activity. The lists shall be submitted in the sequence with the construction progress and shall be submitted sufficiently in advance for the ENGINEER to verify the damages. The lists shall

include the following information:

1. Location of damage.
2. Nature of damage.
3. Extent of damage.

1.2 BARRICADES AND WARNING SIGNALS

- A. Where Work is performed on or adjacent to any roadway, right-of-way, or public place, the CONTRACTOR shall furnish and erect barricades, fences, lights, warning signs, and danger signals, and shall provide watchmen, and take other precautionary measures for the protection of persons or property and of the Work. Barricades shall be equipped and painted to be visible at night. From sunset to sunrise, the CONTRACTOR shall furnish and maintain at least one light at each barricade. Sufficient barricades shall be erected to keep vehicles from being driven on or into Work under construction. CONTRACTOR's responsibility for the maintenance of barricades, signs and lights shall continue until the Project is accepted by the OWNER.

1.3 TREE AND PLANT PROTECTION

- A. The CONTRACTOR shall protect existing trees, shrubs and plants on or adjacent to the site that are shown or designated to remain in place against unnecessary cutting, breaking or skinning of branches, bark or roots. Trees shall be protected to the drip line.
- B. Materials or equipment shall not be stored or parked within the drip line.
- C. Within the limits of the Work, water trees and plants that are to remain, in order to maintain their health during construction operations.
- D. Cover all exposed roots with burlap that shall be kept continuously wet. Cover all exposed roots with earth as soon as possible. Protect root systems from mechanical damage and damage by erosion, flooding, run-off or noxious materials in solution.
- E. If branches or trunks are damaged, prune branches immediately and protect the cut or damaged areas with emulsified asphalt compounded specifically for horticultural use in a manner approved by the ENGINEER.
- F. All damaged trees and plants that die or suffer permanent injury shall be removed when ordered by the ENGINEER and replaced by a specimen of equal or better

quality.

1.4 PROTECTION OF EXISTING STRUCTURES

A. Underground Structures:

1. Underground structures are defined to include, but not be limited to, all sewer, water, gas, and other piping and services, manholes, chambers, catch basins, electrical and signal conduits, telephone cables, wires, tunnels and other existing subsurface work located within or adjacent to the limits of the Work.
2. Underground structures known to the ENGINEER are shown on the Drawings. Approximate locations of underground utilities including water, sewer, gas, piping, telephone and electrical conduits, where known, are shown for the convenience of the CONTRACTOR in accordance with the best information available, but is not represented or guaranteed to be correct or complete. The CONTRACTOR shall be responsible for utilizing all available means and information for determining the actual locations of gas, water, sewer, piping and services, electric and telephone service connection lines and all other utilities to avoid potential interferences.
3. Other utilities and structures may exist within the construction site in addition to those shown on the Drawings. The CONTRACTOR shall explore ahead of his trenching and excavation Work and shall uncover all obstructing underground structures sufficiently to determine their location, to prevent damage to them and to prevent interruption to the services which such structures provide. If the CONTRACTOR damages an underground structure, he shall restore it to the original condition, at his expense.
4. Necessary changes in the location of the Work may be made by the ENGINEER, to avoid unanticipated underground structures.
5. Where existing utilities and structures appear to be located differently than shown, as indicated by the mark-outs, test pits or field observations, the CONTRACTOR shall notify the ENGINEER so that the Work may be rerouted, if possible, to avoid interferences.
6. If permanent relocation of an underground structure or other subsurface facility is required and is not otherwise provided for in the Contract Documents, the ENGINEER will direct the CONTRACTOR in writing to perform the Work, which shall be paid for under the provisions of Article 11 of the General Conditions.

B. Surface Structures:

1. Surface structures are defined as all existing buildings, structures and other facilities above the ground surface. Included with such structures are their foundations or any extension below the surface. Surface structures include,

but are not limited to, buildings, tanks, walls, tree grates, roads, channels, open drainage, piping, poles, wires, posts, signs, markers, curbs, walks and all other facilities that are visible above the ground surface.

C. Protection of Underground and Surface Structures:

1. The CONTRACTOR shall sustain in their places and protect from direct or indirect damage all underground and surface structures located within or adjacent to the limits of the Work. Such sustaining and supporting shall be done carefully and as required by the party owning or controlling such structure. Before proceeding with the Work of sustaining and supporting such structure, the CONTRACTOR shall satisfy the ENGINEER that the methods and procedures to be used have been approved by the party owning same.
2. The CONTRACTOR shall pay all utility service company charges related to the temporary support, relocation and replacement of utility poles, if required, to complete the Work.
3. The CONTRACTOR shall assume all risks attending the presence or proximity of all underground and surface structures within or adjacent to the limits of the Work. The CONTRACTOR shall be responsible for all damage and expense for direct or indirect injury caused by his Work to any structure. The CONTRACTOR shall repair immediately all damage caused by his Work, to the satisfaction of the owner of the damaged structure.
4. As excavation approaches utilities or underground structures, digging by machine may have to be discontinued until manual excavation properly locates the utility or structure.
 - a. Excavation within 24 inches of water mains and service lines and gas lines shall be by hand unless written permission for other methods is obtained from the utility owner.
5. In the event of damage, injury or loss to existing utilities and structures, whether shown or not, the CONTRACTOR shall make all reasonable efforts to facilitate repairs and to mitigate the impact of such event upon the utility or structure Owner's normal operations. The CONTRACTOR shall be responsible for restoring the existing utility or structure to the condition required by the Owner of the utility or structure or at least to a condition found immediately prior to the Work. In the event the utility owner elects to make the repairs, the CONTRACTOR shall provide all reasonable access and assistance and will reimburse the utility Owner for the cost of the repairs. If utility service is interrupted, alternate facilities shall be provided by the CONTRACTOR.

- D. Historical markers or structures, or other unique structures that cannot be replaced shall be avoided and protected at the CONTRACTOR's expense. If such a unique structure is in the path of Work to be performed, the CONTRACTOR shall notify the OWNER and the ENGINEER prior to performing the Work.
- E. All other existing surface facilities, including but not limited to, guard rails, posts, guard cables, signs, poles, markers, and curbs which are temporarily removed to facilitate installation of the Work shall be replaced and restored to their original condition at the CONTRACTOR's expense.
- F. Wherever water, sewer, gas or petroleum mains, electric or telephone lines, cables or other utilities and structures are encountered and may be in any way interfered with, the CONTRACTOR shall keep the ENGINEER and the utility service company informed in advance. The CONTRACTOR shall cooperate with the ENGINEER and utility service company in the protection, removal, relocation and replacement of all structures and facilities.
- G. All materials used for relocation or replacement of utilities and structures shall be of an equivalent material, type, class, grade and construction as the existing or as approved by the respective owners thereof, unless otherwise shown or specified.
- H. When any survey monument or property marker, whether of stone, concrete, wood or metal, is in the line of any trench or other construction work and may have to be removed, the CONTRACTOR shall notify the ENGINEER in advance of removal. Under no circumstances shall any monument or marker be removed or disturbed by the CONTRACTOR or by any of his Subcontractors, employees or agents, without the permission of the ENGINEER.

Monuments or markers removed or disturbed shall be reset by a land surveyor licensed in the State of New York at the CONTRACTOR's expense. Should any monuments or markers be destroyed through accident, neglect or as a result of the Work under this Contract, the CONTRACTOR shall, at his own expense, employ a land surveyor licensed in the State of New York to reestablish the monument or marker.

1.5 PROTECTION OF INSTALLED PRODUCTS AND LANDSCAPING

- A. Provide protection of installed products to prevent damage from subsequent operations. Remove protection facilities when no longer needed, prior to completion of Work.

- B. Control traffic to prevent damage to equipment, materials and surfaces and provide safe travel.
- C. Provide coverings to protect equipment and materials from damage.
- D. Prohibit traffic of any kind across planted lawn and landscaped areas.

+ + END OF SECTION + +

SECTION 1H2

SUBSTITUTIONS

1.1 GENERAL

- A. Requests for review of a substitution shall conform to the requirements of Article 6.3 of the General Conditions and shall contain complete data substantiating compliance of proposed substitution with the Contract Documents.

1.2 CONTRACTOR'S OPTIONS

- A. For materials or equipment (hereinafter products) specified only by reference standard, select product meeting that standard, by any Manufacturer, fabricator, supplier or distributor (hereinafter Manufacturer). To the maximum extent possible, provide products of the same generic kind from a single source.
- B. For products specified by naming several products or Manufacturers, select any one of the products or Manufacturers named, which complies with the Specifications.
- C. For products specified by naming one or more products or Manufacturers and stating "or equal", submit a request for a substitution for any product or Manufacturer which is not specifically named.
- D. For products specified by naming only one product or Manufacturer and followed by words indicating that no substitution is permitted, there is no option and no substitution will be allowed.
- E. Where more than one choice is available as a CONTRACTOR's option, select the product which is compatible with the other products already selected or specified.

1.3 SUBSTITUTIONS

- A. The CONTRACTOR shall submit a Schedule of Selected Vendors in accordance with the General Conditions-GC6.
- B. During a period of thirty (30) days after the date of commencement of the Contract Time, the ENGINEER will consider written requests from the CONTRACTOR for substitution of products or Manufacturers.
 - 1. After the end of the specified period, requests will be considered only in case of unavailability of the product or other conditions beyond the control of the CONTRACTOR.
- C. Submit five (5) copies of request for substitution. Submit separate requests for each substitution. In addition to the requirements set forth in Article 6.3 of the General

Conditions, include in requests the following:

1. For products or Manufacturers:
 - a. Product identification, including Manufacturer's name and address, and length of time the item has been Manufactured.
 - b. Manufacturer's technical literature with product description, performance and test data, and reference standards. Sales literature is not acceptable.
 - c. Samples, if appropriate.
 - d. Name and address and contact person of similar projects on which product was used, and date of installation.
 - e. Annual dollar volume of spare parts business, as a percent of annual sales, for the past five years.
 2. For construction methods (if specified):
 - a. Detailed description of proposed methods.
 - b. Drawings illustrating methods.
 3. Such other data as the ENGINEER may require, to establish that the proposed substitution is equal to the product, Manufacturer or method specified.
- D. In making request for substitutions, the CONTRACTOR represents that:
1. The CONTRACTOR has investigated the proposed substitution, and determined that it is equal to or superior in all respects to the product, Manufacturer or method specified.
 2. The CONTRACTOR will provide the same or better warranties or bonds for the proposed substitution, Manufacturer or method specified.
 3. The CONTRACTOR waives all claims for additional costs or extension of time related to the proposed substitution that subsequently may become apparent.
- E. Proposed substitution will not be accepted if:
1. Acceptance will require changes in the design concept or a revision of the Contract Documents.
 2. It will delay completion of the Work, or the work of other contractors.
 3. It is indicated or implied on a Shop Drawing and is not accompanied by a formal request for substitution from the CONTRACTOR.
- F. If the ENGINEER determines that a proposed substitute is not equal to that specified, the CONTRACTOR shall furnish the product, Manufacturer or method specified at no additional cost to the OWNER.

- G. Approval of a substitution will not relieve the CONTRACTOR from the requirement for submission of Shop Drawings as set forth in the Contract Documents.

++ END OF SECTION ++

Park and Athletic Complex (Former Airport Property)

SEPTIC SYSTEM CONTRACT Technical Specifications

Section 01 57 13	Temporary Erosion and Sediment Control
Section 16 00 00	General Provisions Electric
Section 31 20 00	Earth Moving
Section 31 23 33	Trenching and Backfilling
Section 31 50 00	Excavation Support and Protection
Section 32 92 00	Turfs and Grasses
Section 33 13 53	Septic System

SECTION 01 57 13 – TEMPORARY EROSION AND SEDIMENT CONTROL

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 1 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. This section includes furnishing, installing, maintaining, and removing temporary erosion and sediment control measures as shown on the contract documents or as ordered by the Engineer throughout the life of the contract to control soil erosion, sediment and water pollution through the use of temporary swales, check dams, bales, sediment traps, and silt fences.
- B. Related Sections include other Division 31 and 32 Sections.

1.3 REFERENCES

- A. Materials installation, maintenance, inspection and removal shall be in accordance with the *New York State Standards and Specifications For Erosion and Sediment Control*.
- B. This project is subject to the New York State Department of Environmental Conservation (NYSDEC) and New York City Department of Environmental Protection (NYCDEP) Stormwater Pollution Prevention Plan (SWPPP). All terms and conditions of said permits shall be adhered to.

1.4 SUBMITTALS

- A. Submittals shall be submitted in accordance with the provisions set forth in the General Specifications.
- B. Submittal shall contain source and supplier of material showing its compliance with specifications and associated standards.
 - 1. Samples of any kind shall be submitted upon Engineer's request.
- C. The Contractor shall submit schedules for the accomplishment of temporary sediment control work.

PART 2 - PRODUCTS

2.1 GENERAL

- A. Products shall be as specified on the contract drawings and as stated in *New York State Standards and Specifications For Erosion and Sediment Control*.

PART 3 - EXECUTION

3.1 INSTALLATION

- A. In the event of conflict between these specification requirements and pollution control laws, rules or regulations by other federal, state or local government agencies, the more restrictive rules and regulations shall apply.
- B. Temporary erosion and sediment control measures shall be inspected by the Contractor and maintained during the life of the project, and such maintenance and inspection shall continue until permanent stabilization measures are in place and the temporary control measures are ordered to be removed by the Engineer, and the disturbed area returned to its intended stabilized condition.
- C. The Engineer has the authority to limit the surface area of erodible earth material exposed by excavation, borrow and fill operations and to direct the Contractor to provide immediate permanent or temporary erosion and sediment control measures to minimize damage to adjacent property and to minimize contamination of adjacent watercourses or wetlands.
- D. The Contractor shall submit schedules for the accomplishment of temporary and permanent erosion and sediment control work to the Engineer for acceptance. All work done under this section shall be included as part of the construction schedule submitted by the Contractor.
- E. Maintenance shall be performed as directed by the Engineer. All sediment deposits shall be considered unsuitable material and properly disposed of.
- F. The Contractor shall immediately repair or replace defective or damaged portions of the erosion and sediment control facilities.
- G. Erosion and sediment control measures shall be installed where necessary and shall remain in place until the area is permanently stabilized or the Engineer directs that it be removed. Upon removal, the Contractor shall remove and dispose of any sediment accumulations and restore the area as directed by the Engineer. The removed facilities and materials shall become the property of the Contractor and be removed from the site.

END OF SECTION 01 57 13

SECTION 16000 – GENERAL PROVISIONS ELECTRIC

PART I

1. SCOPE OF WORK

- A. Provide all materials and equipment necessary for the proper installation and operation of the systems, even though not mentioned in the contract documents, but which are reasonably implied or usually incorporated to make up a complete system.
- B. Contract drawings are in part diagrammatic, and they are intended to convey the scope of work and indicated general arrangements of equipment. Due to the small scale of the drawings, exact locations of equipment, devices, piping, etc. can not be shown. The Contractor shall therefore, make allowances for actual conditions when installing his work (i.e., offsets, actual equipment sizes, and connection points) at no additional cost to the Owner or Architect/Engineer.
- C. Contract drawings and specifications are complementary and must be so used to ascertain all requirements of the work
- D. Contractor is responsible for all Bidding Requirements, General Conditions, and General Requirements. All costs of materials, labor, taxes, permit fees and inspections are to be included in bid proposal.
- E. Contractor is responsible to review and understand all drawings and all work of all trades to ensure a complete and thorough project. The Contractor shall become familiar with all drawings relating to this project in order to layout the work so as not to interfere with the work of other trades.
- F. Provide access panels for required equipment and controls behind drywall or plastered surfaces, tile, masonry, or other similar surfaces as well as ceilings and non-accessible areas. Access panels shall have fire ratings equal to penetrated surface where appropriate.
- G. Coordinate installation, size, and locations prior to system installation.
- H. All work shall be executed in accordance with recognized standards of workmanship. All work shall be installed in a neat and orderly manner. If, in the judgment of the Architect/Engineer, the workmanship is not acceptable, the work in question is to be removed and reinstalled in a manner satisfactory to the Owner and Architect/Engineer.
- I. All power and control wiring is to be by the electrical contractor, the mechanical, plumbing and sprinkler contractors shall supply and install all components, schematics and information for their trades. This contractor shall provide and install all wiring and disconnects.
- J. The following codes and standards shall be adhered to. Unless stated otherwise in the contract documents, the latest edition of these codes and standards shall be used except when a document is amended or issued during the course of a project, in which case the edition in affect at the time of bidding shall be used. Where the requirements of these specifications or drawings exceed code and standard minimums, the specifications and drawings shall govern.
 - a. New York State Fire and Building Codes.
 - b. National Fire Protection Association (NFPA)
 - c. National Electrical Code (2014)
 - d. Underwriter's Laboratories Standards (UL)
 - e. National Electrical Manufacturers Association (NEMA)
 - f. Occupational Safety and Health Act (OSHA)
- K. Maintain fire integrity of structures penetrated by this contractor using approved fire sealing methods.
- L. Excavation and backfill by general contractor.
- M. The Contractor shall provide supports and hangers for proper support of apparatus, materials and equipment from ceiling and/or wall construction using all necessary plates, bridging, inserts and expansion shields as required.
- N. Motor starters will be provided by this contractor for his work only.
- O. Assemblies powering motors greater than 1 HP will have the following features unless specified

otherwise:

- i. Starters to have HOA switches for local testing.
- P . Contractor to provide a 1-year guarantee and manufacturer's warranty for all materials from owner acceptance date.

2. PERMITS AND INSPECTIONS

- A. Permits: See general and special conditions of the contract documents.
- B. The undertaking of periodic inspections by the Owner or Architect/Engineer shall not be construed as supervision of actual construction. The Owner or Architect/Engineer is not responsible for providing a safe place of work for the Contractor, Contractor's employees, suppliers or subcontractors for access, visits, use, work, travel or occupancy by any person.

3. SUBMITTALS

- A. Contractor shall submit required shop drawings, samples, and product information according to these contract document requirements and as required in the various sections of these specifications.
- B. Contractor shall submit all items required in the various sections of these specifications. Additionally, the Contractor will submit data on the following:
 - a. Shop drawings for fans, pumps, and other motor driven equipment and devices shall include performance curves of pressure, flow, horsepower, speed, and sound level criteria. Curves shall specifically describe performance as a function of speed.
 - b. Contractor shall submit all necessary wiring diagrams to the Electrical Contractor with copy to Architect/Engineer and shall observe the work of the Electrical Contractor to ensure that all motors, controllers, interlocks, etc. are properly connected.

4. AS BUILT DRAWINGS

- A. Contractor shall maintain a set of drawings to be marked up daily with any deviations from original drawings.
- B. These marked up prints shall be turned over to the Architect/Engineer in a legible and clean manner prior to submitting final payment application.

5. INTERFERENCE

- A. The Contractor shall refer to architectural, structural, plumbing and electric contract documents before installing any of his work and shall check for possible interference. If any work is to be installed, and it later develops interference with other features in design, this Contractor, at his own expense, shall make such changes in his work to eliminate the interference.

6. CUTTING AND PATCHING

- A. The Contractor shall be responsible for any damage to his work or the work of others caused by his forces and shall repair any damage done to the work, and leave the building premises in approved order at the termination of the project.
- B. Cuts shall be no larger than absolutely required.
- C. The Contractor shall be responsible for his own cutting and patching unless otherwise noted. Patching shall be performed by mechanics skilled with the material being patched, shall match existing surroundings, and shall be equal to or better than original conditions.

PART II

1. ELECTRIC REQUIREMENTS - Scope of work includes but is not limited to the following:

- A. Installation of new conductors, including branch circuits, junction boxes, rough boxes and supporting devices.
- B. Installation of new regular and ground fault interrupter receptacles.
- C. Installation of new wall and/or ceiling-mounted lighting and switching.
- D. Provide power and control wiring of all plumbing and mechanical equipment, including disconnect.
- E. Miscellaneous electrical items.

- F. Supply and installation of all required materials for new service, including coordination with the local utility company.
- G. Supply and install cable TV terminals and wiring back to mechanical room.
- H. Supply and install telephone terminals and wiring back to mechanical room.
- I. Comply with all applicable sections of the latest National Electric Code.

2. ELECTRICAL SUPPORTING METHODS

- A. Damp Locations and Outdoors: hot-dip galvanized materials or fire rated nonmetallic, u-channel system components.
- B. Dry Locations: Steel materials or fire rated nonmetallic components.
- C. Install wires in raceway according to manufacturer's written instructions and NCA's "Standard of Installation".
- D. Wiring at Outlets: Install with at least 12 inches (300 mm) of slack conductor at each outlet.
- E. Install devices to securely and permanently fasten and support electrical components.
- F. Fire stopping: Apply to cable and raceway penetrations of fire-rated floor and wall assemblies.
- G. Fastening: Unless otherwise indicated, securely fasten electrical items and their supporting hardware to the building structure. Perform fastening according to the following:
 - a. Fasten by means of wood screws or screw-type nails on wood and by machine screws, welded threaded studs, or spring-tension clamps on steel.

End Of Section

SECTION 31 20 00 –EARTH MOVING

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions, and Division 1, 31 and 32 Specification Sections, apply to this section.

1.2 SUMMARY

- A. This Section includes the following:
 - 1. Preparing subgrades for fields, pavements, lawns, and plantings.
 - 2. Excavating and backfilling for stormwater basins and utility structures.
 - 3. Excavating and backfilling trenches for buried utilities and pits for buried utility structures.

1.3 DEFINITIONS

- A. Backfill: Soil materials used to fill an excavation.
 - 1. Initial Backfill: Backfill placed beside and over pipe in a trench, including haunches to support sides of pipe.
 - 2. Final Backfill: Backfill placed over initial backfill to fill a trench.
- B. Bedding Course: Layer placed over the excavated subgrade in a trench before laying pipe.
- C. Borrow: Satisfactory soil imported from off-site for use as fill or backfill.
- D. Excavation: Removal of material encountered above subgrade elevations.
 - 1. Additional Excavation: Excavation below subgrade elevations as directed by Engineer.
 - 2. Bulk Excavation: Excavations more than 10 feet (3 m) in width and pits more than 30 feet (9 m) in either length or width.
 - 3. Unauthorized Excavation: Excavation below subgrade elevations or beyond indicated dimensions without direction by Engineer. Unauthorized excavation, as well as remedial work directed by Engineer, shall be without additional compensation.
- E. Fill: Soil materials used to raise existing grades.
- F. Rock: Rock material in beds, ledges, unstratified masses, and conglomerate deposits and boulders of rock material exceeding 1 cu. yd. (0.76 cu. m) in place that cannot be removed by rock excavating equipment equivalent to the following in size and performance ratings, without systematic drilling, ram hammering, ripping, or blasting, when permitted:

1. Excavation of Trenches and Pits: Late-model, track-mounted hydraulic excavator; equipped with a 42-inch- (1065-mm-) wide, short-tip-radius rock bucket; rated at not less than 120-hp (89-kW) flywheel power with bucket-curling force of not less than 25,000 lbf (111 kN) and stick-crowd force of not less than 18,700 lbf (83 kN); measured according to SAE J-1179.
 2. Bulk Excavation: Late-model, track-mounted loader; rated at not less than 210-hp (157-kW) flywheel power and developing a minimum of 45,000-lbf (200-kN) breakout force; measured according to SAE J-732.
- G. Structures: Slabs, tanks, curbs, mechanical and electrical appurtenances, or other man-made stationary features constructed above or below the ground surface.
- H. Subbase Course: Layer placed between the subgrade and asphalt paving, or layer placed between the subgrade and a concrete pavement or walk.
- I. Subgrade: Surface or elevation remaining after completing excavation, or top surface of a fill or backfill immediately below subbase, drainage fill, or topsoil materials.
- J. Utilities include on-site underground pipes, conduits, ducts, and cables, as well as underground services within 5 feet of the building.
- K. Sand: Sand material used to supplement topsoil for athletic field construction.
- L. Septic Fill: R.O.B. fill as noted on the project drawings.
- 1.4 SUBMITTALS
- A. Product Data: For the following:
1. Each type of detectable warning tape.
 2. Drainage fabric.
 3. Separation fabric.
- B. Material Test Reports: From a qualified testing agency indicating and interpreting test results for compliance of the following with requirements indicated:
1. Classification according to ASTM D 2487 of each on-site or borrow soil material proposed for fill and backfill.
- C. Blasting plan approved by authorities having jurisdiction, for record purposes.
- 1.5 PROJECT CONDITIONS
- A. Existing Utilities: Do not interrupt utilities serving facilities occupied by Owner or others unless permitted in writing by Engineer and then only after arranging to provide temporary utility services according to requirements indicated:
1. Notify Engineer not less than two days in advance of proposed utility interruptions.
 2. Do not proceed with utility interruptions without Engineer's written permission.
 3. Contact utility-locator service for area where Project is located before excavating.
- B. Demolish and completely remove from site existing underground utilities indicated to be removed. Coordinate with utility companies to shut off services if lines are active.

PART 2 - PRODUCTS

2.1 SOIL MATERIALS

- A. General: Provide borrow soil materials when sufficient satisfactory soil materials are not available from excavations.
- B. Satisfactory Soils: ASTM D 2487 soil classification groups GW, GP, GM, SW, SP, and SM, or a combination of these group symbols; free of rock or gravel larger than 3 inches (75 mm) in any dimension, debris, waste, frozen materials, vegetation, and other deleterious matter.
- C. Unsatisfactory Soils: ASTM D 2487 soil classification groups GC, SC, ML, MH, CL, CH, OL, OH, and PT, or a combination of these group symbols.
 - 1. Unsatisfactory soils also include satisfactory soils not maintained within 2 percent of optimum moisture content at time of compaction.
- D. Backfill and Fill: Satisfactory soil materials.
- E. Subbase: Naturally or artificially graded mixture of natural or crushed gravel, crushed stone, and natural or crushed sand; meeting the requirements of NYSDOT Item # 304.11.
- F. Engineered Fill: Naturally or artificially graded mixture of natural or crushed gravel, crushed stone, and natural or crushed sand; ASTM D 2940; with at least 90 percent passing a 1-1/2-inch (38-mm) sieve and not more than 12 percent passing a No. 200 (0.075-mm) sieve.
- G. Bedding: Naturally or artificially graded mixture of natural or crushed gravel, crushed stone, and natural or crushed sand; ASTM D 2940; except with 100 percent passing a 1-inch (25-mm) sieve and not more than 8 percent passing a No. 200 (0.075-mm) sieve.
- H. Crushed Stone: Washed, narrowly graded mixture of crushed stone, or crushed or uncrushed gravel; meeting the requirements of NYSDOT Item # 623.12 and gradation requirements of NYSDOT Item # 605.0901.
- I. Filter Material: Narrowly graded mixture of natural or crushed gravel, or crushed stone and natural sand; ASTM D 448; coarse-aggregate grading Size 67; with 100 percent passing a 1-inch (25-mm) sieve and 0 to 5 percent passing a No. 4 (4.75-mm) sieve.
- J. Impervious Fill: Clayey gravel and sand mixture capable of compacting to a dense state.
- K. Rip Rap: Medium stone fill of crushed or uncrushed rock meeting the requirements of NYSDOT Item # 620.04.
- L. Sand: Sand meeting the requirements of Section 32 94 00.
- M. Septic Fill: R.O.B. fill meeting the requirements of the PCDOH as noted on the project drawings.

2.2 ACCESSORIES

- A. Detectable Warning Tape: Acid- and alkali-resistant polyethylene film warning tape manufactured for marking and identifying underground utilities, minimum 6 inches (150 mm) wide and 4 mils (0.1 mm) thick, continuously inscribed with a description of utility, with metallic core encased in a protective jacket for corrosion protection, detectable by metal detector when tape is buried up to 30 inches (750 mm) deep; colored as follows:
1. Red: Electric.
 2. Yellow: Gas, oil, steam, and dangerous materials.
 3. Orange: Telephone and other communications.
 4. Blue: Water systems.
 5. Green: Sewer systems.
- B. Drainage Fabric: Nonwoven geotextile, specifically manufactured as a drainage geotextile; made from polyolefins, polyesters, or polyamides; and with the following minimum properties determined according to ASTM D 4759 and referenced standard test methods:
1. Grab Tensile Strength: 110 lbf (490 N); ASTM D 4632.
 2. Tear Strength: 40 lbf (178 N); ASTM D 4533.
 3. Puncture Resistance: 50 lbf (222 N); ASTM D 4833.
 4. Water Flow Rate: 150 gpm per sq. ft. (100 L/s per sq. m); ASTM D 4491.
 5. Apparent Opening Size: No. 50 (0.3 mm); ASTM D 4751.
- C. Separation Fabric: Woven geotextile, specifically manufactured for use as a separation geotextile; made from polyolefins, polyesters, or polyamides; and with the following minimum properties determined according to ASTM D 4759 and referenced standard test methods:
1. Grab Tensile Strength: 200 lbf (890 N); ASTM D 4632.
 2. Tear Strength: 75 lbf (333 N); ASTM D 4533.
 3. Puncture Resistance: 90 lbf (400 N); ASTM D 4833.
 4. Water Flow Rate: 4 gpm per sq. ft. (2.7 L/s per sq. m); ASTM D 4491.
 5. Apparent Opening Size: No. 30 (0.6 mm); ASTM D 4751.

PART 3 - EXECUTION

3.1 PREPARATION

- A. Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards created by earthwork operations.
- B. Protect subgrades and foundation soils against freezing temperatures or frost. Provide protective insulating materials as necessary.
- C. Provide erosion-control measures to prevent erosion or displacement of soils and discharge of soil-bearing water runoff or airborne dust to adjacent properties and waterways.

3.2 DEWATERING

- A. Prevent surface water and ground water from entering excavations, from ponding on prepared subgrades, and from flooding Project site and surrounding area.
- B. Protect subgrades from softening, undermining, washout, and damage by rain or water accumulation.
 - 1. Reroute surface water runoff away from excavated areas. Do not allow water to accumulate in excavations. Do not use excavated trenches as temporary drainage ditches.
 - 2. Install a dewatering system to keep subgrades dry and convey ground water away from excavations. Maintain until dewatering is no longer required.
 - 3. All water discharged from excavations shall be passed through an appropriate sediment barrier. Trash pumps utilized to dewater trenches shall discharge water to the sediment traps or other appropriate method. Under no circumstances shall water from excavations be discharged directly to the ground surface.

3.3 EXCAVATION, GENERAL

- A. Unclassified Excavation: Excavation to subgrade elevations regardless of the character of surface and subsurface conditions encountered, including rock, soil materials, and obstructions.
 - 1. If excavated materials intended for fill and backfill include unsatisfactory soil materials and rock, replace with satisfactory soil materials.

3.4 EXCAVATION FOR STRUCTURES

- A. Excavate to indicated elevations and dimensions within a tolerance of plus or minus 1 inch (25 mm). Extend excavations a sufficient distance from structures for placing and removing concrete formwork, for installing services and other construction, and for inspections.
 - 1. Excavations for Equipment Pads: Do not disturb bottom of excavation. Excavate by hand to final grade just before placing concrete reinforcement. Trim bottoms to required lines and grades to leave solid base to receive other work.
 - 2. Excavation for Underground Tanks, Basins, and Mechanical or Electrical Utility Structures: Excavate to elevations and dimensions indicated within a tolerance of plus or minus 1 inch (25 mm). Do not disturb bottom of excavations intended for bearing surface.

3.5 EXCAVATION FOR WALKS AND PAVEMENTS

- A. Excavate surfaces under walks and pavements to indicated cross sections, elevations, and grades.

3.6 EXCAVATION FOR UTILITY TRENCHES

- A. Excavate trenches to indicated gradients, lines, depths, and elevations.

1. Beyond building perimeter, excavate trenches to allow installation of top of pipe below frost line.
- B. Excavate trenches to uniform widths to provide a working clearance on each side of pipe or conduit. Excavate trench walls vertically from trench bottom to 12 inches (300 mm) higher than top of pipe or conduit, unless otherwise indicated.
 1. Clearance: As indicated.
- C. Trench Bottoms: Excavate and shape trench bottoms to provide uniform bearing and support of pipes and conduit. Shape subgrade to provide continuous support for bells, joints, and barrels of pipes and for joints, fittings, and bodies of conduits. Remove projecting stones and sharp objects along trench subgrade.
 1. For pipes and conduit less than 6 inches (150 mm) in nominal diameter and flat-bottomed, multiple-duct conduit units, hand-excavate trench bottoms and support pipe and conduit on an undisturbed subgrade.
 2. For pipes and conduit 6 inches (150 mm) or larger in nominal diameter, shape bottom of trench to support bottom 90 degrees of pipe circumference. Fill depressions with tamped sand backfill.
 3. Excavate trenches 6 inches (150 mm) deeper than elevation required in rock or other unyielding bearing material to allow for bedding course.

3.7 APPROVAL OF SUBGRADE

- A. Notify Engineer when excavations have reached required subgrade.
- B. If Engineer determines that unsatisfactory soil is present, continue excavation and replace with compacted backfill or fill material as directed.
- C. Proof roll subgrade with heavy pneumatic-tired equipment to identify soft pockets and areas of excess yielding. Do not proof roll wet or saturated subgrades.
- D. Reconstruct subgrades damaged by freezing temperatures, frost, rain, accumulated water, or construction activities, as directed by Engineer.

3.8 UNAUTHORIZED EXCAVATION

- A. Fill unauthorized excavation under foundations or wall footings by extending bottom elevation of concrete foundation or footing to excavation bottom, without altering top elevation. Lean concrete fill may be used when approved by Engineer.
 1. Fill unauthorized excavations under other construction or utility pipe as directed by Engineer.

3.9 STORAGE OF SOIL MATERIALS

- A. Stockpile borrow materials and satisfactory excavated soil materials. Stockpile soil materials without intermixing. Place, grade, and shape stockpiles to drain surface water. Cover to prevent windblown dust.
 - 1. Stockpile soil materials away from edge of excavations. Do not store within drip line of remaining trees.

3.10 BACKFILL

- A. Place and compact backfill in excavations promptly, but not before completing the following:
 - 1. Construction below finish grade including, where applicable, dampproofing, waterproofing, and perimeter insulation.
 - 2. Surveying locations of underground utilities for record documents.
 - 3. Inspecting and testing underground utilities.
 - 4. Removing concrete formwork.
 - 5. Removing trash and debris.
 - 6. Removing temporary shoring and bracing, and sheeting.
 - 7. Installing permanent or temporary horizontal bracing on horizontally supported walls.

3.11 UTILITY TRENCH BACKFILL

- A. Place and compact bedding course on trench bottoms and where indicated. Shape bedding course to provide continuous support for bells, joints, and barrels of pipes and for joints, fittings, and bodies of conduits.
- B. Backfill trenches excavated under footings and within 18 inches (450 mm) of bottom of footings; fill with concrete to elevation of bottom of footings.
- C. Place and compact initial backfill of subbase material, free of particles larger than 1 inch (25 mm), to a height of 12 inches (300 mm) over the utility pipe or conduit.
 - 1. Carefully compact material under pipe haunches and bring backfill evenly up on both sides and along the full length of utility piping or conduit to avoid damage or displacement of utility system.
- D. Coordinate backfilling with utilities testing.
- E. Fill voids with approved backfill materials while shoring and bracing, and as sheeting is removed.
- F. Place and compact final backfill of satisfactory soil material to final subgrade.
- G. Install warning tape directly above utilities, 18 inches below finished grade, except 6 inches below subgrade under pavements and slabs.

3.12 FILL

- A. Preparation: Remove vegetation, topsoil, debris, unsatisfactory soil materials, obstructions, and deleterious materials from ground surface before placing fills.
- B. Plow, scarify, bench, or break up sloped surfaces steeper than 1 vertical to 4 horizontal, so fill material will bond with existing material.
- C. Place and compact fill material in layers to required elevations as follows:
 - 1. Under grass and planted areas, use satisfactory soil material.
 - 2. Under walks and pavements, use satisfactory soil material.
 - 3. Under steps and ramps, use engineered fill.

3.13 MOISTURE CONTROL

- A. Uniformly moisten or aerate subgrade and each subsequent fill or backfill layer before compaction to within 2 percent of optimum moisture content.
 - 1. Do not place backfill or fill material on surfaces that are muddy, frozen, or contain frost or ice.
 - 2. Remove and replace, or scarify and air-dry, otherwise satisfactory soil material that exceeds optimum moisture content by 2 percent and is too wet to compact to specified dry unit weight.

3.14 COMPACTION OF BACKFILLS AND FILLS

- A. Place backfill and fill materials in layers not more than 8 inches (200 mm) in loose depth for material compacted by heavy compaction equipment, and not more than 4 inches (100 mm) in loose depth for material compacted by hand-operated tampers.
- B. Place backfill and fill materials evenly on all sides of structures to required elevations, and uniformly along the full length of each structure.
- C. Compact soil to not less than the following percentages of maximum dry unit weight according to ASTM D 698:
 - 1. Under utility structures and paved shoulders, scarify and recompact top 12 inches (300 mm) of existing subgrade and each layer of backfill or fill material at 95 percent.
 - 2. Under walkways, scarify and recompact top 6 inches (150 mm) below subgrade and compact each layer of backfill or fill material at 92 percent.
 - 3. Under lawn or unpaved areas, scarify and recompact top 6 inches (150 mm) below subgrade and compact each layer of backfill or fill material at 90 percent.
 - 4. Under NYSDOT travel lanes and within 1 on 1 slope of travel lanes backfill trench with select granular fill meeting NYSDOT Item #623.12 or #605.0901.

3.15 GRADING

- A. General: Uniformly grade areas to a smooth surface, free from irregular surface changes. Comply with compaction requirements and grade to cross sections, lines, and elevations indicated.
 - 1. Provide a smooth transition between adjacent existing grades and new grades.
 - 2. Cut out soft spots, fill low spots, and trim high spots to comply with required surface tolerances.
- B. Site Grading: Slope grades to direct water away from buildings and to prevent ponding. Finish subgrades to required elevations within the following tolerances:
 - 1. Lawn or Unpaved Areas: Plus or minus 1 inch (25 mm).
 - 2. Walks: Plus or minus 1 inch (25 mm).
 - 3. Pavements: Plus or minus 1/2 inch (13 mm).

3.16 SUBBASE AND BASE COURSES

- A. Under pavements and walks, place subbase course on prepared subgrade and as follows:
 - 1. Place base course material over subbase.
 - 2. Compact subbase and base courses at optimum moisture content to required grades, lines, cross sections, and thickness to not less than 95 percent of maximum dry unit weight according to ASTM D 1557.
 - 3. Shape subbase and base to required crown elevations and cross-slope grades.
 - 4. When thickness of compacted subbase or base course is 6 inches (150 mm) or less, place materials in a single layer.
 - 5. When thickness of compacted subbase or base course exceeds 6 inches (150 mm), place materials in equal layers, with no layer more than 6 inches (150 mm) thick or less than 3 inches (75 mm) thick when compacted.
- B. Pavement Shoulders: Place shoulders along edges of subbase and base course to prevent lateral movement. Construct shoulders, at least 12 inches (300 mm) wide, of satisfactory soil materials and compact simultaneously with each subbase and base layer to not less than 95 percent of maximum dry unit weight according to ASTM D 1557.

3.17 FIELD QUALITY CONTROL

- A. Testing Agency: Contractor shall engage a qualified independent geotechnical engineering testing agency to perform field quality-control testing.
- B. Allow testing agency to inspect and test subgrades and each fill or backfill layer. Proceed with subsequent earthwork only after test results for previously completed work comply with requirements.

- C. Testing agency will test compaction of soils in place according to ASTM D 1556, ASTM D 2167, ASTM D 2922, and ASTM D 2937, as applicable. Tests will be performed at the following locations and frequencies:
 - 1. Paved Areas: At subgrade and at each compacted fill and backfill layer, at least one test for every 2000 sq. ft. (186 sq. m) or less of paved area, but in no case fewer than three tests.
 - 2. Trench Backfill: At each compacted initial and final backfill layer, at least one test for each 150 feet (46 m) or less of trench length, but no fewer than two tests.
- D. When testing agency reports that subgrades, fills, or backfills have not achieved degree of compaction specified, scarify and moisten or aerate, or remove and replace soil to depth required; recompact and retest until specified compaction is obtained.

3.18 PROTECTION

- A. Protecting Graded Areas: Protect newly graded areas from traffic, freezing, and erosion. Keep free of trash and debris.
- B. Repair and reestablish grades to specified tolerances where completed or partially completed surfaces become eroded, rutted, settled, or where they lose compaction due to subsequent construction operations or weather conditions.
 - 1. Scarify or remove and replace soil material to depth as directed by Engineer; reshape and recompact.
- C. Where settling occurs before Project correction period elapses, remove finished surfacing, backfill with additional soil material, compact, and reconstruct surfacing.
 - 1. Restore appearance, quality, and condition of finished surfacing to match adjacent work, and eliminate evidence of restoration to the greatest extent possible.

3.19 DISPOSAL OF SURPLUS AND WASTE MATERIALS

- A. Disposal: Transport surplus satisfactory soil offsite.
 - 1. Remove waste material, including unsatisfactory soil, trash, and debris, and legally dispose of it offsite.

END OF SECTION 31 20 00

SECTION 31 23 33 – TRENCHING AND BACKFILLING

PART 1 GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 1, 31, and 32 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. This Section includes excavation and backfill as required for pipe installation or other construction in the trench, and removal and disposal of water, in accordance with the applicable provisions of Sections entitled "Excavation Support and Protection" and "Earth Moving" unless modified herein.

PART 2 PRODUCTS

NOT USED

PART 3 EXECUTION

3.1 EXCAVATION

- A. The trench excavation shall be located as shown on the Contract Drawings or as specified. Under ordinary conditions, excavation shall be by open cut from the ground surface. Where the depth of trench and soil conditions permit, tunneling may be required beneath cross walks, curbs, gutters, pavements, trees, driveways, railroad tracks and other surface structures. No additional compensation will be allowed for such tunneling over the price bid for open cut excavation of equivalent depths below the ground surface unless such tunnel excavation is specifically provided for in the Contract Documents.
- B. Trenches shall be excavated to maintain the depths as shown on the Contract Drawings or as specified for the type of pipe to be installed.
- C. The alignment and depth shall be determined and maintained by the use of a string line installed on batter boards above the trench, a double string line installed along side of the trench or a laser beam system.
- D. The minimum width of trench excavation shall be 12 inches on each side of the pipe hub.
- E. Trenches shall not be opened for more than 300 feet in advance of pipe installation nor left unfilled for more than 100 feet in the rear of the installed pipe when work is in progress without the consent of the Engineer. Open trenches shall be protected and barricaded as required. No trench shall be left open over night unless adequate road plan is provided.
- F. Bridging across open trenches shall be constructed and maintained where required. Provide shop drawing of bridging or road plate system designed and stamped by NYS Licensed Engineer.

3.2 SUBGRADE PREPARATION FOR PIPE

- A. Where pipe is to be laid on undisturbed bottom of excavated trench, mechanical excavation shall not extend lower than the finished subgrade elevation at any point.

- B. Where pipe is to be laid on special granular material the excavation below subgrade shall be to the depth specified or directed. The excavation below subgrade shall be refilled with special granular material as specified or directed, shall be deposited in layers not to exceed 6 inches and shall be thoroughly compacted prior to the preparation of pipe subgrade.
- C. The subgrade shall be prepared by shaping with hand tools to the contour of the pipe barrel to allow for uniform and continuous bearing and support on solid undisturbed ground or embedment for the entire length of the pipe.
- D. Pipe subgrade preparation shall be performed immediately prior to installing the pipe in the trench. Where bell holes are required they shall be made after the subgrade preparation is complete and shall be only of sufficient length to prevent any part of the bell from becoming in contact with the trench bottom and allowing space for joint assembly.

3.3 STORAGE OF MATERIALS

- A. Traffic shall be maintained at all times in accordance with the applicable Highway Permits. Where no Highway Permit is required at least one-half of the street must be kept open for traffic.
- B. Where conditions do not permit storage of materials adjacent to the trench, the material excavated from a length as may be required, shall be removed by the Contractor, at his cost and expense, as soon as excavated. The material subsequently excavated shall be used to refill the trench where the pipe had been built, provided it be of suitable character. The excess material shall be removed to locations selected and obtained by the Contractor.
 - 1. The Contractor shall, at his cost and expense, bring back adequate amounts of satisfactory excavated materials as may be required to properly refill the trenches.
- C. If directed by the Engineer, the Contractor shall refill trenches with satisfactory soil materials or other suitable materials and excess excavated materials shall be disposed of offsite by the contractor.

3.4 REMOVAL OF WATER AND DRAINAGE

- A. The Contractor shall at all times provide and maintain proper and satisfactory means and devices for the removal of all water entering the trench, and shall remove all such water as fast as it may collect, in such manner as shall not interfere with the prosecution of the work.
- B. The removal of water shall be in accordance with the Section entitled "Earth Moving".

3.5 PIPE EMBEDMENT

- A. All pipe shall be protected from lateral displacement and possible damage resulting from superimposed backfill loads, impact or unbalanced loading during backfilling operations by being adequately embedded in suitable pipe embedment material. To ensure adequate lateral and vertical stability of the installed pipe during pipe jointing and embedment operations, a sufficient amount of the pipe embedment material to hold the pipe in rigid alignment shall be uniformly deposited and thoroughly compacted on each side, and back of the bell, of each pipe as laid.
- B. Concrete cradle and encasement of the class specified shall be installed where and as shown on the Contract Drawings or ordered by the Engineer. Before any concrete is placed, the pipe shall be securely blocked and braced to prevent movement or flotation. The concrete cradle or encasement shall extend the full width of the trench as excavated unless otherwise authorized by the Engineer. Where concrete is to be placed in a sheeted trench it shall be poured directly against sheeting to be left in place or against a bond-breaker if the sheeting is to be removed.

- C. Embedment materials placed above the centerline of the pipe or above the concrete cradle to a depth of 12 inches above the top of the pipe barrel shall be deposited in such manner as to not damage the pipe. Compaction shall be as required for the type of embedment being installed.

3.6 BACKFILL ABOVE EMBEDMENT

- A. The remaining portion of the pipe trench above the embedment shall be refilled with suitable materials compacted as specified.
 - 1. The trench shall be refilled in horizontal layers not more than 8 inches in thickness, and compacted to obtain 90% maximum density in lawn areas and 95% maximum density under pavement, and determined as set forth in the Section entitled "Earth Moving".
 - 2. Hand tamping shall be required around buried utility lines or other subsurface features that could be damaged by mechanical compaction equipment.
- B. Backfilling of trenches beneath, across or adjacent to drainage ditches and water courses shall be done in such a manner that water will not accumulate in unfilled or partially filled trenches and the backfill shall be protected from surface erosion by adequate means.
 - 1. Where trenches cross waterways, the backfill surface exposed on the bottom and slopes thereof shall be protected by means of stone or concrete rip-rap or pavement.
- C. All settlement of the backfill shall be refilled and compacted as it occurs.

END OF SECTION 31 23 33

SECTION 31 50 00 - EXCAVATION SUPPORT AND PROTECTION

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 1, 31, and 32 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. Section includes temporary excavation support and protection systems.

1.3 PERFORMANCE REQUIREMENTS

- A. Design, furnish, install, monitor, and maintain excavation support and protection system capable of supporting excavation sidewalls and of resisting soil and hydrostatic pressure and superimposed and construction loads.
 - 1. Delegated Design: Design excavation support and protection system, including comprehensive engineering analysis by a qualified professional engineer, using performance requirements and design criteria indicated.
 - 2. Prevent surface water from entering excavations by grading, dikes, or other means.
 - 3. Install excavation support and protection systems without damaging existing buildings, structures, and site improvements adjacent to excavation.
 - 4. Monitor vibrations, settlements, and movements.

1.4 SUBMITTALS

- A. Shop Drawings: For excavation support and protection system.
- B. Delegated-Design Submittal: For excavation support and protection system indicated to comply with performance requirements and design criteria, including analysis data signed and sealed by the qualified professional engineer responsible for their preparation.
- C. Other Informational Submittals:
 - 1. Photographs or Videotape: Show existing conditions of adjacent construction and site improvements that might be misconstrued as damage caused by the absence of, the installation of, or the performance of excavation support and protection systems. Submit before Work begins.
 - 2. Record Drawings: Identifying and locating capped utilities and other subsurface structural, electrical, or mechanical conditions.
 - a. Note locations and capping depth of wells and well points.

1.5 QUALITY ASSURANCE

- A. Preinstallation Conference: Conduct a preinstallation conference at site with Contractor, Owner, and Engineer.
 - 1. Review methods and procedures related to excavation support and protection system including, but not limited to, the following:
 - a. Geotechnical report.
 - b. Existing utilities and subsurface conditions.
 - c. Proposed excavations.
 - d. Proposed equipment.
 - e. Monitoring of excavation support and protection system.
 - f. Working area location and stability.
 - g. Coordination with waterproofing.
 - h. Abandonment or removal of excavation support and protection system.

1.6 PROJECT CONDITIONS

- A. Interruption of Existing Utilities: Do not interrupt any utility serving facilities occupied by Owner or others unless permitted under the following conditions and then only after arranging to provide temporary utility according to requirements indicated:
 - 1. Notify Engineer and Owner no fewer than two days in advance of proposed interruption of utility.
 - 2. Do not proceed with interruption of utility without Owner's/Engineer's written permission.
- B. Survey Work: Engage a qualified land surveyor or professional engineer to survey adjacent existing buildings, structures, and site improvements; establish exact elevations at fixed points to act as benchmarks. Clearly identify benchmarks and record existing elevations.
 - 1. During installation of excavation support and protection systems, regularly resurvey benchmarks, maintaining an accurate log of surveyed elevations and positions for comparison with original elevations and positions. Promptly notify Engineer if changes in elevations or positions occur or if cracks, sags, or other damage is evident in adjacent construction.

PART 2 - PRODUCTS

2.1 MATERIALS

- A. General: Provide materials that are either new or in serviceable condition.
- B. Structural Steel: ASTM A 36/A 36M, ASTM A 690/A 690M, or ASTM A 992/A 992M.
- C. Steel Sheet Piling: ASTM A 328/A 328M, ASTM A 572/A 572M, or ASTM A 690/A 690M; with continuous interlocks.
 - 1. Corners: Site-fabricated mechanical interlock or Roll-formed corner shape with continuous interlock.
- D. Reinforcing Bars: ASTM A 615/A 615M, Grade 60 (Grade 420), deformed.

- E. Tiebacks: Steel bars, ASTM A 722/A 722M.
- F. Tiebacks: Steel strand, ASTM A 416/A 416M.

PART 3 - EXECUTION

3.1 PREPARATION

- A. Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards that could develop during excavation support and protection system operations.
 - 1. Shore, support, and protect utilities encountered.
- B. Install excavation support and protection systems to ensure minimum interference with roads, streets, walks, and other adjacent occupied and used facilities.
 - 1. Do not close or obstruct streets, walks, or other adjacent occupied or used facilities without permission from Owner and authorities having jurisdiction. Provide alternate routes around closed or obstructed traffic ways if required by authorities having jurisdiction.
- C. Locate excavation support and protection systems clear of permanent construction so that forming and finishing of concrete surfaces are not impeded.
- D. Monitor excavation support and protection systems daily during excavation progress and for as long as excavation remains open. Promptly correct bulges, breakage, or other evidence of movement to ensure that excavation support and protection systems remain stable.
- E. Promptly repair damages to adjacent facilities caused by installing excavation support and protection systems.

3.2 SOLDIER PILES AND LAGGING

- A. Install steel soldier piles before starting excavation. Extend soldier piles below excavation grade level to depths adequate to prevent lateral movement. Space soldier piles at regular intervals not to exceed allowable flexural strength of wood lagging. Accurately align exposed faces of flanges to vary not more than 2 inches (50 mm) from a horizontal line and not more than 1:120 out of vertical alignment.
- B. Install wood lagging within flanges of soldier piles as excavation proceeds. Trim excavation as required to install lagging. Fill voids behind lagging with soil, and compact.
- C. Install wales horizontally at locations indicated on Drawings and secure to soldier piles.

3.3 SHEET PILING

- A. Before starting excavation, install one-piece sheet piling lengths and tightly interlock to form a continuous barrier. Accurately place the piling, using templates and guide frames unless otherwise recommended in writing by the sheet piling manufacturer. Limit vertical offset of adjacent sheet piling to 60 inches (1500 mm). Accurately align exposed faces of sheet piling to

vary not more than 2 inches (50 mm) from a horizontal line and not more than 1:120 out of vertical alignment. Cut tops of sheet piling to uniform elevation at top of excavation.

3.4 TIEBACKS

- A. Tiebacks: Drill, install, grout, and tension tiebacks. Test load-carrying capacity of each tieback and replace and retest deficient tiebacks.
1. Test loading shall be observed by a qualified professional engineer responsible for design of excavation support and protection system.
 2. Maintain tiebacks in place until permanent construction is able to withstand lateral soil and hydrostatic pressures.

3.5 BRACING

- A. Bracing: Locate bracing to clear columns, floor framing construction, and other permanent work. If necessary to move brace, install new bracing before removing original brace.
1. Do not place bracing where it will be cast into or included in permanent concrete work unless otherwise approved by Architect.
 2. Install internal bracing, if required, to prevent spreading or distortion of braced frames.
 3. Maintain bracing until structural elements are supported by other bracing or until permanent construction is able to withstand lateral earth and hydrostatic pressures.

3.6 REMOVAL AND REPAIRS

- A. Remove excavation support and protection systems when construction has progressed sufficiently to support excavation and bear soil and hydrostatic pressures. Remove in stages to avoid disturbing underlying soils or damaging structures, pavements, facilities, and utilities.
1. Remove excavation support and protection systems to a minimum depth of 48 inches (1200 mm) below overlaying construction and abandon remainder.
 2. Fill voids immediately with approved backfill compacted to density specified in Division 31 Section "Earth Moving."
 3. Repair or replace, as approved by Engineer, adjacent work damaged or displaced by removing excavation support and protection systems.

END OF SECTION 31 50 00

SECTION 32 92 00 - TURFS AND GRASSES

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 01 General Requirements and Section 01 50 00 Temporary Facilities and Controls, apply to this Section.

1.2 SUMMARY

- A. This Section includes the following:
 - 1. Seeding.
 - 2. Meadow grasses and wildflowers.
- B. Related Sections include Section 01 50 00 Temporary Facilities and Controls for Temporary Seeding, and Section 31 25 00 Erosion and Sediment Controls.

1.3 DEFINITIONS

- A. Finish Grade: Elevation of finished surface of planting soil.
- B. Planting Soil: Native or imported topsoil, manufactured topsoil, or surface soil modified to become topsoil; mixed with soil amendments.
- C. Subgrade: Surface or elevation of subsoil remaining after completing excavation, or top surface of a fill or backfill immediately beneath planting soil.

1.4 SUBMITTALS

- A. Certification of Grass Seed: From seed vendor for each grass-seed monostand or mixture stating the botanical and common name and percentage by weight of each species and variety, and percentage of purity, germination, and weed seed. Include the year of production and date of packaging.
- B. Product Certificates: For soil amendments and fertilizers, signed by product manufacturer.
- C. Qualification Data: For landscape Installer.
- D. Planting Schedule: Indicating anticipated planting dates for each type of planting.

1.5 QUALITY ASSURANCE

- A. Installer Qualifications: A qualified landscape installer whose work has resulted in successful lawn and meadow establishment.

1. Installer's Field Supervision: Require Installer to maintain an experienced full-time supervisor on Project site when planting is in progress.
 - B. Topsoil Analysis: Furnish soil analysis by a qualified soil-testing laboratory stating percentages of organic matter; gradation of sand, silt, and clay content; deleterious material; pH; and mineral and plant-nutrient content of topsoil.
 1. Report suitability of topsoil for lawn growth. State recommended quantities of nitrogen, phosphorus, and potash nutrients and soil amendments to be added to produce a satisfactory topsoil.
 - C. Preinstallation Conference: Conduct pre-installation conference at the Site per Division 01 General Requirements."
- 1.6 DELIVERY, STORAGE, AND HANDLING
- A. Seed: Deliver seed in original sealed, labeled, and undamaged containers.
- 1.7 SCHEDULING
- A. Planting Restrictions: Plant during one of the following periods. Coordinate planting periods with maintenance periods to provide required maintenance from date of Substantial Completion.
 1. Planting: April 1 to September 15 or as approved by Engineer.
 - B. Weather Limitations: Proceed with planting only when existing and forecasted weather conditions permit.
- 1.8 LAWN MAINTENANCE
- A. Begin maintenance immediately after each area is planted and continue until acceptable lawn is established, but for not less than the following periods:
 1. Seeded Lawns: 60 days from date of Substantial Completion.
 - a. When full maintenance period has not elapsed before end of planting season, or if lawn is not fully established, continue maintenance during next planting season.
 - B. Maintain and establish lawn by watering, fertilizing, weeding, mowing, trimming, replanting, and other operations. Roll, regrade, and replant bare or eroded areas and remulch to produce a uniformly smooth lawn.
 1. In areas where mulch has been disturbed by wind or maintenance operations, add new mulch.
 - C. Watering: Provide and maintain temporary piping, hoses, and lawn-watering equipment to convey water from sources and to keep lawn uniformly moist to a depth of 4 inches (100 mm).
 1. Water lawn at a minimum rate of 1 inch (25 mm) per week.

- D. Mow lawn as soon as top growth is tall enough to cut. Repeat mowing to maintain specified height without cutting more than 40 percent of grass height. Remove no more than 40 percent of grass-leaf growth in initial or subsequent mowings. Do not delay mowing until grass blades bend over and become matted. Do not mow when grass is wet. Schedule initial and subsequent mowings to maintain the following grass height:
 - 1. Mow grass 1 to 2 inches (25 to 50 mm) high.
- E. Lawn Postfertilization: Apply fertilizer after initial mowing and when grass is dry.
 - 1. Use fertilizer that will provide actual nitrogen of at least 1 lb/1000 sq. ft. (0.45 kg/92.9 sq. m) to lawn area.

1.9 MEADOW MAINTENANCE

- A. Begin maintenance immediately after each area is planted and continue until acceptable meadow is established, but for not less than 40 days from date of Substantial Completion.
- B. Maintain and establish meadow by watering, weeding, mowing, trimming, replanting, and other operations. Roll, regrade, and replant bare or eroded areas and remulch.
- C. Watering: Provide lawn-watering equipment to convey water from sources and to keep meadow uniformly moist.
 - 1. Schedule watering to prevent wilting, puddling, erosion, and displacement of seed or mulch.
 - 2. Water meadow at a minimum rate of 1/2 inch (13 mm) per week for 6 weeks after planting.

PART 2 - PRODUCTS

2.1 SEED

- A. Seed Mix for lawn areas and mow strip along roads at a rate of 100 lbs. per acre:
 - 20% Kentucky Bluegrass
 - 40% Creeping Red Fescue
 - 20% Perennial Ryegrass
 - 20% Annual Ryegrass
- B. Seed Mix for all other disturbed areas at a rate of 30 lbs. per acre:
 - Roundtop Native Steep Slope Mix
 - 24% Little Bluestem
 - 10% Annual Ryegrass
 - 17% Canada Wild Rye
 - 13% Virginia Wild Rye
 - 4% Switchgrass
 - 3% Autumn Bentgrass
 - 3% Ticklegrass
 - 3% Purple Top
 - 2% Partridge Pea

- 2% Wild Bergamot
- 2% Tall White Beard Tongue
- 2% Blackeyed Susan
- 2% Lance Leaved Coreopsis
- 1% Marsh Blazing Star
- 1% Purple Coneflower

100% Total

- C. Seed mix for temporary stabilization of disturbed areas to be “New England Erosion Control/Restoration Mix for Retention Basins and Moist Sites” spread at a rate of 1 lb./1.245 sf as manufactured by New England Wetland Plants, Inc..

2.2 TOPSOIL

- A. Topsoil: ASTM D 5268, pH range of 5.5 to 7, a minimum of 4 percent organic material content; free of stones 1 inch (25 mm) or larger in any dimension and other extraneous materials harmful to plant growth.
 - 1. Topsoil Source: Reuse surface soil stockpiled on-site. Verify suitability of stockpiled surface soil to produce topsoil. Clean surface soil of roots, plants, sod, stones, clay lumps, and other extraneous materials harmful to plant growth.
 - a. Supplement with imported or manufactured topsoil from off-site sources when quantities are insufficient. Obtain topsoil displaced from naturally well-drained construction or mining sites where topsoil occurs at least 4 inches (100 mm) deep; do not obtain from agricultural land, bogs or marshes.

2.3 INORGANIC SOIL AMENDMENTS

- A. Lime: ASTM C 602, agricultural limestone containing a minimum 80 percent calcium carbonate equivalent and as follows:
 - 1. Class: Class T, with a minimum 99 percent passing through No. 8 (2.36-mm) sieve and a minimum 75 percent passing through No. 60 (0.25-mm) sieve.
- B. Sulfur: Granular, biodegradable, containing a minimum of 90 percent sulfur, with a minimum 99 percent passing through No. 6 (3.35-mm) sieve and a maximum 10 percent passing through No. 40 (0.425-mm) sieve.
- C. Aluminum Sulfate: Commercial grade, unadulterated.
- D. Perlite: Horticultural perlite, soil amendment grade.
- E. Sand: Clean, washed, natural or manufactured, free of toxic materials.

2.4 ORGANIC SOIL AMENDMENTS

- A. Compost: Well-composted, stable, and weed-free organic matter, pH range of 5.5 to 8; moisture content 35 to 55 percent by weight; 100 percent passing through [3/4-inch (19-mm)] sieve; soluble

salt content of 5 to 10 decisiemens/m; not exceeding 0.5 percent inert contaminants and free of substances toxic to plantings; and as follows:

1. Organic Matter Content: 50 to 60 percent of dry weight.
- B. Peat: Sphagnum peat moss, partially decomposed, finely divided or granular texture, with a pH range of 3.4 to 4.8.
- C. Manure: Well-rotted, unleached, stable or cattle manure containing not more than 25 percent by volume of straw, sawdust, or other bedding materials; free of toxic substances, stones, sticks, soil, weed seed, and material harmful to plant growth.

2.5 PLANTING ACCESSORIES

- A. Selective Herbicides: EPA registered and approved, of type recommended by manufacturer for application.

2.6 FERTILIZER

- A. Bonemeal: Commercial, raw or steamed, finely ground; a minimum of 4 percent nitrogen and 20 percent phosphoric acid.
- B. Superphosphate: Commercial, phosphate mixture, soluble; a minimum of 20 percent available phosphoric acid.
- C. Commercial Fertilizer: Commercial-grade complete fertilizer of neutral character, consisting of fast- and slow-release nitrogen, 50 percent derived from natural organic sources of urea formaldehyde, phosphorous, and potassium in the following composition:
 1. Composition: Nitrogen, phosphorous, and potassium in amounts recommended in soil reports from a qualified soil-testing agency.
- D. Slow-Release Fertilizer: Granular or pelleted fertilizer consisting of 50 percent water-insoluble nitrogen, phosphorus, and potassium in the following composition:
 1. Composition: Nitrogen, phosphorous, and potassium in amounts recommended in soil reports from a qualified soil-testing agency.

2.7 MULCHES

- A. Straw Mulch: Provide air-dry, clean, mildew- and seed-free, salt hay or threshed straw of wheat, rye, oats, or barley.

2.8 EROSION-CONTROL MATERIALS

- A. Erosion-Control Blankets: per Section 01 50 00 Temporary Facilities and Controls.

2.9 PLANTING SOIL MIX

- A. Planting Soil Mix: Mix topsoil with soil amendments and fertilizers recommended by the qualified soil testing laboratory.

PART 3 - EXECUTION

3.1 EXAMINATION

- A. Examine areas to receive lawns and grass for compliance with requirements and other conditions affecting performance. Proceed with installation only after unsatisfactory conditions have been corrected.

3.2 PREPARATION

- A. Protect structures, utilities, sidewalks, pavements, and other facilities, trees, shrubs, and plantings from damage caused by planting operations.
 - 1. Protect adjacent and adjoining areas from hydroseeding overspray.
- B. Provide erosion-control measures to prevent erosion or displacement of soils and discharge of soil-bearing water runoff or airborne dust to adjacent properties and walkways.

3.3 LAWN PREPARATION

- A. Limit lawn subgrade preparation to areas to be planted.
- B. Newly Graded Subgrades: Loosen subgrade to a minimum depth of 6 inches (150 mm). Remove stones larger than 1 inch (25 mm) in any dimension and sticks, roots, rubbish, and other extraneous matter and legally dispose of them off Owner's property.
 - 1. Thoroughly blend planting soil mix off-site before spreading or spread topsoil, apply soil amendments and fertilizer on surface, and thoroughly blend planting soil mix.
 - a. Delay mixing fertilizer with planting soil if planting will not proceed within a few days.
 - 2. Spread planting soil mix to a depth of 4 inches but not less than required to meet finish grades after light rolling and natural settlement. Do not spread if planting soil or subgrade is frozen, muddy, or excessively wet.
- C. Finish Grading: Grade planting areas to a smooth, uniform surface plane with loose, uniformly fine texture. Grade to within plus or minus 1/2 inch (13 mm) of finish elevation. Roll and rake, remove ridges, and fill depressions to meet finish grades. Limit fine grading to areas that can be planted in the immediate future.
- D. Moisten prepared lawn areas before planting if soil is dry. Water thoroughly and allow surface to dry before planting. Do not create muddy soil.
- E. Restore areas if eroded or otherwise disturbed after finish grading and before planting.

3.4 SEEDING

- A. Sow seed with spreader or seeding machine. Do not broadcast or drop seed when wind velocity exceeds 5 mph (8 km/h). Evenly distribute seed by sowing equal quantities in two directions at right angles to each other.
 - 1. Do not use wet seed or seed that is moldy or otherwise damaged.
- B. Sow seed at the rate specified on drawings.
- C. Rake seed lightly into top 1/8 inch (3 mm) of topsoil, roll lightly, and water with fine spray.
- D. Protect seeded areas with slopes by spreading straw mulch. Spread uniformly at a minimum rate of 2 tons/acre (42 kg/92.9 sq. m) to form a continuous blanket 1-1/2 inches (38 mm) in loose depth over seeded areas. Spread by hand, blower, or other suitable equipment.

3.5 HYDROSEEDING

- A. Hydroseeding: Mix specified seed, fertilizer, and fiber mulch in water, using equipment specifically designed for hydroseed application. Continue mixing until uniformly blended into homogeneous slurry suitable for hydraulic application.
 - 1. Mix slurry with nonasphaltic tackifier.
 - 2. Apply slurry uniformly to all areas to be seeded in a one-step process. Apply mulch at a minimum rate of 1500-lb/acre (15.3-kg/92.9 sq. m) dry weight but not less than the rate required to obtain specified seed-sowing rate.

3.6 SATISFACTORY LAWNS

- A. Satisfactory Seeded Lawn: At end of maintenance period, a healthy, uniform, close stand of grass has been established, free of weeds and surface irregularities, with coverage exceeding 90 percent over any 10 sq. ft. (0.92 sq. m) and bare spots not exceeding 5 by 5 inches (125 by 125 mm).
- B. Reestablish lawns that do not comply with requirements and continue maintenance until lawns are satisfactory.

3.7 MEADOW

- A. Sow seed with spreader or seeding machine. Do not broadcast or drop seed when wind velocity exceeds 5 mph (8 km/h). Evenly distribute seed by sowing equal quantities in two directions at right angles to each other.
 - 1. Do not use wet seed or seed that is moldy or otherwise damaged.
- B. Sow seed at the net rate as recommended by manufacturer.
- C. Brush seed into top 1/16 inch (1.6 mm) of topsoil, roll lightly, and water with fine spray.
- D. Water newly planted areas and keep moist until meadow is established.

3.8 CLEANUP AND PROTECTION

- A. Promptly remove soil and debris created by lawn work from paved areas. Clean wheels of vehicles before leaving site to avoid tracking soil onto roads, walks, or other paved areas.
- B. Erect barricades and warning signs as required to protect newly planted areas from traffic. Maintain barricades throughout maintenance period and remove after lawn is established.
- C. Remove erosion-control measures after grass establishment period.

END OF SECTION 32 92 00

SECTION 33 13 53 - SEPTIC SYSTEM

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 1 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. This Section includes the following:
 - 1. Septic Tank
 - 2. Pump Pit
 - 3. Effluent Pumps
 - 4. Pipe and fittings
 - 5. Absorption Trenches
 - 6. Distribution Boxes
- B. Related Sections include other Division 33 Sections.

1.3 DEFINITIONS

- A. SSTS: Subsurface sewage treatment system.
- B. PE: Polyethylene plastic.
- C. PVC: Polyvinyl chloride plastic.

1.4 SUBMITTALS

- A. Product Data: For the following:
 - 1. Effluent Pumps and floats
 - 2. Forcemain piping
 - 3. Gravity pipe
 - 4. Perforated pipe
- B. Shop Drawings: Include manhole openings, covers, pipe connections, and accessories for the following precast concrete structures:
 - 1. Septic tank.
 - 2. Pump Pit.
 - 3. Distribution boxes.

- C. Coordination Drawings: Show piping, underground structures, and other utilities. Indicate size and invert elevations of piping and structures.
- D. Operation and Maintenance Data: For effluent pumps, include emergency, operation, and maintenance manuals.

1.5 QUALITY ASSURANCE

- A. Product Options: Drawings indicate size, profiles, and dimensional requirements of septic system and are based on the specific system indicated.
- B. Electrical Components, Devices, and Accessories: Listed and labeled as defined in NFPA 70, Article 100, by a testing agency acceptable to authorities having jurisdiction, and marked for intended use.

PART 2 - PRODUCTS

2.1 MANUFACTURERS

- A. In other Part 2 articles where titles below introduce lists, the following requirements apply to product selection:
 - 1. Available Manufacturers: Subject to compliance with requirements, manufacturers offering products that may be incorporated into the Work include, but are not limited to, manufacturers specified.

2.2 SEPTIC TANK

- A. Precast Concrete Septic Tank: ASTM C 1227, two-chamber, precast, reinforced-concrete tank and covers.
 - 1. Design: For A-16 (HS20-44) traffic loading according to ASTM C 890.
 - 2. Manholes: 30" minimum diameter opening with reinforced-concrete risers to grade and access lid with steel lift rings. Include manhole over the inlet and outlet pipe of each septic tank compartment top.
 - 3. Inlet and Outlet Access: 30-inch minimum diameter, reinforced-concrete access lids with steel lift rings. Include access centered over inlet and outlet.
 - 4. Resilient Connectors: Of size required for piping, fitted into inlet and outlet openings.
- B. Capacity and Characteristics:
 - 1. Capacities: 1,250 gallons
 - 2. Inlet and Outlet Size: 4" NPS

2.3 PUMP PIT

- A. Precast concrete pump pit: One-Chamber, precast, reinforced concrete tank and covers.
 - 1. Design: For A-16 (HS20-44) traffic loading according to ASTM C 890.
 - 2. Inlet and Outlet Access: 30-inch minimum diameter, reinforced-concrete access lids with steel lift rings. Include access centered over inlet and outlet.
 - 3. Resilient Connectors: Of size required for piping, fitted into inlet and outlet openings.
- B. Capacity and Characteristics:
 - 1. Capacity: 1,250 gallons
 - 2. Inlet and Outlet Size: 4" NPS inlet, two 2" NPS outlets

2.4 EFFLUENT PUMPS

- A. Description: Single-stage, centrifugal, end-suction, submersible, sewage grinder pump direct-connected effluent pump complying with UL 778 and with HI 1.1-1.2 and HI 1.3 for submersible sewage pumps.
 - 1. Manufacturers:
 - a. Pentair PLC; or approved equal.
 - 2. Pumps: Duplex arrangement.
 - a. Casing: Cast iron, with open inlet and legs or base that elevate pump to permit flow into impeller, and discharge companion flange arranged for vertical discharge.
 - b. Impeller: Stainless steel; semiopen design and secured to shaft.
 - c. Pump and Motor Shaft: Stainless steel, with factory-sealed, grease-lubricated ball bearings and mechanical seals.
 - 3. General requirements for motors:
 - a. Motors: Hermetically sealed, capacitor-start type; with built-in overload protection; lifting eye or lug; and three-conductor waterproof power cable of length required, with grounding plug and cable-sealing assembly for connection at pump.
 - b. Cable: Waterproof cable of length required, with cable-sealing assembly for connection at pump.
 - c. Motor Sizes: Minimum size as indicated. If not indicated, large enough so driven load will not require motor to operate in service factor range above 1.0.
 - 4. Pump Discharge Piping: PVC SDR 21 with schedule 80 fittings with glued joints.
- B. Capacity and Characteristics:
 - 1. Each Pump:
 - a. Capacity: 42-44 GPM
 - b. Total Dynamic Head: 26 - 28 FEET

c. Motor Horsepower: 0.5 HP

2. Contractor shall install 2 pumps and supply a third pump as a spare (3 total.)

2.5 DISTRIBUTION BOXES

A. Description: Precast concrete, single-chamber box and cover.

1. Design: Made according to ASTM C 913, and for A-16 (HS20-44) traffic loading according to ASTM C 890.
2. Manholes: 24" minimum diameter opening cover with steel lift rings in center of distribution box.
3. Pipe Connections: Resilient adjustable connectors, of size required for piping, fitted into inlet and outlet openings. Include watertight plugs in outlets not required.

B. Capacity and Characteristics:

1. Type: Precast concrete distribution box.
2. Inlet Size: 4" NPS.
3. Number of Outlets: Fourteen.
4. Outlet Size: 4" NPS.

2.6 DISTRIBUTION PIPES AND FITTINGS

A. To be used from septic tank to pump pit.

B. Pipe: ASTM D 1785, Schedule 40 PVC, with plain ends for solvent-cemented joints.

C. Fittings: ASTM D 2466, Schedule 40 PVC, socket type.

2.7 SEWER FORCEMAIN PIPE AND FITTINGS:

A. Sewer Forcemain Pipe and Fittings: PVC SDR 21, complying with ASTM D-1784 and D-2241 pipe and matching PVC schedule 80 fittings, for solvent weld (Glued) joints, ASTM D-1784 and D-2241.

2.8 LEACHING PIPES AND FITTINGS

A. Pipe: PE, complying with ASTM F 810, perforated for absorption trenches, non-perforated from distribution boxes to absorption trenches.

1. Fittings: ASTM D 2729 PVC for loose joints.

2.9 ABSORPTION-TRENCH MATERIALS

A Filtering Material: 3/4 to 1-1/2 inches washed gravel or clean, dust free crushed stone.

- B. Filter Mat: Geotextile woven or spun filter fabric, in 1 or more layers, for minimum total unit weight of 3 oz./sq. yd.

PART 3 - EXECUTION

3.1 EXAMINATION

- A. Examine areas and conditions for compliance with requirements and other conditions affecting performance of septic systems.
- B. Verify compatibility with and suitability of soil structure and materials.
- C. Proceed with installation only after unsatisfactory conditions have been corrected.

3.2 EARTHWORK

- A. Excavating, trenching, and backfilling for piping are specified in Division 33 Section "Site/Utility Earthwork."
 - 1. Stockpile topsoil for reuse in finish grading without intermixing with other excavated material. Stockpile materials away from edge of excavation and do not store within drip line of remaining trees.
 - 2. Place, grade, and shape stockpiles to drain surface water. Cover to prevent windblown dust.
- B. Excavating and Backfilling for Septic Tank, pump pit and sewer forcemain cleanout manholes:
 - 1. Excavate sufficient width and length to depth determined by inlet elevation. Provide level bottom.
 - 2. Backfill with excavated soil, mounding soil above original grade without compacting.
- C. Excavating and Backfilling for Absorption Trenches:
 - 1. Excavate for absorption trenches 24 inches wide and 24 inches deep, minimum.
 - 2. Backfill trench absorption fields with excavated soil, mounding soil above original grade without compacting.

3.3 SEPTIC TANK INSTALLATION

- A. Install precast concrete septic tank level according to ASTM C 891.
- B. Make direct connections to pump pit piping.
- C. Fill septic tank with water.

3.4 PUMP PIT INSTALLATION

- A. Install pump pit level.
- B. Set submersible effluent pumps on pump pit floor. Make direct connections to distribution piping.

3.5 DISTRIBUTION BOX INSTALLATION

- A. Install precast concrete distribution boxes according to ASTM C 891 and at invert elevations indicated. Set level and plumb.

3.6 PIPING INSTALLATION

- A. Install distribution piping according to the following:
 - 1. PVC Sewer Pipe and Fittings: ASTM D 2321.
- B. Install leaching piping according to the following:
 - 1. Use perforated pipe and fittings for trench absorption fields with perforations at bottom.
 - 2. PE Sewer Pipe: ASTM F 481.
 - 3. PVC Sewer Pipe and Fittings: ASTM F 481.

3.7 PIPE JOINT CONSTRUCTION

- A. Basic piping joint construction: Where specific joint construction is not indicated, follow piping manufacturer's written instructions.
- B. Join distribution piping according to or with the following:
 - 1. PVC Sewer Pipe and Fittings: ASTM F 402 and ASTM D 2855 for solvent-cemented joints, or ASTM D 3212 and ASTM D 3034 for gasketed joints.
- C. Join leaching piping with or according to the following:
 - 1. Install leaching pipe and fittings for absorption trenches with closed joints, unless otherwise indicated.
 - 2. PE Sewer Pipe: With PVC socket fittings and loose joints, with ABS gasketed fittings according to ASTM D 2751, or with PVC gasketed fittings and gasketed joints according to ASTM D 3034.
- D. Join dissimilar pipe materials according to ASTM D 5926, with couplings and gaskets compatible with pipe materials being joined.

3.8 ABSORPTION TRENCHES INSTALLATION

- A. Filtering Material: Place supporting layer of filtering material over the trench base to a compacted depth not less than 6 inches below bottom of pipe.
- B. Refer to Part 3 "Piping Installation" and "Pipe Joint Construction" articles for specific piping material installation.
- C. Install distribution piping at minimum slope of 1 percent.
- D. Install leaching piping solidly bedded in filtering material, with full bearing for each pipe section throughout its length. Maintain pipe alignment and install pipe level (no slope).
 - 1. Install perforated pipe with perforations down and joints tightly closed. Install collars and couplings as required.
 - 2. Install elbow fittings with tight joints.
 - 3. Place additional filtering material around sides to a minimum compacted depth of 2 inches above the top of leaching piping.
- D. Install filter mat over filter material before backfilling.
- E. Backfill according to Division 31 "Earthwork Moving" Article.

3.9 IDENTIFICATION

- A. Identification materials and their installation are specified in Division 31. Arrange for installation of green detectable warning tape directly over sewer forcemain piping.

3.10 CONNECTIONS

- A. Piping installation requirements are specified in other Division 33 Sections. Drawings indicate general arrangement of piping, fittings, and specialties.
- B. Ground effluent pumps according to applicable regulations.
- C. Connect wiring: Pump and control wiring shall be run from the pump pit to the adjacent above ground junction box/disconnect switch provided by the Electrical Contractor. All connections at the junction box/disconnect switch shall be made by the Electrical Contractor.

3.11 FIELD QUALITY CONTROL

- A. System Tests: Perform testing of completed septic system piping and structures according to authorities having jurisdiction.
- B. Additional Tests: Fill septic tank and pump pit with water and let stand overnight. If water level recedes, locate and repair leaks and retest. Repeat tests and repair until no leaks exist.

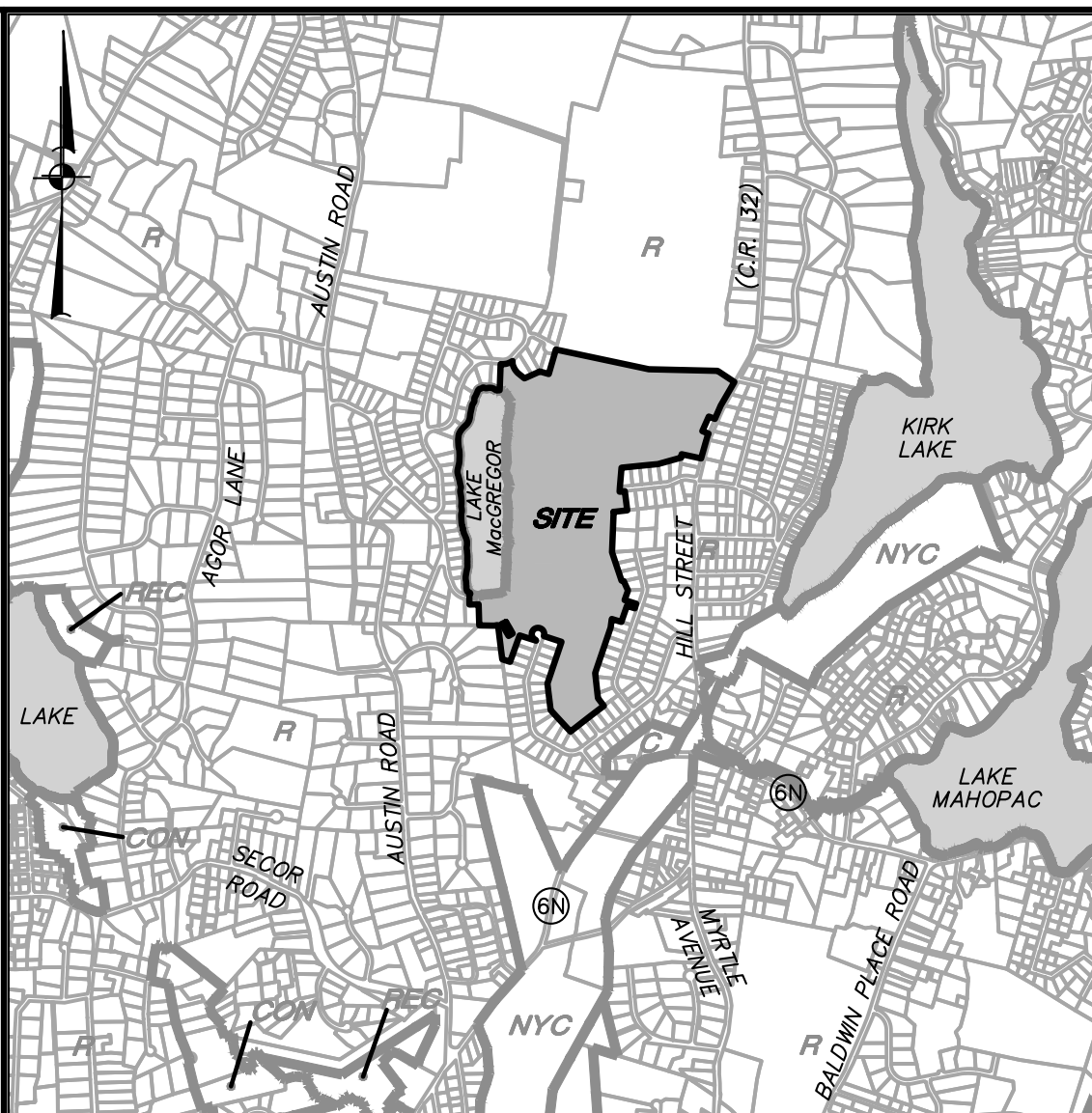
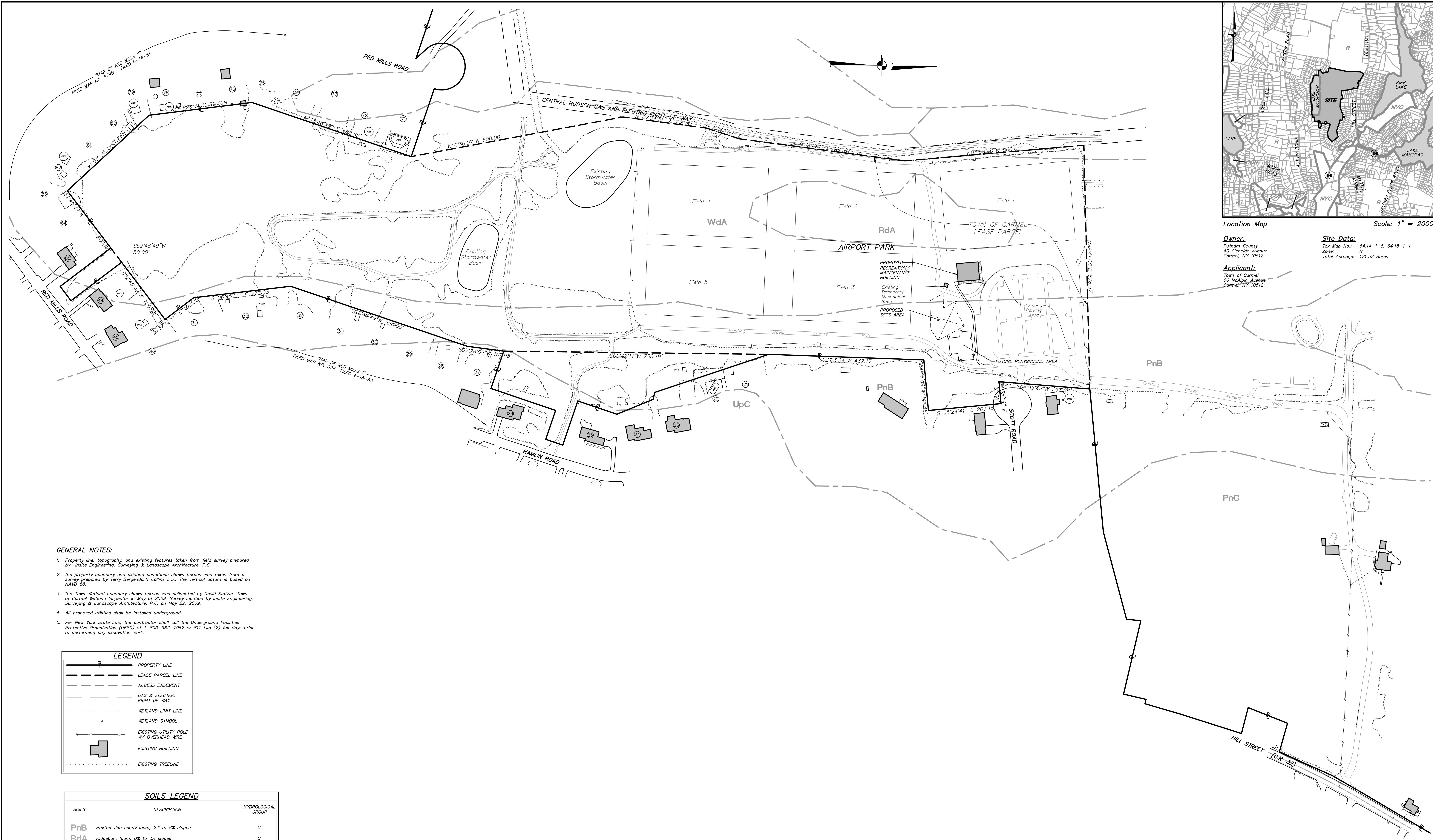
- C. Test new piping systems, and parts of existing systems that have been altered, extended, or repaired, for leaks and defects.
 - 1. Do not put into service before inspection and approval.
 - 2. Test completed piping systems according to authorities having jurisdiction.
 - 3. Schedule tests and inspections by Engineer with at least 48 hours' advance notice.
 - 4. Submit separate reports for each test.
 - 5. Forcemain: Testing of the PVC forcemain shall be a hydrostatic test for a minimum of 60 minutes, at a minimum pressure of 50 psi at the pump pit. The allowable leakage is 0.5 gallons per 1,000 L.F. of pipe for any 30 minute period.
 - 6. Leaks and loss in test pressure constitute defects that must be repaired.
 - 7. Replace leaking piping using new materials, and repeat testing until leakage is within allowances specified.

- D. The pump system shall be tested once all other septic tank and SSTS components have been tested.
 - 1. After the contractor has stated to the engineer that the installation is complete and ready for continuous operation, the contractor shall conduct a running test of the pumps and controls in the presence of the Engineer to demonstrate proper operating condition.
 - 2. All equipment and controls will be re-tested, adjusted, modified and/or replaced; and re-tested as often as necessary to meet the specified requirements to the satisfaction of the Engineer.

3.12 CLEANING

- A. Clear interior of piping and structures of dirt and other superfluous material as work progresses.
- B. Maintain swab or drag in piping, and pull past each joint as it is completed. Place plugs in ends of uncompleted pipe at end of workday or when work stops.

END OF SECTION 33 13 53



Location Map Scale: 1" = 2000'

Owner:
Putnam County
40 Geneva Avenue
Carmel, NY 10512

Site Data:
Tax Map No.: 64.14-1-8, 64.18-1-1
Zone: R
Total Acreage: 121.52 Acres

Applicant:
Town of Carmel
60 McAlpin Avenue
Carmel, NY 10512

GENERAL NOTES:

- Property line, topography, and existing features taken from field survey prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.
- The property boundary and existing conditions shown hereon was taken from a survey prepared by Terry Bergendorff Collins L.S. The vertical datum is based on NAVD 88.
- The Town Wetland boundary shown hereon was delineated by David Klotzle, Town of Carmel Wetland Inspector in May of 2009. Survey location by Insite Engineering, Surveying & Landscape Architecture, P.C. on May 22, 2009.
- All proposed utilities shall be installed underground.
- Per New York State Law, the contractor shall call the Underground Facilities Protective Organization (UFP) at 1-800-962-7962 or 811 two (2) full days prior to performing any excavation work.

LEGEND

	PROPERTY LINE
	LEASE PARCEL LINE
	ACCESS EASEMENT
	GAS & ELECTRIC RIGHT OF WAY
	WETLAND LIMIT LINE
	WETLAND SYMBOL
	EXISTING UTILITY POLE W/ OVERHEAD WIRE
	EXISTING BUILDING
	EXISTING TREELINE

SOILS LEGEND

SOILS	DESCRIPTION	HYDROLOGICAL GROUP
PnB	Paxton fine sandy loam, 2% to 8% slopes	C
RdA	Ridgebury loam, 0% to 3% slopes	C
WdA	Woodbridge loam, 0% to 3% slopes	C

NRCS Soil Boundary Line

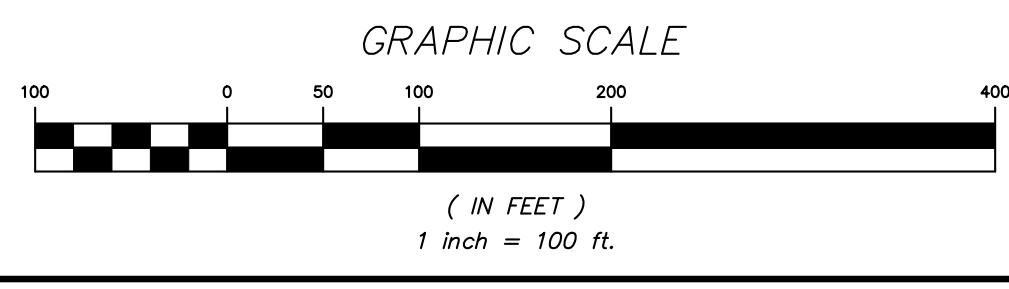
4	7-24-20	SSTS REVISION	EJP
3	4-28-16	PCDOH APPROVAL EXTENSION	ZMP
2	12-6-11	REVISION PER PCDOH COMMENTS	ZMP
1	1-7-11	REVISION PER PCDOH & DEP COMMENTS	ZMP
NO.	DATE	REVISION	BY

INSITE
ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

3 Garrett Place
Carmel, NY 10512
(845) 225-9690
(845) 225-9717 fax
www.insite-eng.com

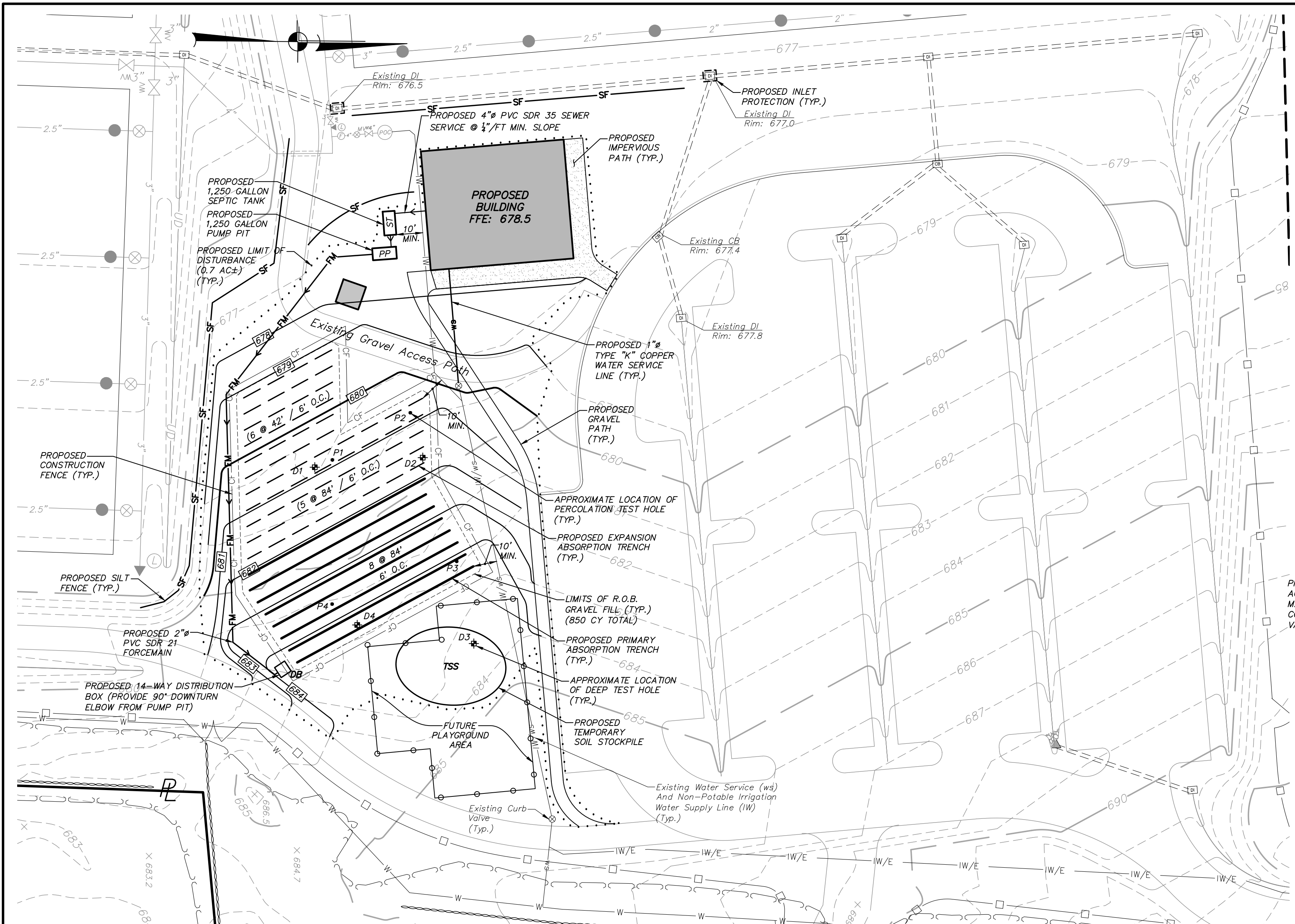
PROJECT: SUBSURFACE SEWAGE TREATMENT SYSTEM FOR TOWN OF CARMEL PARK AND ATHLETIC COMPLEX (FORMER AIRPORT PROPERTY)
HILL STREET (C.R. 32), TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK

DRAWING: **OVERALL PLAN**

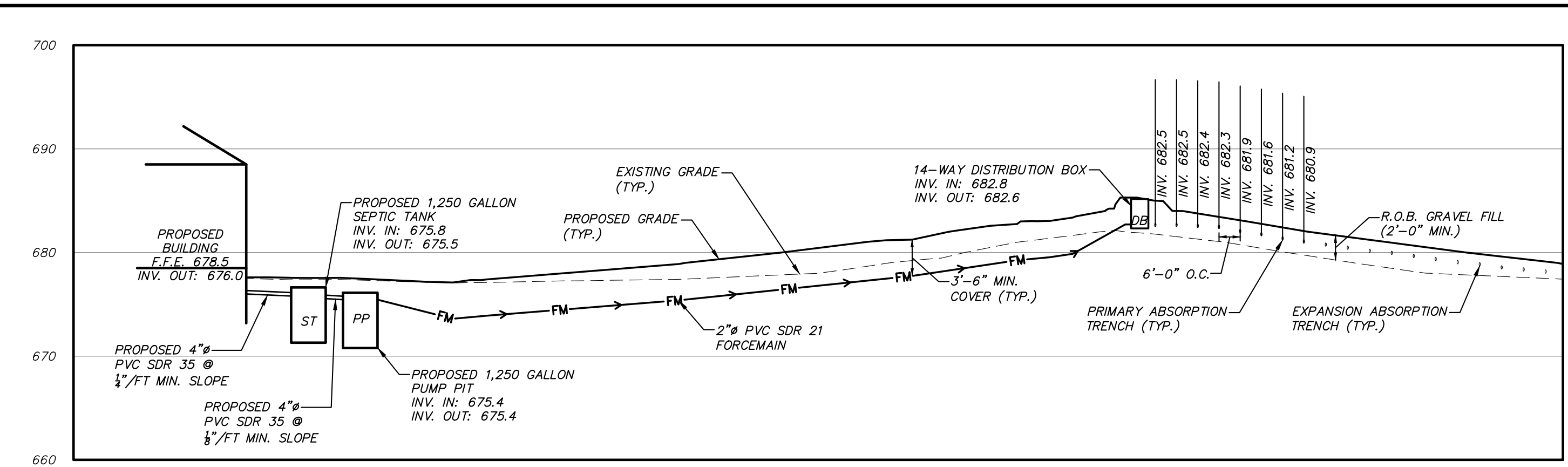


PROJECT NUMBER	18192.103	PROJECT MANAGER	J.J.C.	DRAWING NO.	SHEET
DATE	7-2-2020	DRAWN BY	E.J.P.	CD-1	1
SCALE	1" = 100'	CHECKED BY	Z.M.P.		

ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 2209 OF ARTICLE 145 OF THE EDUCATION LAW.



ENLARGED CONSTRUCTION PLAN
SCALE 1" = 30'



SSTS PROFILE
SCALE: HORIZ. 1" = 30'
VER. 1" = 10'

SSTS DISTRIBUTION SCHEMATIC
SCALE: 1" = 20'

SSTS DESIGN DATA

PERCOLATION TEST RESULTS:
 HOLE P1: 6 MN/IN
 HOLE P2: 20 MN/IN
 HOLE P3: 12 MN/IN
 HOLE P4: 6 MN/IN

DEEP HOLE TEST RESULTS:
 HOLE D1: 0" TO 3" TOPSOIL, 3" TO 24" YELLOW BROWN FINE SANDY LOAM, 24" TO 84" BROWN FINE SILTY SANDY LOAM, MOTTLING AT 50", GROUNDWATER AT 52"
 HOLE D2: 0" TO 3" TOPSOIL, 3" TO 24" YELLOW BROWN FINE SANDY LOAM, 24" TO 84" BROWN FINE SILTY SANDY LOAM, MOTTLING AT 50", GROUNDWATER AT 52"
 HOLE D3: 0" TO 3" TOPSOIL, 3" TO 24" YELLOW BROWN FINE SANDY LOAM, 24" TO 84" BROWN FINE SILTY SANDY LOAM, MOTTLING AT 50", GROUNDWATER AT 72"
 HOLE D4: 0" TO 3" TOPSOIL, 3" TO 24" YELLOW BROWN FINE SANDY LOAM, 24" TO 84" BROWN FINE SILTY SANDY LOAM, MOTTLING AT 50", GROUNDWATER AT 69"

DESIGN FLOW: 800 GPD
DESIGN PERCOLATION RATE: 21-30 MN/IN
REQUIRED LENGTH OF TRENCHES: 687 LF, 672 LF PROVIDED
DESIGN PRECAST CONCRETE SEPTIC TANK: 1,250 GALLON
ADDITIONAL REQUIREMENTS: 3.0" MIN. OF R.O.B. GRAVEL FILL (850 CY±) AND PUMP PIT REQUIRED

GENERAL NOTES:
 1. Property lines, topography, and existing features taken from field survey prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.
 2. The property boundary and existing conditions shown hereon was taken from a survey prepared by Terry Bergendoff Collins L.S. The vertical datum is based on NAVD 83.
 3. The Town Wetland boundary shown hereon was delineated by David Klotzle, Town of Carmel Wetland Inspector in May of 2009. Survey location by Insite Engineering, Surveying & Landscape Architecture, P.C. on May 22, 2009.
 4. All proposed utilities shall be installed underground.
 5. Per New York State Law, the contractor shall call the Underground Facilities Protective Organization (UFP) at 1-800-962-7962 or 811 two (2) full days prior to performing any excavation work.

SSTS Construction Notes:

- SSTS area to be field staked and cordoned to prevent the operation of trucks and/or machinery or storage of heavy equipment, building equipment, or excavated earth in this area.
- SSTS to be inspected by the design professional and the Putnam County Department of Health after installation and prior to backfill.
- Putnam County Department of Health and New York City Department of Environmental Protection approval is based on the location of the sewage system, pump, building, setbacks, roads and driveways as well as building size and use as shown on the approved drawing. Any modifications or revisions are to have prior approval from both agencies.
- Unauthorized modifications made to this drawing after the date of the Putnam County Department of Health approval voids said approval.
- Putnam County Department of Health and NYCDOP approval is based on a maximum flow of 840 gallons per day. An increase in the flow will require prior approval from the departments.
- A 5/8" Sensus SR11 water meter shall be installed and daily readings furnished to the Putnam County Department of Health each month.
- The SSTS is to receive sanitary waste only. The discharge of industrial wastes, contaminated cooling water, or other deleterious substances into or onto the surface of the ground is prohibited. The Putnam County Department of Health reserves the right of inspection of the premises to insure compliance with these requirements.
- Putnam County Department of Health shall be promptly notified in the event that any wastes other than strictly domestic sanitary wastes are produced at this facility. Occupancy of the building(s) will not be permitted until the Construction Compliance Application has been received and approved by the Putnam County Department of Health and forwarded to the building inspector of the respective municipalities part of the approved Design Application.
- After backfilling the system, the SSTS area shall be covered with a minimum of 6 inches of topsoil, and seeded and mulched.
- Remove all trees within 10 feet of the absorption system.
- All existing and/or proposed SSTS's and wells on neighboring properties within 200 feet of proposed SSTS and well are shown on this plan.
- Cut or fill is not permitted in the sewage treatment area(s), except if so specified on this plan.
- All stone walls in and within 10 feet of the SSTS area shall be removed to their entire depth and the resulting void replaced with similar on site soil.
- If any pre-cast concrete tank is delivered to the site in sections, then it shall be demonstrated to the Department and/or certifying Design Professional that the tank is sealed, water-tight and acceptable for use. This shall require, as a minimum, the filling of the tank with water and observing the water level after a 24-hour period to demonstrate if it is in fact sealed, watertight and acceptable for use.
- All erosion control measures for building(s), and SSTS(s) are to be installed prior to any construction.
- The conditions noted on the Putnam County Department of Health Letter of Approval are an integral part of this approval and compliance is required.
- This plan is approved for sewage treatment and/or water supply only, and all other permits and/or approvals are the responsibility of the permittee.
- The Putnam County Department of Health Approval expires (2) years from the date on the approval stamp and is required to be renewed on or before the expiration date. The approval is renewable for cause or may be amended or modified when considered necessary by the Department.
- There are no floodway or special flood hazard areas on this property in accordance with the official Flood Insurance Rate Map and/or Flood Boundary and Floodway Map.
- All precast concrete tanks to be H-20 loading and have access to grade manhole frames and covers.
- Refer to site plan drawings prepared by Insite Engineering, Surveying & Landscape Architecture, P.C. for additional details of site improvements.
- The contractor shall verify the minimum invert of the building prior to the start of construction, and maintain the minimum slopes and elevations shown hereon. The design engineer shall be notified immediately of any discrepancies.
- The SSTS shall be staked out by a N.Y.S. licensed land surveyor prior to the start of construction.
- Each pump and alarm to be connected to separate circuits.
- Proposed trench volume = 672 LF x 11 1/2" x 2.48 GAL = 439 GALLONS
- ABSORBED DOSE VOLUME = 344 GALLONS (78% OF PIPE VOLUME)
- VOLUME PER INCH OF DRAW = 4.5 FT x 9.5 FT x 1 IN x 1 FT x 2.48 GAL = 27 GAL/IN
- VOLUME OF FORCE MAIN = 210 LF x 11 1/2" x 2.48 GAL = 34 GAL
- DOSE DRAW = 344 GAL + 34 GAL = 14 IN
- EMERGENCY STORAGE ABOVE HIGH LEVEL ALARM = 31 IN x 27 GAL/IN = 837 GALLONS
- 837 GALLONS = 800 GALLONS OF DESIGN FLOW (OK)
- PUMPS, GATE VALVES AND UNIONS MUST BE LOCATED UNDER MANHOLE OPENINGS AND BE ACCESSIBLE WITHOUT HAVING TO ENTER THE PUMP PIT.
- REMOVE ALL BAFFLES FROM THE TANK.
- THE FLOAT SETTINGS NOTED ARE FOR A PUMP PIT WITH THE SPECIFIC DIMENSIONS SHOWN HEREON. CONTACT THE DESIGN ENGINEER FOR THE PROPER FLOAT SETTINGS IF A PUMP PIT WITH DIFFERENT DIMENSIONS IS USED.

PUMP PIT NOTES:

- PUMP CONTROL PANEL AND AUDIO/VISUAL ALARM SHALL BE LOCATED INSIDE THE BUILDING.
- ALL ELECTRICAL WORK AND MATERIAL TO COMPLY WITH THE NATIONAL ELECTRICAL CODE REQUIREMENTS FOR CLASS I GROUP D, DIVISION 1 LOCATIONS.
- ALL MODEL NUMBERS SPECIFIED ARE FROM GOULD'S PUMPS, INC., SENECA FALLS, NEW YORK. DAY ONLY BE SUBSTITUTED WITH APPROVAL FROM DESIGN ENGINEER.
- AN ELECTRICAL UNDERWRITER'S CERTIFICATE FOR THE PUMP CHAMBER COMPONENTS MUST BE PROVIDED TO THE COUNTY DEPARTMENT OF HEALTH AS A PART OF THE CONSTRUCTION COMPLIANCE SUBMISSION PACKAGE.
- Each pump and alarm to be connected to separate circuits.
- Proposed trench volume = 672 LF x 11 1/2" x 2.48 GAL = 439 GALLONS
- ABSORBED DOSE VOLUME = 344 GALLONS (78% OF PIPE VOLUME)
- VOLUME PER INCH OF DRAW = 4.5 FT x 9.5 FT x 1 IN x 1 FT x 2.48 GAL = 27 GAL/IN
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FILL NOTES:

- R.O.B. fill must be stabilized by allowing the R.O.B. fill to settle naturally for a period of at least 6 months and include at least one freeze-thaw cycle, or fill stabilization may be achieved by mechanical compaction in approximately 6 inch lifts to the approximate density of the undisturbed underlying soil.
- The required depth of fill within the sewage treatment system area is 2.0 feet (min), which approximates to 850 1/2 cubic yards.
- Site modification activities involving placement of fill to be conducted during relatively dry periods to minimize soil smearing and excessive soil compaction.
- Fill shall be 100% of bank (R.O.B.) gravel suitable for sewage absorption, be free of fines or other unsuitable material and shall have an in place percolation rate of at least equal to or faster than the natural soil after the required stabilization period.
- FW suitable for sewage absorption should contain no more than 5% and preferably no more than 2% fines by weight. Fines are clay and silt particles that pass a #200 sieve. No more than 10% by weight of the fill material should pass a #100 sieve.
- The impervious fill and clay barrier shall be a dense clay type soil with little or no sewage absorption capacity. Impervious barrier to be placed around the entire fill section.

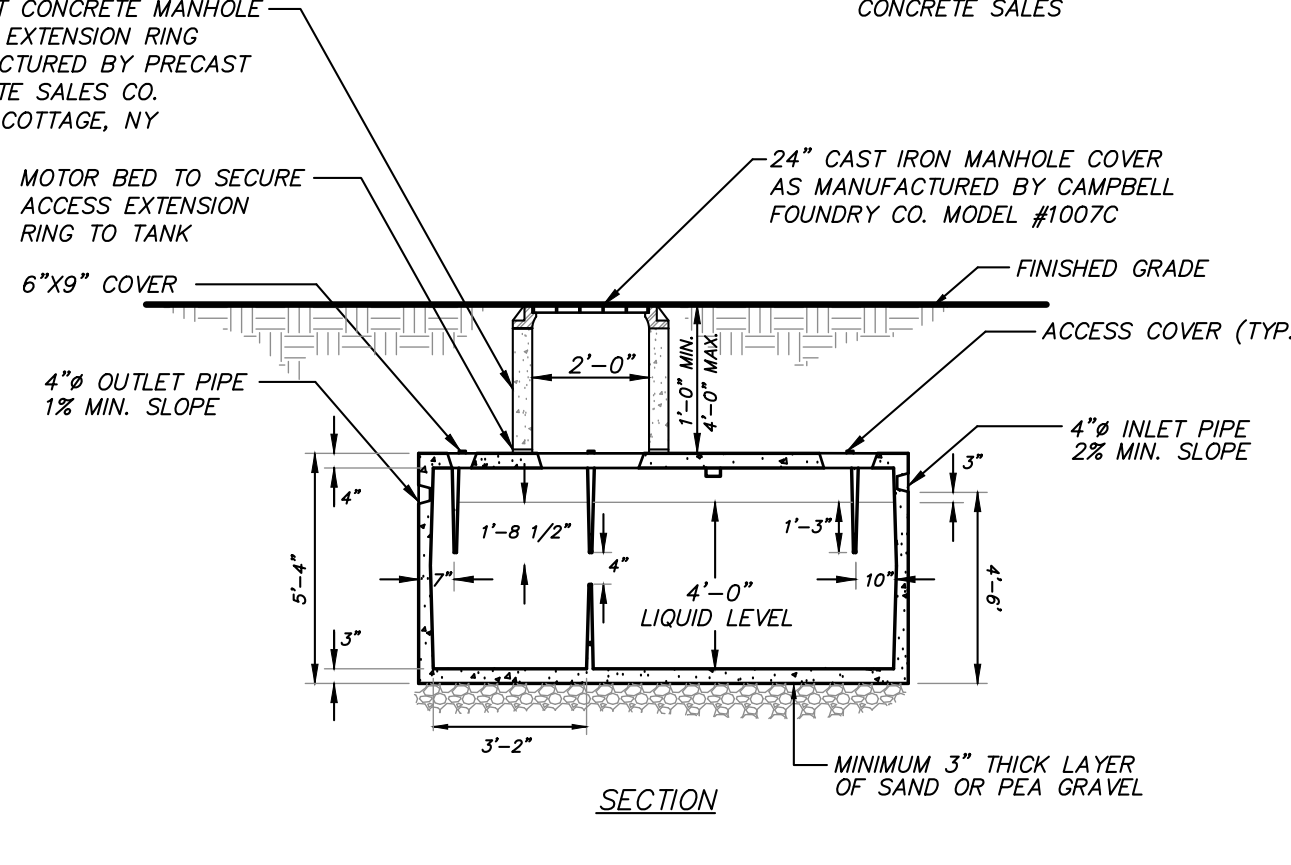
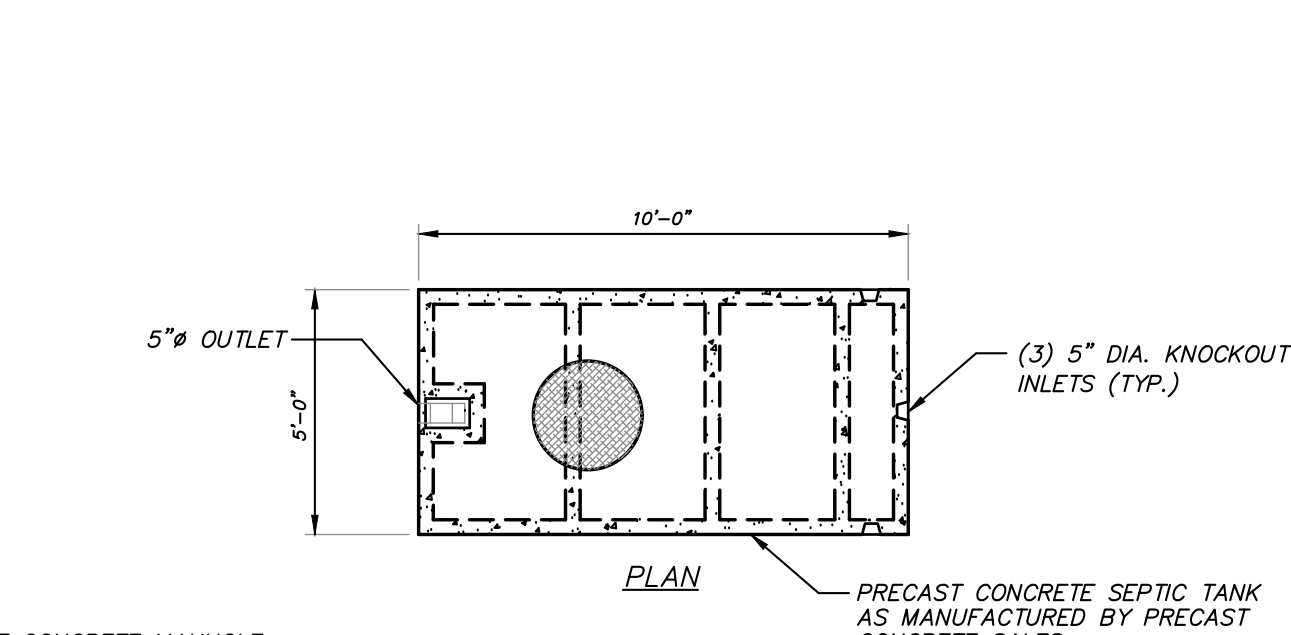
NO.	DATE	REVISION	BY
4	7-24-20	SSTS REVISION	E.J.P.
3	4-28-16	PCDOH APPROVAL EXTENSION	Z.M.P.
2	12-6-11	REVISION PER PCDOH COMMENTS	Z.M.P.
1	1-7-11	REVISION PER PCDOH & DEP COMMENTS	Z.M.P.

INSITE
 ENGINEERING, SURVEYING &
 LANDSCAPE ARCHITECTURE, P.C.
 3 Garrett Place
 Carmel, NY 12012
 (845) 225-9690
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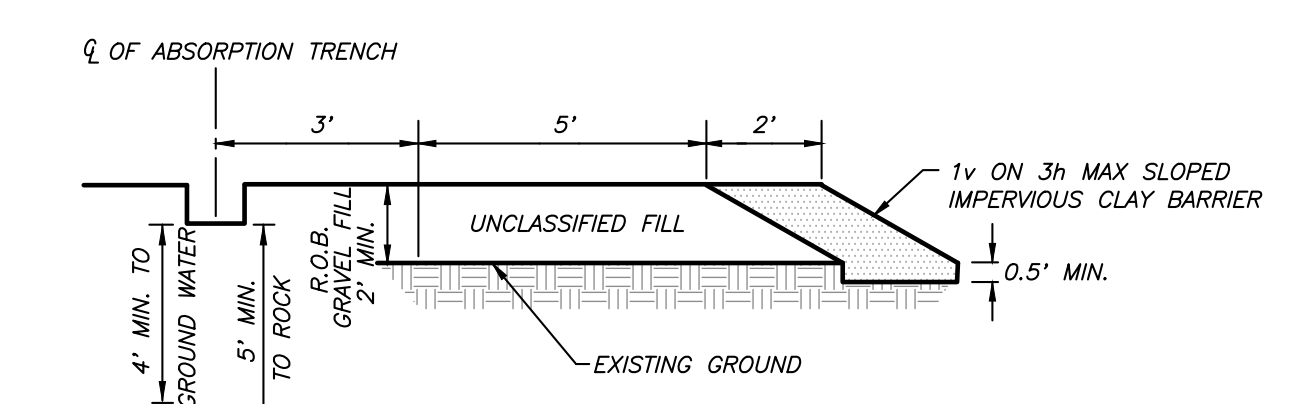
PROJECT: **SUBSURFACE SEWAGE TREATMENT SYSTEM FOR TOWN OF CARMEL PARK AND ATHLETIC COMPLEX**
 (FORMER WARDEN PROPERTY)
 HILL STREET (C.S.D. TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK)

DRAWING: **SSTS CONSTRUCTION PLAN**

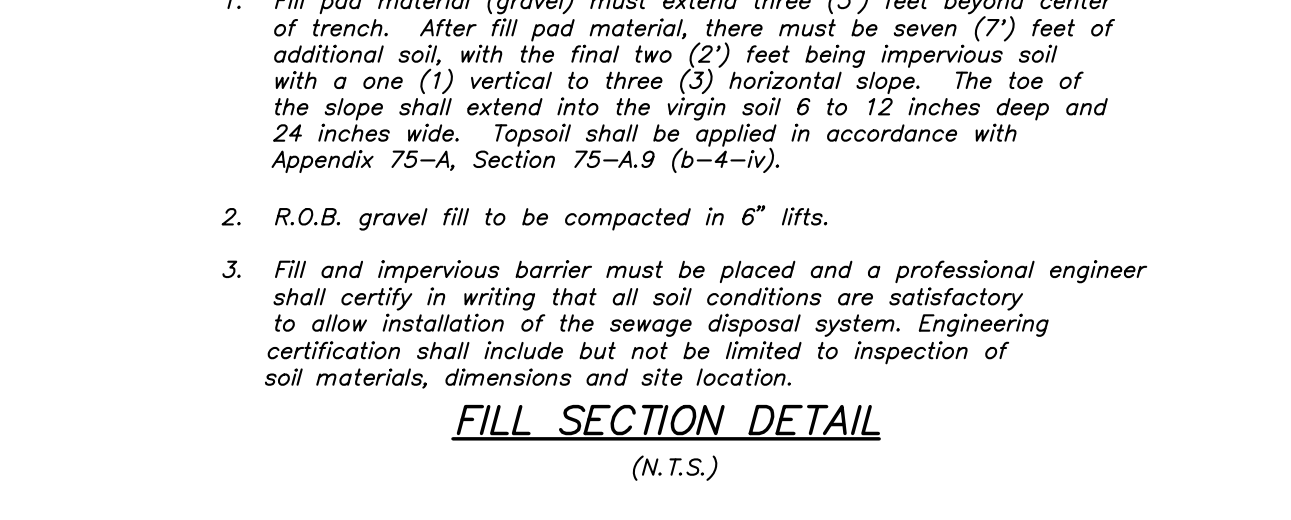
PROJECT NUMBER	18192.103	PROJECT MANAGER	J.J.C.	DRAWING NO.	SHEET
DATE	7-2-200	DRAWN BY	E.J.P.	CD-2	2
SCALE	AS SHOWN	CHECKED BY	Z.M.P.		2



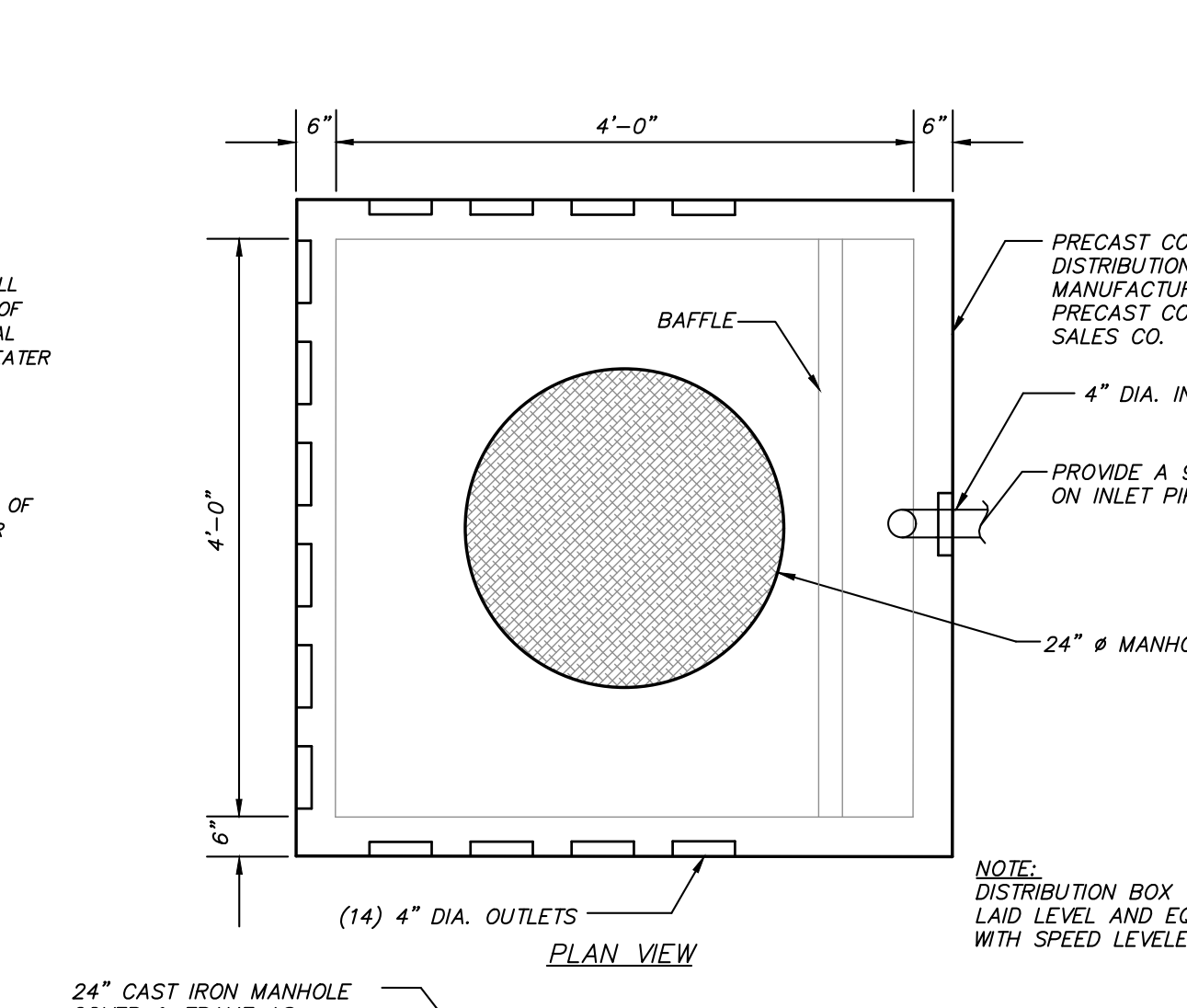
1,250 GALLON SEPTIC TANK DETAIL
(TO BE H-20 LOADING)
(N.T.S.)



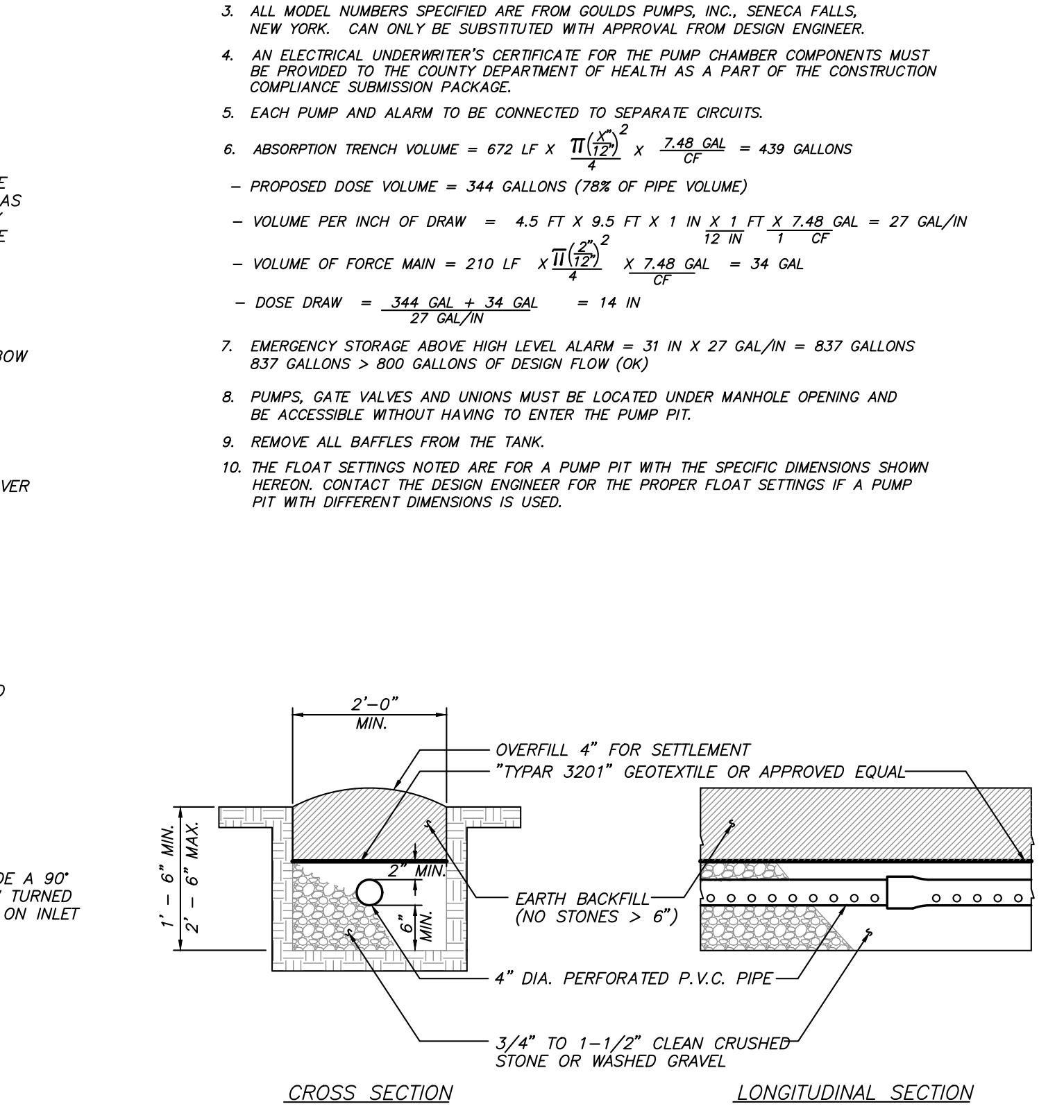
1,250 GALLON DUAL ALTERNATING PUMP PIT DETAIL
(TO BE H-20 LOADING)
(N.T.S.)



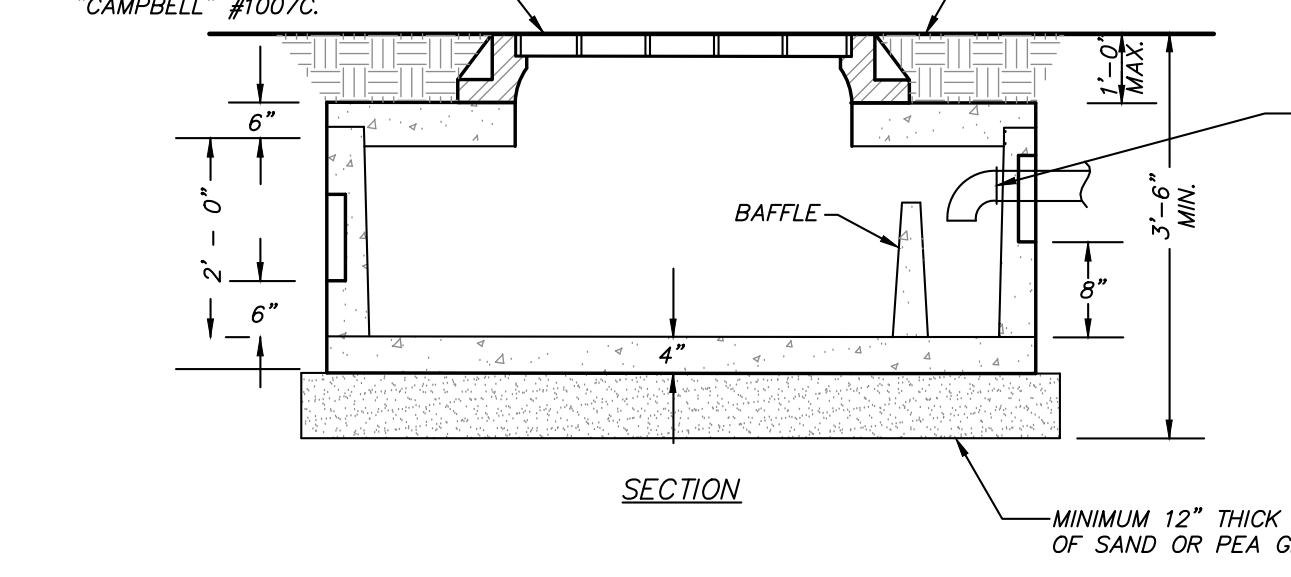
FILL SECTION DETAIL
(N.T.S.)



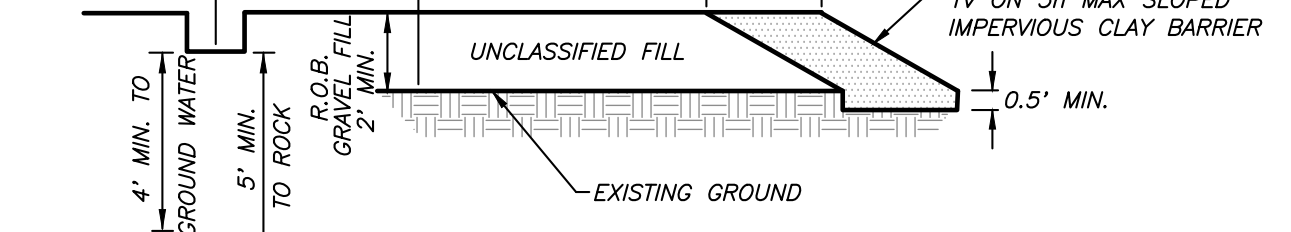
14 WAY DISTRIBUTION BOX DETAIL
(N.T.S.)



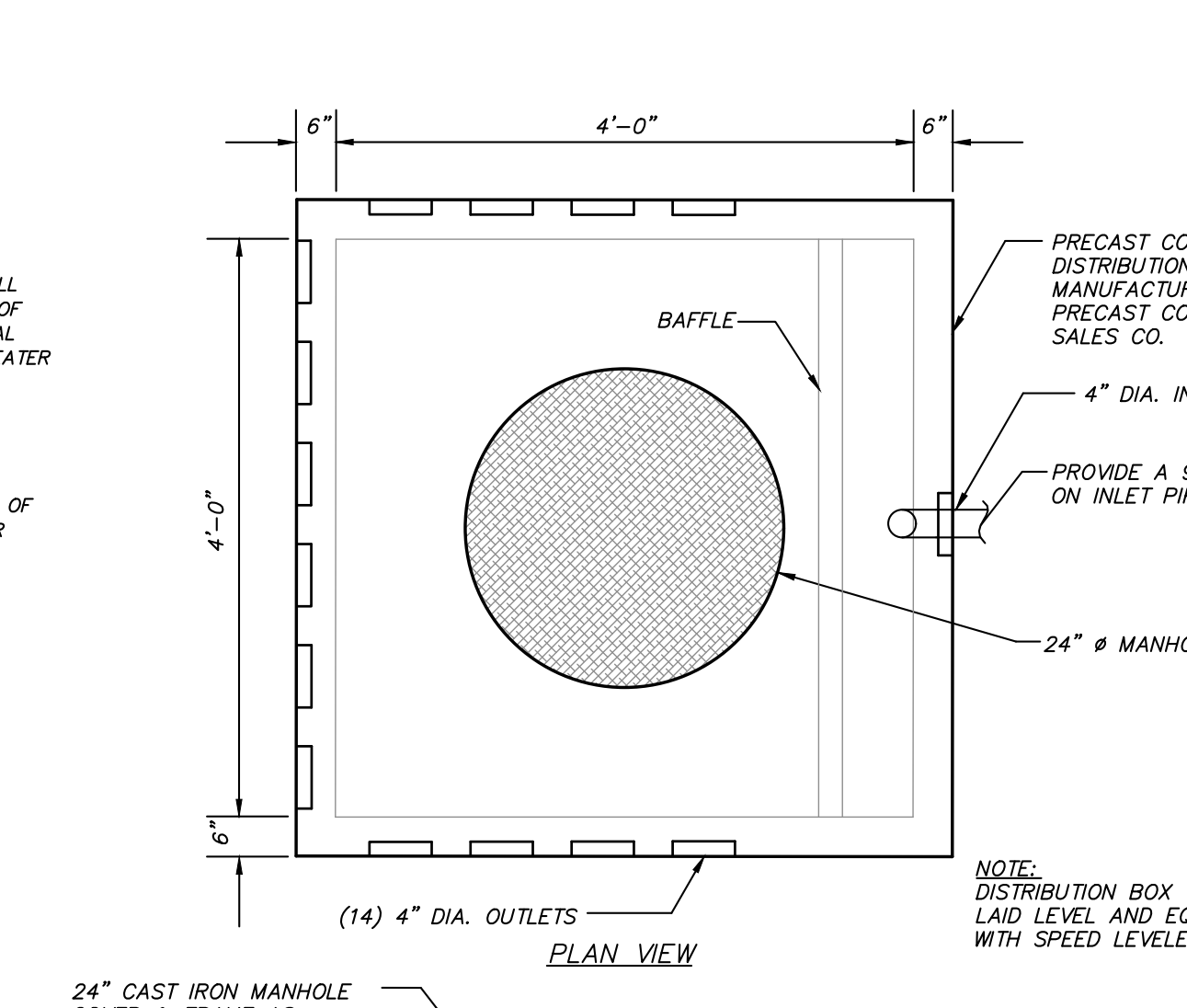
ABSORPTION TRENCH DETAIL
(N.T.S.)



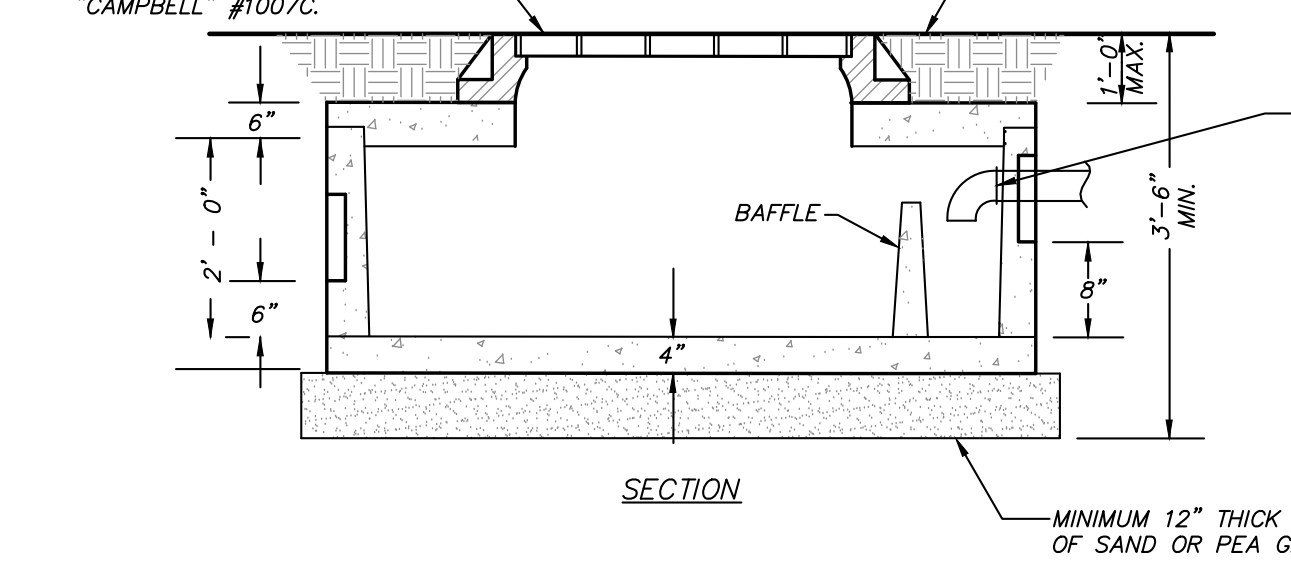
SEWER FORCE MAIN TRENCH OR WATER SERVICE LINE TRENCH DETAIL
(N.T.S.)



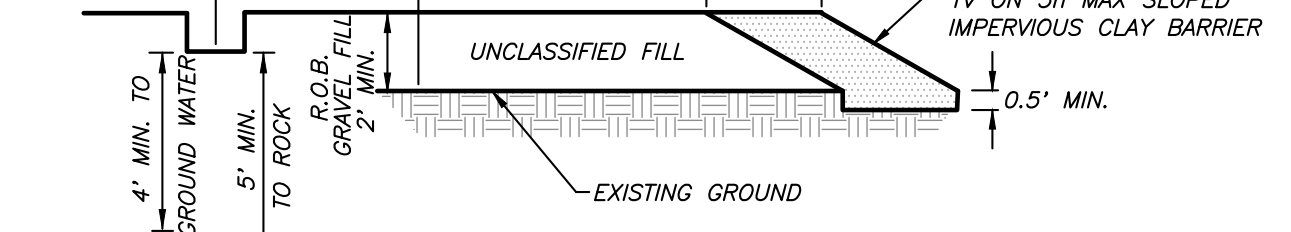
SEWER SERVICE LINE TRENCH DETAIL
(N.T.S.)



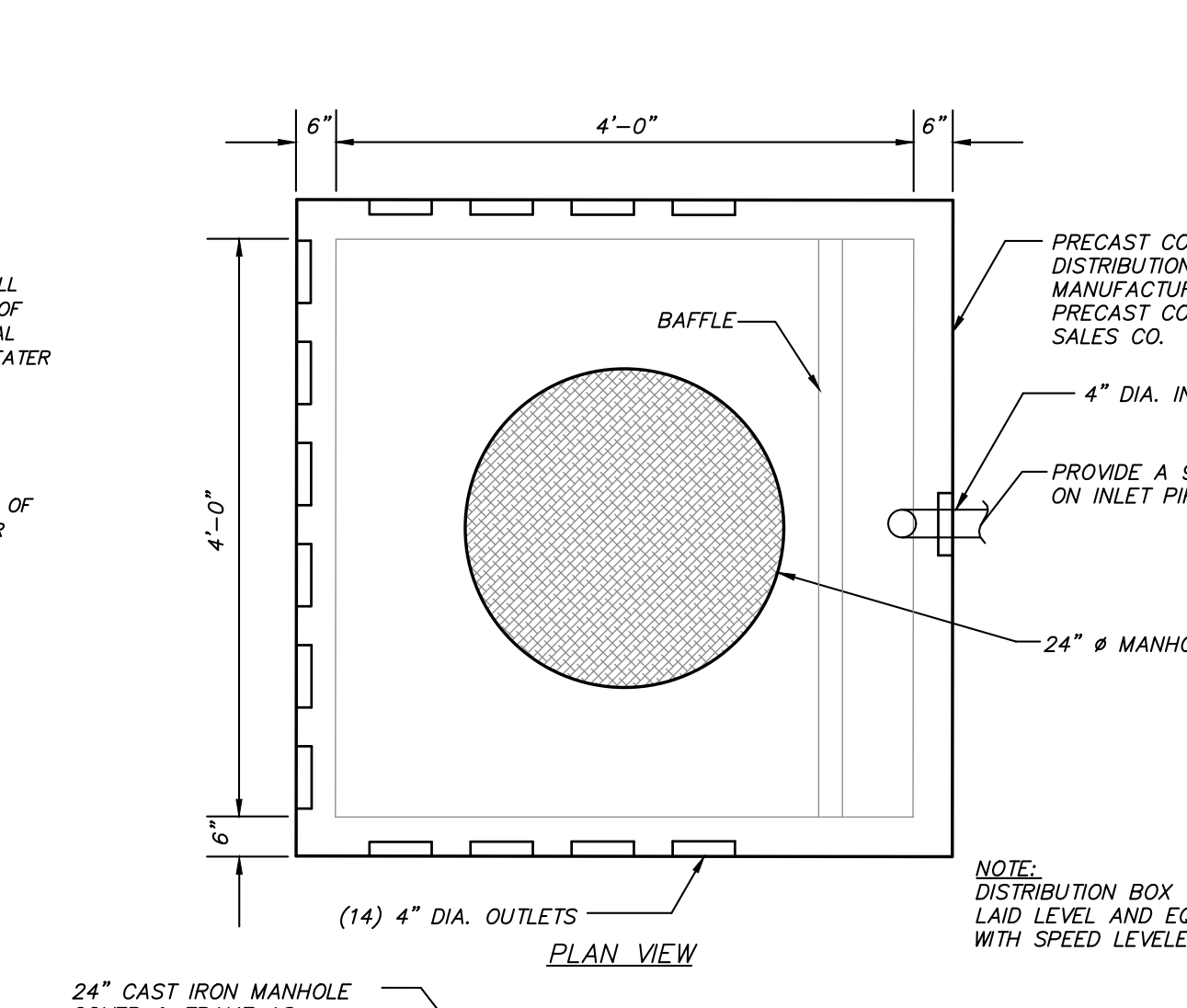
TEMPORARY SOIL STOCKPILE DETAIL
(N.T.S.)



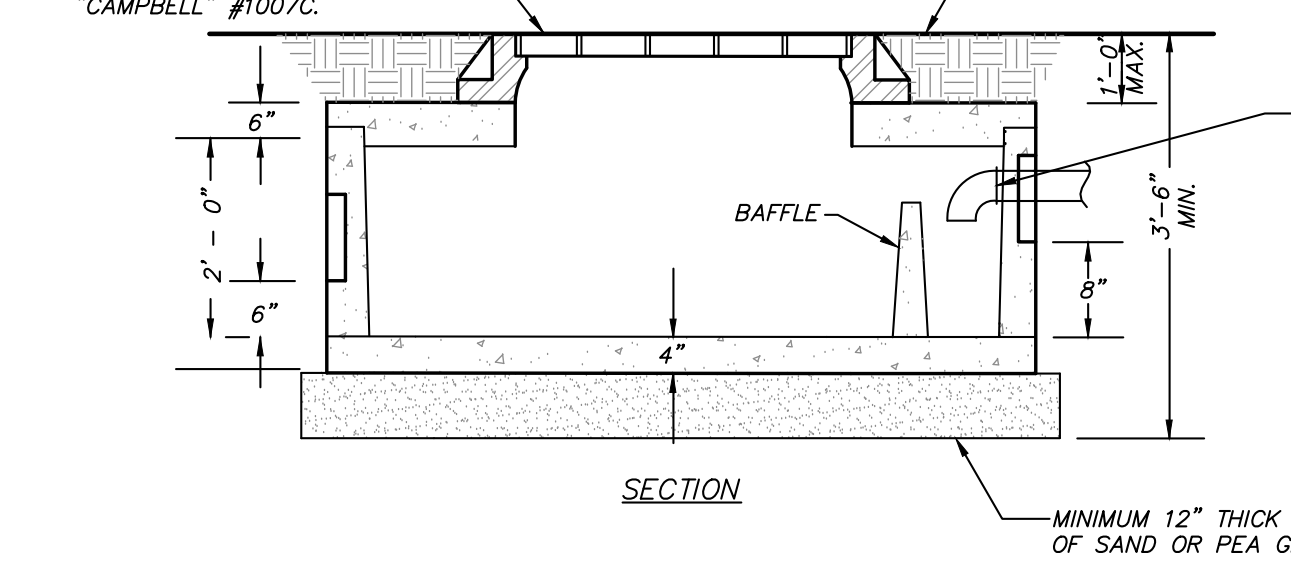
SILT FENCE DETAIL
(N.T.S.)



TEMPORARY SOIL STOCKPILE
(N.T.S.)



CONSTRUCTION NOTES FOR FABRICATED SILT FENCE



LEGEND

- PROPERTY LINE
- LEASE PARCEL LINE
- ACCESS EASEMENT
- GAS & ELECTRIC RIGHT OF WAY
- EXISTING CONCRETE CURB
- EXISTING EDGE OF PAVEMENT
- EXISTING 5' CONTOUR
- EXISTING 1' CONTOUR
- EXISTING UTILITY POLE W/ OVERHEAD WIRE
- EXISTING HYDRANT
- EXISTING TRENCHLINE
- EXISTING WATER SERVICE
- EXISTING WATER MAIN CARMEL WATER DISTRICT #14
- EXISTING DRAINAGE PIPE
- EXISTING DRAINAGE STRUCTURE
- PROPOSED 5' CONTOUR
- PROPOSED 1' CONTOUR
- PRIMARY ABSORPTION TRENCH
- EXPANSION ABSORPTION TRENCH
- DISTRIBUTION BOX (DB)
- PROPOSED SEPTIC TANK
- PROPOSED PUMP PIT
- DEEP TEST HOLE
- PERCOLATION TEST HOLE
- PROPOSED 2" PVC SDR 21 SEWER FORCE MAIN
- PROPOSED 4" PVC SDR 35 SEWER SERVICE
- PROPOSED 1" COPPER WATER SERVICE LINE
- PROPOSED SILT FENCE
- PROPOSED CONSTRUCTION FENCE
- PROPOSED LIMITS OF DISTURBANCE
- PROPOSED TEMPORARY SOIL STOCKPILE
- EXISTING DRAINAGE STRUCTURE W/ INLET PROTECTION

ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 2209 OF ARTICLE 145 OF THE EDUCATION LAW.

Michael G. Carnazza
Director of Code Enforcement



Kenneth Schmitt
Supervisor

60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

To: Supervisor Kenneth Schmitt and Town Board

From: Michael Carnazza, Building Inspector

Date: August 3, 2020

Re: Bids for Property Maintenance Clean-ups

I received two bids (attached) for the two Property Maintenance Clean-ups as the Board approved.

The low bid for both came from Certified Contracting Services Inc.

112 Wixon Pond Rd. - \$1,650.00

105 Longdale Rd. - \$400.00

I would like to get these two properties cleaned as soon as possible.

Thank you,

Certified Contracting Services Inc.

388 Route 6, Mahopac NY 10541

Phone 845-208-7035

Fax 845-621-5766

July 2nd, 2020

Bid sheet

105 Longdale road

Mahopac NY 10541

ID: 65.14-1-24

We will:

1: Mow, trim, and general clean up

The above work will be performed for a total of: \$250.00

Certified Contracting Services Inc.

388 Route 6, Mahopac NY 10541

Phone 845-208-7035

Fax 845-621-5766

July 2nd, 2020

Bid sheet

112 Wixon Pond road

Mahopac NY 10541

ID: 65.5-1-51

We will:

- 1: Mow, trim, and general clean up**
- 2: Cut up tree and stack**
- 3: Remove all litter, debris, and abandoned tractor.**

The above work will be performed for a total of: \$1,250.00

We will:

- 1: Remove abandoned motor vehicles**

This will be completed for: \$400.00

Total: \$1,650.00



Mike's Blue Wheels
 225 Wood Street
 Mahopac NY 10541

Estimate

Date	Estimate #
7/1/2020	553

Name / Address

Town of Carmel Billing Dept.
 60 McAlpin Ave
 Mahopac. NY 10541
 Attn: Mike Carnazza

Project

Description	Qty	Rate	Project
Location: 105 Longdale Rd, Lake Casse Mow grass, weed whacking and blowing, Removal of saplings, vines and small trees in front of house. Clear away debris		995.00	995.00T
Location: 112 Wixon Pond Rd Cut up big fallen tree, pile in corner of property. Trim anything that appears dangerous. Cut overgrown lawn & clean up. Remove junk from property		4,675.00	4,675.00T
Emailed 7.1.20			

Subtotal	\$5,670.00
Sales Tax (0.0%)	\$0.00
Total	\$5,670.00

Phone #
 845-528-3889



MAHOPAC VOLUNTEER FIRE DEPARTMENT



8/12/2020 Work Session Agenda Item #5

Chief
James Stasiak

First Assistant Chief
Andrew Roberto

Second Assistant Chief
Gabriel Rivera

Post Office Box 267
Mahopac, NY 10541

Fire Headquarters
741 Route Six

Emergency Dial 911

Phone: (845) 628-3160
chief@mahopacvfd.com
Fax: (845)628-2174

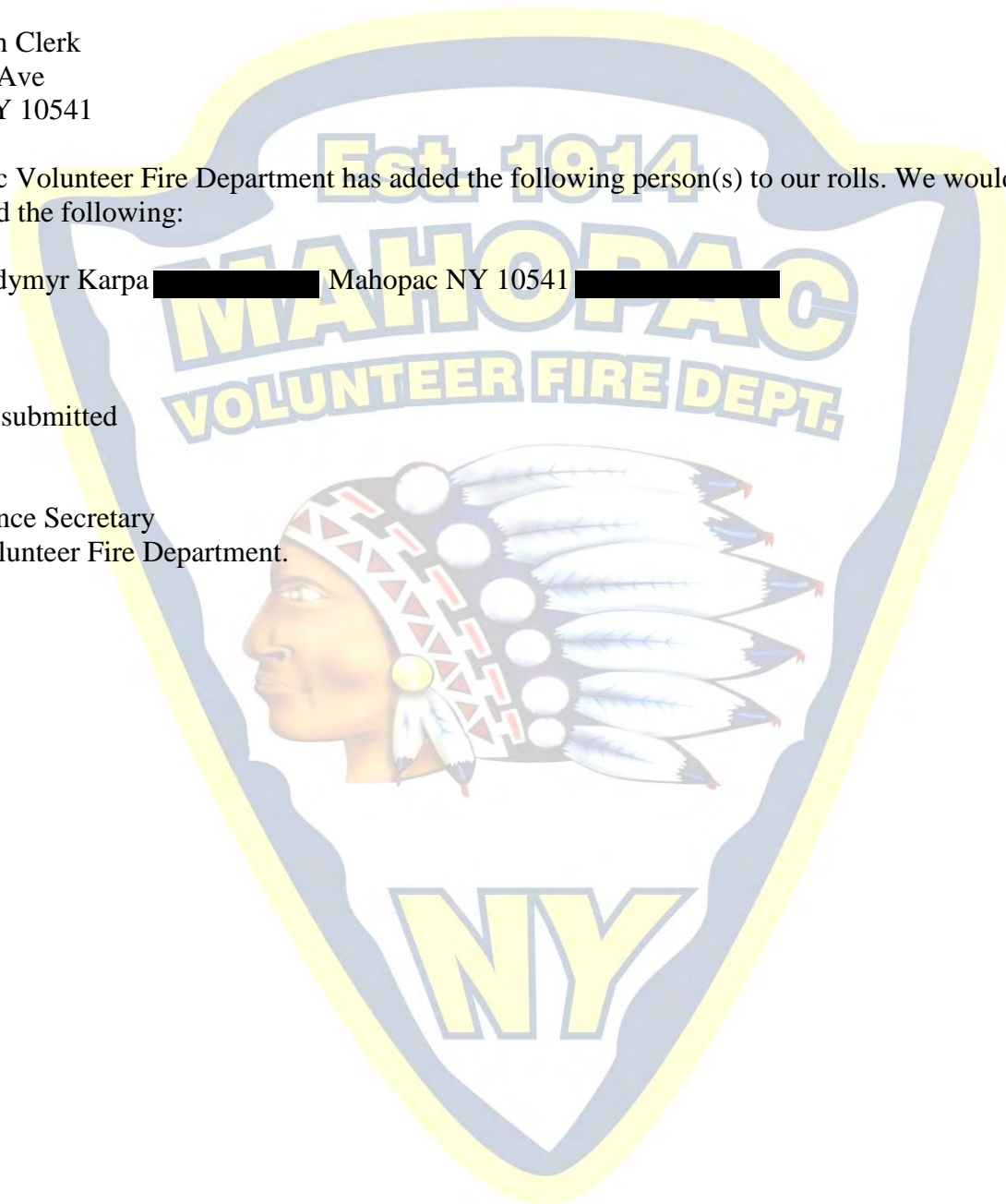
Carmel Town Clerk
60 McAlpin Ave
Mahopac, NY 10541

The Mahopac Volunteer Fire Department has added the following person(s) to our rolls. We would respectfully request to add the following:

Volodymyr Karpa [REDACTED] Mahopac NY 10541 [REDACTED]

Respectfully submitted

Brian Lena
Correspondence Secretary
Mahopac Volunteer Fire Department.





MAHOPAC VOLUNTEER FIRE DEPARTMENT



Chief
James Stasiak

First Assistant Chief
Andrew Roberto

Second Assistant Chief
Gabriel Rivera

Post Office Box 267
Mahopac, NY 10541

Fire Headquarters
741 Route Six

Emergency Dial 911

Phone: (845) 628-3160
chief@mahopacvfd.com
Fax: (845)628-2174

Carmel Town Clerk
60 McAlpin Ave
Mahopac, NY 10541

The Mahopac Volunteer Fire Department has added the following person(s) to our department. We would respectfully request to add the following:

Joseph P Nikisher [REDACTED] Mahopac NY 10541 [REDACTED]

Ryan C Kick [REDACTED], NY 10541 [REDACTED]

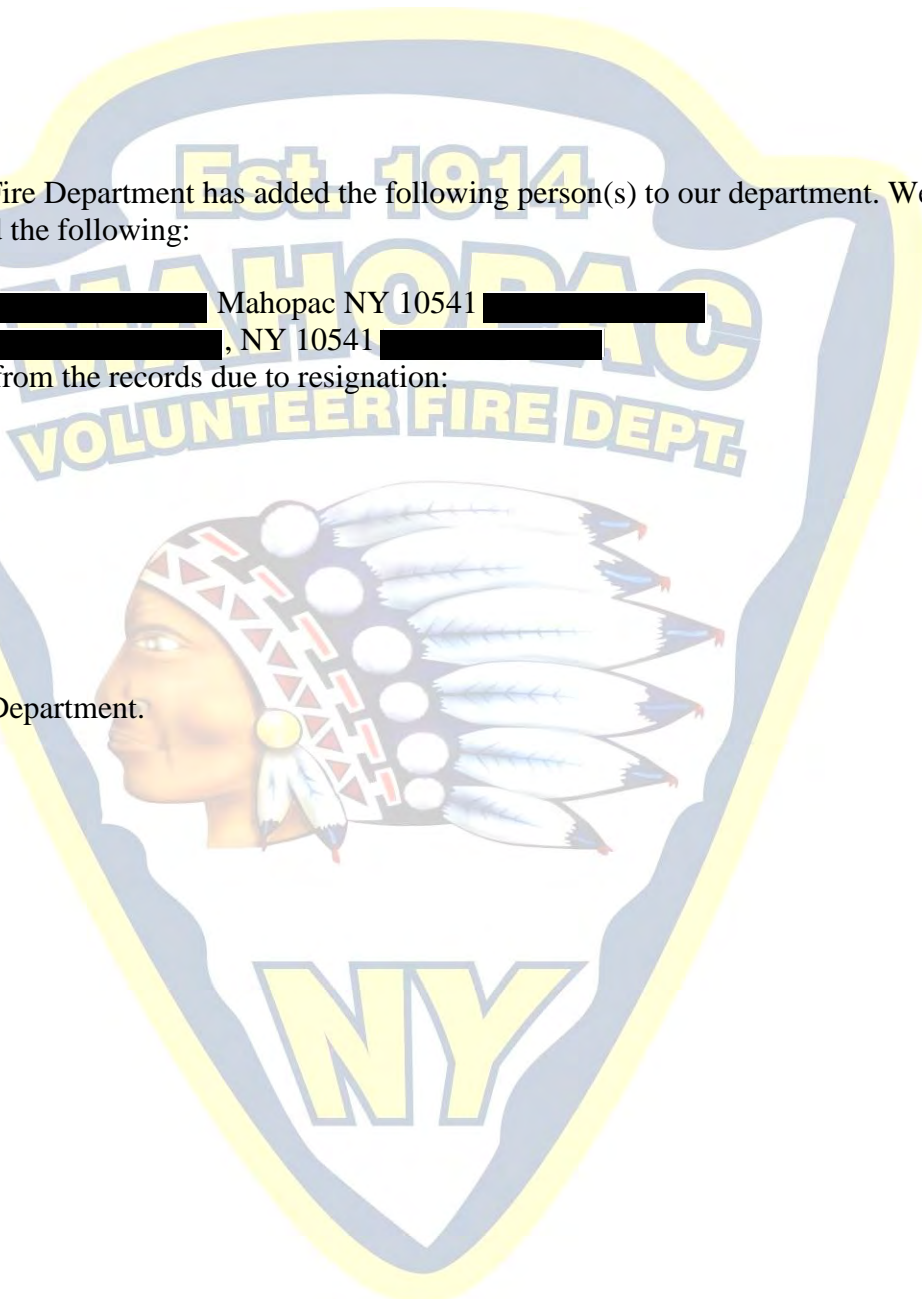
If you could also remove from the records due to resignation:

Ashlee Belkevich

Robert Lewis

Respectfully submitted

Brian Lena
Correspondence Secretary
Mahopac Volunteer Fire Department.



TOWN OF CARMEL HIGHWAY DEPARTMENT

Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541



8/12/2020 Work Session Agenda Item #6

MICHAEL SIMONE
Superintendent of Highways

845.628.7474
FAX 845.628.1471
Highway@ci.carmel.ny.us

FROM THE DESK OF: *Michael Simone*

TO: TOWN SUPERVISOR KENNETH SCHMITT
TOWN BOARD

DATE: JULY 24, 2020

RE: BENEFIT TIME DONATIONS

See the attached Doctor's "Excuse Letter" extending the medical absence of employee #2719 who had a work related injury on 6/12/20. His doctor has determined that he will be out until at least August 10th.


Therefore, employee #1699 is requesting authorization to donate 10-days vacation-time, so the employee will have additional time for recovery.

Confidential letters & documentation is also submitted pertaining to the above requests.

cc Town Accountant
Town Comptroller

TOWN OF CARMEL HIGHWAY DEPARTMENT

Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541
MICHAEL SIMONE
Superintendent of Highways
845.628.7474
FAX 845.628.1471
MSimone@bestweb.net

FROM THE DESK OF: *Michael Simone* 

TO: SUPERVISOR KENNETH SCHMITT/TOWN BOARD
POLICE CHIEF CAZZARI

DATE: JULY 10, 2020

RE: V & T UPDATES

Some public safety concerns have recently come to my attention. Therefore, I am making the following proposals on Town Roads to be included in the August 2020 V & T updates:

1. Cherry Lane: 1-way traffic, enter at NYS Route 6 and exit onto NYS Route 6N
Road is not wide enough to accommodate 2-way traffic.
2. Rockledge Place: 1-way traffic, enter at Sycamore Terrace and exit onto West Lake Boulevard (Putnam County Route 33)
Road is not wide enough to accommodate 2-way traffic.
3. NO PARKING – Westerly-side of Mud Pond Road
This is a bike-path access area, and Mud Pond Road is not wide enough to accommodate 2-way traffic, as well as pedestrians & equipment being loaded & unloaded in the lanes of traffic on both-sides of the road. It is posing an extreme hazard at the busy intersection, which also has a business truck-driveway in the vicinity.

Please research these requests, as I believe you will agree that these changes are necessary.

cc Town Clerk Ann Spofford

From: [Simone, Mike](#)
To: [Schmitt, Kenneth](#); [McDonough, Suzanne](#); [Suzi McDonough Personal](#); [Schanil, Robert](#); "Bob Schanil (robertschanil@hotmail.com)"; [Lombardi, Frank](#); "Flombardiesq@aol.com"; [Barile, Michael](#); "mb10541@comcast.net"
Cc: [Greg Folchetti](#); [Pasquerello, Anne](#); [Cazzari, Mike](#); [Dearman, John](#); [Kunze, Stephen](#)
Subject: RE: Cherry Lane One Way
Date: Tuesday, July 28, 2020 2:51:07 PM
Attachments: [doc02273220200710105403.pdf](#)

Michael is wondering as to the status of the attached request. Is the research in the works? He says that this should be placed on the next Work Session, so the changes can be included in August V & T Updates.

I've also included the correspondence below between Kenny & Mr. Simone, regarding Cherry Lane.

Enjoy your day...

Staci Norton

for

Highway Superintendent Michael Simone

Town of Carmel Highway Department

55 McAlpin Avenue

Mahopac, NY 10541

845.628.7474

FAX 845.628.1471

From: Simone, Mike
Sent: Monday, July 20, 2020 11:29 AM
To: Schmitt, Kenneth; McDonough, Suzanne; Suzi McDonough Personal; Schanil, Robert; Bob Schanil (robertschanil@hotmail.com); Lombardi, Frank; Flombardiesq@aol.com; Barile, Michael; mb10541@comcast.net
Cc: Greg Folchetti; Pasquerello, Anne; Cazzari, Mike; Dearman, John; Kunze, Stephen
Subject: RE: Cherry Lane One Way

I want to reiterate that for safety concerns, Cherry Lane should be a 1-way street. I do not believe it would cause a traffic tie-up.

However, if the Town Board determine "No Parking Anytime" should be considered, I would suggest researching the property surveys to determine the exact location of Public vs. Private property. As my memo stated it is my belief that the road is not wide enough to accommodate 2-way traffic.

Michael Simone

Superintendent of Highways

Town of Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541

845.628.7474
FAX 845.628.1471

Sen

From: Schmitt, Kenneth
Sent: Friday, July 17, 2020 12:40 PM
To: McDonough, Suzanne; Suzi McDonough Personal; Schanil,Robert; Bob Schanil (robertschanil@hotmail.com); Lombardi, Frank; Flombardiesq@aol.com; Barile, Michael; mb10541@comcast.net
Cc: Greg Folchetti; Pasquerello, Anne; Simone, Mike; Cazzari, Mike; Dearman, John; Kunze, Stephen
Subject: Cherry Lane One Way

The feedback that I'm getting from some business owners and residents is the following. Making Cherry Lane one way is a bad idea. It will tie up traffic on Rte. 6N with no outlet from the center of Town to Rte. 6 from Clarke Place to Rte. 6/6N.

Agreeing that there is traffic issues on Cherry La. the recommended alternative to the one way would be to create and post " No Parking anytime " on the Easy side of Cherry La. from Rte. 6 to Rte. 6N (Bliss to Ming Hing) the parking of cars on this side of the street is causing the unobstructed two way traffic on Cherry la. The Police would have to enforce the no parking anytime zone.

This would solve the problem and not jam up traffic on 6N in Town with no outlet to Rte. 6

Kenneth Schmitt,
Town of Carmel Supervisor
60 McAlpin Avenue
Carmel, NY 10541
phone 845.628-1500
fax 845.628.6837