

**TOWN OF BINGHAMTON
TOWN BOARD
January 21, 2025**

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MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, JANUARY 21, 2025 AT 6:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

E. Rounds, Supervisor	Present
M. Bensley, Dep. Supervisor	Present
D. Nye, Councilperson	Present
M. Donahue, Councilperson	Present
V. Conklin, Councilperson	Present

OTHERS PRESENT:

T. Tokos, Town Clerk
 G. Middleton, Town Attorney
 M. Leighton, Highway
 Z. Soboleski, Code Enforcement
 K. Olds, TOB Volunteer Fire Company

A motion may be made to go into an executive session to discuss a legal matter and or a personnel matter regarding a particular employee after the meeting is convened. An executive session will not be held today.

APPROVAL OF AUDITED CLAIMS:

ABSTRACT #3 (2024) and ABSTRACT #4 (2025)

After some discussion it was noted that Voucher #26 for a Manhole Protection Kit should be in the highway General Repairs and not in the Buildings and Grounds.

Councilperson Conklin made a motion to adopt a Resolution to approve the following claims as audited:

ABSTRACT #3 (2024)

General	Claim No. 1097 - 1108	\$ 87,670.76
Highway	Claim No. 1109	\$ 109.75
Lighting	Claim No. 1094	\$ 40.47
Water	Claim No. 1095 - 1096	\$ 88.00
	TOTAL	\$ 87,908.98

ABSTRACT #4 (2025)

General	Claim No. 24 - 35	\$ 5,467.50
Highway	Claim No. 36 - 51	\$ 30,848.64
Sewer	Claim No. 20 - 22	\$108,032.00
Water	Claim No. 22 - 23	\$ 1,800.00
	TOTAL	\$ 145,784.14

The motion was duly seconded by Deputy Supervisor Bensley. 4 of those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Nye, Conklin Absent: None
Nays: Donahue Abstained: None

Declared adopted.

Motion carried.

RECOGNITION OF MINUTES:

Work Session Minutes of January 7, 2025 - Approved.

VOICE OF THE PUBLIC: Supervisor Rounds opened the floor at 6:09 p.m. - No one present. the floor closed at 6:09 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS:

Highway Department – Christmas tree pick up – January 6 through January 31, 2025

The Broome County Association of Towns and Villages next meeting will be January 23, 2025 at Tony’s in Endicott at 5:30 P.M. cocktail hour and 6:00 P.M dinner. Jason Garnar will be the speaker.

OFFICIALS AND COMMITTEE REPORTS:

Planning Board/Zoning Board of Appeals:

The Next regular scheduled meeting is to be held January 28, 2025 at 6:30 P.M.

Youth Commission – Basketball season continues through February. Baseball, softball & lacrosse registrations will open mid-February. It was that the Hanrahan family had a fire at their home on Hance Rd.

Code Enforcement/Buildings and Grounds –

The New Truck is ordered with 1 plow and 1 sander. The truck should arrive sometime in February,

A motion was made by Councilperson Conklin to adopt a Resolution to declare the 2018, 2500 Chevrolet Silverado truck with plow from the Code Enforcement Building and Grounds Department as surplus to sell on Auctions International. The motion was duly seconded by Deputy Supervisor Bensley. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, Conklin Absent: None

Nays: None Abstained: None

Declared adopted.

Motion carried.

A motion was made by Councilperson Conklin to adopt a Resolution for the Purchase of a 2025 Chevrolet Silverado 2500 HD in the amount of \$48,930.00 from Joe Basil Chevrolet, Inc Depew, NY. For the Code Enforcement/Buildings and Grounds Department. The motion was duly seconded by Councilperson Donahue. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, Conklin Absent: None

Nays: None Abstained: None

Declared adopted.

Motion carried.

There have been more inquiries regarding the use of the Community Center. The floor is going to be re-done by way of sanding and polishing the concrete. There was discussion as to whether a different type of flooring would be a better choice and less expensive, Given the previous water damage and the chance of a recurrence it was determined that sanding and polishing the concrete floors was the better option.

A motion was made by Councilperson Nye to adopt a Resolution to approve the Proposal from McKnight Custom Concrete for services of grinding and polishing 1800 Square feet of concrete in a natural concrete grain of color for \$14,400.00. The motion was duly seconded by Councilperson Donahue. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, Conklin Absent: None

Nays: None Abstained: None

Declared adopted.

Motion carried.

Highway: - Highway Superintendent Leighton presented a quote for the new 2024 Volvo EWR130E Wheeled Hydraulic Excavator with additional items. (Quote attached) There was discussion regarding the hours used, the warranty, etc.

A motion was made by Councilperson Nye to adopt a Resolution for the purchase the 2024 Volvo EWR130E Wheeled Hydraulic Excavator with additional items (Quote attached) for the amount of \$194,137.00 with a trade in or \$210,137.00 with no trade in. The motion was duly

seconded by Councilperson Conklin. 4 of those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Nye, Conklin Absent: None
Nays: Donahue Abstained: None

Declared adopted.

Motion carried.

A Motion was made by Deputy Supervisor Bensley to adopt a Resolution to declare the 2014 Wacker Knudson Wheeled Excavator with ditching bucket as Surplus to be listed and sold on Auction international. The motion was duly seconded by Councilperson Conklin. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, Conklin Absent: None
Nays: None Abstained: None

Declared adopted.

Motion carried.

2025 Agreement for the Expenditure of Highway Moneys: There was some discussion regarding the plans listed, the amounts, event of changes, etc.

A Motion was made by Councilperson Nye to adopt a Resolution for the Agreement for the Expenditure of Highway Moneys. Agreement between the Town Superintendent of the Town of Binghamton, Broome County, New York, and the undersigned members of the Town Board. (Copy attached) The motion was duly seconded by Deputy Supervisor Bensley. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, Conklin Absent: None
Nays: None Abstained: None

Declared adopted.

Motion carried.

Receipt of Reports – The Town Board is in receipt of the following reports:

- Town Clerk’s Monthly Report for December 2024
- DCO Monthly Report for December 2024
- Code Enforcement Officer’s Monthly Report for December 2024

TOB Volunteer Fire Co: - The Fire Company responded to a total of 13 calls – 5 EMS, 3 wires down, 2 gas odor, and 3 house fires. Kevin also had a report from the State and what calls they

received from the TOB – Their total calls were – 182 – 28 fires, 28 EMS, 68 Hazard conditions, 13 Service, 11 good intentions, 27 false alarms and 6 special incidents.

Deputy Supervisor Bensley would like to praise the entire TOB Volunteer Fire Co. for their quick response and professionalism when he called for an interior fire that started in his home. The fire was contained and all is well. He stated that he was deeply impressed! We are all very proud and appreciative of the hard work and dedication that our Volunteer Fire Company puts in for our Town.

Supervisor: - Rick Murray our dog control officer passed his annual inspection report on December 19, 2024 with flying colors. He is very dedicated to his job and we are lucky to have him!

There have been some phone calls coming in regarding the conditions of the roads this season. Residents are noting that the plowing isn't as frequent, and the trucks are not coming out as soon as they have been before. Another resident called who lives on Maxian Rd stating that the school bus turn around had not been plowed and there is a marker missing.

Senior Commission: - There are so many activities going on for our resident seniors. There is a list on the Website with dates, times and locations. Please continue to check the Website and come out and participate.

PLEASE NOTE! Most activities take place at the Town Hall from 2p.m.- 4p.m. unless otherwise noted!

NOTE: Weather Cancellation policy: if the schools are closed, we will not be meeting.

UNFINISHED BUSINESS: - A approval of time management policy was submitted for approval. The policy is addressing people who are not managing their time off appropriately.

A motion was made to adopt the employee sick leave and time management policy. All those present voted in favor of the motion. Motion carried.

The re-zoning of properties on Pierce Creek Rd update – Jen Fancher has pulled all the parcels and is working on drafting the local law for initiating the process and will have them for the next meeting.

Martha Rice has contacted the Town regarding her property on Franklin St. and the issue with the Paper Street, Gina will figure out what is needed and contact her attorney and send out the letter of abandonment from the Town giving her the rights to the property.

Dr Miller property update – They already have a survey done and a surveyor so we need to figure out what portion we have to actually purchase, Gina was given the ok to use their surveyor for that, at our cost. We will have the survey performed; Mark will meet the surveyor at the property to ensure that we figure out the actual piece that we need to purchase.

VOICE OF THE PUBLIC: Supervisor Rounds opened the floor at 7:38 P.M. No one present.
The floor closed at 7:38 P.M.

ADJOURNMENT:

A motion was made by Deputy Supervisor Bensley at 7:38 P.M. to adjourn the board meeting
Councilperson Conklin duly seconded the motion. All those present voted in favor of the motion.
Motion carried.

UPCOMING:

*The next meeting of the Town of Binghamton Town Board will be a Work Session to be held on
Tuesday February 4, 2025 @ 4:00 P.M., at the Town of Binghamton Town Hall, 279 Park
Avenue, Binghamton, NY.*

The next regular Town Board Meeting will be held on Tuesday February 18, 2025 @ 6:00 P.M.

Respectfully Recorded, Transcribed and Submitted by,



Tracy Tokos,
Town Clerk

McKnight Custom Concrete, Inc
433 Dunbar Rd
Windsor, NY 13865 USA
+16077683049
cmcknight01@yahoo.com
mcknightcustomconcrete.com



Estimate

ADDRESS

Nick Pappas
1905 Coleman Rd
Binghamton, NY

ESTIMATE #

DATE 01/16/2025

ACTIVITY

AMOUNT

Services

14,400.00

Grind & Polish 1800ft2 of concrete: Natural Concrete Gray in color

Grind 30 Grit Metal Bond Diamond to flatten floor and remove coating
Polish to 400 Grit and apply concrete densifier
Polish to 1500 Grit and apply Top Shield Stain Inhibitor
Burnish to a shine with salt and pepper finish and areas of exposed aggregate

Conditions: (if applicable)

1. Owner to provide heat, lights, electric and potable water
2. Owner to protect any finished systems that cannot be removed during project
3. Prices do not include any wall base or painting of any surfaces
4. Proposal does not include any taxes, permits, or bonds
5. Proposal does not include any removal of oil or salt from the concrete substrate or patching, skim coating or micro filling of the concrete substrate,
6. Payment terms 50% at start of work with balance due upon completion.

Available to start after 1/22/25

Please mail payment to
433 Dunbar Rd
Windsor NY 13865

TOTAL

\$14,400.00

This estimate is for completing the job described above, based on our evaluation. It does not include unforeseen price increases or additional labor and materials which may be required should project change orders occur.

Accepted By

Accepted Date



SALES QUOTE

Joe Basil Chevrolet, Inc.
 5111 Transit Rd
 Depew, NY 14043
 Dir. 716-206-1764
 Fax 716-685-1746
 mkoenig@basilfleet.com

INVOICE NO.
 DATE December 23, 2024
 CUSTOMER ID 802813

NYS DEALER
 #1100005392

TO: Nick Pappas
 Town of Binghamton
 279 Park Avenue
 Binghamton, NY 13903
 607-772-0357 ext. 012
 code@townofbinghamton.com

SHIP TO: [Contact Name]
 [Company Name]
 [Street Address]
 [City, ST ZIP Code]
 [Phone]

Salesperson	Customer PO#	Mini Bid	Contract	Option Discount %	Contract Discount %	NYS Discount	PAYMENT TERMS
Matt Koenig			ERIE CTY BID 240059-004			INCL	Net 30
VIN#						STK#	

QTY	ITEM #	DESCRIPTION	UNIT PRICE	DISCOUNT	NET TOTAL
1	CHEVROLET	2025 Chevrolet Silverado 2500HD Work Truck	\$ 67,280.00	\$ -	\$ 67,280.00
1	CONFIG	(CK20903) 4WD Reg Cab 142"	\$ (1,700.00)	\$ -	\$ (1,700.00)
1	CREDIT	Lighting & Equipment Credit	\$ (17,200.00)	\$ -	\$ (17,200.00)
1	1WT	Work Truck Preferred Equipment Group	\$ -	\$ -	\$ -
1	AKO	Glass, deep-tinted	\$ -	\$ -	\$ -
1	AZ3	Seats, front 40/20/40 split-bench	\$ -	\$ -	\$ -
1	C49	Defogger, rear-window electric	\$ -	\$ -	\$ -
1	DD8	Mirror, inside rearview auto-dimming	\$ -	\$ -	\$ -
1	DWI	Mirrors, outside power-adjustable vertical trailing with heated and auto-dimming upper glass	\$ -	\$ -	\$ -
1	E63	Durabed, pickup bed	\$ -	\$ -	\$ -
1	GAZ	Summit White	\$ -	\$ -	\$ -
1	GT4	Rear axle, 3.73 ratio	\$ -	\$ -	\$ -
1	H2G	Jet Black, Vinyl seat trim	\$ -	\$ -	\$ -
1	IOR	Audio system, Chevrolet Infotainment 3 system	\$ -	\$ -	\$ -
1	JGB	GVWR, 10,250 lbs. (4649 kg)	\$ -	\$ -	\$ -
1	K4Z	Battery, auxiliary, 700 cold-cranking amps/70 Amp-hr	\$ -	\$ -	\$ -
1	KW5	Alternator, 220 amps	\$ -	\$ -	\$ -
1	L8T	Engine, 6.6L V8	\$ -	\$ -	\$ -
1	MKM	Transmission, Allison 10-Speed automatic	\$ -	\$ -	\$ -
1	NE1	Emissions	\$ -	\$ -	\$ -
1	NZZ	Skid Plates	\$ -	\$ -	\$ -
1	PCV	WT Convenience Package	\$ -	\$ -	\$ -
1	PYQ	Wheels, 17" (43.2 cm) machined aluminum	\$ -	\$ -	\$ -
1	QT5	Tailgate, gate function manual with EZ Lift	\$ -	\$ -	\$ -
1	QXT	Tires, LT265/70R17E all-terrain, blackwall	\$ -	\$ -	\$ -
1	VK3	License plate kit, front	\$ -	\$ -	\$ -
1	VQO	LPO, Black work step	\$ -	\$ -	\$ -
1	VYU	Snow Plow Prep/Camper Package	\$ -	\$ -	\$ -
1	ZXT	Tire, spare LT265/70R17E all-terrain, blackwall	\$ -	\$ -	\$ -
1	START	Install factory ordered remote start	\$ 550.00	\$ -	\$ 550.00
1	DELIVERY	REGION II	\$ -	\$ -	\$ -
		TOTAL DISCOUNT	\$ -	\$ -	\$ -

SUBTOTAL \$ 48,930.00
 SALES TAX \$ -
 TOTAL \$ 48,930.00

Please Make Checks Payable to Joe Basil Chevrolet, Inc
 Thank you For Your Business

THIS QUOTE SERVES AS YOUR ACKNOWLEDGMENT THAT THIS ORDER HAS BEEN REVIEWED FOR ACCURACY AND DEEMED CORRECT.

Nick Pappas
 Name

Joe Pappas
 Title

12-24-24
 Date

[Signature]
 Sign

Agreement for the Expenditure of Highway Moneys

AGREEMENT between the Town Superintendent of the Town of Binghamton
Broome County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 235,000 shall be set aside to be expended for primary work and general repairs upon 49.74 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways:

(a) On **Brookside Road** commencing at Hawthorn Rd and leading to Clifton Blvd, a distance of 0.16 miles, there shall be expended not over the sum of \$ 30,000.00.

Mill surface and install 1.5 inches of Top.

(b) On **Campus Dr, Emmerson Pl and Drexel Dr**, commencing at town line and leading to town line or Campus Dr, a distance of 0.64 miles, there shall be expended not over the sum of \$ 100,000.00.

Hot mix. Top, overlay compacted to 1.5 inches.
Campus Dr, 2100 ft x 40 ft
Emmerson Pl, 750 ft x 35 ft
Drexel Dr, 550 ft x 35 ft

(c) On **Parkwood Ln, Fowler Pl and Via Yezzi Rd** commencing at Park Ave and leading to turn arounds, a distance of 0.50 miles, there shall be expended not over the sum of \$ 22,000.00.

Crack seal and Mirco Paving

(d) On All Other Town Roads There shall be expended not over the sum of \$ 100,000.

(e) Possible equipment purchase using 2024 roll-over funds in the amount of \$ 91,000.00.

Executed in duplicate this 21st day of January, 2025

Margaret Brown
Supervisor

[Signature]
Councilman

[Signature]
Councilman

[Signature]
Councilman

[Signature]
Councilman

[Signature]
Councilman

County Superintendent of Highways

[Signature]
Town Superintendent of Highways

Note: This agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

Quote Valid for 90 days



Contract: 032119-VCE
NY State Contract: PC69437

Date: 12/11/2024

Buying Agency:	TOWN OF BINGHAMTON	Dealership:	ALTA CONST EQUIPMENT NY LLC
Contact Person:	MARK	Prepared By:	ANNE JACKSON
Phone:		Phone:	315-729-0747
Email:		Email:	ANNE.JACKSON@ALTG.COM

Sourcewell Product Code: C - Volvo Pricing Catalog: Wheeled Hydraulic Excavators

A. Catalog / Price Sheet Items being purchased

Quan	Description	Unit Pr	Total
1	VOLVO EWR130E	\$192,035	\$192,035
			\$192,035
		Additional Discount:	-\$13,277
		Subtotal A:	\$178,758

B. Sourced and/or Non-Contracted Items

Quan	Description	Unit Pr	Total
1	HYD DIRECT LINK THUMB	\$7,227	\$7,227
1	54 INCH HYD TILT DITCH BUCKET	\$11,173	\$11,173
1	24 INCH BUCKET	\$5,402	\$5,402
1	SOURCED ITEMS		\$0
1			\$0
1			\$0
1			\$0
1			\$0
		Subtotal B:	\$23,802

C. Freight / Installation / Ext Warranty / Trade-Ins / Other Allowances/ Miscellaneous Charges

Freight	\$800
PDI	\$1,000
TILT DITCH BUCKET INSTALL , THUMB INSTALL	\$2,000
LESS TRADE WACKER 2013 MODEL 9503 SN AJ04051	-\$16,000
EXTENDED WARRANTY 2 YR 1500 HOURS	\$3,777
Subtotal C:	-\$8,423

Delivery Date:

D. TOTAL PURCHASE PRICE (A+B+C):

\$194,137

Version 22

Description	Part #	List Price
VOLVO EWR130		\$217,826
2 PC BOOM	XW10125	\$19,429
DIPPER	XW10224	\$8,070
LINKAGE W.O LIFT EYE	XW10310	\$0
TWIN TRELLENBORK T900 TIRES	XW20135	\$11,174
AXLE MOUNTED MUDGUARDS FRONT AND REAR	XW20511	\$1,696
BLADE FRONT	XW20630	\$10,926
OUTRIGGER REAR	XW20641	\$14,899
TOOL BOXLEFT	XW20810	\$1,026
TOOL BOX RIGHT	XW20815	\$1,026
AUTO DIG BRAKE	XW21111	\$1,088
ENGINE BLOCK HEATER	XW30510	\$461
CARE CAB WITH OPENING HATCH	XW40110	\$690
AIR SUSP SEAT WITH HEAT	XW40212	\$1,834
JOYSTICK PROP	XW40412	\$3,516
SEAT BELT 3 INCH	XW40313	\$0
BLADE OUTRIGGER FUNCTION ON JOYSTICK	XW40425	\$658
STEERING SYSTEM 2 WHEEL STEER	XW40428	\$0
RADIO WITH BLUETOOTH	XW40714	\$0
TRAVEL ALARM	XW50116	\$0
STD TRAVEL LIGHTS LED	XW50126	\$507
ROTATING BEACON	XW50138	\$279
ADDITIONA L CAMERA RIGHT SIDE	XW50128	\$0
LED LIGHTS BASIC	XW50161	\$0
ELEC CENTER PASSAGE 24 CHANNEL	XW50214	\$1,712
CRUISE CONTROL WITH CREEP	XW50310	\$908
CARETRACK	XW50418	\$0
HYD OIL	XW60116	\$1,366
X1 PIPING	XW60245	\$1,069
DRAIN LINE	XW60250	\$621
X1 FLOW AND PRESSURE CONTROL	XW60411	\$1,120
HYD POP PEDAL	XW60615	\$233
COUPLER PIPING	XW60833	\$1,976
X3 CONTROL	XW60860	\$5,000
PILOT PATTERN CHANGER	XW60910	\$1,799
BOOM FLOAT	XW60912	\$1,879
CTWT	XW80115	\$0
SMV PLATE	XW80327	\$0
LIFETIME FRAME WARRANTY	XW80342	\$0
HYD PIN GRAB COUPLER	XW8350238	\$10,504
	LIST PRICE	\$323,292
	Sourcewell % off List	40.6%
	Sourcewell Machine Price	\$192,035

Employee Sick Leave and Time Management Policy

Purpose

To ensure fair and consistent use of sick leave while encouraging employees to manage their paid sick time responsibly. This policy outlines expectations for using sick leave, managing time off, and the consequences of exhausting paid sick leave.

Scope

This policy applies to all employees of The Town of Binghamton

Policy Guidelines

1. Sick Leave Allocation and Use

- Employees are entitled to 12 paid sick days annually, as outlined in the company's leave policy. Each employee accrues 1 sick day a month
- Sick leave is intended for illness, medical appointments, or caring for an immediate family member.

2. Proactive Time Management

- Employees are encouraged to manage their sick leave responsibly, reserving time for unexpected emergencies.
- Supervisors will periodically review employees' leave balances during performance discussions to provide guidance.

3. Notification Requirements

- Employees must inform their supervisor as soon as possible when they need to take sick leave. Failure to notify may result in disciplinary action.

4. Consequences of Exhausting Sick Leave

If an employee exhausts their paid sick leave and must take unpaid time off:

1. First Instance:

- A meeting will be held with the employee to discuss the situation and identify any underlying issues contributing to excessive leave use.
- The employee will receive written counseling emphasizing the importance of managing leave responsibly.

2. Repeated Instances:

- If the employee continues to exhaust paid leave without improvement, additional disciplinary measures may be taken, including:
 - A formal written warning.
 - Ineligibility for certain benefits or perks (e.g., bonuses, flexible work arrangements).
 - Performance improvement plans.

3. Excessive Absenteeism:

- Chronic misuse of sick leave or repeated unpaid leave without valid justification may result in more serious actions, up to and including termination.

5. Reasonable Accommodations

The company recognizes that certain situations, such as chronic health conditions or family emergencies, may require additional consideration. In such cases, employees are encouraged to discuss accommodations with his/her supervisor to avoid potential disciplinary action.

Conclusion

This policy aims to balance the company's operational needs with employees' well-being. Consistent adherence to sick leave guidelines helps maintain a positive and productive workplace for all.
