

TOWN OF CLARKSON
TOWN BOARD MEETING
February 8, 2011

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, February 8, 2011 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 PM

PRESENT:

Paul Kimball	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	Councilperson
Patrick Didas	Councilperson
Sheldon Meyers	Councilperson
Sharon Mattison	Town Clerk
David Goodwin	Highway Supt.
Richard Olson	Attorney for the Town

ALSO:

William Ey	Ass't to Supervisor
Christopher Lyon	Assessor
Chad Fabry	Building Insp/Code Enf.

**excused

Supervisor Kimball opened the meeting, and Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance. A moment of silence was observed for those serving in the military.

OPEN FORUM

Library Board member Mary Marone asked about the status of the Seymour Library bookkeeping transfer. Attorney for the Town Richard Olson replied we are still dealing with the process of transitioning the employees of the library. Olson stated that the Village treasurer was told by the State Retirement System that they are employees of the municipality that issued the Charter, however the Seymour Library's charter was not issued to one municipality but to all three. They cannot be employees of all three municipalities. Olson said it appears the employees were originally employees of the Village which put them in the retirement system. However, as Library employees rather than municipal employees, they would no longer be eligible. The Clarkson and Sweden Town Boards will issue resolutions to request that the State allow the employees to remain in the State retirement system.

MOTION TO APPROVE COMMONWEALTH ELECTRICAL INSPECTION SERVICE AS ELECTRICAL INSPECTOR IN THE TOWN OF CLARKSON

Motion by Councilperson Hoy

Seconded by Councilperson Filipowicz

To approve the application of Commonwealth Electrical Inspection Service as an electrical inspector in the Town of Clarkson.

Unanimously carried

Discussion: Building Inspector Fabry stated he has received an application from Commonwealth. They have met all requirements and he recommended they be approved as electrical inspectors in the Town of Clarkson.

MOTION TO APPROVE THE WORKPLACE VIOLENCE PREVENTION PROGRAM

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To approve the Workplace Violence Prevention Program as presented by Attorney for the Town Richard Olson

Unanimously carried

Discussion: Councilperson Didas asked about retaliation consequences. Attorney for the Town Olson replied that is covered in the document.

02.08.11**RESOLUTION AUTHORIZING SUPERVISOR TO FILE URBAN AND COMMUNITY FORESTRY GRANT APPLICATION**

Motion by Councilperson Meyers

Seconded by Councilperson Filipowicz

RESOLVED:

That Paul Kimball, as Supervisor of the Town of Clarkson, County of Monroe, State of New York, is hereby authorized and directed to file an application for 50% matching funds from the Urban Community Forestry Grants Program in an amount not to exceed \$10,000 and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to Town of Clarkson for a Forestry Management Plan.

Unanimously carried

Discussion: Highway Superintendent Goodwin updated the Board on the next phase of the program. The tree inventory has been completed as a requirement to obtaining a 50% matching grant from the DEC to plant new trees. He plans to request a \$10,000 matching grant which would allow the Town to plant fifty trees. The Conservation Board will make a recommendation as to where the trees should go. Supervisor Kimball stated the trees will be offered at a \$50 fee to residents which would recoup half of the cost to the Town, the other half would be covered by in-kind services. Trees will be planted in areas with the least number of trees and the most number of planting sites available, in accordance with the Urban Forestry Plan. District 4 (Burch Farm Drive, Chadlee Drive, Delaina Rose Circle, Donielle Circle) has 6 trees and 87 planting sites. District 5 (Chandon Place, Summer Hill Drive, Sunset Center Lane, Berry Grove Lane, Lindera Lane, Wedgewood Court, Mission Hill Drive) has 5 trees and 117 planting sites. Any remaining trees will be offered to District 2 (Leanna Crescent, Larrigan Crossing, Scarlet Pine Circle, Leanna Circle, Roman Circle) and two trees will be reserved for planting in front of the Town Hall.

PROCUREMENT POLICY

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To adopt the Procurement Policy as attached.

Unanimously carried

Discussion: Attorney for the Town Olson explained the most recent modifications to the policy. Guideline 10 was added to this version to address cash transactions with businesses such as scrap yards per the request of Highway Sup't Goodwin. Appropriate usage of credit by elected officials was discussed and clarified in Guideline 9.

SUPERVISOR REPORTS

Supervisor Kimball reported that the Town was denied the historic parks recreation grant which was requested for the Veteran's Memorial Park on Ridge Road. However, there is another opportunity to obtain funding of approximately \$50,000 from Monroe County's Community Block Grant program. The grant money would be used for "phase 1" of the site itself to include a flagpole, parking lot construction and retaining wall. A short form Environmental Assessment Form is needed. The matter was tabled to the next meeting on February 22, 2011 so that the Town Attorney can look over the documents.

Supervisor Kimball spoke of the workshop this evening in the Village with Ray DiRaddo regarding the creation of a fire district. Councilperson Hoy stated that on the several 911 calls he has personally responded to since the beginning of the year, Monroe Ambulance has consistently been first on the scene. He was impressed with their friendly professionalism. Kimball said there will be a meeting with the Village on March 7, 2011 at which the Village must decide whether or not they will participate in the fire district. He said there will be a meeting on March 29, 2011 in Sweden to call for a public hearing, and then the formal public hearing will take place on May 3, 2011 at the Oliver Middle School.

HISTORIAN REPORTS

Historian, Leanna Hale was not present at this time.

02.08.11

BUILDING INSPECTOR REPORTS

Inspector Fabry reported that all displaced Ridge Village Apartment residents have returned to their homes. He added that the new web based program in his department is going well.

ASSESSOR REPORTS

C. Lyon reported that our State Senator has sent out letters to see if people are utilizing the STAR program.

HIGHWAY SUPT. REPORTS

Sup't Goodwin stated salt usage at this point is 3% over a total average winter. They have purchased over 2000 tons of salt. He also spoke about the change in the State recycling law for electronics. It requires the producer of the electronics to pay for the recycling of its products. SunKing has stated they will pick up items from the Town's transfer station at no charge and then be reimbursed by the manufacturer.

PARKS COMMITTEE UPDATE

Councilperson Filipowicz asked for input and suggestions from the Board about the community survey which will be sent out by the Parks Master Plan Committee next week.

MINUTES

Motion by Councilperson Didas
 Seconded by Councilperson Hoy
 To approve January 25, 2011 minutes.
 Unanimously carried

AUDIT—02-01-2011

Vouchers 20110063-20110118; Total \$178,822.02; Gen. \$150,325.37; Hwy. \$23,301.56;
 SL \$3,619.17; SS \$1575.92
 For distribution checks from 22217-22259
 Motion by Councilperson Hoy
 Seconded by Councilperson Filipowicz
 Unanimously carried

MOTION TO ENTER INTO EXECUTIVE SESSION

Motion by Councilperson Filipowicz
 Seconded by Councilperson Didas
 To enter into executive session at 7:40 P.M.
 Unanimously carried

MOTION TO RETURN TO REGULAR SESSION

Motion by Councilperson Didas
 Seconded by Councilperson Hoy
 To return to regular session at 8:10 P.M.
 Unanimously carried

Motion to adjourn at 8:10 P.M. by Councilperson Hoy
 Seconded by Councilperson Meyers
 Unanimously carried

Respectfully submitted,

Sharon S. Mattison
 Town Clerk

APPROVED 02-22-2011

Town of Clarkson Procurement Policy

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML §103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with the procurement;

NOW, THEREFORE, be it RESOLVED: That the Town of Clarkson does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or service shall be evaluated to determine the applicability of GML §103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchase of a) supplies or equipment, which will exceed \$20,000.00 or b) public works contract over \$35,000.00, shall be formally bid pursuant to GML §103.

Guideline 3. All estimated purchases of:

- Less than \$20,000.00 but greater than \$8,000.00 require a written request for a proposal (RFP) and written quotes from 3 vendors. In addition to written documents, faxes and electronic transmissions are acceptable means of providing written quotes. Purchase to be approved by the Town Board except where purchases have been previously approved as part of the budget.
- Less than \$8,000.00 but greater than \$3,000.00 requires a written request for goods and quotes from 3 vendors.
- Less than \$3,000.00 are left to the discretion of the purchaser.

All estimated public works contracts of:

- Less than \$35,000.00 but greater than \$10,000.00 require a written RFP and fax/proposals from 3 contractors. To be approved by Town Board except when items have been previously approved as part of the budget.
- Less than \$10,000.00 but greater than \$3,000.00 require a written request for goods and quotes from 3 vendors.
- Less than \$3,000.00 are left to the discretion of the purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. In determining whether a purchase is an expenditure within the discretionary threshold amounts established by any of the guidelines contained in this Policy, the Purchaser shall consider the reasonably expected aggregate amount of all purchases of the same commodities, services or technology to be made within the twelve-month period commencing on the date of purchase. Purchases of commodities, services or technology shall not be artificially divided for the purpose of satisfying the discretionary buying thresholds established by the guidelines contained in this policy. A change to or a renewal of a discretionary purchase shall not be permitted if the change or renewal would bring the reasonably expected aggregate amount of all purchases of the same commodities, services or technology from the same provider within the twelve-

month period commencing on the date of the first purchase to an amount greater than the discretionary buying threshold amount.

Guideline 5. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to the other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 6. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to procurement.

Guideline 7. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a. Acquisition of professional services;
- b. Emergencies;
- c. Sole source situations;
- d. Goods purchased under an New York State Office of General Services (OGS) group contract authorized by §104 of the General Municipal Law. These are commonly called "State Bid Contracts".
- e. Goods purchased from agencies for the blind or severely handicapped;
- f. Goods purchased from correctional facilities;
- g. Goods purchased from another governmental agency;
- h. Goods purchased at auction;
- i. Goods purchased for less than \$3,000.00;
- j. Public works contracts for less than \$3,000.00.

Guideline 8. The Town Board recognizes that the use of a line of credit (sometimes referred to a store account) is necessary for the purchase of goods from vendors with whom the Town of Clarkson does business. A list of the approved accounts and the person(s) authorized to use such accounts is attached hereto as Exhibit A. These expenditures will be charged to the appropriate budget codes and original receipts will be forwarded to the Supervisor's Office for all charges. Failure to submit original receipt for charges may result in the officer/employee being personally liable for the undocumented charges. All other procurement policy guidelines will be followed in the use of these accounts.

Guideline 9. The Town Board recognizes that the use of a credit card is necessary for the purchase of goods from vendors with whom the Town of Clarkson does not have accounts, or for C.O.D. items. A list of the approved credit cards and the person(s) authorized to use such cards is attached hereto as Exhibit B. These expenditures will be charged to the appropriate budget codes and original receipts will be forwarded to the Supervisor's Office for all charges. Failure to submit original receipt for charges may result in the officer/employee being personally liable for the undocumented charges. These cards are NOT to be used for travel expenses. Prior to using a credit card for Internet purchases, the purchaser must first verify that the information is being submitted to a secure website. All other procurement policy guidelines will be followed in the use of the credit cards and line of credit accounts.

Guideline 10. Under certain circumstances, the Town may be due a refund for an item returned or payment for an item of tangible personal property sold by the Town. Such payments may only be made by check payable to the Town of Clarkson. Cash is not an acceptable way of collecting these funds. If someone insists on cash, the cash payment shall be made to the Town Clerk at the Town Hall and the Town Clerk shall issue a receipt for the same.

Guideline 11. The Town Board of the Town of Clarkson shall establish by resolution at its Organizational Meeting those employees who are responsible for making purchases and authorized to approve vouchers for payment. This will be in accordance with

GML § 104-b(2)(f).

Guideline 12. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter, as is reasonably practicable

**SCHEDULE A
LINE OF CREDIT/STORE ACCOUNTS**

Highway Department

Tractor Supply Company

Home Depot

Lowe's

Sears

Wegmans

Town Hall

Wegmans

Walmart

Office Max

Office Depot

Lowe's

Town Court

None

**SCHEDULE B
CREDIT CARDS**

Card : Chase Visa

Authorized to be issued in the name of the persons who hold the following offices:

Town Supervisor – Paul M. Kimball

Town Clerk – Sharon S. Mattison

Superintendent of Highways – David Goodwin

Town Justice - Allyn S. Hammel