

A Work Session of the Town Board of the Town of Williamson, County of Wayne and State of New York was held in the Town Complex Court Room located at 6380 Route 21, Suite II, at 7:00 PM on Tuesday, April 12, 2011. The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman Thomas D. Watson

ABSENT: Councilman Michael Bixby

The Regular Meeting of the Town Board of the Town of Williamson was held in the Town Complex Court Room located at 6380 Route 21, Suite II following the Worksession and was called to order at 7:30 PM on Tuesday, April 12, 2011 by Supervisor Hoffman with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman Thomas D. Watson

ABSENT: Councilman Michael Bixby

Nancy Jordan, Kurt Allman, Vince Poray, Fedele A. Noto, Tina Hotchiss, Ray Walvoord, Bruce Akins, Monica Deyo; Times of Wayne Co. and Wilma Young; Sun & Record, and the undersigned Town Clerk were also present.

Councilman Orbaker and Nancy Jordan did a verbal presentation on the Farmer's Market Committee. In December of 2010 this committee was established due to being a part of the Master Plan. The goal was to do a feasibility study on the interest and need for having a Farmer's Market in Williamson. The committee looked into the ones in Webster, Sodus and Macedon. NYS has set aside money for Farmer Markets in supporting and promoting of local farmers. Rite-Aid has expressed a strong interest in having a Farmer's Market in their parking lot. Availability of public bathrooms, parking and insurance coverage would be provided by Rite-Aid. Residents with food stamps and farmer's market coupons would be able to use them at the market. Mrs. Jordan stated the Committee has agreed to wait until June 2011 in order to solicit vendors and solidify the plan. The Committee has completed the By-Laws and stipulations for a Farmer's Market. They have also received an endorsement of support from the Chamber of Commerce but with no financial support. Mrs. Jordan asked on behalf of the Committee for the Town to cover the insurance under Economic Development similar to how the Town covers Apple Blossom. Another event the Committee is looking into is having what is called "Agritainment" at the Farmer's Market, which brings in local talent to perform. One concern the Committee has with the Rite-Aid site is the safety for residents from Orchard Estate crossing Route 104. The Committee is going to look into asking WATTS to provide shuttle service for area residents on Market Day.

Fedele Noto stated his son has purchased the former Apple Town Gun Shop and was going to have a Farmer's Market there. He is concerned that having the Farmer's Market at Rite-Aid will cause problems with Breen's and stated the Committee needed to know what the objective is in having a Farmer's Market.

Public Comment: Fedele Noto felt all levels of part-time employees should be paid the same pay rate and all employees should be cross-trained. He also felt the new assessments were unfair and not done correctly.

Supervisor Hoffman made a motion, seconded by Councilman Verno to accept and/or file the letters and other forms of communication.

Petition from neighbors on East Townline Road for a zoning change
The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Watson, to accept the Consent Agenda containing the following items:

- a. previous minutes: March 22, 2011
- b. presentation of the Town Clerk's & Tax Receiver's reports
- c. accept the Town Supervisor's report for January, February
- d. monthly departmental reports
- e. to grant permission to the Apple Blossom Committee use of the Town parking lots adjacent to 4100 Ridge Road for the carnival during festival days from May 9th – 14th, 2011.
- f. pay the Library bills as audited by the Library Board of Trustees:
vouchers 580 - 593, total \$4,399.01
- g. accept the following budgetary transfers

From	Amount	To
A1990.900 Contingency Assessment Review	\$ 33.00	A1356.400 Board of
	\$5,900.00	A1440.400 Engineering
	\$1,835.45	A1620.200 Building Equip.
	\$1,579.53	A1910.400 Insurance

The motion was carried.

Supervisor Hoffman presented the following Resolution and moved its adoption. It was seconded by Councilman Orbaker.

WHEREAS: The record books of the Account Clerk and Justices, were audited by the Town Board on January 17, 2011, and

NOW, THEREFORE, BE IT RESOLVED: That the Town Board of the Town of Williamson hereby acknowledges that the Account Clerk and Justices books were presented to the Town Board for auditing,

BE IT FURTHER RESOLVED: The books examined show that monies collected have been turned over to the proper officials.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Verno
Councilman Watson

NAYES: None

The Resolution was declared adopted.

Supervisor Hoffman presented the following Resolution and moved its adoption. It was seconded by Councilman Verno.

WHEREAS: Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS: Comments have been solicited from all officers of the Town involved in the procurement process,

NOW THEREFORE BE IT RESOLVED: that the Town of Williamson does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE TOWN OF WILLIAMSON

General Policy and Procedures Guidelines:

1. The Town Supervisor, Town Clerk, Highway Superintendent, Justices, Chief Water Plant Operator, Chief Wastewater Treatment Plant Operator and Outside Working Foreman will be responsible for purchases for their departments which are not governed by competitive bidding regulations. It will be left to their discretion in designating who can purchase for their department.
2. All purchases will comply with all applicable laws of the State of New York.
3. Every purchase made will be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year.
4. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law; purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and county contracts; and surplus and second-hand purchases from another government entity.
5. In accordance with General Municipal Law Section 103, competitive bids will be sought for "purchase contracts" of \$20,000 or more and "public works contracts" of \$35,000 or more.
 - a. "Purchase Contracts" applies to procurement of commodities
 - b. "Contracts for Public Works" encompass contracts for services, labor or construction
 - c. When a contract involves acquisition of both goods and services such as a purchase that requires installation, the contract should be viewed as a goods purchase for the purpose of determining the competitive bidding monetary threshold if the services are minor, incidental, or customarily provided by the vendor as a component of the purchase.
 - d. Conversely, if the services are extensive, substantial or involve specialized skills so that the acquisition of the goods is incidental to the work, the contract should be treated as a contract for public works.
 - e. Competitive bidding is required when it is known or reasonably anticipated that the amount to be spent on purchases of an item will exceed the dollar threshold over the course of a fiscal year.
6. The following method of purchase will be used in order to achieve the highest savings, except purchase contracts under \$20,000 and public works contracts under \$35,000; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and county contracts; or purchases pursuant to subdivision 6 of this policy.
7. All estimated Purchase Contracts of:

- a. \$ 999 or less Left to discretion of purchaser
- \$1,000 - \$2,999 2 verbal/fax quotations
- \$3,000 - \$19,999 3 written/fax quotations or documented requests for a proposal

8. All estimated Public Works Contracts of:

- a. \$2,999 or less Left to the discretion of purchaser
- \$3,000 - 9,999 2 written/fax quotations
- \$10,000 - \$34,999 3 written/fax quotations or documented requests for a proposal

9. The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written, fax or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, or a memo from the purchaser detailing the circumstances which led to an emergency purchase.

10. All goods and services, except those goods and services purchased through a county or state contract, from agencies for the blind or severely handicapped, from correctional institutions or purchases pursuant to subdivision 6 of this policy will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided.

11. A good faith effort shall be made to obtain the required number of alternate proposals. If the purchaser is unable to obtain the required number of alternate proposals, the purchaser will document the attempt made at obtaining the proposals. But, in no event shall the failure to obtain the proposals be a bar to the procurement.

12. Documentation and an explanation are required whenever a contract is awarded to other than the lowest possible offeror. This documentation will include an explanation of how the award will achieve savings. The purchaser will be responsible for determining if the offeror is responsible.

13. In the following circumstances it is not in the best interests of the Town of Williamson to solicit quotations or document the basis for not accepting the lowest bid. In these circumstances, the individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, moral worth, and the ability to have a close relationship with the governing body. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of the services are such that they do not readily lend themselves to competitive procurement procedures. The citizens of the municipality deserve the benefit of expertise in these types of services as it may ultimately save the taxpayers money.

- a. services of an attorney
- b. services of a physician
- c. technical services of an engineer engaged to prepare plans, maps, and estimates
- d. securing insurance coverage and/or services of an insurance broker
- e. services of a certified public accountant
- f. investment management services
- g. printing services involving extensive writing, editing or art work
- h. management of municipally owned property
- i. computer software of programming services for customized programs, or services involved in substantial modification and customizing or prepackaged software.

14. In addition, the following situations it is not in the best interest of the municipality to secure alternate proposals because of the time required and the type of purchase.

- a. emergency purchases (pursuant to section 103(4) of the General Municipal Law
- b. purchases of surplus and second-hand goods pursuant to Section 103(6) of the General Municipal Law

15. Adequate documentation of all action taken in connection with each method of procurement as outlined herein will be maintained. Such documentation shall include but not be limited to any and all Board resolutions, memoranda, written/fax quotes, verbal quotes, requests for proposals,

proposals, contracts and any other appropriate form of documentation.

16. Any and all procurement procedures not specifically covered in this policy will be adhered to as covered in General Municipal Law, Section 104-b.

This policy shall become effective upon adoption by the Town Board and will be reviewed annually.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Verno
Councilman Watson

NAYES: None

The Resolution was declared adopted.

Councilman Verno made a motion, seconded by Councilman Orbaker, to hire Leno Plumbing & Electrical to do the finished plumbing for two bathrooms, and kitchen as per plans submitted and to do the finished electrical as per plans submitted for the new lodge at the Town Park. The charge for the plumbing will be \$9,179.07 and the charge for the electrical work will be \$9,238.88. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Orbaker, to authorize the Account Clerk, Supervisor's Clerk to attend the Tenth Annual Town Finance School to be held at the Woodcliff Hotel, in Rochester, New York on May 5 and 6, 2011. The registration fee is \$200.00 per person with all other necessary and actual expenses being a Town charge. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Watson, to authorize the attendance of Town Personnel at a meeting regarding Active Transportation. The meeting will be held at the Radisson Hotel Rochester Riverside in Rochester, New York on April 27, 2011 from 8:00 am until 5:00 pm. registration fee is \$45.00 per person. The motion was carried.

Councilman Watson made a motion, seconded by Councilman Verno, to authorize a Planning Board member to attend a Monroe County Planning and Development, Land Use Decision-Making Training Program on April 20, 2011 to be held at the Monroe Community Hospital in Rochester, New York. The registration fee is \$25.00 with all other necessary and actual expenses to be a Town charge. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Watson, to amend the motion from March 22, 2011 declaring the 1998 Ford Ambulance as surplus and instruct the Town Clerk to advertise in the chosen papers of April 3 and 10 to be amended to the Fire Tech magazine, govdeals.com and the official Town papers the weeks of April 17, and 24 and receiving bids until May 18 at 2:00 PM at which time they will be opened and read. The motion was carried.

Bids having been opened and read at 11:00 AM on April 14, 2010 for the Williamson Spring Clean-up were as follows:

Company	Metal	Tires	Other Materials	Freon
Alpco Recycling, Inc. 846 Macedon Center Road P.O. Box 837 Macedon, New York 14502	\$180.00/rebate	\$160.00	\$60.00	no charge
K & D Disposal 5076 Route 31 Newark, New York 14513	\$155.00	160.00	\$64.00	no charge

Councilman Verno presented the following Resolution and moved its adoption. It was seconded by Councilman Orbaker.

WHEREAS: Bids were received and opened on April 6, 2011 at 11:00 AM for the Williamson Spring Clean-up and,

WHEREAS: The bids were examined to determine that they meet all the requirements and specifications, and are in the best interest of the Town,

NOW, THEREFORE, BE IT RESOLVED: That the bid be awarded to Alpco Recycling, Inc. being the lowest bids, meeting all requirements and specifications and determined to be in the best interest of the Town.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Verno
Councilman Watson

NAYES: None

The Resolution was declared adopted.

Councilman Verno made a motion, seconded by Councilman Orbaker, to authorize Calvin Hood, Water Treatment Plant Operator, to attend a NYS Rural Water Association Laboratory Training Session to be held on May 4, 2011 at the Ramada Inn in Painted Post, New York. The registration fee for the session is \$75.00 with all other actual and necessary expenses to be a Town charge. The motion was carried

Public Comment: Nancy Jordan asked if there was going to be electronic recycling at this years Spring Clean-up. Supervisor Hoffman stated the County is working on scheduling an electronic recycling day.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to pay the following bills as audited:

ABSTRACT # 7	2011	
	<u>VOUCHER #</u>	<u>AMOUNT</u>
GENERAL FUND	485-518, 594	\$ 23,649.40
YOUTH	519 - 521	
HIGHWAY	522 – 542, 579	\$ 202,748.51
WATER	483, 484, 543-565	\$ 8,289.57
SEWER	566 – 577	\$ 2,501.72
<u>CAPITAL H-8</u>	<u>578</u>	<u>\$ 7,656.00</u>
GRAND TOTAL		\$ 99,246.10

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to enter into Executive Session to discuss a personnel issue at 7:57 PM. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Verno, to return to Open Session at 8:09 PM. The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Watson, to adjourn the meeting at 8:10 PM. The motion was carried.

Respectfully Submitted,

Marlene A Gulick
Town Clerk