

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 Conference Room located at 6380 Route 21, Suite II, at 7:00 PM on Tuesday, December 30, 2008. The following were

PRESENT: Supervisor James D. Hoffman
 Councilman Gary Orbaker
 Councilman Anthony Verno
 Councilman G. Elliott Warren
 Councilman Michael Bixby

ABSENT: None

The Board reviewed bills for payment.

The Regular Meeting of the Town Board of the Town of Williamson was held in the Town Complex Conference Room located at 6380 Route 21, Suite II following the Worksession and was called to order at 7:30 PM on Tuesday, December 30, 2008 by Supervisor Hoffman with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
 Councilman Gary Orbaker
 Councilman Anthony Verno
 Councilman G. Elliott Warren
 Councilman Michael Bixby

ABSENT: None

Scott Flora, Todd Brennessel, Tom DeMarree, Eileen Loveman; Sun & Record, and the undersigned Town Clerk were also present.

A notice having been published for a Public Hearing regarding proposed Local Law #1-2008, Amendment to Local Law #47, "Zoning Board of Appeals; Planning Board", Article 1 – "Positions Established". Supervisor Hoffman declared the Hearing open at 7:31 PM. The Supervisor explained the amendment is to reduce (7) seven members to (5) five members serving on the Planning Board. The Board agreed. As no one wished to comment or ask questions, the Hearing was closed at 7:33 PM with a motion made by Councilman Verno, seconded by Councilman Warren. The motion was carried.

Public Comment: No one wished to comment.

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

- a. previous minutes: December 9, 2008
- b. pay the Library bills as audited by the Library Board of Trustees:
 vouchers 2179 - 2195, total \$8,854.66
- b. approve the budgetary transfers as listed:

<i>From</i>	<i>Amount</i>	<i>To</i>
<u>General Fund</u>		
A1990.900 Contingency	\$ 944.20	A1420.400 Attorney Cont.
	453.55	A1660.400 Central Stores Cont.
	72.16	A3310.400 Traffic Control Cont.
	200.00	A4010.410 Board of Health Health Officer
	1640.45	A5132.400 Garage Cont.
	1398.17	A7110.400 Parks Cont.
	409.55	A7310.200 Youth Equip.
	283.74	A7310.400 Youth Cont.
<u>Highway</u>		
DA5130.400 Machinery Cont.	\$ 1143.15	DA5140.400 Misc Brush/Weeds Cont.
	12450.00	DA5142.400 Snow Removal Cont.
DA5130.100 Machinery PS	19525.59	DA5142.400 Snow Removal Cont.
<u>Water Fund</u>		
F8330.100 Purification PS	\$ 362.00	F8330.410 Purification Lab Svcs
F8340.460 Trans/Dist Mis	1284.11	F8340.440 Trans/Dist VM
<u>Sewer Fund</u>		
SS8110.440 Admin Cont.	\$686.92	SS8110.440 Admin. Cont. Trng
SS8120.400 Cllet System Cont.	653.08	SS8120.440 Cllet System VM
SS8130.460 Treatment Disp. Pl	88.21	SS8130.440 Treatment Disp Pl Repr Mnt

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Orbaker, to authorize the Town Supervisor to sign an agreement with Raymond F. Wager, CPA, PC, to assist the account clerk in preparation of the AUD, as per agreement, not to exceed \$3,000.00. The motion was carried.

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

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 amended 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

1. 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. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law; purchase contracts under \$10,000 and public works contracts under \$20,000; 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.

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 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.

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 make purchases for their department.

2. 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.

3. The following method of purchase will be used in order to achieve the highest savings, except purchase contracts under \$10,000 and public works contracts under \$20,000; 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.

<u>Estimated amount of Purchase Contract</u>	<u>Method</u>
\$250 - \$999	Left to discretion of purchaser
\$1,000 - \$2,999	2 - verbal/fax quotations
\$3,000 - \$9,999	3 - written/fax quotations or documented requests for a proposal

<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$500 - \$2,999	Left to discretion of purchaser
\$3,000 - \$9,999	2 - written/fax quotations
\$10,000 - \$19,999	3 - written/fax quotations or documented requests for a proposal

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.

4. Documentation is required of each quotation or request for proposals taken in connection with each procurement.

5. 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.

6. 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; and
- i. computer software or programming services for customized programs, or services involved in substantial modification and customizing or prepackaged software.

In addition, in the following situations it is not in the best interests of the municipality to secure alternate proposals because of the time required and 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; and
- c. purchases under \$250.

7. This policy shall go into effect immediately upon adoption and will be reviewed annually.

(The Bold paragraph is the amended part of the policy)

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Warren
Councilman Orbaker
Councilman Verno
Councilman Bixby

NAYES: None

The Resolution was declared adopted.

Councilman Verno made a motion, seconded by Councilman Orbaker, to accept the Union Contract for 2009 – 2013 containing the agreed upon changes. The motion was carried.

Scott Flora thanked The Board for their cooperation in making negotiations for the new Union Contract go smoothly.

Councilman Bixby made a motion, seconded by Councilman Verno, to reappoint Ernie Norton to the Zoning Board of Appeals. His term of office will be for five years, from January 1, 2009 to December 31, 2013. The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to adopt the proposed Local Law #1, 2008 - Amendment to Local Law §47, Zoning Board of Appeals; Planning Board, Article 1 – Positions Established. The motion was carried.

LOCAL LAW #2008-1

Amendment to Local Law #§47

“ Zoning Board of Appeals; Planning Board, Article 1 – Positions Established”

Zoning Board of Appeals; Planning Board

§ 47-1 Positions established

Section 1. That the Town Code of the Town of Williamson is hereby amended, which shall provide as set forth in Schedule A annexed hereto and made a part hereof.

Section 2. All other local laws and ordinances thereof of the Town of Williamson inconsistent with the provisions of this local law are hereby repealed; provide, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this local law shall be in addition to other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section 3. If any of the other provisions in the foregoing local law be decided by a court having jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of the foregoing local law as a whole, or any part thereof, other than the part so decided to be unconstitutional or be invalid.

Section 4. This local law shall take effect immediately.

SCHEDULE A:

1. The Planning Board shall consist of five (5) members.
2. The positions of alternate members of the Town of Williamson Zoning Board of Appeals and the Town of Williamson Planning Board are hereby established. There shall be two such alternate members for the Board of Appeals and two such alternate members for the Planning Board.

Councilman Orbaker made a motion, seconded by Councilman Warren, to reappoint Jay Peters to the Drainage Council. His term will begin on January 1, 2009 and continue until December 31, 2011. The motion was carried.

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

WHEREAS: Wayne County in partnership with its (15) fifteen Towns conducted a signage study that established a database that includes all required highway sign design and placement specifications; and

WHEREAS: The study also assigned GPS locations for all highway signs on County and Town Roads; and

WHEREAS: Wayne County and its 15 Towns would like to continue this partnership by applying to the NYS Department of State for a Local Government Efficiency Implementation Grant to consolidate the administration, maintenance, and replacement of all signs located on Town and County Roads into the Wayne County Highway Department, which will reduce costs to local highway departments and establish continuity regarding compliance with new signage regulations;

NOW, THEREFORE, BE IT RESOLVED: That the Town of Williamson designates Wayne County as the lead applicant for the NYS Local Government Efficiency Grant; and

BE IT FURTHER RESOLVED: That James D. Hoffman, Chairman of the Wayne County Board of Supervisors, is designated as the lead applicant contact person and is authorized to submit an application to the NYS Local Government Efficiency Grant Program (LGE) for the 2008-2009 Program Year for the Wayne Country Consolidated Signage Program and to execute all financial and/or administrative processes related to the grant program; and

BE IT FURTHER RESOLVED: That the Town of Williamson intends to enter into an intermunicipal agreement with Wayne County authorizing the centralized and consolidated administration, maintenance and replacement of all signs located on Town and County Roads; and

BE IT FURTHER RESOLVED: That the Town of Williamson authorizes the following co-applicants:

The Town of Arcadia
The Town of Butler
The Town of Galen
The Town of Huron
The Town of Lyons
The Town of Macedon
The Town of Marion
The Town of Ontario
The Town of Palmyra
The Town of Rose
The Town of Savannah
The Town of Sodus
The Town of Walworth
The Town of Wolcott; and

BE IT FURTHER RESOLVED: That the Town of Williamson authorizes a total LGE funding request of \$900,000 and

BE IT FURTHER RESOLVED: That the Town of Williamson will commit to a, not to exceed, cost of \$4000 as its share of the required 10 percent funding match.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Warren
Councilman Orbaker
Councilman Verno
Councilman Bixby

NAYES: None

The Resolution was declared adopted.

Bids having been opened at 11:00 AM on Friday, December 19, 2008 for a new 2009 Utility Tractor with Self Leveling-Loader as follows:

Ontrac Equipment 185 Macedon Center Road Macedon, New York 14502	\$35,847.59
Raymond E. & Henry J. McQueen 10200 Ridge Road Wolcott, New York 14590	\$42,891.00
Lakeland Equipment Andrew B. Wunder 13330 Route 31 Savannah, New York 13145	\$37,211.74

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

WHEREAS: Bids were received and opened on December 19, 2008 at 11:00 AM for a new 2009 Utility Tractor with Self Leveling-Loader, and

WHEREAS: The bids were examined to determine if they meet all of the specifications of the bid requirements,

NOW THEREFORE BE IT RESOLVED: That the bid be awarded to Ontrac Equipment as being the lowest bid and meeting all of the specifications required would therefore be in the best interest of the town in the amount of \$35,847.59.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Warren
Councilman Orbaker
Councilman Verno
Councilman Bixby

NAYES: None

The Resolution was declared adopted.

Councilman Verno made a motion, seconded by Councilman Bixby, to authorize the Town Supervisor to enter into an agreement with Wayne County for the Snow & Ice Control on County Roads in the Town of Williamson. This agreement will supercede any existing agreements we now have with the County. The agreement shall commence on November 1, 2008 and end on May 30, 2009. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Warren, to authorize the Town Clerk to advertise in the appropriate papers the week of December 28, 2008, to receive bids for materials for watermain replacement. Bids will be received until January 22, 2009 at 11:00 AM at which time they will be opened and read. The Town Board reserves the right to reject any and all bids. The motion was carried.

Public Comment: No one wished to comment.

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

<u>Account:</u>	<u>Voucher No.:</u>	<u>Totals:</u>
General Fund	2096 through 2125, 2196, 2198, 2199	\$ 35,878.32
Youth	2126 through 2132	
Highway Fund	2133 through 2152	\$ 47,195.09
Water Fund	2153 through 2161	\$ 50,898.45
Sewer Fund	2162 through 2173, 2175, 2176	\$ 31,266.33
Bus. Improv. Dist.	2178	\$ 1,430.42
<u>Lighting Dist.</u>	<u>2177</u>	<u>\$ 3,419.53</u>
Total:		\$170,088.14

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Orbaker, to adjourn the meeting at 7:44 PM. The motion was carried.

Respectfully Submitted,

Marlene A. Gulick
Town Clerk