

Town of Sardinia
Town Board Regular Agenda

Town Board Proceedings
Regular Board Meeting
June 12, 2014
Scheduled time 6:30pm

TOWN BOARD MEMBERS

SUPERVISOR: Beverly Gambino
COUNCILMAN: Douglas J. Morrell
COUNCILMAN: David L. Montgomery
COUNCILMAN: Len Hochadel
COUNCILWOMAN: Cheryl L. Earl

Others present:

TOWN CLERK Betsy A. Marsh
HWY SUPERINTENDENT Donald Hopkins

Meeting called to order by Supervisor Gambino at _____ pm

Roll Call

Pledge of Allegiance

Moment of Silence

Approval of Minutes

Monthly Committee Department Reports

COMMITTEES AND LIASONS

Personnel/Administration	Beverly/Cheryl
Finance/Planning & Economic Development	Beverly/Cheryl
Security and Disaster Preparedness	Gerald Whittington
Public Safety	Dave/Doug
(Constable, Building Code Enforcement, Animal Control)	
Building & Capital Projects	
Sardinia Town Hall	Beverly/Len
Parks	Cheryl/Dave
Highway	Cheryl/Doug
Recreation/Youth	Cheryl/Beverly
Community Events/Celebrations	Len
Community Services	Dave/Len
Senior Citizens and Programs	Doug/Dave
Environmental Committee/Landfill/Mining	Doug/Len
Liaison to Fire Company	Beverly/Doug
Liaison to Planning Board	Doug
Liaison to Veterans	Beverly
Water Evaluation Committee	Dave/Len
Street Lighting	Len/Dave

Report from Highway Superintendent Donald Hopkins

Approval of Bills

Unfinished business

APPROVAL OF POSITIONS

WHEREAS, the Sardinia Town Board has conducted interviews with the Sardinia Youth Board to fill the following positions, the following individuals are recommended and listed with the pay rate posted:

<u>POSITION</u>	<u>NAME</u>	<u>RATE OF PAY per hour</u>
Lifeguard – new	Erin Asquith	\$10.34
Lifeguard – new	Sarah Gabler	\$10.34
Lawns/Caretaker – return	Bill Murphy	\$13.75

Approval of End of Year Audit Journal Entries***

Approval & Discussion of Procurement Policy***

***Attached

NEW BUSINESS

EXECUTIVE SESSION (If Necessary)

ADJOURNMENT

Town of Sardinia
Proposed Audit Journal Entries
For the Year Ended December 31, 2013

Exhibit 1

Adjusting Journal Entries JE # 1

To adjust prepaid ERS based on invoice.

A9010.8	State retirement	5,269.00	
DA9010.8	State retirement	12,294.00	
A909	Fund Balance		5,269.00
DA909	Fund Balance		12,294.00
Total		<u>17,563.00</u>	<u>17,563.00</u>

Adjusting Journal Entries JE # 2

To record LOSAP liability/asset.

TE461	LOSAP Assets	453,311.00	
TE13	LOSAP Liability		453,311.00
Total		<u>453,311.00</u>	<u>453,311.00</u>

Adjusting Journal Entries JE # 3

To record accounts receivable.

A909	Fund Balance		300.00
A909	Fund Balance		73,710.00
A909	Fund Balance		307,627.00
A909	Fund Balance		62,143.00
DA909	Fund Balance		84,788.00
A1120	Non-property tax items	62,143.00	
A1255	Clerk fees	45.00	
A2110	Zoning Fees	100.00	
A2544	Dog licenses	138.00	
A2592	Landfill Permit Fees	46,482.00	
A2592	Landfill Permit Fees	307,627.00	
A2593	Landfill & Enviro Fees	25,000.00	
A2610	Fines and forfeited bail	1,924.00	
A2611	Fines & Penalties Dog	20.00	
A2770	Other unclassified revenue	1.00	
A5132.4	Garage - Contractual expenses	300.00	
DA1120	Non-property tax items	26,633.00	
DA2302	Snow removal - other governments	58,155.00	
Total		<u>528,568.00</u>	<u>528,568.00</u>

Adjusting Journal Entries JE # 4

To adjust/record accounts payable.

A1110.4	Municipal Court - Contractual expenses		37.00
A1420.4	Law - Contractual expenses		845.00
DA5110.4	General Repairs - Contractual expenses		8,283.00
DA5130.4	Machinery - Contractual expenses		2,019.00
SL5182.4	Lighting - Contractual expenses		1,090.00
A909	Accounts payable	882.00	
DA909	Accounts payable	10,302.00	
SL909	Accounts payable	1,090.00	
Total		<u>12,274.00</u>	<u>12,274.00</u>

Adjusting Journal Entries JE # 5

To record accrued payroll.

A1110.1	Municipal Court - Personal services		167.00
A1220.1	Supervisor - Personal services		841.00
A1355.1	Assessment - Personal services		65.00
A1410.1	Town Clerk - Personal services		355.00
A1620.1	Operation of Buildings - Personal services		253.00
A7110.1	Parks - Personal services		110.00
A9030.8	Social security		111.00
A9089.8	Medicare		26.00
DA5142.1	Snow removal - Personal services		6,334.00
DA9030.8	Social security		356.00
DA9080.8	Medicare Empl Benefits		87.00
A909	Fund Balance	1,928.00	
DA909	Fund Balance	6,777.00	
Total		<u>8,705.00</u>	<u>8,705.00</u>

Adjusting Journal Entries JE # 6

To forgive interfund loan.

A201	Cash - Savings	98,353.00	
A909	Fund Balance	98,353.00	
SF201	Cash - Savings	98,353.00	
SF630	Due to other funds	98,353.00	
A201	Cash - Savings		98,353.00
A391	Due from other funds		98,353.00
SF201	Cash - Savings		98,353.00
SF909	Fund Balance		98,353.00
Total		<u>393,412.00</u>	<u>393,412.00</u>

Adjusting Journal Entries JE # 7

To accrue additional sales tax.

A1120	Non-property tax items	43,470.00	
DA1120	Non-property tax items	18,630.00	
A909	Fund Balance		43,470.00
DA909	Fund Balance		18,630.00
Total		<u>62,100.00</u>	<u>62,100.00</u>

Adjusting Journal Entries JE # 8

Total		<u>0.00</u>	<u>0.00</u>
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Adjusting Journal Entries JE # 9

Total		<u>0.00</u>	<u>0.00</u>
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Adjusting Journal Entries JE # 10

To record unspent grant proceeds as unearned revenue.

A909	Fund Balance	12,285.00	
A691	Deferred revenue		12,285.00
Total		<u>12,285.00</u>	<u>12,285.00</u>

TOWN OF SARDINIA PROCUREMENT POLICY

GUIDELINE 1. GENERAL POLICY STATEMENT

Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law, § 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvas of other town department and past history to determine the likely yearly values of the commodity to be acquired and keep with the file or other documentation supporting the purchase activity.

GUIDELINE 2. NEW YORK STATE MANDATING BIDDING

All purchases of a) supplies or equipment which will cost of \$10,000.00 in the fiscal year or b) public work contracts over \$20,000.00 shall be formally bid or purchased by GLE 4.003.

It is the policy of the Town Board that all purchases and services over New York State bidding thresholds will be publicly advertised for competitive bids. Purchase contracts involving expenditures in excess of twenty thousand dollars (\$20,000) (effective June 22, 2010) and contracts for public work involving expenditures in excess of thirty five thousand dollars (\$35,000) (effective November 12, 2009).

- A. Aggregation: All anticipated purchases of a like commodity or commodity group will be aggregated to determine if the Town will exceed the threshold. Each department head will be responsible to continually monitor his/her usage patterns to be aware of commodities that over a period of time will exceed the thresholds.
- B. Time Period: The time period of aggregation will be the Town's fiscal year, or if more appropriate, the normal purchase season for the commodity group (example: winter months for road salt, etc.)
- C. Advertising: Will comply with state guidelines (i.e. published at least five (5) days prior to bid opening and published in the local newspaper.
- D. Bid Files: All bid files will be filed with the Town Clerk with in marked folders indicating item bid and date, per item.

- E. Bid Reviews: The applicable department head and the Town Board will review bid compliance for each submittal. Compliance for each bid specification will be noted on the bid submittal for each vendor.
- F. Bid Specifications: Shall include all conditions that will be used to evaluate compliance, including but not limited to, product description, quality, alternatives and options, trade-in, delivery, mileage allowances, repair needs, etc. Considerations that are not listed in the specifications list cannot be used as the basis to measure compliance with the proposals and the award of the contract. Also each bid submittal shall require a statement of non-collusion by the vendor.
- G. Bid Award: After compliance and price review, the Board will make a determination of which vendor is the lowest, *responsible* bidder meeting bid specifications and award the contract accordingly. This determination will be entered as a resolution in the minutes and, if the award is to other than the apparent low bidder, such resolution will specify in what material respects the low bidder(s) did not comply with specifications.

GUIDELINE 3. OTHER PURCHASES NOT REQUIRING STATE BIDDING COMPLIANCE

Individual purchases which are not subject to state mandated bidding procedures will be governed as follows:

- A. All estimated purchases of:
 - 1. less than \$500.00 is left to the discretion of the Elected Officer, Assessor, Code Enforcement Officer, Chairs of the Planning Board and Zoning Board of Appeals, provided funds are available in the respective budget lines.
 - 2. less than \$5,000.00 but greater than \$500.00, Board approval is required.
 - 3. less than \$10,000.00 but greater than \$500.00 requires a written request for a proposal (RFP) and written/fax quote from three (3) vendors. Board approval is required.
 - 4. greater than \$10,000.00 requires a written request for proposal (RFP) and fax/proposal from three (3) contractors. Town Board approval is required.
- B. All estimated public works contracts of:

1. less than \$3,000.00 but greater than \$500.00 are left to the discretion of the Department Committee and purchaser.
 2. less than \$10,000.00 but greater than \$3,000.00 require a written request for proposal (RFP) and fax/proposal from two (2) contractors. Town Board approval is required.
 3. greater than \$10,000.00 requires a written request for proposal (RFP) and fax/proposal from three (3) contractors. Town Board approval is required.
- C. Any written request for proposal (RFP) shall describe that 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. Such quotes will be documented on a quote form and attached to the claim voucher submitted to the Board for audit and review. The quote form will indicate:
1. a description of the commodity including options, etc.;
 2. prices and conditions quotes;
 3. date of quote and duration;
 4. contact person; and
 5. department head determination of the preferred vendor with his/her reasons for such a determination.
- D. All information gathered in complying with the procedures of this Procurement Policy shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract. The purchase order/ voucher will be attached to the invoice when it is signed and submitted for payment.
- E. In the event that an appropriation balance is insufficient, the Bookkeeper will notify the department head. An explanation must be submitted as to why the account should be increased which may be done by Board action at the next regularly scheduled meeting.

GUIDELINE 4. LOWEST RESPONSIBLE PROPOSAL OR QUOTE

The lowest responsible proposal or quote shall be awarded the purchase of 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 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 that judgment shall also be documented and filed with the record supporting the procurement.

GUIDELINE 5. GOOD FAITH EFFORT

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 proposal or quotations, the purchaser shall document the attempt made to obtaining the proposal. In no event shall the ability to obtain the proposals or quotes be a bar to the procurement.

GUIDELINE 6. EXCEPTIONS

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

- A. Acquisition of professional services - Professional services are not subject to State mandated bidding procedures.
 1. Such professional services shall include, but not be limited to accounting, legal, insurance coverage, engineering, computer consulting, etc. Items not classifiable as professional services include, but are not limited to, tree removal, paving, etc.
 2. However it is the policy of this Board that such professional services that will exceed two thousand dollars (\$2,000) during a fiscal year will be subject to request for proposals (RFP), if the Board so deems it necessary.
 3. Such requests shall include (as specifications) all descriptions, conditions, alternatives and options that shall be used as the basis for making the decision and awarding the contract.
 4. The Town Clerk shall maintain separate folders for proposals per item bid with dates indicated.
 5. The decision to award such a contract for professional services shall be made by specific resolution of the Town Board.

B. Emergencies

1. Prior to making emergency purchases without advertising for bids, the department heads and the Supervisor, or in his/her absence, the Deputy Supervisor, shall determine that an emergency situation exists that immediately threatens the life or health of Town residents, or the imminent destruction of Town property; and
2. Such determination will be reviewed and affirmed by resolution of the Town Board at the next scheduled board meeting, specifying the condition and the threat; and
3. The department head will still be required to document the solicitation of at least two (2) informal quotes as outlined in the section "Other Purchases Not Requiring State Bidding Compliance."

C. Sole source situations

1. If a commodity type can be purchased only from one source, the Town need not go through the process of advertising for competitive bids.
2. It is acknowledged that true sole-source situations (other than regulated utilities, etc.) are rare and that proper documentation should be provided to back up a sole-source assertion. The mere likelihood that a particular vendor appears to be the only vendor known to deal in a commodity is not enough, by itself, to support a sole source assertion.
3. Town policy is to publicly advertise for bids in these situations, thereby possibly uncovering other vendors that might solicit Town business for an apparent sole source assertion. The mere likelihood that a particular vendor appears to be the only vendor known to deal in a commodity is not enough, by itself, to support a sole-source assertion.
4. Town policy is to publicly advertise for bids in these situations, thereby possibly uncovering other vendors that might solicit Town business for an apparent sole-source situation.
5. If a commodity purchase is to be made under a sole source situation without advertising for competitive bids, the Town Board shall vote to declare a sole source situation, and shall delineate their reasoning for determining a sole-source situation exists.

6. A sole-source situation shall not be confused with a standardization issue.
- D. Goods purchased from agencies for the blind or severely handicapped
- E. Goods purchased from correctional facilities
- F. Goods purchased from another governmental agency under State and County Contracts - The Town is not required to perform their own advertising for competitive bids if the purchases are properly made under a state or county contract.
 1. The purchase must be the same commodity, price, conditions and vendor as under the state or county contract.
 2. Each department head shall attach a copy of the applicable state or county award documentation to the claim voucher submitted to the Board for audit and approval.
- G. Goods purchased at auction
- H. Goods purchased for less than \$500.00
 1. Public works contracts for less than \$500.00
- J. Standardization - The Board may determine that it is in the best interest of the Town to standardize on a particular commodity.
 1. Upon the adoption of a resolution by a vote of at least two-thirds (2/3) of all the members of the Town Board stating that, for reasons of efficiency or economy, there is need for standardization, purchase contracts for a particular type or kind of equipment, material or supplies of more than ten thousand dollars (\$10,000) may be awarded by the Board to the lowest responsible bidder, after public advertisement for bid for that particular commodity.
 2. The Board shall set forth in such a resolution specifically how such standardization will result in greater efficiency or economy.
 3. Standardization of a commodity is not be confused with a sole source purchasing situation.

- K. Piggybacking -- Effective August 1, 2012, a new subdivision 16 was added to General Municipal Law (GML) § 103 to authorize municipalities to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or 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 or district therein. The contract must be made available for use by other governmental entities.
- L. Best value standard -- Effective January 27, 2012, the piggybacking exemption to General Municipal Law (GML) § 103 was amended by chapter 497 of the Laws of 2013 to provide that the contract must be let either to the lowest responsible bidder or on the basis of best value in a manner consistent with GML § 103. The amendment to subdivision 16 is scheduled to expire on August 1, 2017. This standard allows municipalities to use "best value" methodology when purchasing a good or service as defined in § 163 of the State Finance Law. Goods or services procured and awarded on the basis of best value are those that the Town Board determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described and documented criteria which may include, but shall not be limited to, any or all of the following:
1. cost of maintenance;
 2. proximity to the end user if distance or response time is a significant item;
 3. availability of replacement parts or maintenance contractors;
 4. longer product life;
 5. product performance criteria; and
 6. quality of craftsmanship.

GUIDELINE 7. BUDGETARY CONTROL.

- A. Each department head is primarily responsible to monitor his budget each month, and to keep his/her purchases and expenditures within the available budget for each line item. If it appears that there is not enough budget money, he/she should either:
1. restrict spending; or

2. recommend an appropriate budget adjustment to the Board.
- B. The Bookkeeper should also monitor budget compliance. Based on the monthly budget report, he/she should alert the Board to any accounts that appear to be nearing or exceeding the budget. He/she could also advise or recommend remedies, such as restricting spending, budget transfers, excess fund balances, or unanticipated excess revenues.
- C. The Board should also monitor budget compliance on a monthly basis by reviewing the monthly budgetary reports and taking official board action to implement any proper budgetary sections they deem advisable.
- D. No purchase can be made until the Board has made available proper budgetary authority to spend.

GUIDELINE 8. PREPARATIONS, APPROVAL , AND AUDIT OF CLAIM VOUCHERS

- A. Vendor invoices will be given directly to the responsible department head. They will review the invoice, to verify the commodities delivered, price and proper accounting. Where applicable, they will also fill out and sign a voucher form and attach the invoice and any other departmental purchase orders, counter slips, receiving reports or shipping documents. The Dept. head is also responsible for approval in writing of each invoice and/or voucher and noting on the invoice or voucher the correct budget account number and Town Clerk abstract sequence number.
- B. Each month, the package of invoices and numerically sequenced vouchers will be delivered to the Town Board for review and audit at the next regularly scheduled Town Board meeting. The Town Board shall approve the payment of all invoices through a majority resolution to be entered into the minutes for the meeting.
- C. The Supervisor and/or Town Councilmember's that are auditing vouchers for a particular month hereby have the option to direct the Bookkeeper to cause a department to present a purchased item for verification and comparison to the invoice.
- D. The only exception is for prepaid invoices necessary to maintain essential utilities and services to Town Offices and Personnel. These invoices will be paid by prior approval of the Town Supervisor and still require submission to the Town Board for auditing and review at the next regular Town Board meeting.

- F. The Town Clerk will collect all audited invoices and/or vouchers and subsequently produce a complete numerical abstract by fund type identifying:
1. the claim number;
 2. the claimant;
 3. the budget account number; and
 4. the amount of invoice.
- F. Prior to submitting the invoices/vouchers to the Bookkeeper for payment, the Town Clerk will total the invoices on the abstract and sign and date this document certifying the audited package of invoices/vouchers matches the totals approved by the Town Board.

GUIDELINE 9. REVIEW, UPDATE AND DISTRIBUTION

This policy shall be reviewed annually the Town Board and its organizational meeting or as soon thereafter as is reasonably practicable and will be revised and/or updated as necessary. It will be the responsibility of the Clerk to distribute the current copy to responsible department heads.

GUIDELINE 10. TOWN BOARD APPROVAL

No person shall enter into a contract on behalf of the Town of Gardinia without the approval of the Town Board.

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

TOWN OF SARDINIA YEAR 2014
COUNTY OF ERIE

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

1. GENERAL REPAIRS

The sum of \$ 125,000⁰⁰ may be expended for general repairs upon 17.05 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewal thereof.

2. IMPROVEMENTS - The following sum shall be set aside to be expended for the improvement of town highways:

(a) On HAND RD, starting at RT 16 and ending at SAVAGE RD a distance of 1.89 miles, there shall be expended not over the sum of \$ 45,000⁰⁰.
Type Top: #7 TOP Width of traveled surface: 20' feet
Thickness Top: 1" inches Thickness binder: _____ inches
Other POLYMER TAR + CHIPSTONE ENTIRE 1.89 MILES

(b) On WEST SCHULTZ, starting at SAVAGE RD and ending at DEADEND a distance of .54 miles, there shall be expended not over the sum of \$ 11,000⁰⁰.
Type Top: CHIP SEAL Width of traveled surface: 20 FT feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other TAR + CHIPSTONE ALL .54 MILES

(c) On VAN SLYKE RD, starting at RT 39 and ending at MIDDLE RD a distance of 1.06 miles, there shall be expended not over the sum of \$ 16,000⁰⁰.
Type Top: CHIP SEAL Width of traveled surface: 21 FT feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other TAR + CHIPSTONE ALL 1.06 MILE

_____ Supervisor	_____ Date	_____ Councilmember	_____ Date
_____ Councilmember	_____ Date	_____ Councilmember	_____ Date
_____ Councilmember	_____ Date	_____ Councilmember	_____ Date
_____ Councilmember	_____ Date	_____ Highway Superintendent	_____ Date

NOTE: This Agreement must be signed by a majority of the members of the Town Board and by the Town Highway Superintendent. One copy must be filed in the Town Clerk's Office

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

TOWN OF SARDINIA YEAR 2014
COUNTY OF ERIE

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

1. GENERAL REPAIRS

The sum of \$ 1725,000 may be expended for general repairs upon 17.05 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewal thereof.

2. IMPROVEMENTS - The following sum shall be set aside to be expended for the improvement of town highways:

(a) On MEAM RD, starting at GENESEE RD and ending at ALLEN RD, a distance of 1.53 miles, there shall be expended not over the sum of \$ 21,000.
Type Top: CHIP SEAL Width of traveled surface: 20 FT. feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other TAR + CHIP STONE ENTIRE 1.53

(b) On VARIOUS RDS, starting at _____ and ending at _____, a distance of _____ miles, there shall be expended not over the sum of \$ 28,000.
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other BLACK TOP SKID PAVE + HAND PATCH + MILLING

(c) On VARIOUS RDS, starting at _____ and ending at _____, a distance of _____ miles, there shall be expended not over the sum of \$ 7,000.
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other SHOULDER + CULVERT WORK

_____ Supervisor	_____ Date	_____ Councilmember	_____ Date
_____ Councilmember	_____ Date	_____ Councilmember	_____ Date
_____ Councilmember	_____ Date	_____ Councilmember	_____ Date
_____ Councilmember	_____ Date	_____ Highway Superintendent	_____ Date

NOTE: This Agreement must be signed by a majority of the members of the Town Board and by the Town Highway Superintendent. One copy must be filed in the Town Clerk's Office