**4-12-2018 – APRIL REGULAR MEETING**

Present:

Councilman Jamie Emmick

Councilman Leonard R. Hochadel

Councilman Douglas Morrell

Councilman Mandy Quinn-Stojek

Supervisor Beverly A. Gambino

Also Present:

Highway Superintendent Donald Hopkins

Town Clerk Jennifer L Bray

Approx. 36 guests

Supervisor Gambino stated she would like to dedicate tonight’s meeting to Cathy Piasecki who passed away on March 17th. Supervisor Gambino noted that Cathy was a former town resident and the she had been the Sardinia Sesquicentennial Queen in 1971.

Supervisor Gambino then began the meeting at 6:32 with the roll call and Pledge to the Flag led by Charles Rosier.

The Supervisor stated that the first item on the agenda was the approval of the March 8, 2018 Regular Board meeting minutes. **On a motion by Emmick, seconded by Morrell, the minutes were approved as submitted. Carried, 5 ayes, 0 noes**.

Supervisor Gambino stated that the next item is for payment of the bills. **On a motion by Morrell, seconded by Hochadel, Warrant #4 of 2018, including vouchers #155 through #230, totaling $50,379.88, of which $27,272.06 was for the General Fund, $20,352.92 was for the Highway Fund, $1486.15 was for the Fire Protection fund and $1268.75 for the Street Lighting Fund was approved for payment. Carried, 5 ayes, 0 noes.**

Departmental Reports were as follows:

Councilman Emmick reported that after working with Chris Warner and Councilman Quinn since January the details for the recreation program have been worked out to allow the drop off age to be lowered to 7 years old. Councilman Emmick noted that the current age for drop offs is 10 years old. Supervisor Gambino noted that she had checked the numbers with the Department of Health website for day camps and that the number of kids to staff that had been worked out line up to that standard. **Therefor on a motion by Gambino, seconded by Quinn, the age for kids to be dropped off at summer recreation was lowered to 7 years old. Carried, 5 ayes, 0 noes**. Councilman Emmick then reported that the Book Mobile would be coming to Summer Recreation for the first time for the kids to use on July 11th, July 22nd and August 8th. Next Councilman Emmick stated that there was interest Aqua Zumba again this year. It would be on Tuesday’s and Thursday’s again and would be the same price as last year. **Therefor on a motion by Gambino, seconded by Morrell, Ann Dixon was given permission to use the pool for Aqua Zumba classes for six weeks. Carried, 5 ayes, 0 noes**. Next Councilman Emmick noted that the Town Wide Garage Sale will on July 13th, 14th & 15th. The cost will be $10.00 and people can sign up with the Town Clerk. Lastly Councilman Emmick reported that she had a request from Pioneer Little League for use of the Town Hall gym due to the bad weather lately and Veterans Park. She stated that the usage would be coordinated between them and the Muckdogs by Chris Warner. **Therefor on a motion by Hochadel, seconded by Quinn, the Pioneer Little League was given permission to use the Town Hall gym and Veterans Park. Carried, 5 ayes, 0 noes**.

Councilman Hochadel reported that he had missed the Springville Control Center meeting last month and the next one would be in May. Councilman Hochadel stated that he was still working on the concerts in the park and hoped to have something next month. Lastly Councilman Hochadel reported that he had talk with Legislator John Mills regarding Savage Rd. and Middle Rd. in hopes of getting repair work done this year.

Councilman Quinn had nothing to report.

Councilman Morrell reported that he was still trying to get a hold of Nancy Pugh to do a rabies clinic again this year. He stated that if he didn’t hear back from her that he would contact another veterinarian. Next he reported that Sardinia Senior Citizen’s would be going on a trip to Kleinhans Music Hall on Friday May 25th. Councilman Morrell complimented Sandy Fliss for the good work she does setting these trips up.

Supervisor Gambino started her report by reminding everyone about the Shred It event that will be held on May 5th from 9am-Noon. This event will be free for town residents and the charge for non-residents will be $10.00 per bag and $20.00 per box. Next Supervisor Gambino reminded everyone that the safe driving class was set for April 24th for 9am-3:30pm. She noted that lunch is going to be provided by Waste Management. Supervisor Gambino then reported that she had received the information for the annual Flu Clinic. She stated that she had to pick two date ranges for them so she asked for it to be October 22nd-26th or October 29th-Nov 2nd. Supervisor Gambino stated that last year the board moved the time to the afternoon in an effort to get more people in but there ended up being less people so she asked the board if they wanted to host the clinic in the morning again. The board agreed. Supervisor Gambino stated that she had received a thank you letter from Meals on Wheels for the town’s contribution to the program. Supervisor Gambino reported that the Town Clerk had applied for and received a scholarship to attend the upcoming Town Clerk conference in the amount of $400.00. Lastly Supervisor Gambino stated that she had a request from the Chaffee Baptist Church to reserve and use Manion Park for a Community Weekend Event August 17th-19th. They are planning activities such as a movie night on Friday. Hot dog sale, youth activities, health insurance venders and blood pressure monitoring on Saturday and worship on Sunday morning. Supervisor Gambino stated that if approved they will provide an insurance certificate. **Therefor on a motion by Emmick, seconded by Morrell, the Chaffee Baptist Church was given permission to use Manion Park August 17th-19th. Carried, 5 ayes, 0 noes**.

Superintendent Hopkins reported that the Erie County Highway Department would be recycling Savage Rd from Rt. 39 to the bridge this year and they have been doing tree trimming in preparation. Superintendent Hopkins noted that the lights at the highway garage had been changed by NYSEG and the new LED lights are fantastic. Next Superintendent Hopkins noted that big trash pick up will be on Wednesday April 25th. In conjunction with that the Highway Department will be doing brush chipping as well. Superintendent Hopkins then reported that he had received notification on the amounts available for from New York State for road repairs this year. CHIPs funding will be $40,420.00, Pave NY funding will be $9,226.00 and Extreme Winter Recovery funding will be $7,458 for a total of $57,104.00. Superintendent Hopkins stated that the new sand filters were put in at the pool last fall and they would be getting them hooked up shortly and would have more on that next month. Lastly Superintendent Hopkins asked the board permission to get quotes for a new multi-function tractor to replace the 1987 Ford tractor that is used mostly for mowing. He stated that he would like to look for something that was a bit bigger with bigger mowers to cut mowing time. **Therefor on a motion by Gambino, seconded by Hochadel, Superintendent Hopkins was given permission to get quotes for tractors. Carried, 5 ayes, 0 noes**.

Supervisor Gambino stated that Ron Kenyon had requested to speak therefore privilege of the floor was turned over to Chaffee Sardinia Fire Chief Ron Kenyon. Mr. Kenyon started by thanking the Erie County Sherriff’s that were in attendance that the meeting for all that they do in these troubled time that we live in. He also thanked the Sardinia Highway Department for working so well with the Fire Company. Chief Kenyon stated that he was there again to speak on the dispatch issue and again thanked the Town Board for its cooperation over the years. He stated that last month the Fire Company was there to plead with the board not to change its dispatch service and that they were here for the same tonight. He stated that over the years the Fire Company has worked very hard to get the service to the level that it is at today. Chief Kenyon stated that the Fire Company and the community gain nothing by making this change and felt there are too many unanswered questions at this time. He noted that no one in Sardinia is currently paying a fire tax so he felt no one gained there. He again noted how much work that Erie County has done to get Springville Control working as well as it does. Mr. Kenyon stated that the Fire Company is not afraid of change if it is change for the good. Mr. Kenyon noted that since the last meeting he had been actively monitoring East Aurora Control to see how it works out here and has found that they can barely be heard in many areas. He noted that Erie County would help fix that issue but why when what they have with Springville Control already works. He noted that during the wind storm last weeks at one point they were dispatching four companies to five different call showing how busy they are. Mr. Kenyon then asked the Firemen stand and anyone in attendance who was there to support the fire company to stand. He then stated in closing that they don’t ask a lot because the Board has been there for them but today the Company is asking that the Board trust them and what they feel would be best for the Company. He again stated that the no one gains anything by changing dispatch service and asked that the board show unanimous support for the Fire Company by voting 0-5 against making this change.

Supervisor Gambino thanked Mr. Kenyon. Supervisor Gambino stated that the next item on the agenda was a resolution for adoption of the Best Value Competitive Bidding Law. She stated that it will be known as Local Law #1 of 2018 and is being done because it is part of the Town’s procurement policy that is being updated. (a copy of Local Law 1-2018 is attached as Appendix A) **Therefor the following resolution, to be known as Resolution #16 of 2018, was moved for adoption on a motion by Emmick, seconded by Morrell:**

**RESOLUTION #16 – 2018**

**ADOPTION OF LOCAL LAW #1 of 2018**

**“TOWN OF SARDINIA BEST VALUE COMPETITIVE BIDDING LAW”**

**WHEREAS,** the Town of Sardinia has prepared a written “Town of Sardinia Best Value Competitive Bidding Law” for the 2018 year in compliance with the provisions of the General Municipal Law of the State of New York and the State Finance Law.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Sardinia, in regular session duly convened:

**SECTION 1.** The Best Value Law named the “Local Law No. 1 – 2018 Town of Sardinia Best Value Competitive Bidding Law” is hereby adopted as the official Best Value Competitive Bidding Law for the Town of Sardinia. Such policy shall remain in effect until a subsequent policy is adopted pursuant to Town Board resolution.

**SECTION 2.** This local law shall take effect immediately upon the filing with the New York Secretary of State.

**DULY ADOPTED, this 12th day of April, 2018 by the following vote: Emmick, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.**

Supervisor Gambino stated that the next item on the agenda is for adoption of the Town’s Procurement Policy. Supervisor Gambino noted that the only change to the policy was the increase to the per purchase amount. It was raised from $500.00 to $1000.00. (copy of the Town of Sardinia Procurement Policy is attached as Appendix B) **Therefor the following resolution, to be known as Resolution #17 of 2018, was moved for adoption on a motion by Hochadel, seconded by Morrell:**

**RESOLUTION #17 – 2018**

**RESOLUTION ADOPTING THE TOWN OF SARDINIA PROCUREMENT POLICY – 2018**

**WHEREAS,** the Town of Sardinia has prepared a written Procurement Policy for the 2018 year in compliance with the provisions of the General Municipal Law of the State of New York.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Sardinia, in regular session duly convened:

**SECTION 1.** The Procurement Policy named the Town of Sardinia Procurement Policy – 2018 is hereby adopted as the official Procurement Policy for the Town of Sardinia. Such policy shall remain in effect until a subsequent policy is adopted pursuant to Town Board resolution.

**SECTION 2.** This Resolution shall take effect immediately.

**DULY ADOPTED, this 12th day of April, 2018 by the following vote: Emmick, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.**

Supervisor Gambino stated the next item was a resolution for the approval of the appointment of a new volunteer fireman John Peterson. **The following resolution, to be known as Resolution #18 of 2018, was moved for adoption on a motion by Hochadel, seconded by Morrell:**

**RESOLUTION #18 – 2018**

**APPOINTMENT OF CHAFFEE-SARDINIA VOLUNTEER FIREMAN**

**WHEREAS,** the Sardinia Town Board is in receipt of the application of, **John E. Peterson,** residing at 12580 Hand Road, Chaffee, NY, and

Who is a resident of the Town of Sardinia and, has applied for a volunteer position as a Volunteer Firefighter to the Chaffee-Sardinia Memorial Fire Company, and

**WHEREAS,** the Sardinia Town Board supports and approves these appointment(s),

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board approves the appointment of **John E. Peterson** as a Volunteer Fireman to the Chaffee-Sardinia Memorial Fire Department.

**DULY ADOPTED, this 12th day of April, 2018 by the following vote: Emmick, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.**

Supervisor Gambino stated that the next item on the agenda was for approval of a new member for the Board of Assessment Review. T**he following resolution, to be known as Resolution #19 of 2018, was moved for adoption on a motion by Emmick, seconded by Morrell:**

**RESOLUTION #19 – 2018**

**APPROVAL OF NEW APPOINTMENTS**

Moved by Emmick, second by Morrell, that **Lynn M. McCabe** be appointed to the Board of Assessment Review with the term expiration date of 09/30/2020.

**DULY ADOPTED, this 12th day of April, 2018 by the following vote: Emmick, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.**

Supervisor Gambino stated the next item on the agenda is a resolution to approve the termination of the contract with Springville Control. Supervisor Gambino noted that in the past she has not been presented with the budget for Springville Control until she asks for it. Last year she didn’t received it until April. However this year she was presented the budget on February 16th therefore the Town Board would need to make a decision tonight as the deadline to terminate the contract with Springville Control is Monday. Supervisor Gambino noted that it has been six months since the Board first talked about getting other prices for dispatch service. She noted that the issues with the cost of services from Springville Control for been going on since 2002 when then Supervisor Bill Hare noted that the cost of dispatch had gone from $6500.00 to $11,113.00 which was only half of the bill so the total bill for that year was $22,226.00 which was a 241% increase from the year before. Supervisor Gambino stated that the Town’s accounting records show that from 2002-2011 there was another 29% increase and from 2011-2019 there is another 34% increase which is equal to an average of 3.4% per year. Supervisor Gambino noted that from 1983-2001 the Fire Company paid for its dispatch service which at the time was about 4.5% of the total cost of Springville Control. In 2002 the Town Board was asked to take over paying Springville Control on behalf of the Fire Company. She stated that currently the Town of Sardinia is paying for 24.62% of the Springville Control Center budget. Supervisor Gambino stated that she has met with and toured three different dispatch centers the Police & 911 Center down town, Hamburg Control and East Aurora Control as well as visiting Springville Control in the past. She stated that all four are different in size but they are all professional and conscientious. None is better or worse than the other and that everyone that works there is there to do a job and are very passionate about that job. Supervisor Gambino stated the Mr. Kenyon had mentioned fire company members working at Springville Control and noted that there is also a member that works at East Aurora Control. Supervisor Gambino stated that both Buffalo and Hamburg felt the cost to change to them would be far too high. Whereas East Aurora has a service agreement for their radio service so that cost would be covered. Supervisor Gambino then noted the three of the four councilman have made efforts to reach out to East Aurora Control to have questions answered. Supervisor Gambino stated that she has been in contact with Danny Neaverth Jr. and received positive feedback form him regarding East Aurora Control. She stated that Erie County Emergency Services would oversee and be involved if a change takes place. The 2018 bill for Springville control has already been paid so Erie County Emergency Services asked that there be an overlap of the two services for a month therefore making the change over in December 2018. Supervisor Gambino then asked the Board if they had any other comments. Councilman Hochadel stated that he has received good reports about East Aurora Control form other fire companies. Councilman Hochadel noted that he had toured East Aurora Control and it is top notch. Lastly he stated that our Fire Company does a good job but the $23,000.00 price difference between the two dispatches is a lot of money and he has to answer to the tax payers. Councilman Morrell stated the he agreed with Ron Kenyon and asked what one life is worth $20,000.00, He stated that he has spoken with people that say the town is headed for trouble and that agree that the radio service will not reach this far and if it does they don’t know this area. **The Supervisor then read and put forth the following resolution to be known as Resolution #20 of 2018 as well as put forth the following question: Should the Sardinia Town Board approve the termination of their participation in the Springville Control Center joint service agreement on December 31, 2018 and give the Supervisor, Beverly Gambino, permission to give notice to the Village of Springville.**

**RESOLUTION #20 – 2018**

**APPROVAL TO TERMINATE PARTICIPATION IN THE SPRINGVILLE CONTROL CENTER JOINT SERVICE AGREEMENT**

**WHEREAS,** the Sardinia Town Board in October of 2017 decided to look at the cost of Springville Control Center Joint Service Agreement, and

**WHEREAS,** the options present where 1. Erie County Emergency Services in Buffalo, 2. Hamburg Dispatch, and 3. East Aurora Dispatch, and

**WHEREAS,** during the last six months all three dispatch services were contacted and either due to cost, distance, and administrative issues, two of the three were eliminated, and

**WHEREAS,** East Aurora dispatch is the closest, the least costly, and willing to have Chaffee-Sardinia Volunteer Memorial Company join onto their dispatch services, and

**WHEREAS,** the contract with Springville Control Center is paid and valid until December 31, 2018, and

**WHEREAS,** dispatch services with East Aurora will start December 1st, giving Erie County Emergency Services an overlap of service to put in place the change over.

**NOW, THEREFORE, BE IT RESOLVED** that the Sardinia Town Board approves the termination of their participation in the Springville Control Center Joint Service Agreement on December 31, 2018, and gives the Supervisor, Beverly Gambino permission to give notice to the Village of Springville.

**DULY ADOPTED, this 12th day of April, 2018 by the following roll call vote: Hochadel aye, Emmick, aye, Quinn, no, Morrell, no, Gambino, aye. So resolved, 3 ayes, 2 noes.**

**There being no further business to come before the Board, on a motion by Hochadel, seconded by Quinn, the meeting was adjourned at 7:03 PM. Carried, 5 ayes, 0 noes.**

Respectfully Submitted,

Town Clerk

**APPENDIX A**

**LOCAL LAW NO. 1-2018**

**TOWN OF SARDINA**

**“TOWN OF SARDINIA BEST VALUE COMPETITIVE BIDDING LAW”**

**SECTION 1. STATUTORY AUTHORITY**

A local law authorizing the use of a Best Value Award methodology, in the competitive bidding process, for purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to article eight of the labor law) may be awarded on the basis of low bid or best value, as authorized in section103 of the General Municipal Law and as defined in section one hundred sixty three of the state finance law.

**SECTION 2. TITLE**

This law shall be known as “Town of Sardinia Best Value Competitive Bidding Law”

**SECTION 3. FINDINGS AND INTENT**

1. The State Legislature and Governor amended General Municipal Law Section 103 (A08692/S6117) on January 27, 2012 to provide local governments’ greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. The state legislation requires Political Subdivisions with a population of less than one million to pass a local law authorizing the use of the best value award process.
2. Enactment of this legislation (from Assembly Bill Memo A08692) provides additional procurement options to localities in ways that may expedite the procurement process and result in cost savings. The “best value” standard for selecting goods and services vendors, including janitorial and security contracts, is critical to efforts to use strategic sourcing principles to modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors.
3. The federal government, approximately half the states and many localities have added best value selection processes to their procurement options, in recognition of these advantages. With the increased complexity of the goods and services that municipalities must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense.
4. Taxpayers are not well served when a public procurement results in low unit costs at the outset, but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value procurement links the procurement process directly to the municipality’s performance requirements, incorporation selection factors such as useful lifespan, quality and options and incentives for more timely performance and/or additional services.
5. Even if the initial expenditure in higher, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service. Fostering healthy competition ensures that bidders will continue to strive for excellence in identifying and meeting municipalities’ needs, including such important goals as the participation of small, minority and women-owned businesses, and the development of environmentally-preferable goods and service delivery methods. Best value procurement will provide much-needed flexibility in obtaining important goods and services at favorable prices and will reduce the time to procure such goods and services.

**SECTION 4. DEFINITIONS**

“Best value” means the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivision (1), (7), (15), and (2) of Section 310 of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

**SECTION 5. REQUIREMENTS**

1. Where the basis for award is the best value offer, the Supervisor, Highway Superintendent or Department Heads shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
2. The Supervisor, Highway Superintendent and Department Heads shall select a formal sealed competitive bidding procurement process in accordance with General Municipal Law and the Town of Sardinia Procurement Policy and document its determination in the procurement record. The process shall include, but is not limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerers to submit responsive offers: and a balanced and fair method of award. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
3. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Town of Sardinia in its determination of best value.
4. The Supervisor, Highway Superintendent and Department Heads shall develop procedures that will govern the award of contracts on the basis of best value. These procedures shall be included in the Town of Sardinia Procurement Policy and reviewed annually by the Town Board in conjunction with its annual review and approval of the Town of Sardinia Procurement Policy.

**SECTION 6. SEVERABLIITY**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

**SECTION 7. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the New York Secretary of State.

**APPENDIX B**

**TOWN OF SARDINIA**

**PROCUREMENT POLICY - 2018**

**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 departments and past history to determine the likely yearly values of the commodity to be acquired and keep with the file other documentation supporting the purchase activity.

**GUIDELINE 2. New York State MANDATING BIDDING**

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) and contracts for public work involving expenditures in excess of thirty-five thousand dollars ($35,000) will be competitively bid.

1. 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.
2. 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.)
3. Advertising:Will comply with state guidelines (i.e. published at least five (5) days prior to bid opening and published in the legal newspaper).
4. Bid Files:All bid files will be filed with the Town Clerk in marked folders indicating item bid and date, per item.
5. 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.
6. 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.
7. 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:

1. All estimated purchases of:
2. less than $1,000.00 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.
3. less than $5,000.00 but greater than $1,000.00, Board approval is required.
4. less than $10,000.00 but greater than $5,000.00 requires a written request for a proposal (RFP) and written/fax quote from three (3) vendors. Board approval is required.
5. greater than $10,000.00 requires a written request for proposal (RFP) and fax/proposal from three (3) vendors. Town Board approval is required.
6. All estimated public works contracts of:
7. less than $3,000.00 but greater than $1,000.00 is left to the discretion of the Department Committee and purchaser.
8. less than $10,000.00 but greater than $3,000.00 requires a written request for proposal (RFP) and fax/proposal from two (2) contractors. Town Board approval is required.
9. greater than $10,000.00 requires a written request for proposal (RFP) and fax/proposal from three (3) contractors. Town Board approval is required.
10. Any written request for proposal (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. 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:
11. a description of the commodity including options, etc.;
12. prices and conditions quotes;
13. date of quote and duration;
14. contact person; and
15. department head determination of the preferred vendor with his/her reasons for such a determination.
16. All information gathered in complying with the procedures of this 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.

1. 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 lowers 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 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:

1. Acquisition of professional services - Professional services are not subject to State mandated bidding procedures.
2. 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.
3. 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.
4. 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.
5. The Town Clerk shall maintain separate folders for proposals per item bid with dates indicated.
6. The decision to award such a contract for professional services shall be made by specific resolution of the Town Board.
7. Emergencies
8. 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
9. 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
10. 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.”
11. Sole source situations
12. If a commodity type can be purchased only from one source, the Town need not go through the process of advertising for competitive bids.
13. 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.
14. 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.
15. 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.
16. 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.
17. A sole-source situation shall not be confused with a standardization issue.
18. Goods purchased from agencies for the blind or severely handicapped
19. Goods purchased from correctional facilities
20. Goods purchased 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.
21. The purchase must be the same commodity, price, conditions and vendor as under the state or county contract.
22. 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.
23. Goods purchased at auction
24. Goods purchased for less than $1,000.00
25. Public works contracts for less than $1,000.00
26. Standardization - The Board may determine that it is in the best interest of the Town to standardize on a particular commodity.
27. Upon the adoption of a resolution by a vote of at least two-thirds (⅔) 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.
28. The Board shall set forth in such a resolution specifically how such standardization will result in greater efficiency or economy.
29. Standardization of a commodity is not to be confused with a sole source purchasing situation.
30. 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.
31. 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 lowers responsible bidder or on the basis of best value in a manner consisted 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:
32. cost of maintenance;
33. proximity to the end user if distance or response time is a significant term;
34. availability of replacement parts or maintenance contractors;
35. longer product life;
36. product performance criteria; and
37. quality of craftsmanship.

**GUIDELINE 7. BUDGETARY CONTROL**

1. 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:
2. restrict spending; or
3. recommend an appropriate budget adjustment to the Board.
4. 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.
5. 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.
6. 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**

1. 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.
2. 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.
3. 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.
4. 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.
5. The Town Clerk will collect all audited invoices and/or vouchers and subsequently produce a complete numerical abstract by fund type identifying:
6. the claim number;
7. the claimant;
8. the budget account number; and
9. the amount of invoice.
10. 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 by the Town Board at 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 Sardinia without the approval of the Town Board.