

Final

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
10/24/16**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, October 24, 2016 at 6:00pm.

PRESENT:

Mayor Olson	Trustee Duggleby	Attorney Spencer
Trustee Kinsella	Clerk Corsette	Richard Greene
Trustee Small	Chief Hildreth	
Trustee Randall	Supt. Massett	

Mayor Olson called the meeting to order at 6:00pm in the Board Room of the Fayetteville Village Hall.

Mayor Olson led those present in a recitation of the Pledge of Allegiance.

MINUTES OCTOBER 11, 2016

Trustee Small made a motion to accept the minutes of the October 11, 2016 meeting. Trustee Randall seconded the motion and it was carried by a unanimous vote.

ABSTRACT #8

Trustee Small made a motion to approve Abstract #8 in the amount of \$108,332.01. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

USDA AGREEMENT

Trustee Duggleby made a motion to authorize Mayor Olson to sign the Cooperative Service Agreement between the Village of Fayetteville and the United States Department of Agriculture to conduct white-tailed deer damage management for the Village of Fayetteville. Trustee Small seconded the motion and it was carried by unanimous vote.

TAP GRANT PROJECTS

Mayor Olson informed the board that the TAP Grants were submitted to the NYSDOT on Friday, October 21st. There were two grants submitted, one for Safe Routes to School Sidewalks and the other for the paving and improvements along Brooklea Drive.

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BROOKSIDE LANE, NO PARKING

Mayor Olson met with residents on Brookside Lane to discuss the cars that are illegally parking in front of the No Parking Signs on Brookside Lane. Mayor Olson asked that Superintendent Massett install No Parking Signs on either side of Brookside Lane from the corner of Shady Lane to the dead end.

Mayor Olson made a motion to place No Parking Signs on the South side of the corner at Shady Lane and Brookside Lane. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

SENIOR CENTER PROJECT

Trustee Randall submitted a description of work to be done to renovate the upstairs of the Fayetteville Senior Center. The proposed work includes improvements to the Entryway, Stairway, Hall, West Office, Front Office, East Office, Storage Area, Kitchen and Bathroom.

PARKS MASTER PLAN- REQUEST FOR PROPOSALS

Mayor Olson presented a Request for Proposals that was submitted by the Parks Commission. The Parks Master Plan has not been updated since 1997 and there have been several changes made since that time. The Parks Commission requested that the board authorize advertising the RFP for the update of the Parks Master Plan.

Trustee Small made a motion to request proposals to update the Village of Fayetteville Parks Master Plan and provide any interested party with the Scope of Work outlined by the Parks Commission. Proposals should be submitted to the village by November 15, 2016. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

PROCUREMENT POLICY

The Village Board reviewed the updated Procurement Policy. After review the board amended the proposal that would require any purchase or service over \$999.99 would require approval from the Department Head, Department Liaison and the Village Board of Trustees.

Trustee Duggleby made a motion to adopt the following Resolution:

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 in the Village of Fayetteville involved in the procurement process;

NOW, THEREFORE, be it:

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RESOLVED, that the Village of Fayetteville 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 VILLAGE OF FAYETTEVILLE

Purpose

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting internal policies and procedures governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law§103, or of any other general, special or local law.

Determination of Whether Procurements Subject to Bidding

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

A. Procedure.

1. Purchase contract above \$20,000.
2. Contract for public work above \$35,000.

B. Documentation: written quotations or proposals.

Best Value

The best value standard may only be used for purchase contracts, which includes contracts for service work, but excludes any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law. When awarding contracts under the best value standard, the village must consider the overall combination of quality, price, and other elements of the required commodity or service that in total are optimal relative to the needs of the village. Use of the best value standard must rely, wherever possible, on objective and quantifiable analysis. The best value standard may identify as a quantitative factor whether offerors are small businesses or certified minority-or women-owned business enterprises as defined in New York Executive Law§310. Use of the best value standard for the procurement of goods and services requires approval from the board of trustees. The board must also approve the factors to be considered when awarding contracts under this standard.

The Iran Divestment Act

Every bid made to the village must contain the following statement subscribed and affirmed by the bidder as true under the penalties of perjury:

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

The village may award a bid to a bidder who cannot make the statement of non-investment on a case-by-case basis if:

- The investment activities in Iran were made before the effective date of this section, the investment activities in Iran have not been expanded or renewed after the effective date of this section, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
- The village makes a determination that the goods or services are necessary for the Village to perform its functions and that, absent such an exemption, the village would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

No contract may be awarded to any persons determined to be engaged in investment activities in Iran as indicated by New York State Office of General Services.

Statutory Exceptions From Policies and Procedures

Except for procurement made pursuant to General Municipal Law §103 (3) (through county contracts) or §104 (through State contracts), State Finance Law §175-b (from agencies for the blind or other severely handicapped, special employment programs for the mentally ill or veterans' workshops), Correction Law §186 (articles manufactured in correctional institutions) or the items excepted herein, alternative proposals or quotations for goods and services must be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law §104-b.

Methods of Competition for Non-bid Procurement

The methods of procurement to be used are as follows:

- A. County contracts.
- B. Emergencies.
- C. Professional service.
- D. Insurance.
- E. Secondhand equipment from other governments.

Adequate Documentation

Documentation of actions taken in connection with each such method of procurement is required as follows:

- A. \$1,000 to \$2,499: two verbal quotes.
- B. \$2,500 to \$9,999.99: three written quotes.
- C. \$10,000 to \$19,999.99: four written quotes.

Awards to Other Than Lowest Responsible Dollar Offeror

Whenever any contract is awarded to someone other than the lowest responsible offeror, the village must document and justify why the purchase is in the interest of the governmental unit.

Items Excepted From Policies and Procedures by Board

The solicitation of alternative proposals or quotations will not be in the best interest of the municipality in an emergency or for small procurement under \$100.

Input From Officers

Comments concerning the policies and procedures must be solicited from officers of the political subdivision or district therein involved in the procurement process prior to the enactment of policies and procedures, and will be solicited from time to time hereafter.

Annual Review

The governing board must annually review these policies and procedures.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of General Municipal Law §104-b will not be grounds to void any contract or procurement or give rise to a cause of action against the municipality any officer or employee there

Trustee Small seconded the motion and it was carried by unanimous vote.

CHAPTER 55 UPDATES

Richard Greene, Code Enforcement Officer, explained that he has done everything he can do and he is waiting for Attorney Spencer to review his Facts and Findings so he can use these as a template to move forward with each property he has cited. Mr. Greene further explained that he has asked Attorney Spencer to review each citation to be certain that they are compliant with the law.

DPW UPDATE

Superintendent Massett submitted the following update:

Open Projects:

1. Western Gateway Project: The Veneer rock is in. Sign letters are here.
2. Stacks Animal Hospital: Parking area has been started.

3. Leaf Pickup: Started 10/17 DPW has been around twice. Today pickup started on the East side of the Village, Salt Springs, Carriage Hill, Huntleigh Park, Southfield, Briar Brook, Signal Hill and part of Brookside. Will be moving to the area behind the Village Hall next.
4. Christmas light stings have been check and are ready to install in November.
5. All the brush pickup around the Village was completed today
6. Started putting together trucks for winter operations. Startup of the Brine Machine.
7. Parking lot: Craftsmen Inn off from South Burdick St. will be working with their engineer.
8. Wrought Iron fence: DPW to help install this Wednesday.
9. Street Lighting: Will be working on the last ones that need fixing. Lights under bridge sidewalk need total repair. Looking into a new type of housing.
10. Making a list of trees for take down and trimming.
11. Safety training: Snow plowing/ Scissors lift. 10/31/16 at the Town of Manlius.

FIRE DEPARTMENT

Chief Hildreth informed the board that he has been talking with Apple Direct Customer Service to set up an agreement that would allow the village to purchase Apple Products directly from Apple.

COMMUNITY CHOICE AGGREGATION

Attorney Spencer reviewed where we are to date with the Local Law to add a new chapter to the village code that would allow for a Community Choice Aggregation Program in the Village of Fayetteville. Attorney Spencer advised the board that since the Public Hearing was held and the board adopted the proposed Local Law there have been substantial changes made to the draft that would require the Village to hold a new Public Hearing and place notice of the hearing in the paper at least 5 days prior to the hearing. Attorney Spencer further advised that the Village Board should rescind the motion that was made at the September 27, 2016 meeting to adopt the proposed Local Law.

Trustee Kinsella made a motion to rescind the motion made on September 27, 2016 to adopt the proposed Local Law to add a new chapter to the Village Code entitled Community Choice Aggregation. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to hold a Public Hearing on November 14, 2016 on or around 6:00pm to hear public comment on the proposed Local Law adding a new chapter to the Village Code entitled Community Choice Aggregation (Energy) Program. Trustee Randall seconded the motion and it was carried by unanimous vote.

114 CAMMOT LANE EASEMENT AGREEMENT

Mayor Olson explained the drainage issues associated with 114 Cammot Lane and asked the board to authorize him to sign an Easement Agreement with the owner that would grant the village the right to take steps to mitigate the drainage problem across the property which would include regrading and establishing swales or berms.

Trustee Kinsella made a motion to authorize Mayor Olson to sign an Easement Agreement between the Village of Fayetteville and Mitzi Longway, property owner of 114 Cammot Lane. Trustee Small seconded the motion and it was carried by unanimous vote.

SOUTH BURDICK STREET

Trustee Duggleby made a motion to place Do Not Enter Signs on South Burdick Street in the Southerly direction at the intersection on South Burdick Street and Thompson Street and also place Do Not Enter Signs on the South Side of the intersection of Thompson Street and South Burdick Street. Trustee Randall seconded the motion and it was carried by unanimous vote.

ROUNDTABLE

Trustee Small thanked everyone who helped with the Fayetteville Senior Center Wine and Cheese Event.

Trustee Duggleby discussed the Annual Tree Lighting Ceremony with the board. After discussion the board decided that we will stage the wagons across from the Fire House and have them go down Spring Street.

EXECUTIVE SESSION

Trustee Small made a motion to enter into an Executive Session at 7:00 pm for advice of counsel. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to come out of Executive Session at 7:25pm. Trustee Duggleby seconded the motion and it was carried by unanimous vote.

Trustee Randall made a motion to adjourn the meeting at 7:25pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,
Lorie Corsette, Village Clerk