A Regular Meeting of the Mendon Town Board was held at 7:00PM, Monday, January 26, 2015, at the Mendon Fire Hall, 101 Mendon Ionia Road, Mendon, NY.

PRESENT: John D. Moffitt, Supervisor

> Cynthia M. Carroll Wayne H. Menz Town Board Michael E. Roberts Members John E. Rooney

ABSENT: None

TOWN CLERK: James P. Merzke

OTHERS PRESENT: William E. Smith, *Highway Superintendent*, Sheldon W. Boyce, Jr., *Town* Attorney, Gary Loope, Highway Clerk, Bruce Peckham, President, Library Board of Trustees, Melissa Jacobs, Vice President, Library Board of Trustees, and six other people.

Supervisor Moffitt called the meeting to order at 7:00PM. The Pledge of Allegiance was recited.

AGENDA

(Resolution 15-064)

A motion was made by Mr. Roberts, seconded by Mr. Menz, to adopt the agenda with the following amendment: add new No. 23 "Library Board of Trustees Request" and renumber accordingly. Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

Heather Masterson, 46 Junction Road, presented a petition to the Town Board requesting a traffic study of the intersection of NYS Route 251, Stoney Lonesome Road, and Junction Road.

AGENDA

(Resolution 15-065)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to amend the agenda by adding the following: new No. 24 "Traffic Study Request" and renumber accordingly.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

RESOLUTION OF HONOR – RALPH O. BANSER

(Resolution 15-066)

A motion was made by Supervisor Moffitt, seconded by Mr. Rooney, to adopt the following: WHEREAS, Ralph O. "Otie" Banser began working for the Town of Mendon Highway Department on December 1, 2003, as a "wing person," and as such, responded whenever called upon, day or night, to assist with Town snow plowing activities, and

WHEREAS, in May, 2004, Otie began assisting with the mowing responsibilities of the Highway Department, and for the next 10 years moved the parks, Community Center and cemeteries with dedication and responsibility, taking care of the properties as though they were his own, and WHEREAS, Otie also took care of locking the parking lot at the Semmel Road Park at night during the summer and opening and closing the lot on weekends, and

WHEREAS, Otie recently advised the Highway Department that he would be leaving his duties to begin "enjoying" his retirement, and

WHEREAS, Otie's outgoing personality and cheerfulness, along with his dedication to the job, will be greatly missed by the Highway Department and all the employees.

NOW, THEREFORE, BE IT RESOLVED, that, on behalf of the residents of the Town of Mendon, the Town Board sincerely thanks Otie for his many years of dedicated service, and wishes he and his wife Sheila well in any and all future endeavors.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

01/26/15

The Resolution was presented to Mr. Banser. He thanked the Board and the Highway Department.

COMMUNICATIONS

Town Clerk

Mr. Merzke reported on tax collection.

Highway Superintendent

The Highway Superintendent's report was distributed and read.

Mr. Smith left the meeting at 7:10PM.

Town Board

Mr. Rooney reported on the Zoning Board of Appeals.

Mrs. Carroll reported on an appearance before the Junior League regarding running for office.

Supervisor

Supervisor Moffitt reported that he had been elected Treasurer of the Monroe County Supervisors Association; a joint meeting with the Village; Mendon Green; a CDBG grant application, and a new book drop driver for the Library.

SUPERVISOR'S MONTHLY REPORT

(Resolution 15-067)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to acknowledge receipt of the Supervisor's Monthly Report for December 2014.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

TOWN CLERK'S MONTHLY REPORT

(*Resolution 15-068*)

A motion was made by Mr. Roberts, seconded by Mr. Menz, to acknowledge receipt of the Town Clerk's Monthly Report for December 2014, showing receipts and disbursements in the amount of \$5,295.25. Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

MINUTES

There were no minutes to consider.

BUDGET ADJUSTMENTS – 2014 FINAL

(Resolution 15-069)

A motion was made by Mr. Roberts, seconded by Mr. Rooney, to approve the following budget adjustments:

From: A9060.8 Medical/Dental	\$100.00
To: A1010.410 Town Board Travel/Dues/Conf.	\$100.00
From: A9060.8 Medical/Dental	\$90.00
To: A1220.410 Supervisor Travel/Dues/Conf.	\$90.00
From: A9060.8 Medical/Dental	\$288.16
To: A1410.410 Town Clerk Travel/Dues/Conf.	\$288.16
From: A1420.402 Attorney Purchased Services	\$1,630.81
To: A1310.401 Finance Purchased Services	\$1,630.81

01/26/15	TOWN OF MENDON	REGULAR MEETING
From: A1355.110 Town C To: A1355.110 Assessor S		\$754.98 \$754.98
From: A1355.314 Assessor-con		\$40.60 \$40.60
From: A1355.314 Assessor-		\$50.21 \$50.21
From: A1355.440 Assessor-		\$28.10 \$28.10
From: A1620.402 Town F To: A1610.41 Central con		\$1,054.59 \$1,054.59
From: A1620.402 Building To: A1620.100 Building To		\$330.14 \$330.14
From: A1620.111 15 Mor To: A1620.110 Comm Ce		\$2.49 \$2.49
From: A1620.407 Town F To: A1620.408 Town Hal		\$168.35 \$168.35
From: A1620.402 Town F To: A1620.411 Town Hal		\$4,306.00 \$4,306.00
From: A1620.407 Town F To: A1620.413C Comm (\$283.53 \$283.53
From: A1620.402 Town F To: A1620.421 22 N. Mai		\$967.58 \$967.58
From: A3310.4 Traffic co To: A3510.430 Dog contr		\$23.06 \$23.06
From: A3310.4 Traffic co To: A3510.440 Dog contr From: A5010.42 Highway To: A5010.44 Highway E	ol equipment Medical Supplies	\$15.52 \$15.52 \$218.05 \$218.05
From: A5132.1 Garage per To: A5132.410 Garage ma		\$54.85 \$54.85
From: A5132.1 Garage per To: A5132.413 Garage util		\$1,085.99 \$1,085.99
From: A5133.4 Salt Shed To: A7110.1 Semmel Roa		\$576.83 \$576.83
From: B8020.114 Plannin From: B3410.1 Public Saf From: B3620.401 Buildin To: B3620.1 Building Ins	fety g Mileage	\$1,361.00 \$2,512.00 \$219.92 \$4,092.92

01/26/15	TOWN OF MENDON	REGULAR MEETING
01/20/15	TO WIT OF MEDICAL	REGUERIN MEETING

From: B3620.44 Building Inspection-truck fuel To: B3620.110 Building Inspection-Staff	\$663.28 \$663.28
From: B5182.100 Street lighting-personal services	\$2,000.00
From: B3620.44 Building Inspection-truck fuel	\$16.14
To: B5182.4 Street lighting-utilities	\$2,016.14
From: B2771 Miscellaneous-Seniors	\$53.40
To: B7610.404 Program for Aging	\$53.40
From: DA5130.420 Machinery - Small Trucks	\$6,778.21
To: DA5130.410 Diesel Fuel	\$6,778.21
From: DA5130.420 Machinery - Small Trucks	\$2,847.05
To: DA5130.420 Machinery-Gasoline	\$2,847.05
From: DA5130.416 Machinery-Tools	\$2,216.15
To: DA5142.101 Sick pay	\$2,216.15
From: DA5130.412 Machinery-Grease/Oil	\$3,114.38
To: DA5142.103 Vacation	\$3,114.38
From: DA2665 Sale of Equipment From: DA5140.400 Roadside Mow To: DA5148.114 County Summer work From: DA5148.116 HFL Paving-personnel From: DA2303 Village Projects To: DA5148.118 Village Assistance	\$6,466.00 \$894.62 \$7,360.62 \$2,000.00 \$2,016.40 \$4,016.40
From: DA9040.8 Workers' Comp	\$420.75
To: DA9030.8 Social Security	\$420.75
From: DB5110.1 General repairs-personnel	\$670.60
To: DB3310.402 Signs-pavement marking	\$670.60
From: DB5110.2 General Repairs-equipment	\$2,203.55
To: DB5110.401 General Repairs-materials	\$2,203.55
From: DB5140.405 Brush pick up-tree removal To: DB5141.101 Sick	\$723.23 \$723.23
From: DB5140.405 Brush pick up-tree removal To: DB5141.102 Holiday	\$158.31 \$158.31
From: DB5140.405 Brush pick up-tree removal To: DB5141.103 Vacation	\$2,068.87 \$2,068.87
From: DB5142.111 Town Snow Snow fence materials To: DB5142.113 Town Snow dispatching	\$950.14 \$950.14
From: DB5142.114 Town Snow Labor	\$3,914.35
To: DB5142.117 Town Snow-Snow fence up/down	\$3,914.35

01/26/15 TOWN OF MENDON REGULAR MEETING

From: DB5142.401 Town Snow magic/salt	\$1,251.57
To: DB5142.410 Town Snow Plow equipment	\$1,251.57
From: DB5148.113 State Snow Labor	\$8,959.07
From: DB5148.111 County Snow Labor	\$2,916.12
To: DB5148.116 Library & MFD	\$11,875.19
From: DB5148.412 State Salt/Magic	\$971.85
To: DB5148.414 County Plow Equipment	\$971.85

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

VOUCHERS

General Abstract

(Resolution 15-070)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to approve all claims on vouchers numbered 15-001 to 15-064, on General Abstract 15-01, in the amount of \$464,806.32.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

Highway Abstract

(Resolution 15-071)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to approve all claims on vouchers numbered 15-001 to 15-025, on Highway Abstract 15-01, in the amount of \$94,273.80.

Adopted/Defeated: Mrs. Carroll, Aye/Nay; Mr. Menz, Aye/Nay; Mr. Roberts, Aye/Nay;

Mr. Rooney, Aye/Nay; Mr. Moffitt, Aye/Nay.

Library Abstract

Vouchers numbered 15-001 to 15-009, on Library Abstract 15-01, in the amount of \$3,884.31, were presented to the Town Board for payment, already having been approved by the Library Board of Trustees.

BUDGET ADJUSTMENT – CAPITAL PROJECTS

(Resolution 15-072)

A motion was made by Mr. Menz, seconded by Mr. Roberts, to approve the following:

WHEREAS, this Capital project is complete, and no additional funds will be received, and represent a loan from the General Fund (A), the Town Board hereby authorizes the Finance Officer to write the following amount off by reducing the Due From line in the General Fund and charging this amount against the General Fund Fund Balance. This entry will be made in the 2014 budget year, prior to closing.

H630-16 Due to A – Library \$35,000.00 Total \$35,000.00

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

PROCUREMENT POLICY - AMENDMENT

(Resolution 15-073)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to adopt the following:

TOWN OF MENDON PROCUREMENT POLICY

WHEREAS, Section 104-b of the General Municipal law requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of Section 103 of General Municipal Law; and,

BE IT RESOLVED, that the town of Mendon does hereby adopt the following procurement policy in place of any previously adopted 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 MENDON

1. Every proposed purchase or project will be initially reviewed to determine the applicability of Section 103 of the General Municipal Law. 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 the year. The following are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000, emergency purchases, 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 governmental entity.

A request for a determination that a purchase not be subject to competitive bidding will be documented in writing by the individual requesting the purchase and submitted to the Town Supervisor. This documentation may include written or verbal quotes from vendors, a memo from the individual requesting the purchase indicating why the purchase is not subject to competitive bidding, a copy of a contract indicating the source which makes the item or service exempt or a memo from the individual requesting the purchase detailing the circumstances which require an emergency purchase.

An emergency purchase shall be made only upon the written authorization of the Town Supervisor, Town Clerk, Town Highway Superintendent, or Town Board. There are three basic statutory criteria to be met in order to fall within this exception.

These are: (1) the situation arises out of an accident or unforeseen occurrence or condition; (2) public buildings, public property or the life, health safety or property of the Town's residents is affected; and (3) the situation requires immediate action which cannot await competitive bidding. Even when a public emergency exists, the public interest dictates that purchases are made at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances. Verbal quotes shall be documented by the individual requesting the purchase to include the name of the vendor, name of individual issuing the quote, the date the quote is made, the amount, and any other information the individual deems necessary.

- 2. All goods and services which are not required to be publicly bid pursuant to Section 103 of the General Municipal Law, 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 request 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:

Estimated Amount of Purchase

Method

\$0 - \$99.99

Through Department Head

TOWN OF MENDON

\$100 - \$1,500	Through Department Head with Procurement Office approval. Highway Superintendent does not require Procurement office approval.
\$1,501 - \$1,999	2 verbal quotations to Town Board for approval prior to purchase
\$2,000 - \$7,999	3 written quotations to Town board for approval prior to purchase
\$8,000 - \$19,999	Written requests for proposals prepared and approved by Town Board
\$20,000 - \$34,999 (for public works)	Written requests for proposals prepared and approved by Town Board

All information gathered in complying with the procedure listed above shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

A good faith effort shall be made to obtain the required number of proposals. If the individual requesting the purchase is unable to obtain the required number of alternate proposals, the individual 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. Purchases greater than \$1,500 are subject to pre-approval by the Town Board. Documentation of each step of the procurement process must be submitted to the Town Board for this approval. Purchase of materials for highway construction and/or repair as per Highway Law 284 Agreement and/or materials for snow and ice control are exempt from pre-approval.
- 5. Written documentation and justification is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award is in the best interests of the Town. The individual requesting the purchase will be responsible for determining if the offeror is responsible, reliable and dependable and must receive approval of the Town Supervisor, Town Clerk or Highway Superintendent before awarding contract,
- 6. In hiring or retaining individuals or firms to perform professional services, it is not in the best interests of the Town of Mendon to solicit quotations. In these circumstances, the individual or firm 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 firm that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement proceedings. The citizens of the town deserve the benefit of expertise in these types of services as it may ultimately save the taxpayers money.

In addition, in the following situations it is not in the best interest of the Town to secure alternate proposals because of the time required and/or 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;
- purchase under \$500; (c)
- (d) sole source situations.

7. This amended policy shall go into effect January 26, 2015.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

CODE ENFORCEMENT OFFICER – AUTHORIZATION TO PURCHASE PICK UP TRUCK (Resolution 15-074)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to authorize the purchase of a new pickup truck for the Code Enforcement Officer under Chautauqua County, NY bid pricing. The purchase of the truck is provided for as a part of the 2015 Budget. Delivery is estimated to take approximately 14-20 weeks. The specifications for the truck to be purchased are detailed on Vehicle Purchase Proposal, Quote #18250, from Van Bortel Ford, 71 Marsh Road, East Rochester, NY, dated January 21, 2015. Cost not to exceed \$28,630.52.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

HIGHWAY SUPERINTENDENT – AUTHORIZATION TO ATTEND 2015 HIGHWAY SCHOOL (Resolution 15-075)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to authorize the Highway Superintendent to attend this year's Highway School sponsored by Cornell Local Roads Program and the Association of Towns. The Highway School will be June 1-3, 2014, in Ithaca, NY. Cost is budgeted, and not to exceed \$600.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

HIGHWAY SUPERINTENDENT – AUTHORIZATION TO ATTEND NYS LOCAL ROADS & BRIDGES SUMMIT & GRASSROOTS CAMPAIGN

(Resolution 15-076)

A motion was made by Mr. Roberts, seconded by Mr. Menz, to authorize the Highway Superintendent to attend this year's NYS Local Roads & Bridges Summit & Grassroots Campaign. The Campaign will be March 3rd & 4th, in Albany, NY. Cost is budgeted, and not to exceed \$350, to be charged to account A5010.460.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

HIGHWAY SUPERINTENDENT – AUTHORIZATION TO PURCHASE PICK UP TRUCK (Resolution 15-077)

A motion was made by Mr. Roberts, seconded by Mr. Rooney, to authorize the purchase of a new pickup truck for the Code Enforcement Officer under Chautauqua County, NY bid pricing. The purchase of the truck is provided for as a part of the 2015 Budget. Delivery is estimated to take approximately 14-20 weeks. The specifications for the truck to be purchased are detailed on Vehicle Purchase Proposal, Quote #18250, from Van Bortel Ford, 71 Marsh Road, East Rochester, NY, dated January 21, 2015. Cost not to exceed \$28,630.52.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

DECLARATION OF SURPLUS – TIRES

(Resolution 15-078)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to declare the following as surplus, and authorizes their disposition: Seven (7) large truck tires, 11.00x24.5

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

DEPUTY COURT CLERK – CREATION OF ADDITIONAL POSITION AND ASSIGNMENT (Resolution 15-079)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to authorize the creation of an additional Deputy Court Clerk, Part-Time position, ("Pro-Tem") and reassign Susan Rocklein from Court Clerk to said position, term to expire December 31, 2015, at her current rate of pay.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

Bonnie M. Toomey will retain her position as Deputy Court Clerk, Part-Time.

COURT CLERK - APPOINTMENT

(Resolution 15-080)

A motion was made by Mr. Menz, seconded by Mr. Roberts, to appoint Michelle Booth as the Town of Mendon Court Clerk, Part-Time, term to expire December 31, 2015, at the recommendation of Town Justice Fletcher and Town Justice Briggs. The hourly rate for this position will be \$15.00.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

BOARD OF ASSESSMENT REVIEW – APPOINTMENT

(Resolution 15-081)

A motion was made by Mr. Rooney, seconded by Mr. Roberts, to appoint Dominc L. Bozzelli to the Board of Assessment Review, term to expire September 30, 2019.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

MEETINGS RECORDER – ADVERTISE FOR VACANCY

(Resolution 15-082)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to authorize the Town Clerk to advertise for the position of Meetings Recorder.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

LIBRARY BOARD OF TRUSTEES REQUEST

Mr. Peckham and Ms. Jacobs appeared before the Board to request the installation of additional security measures at the Library building.

(*Resolution 15-083*)

A motion was made by Mr. Rooney, seconded by Mr. Roberts, to approve the installation of certain security measures at the Library building, cost not to exceed \$3,500.00.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

TRAFFIC STUDY - INTERSECTION OF NYS ROUTE 251 - STONEY LONESOME ROAD -JUNCTION ROAD

(Resolution 15-084)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to authorize the Supervisor to initiate a traffic study of the intersection of NYS Route 251, Stoney Lonesome Road, and Junction Road with the appropriate authorities.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

Gary Loope, 21 Semmel Road, commented on the length of service of the Highway Superintendent.

ADJOURNMENT

(*Resolution 15-085*)

A motion was made by Mr. Menz, seconded by Mr. Rooney, to adjourn the meeting at 7:37PM. Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.