

**Minutes of the April 28, 2014 Leicester Village Board
Organizational Meeting / Budget Hearing and Budget Vote**

Present: Mayor Barry Briffa, Trustees; Tom Frantz, Scott Davis, Mike Constantino, Janet Green.

Clerk/Treasurer: Douglas Seeber

Karen Roffe, Maria Briffa, Stanley Lubanski, Nancy Lubanski, Sarah Durbin, Terri Parsons, Don Jacobs, Paula Jacobs, Carmen Seeber, Barbara Ayres, Jerry Ayres, Toni Pendergast, Bev Hart, Ken Rizzo, David Galvin, Brian Montgomery, James Kane, Donald Kane, Angie Jacobs.

Meeting was called to order by Mayor Briffa at 6:30 PM.

The Pledge of Allegiance was recited.

Trustee Davis made a motion to accept the minutes of the April 21, 2014 Leicester Village Board of Trustees meeting as written, seconded by Trustee Frantz. Carried 4-0

Mayor Briffa opened the Public Budget and Organizational meeting.

Mayor Briffa stated that they needed to fill the Village Clerk/Treasurer position and he recommended Village resident Douglas Seeber.

Trustee Green made a motion to appoint Douglas Seeber to the position of Leicester Village Clerk/Treasurer, Trustee Davis seconded. Carried 4-0

ADOPTION OF POLICIES:

**Motion was made by Trustee Davis to hold all official board meetings on the third Monday of the month at 6:30PM with the following exception; if a National holiday falls on the third Monday the meeting will take place on the following Monday at 6:30PM, seconded by Trustee Green
Carried 4-0**

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Motion was made by Trustee Davis regarding advance payment of claims:

WHEREAS, the Board of Trustees has determined to authorize payment in advance of audit claims for public utility services, postage, freight, seminar fees and express charges, and

WHEREAS, all such claims shall be presented at the next regular board meeting for audit, and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1: That the Board of Trustees authorizes payment in advance of audit claims for public utility services, postage, freight, express charges, seminar fees and all such claims shall be presented at the next regular meeting for the audit sand the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees:

Section 2: That this resolution shall take effect immediately.

Motion seconded by Trustee Constantino.

Carried 4-0

**Trustee Davis moved and Trustee Constantino seconded to adopt the following pertaining to
Mileage reimbursement:**

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WHEREAS, the Board of Trustees determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal vehicles while performing official duties on behalf of the Village.

NOW THEREFORE BE IT RESOLVED:

Section 1: That the Board of Trustees approves reimbursement to such officers and employees at the current rate established by the IRS.

Section 2: That this resolution shall take effect immediately. **Carried 4-0**

Motion made by Trustee Davis and seconded by Trustee Constantino to approve attendance by Village officials to professional schools and conferences as it benefits the municipality. **Carried 4-0**

Trustee Davis moved and Trustee Constantino seconded the motion to approve the following:

WHEREAS, the Village Board of Trustees desire to establish an investment policy in order to insure that the funds not needed for the immediate payment of bills will be invested to earn a safe return as provided under Village Law, the General Municipal Law and the local Finance Law; and

WHEREAS; the Village Board desires to designate certain banks for the placing of investments; and

WHEREAS, the Village Board desires to authorize the Village Clerk/Treasurer as the fiscal officer to make such investments,

NOW, THEEFORE the Board of Trustees authorizes the use of the following commercial banks or trust companies located and authorized to do business in New York State, for placing investments: Five Star Bank and the Bank of Castile.

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Interments for investing Village monies;

- 1. Savings Account**
- 2. N.O.W. Accounts**
- 3. Money Market Deposit Accounts**
- 4. Super N.O.W. Accounts**
- 5. 7 to 31 Day Accounts**
- 6. Certificates of Deposit**
- 7. Repurchase Agreements**
- 8. Purchase of United States Treasury Bonds, Bills, and Notes**
- 9. Other investment instruments as may be approved by Office of the state Comptroller from time to time.**

The Board of Trustees specifically delegates the authority to make the day-to-day investment decision within the guidelines and limitations of this policy resolution to the Village Clerk/Treasurer, as Chief Fiscal Officer. The Chief Fiscal Officer is authorized to utilize the advisory services of Municipal Consulting Firms in planning the timing, amount, maturity, bidding, placement, and reporting investments made hereunder.

The Board Trustees specifically authorizes the designated official to use electronic transfer of funds; among the approved banking institutions, to assist in obtaining “federal funds” enhanced interest rates. Each such transfer shall be specifically identified in the original journal entry as a “wire transfer” and subsequently supported by the bank confirmation notice to provide an audit trail.

The Board of Trustees authorizes the designated official the authority to turn over the physical custody of Certificates of Deposit and other evidences of investment for safekeeping possession to the winning bank, as provided in section 11 (3) of the General Municipal Law, to facilitate access to funds at maturity and to eliminate having live certificates in the Village Office.

All investments shall be documented in written reports to the Village Board, outlining the details of the investment and the bids received thereon. When investments are placed, these reports should be presented no less than monthly.

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The primary objective of this policy is to enhance the safety and availability of any Village monies invested. Safety is enhanced by F.D.I.C. Insurance limit as presently set or subsequently revised, are to be insured by a pledging appropriate collateral with the institution winning the bid for the investment. When appropriate, all investments must be bid specifying, "with collateral."

Carried 4-0

Trustee Constantino made the motion to adopt the following Procurement Policy;

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to section 103 of the General Municipal Law; purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from correctional institutions; purchases under state and county contracts; and surplus and secondhand purchases from another government entity. The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.
2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances; purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to section 176-b of the State Finance Law; goods purchased from correctional Institutions pursuant to section 186 of the Correction Law; purchases under State contracts pursuant to section 104 of the General Municipal Law; purchases under County contracts pursuant to section 103 of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.
3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

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ESTIMATED AMOUNT OF PURCHASE CONTRACT	METHOD
\$2,500 - \$4,999	2 verbal quotations
\$5,000 - \$9,999	3 Written/fax quotations
	Or written request for proposal
ESTIMATED AMOUNT OF PUBLIC WORKS CONTRACT	
\$2,500 - \$4,999	2 verbal quotations
\$5,000 - \$9,999	2 written/fax quotations
\$1,000 - \$19,999	3 written fax quotations
	Or written request for proposal

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 proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation are required whenever a contract is awarded to anyone other than the lowest reasonable offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
6. Pursuant to General Municipal Law section 104-b (2) (1), the procurement policy may contain circumstances when, or types of procurements for which in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interests of the Village of Leicester to solicit quotations or document the basis for not accepting the lowest proposal,
 - A. Professional services or services requiring special or technical skill, training or expertise: The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment integrity, and moral worth. These qualifications are not necessarily found in the individual or company that readily lend themselves to competitive procurement procedures.

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In determining whether a service fits into this category the Village Board of Trustees shall take into consideration the following guidelines; (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following; services of an attorney; technical services of an engineer or architect engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; computer software or programing services for customized programs, or services involved in substantial modification and customizing or pre-packed software.

- B. Emergency purchased pursuant to section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- C. Purchase of surplus and second-hand goods from any source or goods purchased at auction. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- D. Goods or services under \$2,500.00. The time documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such contracts would not likely be awarded on favoritism.
- E. Services contracts encountered into through the New York Office of General Services. In these instances, the State has already investigated and secured the lowest possible price for the municipality.

7. This Policy shall go into effect immediately and will be reviewed annually.

Motion to second by Trustee Frantz.

Carried 4-0

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Trustee Green made a motion to accept the following appointments for the fiscal year 2014 -2015, seconded by Trustee Davis:

2014 -2015 APPOINTMENTS

Deputy Mayor	Scott Davis
Deputy Clerk	
Tax Collector	Douglas Seeber
Records Management Officer	Douglas Seeber
Budget Officer	Douglas Seeber
Auditing Committee	Scott Davis/Janet Green
Street & Parks Committee	All Board Members
Recreation Committee	Janet Green/Tom Frantz
Water & Lights Committee	Scott Davis/Michael Constantino
Community & Village Building	Scott Davis/Michael Constantino
Fire Department Committee	Michael Constantino/Tom Frantz
Highway Department	Scott Davis/Michael Constantino
Youth Committee	Janet Green/Tom Frantz
Attorney	Kevin Van Allen
Accounting Firm	St. John & Baldwin
Engineering Firm	Chatfield Engineers
Registrar	Mary Yasso
Historian	Tom Roffe
Official Newspaper	Livingston County News
Official Depository	Five Star Bank
Secretary to the planning/Zoning Officer	

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Planning/Zoning Board and expiration of term – May 31st of said year

Donald Trasher, Chairman	2018
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Joe Nahalka	2018
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Ken Rizzo	2016
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James Cochrane	2017
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CITIZEN CONCERNS

Mrs. Lubanski still had a concern about a water bill she felt was incorrect. It was decided to check and see if the water usage was back to normal at this time. It may be necessary to change out the meter in the future if the problem continues.

The Flags for Main Street have arrived and Stan Lubanski will be informed.

Tim Howe would need \$250.00 to repair broken light.

BLOCKS ON SOUTH SIDE OF MAIN STREET

Ken Rizzo recommended that a section of the blocks in front of the Post Office and Town Hall be removed and a sidewalk installed to the street that he would maintain.

WATER RESPOSIBILITIES

Russ Page needed to know who was doing the stake-outs and was told that Al Mothershed would be asked to take care of it. It was also suggested that a list of duties for the water job be drawn up. Trustee Constantino said that he would work on that.

OAK MANOR PAVING

Russ Page was also asked to get estimates on paving Oak Manor including milling the current roadway.

WATER PROJECT

Electronically pay contactors the payment due.

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EXECUTIVE SESSION

Trustee Davis made a motion for the meeting to enter into executive session to discuss personal issues at 7:40PM, seconded by Trustee Constantino. Carried 4 - 0

Motion was made by Trustee Davis to reconvene the open session of the Board meeting at 8:10PM seconded by Trustee Green. Carried 4 – 0

ADJOURNMENT

Motion was made by Trustee Davis, seconded by Trustee Green at 8:15 PM Carried 4 – 0

Respectfully Submitted

Douglas W. Seeber

Clerk/Treasurer

