

**Village of Port Dickinson
Monthly Board Meeting
September 10, 2013
Port Dickinson Village Hall**

Officers Present:	Mayor	Kevin M. Burke
	Trustees	Robert Aagre Michael Cashman Richard Felo
	Attorney Clerk	Herbert Kline Susan Fox
Absent:	Trustee Treasurer	Michael Blakeslee Cheryl Miller

The regular monthly meeting was called to order at 6:00 pm by Mayor Kevin Burke

PUBLIC HEARING:

1. Proposed Local Law 10-2013 LOCAL LAW NO. 10 OF THE YEAR 2013 A LOCAL LAW ENTITLED "CONTRACTS AWARDED TO BEST VALUE BIDDERS"

Attorney Kline explained that this local law would allow the Board to award a bid based on optimizing total value instead of the lowest responsible bid.

Motion by Trustee Cashman, seconded by Trustee Aagre, to close the Public Hearing

AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE

APPROVAL OF MINUTES:

Motion by Trustee Cashman, seconded by Trustee Felo, for approval of the minutes of the August 13, 2013 meeting

AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE

PUBLIC COMMENT:

- Question regarding the replacement of water meters. Trustee Aagre responded that it is an ongoing process with the replacement of approximately 40 meters per year for 15 years. The replacements are mainly done in the late Fall and Winter when DPW does not have as much work outside.
- Thank you to contacting NYS regarding mowing and trimming along Arterial Highway.
- There was an ad in the Clipper Magazine regarding a tire business opening at 737 ½ Chenango St. Mayor Burke responded that Attorney Kline was already reviewing the matter.
- Question regarding the employment status of the Chief of Police. Mayor Burke responded that personnel matters cannot be disclosed in public.

TREASURER'S REPORT:

Written report on file with the Village Clerk.

AUDIT AND PAYMENT OF CLAIMS (abstract 49, 2013-2014):

Motion by Trustee Felo, seconded by Trustee Aagre, to pay claims No. 1-29, 31, 41-43 as listed on the Abstract of Unaudited Vouchers for the General Fund for \$135,229.96

AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE

Motion by Trustee Aagre, seconded by Trustee Felo, to pay claims No. 34-40 as listed on the Abstract of Unaudited Vouchers for the Water Fund for \$3,378.97

AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE

Motion by Trustee Aagre, seconded by Trustee Cashman, to pay claims No. 30-33 as listed on the Abstract of Unaudited Vouchers for the Sewer Fund for \$66,671-54

AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE

Motion by Trustee Cashman, seconded by Trustee Felo, to pay claims No. 1 as listed on the Abstract of Unaudited Vouchers for the Elevator Fund for \$17,990.10

AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE

COMMITTEE REPORTS:

Administration/Community Association: No report

Parks/Water/Sewer: Written report on file with the Village Clerk.

Planning Board: None

Public Safety: Written report on file with the Village Clerk.

Public Works : Watson Ave, Lincoln St and the end of Wayne Ave have been paved. Phelps St and the back parking lot at Village Hall are scheduled to be done in the near future. Trustee Cashman is working with the Town of Fenton to grind and pave the service roads.

Zoning: None

RESOLUTIONS:

1. Motion by Trustee Aagre, seconded by Trustee Felo, for a approving the SEQR determination for Local Law 10-2013 of the year 2013, A Local Law Entitled, "Contracts Awarded to Best Value Bidders"
AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE
2. Motion by Trustee Aagre, seconded by Trustee Felo, for a Resolution adopting Local Law 10-2013, A Local Law Entitled, "Contracts Awarded to Best Value Bidders"
AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE
3. Motion by Trustee Felo, seconded by Trustee Cashman, for a Resolution authorizing the Donald Walls to represent the Village in the matter of Code Violations at 3 Bromley Ave..
AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE

ADJOURNMENT: Motion by Trustee Aagre, seconded by Trustee Cashman for a motion to adjourn at 6:35 PM.

AYE TRUSTEES AAGRE, CASHMAN, FELO
NAY NONE

Respectfully submitted,

Susan E. Fox

LOCAL LAW NO. 10 OF THE YEAR 2013

A LOCAL LAW ENTITLED “CONTRACTS AWARDED
TO BEST VALUE BIDDERS”

Be it enacted by the Board of Trustees of the Village of Port Dickinson as follows:

Section 1. General Provisions

Section 1.1 Purpose

This local law provides for the Board of Trustees to exercise their local option from § 103, Subdivision 1 of the New York Municipal Law, as amended by Chapter 608 of the Laws of 2011 and Chapter 2 of the Laws of 2012. This amendment authorizes Villages to award purchase and service contracts subject to competitive bidding under General Municipal Law § 103 based on either lowest responsible bidder or “best value,” as defined in § 163 of the New York State Finance Law. This “best value” option may be, but is not required to be, used to award an applicable purchase contract to optimize quality, cost, and efficiency among responsive and responsible offers instead of the lowest responsible bidder.

Section 1.2 Basis for award

In accordance with § 103, Subdivision 1 of the New York General Municipal Law, as amended by Chapter 608 of the Laws of 2011 and Chapter 2 of the Laws of 2012, the Board of Trustees may award contracts, including both purchase contracts and those contracts for service work, that have been procured pursuant to competitive bidding under General Municipal Law § 103 by either lowest responsible bidder or “best value”.

Goods and services procured and awarded on the basis of best value are those that the Board of Trustees 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: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; and longer product life; product performance criteria; and quality of craftsmanship.

Section 1.3 Applicable Contracts

These sections apply to only to purchase contracts involving an expenditure of more than \$20,000 including contracts for service work (ie building services under Article 9 of the Labor Law and utility services) but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the State Labor Law as well as excluding any other contracts in accordance with future state law. If the dollar thresholds of General Municipal Law § 103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.

Section 1.4 Documentation

A quote or proposal received pursuant to standard bidding procedures, may be awarded on either a best value or lowest responsible bidder standard. All information gathered in the course of the bidding procedures of this section shall be filed with the documentation supporting the subsequent purchase or public works contract. When a contract is awarded on the basis of best value rather than a lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

Section 1.5 Procurement Policy

Any inconsistent provision of the Village's procurement policy, as adopted prior to the effective date of this chapter by resolution of the Board of Trustees, or as amended thereafter, shall be deemed superseded by the provisions of this chapter.

Section 2.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Board of Trustees of the Village of Port Dickinson hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

ADOPTION BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF PORT DICKINSON OF
LOCAL LAW NO. 10-2013

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Port Dickinson for a public hearing to be held by said Board at the Village Hall, 786 Chenango Street in said Village, at 6:00 o'clock P.M. on September 10, 2013 to hear all interested parties on a proposed "Local Law entitled 'Contracts Awarded to Best Value Bidders'", and

WHEREAS, notice of said public hearing was duly advertised in the Press & Sun-Bulletin, the official newspaper of the Village, on ____9-2-13_____, 2013, and posted on the Village Clerk's sign board on ____9-2-13_____, 2013, and

WHEREAS, said public hearing was duly held at the Village Hall at 6:00 o'clock P.M. on September 10, 2013, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQR"), it has been determined by the Board of Trustees that adoption of the proposed Local Law does not constitute an action as defined and could be considered without further regard to SEQR, and

WHEREAS, the Board of Trustees, after due deliberation, finds it in the best interest of the Village to adopt said Local Law,

NOW, THEREFORE, the Board of Trustees hereby adopts said Local Law as Local Law No. 10-2013, "A Local Law Law entitled 'Contracts Awarded to Best Value Bidders'", as amended, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village of Port Dickinson, and to give due notice of the adoption of said Local Law to the Secretary of State.