

December 2, 2013

Board of Trustees

Proceedings by Authority

State of New York
Village of Celoron
Community Center

ss:

The reorganizational meeting of the Board of Trustees of the Village of Celoron, New York was held on Monday, December 2, 2013 at 7:00 P.M.

Members Present: Mayor Schrecengost, Trustees Grundstrom, Kogut, Mattison, and Young

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC/CMFO, Village Attorney John D. Vanstrom, and Mallory Diefenbach of The Post-Journal

Mayor Schrecengost called the meeting to order, asked the Clerk to call the roll and led the Pledge of Allegiance.

The Clerk-Treasurer administered the Oath of Office to Mayor Scott D. Schrecengost, Trustees Steven R. Grundstrom and Norman Mattison.

MAYOR'S COMMENTS:

None

OPPORTUNITY FOR PUBLIC COMMENT:

None

MAYOR'S APPOINTMENTS:

Mayor's Office
To the Board of Trustees of the Village of Celoron, New York

Trustees:

In pursuance of the authority vested in me by the Village Law of the State of New York, I do hereby nominate:

Shirley A. Sanfilippo, MMC/CMFO
11 Chapel Street
Jamestown, NY 14701

to be re-appointed Village Clerk/Treasurer and Registrar of Vital Statistics

Jetta L. Wilson
14 Rowley Court WE
Jamestown, NY 14701

to be re-appointed Deputy Village Clerk

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John D. Vanstrom
395 E. Fairmount Ave.
P.O. Box 75
Lakewood, NY 14750

to be re-appointed Village Attorney

Pamela Piazza
218 N. Alleghany Ave. WE
Jamestown, NY 14701

to be re-appointed Animal Control Officer in and for the Village of Celoron, New York.

Becky Holmstrom
11 Melvin Avenue, P.O. Box 422
Celoron, NY 14720-0422

to be re-appointed Historian in and for the Village of Celoron, New York.

Robert J. Burkholder
2520 Panama-Stedman Road
Ashville, NY 14710

to be re-appointed Code Enforcement Officer in and for the Village of Celoron, New York.

The term for which said appointments are to be made will expire on December 7, 2015.

Becky Holmstrom
11 Melvin Avenue, P.O. Box 422
Celoron, NY 14720-0422

to be re-appointed a member and chairman of the Planning Board in and for the Village of Celoron, New York.

The term for which said appointment is to be made will expire on December 3, 2018.

Dated: December 2, 2013

Scott D. Schrecengost
Mayor of the Village of Celoron, New York

Trustee Mattison moved, seconded by Trustee Young to vote collectively on the appointments.

Carried: 5 ayes

Trustee Grundstrom moved, seconded by Trustee Young to approve the appointments.

Carried: 5 ayes

The Clerk-Treasurer administered the Oath of Office to Village Attorney Vanstrom.

MAYOR'S COMMITTEE APPOINTMENTS:

Mayor's Office
To the Board of Trustees of the Village of Celoron, New York

December 2, 2013

Trustees:

In pursuance of the authority vested in me, I do hereby appoint the following to standing committees in and for the Village of Celoron, New York:

| | |
|-----------------------|--------------------------|
| Deputy Mayor | Trustee Mattison |
| Public Safety | Trustee Kogut |
| Animal Control | Trustee Grundstrom |
| Parks and Recreation | Trustee Young |
| Highway and Equipment | Trustee Mattison |
| Zoning and Planning | Trustee Grundstrom |
| Sanitation | Trustee Mattison |
| Business | Trustee Kogut |
| Correspondence | Mayor Schrecengost/Clerk |
| Finance | Entire Board/Clerk |
| Audit | Trustee Mattison |
| Insurance | Trustee Young |
| Building | Trustee Young |
| Special Events | Trustee Mattison |

The term for which said appointments are to be made will expire on December 1, 2014.

Dated: December 2, 2013

Scott D. Schrecengost
Mayor of the Village of Celoron, New York

APPROVAL OF MINUTES:

Trustee Mattison motioned, seconded by Trustee Kogut to approve the minutes of the Regular Meeting held on November 12, 2013.

Carried: 5 ayes

APPROVAL OF ABSTRACT:

Mayor Schrecengost asked for approval of Abstract #12 in the amount of \$29,189.64, Check #2086 thru 2097, dated November 13-30, 2013 and Trust and Agency Abstract # 6 in the amount of \$1,274.27, Check #5033, dated November 26, 2013.

Trustee Kogut moved, seconded by Trustee Mattison to approve payment of the abstract.

Carried: 5 ayes

RESOLUTIONS

Resolution #1 – 2013-14

RESOLVED, That Five Star Bank, be and hereby is designated as the depository of the Village of Celoron and that they be and hereby are requested, authorized and directed to honor checks, drafts, or other orders for payment of money drawn in the Village's name, including those payable to the individual order of any person or persons whose name or names appear thereon as a

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signer or signore thereof, when bearing or purporting to bear the facsimile signatures of any two (2) of the following: the Mayor; Deputy Mayor; Clerk-Treasurer or Deputy Treasurer and the above mentioned banks shall be entitled to honor and charge this village for such checks, drafts or other orders, regardless of by whom or by what means the actual or purposed facsimile signatures or signature thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimen duly certified to or filed with the above mentioned banks by the Clerk-Treasurer of the Village of Celoron, and be it further

RESOLVED, That all transfer of funds from one account to another shall be done in writing, signed by two of the aforementioned designated signers.

Trustee Grundstrom moved, seconded by Trustee Mattison to approve the resolution.

Carried: 5 ayes

Resolution #2 – 2013-14

RESOLVED, That the Jamestown Post-Journal be and it hereby is designated as the official newspaper for the publications of proceedings and official notices for the Village of Celoron, New York for the period December 2, 2013 through December 1, 2014.

Trustee Young moved, seconded by Trustee Kogut to approve the resolution.

Carried: 5 ayes

Resolution #3 – 2013-14

RESOLVED, That the regular meetings of the Board of Trustees of the Village of Celoron shall be held on the second Monday of each month in the Community Center, 47 Dunham Avenue, Celoron, New York at 7:00 p.m., preceded by a 6:30 pm work session, beginning the evening of December 9, 2013 and on scheduled Monday evenings thereafter in the year 2013-2014, at the same time and place. When a meeting date falls on a federal holiday, the regular meeting shall be held on the following Tuesday.

| | |
|-------------------|--|
| December 9, 2013 | July 14, 2014 |
| January 13, 2014 | August 11, 2014 |
| February 10, 2014 | September 8, 2014 |
| March 10, 2014 | October 13, 2014 |
| April 14, 2014 | November 10, 2014 |
| May 12, 2014 | December 1, 2014, Reorganizational Meeting |
| June 9, 2014 | |

Trustee Grundstrom moved, seconded by Trustee Young to approve the resolution.

Carried: 5 ayes

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Resolution #4 – 2013-14

RESOLVED, That Mayor Scott D. Schrecengost and Board of Trustee members be, and they hereby are, authorized to attend meetings, training sessions and conferences of the Chautauqua County Conference of Mayors, the New York State Conference of Mayors, and any other job related conferences during 2013-14, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Trustee Mattison moved, seconded by Trustee Kogut to approve the resolution.

Carried: 5 ayes

Resolution #5 – 2013-14

RESOLVED, That the following salaries and wages be and hereby are approved for 2013-14:

| | | |
|--------------------------|-------------|---------------------|
| Mayor | \$1,600.00 | Annual |
| Trustees (4) | \$700.00 | Annual |
| Clerk-Treasurer | \$31,000.00 | Annual |
| Attorney | \$7,000.00 | Annual |
| Historian | \$300.00 | Annual |
| Deputy Clerk | \$10.00 | Per Hour |
| Code Enforcement Officer | \$600.00 | Per Month |
| Highway Supervisor | \$39,500.00 | Annual |
| Motor Equipment Operator | \$12.75 | Per Hour |
| Utility Worker | \$10.00 | Per Hour |
| Animal Control | \$50.00 | Per Month + mileage |

Trustee Mattison moved, seconded by Trustee Grundstrom to approve the resolution.

Carried: 5 ayes

Resolution #6 – 2013-14

WHEREAS, Chautauqua County annually seeks bids and proposals for various supplies, and

WHEREAS, it is advantageous to the Village of Celoron to utilize the results of the Chautauqua County bids for the purchase of fuel and highway materials; now, therefore, be it

RESOLVED, That the Village of Celoron will utilize the Chautauqua County bids for the purchase of fuel and highway materials.

Trustee Grundstrom moved, seconded by Trustee Young to approve the resolution.

Carried: 5 ayes

Resolution #7 – 2013-14

WHEREAS, on April 12, 2010, the Board of Trustees of the Village of Celoron, New York adopted Resolution #7 - 2010-11, which established the Standard Work Day of eight (8) hours for Village of Celoron employees, and

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WHEREAS, the Celoron Village Attorney is an Appointed Official of the Village of Celoron that does not participate in the Village of Celoron's Time Keeping System, and

WHEREAS, John D. Vanstrom was appointed as Village Attorney in and for the Village of Celoron, New York, for the term of office beginning December 2, 2013 and expiring on December 7, 2015, and

WHEREAS, John D. Vanstrom is a Tier V member of the New York State and Local Employees' Retirement System who has submitted his Record of Activities to the Celoron Village Clerk-Treasurer; now therefore, be it

RESOLVED, That, the Village of Celoron (Location Code 40153) hereby establishes, and will report, 2.36 days worked/month for Village Attorney John D. Vanstrom to the New York State and Local Employees' Retirement System.

Trustee Mattison moved, seconded by Trustee Grundstrom to approve the resolution.

Carried: 5 ayes

Resolution #8 – 2013-14

WHEREAS, on April 12, 2010, the Board of Trustees of the Village of Celoron, New York adopted Resolution #7 - 2010-11, which established the Standard Work Day of eight (8) hours for Village of Celoron employees, and

WHEREAS, the Celoron Code Enforcement Officer is an Appointed Official of the Village of Celoron that does not participate in the Village of Celoron's Time Keeping System, and

WHEREAS, Robert J. Burkholder was appointed as Village Code Enforcement Officer in and for the Village of Celoron, New York, for the term of office beginning December 2, 2013 and expiring on December 7, 2015, and

WHEREAS, Robert J. Burkholder is a Tier V member of the New York State and Local Employees' Retirement System who has submitted his Record of Activities to the Celoron Village Clerk-Treasurer; now therefore, be it

RESOLVED, That, the Village of Celoron (Location Code 40153) hereby establishes, and will report, 3.57 days worked/month for Village Code Enforcement Officer Robert J. Burkholder to the New York State and Local Employees' Retirement System.

Trustee Kogut moved, seconded by Trustee Mattison to approve the resolution.

Carried: 5 ayes

Resolution #9 – 2013-14

WHEREAS, on April 12, 2010, the Board of Trustees of the Village of Celoron, New York adopted Resolution #7 - 2010-11, which established the Standard Work Day of eight (8) hours for Village of Celoron employees, and

WHEREAS, the Celoron Dog Control Officer is an Appointed Official of the Village of Celoron that does not participate in the Village of Celoron's Time Keeping System, and

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WHEREAS, Pamela D. Piazza was appointed as Village Dog Control Officer in and for the Village of Celoron, New York, for the term of office beginning December 2, 2013 and expiring on December 7, 2015, and

WHEREAS, Pamela D. Piazza is a Tier IV member of the New York State and Local Employees' Retirement System who has submitted her Record of Activities to the Celoron Village Clerk-Treasurer; now therefore, be it

RESOLVED, That, the Village of Celoron (Location Code 40153) hereby establishes, and will report, .81 days worked/month for Village Dog Control Officer Pamela D. Piazza to the New York State and Local Employees' Retirement System.

Trustee Young moved, seconded by Trustee Grundstrom to approve the resolution.

Carried: 5 ayes

Resolution # 10 - 2013-14

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 involved in the procurement process, now, therefore be it;

RESOLVED, That the Village of Celoron 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 CELORON, NEW YORK

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 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.

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, or any other 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 State Finance Law Section 175-b; goods purchased from correctional institutions

pursuant to Correction Law Section 186; purchases under State contracts pursuant to General Municipal Law Section 104; purchases under County contracts pursuant to General Municipal Law Section 103(3); 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:

| <u>ESTIMATED AMOUNT OF PURCHASE CONTRACT</u> | <u>METHOD</u> |
|--|---|
| Under \$500 | None |
| \$500 - \$4,999 | Two (2) Verbal Quotes |
| \$5,000 - \$19,999 | Three (3) Written/Fax Quotes or written |
| RFPs | |

| <u>ESTIMATED AMOUNT OF PUBLIC WORKS CONTRACT</u> | <u>METHOD</u> |
|--|---|
| Under \$1,000 | None |
| \$1,000 - \$2,999 | Two (2) Verbal Quotes |
| \$3,000 - \$9,999 | Two (2) Written/Fax Quotes |
| \$10,000 - \$34,999 | Three (3) Written/Fax Quotes or Written |
| RFPs | |

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. Document is required of each action taken in connection with each procurement.
5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offer. 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)(g), 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 interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Celoron, New York to solicit alternate proposals or quotations or document the basis for not accepting the lowest proposal:

- a. Professional 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 offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the 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, services of a physician; 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; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

b. Emergency purchases 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, health, safety or welfare of the residents. This section does not preclude alternate proposals, if time permits.

c. Purchases 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 \$500.00. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

e. Service contracts entered into through the New York State 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 December 3, 2013 and will be reviewed annually thereafter.

Trustee Mattison moved, seconded by Trustee Young, to approve the resolution.

Carried: 5 ayes

Resolution # 11 – 2013-14

RESOLVED, That the Mayor be and he hereby is authorized to renew the full-time employee health care coverage with Univera utilizing the Univera ValUcare Plus Platinum 3 plan for the period covering January 1, 2014 – December 31, 2014 with no provision for contributions to a Health Care Savings Account.

Trustee Grundstrom moved, seconded by Trustee Young, to approve the resolution.

Carried: 5 ayes

MAYOR'S COMMENTS:

None

OPPORTUNITY FOR PUBLIC COMMENT:

None

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Trustee Young motioned to adjourn the meeting. Trustee Kogut seconded the motion.

Carried: 5 ayes

The meeting was adjourned at 7:18 p.m.

Shirley A. Sanfilippo, MMC/CMFO
Village Clerk-Treasurer