

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD-ORGANIZATIONAL MEETING –JANUARY 3, 2013
6:00 pm Constantia Town Hall

Present: Charles Gilkey – Supervisor
Richard Colesante, John Metzger, Thomas Moran, Frank Tomaino – Council Members
Clare Haynes – Town Clerk
Others Present: Wayne Woolridge - Highway Superintendent

CALL TO ORDER:

At 6:00 pm Mr. Gilkey called the organizational meeting to order with the pledge of allegiance.

ENCUMBER:

After reviewing the information given to the board from Ms. Butler, Mr. Colesante made the motion to encumber \$10,237.02 from B391 Water District Formation 2012 to the 2013 budget, seconded by Mr. Moran.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

BUDGET TRANSFERS:

Mr. Colesante made the motion to approve the general fund budget transfers as follows:

<u>From:</u>	<u>Amount:</u>	<u>To:</u>
A1990.4 Contingency	\$ 530.78	A1220.4 Supervisor CE
A1990.4 Contingency	\$ 756.60	A3310.4 Traffic Control
A1990.4 Contingency	\$ 364.56	A3620.4 Safety Inspect CE
A1990.4 Contingency	\$8,075.00	A9010.8 Retirement
A1990.4 Contingency	\$ 34.13	A8030.4 Research CE

Seconded by Mr. Moran.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

There was no vote for the highway budget transfers, the board had questions as to the capital reserve account that was being charged. Mainly can the unused funds in this budget line be used to cover overages in other budget lines. The board also discussed the retirement charge as it pertains to highway, the charge to this fund seems high and would like to see how the bill is broken out, especially as it pertains to Mr. Wheeler who has joined after many years of employment. The budget transfers will be taken up at the January 15th meeting.

ANNUAL AUDIT PROCESS:

A copy of The Annual Audit Process For Towns was given to the board. This yearly audit process must be completed by January 20th. Ms. Butler has done it for the last two years, this really should be done by board members. Mr. Metzger and Mr. Moran have agreed to do the audits.

CELL PHONE POLICY:

The revised cell phone policy was given to the board, Mr. Metzger made the motion to approve the policy as follows.

POLICY
TOWN OF CONSTANTIA
HIGHWAY DEPARTMENT
Cellular Telephones

The Personal use of cellular telephones by employees during working hours, except during breaks and lunch, is prohibited.

Any violation of this policy shall be subject to disciplinary action.

I the undersigned do hereby understand the above mentioned policy and will comply with this policy while working for the Town of Constantia Highway Department.

Employee Signature: _____ Date: _____
Print Name: _____

PLEASE RETURN SIGNED COPY TO THE HIGHWAY OFFICE, THANK YOU.
EFFECTIVE 1/1/2013

Seconded by Mr. Colesante.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

SEWER GRANT:

The sewer grant resolution has been changed as requested to include the total cost of the project. Mr. Moran has not heard significant discussion from residents that are in favor of this, he feels that the residents should generate the discussion. After further discussion;

COUNCILMAN: Colesante

Introduced the following and moved its adoption:

RESOLVED, that:

PROPOSED CONSTANTIA SEWER DISTRICT

WHEREAS, the Town of Constantia (Town) submitted a Consolidated Funding Application (CFA) for the proposed Constantia Sewer District (Project); and

WHEREAS, the Project has been selected to receive an Engineering Planning Grant (Grant) up to \$30,000 through the New York Clean Water State Revolving Fund (CWSRF) program; and

WHEREAS, the Grant requires a 20 percent minimum local match (i.e., minimum \$37,500 total project cost and \$7,500 local match required to receive the maximum grant of \$30,000); and

WHEREAS, the Town notified the New York State Environmental Facilities Corporation (EFC) that they were interested in moving forward with the project for the amount of funding awarded and that the Supervisor would be the Authorized Project Representative via email on December 31, 2012; and

WHEREAS, a resolution is required designating an Authorized Project Representative; and

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Town of Constantia is interested in using this funding in the amount awarded and that the Supervisor will be the Authorized Project Representative.

Seconded by Councilman: **Metzger**

Aye: **Colesante, Metzger, Gilkey**

Nay: **Moran, Tomaino**

PLANNING BOARD:

The board has received from Mr. Robert McNamara his resignation from the town of Constantia's Planning Board. Mr. Colesante contacted Mr. McNamara, he still would like to be active in the town, but the resignation stands.

Mr. Moran made the motion to appoint the alternate member Daniel Pone to the vacated position with the term expiration date of December 31, 2016, seconded by Mr. Colesante.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

PAYMENT IN ADVANCE OF AUDIT:

This is a resolution that was previously passed, but at a training session it was noted that this should be done yearly.

COUNCILMAN: Tomaino

Introduced the following and moved its adoption:

RESOLVED, that:

The Constantia Town Board authorizes the Supervisor to pay in advance the audit of claims for public utilities services such as electric, water, fuel oil, and telephone services as well as postage, freight, express charges and health insurance. Claims for these payments shall be presented at the next regular meeting for audit.

Seconded by Councilman: **Colesante**

Aye: **Moran, Tomaino, Colesante, Metzger, Gilkey**

WORKPLACE VIOLENCE:

Mr. Metzger made the motion to accept the workplace violence policy for 2013

It is the Town of Constantia's policy to promote a safe environment for its employees. The Town is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. While this kind of conduct is not pervasive at our agency, no agency is immune. Disruptive behavior at one time or another will affect every agency.

Violence, threats, harassment, intimidation, and other disruptive behavior in our workplace will not be tolerated; that is; all reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

We need your cooperation to implement this policy effectively and maintain a safe working environment. Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If you observe or experience such behavior by anyone on agency premises, whether he or she in an agency employee or not, report it immediately to their Department Head or the Town Supervisor. Supervisor or Department Heads who receive such reports should advise the Town Board regarding investigating the incident and the appropriate action. (Please Note: Threats or assaults that require immediate attention should be reported to the Sheriff's Department or New York State Troopers.)

We will support all efforts made by Department Heads or the Town Supervisor in dealing with violent, threatening, harassing, intimidating or other disruptive behavior in our workplace and will monitor whether this policy is being implemented effectively.

DESIGNATED CONTACT PEOPLE:

NAME: Charles R. Gilkey
TITLE: Town Supervisor
PHONE: 675-3360

NAME: Thomas Moran
TITLE: Councilman
PHONE: 623-7768

Seconded by Mr. Colesante.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

CONTRACTS:

Mr. Colesante made the motion to approve the North Shore Ambulance contract for \$273,000.00. The fire protection contracts for \$86,760.00 each, and the Fire District #1 contract for \$113,090.00. Seconded by Mr. Moran.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

*signed contracts will be at the end of this document.

KENNEL AGREEMENT:

Mr. Moran made the motion to approve the kennel agreement for \$1,500.00, seconded by Mr. Tomaino.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

*signed agreement will be at the end of this document.

OFFICIAL UNDERTAKING:

Mr. Moran made the motion to approve the official undertaking for 2013, seconded by Mr. Colesante.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

*signed undertaking will be at the end of this document.

APPOINTMENTS FOR 2013:

Mr. Colesante made the motion to approve the following appointments:

- Official newspaper - **Citizen Outlet**
- Meeting nights - **3rd Tuesday 6:30 bills 7:30 meeting**
- Depository - **Pathfinder**
- Payroll service - **ADP**
- Mileage rate - **.50**
- Bookkeeper to the Supervisor - **Nancy Butler, New Term Expires 12/31/13**
- Assessor - **Warren Wheeler, New Term Expires 9/30/19**
- Assessor's Clerk P/T - **Lynn Hardy, New Term Expires 12/31/13**
- Dog Control Officer - **Karen Ashley, New Term Expires 12/31/13**
- Deputy Supervisor - **Frank Tomaino, New Term Expires 12/31/13**
- Deputy Town Clerk and Deputy Registrar of Vital Statistics - **Rhonda Cottet, New Term Expires 12/31/13**
- Park Director - **Krista Lewis, New Term Expires 12/31/13**
- Justice Clerk to Justice Mark Simpson - **Julie Simpson, New Term Expires 12/31/13**
- Justice Clerk to Justice Stephen Pelon - **Lynn Tennant, New Term Expires 12/31/13**
- Town Historian - **Marilyn Darrah, New Term Expires 12/31/13**
- Town Historian - **Margaret Peck, New Term Expires 12/31/13**
- Board of Appeals – **Terry Champney, New Term Expires 12/31/2017**
- Planning Board – **George Scriba, New Term Expires 12/31/2019**
- Park and Recreation Commission - **Thomas Eastman, New Term Expires 12/31/2019**
- Secretary Planning/Board of Appeals - **Kay Foster, New Term Expires 12/31/2013**

Seconded by Mr. Moran.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

HOLIDAYS:

Mr. Moran made the motion to approve the following holidays:

- | | |
|--------------------------------|--------------------------------------|
| New Years' Day | Tuesday, January 1st |
| Dr. Martin Luther King Jr. Day | Monday, January 21st |
| President Day | Monday, February 18th |
| Memorial Day | Monday, May 27th |
| Independence Day | Thursday, July 4 th |
| Labor Day | Monday, September 2nd |
| Primary Day* | September - TBA |
| Columbus Day | Monday, October 14 th |
| Election Day | Tuesday, November 5th |
| Veterans' Day | Monday, November 11 th |
| Thanksgiving Day | Thursday, November 28th |
| Christmas Day | Wednesday, December 25 th |

Seconded by Mr. Tomaino.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

SALARIES:

Mr. Colesante made the motion to approve the salaries as read with one change to the highway department which has 2 MEO's at \$17.00 per hour, seconded by Mr. Tomaino.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

PROCUREMENT POLICY:

It was brought to the boards attention that the figures in the procurement policy should be higher as stated on the New York State Comptrollers website. The board wanted to be conservative and leave the levels as they were for 2012. Mr. Colesante made the motion to approve the following procurement policy.

PROCUREMENT POLICY
2013

Guideline 1 - Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2 – All purchases of a) supplies or equipment which will exceed \$10,000 in the fiscal year or b) public works contracts over \$20,000 shall be formally bid pursuant to GML 103.

Guideline 3 – All estimated purchases of:

- Less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written **or internet quotes** from 3 vendors
- Less than \$3,000 but greater than \$1,000 require an oral request for the goods and oral **or internet quotes** from 2 vendors
- Less than \$1,000 but greater than \$250 are left to the discretion of the Purchaser

All Estimated public works contracts of:

- Less than \$20,000 but greater than \$10,000 require a written RFP proposal from 3 contractors
- Less than \$10,000 but greater than \$ 3,000 require a written RFP proposal from 2 contractors
- Less than \$ 3,000 but greater than \$ 500 are left to the discretion of the Purchaser

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/oral quotes have been requested and the written/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4 – The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5 – 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 the proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6 – Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services
- b) Emergencies
- c) Sole source situations
- d) Goods purchased from agencies for the blind or severely handicapped
- e) Goods purchased from correctional facilities
- f) Goods purchased from another governmental agency
- g) Goods purchased from auction
- h) Goods purchased for less than \$250
- i) Public works contracts for less than \$500

Guideline 7 – This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

Seconded by Mr. Moran.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

ADJOURN:

At 7:45pm Mr. Colesante made the motion to adjourn, seconded by Mr. Moran.

Carried: Moran - Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes