

June 28, 2018

The regular Meeting of the Newfield Town Board was held at the Town Hall Board Room June 28, 2018 at 7:00 PM. The meeting was called to order by Supervisor Jeffrey Hart and opened with the Pledge of Allegiance to the flag.

Present were: Supervisor Jeffrey Hart, Councilperson Mike Allinger, Councilperson Joanne James, Councilperson Christine Laughlin (arrived after Greater Tompkins County Municipal Health Insurance Consortium meeting) .Councilperson Casey Powers was absent. Also present: David Herrick/TG Miller

Reports

Environmental Management Council- absent

New Business

David Herrick – TG Miller Proposal for Professional Services

Mr. David Herrick presented a proposal for professional services that TG Miller Engineers and Surveyors could provide, related to the preparation of grant applications in order to secure funds for Source Supply Investigation. Mr. Herrick commented that such an investigation could cost as much as \$40,000 to \$60,000 for an aquifer alternative investigation and advised the Town to look into grants that could support a study and investigation. . Mr. Herrick stated he has teamed up with CJ Randall to prepare such applications for grant sources. Mr. Herrick suggested the Town apply to the Appalachian Regional Commission and Community Development Block Grant Program. Applications will need to be submitted in a timely manner before July 27, 2018. Councilperson Allinger noted the pre application is due June 28, 2018. Mr. Herrick stated the application has been prepared and is not awaiting approval for submission. Motion was made by Councilperson James to approve the proposal of professional services of TG Miller, PPC and CJ Randall , not to exceed \$6,200 for the purpose of a water feasibility study seconded by Councilperson Allinger.

Vote	AYE	3	Hart, Allinger and James
	NAY	0	
	ABSENT	2	Powers and Laughlin

Carried

Fair Housing Obligations/HUD federal Funds

Mr. Herrick explained the Town of Newfield would need to adopt a resolution of a “Fair Housing Plan” and a Fair Housing Officer at its July 12, 2018 meeting.

Motion was made by Councilperson Allinger to convene a Public Hearing July 12, 2018 at 7:00 for public comment regarding the Town Board pursuit of applying for a CDBG grant seconded by Councilperson James.

Vote	AYE	3	Hart, Allinger and James
	NAY	0	
	ABSENT	2	Powers and Laughlin

Councilperson Allinger volunteered to be the Fair Housing Officer and will be appointed at the July 12th meeting.

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Review and amend current Procurement Policy

Town of Newfield Procurement Policy

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the formal bidding requirements of GML, S103 or any other law; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Newfield does hereby adopt the following procurement policies and procedures:

GUIDELINE #1

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, S103. 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 annual 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 exceed \$20,000 in the fiscal year or b) public works contracts which exceed \$35,000 shall be formally bid pursuant to GML, S103.

GUIDELINE #3

All purchases of:

- Less than \$20,000 but greater than \$10,000 requires a written request for proposal (RFP) and written/fax/email quotes from 3 vendors.
- Less than \$10,000 but greater than \$6,000 requires an oral request for goods and written/fax/email quotes from 3 vendors.
- Less than \$6,000 but greater than \$3,000 requires an oral request for goods and oral quotes from 2 vendors in addition to approval of the Town Board.
- Less than \$3,000 is left to the discretion of the authorized purchaser.

All Estimated Public Works Contracts of:

- Less than \$35,000 but greater than \$15,000 requires a written RFP and written/fax/email quotes from 3 contractors.
- Less than \$15,000 but greater than \$3,000 requires a written RFP and written/fax/email quotes from 2 contractors.
- Less than \$6,000 is left to the discretion of the purchaser.

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Any written RFP shall describe the desired goods, quantity, and particulars of delivery. The purchaser shall compile a list of all vendors/contractors from whom written/fax/email/oral quotes have been requested and the quotes offered. All information gathered in complying with the procedure of this guideline shall be filed with the documentation supporting the subsequent purchase or public works contract. All public works contract must be in the manner approved by the Town Attorney.

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 adequate reasons why it is in the best interest of the town and its taxpayers to make an award to other than the lowest bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement or public works contract.

Pursuant to GML, § 103 and State Finance Law §163, the Town of Newfield may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of best value to a responsive and responsible bidder or offerer. Factors that may be used to enact the "best value" option, where cost efficiency over time to award the good(s) or service(s) to other than the lowest bidder, are:

- (a) lowest cost of maintenance for good(s) or service(s);
- (b) durability of good(s) or service(s);
- (c) higher quality of good(s) or service(s); or
- (d) longer product life of good(s) or service(s)

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 proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals or quotations. In no event shall the inability to obtain the proposals or quotations be a bar to the procurement. The unintentional failure to fully comply with the provisions of this procurement policy or General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Town of Newfield or any officer or employee thereof

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 or services requiring special or technical skill, training, or expertise
- b.Emergencies purchases pursuant to GML S103, where goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten public buildings, public property, or the life, health, safety, or welfare of the residents.

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- c.Purchases of surplus and secondhand goods from any source.
- d.Sole source situations
- e.Goods purchased from agencies for the blind or severely handicapped.
- f.Goods purchased from other governmental agencies including correctional facilities.
- g.Goods purchased at auction.

GUIDELINE #7

Pursuant to §103 (16) of the New York State General Municipal Law, the Town Board authorizes the purchase of apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein. The contract must be made available for use by other governmental entities.

GUIDELINE #8

The Town Board shall review this policy annually and appoint authorized purchasers at its organizational meeting or as soon thereafter as is reasonably practicable.

Motion was made by Councilperson James to approve the amended Procurement Policy for the Town of Newfield seconded by Councilperson Allinger.

Vote	AYE	3	Hart, Allinger and James
	NAY	0	
	ABSENT	2	Powers and Laughlin

Carried

Old Business

Update on Bus Shelter

Supervisor Hart reported that the last conversation with the Tioga State Bank was that the Bank would like the Town to give/sell its property in question in front of the bank to the bank. Supervisor Hart felt that the shelter could be put on the town property.

Park Policy

Supervisor Hart asked what type of use policy the Town should have for the Mill Street Park and Athletic Fields on Van Kirk Road. The Town Clerk will keep a calendar for the Mill Street Park events and post on the Town Website. In the future there will be a calendar for the Athletic fields on the Town Website. Councilperson James suggested Park Policies be discussed at the July work meeting. Councilperson Allinger asked if there could be a possibility of a bike path from the school to the Athletic Field.

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Mill Street Park

Councilperson James reported she had met with the committee and it was agreed to recommend to the Town Board a permanent light should be installed with a switch. Councilperson James asked that Highway Superintendent Berggren coordinate with the electrician to have vandal proof lights installed in the pavilion. Councilperson James is still looking for ambient lighting installed as phase II. Supervisor Hart asked that Superintendent Berggren will get an estimate for the installation of vandal proof lighting with a motion sensor/switch from the electrician.

Recreation Partnership

Motion was made by Councilperson Allinger to approve the Supervisor to sign Recreation Partnership agreement by Councilperson James.

Vote	AYE	3	Hart, Allinger and James
	NAY	0	
	ABSENT	2	Powers and Laughlin

Carried

Community Solar Agreement with Nexamp

Motion was made by Councilperson James to approve moving certain electric accounts to Nexamp Community Solar by Councilperson Allinger.

Vote	AYE	3	Hart, Allinger and James
	NAY	0	
	ABSENT	2	Powers and Laughlin

Carried

Review of Financial Statements

Councilperson James focused on the Mill Park Music Series. Supervisor Hart will speak to the Bookkeeper. Draft Audit from INSERO: the Board members have not seen the draft audit; this will be emailed to them and reviewed in the future.

Solar Law

Councilperson Allinger asked if the building permits were transferable. Councilperson Allinger asked if there were a way to strengthen the current solar law regarding if there were a transfer of property during the construction that the new owner would need to adhere to site plan review. Attorney Smith will be consulted.

Greater Tompkins County Municipal Health Insurance Consortium

Motion was made by Councilperson Laughlin to approve Supervisor Hart sign the agreement for GTCMHIC to make all enrollment changes online on behalf of the Town seconded by Councilperson James.

Vote	AYE	4	Hart, Allinger, James and Laughlin
	NAY	0	

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ABSENT 1 Powers

Carried

Hamlet Beautification Committee

Supervisor Hart reported he had met with Randy Brown regarding the summer help. Mr. Brown could not find an agency to handle the payroll. The Board requested there be a Memorandum of Understanding agreement with Mr. Brown and the Town.

Motion was made by Councilperson Allinger approving the Town of Newfield to provided payroll services for the Hamlet Beautification Summer Youth Workers, to include payroll taxes and worker's compensation insurance with funds not to exceed donations provided by Mr. Randy Brown Town seconded by Councilperson James.

Vote	AYE	4	Hart, Allinger, James and Laughlin
	NAY	0	
	ABSENT	1	Powers

At 8:55 PM a motion was made by Councilperson Allinger to adjourn, seconded by Councilperson James

Respectfully Submitted,

July 12, 2018

Karen Miller Kenerson
Newfield Town Clerk