

REGULAR MEETING -BOARD OF TRUSTEES- APRIL 15, 2014-7:00 P.M.

**PRESENT: ERNEST MARTIN, MAYOR, , TRUSTEE JUDY WOOD-SHAW, TRUSTEE ELLEN VOMACKA, TRUSTEE TIMOTHY CAMPBELL
TRUSTEES - JOHN BASILE - ABSENT
CLERK/TREASURER: SHERISTIN TEDESCO
SUPT. OF PUBLIC WORKS: PAUL O'KOSKY
ATTORNEY, JAMES PELUSO
FIRE CHIEF – TONY CONTI
BUILDING CODE OFFICER – LAWRENCE ALLEN**

MOTION to open the floor for the Public Hearing on the 2014-2015 Budget made by Trustee Wood-Shaw, seconded by Trustee Vomacka
Motion carried 3-0

MOTION to close the floor for the Public Hearing on the 2014-2015 Budget made by Trustee Campbell, seconded by Trustee Wood Shaw
Motion carried 3-0

MOTION to open the floor for the Public Hearing on Local Law # 2 of 2014, Best Value Procurement Law, made by Trustee Wood-Shaw, seconded by Trustee Campbell
Motion carried 3-0

Local law summarized by Attorney James Peluso

**VILLAGE OF STILLWATER
LOCAL LAW NO. 2 OF 2014
BEST VALUE PROCUREMENT LAW**

BE IT ENACTED by the Board of Trustees of the Village of Stillwater, County of Saratoga, State of New York as follows:

Section 1. Purpose and Intent

New York General Municipal Law § 103 requires competitive bidding for purchase contracts and contracts for services and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project. This section was amended to provide that, through enactment of a local law so providing, the Village may award purchase contracts and contracts for services on the basis of best value, as defined in New York State Finance Law § 163, to a responsive and responsible bidder or offerer. The Village Board hereby determines that it is in the best interest of the Village and its residents for the Village Board to have the authority to award purchase contracts and contracts for services on the basis of best value. 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 2. Definitions

"Best value" means the basis for awarding purchase contracts and services to the offerer that optimizes quality, cost and efficiency, among responsive and responsible offerers.

Section 3. Standards for Best Value

Goods and services procured and awarded on the basis of the best value are those that the Village Board determines optimize quality, cost and efficiency, among responsive and responsible bidders or offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. The criteria 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, longer product life, product performance criteria, and quality of craftsmanship.

Section 4. Documentation

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

Section 5. Authority.

This local law is adopted pursuant to the authority of the Municipal Home Rule Law and General Municipal Law § 103(1).

Section 6. Severability

The invalidity of any section, clause, sentence or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part or parts.

Section 7. Effective Date

This local law shall take effect immediately upon filing with the New York Secretary of State.

MOTION to close the floor the Public Hearing on Local Law # 2 of 2014, Best Value Procurement Law, made by Trustee Campbell, seconded by Trustee Wood Shaw Motion carried 3-0

MOTION to accept Local Law # 2 of 2014, Best Value Procurement Law, made by Trustee Campbell, seconded by Trustee Wood Shaw Motion carried 3-0

2014-2015 Reorganizational Resolutions as listed below were presented by Mayor Martin.

REORGANIZATIONAL RESOLUTIONS 2014-2015

BE IT RESOLVED that Sheristin Tedesco be reappointed as Village Clerk/Treasurer and Village Registrar and Anne Marie Dame Hallum as Deputy Clerk/Registrar for the fiscal year 2014/2015.

BE IT RESOLVED that Mr. Lawrence Allen be reappointed as Code Enforcement Officer for the Village of Stillwater for the 2014/2015 year.

BE IT RESOLVED that Linda Sanders be reappointed as Village Historian and Linda Palmieri Deputy Historian for the fiscal year 2014/2015.

BE IT RESOLVED that Dreyer Boyajian LLP, represented by Mr. James R. Peluso, be appointed the Village of Stillwater's Law Firm.

BE IT RESOLVED that the Ballston Spa National Bank be designated as the official depository for all village funds for the 2014/2015 year.

BE IT RESOLVED that The Express and The Daily Gazette shall be the official newspapers for the Village of Stillwater for 2014/2015.

BE IT RESOLVED that Mayor Ernest W. Martin and Clerk/Treasurer Sheristin Tedesco shall be authorized at the bank for signatures for all Village checks and withdrawals and in the absence of the Mayor or Clerk/Treasurer, Trustee John Basile be authorized to sign.

BE IT RESOLVED that Clerk/Treasurer Sheristin Tedesco shall be the authorized official with regard to online banking for the Village of Stillwater for 2014/2015.

BE IT RESOLVED that Clerk/Treasurer Sheristin Tedesco be appointed as records management officer for the fiscal year 2014/2015.

BE IT RESOLVED that Paul O'Kosky be appointed as Superintendent of Public Works and NYS Certified Operator of the Village of Stillwater's water system for the fiscal year 2014/2015.

BE IT RESOLVED that regular Village of Stillwater Board of Trustees meetings will be held the third Tuesday of each month, as per attached schedule, beginning at 7:00 P.M. in the Village Board Room. If changes are needed, the press will be notified.

BE IT RESOLVED that the Board of Trustees authorizes the Clerk-Treasurer to make payments in advance for utility services, postage, Federal Express & United Parcel fees, health insurance reimbursements with all bills presented at the next regularly scheduled board meeting for audit.

BE IT RESOLVED that the Board of Trustees does authorize reimbursement to employees and officers of the Village who use their own personal vehicle while performing their official duties on behalf of the Village of Stillwater at a rate of \$.56 per mile.

BE IT RESOLVED that the Board of Trustees authorizes the Mayor payment in advance for the use of his contractual fund for fiscal year 2014/2015 as occasions come up.

BE IT RESOLVED that the Mayor will have the sole authority for calling special meetings and will notify the public and press at least 72 hours in advance of the meeting if possible, further each Trustee shall be notified via the telephone by the Mayor or the Clerk and a notice of such meeting shall be displayed in the Office of the Village Clerk.

BE IT RESOLVED that the Board has reviewed and approved the Village Procurement and Investment Policies.

MOTION to accept the 2014-2015 Reorganizational Resolutions made by Trustee Vomacka, seconded by Trustee Campbell Motion carried 3-0

Committee Appointments presented by Mayor Martin (Copy on file)

CORRESPONDENCE – None

FIRE DEPARTMENT REPRESENTATIVE: Tony Conti

Report for February 2014 – There were 2 alarms and 3 drills (Report on file)

Report for March 2014 – There were 5 alarms, 3 drills and 2 events (Report on file)
Chief Conti requested the Village Board accept the slate of officers for The Stillwater Fire Dept. for 2014-2015 year.

Administrative Officers

President – Tracey Pommer, Vice President – Tom Caivana, Treasurer – Bill Mehan, Trustee – Joe Fitzpatrick, Secretary – Amanda Thrane, Steward – Tracey Pommer

Firematic Officers

Chief – Jeff Mahar, 1st Asst. Chief – Anthony Conti, 2nd Asst. Chief – Jeri Mehan, Captains – Ted Thrane and Matt Mehan, Lieutenant – TJ Fitzpatrick

MOTION to accept the elections, as presented by Chief Conti, for Administrative Officers and Firematic Officers for the Stillwater Fire Dept. for the 2014-2015 year made by Trustee Vomacka, seconded by Trustee Campbell
Motion carried 3-0

The new bylaws for the Stillwater Fire Dept. were presented and Attorney Peluso suggested some minor changes to be completed before the Board accepts the bylaws.

April 26th, 2014 will be an open house and recruitment day for the Newland Wood Fire Dept.

There will be an inspection of the Stillwater Fire Dept. on May 17th, 2014 by the Village Board.

Chief Conti presented information on two new members requesting board approval.

MOTION to accept Brittany Cancilla as a social member to the Stillwater Fire Dept. made by Trustee Vomacka, seconded by Trustee Campbell.
Motion carried 3-0

MOTION to accept Heather Conti as a junior member to the Stillwater Fire Dept. made by Trustee Vomacka, seconded by Trustee Campbell.
Motion carried 3-0

SUPERINTENDENT OF DPW: Paul O’Kosky

Monthly report provided to all Board members. Supt. O’Kosky reported the new truck is at Arrowhead Eq. getting the utility body. The catch basin by the power plant needs attention. (Report on file)

BUILDING CODE OFFICER: Lawrence Allen – There was one permit issued to 6 Ten Broeck for an above ground swimming pool. The tanks at Stewart’s have been set and approved. (Report on file)

COMMITTEE REPORTS:

Trustee Campbell – No report at this time

Trustee Vomacka reported the SFD bylaws have been approved and they have had their election of officers. She reported she is still working on the water and sewer hookups for the Blockhouse.

Trustee Wood-Shaw reported she missed the April Emergency Mgmt. Mtg. due to a Village Board meeting. The Village wide garage sale will be May 10th from 9 am to 4 pm. The community center will also be having a sale on that day. There were roughly 30 people at the Senior Time Program in March. She reported they will be celebrating Tom Messor’s retirement at the next Senior Time Program on April 25, 2014 at around 12:00 pm.

ATTORNEY – James Peluso stated he would like to compare the SFD new bylaws to the older version to determine the nature of the changes before advising for their approval.

TREASURER REPORT – Sheristin Tedesco

Voucher totals by account for month.

“A” General Fund	\$ 21,989.31
“F” Water Fund	\$ 75,848.07
“G” Sewer Fund	\$ 16,350.62
TOTAL	\$ 114,188.00

Treasurer Report for March 2014 – copies provided to all board members listing all bank accounts with all receipts and expenditures.

Updated revenue/expense control report – copies provided to all board members.

Budget Adjustments April 2014

\$3000.00 from A.5142.100 Snow Removal Personal Service to
A.1620.409 Buildings Gas & Oil Due to the increased costs of heating oil this season.
\$3000.00 from A.1910.400 Unallocated Insurance to A.5132.409 Garage Gasoline to cover the increased costs of gas for multiple trucks.

\$3000.00 Increase to A.1620.403 Buildings Electricity to cover increased electricity costs.

MOTION to approve the budget adjustments as presented made by Trustee Vomacka, seconded by Trustee Campbell.
Motion carried 3-0

NEW BUSINESS

MOTION to accept the 2014-2015 Budget for the Village of Stillwater made by Trustee Vomacka, seconded by Trustee Campbell

Trustee Basile	<u>Voting Absent</u>
Trustee Campbell	<u>Voting Aye</u>
Trustee Vomacka	<u>Voting Aye</u>
Trustee Wood-Shaw	<u>Voting Aye</u>
Mayor Martin	<u>Voting Aye</u>

Motion carried 4-0

OLD BUSINESS

MOTION to approve the audit claims for the month made by Trustee Vomacka, seconded by Trustee Campbell
Motion carried 3-0

MOTION to approve the Treasurer's report made by Trustee Campbell, seconded by Trustee Wood-Shaw
Motion carried 3-0

MOTION to approve the minutes from Regular Meeting dated 3/18/14 and Budget Workshop dated 4/1/14 made by Trustee Campbell, seconded by Trustee Wood-Shaw
Motion carried 3-0

MOTION to enter into Executive Session for litigation issues made by Trustee Campbell, seconded by Trustee Vomacka
Motion carried 3-0

MOTION to exit Executive Session for litigation issues made by Trustee Wood-Shaw, seconded by Trustee Campbell
Motion carried 3-0

Clerk/Treasurer Tedesco stated, before voting for the purchase of any new equipment, that she wanted to remind the Village Board that beginning in next year's budget we will have to start paying on the Sidewalk project of roughly thirty thousand dollars plus interest per year for ten years from the general fund.

Resolution presented by Trustee Campbell as follows

VILLAGE OF STILLWATER

RESOLUTION

Resolution Authorizing Cooperative Purchase Agreement

WHEREAS, subdivision 16 of the New York General Municipal Law 103 ("Piggybacking Law") permits political subdivisions to make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation thereof, through the use of a contract let by the United States of America or any agency thereof, any state or any county or political subdivision or district therein provided that the contract has been let in a manner that constitutes competitive bidding consistent with New York State law, and is made available for use by other governmental entities; and

WHEREAS, the Village has previously adopted a local law authorizing purchase contracts based on lowest responsible bidder or best value contract award; and

WHEREAS, the Village Board of Trustees are desirous of purchasing certain heavy equipment; specifically an excavator and related accessories, supplies and service; and

WHEREAS, the City of Tuscon, Arizona has awarded a cooperative purchasing agreement to Caterpillar for heavy equipment, parts, accessories, supplies and related services (Contract #120377 effective May 2, 2012 to May 1, 2017) that is available to other public agencies, including state and local governmental entities nationwide, through the National IPA's cooperative purchasing program. A copy of National IPA's executive summary is attached as "Exhibit A" and a copy of the contract is attached as "Exhibit B"; and

WHEREAS, the City of Tuscon awarded the cooperative purchasing agreement after issuance of a Request for Proposal (Exhibit C) that was published and advertised (Exhibit D), receipt of competitive sealed bid proposals, and award after evaluation by the city's department of procurement evaluation committee(Exhibit E); and

WHEREAS, the Village Board has reviewed the cooperative purchasing contract and related documents attached hereto and has spoken to representatives of National IPA;

WHEREAS, after due review and consideration, the Village Board finds that that the contract was let by a political subdivision of the United States; that the contract was made available for use by other governmental units, and that the contract was let in a manner that constitutes competitive bidding consistent with New York law, including public solicitation of the request for bid proposal, preparation of bid specifications; submission of sealed bids; and evaluation and contract award based on best value and/or lowest responsible bidder requirements; and

WHEREAS, the Village further finds that Caterpillar is a reputable vendor; that the pricing offered is reasonable; that the cooperative purchasing contract provides a cost-savings that includes minimum price discounting off the manufacturer's published list prices; and that piggybacking will provide further cost savings by reducing administrative expenses that would otherwise be incurred if the Village initiated its own competitive bidding process.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board authorizes the Village Clerk to register with the National Intergovernmental Purchasing Alliance Company and to piggyback on the City of Tuscon, AZ Contract #120377 for the purchase of heavy equipment parts, accessories, supplies and related services.

Trustee Basile	Voting	Absent
Trustee Campbell	Voting	Aye
Trustee Vomacka	Voting	Aye
Trustee Wood-Shaw	Voting	Aye
Mayor Martin	Voting	_____

MOTION to accept the quoted price for a new 2014 Caterpillar 308E2 CRSB Excavator, as submitted by Milton CAT, of \$107,391.00 and authorize a cooperative purchase agreement as set forth in the above resolution with Tuscon, AZ contract #120377 made by Trustee Campbell, seconded by Trustee Vomacka

Trustee Basile	Voting	Absent
Trustee Campbell	Voting	Aye
Trustee Vomacka	Voting	Aye
Trustee Wood-Shaw	Voting	Aye
Mayor Martin	Voting	----

Motion carried 3-0

MOTION to authorize the Village Clerk to open a BAN or loan for the purchase of the CAT equipment, not to exceed \$110,000, for five years made by Trustee Vomacka, seconded by Trustee Campbell

Motion carried 3-0

MOTION to authorize Dreyer-Boyajian to draw expenses and attorney fees from settlement monies from GE made by Mayor Martin, seconded by Trustee Vomacka.

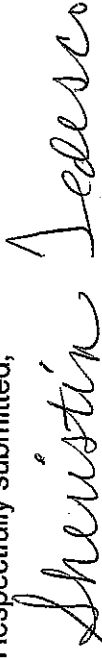
Motion carried 3-0

MOTION to authorize Mayor Martin to enter into an agreement with the Town of Stillwater for the distribution of settlement funds and authority to pay the USDA for the pipeline debt and EFC for the old water loan made by Mayor Martin, seconded by Trustee Wood-Shaw
Motion carried 3-0

MOTION to adjourn made by Trustee Campbell, seconded by Trustee Wood-Shaw
Motion carried 3-0

Meeting adjourned 9:45 pm

Respectfully submitted,



Sheristin Tedesco
Clerk/Treasurer