

Present: Supervisor Gary Ross, Councilors Kelley Davis, Debra Macdougall, Michael Hickey and Tim McCarthy  
Christine Shaw, Town Clerk; Louise Herbert, Deputy Town Clerk  
Code Enforcement Officer Gail Swistak  
Randall Shaw, Superintendent of Highways  
Patrick Duffy, Assessor, Mary Lesnau Assessor's Clerk  
Paul Baxter, Tug Hill Commission  
Oswego County Legislator Art Gearsbeck  
19 people in audience

The meeting was opened by Supervisor Ross at 8:00 PM and the pledge to the flag was recited by those present. Ms. Davis moved to approve the minutes of the March Public Hearing and Regular Meeting, a second was made by Mr. Hickey with unanimous board approval.

Ms. Davis then moved to approve the minutes of the Special Meeting held April 7, 2006 with a second made by Mr. Hickey. The vote of the board was: Ms. Macdougall-yes, Ms. Davis-yes, Mr. Hickey-yes, Mr. McCarthy-abstained and Mr. Ross-yes.

Mr. McCarthy moved to pay the bills as audited by the town board, Mr. Hickey seconded the motion.

GENERAL FUND, abstract #4, vouchers #38 to 48, in the amount of \$9,624.55

HIGHWAY FUND, abstract #4, vouchers #99 to #131 in the amount of \$14,101.17

BIG BAY SEWER FUND, abstract #4, vouchers #38 to #48 in the amount of \$9,624.55

The board was unanimous in the approval of the vouchers.

Carl Hoyt, 39 Kellar Rd., addressed the board regarding the possibility of public water into the hamlet of West Monroe. Mr. Hoyt asked the board to co-operate with the Town of Constantia for the betterment of the Town of West Monroe.

Stanley Hodge, Rogers Rd., requested of the town board to look into zoning for West Monroe. He explained that residents who move into subdivisions do not expect to have a business go in next door. Mr. Ross explained that the town board is looking into developing some type of zoning; the first step is to appoint a board to work on what type of zoning is desired/needed for our town.

Code Enforcement Officer Swistak informed the board of a grant for storm water enforcement which can be applied for in regards to the storm water program. Kathleen Bertuch, Program Manager, Central NY Regional Planning & Development Board needs a written commitment from the Town of West Monroe stating the town would be interested in this grant which would require matching funds. Ms. Swistak said that the classes needed are \$350. each and that she would need to attend about 10. After some discussion Mr. McCarthy recommended, and the board agreed, that until they were sure of what they would be committing to they could not commit. The board instructed Ms. Swistak to contact the agency to invite them to the next board meeting to explain what this grant would require.

Norma Howard, Pinnacle Rd., asked what is Storm Water program? Mr. Hickey and Mr. Ross explained that it is the run off which is caused by rain onto disturbed land.

Mr. Hodge presented a formal complaint to the board concerning the Code Enforcement Officer. Mr. Hodge alleges that proper enforcement of an approved commercial site plan was not done for a business next to his home. He stated that after he read the Town's Commercial Site Plan Law, he identified 7 or 8 requirements that were not adhered to, including the installation of a required septic system (per the approved commercial plans). Mr. Hodge also questioned if these requirements were not enforced by the CEO in this instance, what other items have not been enforced throughout the town. The board accepted the complaint, (which is on file in the town clerk's office) and would look into the situation.

Mr. Ross then moved to adopt the Procurement Policy for the Town of West Monroe.

**PROCUREMENT POLICY FOR THE TOWN OF WEST MONROE  
FOR PURCHASES AND CONTRACTS FOR SERVICES  
NOT SUBJECT TO COMPETITIVE BIDDING**

1. Whereas, Section 104-b of the General Municipal Law (GML) requires every government to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML Section 103 or any other law; and

Whereas, comments have been solicited from those offices of the Town of West Monroe involved with procurement; no, therefore, be it

Resolved, that the Town of West Monroe does hereby adopt the following procurement policies and procedures:

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103. Every municipal officer, board, department head, or other personnel with the requisite purchasing authority shall estimate the cumulative amount of the items of supply and equipment needed in a given fiscal year. That estimate shall include the canvass of other Town of West Monroe 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.

All purchases of (a) supplies or equipment which will exceed \$10,000 in the fiscal year or (b) public works contracts more than \$20,000 shall be formally bid pursuant to GML 102.

2. All goods and services will be secured by use of written requests for proposals (RFP), written quotations, verbal 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 more than \$10,000 and public works contracts more than \$20,000; goods purchased from agencies for the blind or severely disabled pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State Contracts pursuant to Section 104 of the General Municipal Law, purchases under county contracts pursuant to Section 103(3) of the General Municipal law; or purchases pursuant to subdivision 6 of this policy

The following method of purchase will be used when required by this policy in order achieve the highest savings:

Procurements	Verbal Quotes		Written Quotes			RFP
	0	2	3	2	3	
Purchase Contracts Below \$10,000:						
Under \$100	X					
\$100-\$499		X				
\$500-\$999			X			
\$1,000-\$4,999				X		
\$5,000-\$9,999					X	
Contracts for Public Work Below \$20,000:						
Under \$1000	X					
\$1,000-\$4,999		X				
\$5,000-\$9,999				X		
\$10,000-\$19,999					X	
Emergencies						
Insurance						X
Professional Services						X

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. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

3. Documentation is required of each action taken in connection with each procurement.
4. Documentations and an explanation are required whenever a contract is awarded to other than the lowest responsible offeror. 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.
5. Pursuant to GML 104-b (2)(f), the procurement policy may contain circumstances when, or types of procurement 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 interest of the municipality to solicit quotations or documents the basis for not accepting the lowest bid:
  - a. **Professional services or 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 governing board shall take into consideration the following guidelines: (1) whether the services are subject to State licensing or testing requirements; (2) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (3) whether the services require a personal relationship between the individual and the 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 engaged to prepare plans, maps, and estimates; securing insurance coverage and 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 prepackaged 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 secondhand goods from an source.** If alternate proposals are required, the municipality 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 less than \$250.** 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 interest of

the taxpayer. In addition, it is not likely that such contracts would be awarded based on favoritism.

- e. **Purchases which are only available for a single service;** or where standardization is desired; or where the only local service provider services only one brand.

7. This policy shall go into effect immediately, and will be reviewed annually.

The motion was seconded by Tim McCarthy. The vote of the all board members was in favor of accepting the Procurement Policy.

Mr. Ross then moved that the Town Board audited and accept the 2005 financial records of the Town Clerk, Supervisor and Justices. Ms. Davis seconded the motion with the vote of the board as follows: Ms. Macdougall-yes, Ms. Davis-yes, Mr. Hickey-yes, Mr. McCarthy-abstained, and Mr. Ross-yes. Motion carried.

Debra Macdougall then moved to appoint Judy Graham as director of the Recreation Program. Tim McCarthy seconded the motion with unanimous approval of the board.

Representatives from SOVAC ambulance service addressed the board and audience explaining the new program they are offering to residents of the communities they service. Med-guard has been offered in Onondaga County towns and has been beneficial to both the ambulance corps and residents therefore SOVAC has joined with other ambulance corps to offer this emergency service program.

Tim Bensen distributed to the town board members the revisions to the land development law that the committee has developed. The comments received from the public and other board members during the land development law development process and public hearing. After the board reviews this revisions, a meeting will be set up with the planning board to discuss the law changes.

Superintendent of Highways Shaw along with other board members and town employees attended the informational meeting with the NYSDOT regarding the closing of County Route 37 under the Route 81 bridge in the spring 2007. This road will need to be shut down to during the much needed repairs to this bridge. Supervisor Ross will send a letter to the West Monroe Fire Department President David Hanson requesting that the Department work closely with the Brewerton Fire Department to insure the safety of the residents of that area.

Mr. Ross then presented a contract and moved to have town board approval to this the Inter Municipal Shared Services Agreement with the Town of Hastings. Mr. McCarthy seconded the motion. Ms. Macdougall questioned what would be shared, equipment, personnel? Mr. Ross responded that in order to save tax dollars the municipalities are finding that sharing services/equipment works. It would be the responsibility of the Superintendent of Highways to do the record keeping. After some discussion the town board voted unanimously to enter into the agreement of the Town of Hastings for Highway Services. A copy of this agreement is on file in the office of the West Monroe Town Clerk.

In Pursuant to Section 1402 of the Not-For-Profit Corporation Law of the State of New York the West Monroe Vol. Fire Dept. submitted 30 names for approval as members of the department. The town board was in agreement to accept all those listed as members of the West Monroe Vol. Fire Dept. A copy of the lists (dated 2/21/06 & 3-14-06) are on file in the office of the West Monroe Town Clerk.

#### COMMUNICATION:

Notification that Hidden Acres Restaurant applied to renew their liquor license.

David Townsend notification of State Aid for the town of West Monroe

Invitation to the Family Fun Night to be held at the AA Code Elementary School on May 18<sup>th</sup>

NYS Real Property Service notification of Residential Assessment Ratio of 3.93

NYS Canal Corporation notification that the tolls for recreational boating on NYS Canal System for 2006 Navigational season have been eliminated.

Check from Time Warner in the amount of \$6,596.73. The town clerk reminded the board that this payment amount is deducted from Time Warners tax bill.

Notification from the town clerk that payment was received from James Murphy which is to cover his portion of the cost to repair the town park building door.

Quarterly Statement of the Justice Dept.

Historical Society requested labels for the property within the Town of West Monroe and the town has a policy regarding this type of service. After some discussion the board asked Paul Baxter to check into this situation.

Paul Baxter then reported on the OLVAC meeting and then notified the board that the 2007 Local Government Conference will be held on March 29, 2007. Mr. Baxter also mentioned that the Town of Constantia will hold a meeting on April 13<sup>th</sup> regarding water to Constantia and that the NORCOG meeting will be April 27 at 7:00 PM in the Central Square Village offices.

Councilman Hickey questioned Code Enforcement Officer Swistak regarding property that is in violation and sending those who will not comply with the law to court. Mr. Hickey stressed that all the people must be treated equally. He feels that it is not fair to those residents who abide by the laws for the violators, especially the repeat offenders to continue to be in violation.

The meeting was adjourned at 9:35 PM