

An Organizational meeting of the Town of Avon was held on Thursday, January 2, 2019 at 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, with the following members present:

PRESENT: Supervisor David LeFeber, Councilman Thomas Mairs, Councilmen Malachy Coyne, Paul Drozdziel and James Harrington

OTHERS: Town Clerk Sharon M. Knight, MMC/RMC

VISITORS: None

Supervisor LeFeber called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance.

Supervisor LeFeber asked for any public comments and there were none.

RESOLUTION #1 POSITION APPOINTMENTS FOR 2019

On motion of Councilman Harrington, seconded by Supervisor LeFeber, the following resolution was

ADOPTED AYES 5 NAYS 0

WHEREAS, Section 27 of New York State Town Law provides that the town board shall hire employees and make such position appointments as needed to conduct the business of the town, now therefore, be it

RESOLVE to make the following position appointments:

Clerk to the Board of Assessment Review– Ellen Zapf – 1 year, expiring 12/31/2019
Planning Board/ZBA/Water Clerk – Kim McDowell – 1 year, expiring 12/31/2019
Clerk to the Town Justice – Jeanette Cullinan – 1 year, expiring 12/31/2019
Deputy Clerk to the Town Justice – Holly Swafford – 1 year, expiring 12/31/2019
Financial Advisor to the Town – Bernard P. Donegan Inc. – 1 year, expiring 12/31/2019
Code Enforcement Officer – Brian Glise – 1 year, expiring 12/31/2019
Deputy Code Enforcement Officer – Open 12/31/2019
Assessor Clerk – Robert Schwartz – 1 year, expiring 12/31/2019
Historian – Maureen Kingston – 1 year, expiring 12/31/2019
Deputy Historian – Holly Mulligan Watson – 1 year, expiring 12/31/2019
Dog Control Officer – Livingston County Department of Dog Control
Deputy Town Clerk – Ellen Zapf – 1 year, expiring 12/31/2019
Deputy Superintendent of Highways – Richard Rumfola – 1 year, expiring 12/31/2019
Confidential Secretary to the Supervisor – Kim McDowell – 1 year, expiring 12/31/2019
Attorney for the Town – James Campbell – 1 year, expiring 12/31/2019

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #2 ADOPTING EMPLOYEE COMPENSATION SCHEDULE FOR THE YEAR 2019

On motion of Councilman Mairs, seconded by Supervisor LeFeber, the following resolution was
 ADOPTED WITH A ROLL CALL AYES 5 NAYS 0

WHEREAS, Section 27 of New York State Town Law provides that the town board shall fix, from time to time, the compensation of all officers and employees of the town and determine when the same shall be payable, and

WHEREAS, the Avon Town Board has determined that it is appropriate and timely to set such compensations at the yearly organization meeting, now, therefore, be it

RESOLVED, that the Avon Town Board does hereby adopt the following compensation schedule for the year 2019 and that such compensation be paid on a biweekly or monthly basis or as a claim when presented to the Town Clerk and approved by the Town Board within the structure of the Town’s voucher system; and

2019 Town of Avon Employee Compensation Schedule

Name	Position/Duties	Status	2018Rate	2019 Rate
Open	Youth Recreation Board Member	Part Time*	\$40/month	\$50.00/month
Cook, Thomas	Motor Equipment Operator	Full Time	\$25.35/hr	\$25.90/hr.
Cosimano, Emily	Youth Recreation Board Chair	Part Time*	\$50.00/month	\$60.00/month
Coyne, Malachy	Councilman	Elected*	\$6,000.00/yr.	\$6,250.00/yr.
Crye, Thomas W.	Highway Superintendent Cemetery Caretaker Water	Elected	\$66,620.00/yr. \$1,914.00/yr. \$8,000.00/yr.	\$67,952.00/yr. \$1,960.00/yr. \$8,160.00/yr.
Cullinan, Jeanette	Clerk to the Town Justice	Part Time*	\$15.80/hr.	\$16.15/hr.
Drozdzziel, Paul	Councilman	Elected*	\$6,000.00/yr.	\$6,250.00/yr.
Glise, Brian	Code Enforcement Officer	Part Time*	\$17,889/yr.	\$21,000.00/yr.
Harrington, James	Town Councilman	Elected*	\$6,000.00/yr.	\$6,250.00/yr.
Hayes, Allison	Youth Recreation Board Member	Part Time*	\$40.00/month	\$50.00/month
Kime, James	Motor Equipment Operator	Full Time	\$25.35/hr.	\$25.90/hr.
Kingston, Maureen	Historian	Part Time*	\$2, 180/yr.	\$2,225/yr.
Knight, Sharon	Town Clerk & Receiver of Taxes Vital Registrar Records Management Officer	Elected	\$40,356.00/yr. \$806.35/yr. \$0.00/yr.	\$41,163.00/yr. \$822.50/yr. \$0.00/yr.
LeFeber, David	Town Supervisor	Elected*	\$17,000/yr.	\$22,000.00/yr.

Mairs, Thomas	Town Councilman	Elected*	\$6,000/yr.	\$6,250.00/yr.
McDowell, Kim	Supervisor's Sect. Water Clerk Personnel Clerk Typist Planning Board Clerk Code Enforcement Clerk ZBA Clerk Youth Board Member	Part Time*	\$17.00/hr. \$17.00/hr. \$17.00/hr. \$17.00/hr. \$17.00/hr. \$40.00/month	\$17.35/hr. \$17.35/hr. \$17.35/hr. \$17.35/hr. \$17.35/hr. \$50.00/month
Michalski, Jeannie	Town Justice	Elected*	\$13,400.00/yr.	\$13,668.00/yr.
Montague, Kelly	Youth Board Member	Part Time *	\$40.00/month	\$50.00/month
Open	Code Enforcement Officer	Per Diem*	\$18.40/hr.	to be determined
Pierce, Andy	Motor Equipment Operator/ Water Laborer	Full Time	\$18.40/hr.	\$20.00/hr.
Rumfola, Richard	Motor Equipment Operator Deputy Highway Superintendent	Full Time	\$27.90/hr.	\$28.50/hr.
Sloan, Kelly	Motor Equipment Operator/ Water Laborer	Full Time	\$18.40/hr.	\$20.00/hr.
Snyder, Tami	Assessor	Part Time*	\$35,839.00/yr.	\$36,555.00/yr.
Schwartz, Robert	Assessor Clerk	Part Time *	\$21.90/hr.	\$21.90/hr.
Swafford, Holly	Clerk to the Town Justice	Part Time*	\$13.25/hr.	\$14.00/hr.
Torregiano, Michael	Town Justice	Elected*	\$13,400.00/yr.	\$13,668.00/yr.
Watson, Holly	Deputy Town Historian	Part Time*	\$15.00/hr.	\$15.30/hr.
Zapf, Ellen	Deputy Town Clerk	Part Time*	\$15.80/hr.	\$16.15/hr.

*No benefits included in compensation

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #3 APPOINTMENT OF ROBERT WESTFALL TO THE POSITION OF ZONING BOARD OF APPEALS

On motion of Councilman Mairs, seconded by Councilman Coyne, the following resolution was
ADOPTED AYES 5 NAYS 0

RESOLVE to re-appoint Robert Westfall to the position of Zoning Board of Appeals, term to expire December 31, 2023.

RESOLUTION #3 APPOINTMENT OF ROBERT WESTFALL TO THE POSITION OF ZONING BOARD OF APPEALS-continued

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #4 APPOINTMENT OF CLARA ONDERDONK TO THE POSITION OF BOARD OF ASSESSMENT REVIEW

On motion of Councilman Coyne, seconded by Councilman Harrington, the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to appoint Clara Onderdonk to the position of Board of Assessment Review, term to expire September 30, 2023.

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #5 RECOMMENDATION OF APPOINTMENT OF CLARA MULLIGAN TO THE POSITION OF TOWN OF AVON REPRESENTATIVE ON THE LIVINGSTON COUNTY PLANNING BOARD

On motion of Councilman Coyne, seconded by Councilman Mairs, the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to recommend the appointment of Clara Mulligan to the position of Town of Avon Representation to the Livingston County Planning Board for the next term.

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #6 ADOPTING BOARD APPOINTMENTS

On motion of, seconded by, the following resolution was
ADOPTED AYES 5 NAYS 0

PLANNING BOARD

Name & Length of Term	Position	2019/Rate/Meeting
Open 12/25	Planning Board	\$50.00
Mulligan, Clara 12/19	Planning Board	\$50.00
Cole, Kathy 12/20	Planning Board, Chairwoman	\$60.00
Kozlowski, Randal 12/21	Planning Board	\$50.00
Miles, Michael 12/22	Planning Board	\$50.00
Mannix, Kathleen 12/23	Planning Board	\$50.00
McGovern, Tom 12/24	Planning Board	\$50.00

RESOLUTION #6 ADOPTING BOARD APPOINTMENTS-continued

ZONING BOARD OF APPEALS

Name & Length of Term	Position	2019/Rate/Meeting
Mulligan, Jeffrey 12/19	Zoning Board of Appeals, Chairman	\$60.00
Kellen, Cindy 12/20	Zoning Board of Appeals	\$50.00
Attea, Diane 12/21	Zoning Board of Appeals	\$50.00
Price, Samuel 12/22	Zoning Board of Appeals	\$50.00
Robert Westfall 12/23	Zoning Board of Appeals	\$50.00

ASSESSMENT BOARD OF REVIEW

KEVIN LILLIS	10/19
GERALD COYNE	10/20
GARY WHEAT	10/21
CHRIS MASTEN	10/22
CLARA ONDERDONK	10/23

***COUNTY TRAFFIC SAFETY BOARD**

Kelly Sloan	12/21
Nick Mazza (Alternate)	3yr. term 12/21

***COUNTY YOUTH BOARD**

REPRESENTATIVE CAROLE HAYES No expiration of term, pleasure of the Board

ETHICS COMMITTEE:

Deputy Supervisor Mairs, The Rev. Dr. Thomas Taylor & Kitty Bressington 12/19

RIGHT TO FARM:

Councilmen Coyne and Harrington

RECREATION BOARD: All terms are for one year.

EMILY COSIMANO, CHAIRWOMAN
ALLISON HAYES
KIM MCDOWELL
KELLY MONTAGUE
OPEN

WATER WORK COMMITTEE (at large)

LOUIS LEE	4/26/19
EDWARD COYNE	4/26/20
JAMES SCHILLINGER	4/26/21
WILLIAM LABINE	4/26/22
RONALD JENNINGS	4/26/23

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #7 SETTING TIME AND PLACE OF 2019 TOWN BOARD MEETINGS

On motion of Supervisor LeFeber, seconded by Councilman Harrington, the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLUTION #7 SETTING TIME AND PLACE OF 2019 TOWN BOARD MEETINGS-continued

WHEREAS, New York State Town Law requires that town boards of towns of the second class meet periodically to accomplish certain business matters such as auditing claims, and

WHEREAS, New York State Open Meeting Law and Public Officers Law both require that reasonable effort be made to hold such meeting in facilities that permits barrier free access for the physically handicapped, now, therefore, be it

RESOLVED, that all regular meetings of the Avon Town Board throughout the year 2019 will be held at 6:00 P.M. on the following days (generally the second and fourth Thursday of each month) in the Opera Block/Town Hall located at 23 Genesee Street in the Town of Avon:

1/10, 1/24, 2/14, 2/28, 3/14, 3/28, 4/11, 4/25, 5/9, 5/23, 6/13, 6/27, 7/11, 7/25, 8/8, 8/22, 9/12, 9/26, 10/10, 10/24, 11/7, 11/21, 12/12, 12/30.

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #8 DESIGNATING OFFICIAL BANKS

On motion of Councilman Mairs, seconded by Supervisor LeFeber, the following resolution was

ADOPTED AYES 5 NAYS 0

WHEREAS, section 64 of New York State Town Law provides that the town board shall designate the official bank of the town, now, therefore, be it

RESOLVED, that the Avon Town Board does hereby designate the following banking institutions as the official banks of the Town of Avon for the year 2019.

Bank of Castile, Community Bank, and Five Star Bank.

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #9 DESIGNATING OFFICIAL NEWSPAPER

On motion of Councilman Mairs, seconded by Councilman Harrington, the following resolution was

ADOPTED AYES 5 NAYS 0

WHEREAS, section 64 of New York State Town Law provides that the town board shall designate the official newspaper of the town, now, therefore, be it

RESOLUTION #9 DESIGNATING OFFICIAL NEWSPAPER-continued

RESOLVED, that the Avon Town Board does hereby designate the Livingston County News as the official newspapers of the Town of Avon.

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #10 ADOPT 2019 FEE SCHEDULE

On motion of Councilman Mairs, seconded by Supervisor LeFeber the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to adopt the 2019 fee schedule as follows:

Demolition	\$50.00
Move/Relocate Structure	\$30.00
Truss Construction Stickers	\$25.00
Single Family Residence - with foundation	.15 sq. ft . \$200.00 Min
Single Family Residence - without foundation	.15 sq. ft . \$185.00 Min
Double/Multi-family - with foundation	.20 sq. ft . \$250.00 Min
Double/Multi-family - without foundation	.20 sq. ft . \$215.00 Min
Mobile Homes	.12 sq. ft. \$100.00 Min
Modular Homes - with foundation	.15 sq. ft . \$200.00 Min
Modular Homes - without foundation	.15 sq. ft . \$185.00 Min
Basement/Foundation/Crawl Space	\$35.00
Accessory Bldgs:	
including but not limited to: Sheds, Garages, Barns - with foundation	.10 sq. ft . \$50.00 Min
including but not limited to: Sheds, Garages, Barns - w/o foundation	.10 sq. ft . \$25.00 Min
Porches/Decks/Three Season Room	.10 sq. ft. \$50.00 Min
Interior Alterations	.12 sq. ft. \$50.00 Min
Additions	.12 sq. ft. \$75.00 Min
Fences	\$30.00
Chimney/Fireplace/Woodstove	\$40.00
Wheelchair Ramps	\$25.00
Pool – Above Ground with enclosure	\$50.00
Pool – In Ground with enclosure	\$60.00
Hot Tub	\$30.00
Re-roofing	\$40.00
Generator/Furnace/Hot Water Heater Installation	\$40.00
Tank Installation/Removal	\$25.00
Tower Construction	\$10/linear foot
Tower Collocation	\$25.00 + \$1/linear foot
Tower Equipment Repair	\$200.00
Sign Permits	\$1.50 sq.ft. \$25.00 Min
Sign Permits – Temporary	\$25.00
Site Visit – Flood Zone Interpretation	\$25.00
Additional Site Visit	\$25.00

Certificate of Occupancy/Compliance NOT under Permit	\$50.00
Permit One Year Renewal Fee	\$50.00
 Commercial/Industrial	
Truss Commercial Construction Stickers	\$50.00
0 to 4,000 sq. ft floor space	.15 sq. ft.
4,001 sq. ft +	.12 sq. ft.
Commercial Storage Buildings	.10 sq. ft.
Commercial Foundations/Crawl Space	\$100.00
Special Use Permits ** not on application so haven't charged for this	\$25.00
Planning Board/Zoning Board of Appeals Publication Fees	\$45.00 per notice
Area/Use Variance ** not on application so haven't charged for this	\$15.00
Site Plan Review ** not on application so haven't charged for this	\$50.00
Subdivision Application	\$50.00 + \$10.00 per lot
Tower Conditional Use Permit Application Fee	\$500.00
Tower Conditional Use Permit	\$1,000.00

Cemetery Fees:

Single plot (approx. 4x10) with corner markers	\$525.00
Double plot (approx. 8x10) with corner markers	\$1,000.00
Grave Opening –Adult size grave	\$600.00
Grave Opening – Still born, youth size and cremations	\$350.00
South Avon Cemetery plot (approx. 4 x 4) with corner markers	\$625.00

Town Clerk:

Service Fees:

Photocopies per page	\$0.25
Fax	\$1.00

Dog Fees:

Annual license: spayed/neutered	\$10.00
unspayed/unneutered	\$15.00
Certified Therapy Dog	\$.00
Purebred license: 1 – 10 dogs	\$25.00
11 – 25 dogs	\$50.00
26 – more dogs	\$100.00
Replacement tag	\$3.00
Enumeration	\$5.00

Town Code Books:

Town of Avon Code Book - Current General Code Price	Current
Supplements	Cost of last update divided by the # of copies
Subdivision of Land – Chapter 113	\$25.00
Design Criteria and Construction Specifications for Land Development	\$25.00
Zoning – Chapter 130	\$25.00

Peddler/Solicitor:

For a person licensed as a hawker, peddler or solicitor:
 For a period of six months or less \$25.00
 For a period in excess of six months but not for more than one year \$100.00

For a person licensed to assist a hawker, peddler or solicitor:
 For a period of six months or less \$15.00
 For a period in excess of six months but not for more than one year \$50.00

Highway Department Fees:

Brush and tree dumping \$50.00 per six wheel loader

Water Department Fees:

Tapping fees – short side \$2,400.00
 Tapping fees – long side \$3,200.00
 Tapping fees – state road \$3,600.00 plus \$800.00 materials
 Tapping fees – over standard 1 inch service – as per quote
 Meter Pit with above \$700.00
 Meter Pit (includes meter) \$1,000.00 material only
 \$350.00 installation only
 Termination of existing water service at water main \$800.00
 Meter & Reader \$250.00
 Shut off/turn on existing service \$32.50 per event
 Remove meter in addition to turn on/off \$12.50 per event
 Inspection \$50.00 per visit

Dump Day Fees: (10 tire limit)

Motorcycle tires \$3.00
 Car and small truck sixteen inches or under \$5.00
 Large Pick-up truck or SUV tires over sixteen inches \$12.00
 Dump truck \$20.00
 Tractor tire \$40.00

Engineering, Attorney & Other Professional Services:

Engineering, Attorney or Other Professional Services at actual cost to Town of Avon

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #11 SETTING MILEAGE REIMBURSEMENT RATE CONSISTENT WITH THE LIVINGSTON COUNTY RATE

On motion of Councilman Maris, seconded by Supervisor LeFeber, the following resolution was

ADOPTED AYES 5 NAYS 0

**RESOLUTION #11 SETTING MILEAGE REIMBURSEMENT RATE
CONSISTENT WITH THE LIVINGSTON COUNTY RATE-continued**

RESOLVE, that effective immediately the mileage reimbursement rate to be used by Town of Avon employees will remain consistent with the rate set by Livingston County and is currently \$.58 and google maps beginning at the Opera Block/Town Hall must attached to the voucher – excluding fieldwork.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye,
Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye**

RESOLUTION #12 PROCUREMENT POLICY

On motion of Supervisor LeFeber, seconded by Councilman Harrington the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the Procurement Policy for 2019 as follows:

§ __-1.Adoption; applicability.

The Town of Avon 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.

§ __-2.Determination of purchase.

Every purchase made will be initially reviewed to determine whether it is a purchase contract or a public works contract. The ratio of the cost of services to the goods should not be the sole determinative factor of whether a contract is one of purchase or public works. 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. As a general guide, items of work of the same or similar nature for which are customarily handled by the same vendors or contractors should be treated as a single items for purposes of determining whether the dollar threshold will be exceeded.

§ __-3.Purchases not subject to competitive bidding.

The following items are not subject to competitive bidding pursuant to § 103 of the General Municipal Law:

- A. Purchase contracts under \$20,000 and public works contracts under \$30,000.
- B. Emergency purchases.
- C. Goods purchased from correctional institutions or agencies for the blind or severely handicapped.
- D. Purchases under state and county contracts.
- E. Surplus and secondhand purchases from another governmental entity.
- F. Items which may only be purchased from one source.
- G. Goods purchased at auction.
- H. Professional Services such as Attorney, Engineer and/or Architect

§ __-4.Documentation of decision regarding bidding.

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.

§ __-5. Purchase to be at lowest price; exceptions.

All goods and services will be secured by use of written requests for proposals, 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:

- A. Purchase contracts over \$20,000 and public works contracts over \$30,000. EN
- B. Goods purchased from correctional institutions pursuant to § 186 of the Correction Law.
- C. Purchases under State contracts pursuant to § 104 of the General Municipal Law.
- D. Purchases under county contracts pursuant to § 103(3) of the General Municipal Law.
- E. Purchases pursuant to § __-8 of this policy.

§ __-6. Methods of purchase.

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

Estimated Amount of Purchase Contract Method

\$250 to \$2,999	2 verbal quotations
\$3,000 to \$9,999	3 written/FAX quotations or written request for proposals

Estimated Amount of Public Works Contract Method

\$250 to \$2,999	2 verbal quotations
\$3,000 to \$4,999	2 written/FAX quotations
\$5,000 to \$19,999	3 written/FAX quotations or written request for proposals

- B. 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.

§ __-7. Documentation required.

- A. Documentation is required of each action taken in connection with each procurement.
- B. Documentation and an explanation is 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 and/or why it is in the best interests of the Town and its taxpayers to make an award to other than the low bidder and/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.
- C. A request for proposal may be restricted within the Town or County provided that it does not violate the competitive bidding requirements. In the event that a request for proposal will contain such a geographic restriction the purchaser shall document the manner in which it does not violate the competitive bidding requirements.

§ __-8. Alternative proposals not required.

Pursuant to General Municipal Law § 104-b, Subdivision 2f, a 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 Town of Avon to solicit quotations or document the basis for not accepting the lowest bid:

A. Professional services or services requiring special or technical skill, training or expertise.

(1) 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.

(c) Whether the services require a personal relationship between the individual and municipal officials.

(2) 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/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 prepackaged software.

(3) The Town by and through its department heads may, at its discretion, require that the professional provide the following:

(a) A completed acquisition form submitted to the department head which provides a request for work to be performed including hours to be spent, description of work to be performed and projected cost.

(b) The Town shall have the option of obtaining additional quoted for the services to be provided and may accept a lower quote.

(c) In the event that the cost of services to provided shall exceed the amounts specified on the acquisition form the professional shall submit an extension request form to the department head for approval prior to expending additional materials or services in excess of the amount specified in the original acquisition form.

(d) Prior to payment the professional shall submit the following:

(1) complete description of work performed;

(2) hours for each item with appropriate rate charged; and

(3) copy of approved acquisition form signed by the appropriate department head together with any signed extension forms for sums due in addition to the amounts set forth in the original acquisition form.

B. Emergency purchases pursuant to § 103, Subdivision 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 subsection does not preclude alternate proposals, if time permits.

C. Purchases of surplus and secondhand goods from any source. If alternate proposals are required, the village is precluded from purchasing surplus and secondhand 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 \$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 interests of the taxpayer. In addition it is not likely that such small contracts would be awarded based on favoritism.

§ __-9 IT / Computer Services –

Effectively immediately, all Services requested of the Town of Avon’s IT service provider (currently Hurricane Technologies) must be approved by the committee chairperson for IT/Infrastructure for the Town of Avon.

The exception is for emergency calls that are required for IT/PC equipment that is preventing the town employee from performing their normal work duties.

No equipment will be moved, transferred, swapped or re-arranged by the service provider without the consent of the Chairperson or Supervisor of the IT/Infrastructure department. This consent will be transmitted via phone call, fax, text, or email to the service provider.

The Town of Avon will not be responsible for any service provided at the request of town employees without the approval stated above.

§ __-10 Equipment & Furniture purchases –

This policy change is effective for all Town functions, with the exclusion of Water and Highway Departments.

All equipment and furniture, including IT equipment, over \$100.00 must be approved BEFORE purchased. The approval shall come from the Town Supervisor, or his designated substitute.

Exceptions to this pre-approval are for normal office supplies, such as paper, toner, light bulbs, cleaning supplies, or preapproved vouchers...etc.

By order of the Avon Town Board
January 3rd, 2011

§ __-9. Effective date; annual review.

This policy went into effect July 23, 2004 and amended January 3, 2011 and will be reviewed annually.

SECTION 1. TITLE AND SCOPE

A. This local law shall be known as “A LOCAL LAW AUTHORIZING THE TOWN OF AVON TO AWARD PURCHASE CONTRACTS, INCLUDING CONTRACTS FOR SERVICE WORK, BUT EXCLUDING ANY PURCHASE CONTRACTS NECESSARY FOR THE COMPLETION OF A PUBLIC WORKS CONTRACT PURSUANT TO ARTICLE 8 OF THE LABOR LAW, ON THE BASIS OF BEST VALUE, AS DERFINED IN SECTION 163 OF THE STATE FINANCE LAW, TO A RESPONSIVE AND RESPONSIBLE BIDDER OR OFFER.”

SECTION 2. PURPOSE

A. Section 103 of the General Municipal Law requires competitive bidding for purchase contracts and public works contracts 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; and

B. Section 103 was recently amended to provide that by enacting a Local Law so providing, counties and other municipalities may award purchase contracts which would otherwise be subject to the “lowest bidder” rule on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offer; and

C. The Town of Avon hereby determines that it is in the best interest of the Town and its residents for the Town Board to have authority to award purchase contracts on the basis of best value.

SECTION 3. AUTHORIZATION

A. On and after the effective date hereof, the Town of Avon may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law, on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offer.

B. The election to award any such contract on the basis of best value shall be made by the Town Board which authorizes the solicitation for bids.

C. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing the required security.

SECTION 4. SEVERABILITY

If any clause sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy to which such order or judgment shall be rendered.

SECTION 5. EFFECTIVE DATE.

This local law shall be effective immediately upon its filing with the Office of the Secretary of State.
END

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

DISCUSSION – POLICY BOOK

There was discussion on having a policy/regulations book put together of adopted actions of the Board. This would allow for an annual review. In addition, recommendations from the Town Audit will be incorporated. Town Clerk Knight will review the minutes and verify Board actions.

DISCUSSION – ANNUAL STATEMENT OF BENEFITS

There was discussion on having an Annual Statement of Benefits prepared for Town Employees. The County prepares for County Employees. Baldwin Business Services may be able to assist. Supervisor LeFeber will follow-up.

RESOLUTION #13 RULES OF PROCEDURE OF THE AVON TOWN BOARD

On motion of Supervisor LeFeber, seconded by Councilman Coyne the following resolution was
ADOPTED AYES 5 NAYS 0

RESOLUTION #13 RULES OF PROCEDURE OF THE AVON TOWN BOARD-
continued

Rules of Procedure Of the
Avon Town Board

I. At each regular meeting of the Avon Town Board, business shall be taken up in the following order:

- Call to Order & Silent Roll Call
- Pledge of Allegiance
- Visitors Comments
- Approval of minutes
- Department Reports
- Prepared Resolutions
- New/Old Business
- Open Items – Town Officers
- Communications
- Future Board Meetings
- Visitor Recognition
- Adjournment

II. The Town Supervisor shall preside over all meetings of the Avon Town Board, preserve order and decorum during its sessions and decide all questions of order. Furthermore the Supervisor shall:

- provide meeting agenda in writing to board members and Town Clerk by noon on Wednesday prior to the regular meeting,
- grant privileges of the floor as needed/requested by any Town Board Member or the public,
- call for any motions or resolutions as required by the issue in front of the Town Board,
- restate all motions and resolutions prior to discussion of same,
- place in writing or direct the Town Clerk to place in writing any motion or resolution upon the request of any Town Board member prior to discussion or a vote on such,
- call for discussion of all issues put before the board including but not limited to motions, resolutions and propositions prior to the call for a vote on such,
- call for a vote on all motions, resolutions and propositions when discussions have been concluded and all pertinent information or evidence has been considered,
- postpone any vote on any motion, resolution, or similar action placed in front of the Town Board upon the request of any two Town Board Members for a period of two weeks or until the next scheduled regular meeting of the Avon Town Board, to be determined by the requesting board member,
- require that a complete and accurate record of the proceedings of each meeting of the Avon Town Board as required by Section 30 of the New York State Town Law be printed and made available by the Avon Town Clerk within five business days,
- require that a complete and accurate record of the proceedings of each meeting of the Avon Town Planning Board as required by Section 30 of the New York State Town Law be printed and made available for review by the Town Board within five business days,

**RESOLUTION #13 RULES OF PROCEDURE OF THE AVON TOWN BOARD-
continued**

-
- all information pertaining to any upcoming regular meeting of the Town Board be assembled in a package and made available to the Town Board by the Town Clerk on the Wednesday before said meeting.

Public Hearings

1. Please sign in to speak.
2. Please direct any comments to the Town Board and kindly wait to be recognized by the Town Supervisor.
3. Please state your name for the official record. If you have any information that you would like included in the official record, please provide a copy to the Town Clerk this evening.
4. The Town Board reserves the right to allow each speaker 3 minutes.
5. Notarized information would also be included in the records, if provided prior to the public hearing.
6. Once everyone has had a chance to speak, the Board may choose to allow second comments.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye,
Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye**

DISCUSSION - SUPERVISOR'S APPOINTMENTS

Supervisor LeFeber opened the discussion and then made the following appointments:

Deputy Supervisor – Thomas Mairs

Baldwin Business Services as the Town of Avon Accountants

Finance – Budgets & Special Districts, Capital Projects: Chairman Supervisor David LeFeber and Deputy Supervisor Thomas Mairs

Joint Water Works, Public Works and Paper Mill Park – Water and Highway – Councilman Malachy Coyne and Supervisor LeFeber

Employee Handbook, Community Web Site, Grants, Positive Image, Employee Relations, Customer Focus, Workplace Violence Prevention – Deputy Supervisor Thomas Mairs

Facilities – Opera Block/Highway Barns/Water Facilities, Evaluate Current and Future Technology and Facilities – Councilmen Harrington and Drozdziel

Ethics Committee – Deputy Supervisor Thomas Mairs, Residents Rev. Thomas Taylor and Kitty Bressington

DISCUSSION - SUPERVISOR'S APPOINTMENTS-continued

Avon Free Library - Councilman Drozdziel

Planning and Code - Councilmen Coyne and Drozdziel

Joint Town & Village Parking – Supervisor LeFeber and Councilman Coyne

Court Personnel - Deputy Supervisor Mairs and Councilman Harrington

RESOLUTION #14 FLOATING HOLIDAYS FOR 2019

On motion of Councilman Coyne, seconded by Deputy Supervisor Mairs, the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to declare July 3 and October 14, 2019 as floating holidays for the Water and Highway Departments and dates to be chosen by the Town Clerk for the Town Clerk.

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #15 ADOPT LETTERHEAD

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington, the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to adopt the following letterhead:

Town of Avon

23 Genesee Street
Avon, New York 14414
Phone: (585) 226-2425
Fax: (585) 226-9299
Web Site: www.avon-ny.org

David LeFeber, Supervisor
James Harrington, Councilman
Paul Drozdziel, Councilman
Tami Snyder, Assessor
Thomas Crye, Highway/Water Superintendent

Thomas Mairs, Deputy Supervisor
Malachy Coyne, Councilman
Maureen Kingston, Historian
Brian Glise, Code Enforcement Officer
Sharon M. Knight, MMC/RMC Town Clerk

Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Councilman Mairs - Aye, Supervisor LeFeber – Aye

VISITOR COMMENTS

Supervisor LeFeber asked for any public comments and there were none.

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the meeting was adjourned at 7:15 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC Town Clerk