

Organizational Meeting of the Town Board of the Town of Van Buren, held on January 3, 2024 at 7:00 pm at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York.

Mr. Roger Hand	Councilor
Mr. Robert Grover	Councilor
Mrs. Jennifer Sullivan	Councilor
Mr. Michael Hulchanski	Councilor
Mrs. Wendy Van Der Water	Councilor
Ms. Darcie Lesniak	Councilor
Mr. Richard Zaccaria	Supervisor

Also Present:

Ms. Nadine Bell	Town Attorney
Ms. Theresa Proctor	Executive Assistant to the Supervisor
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Mr. Zaccaria welcomed everyone and said we will approve the agenda items in groups.

001-24-000 MOTION BY Mr. Hulchanski, seconded by Mr. Grover, to approve the following:

Oaths and official undertakings; Motion to approve blanket undertaking bond covering all Town employees as required by Section 25 of the Town Law; and it is further RESOLVED, that Town Justices are specifically covered under said Blanket Undertaking, as required by Public Officers Law Section 11(2).

Set 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of each month at 7:00 pm as the date and time of regular Town Board meetings. Set 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of each month at 5:00 pm as Town Board work sessions.

Appoint Attorneys for Town Board, Joint Zoning Board and Planning Board and Labor Attorney. Agreement with Costello, Cooney & Fearon is hereby approved for 2024 legal services as per budgeted amount.

Nadine Bell – Town Board Attorney, Joint Zoning Board and Planning Board Attorney and Christopher Militello Attorney for Labor Matters.

Designate official newspaper of 2024 Eagle Newspapers (*The Messenger*) and *The Post Standard* as necessary.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van

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Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes  
Motion Carried & Adopted

002-24-000 MOTION BY Mrs. Sullivan, seconded by Mr. Grover, to approve the following:

Designate M & T Bank, Baldwinsville, Solvay Bank, Baldwinsville/Solvay and NYCLASS as the depositories for all general and special accounts and authorize the Supervisor or Deputy Supervisor to make all deposits and withdrawals and sign checks on checking accounts.

Approve Solvay Bank, Baldwinsville, as the depository for the funds of the Town Clerk/Receiver of Taxes and M & T Bank for Justices.

Authorize the Town Clerk to make deposits in the Receiver of Taxes account.

Authorize the Parks & Recreation Dept and Theresa Proctor to make deposits in the General account at Solvay Bank.

Authorize the Town Clerk to make deposits in the General account at Solvay Bank and M&T Bank

Establish petty cash funds as follows:

- a. Town Clerk, \$425.00 (\$125.00, plus \$100.00 in each of 3 cash boxes)
- b. Justices, \$200.00
- c. Parks & Recreation, \$75.00
- d. Parks & Recreation Refunds, \$100.00
- e. Pool, \$150.00, seasonal
- f. Concessions, \$150.00, seasonal
- g. Codes Office, \$100.00

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes  
Motion Carried & Adopted

003-24-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Hulchanski, to approve the following:

Set mileage reimbursement rate at \$.67 cents for use of personal vehicles for official business. Further, the rate shall stay concurrent with IRS rate throughout the year.

Reaffirm Town's investment policy.

Approve Schedule of Fees for 2024 to be charged by Codes Office for various application, permits, filing fees, legal and engineering deposits and securities as well as all fees charged by the Town Clerk Office and Park for facility usage.

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Town Clerk names Deputies – Diane Sposato, Anne Marie Doyle and Rosemary Johnson.  
Supervisor names Theresa Proctor as Executive Assistant to Supervisor.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van  
Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes

Motion Carried & Adopted

004-24-000 MOTION BY Mrs. Van Der Water, seconded by Mr. Grover, to approve the  
following:

Appointment by Supervisor of Darcie Lesniak as Deputy Supervisor.

Appointment of Jason Hoy as Town Engineer with a term to expire on 12/31/2024.

Appointment of Mark Budosh as Chairman of the Zoning/Planning Board with term to expire  
12/31/24 and James Schazenbach as Vice Chair of the Zoning/Planning Board with a term to  
expire 12/31/24.

Appointment of Mark Budosh to the Joint Zoning/Planning Board with term to expire 12/31/30.

Appointment of Christopher Perdue as Safety Officer.

Appointment of CNY SPCA as Dog Control Officer as per the Contract signed for 2023-2025  
and set fees as per those charged by the CNY SPCA.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van  
Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes

Motion Carried & Adopted

005-24-000 MOTION BY Mrs. Van Der Water, seconded by Ms. Lesniak, to appointment of  
Natalie Zaccaria as Town representative to OCRRA Board to a three-year term running from  
January 5, 2023 – December 31, 2025.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van  
Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes

Motion Carried & Adopted

006-24-000 MOTION BY Ms. Lesniak, seconded by Mrs. Sullivan, to approve the following:

Appointment of Jennifer Sullivan to represent the Town on the Canton Woods Board of  
Directors.

Approve payroll rates and dates for 2024 per budget for elected, nonaffiliated and appointed  
personnel and name individuals to those positions:

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Supervisor	\$50,264.00, annual	
Town Board	\$8,621.50 each, annual	
Justice	\$40,781.00 each, annual	
Town Clerk/Receiver of Taxes	\$76,597.00, annual	Lynn Precourt
Deputy Town Clerk	\$25.44/hr.	Diane Sposato
Deputy Town Clerk PT time)	\$19.00/hr. (Max 100 hrs).	Anne Marie Doyle
Highway Supt.	\$76,489.00, annual	Douglas Foster
Assessor	\$92,829.00 annual	Theresa Golden
Deputy Supervisor	\$2,207.00 annual	Darcie Lesniak
Board of Assessment Review	\$200.00 each, annual	listing attached
Joint Zoning/Planning Board Chair	\$1,100.00 annual	Mark Budosh
Joint Zoning/Planning Board Vice-Chair	\$650.00 annual	James Schazzenbach
Joint Zoning/Planning Board Members	\$3,142.00, each, annual	listing attached
Historian	\$1,600.00, annual	
Executive Assistant to Supervisor	\$19.00/hour	Theresa Proctor
Comptroller/Budget Accounting Officer	\$51,265.00 annual	
Assessor Clerk	On call -maximum \$500	
Court Security – Sheriff Deputies -	\$77.94 each for first two (2) hours, thereafter	
\$38.97	for every full or partial hour over two (2) hours.	
Buildings & Grounds seasonal staff:		
Summer employees (2)	\$15-18.00/hour for 15 wks @ 32.5 hours per	
week		
Dog Control	\$25,000 annual contract	CNYSPCA
Town Engineer	\$114,300.00 annual	Jason Hoy
Code Enforcement Officer	\$32.01/hr.	Christopher
Perdue		
Parks Director	\$35.40/hr.	Heidi Anders
Highway Mechanic	\$32.81/hr.	
Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van		
Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes		
Motion Carried & Adopted		

007-24-000 MOTION BY Mrs. Sullivan, seconded by Mrs. Van Der Water to approve the following:

Approve seasonal personnel job roster and rates for Parks & Recreation Department per attached sheets. Union and affiliated personnel payroll rates per respective agreements.

### Board Committees:

#### Planning and Economic Development:

Chair Wendy Van Der Water, Jenni Sullivan and Darcie Lesniak

#### Facilities:

Chair Jenni Sullivan, Bob Grover and Mike Hulchanski

#### Public Safety:

Chair Bob Grover, Mike Hulchanski and Roger Hand

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Personnel and Administration:

Chair Darcie Lesniak, Wendy Van Der Water and Roger Hand

Ethics and Oversight:

Lynn Precourt, Lorne Michels and David Doyle

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes

Motion Carried & Adopted

008-24-000 MOTION BY Mr. Grover, seconded by Mrs. Van Der Water, to approve the following:

Reaffirm Town Procurement Policy (Chapter 50 Town Code) as revised in 2011.

Blanket approval for payment of budgeted professional memberships and dues, required trainings and conferences for professional, local, county and state associations for elected, appointed officials and department heads.

Set standard work day for retirement system purposes at seven (7) hours per day for IUOE members and non-represented hourly employees.

Approve blanket approval for Town Engineer utilizing D. E. Tarolli to perform budgeted or emergency drainage and culvert work within the Town for the ensuing calendar year via Onondaga County contract.

Set bill out rate for Town Engineer for 2024 at \$ 95.00 per hour.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes

Motion Carried & Adopted


009-24-000 MOTION BY Ms. Lesniak, seconded by Mrs. Van Der Water, to adjourn to the Regular Town Board Meeting January 3, 2024.

Mr. Hand – Yes, Mr. Grover – Yes, Mrs. Sullivan – Yes, Mr. Hulchanski – Yes, Mrs. Van Der Water – Yes, Ms. Lesniak – Yes, Mr. Zaccaria – Yes

Motion Carried & Adopted

Meeting closed 7:19 pm

Respectfully submitted,

  
Lynn Precourt, Town Clerk, Dated: 1/5/24

## Town of Van Buren Building Permit Fees 2024

(All fees paid are non-refundable unless noted otherwise)



**ALL FEES ARE DUE BEFORE PERMIT IS ISSUED**

*Adopted by Town Board January 3, 2024*

<b>Building Permits:</b>	
<b>Residential Structures</b>	
Application Fee	\$35.00
Plus \$.25 per square foot	
<b>Commercial Structures</b>	
Application Fee	\$100.00
Plus \$.25 per square foot	
Minimum fee	\$250.00
Maximum fee	\$40,000.00
<b>Foundation/Slab</b>	
Application Fee	\$35.00
Plus \$.25 per square foot	
<b>Sheds 144 sq. ft or less</b>	No fee
<b>Sheds &gt;144 sq. ft. (Flat fee)</b>	\$75.00
<b>Any storage/shed larger than 220 sq.ft. = residential structure fee above</b>	
<b>Extension of Permit</b>	\$25.00
<b>Building permit issued after construction commenced</b>	Total Fee is DOUBLED
<b>Solid fuel appliances/fireplaces/gas heaters/standby generators/ charge station</b>	\$75.00
<b>In-Ground swimming pool, spa, hot tub with or without fence – Flat Fee</b>	\$125.00
<b>Above Ground swimming pool with or without fence – Flat Fee</b>	\$75.00
<b>Fence</b>	
Residential – Flat Fee	\$60.00
Commercial – Flat Fee	\$100.00
<b>Burn Permit</b>	\$25.00 for 3 months
<b>Fill Permit</b>	\$235.00

<b>Zoning Information Letter</b>	
Residential Property	\$35.00
Commercial Property	\$75.00
<b>Sign</b>	\$35.00
Plus	\$1.50/sf
<b>Demolition Permit</b>	\$100.00
<b>Storage Trailers (Temporary) &amp; Non-Residential</b>	\$100.00/trailer
<b>Solar PV System</b>	\$150.00
<b>Operational Permits (Haz-mat, Flammable, Compressed gases)</b>	
Residential Use	\$50.00
Industrial/ Business Use	\$200.00
Outdoor Fireworks Display	\$500.00
Public Events	\$100.00
Special Events Permit	\$100.00
<b>Fee to Rescind Stop Work Order</b>	
Residential	\$200.00
Commercial	\$400.00
<b>Flood Plain Development Permit</b>	\$200.00
<b>Fire Inspections:</b>	
<b>Residential (unit) and Multi-Family</b>	
For initial inspection	\$50.00
For additional re-inspections	\$75.00
<b>Commercial (per building)</b>	
For initial inspection + \$20.00 per apt up to ten = \$200 Max	\$70.00
For additional re-inspections (4+ violations)	\$100.00
<b>Afterhours* fire inspections:</b>	
For first inspection	\$125
For subsequent inspections	\$100
*Afterhours is defined as any time outside the hours of M-F 8:30 am – 4:00 p.m.	
<b>Communication Tower per antenna replacement/ground mounted equipment</b>	\$75.00
<b>Miscellaneous inspections - site visit, re-inspection</b>	
Commercial	\$100.00
Residential (2+ violations)	\$75.00
<b>Screw Piles (must be observed)</b>	\$50.00
<b>Zoning Compliance Letter (plus postage if required)</b>	\$25.00

<b>Certificate of Occupancy:</b>	
Residential - First inspection	\$0.00
Commercial - First inspection	\$0.00
Any inspections beyond first inspection	\$50.00



<b>Residential Area Variance</b>	\$100.00
<b>Residential Use Variance</b>	\$225.00
<b>Commercial Variance</b>	\$300.00
<b>Special Use Permits:</b>	
Residential	\$175.00
Commercial	\$750.00
<b>Zone Changes</b>	\$300.00
<b>Review of Site Plan Application (prior to submission)</b>	50% of fee
<b>Site Plan/Project Plan Review:</b>	\$250.00
<small>*Owner occupied 1 &amp; 2 family are exempt</small>	
Business (office) Use	\$750.00
Manufacturing/Industrial Use	\$1500.00
<b>Code Interpretation, Challenge, Filing, etc</b>	\$50.00
<b>Utility SWPP Review</b>	\$250.00

**Town of Van Buren Legal/ Engineering Fees**  
*Per Town Zoning Regulations Sec 200-81B(4)*



<b>Subdivisions:</b>	
2 lots	\$125/lot
3 - 30 lots	\$275/lot
31 - 60 lots	\$250/lot
60+ lots	\$225/lot
<b>Zone Change:</b>	
Planned Unit Development (PUD) Residential:	
Under 30 lots	\$400/lot
31 - 60 lots	\$350/lot
60+ lots	\$300/lot
<b>Planned Office/ Commercial/ Industrial (POD/PCD/InP)</b>	
Per affected Acre	\$1000
<b>Apartment or Townhouse</b>	\$300/unit
<b>Security Bonds</b>	Determined by Engineer
<b>Park Fees (in lieu of public use):</b>	As adopted by Town Board 5/04
Minor Subdivisions (3 lots or less)	\$150/lot
Major Subdivisions (4+ lots)	\$350/lot
Apartments	\$250/unit
<b>Communication Towers</b>	\$8500
<b>MS4 Development Permit (per affected acre) :</b>	** Refundable***
Less than an acre	\$1,650
Each additional acre	\$150/acre
<b>Solar Development Permit:</b>	
Less than an acre	\$2,000
Each additional acre	\$250/acre

**Legal/Engineer Fee (per hour)**

<b>Legal fees</b>	As per agreement with Town Attorney
<b>Engineer fees</b>	\$85.00 If consultant is required, actual rate is billed to applicant by consultant



# SCHEDULE OF FEES

## Park Fees:

<b><u>PAVILIONS</u></b>	<b><u>2024 Resident Fees</u></b>	<b><u>2024 Non-Res. Fees</u></b>
Pavilion A	\$30.00	\$45.00
Pavilion B	\$145.00	\$165.00
Pavilion C& D	\$125.00	\$145.00
Pavilions E, F & G	\$40.00	\$55.00
Lodge(4/16-9/30)	\$160.00	\$180.00
Lodge (10/1-4/15)	\$190.00	\$210.00

## **POOL**

	<b><u>Resident</u></b>	<b><u>Non-Resident</u></b>
Ages 6-59 (every day)	\$3.00	\$5.00
Ages 5 & under (every day)	\$3.00	\$5.00
Ages 60+ (every day)	\$3.00	\$5.00

\* After 5:00p.m., \$1.00 off per patron entering the pool

\*Subject to change, daily and season passes

## **Season Passes**

Resident Family of 4	\$165.00
Each Additional Dependent	\$40.00
Non-Resident Family of 4	\$180.00
Each Additional Dependent	\$45.00
Resident Individual	\$70.00
Non-Resident Individual	\$95.00
Senior Citizens	\$40.00

**We will offer a \$10.00 discount to anyone that purchases a family pass before May 31st.**

## **COMBO PACK**

Allow ticket books to be pre-purchased at \$1.00 off/swimmer with a pavilion rental (Refunds will not be issued for unused tickets)

**PROGRAM FEES:** All of the Parks and Recreation Department's programs are run on a self-sustaining basis, but making a profit is also factored in. The fees are all listed in the program brochures.

# **TOWN OF VAN BUREN PARKS AND RECREATION DEPARTMENT**

## **WAGES FOR 2024 SEASONAL EMPLOYEES**

The following are our budgeted wages for our 2024 seasonal employees.

Wages are based on employee job responsibilities, whether the employee is in a supervisory position over other staff, and whether certifications are needed for employment (i.e., lifeguards need certifications to work, whereas recreation staff do not, and Water Safety Instructors (WSI's) need additional certification than "regular" lifeguards). Also, wages increase each year to try to entice employees back.

### **SUMMER ASSISTANT**

1 Returning employee	\$18.00/hr.
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### **PARK ATTENDANT WAGES**

1 Returning employee	\$18.25/hr.
2 Returning employees	\$17.75/hr.

### **CONCESSION STAND EMPLOYEES**

2 Returning employees	\$16.00/hr.
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### **POOL STAFF WAGES**

2 Supervising Lifeguards	\$18.95/hr.
1 Assistant Head Guard	\$18.00/hr.
2 Returning WSI Lifeguards	\$18.25/hr.
1 Returning Lifeguard (Lifeguard Manager)	\$18.90/hr.
6 Returning Lifeguards	\$17.00/hr.
1 Returning Lifeguard	\$16.75/hr.
1 Returning Lifeguard	\$16.50/hr.
2 Returning Cashiers	\$16.25/hr.

**PLAYGROUND COORDINATOR**

1 Returning staff member	\$20.00/hr.
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**RECREATION LEADERS & AIDES**

1 Returning Rec. Leader	\$18.00/hr.
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1 Returning Rec. Leader	\$17.75/hr.
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1 Returning Rec. Leader	\$17.50/hr.
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1 Returning Rec. Aide	\$16.50/hr.
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5 Returning Rec. Aides	\$16.25/hr.
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8 New Rec. Aides	\$16.00/hr.
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
## Chapter 50. Procurement Policy

[HISTORY: Adopted by the Town Board of the Town of Van Buren 8-26-1996. Amendments noted where applicable.]

### GENERAL REFERENCES

Investment policy — See Ch. 36

Personnel policies — See Ch. 45.

050a Requested Quote Sheet 

## Article I. Policy

### § 50-1. Evaluation of purchase.

Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law § 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.

### § 50-2. Purchases to be formally bid.

[Amended 10-19-2010 by L.L. No. 5-2010; 8-2-2011 by L.L. No. 5-2011]

All purchases of supplies or equipment which will exceed \$20,000 in the fiscal year or public works contracts over \$35,000 shall be formally bid pursuant to General Municipal Law § 103.

### § 50-3. Estimated purchases requiring quotes or proposals.

A. All estimated purchases of equipment or supplies (including maintenance and repairs) for:

- (1) Less than \$499.99 shall be left to the discretion of purchaser.
- (2) Five hundred dollars to \$999.99 shall require two verbal quotes which shall be recorded on the requested quote sheet<sup>[1]</sup> and attached to the purchase order.

[1] *Editor's Note: The requested quote sheet is located at the end of this chapter.*

- (3) One thousand dollars to \$19,999.99 shall require a written request for a proposal (RFP) and written/fax from three vendors.

[Amended 8-2-2011 by L.L. No. 5-2011]

- (4) Twenty thousand dollars and over shall require solicitation of bids as per General Municipal Law § 103.

[Amended 8-2-2011 by L.L. No. 5-2011]

B. All public works contracts for:

- (1) Less than \$499.99 shall be left to the discretion of the purchaser.

- (2) Five hundred dollars to \$999.99 shall require two verbal quotes which shall be recorded on the requested quote sheet and attached to the purchase order.
  - (3) One thousand dollars to \$34,999.99 shall require a written request for a proposal (RFP) and written/fax from three vendors.  
[Amended 8-2-2011 by L.L. No. 5-2011]
  - (4) Thirty-five thousand dollars or over shall require solicitation of bids through advertisement in a Town-approved publication as per General Municipal Law § 103.  
[Amended 10-19-2010 by L.L. No. 5-2010]
- C. The above guidelines apply to aggregate amounts spent on same/like items through the fiscal year (i.e.: if the total number of water meters for year is projected to exceed \$10,000, advertised solicitations of bids is required unless an exemption applies).
- D. Any written request for purchase (RFP) shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered. All information gathered in complying with the procedures of this chapter shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract and also attached to vouchers submitted for payment.

## § 50-4. Award of purchase or contract.

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 someone other than the low bidder (for example, the second low bidder is a business in town paying Town property taxes, and their quote was within 5% of the low bidder which is an out-of-state business or supplier). If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the records supporting the procurement.

## § 50-5. Good faith effort.

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

## § 50-6. Exceptions from solicitation of quotes or proposals.

- A. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:
- (1) Acquisition of professional services.
  - (2) Emergencies (as declared by the Town).
  - (3) Sole source situations.
  - (4) Goods purchased from agencies for the blind or severely handicapped.
  - (5) Goods purchased from correctional facilities.
  - (6) Goods purchased from another governmental agency.
  - (7) Goods purchased at auction.
  - (8) Good purchased through state or county contracts.

- B. Supporting documentation explaining the above must accompany the purchase (i.e.: a copy of relevant state or county contracts).

## § 50-6.1. Piggybacking.

[Added 5-3-2016 by L.L. No. 4-2016]

- A. Notwithstanding the provisions of this Chapter 50 ("Procurement Policy"), the Town of Van Buren may, for purposes of public purchases, utilize the provisions of New York General Municipal Law § 103 with regard to so-called "piggybacking" of purchases. Pursuant to New York General Municipal Law § 103, the Town of Van Buren may purchase through the bids solicited by the United States government, New York State and/or any other state or political subdivision (counties, towns, school districts, etc.), provided that those contracts clearly state that they are available for use by other governmental entities within the requirements of New York General Municipal Law § 103(16). Prior to such purchase, the Town of Van Buren will ensure that a piggyback purchase qualifies as follows:
- (1) The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein.
  - (2) The contract involved must have been available for use by other governmental entities through the bid solicitation process. In such case, the Town of Van Buren should determine that there is contained within the bidding political subdivision's bid package a provision that the bid is open to and can be used by either the Town of Van Buren or other municipalities. This determination should be made on a case-by-case basis.
  - (3) The specific contract must have been let to the lowest responsible or on the basis of best value and in accordance with or in a manner consistent with the provisions of New York General Municipal Law § 103.

## § 50-6.2. Purchasing based on best value.

[Added 5-3-2016 by L.L. No. 4-2016]

- A. New York General Municipal Law § 103 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. Section 103 was amended to provide that by enacting a local law so providing, municipalities may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of best value, as defined in State Finance Law § 163, to a responsive and responsible bidder or offeror.
- B. Notwithstanding the provisions of this Chapter 50 ("Procurement Policy"), the Town of Van Buren Town Board hereby determines that it is in the best interest of the Town of Van Buren and its residents for the Town of Van Buren to have the authority to award purchase contracts on the basis of best value. 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 include but are not limited to:
- (1) Lowest cost of maintenance for good(s) or service(s);
  - (2) Durability of good(s) or service(s);
  - (3) Higher quality of good(s) or service(s); or
  - (4) Longer product life of good(s) or service(s).
- C. The Town of Van Buren may award purchase contracts, including contracts for service work related to the installation, maintenance or repair of apparatus, equipment and supplies, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8, on the basis of best value, as defined in State Finance Law § 163, to a responsive and responsible bidder or offeror.



- (1) Where the basis for award is the best value offer, the Town of Van Buren shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- (2) Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Town of Van Buren in its determination of best value.
- (3) The election to award any such contract on the basis of best value shall be made by the Town Board. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing any required security in accordance with this chapter.

## § 50-7. Miscellaneous provisions.

- A. This policy is intended to be a guideline for Town personnel involved in the purchase of goods and services, and no unintentional violation of this policy shall be deemed to create a claim or cause of action or form the basis of any claim or a cause of action against the Town personnel.
- B. This policy does not supersede those instances (i.e.: conferences, meetings, etc.) where prior Town Board approval is required before Town funds can be committed. Interpretations of the applicability of this policy to a specific situation will be made by the Town Comptroller's office in conjunction with the Town Supervisor's office.
- C. Purchase orders will be issued when funds are committed and budgeted amounts encumbered when acquisitions are made under the policy. All purchase orders are to be submitted to the comptroller's office when written and sent to a supplier.
- D. This policy shall go into effect immediately and will be reviewed annually.

## Article II. Procedures

### § 50-8. Determination.

The purchaser, when deciding to begin the purchasing process shall make the initial determination whether competitive bidding is needed. This includes determining if this is a single purchase or a part of a multi-purchase spread out over the year (i.e., road salt, water meters, etc.); if Town Board approval is required before a commitment can be made; if it is a proper Town charge; if it is a necessary and reasonable expenditure; and if it is provided for in the annual budget. In summary, the purchaser must be able to provide the legal authority to make the expenditure.

### § 50-9. Purchase order.

Once it is determined that the expenditure can be made, a purchase order shall be completed after quotes/bids are obtained (if required). Included on the purchase order shall be:

- A. Purchase order date.
- B. Suppliers name and address.
- C. Payment terms.
- D. Quantity and price of product (extended).
- E. Shipping charges (if any).
- F. Appropriation line charged.

## § 50-10. Attachments to purchase order.

All solicitation bids, verbal or written; copies of state/county contracts; or other information supporting the purchase shall be attached to the purchase order. If the purchase requires advertising bids, a copy of the advertisement and winning bid should also be attached or a statement included where the documentation is located. A statement on where nonwinning bids are on file should also be included, if not attached. If authorization to purchase was received from the Town Board, the resolution number and date or copy thereof should be attached.

## § 50-11. Signing of order.

The purchaser shall sign the purchase order signifying it is correct, true and adheres to these guidelines.

## § 50-12. Distribution of purchase order.

Purchase orders shall be distributed as follows:

- A. White copy: sent to the supplier.
- B. Light yellow: to the Comptroller's office (duplicate).
- C. Pink (triplicate): kept by the department head. When the product is received, this copy shall become the receiving copy to verify quantities received. It shall also be attached to the invoice/voucher and submitted to the Comptroller's office. If multiple receiving against the purchase order is anticipated, a photo copy shall be submitted until the final receiving is received.
- D. Dark yellow, file copy: kept by the department head.

## § 50-13. Submission of order to Comptroller; recordkeeping.

- A. Purchase orders shall be submitted to the Comptroller's office for processing when the department makes the commitment to purchase.
- B. The Comptroller's office shall date stamp all purchase orders upon receipt.
- C. The Comptroller shall review the purchase order for adherence to bid procedures, if required, appropriation lines being charged for correctness and whether the purchase order is complete.
- D. Open purchase orders shall be entered into the computer, monthly or at year end encumbering the funds.
- E. When the goods are received, the department head shall compare the purchase order to the receiving documents to the invoice for correctness. If the purchase order is complete, the pink copy shall be attached to the invoice and submitted to the Comptroller's office. If the order is not complete, the copy shall be attached to the voucher.
- F. Comptroller's office shall date stamp the vouchers and number them in sequence when received.
- G. The voucher shall be verified to supporting documentation for completeness. If a significant problem exists, the voucher shall be returned to the department for correction.
- H. The voucher shall be entered into the computer for payment.

PROCUREMENT POLICY

*50 Attachment 1*

TOWN OF VAN BUREN

Requested Quote Sheet

Date: \_\_\_\_\_

Item: \_\_\_\_\_ Quantity: \_\_\_\_\_

Description (if needed): \_\_\_\_\_  
\_\_\_\_\_

1.      \_\_\_\_\_  
         Company                      Phone                      Quote  
  
         \_\_\_\_\_  
         Representative
2.      \_\_\_\_\_  
         Company                      Phone                      Quote  
  
         \_\_\_\_\_  
         Representative
3.      \_\_\_\_\_  
         Company                      Phone                      Quote  
  
         \_\_\_\_\_  
         Representative
4.      \_\_\_\_\_  
         Company                      Phone                      Quote  
  
         \_\_\_\_\_  
         Representative

\_\_\_\_\_  
Signature of person preparing form

# **INVESTMENT POLICY FOR THE TOWN OF VAN BUREN**

## **I. SCOPE**

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

## **II. OBJECTIVES**

The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and to obtain a reasonable rate of return (yield).

## **III. DELEGATION OF AUTHORITY**

The governing board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer (the Supervisor) who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include the adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

## **IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Van Buren to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs,

not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

#### V. DIVERSIFICATION

It is the policy of the Town of Van Buren to diversify its deposits and investments by financial institution, by investment instrument and by maturity scheduling.

#### VI. INTERNAL CONTROLS

It is the policy of the Town of Van Buren for all moneys collected by any officer or employee of the government to transfer those funds to the Supervisor within 30 days of deposit, or within the time period specified in law, whichever is shorter.

The Chief Fiscal Officer (Supervisor) is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly and are managed in compliance with applicable laws and regulations.

#### VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of moneys up to the following maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>	<u>Officer</u>
Manufacturer's & Traders	Allowed	Branch Manager
MBIA Asset Management		
- NY Class	Allowed	Asset Manager

## VII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of the General Municipal Law, §10, all deposits of the Town of Van Buren, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

## IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository bank or trust company subject to security and custodial agreements.

The security agreement shall provide the eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, or any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under

which the securities may be sold, presented for payment, substituted or released and the events which enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company, and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of the security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### **X. PERMITTED INVESTMENTS**

As authorized by the General Municipal Law, §11, the Town of Van Buren authorizes the Chief Fiscal Officer (Supervisor) to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district, or district corporation other than the Town;

- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COP's) issued pursuant to GML, §109-b, Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Van Buren within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Van Buren within two years of the date of purchase.

#### **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The Town of Van Buren shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Van Buren. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer (Supervisor) is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

#### **XII. PURCHASE OF INVESTMENTS**

The Chief Fiscal Officer (Supervisor) is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.



2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance of prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town by the bank or trust company. Any obligation held in custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

### **XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

**Appendix A**  
**Schedule of Eligible Securities**

- ( i ) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- ( ii ) Obligations issued or fully guaranteed by the Internal Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.
- ( iii ) Obligations partially insured or guaranteed by an agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- ( iv ) Obligations issued or fully insured by the State of New York, obligations issued by a municipal corporation, school district or district or district corporation of such State or obligations of any public benefit corporation which under a State statute may be accepted as security for deposit of public moneys.
- ( v ) Obligations issued by states (other than the State of New York ) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- ( vi ) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- ( vii ) Obligations of countries, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- ( viii ) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- ( xi ) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

- ( x ) Commercial paper and bankers' acceptances issued by a bank, other than the bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- ( xi ) Zero coupon obligations of the United States government marketed as "Treasury strips".