

At the workshop of the Town Board of the Town of Elmira, Chemung County, New York held Wednesday, August 10, 2022 at 7:00 AM at 1255 West Water Street, Elmira, NY, there were present:

Supervisor: David Sullivan  
Councilmember: Thomas Milliken  
Councilmember: Scott Bush  
Councilmember: Albert Lucarelli  
Deputy Supervisor Ron Allison

Supervisor Sullivan called the workshop to order at 7 AM and asked others to stand for the Pledge of Allegiants

### **Discussion**

The Supervisor reviewed with the Board 2023 budget estimates for the SM (Traffic) and SP (Park) Funds. The SM fund is increased in 2023 due to the hiring of the 5th full time officer, health insurance increases and other increases in supplies. Additional car purchase will be completed with ARPA funds. The SP fund will see some increase in user fees to offset rising expenses. The board discussed bonding the repair for the Tennis Courts and replace the Pool House roof.

The Board discussed the Light Districts budget.

### **Resolution #128-22**

#### **Adopt Procurement Policies and Procedures**

**By Mr. Bush**

**Seconded by Mr. Lucarelli**

Whereas, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, Sec. 103 or any other law; and WHEREAS, comments have been solicited from those officers of the

Town involved with procurement;

NOW, THEREFORE, be it RESOLVED That the Town of Elmira does hereby adopt the following procurement policies and procedures:

**Guideline 1.** Every prospective purchase of goods or services Shall be evaluated to determine the applicability of GML, Sec. 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.

**Guideline 2.** All purchases of

a) supplies or equipment which will exceed \$25,000 in the fiscal year or

b) public works contracts over \$40,000 shall be formally bid pursuant to GML, sec. 103.

**Guideline 3.** All estimated purchases of:

a) Less than \$25,000 but greater than \$7,500 require a written request for a proposal (RFP) and written/fax quotes from 3 vendors.

b) Less than \$7,500 but greater than \$500 are left to discretion of the Purchaser.

**All estimated public works contracts of:**

a) Less than \$40,000 but greater than \$15,000 require a written RFP and fax/proposals from 3 contractors.

b) Less than \$15,000 but greater than \$500 are left to the discretion of the Purchaser with prior consent of the Town Supervisor.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered. Any information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

**Guideline 4.** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepared a written justification providing reasons why it is in the best interest of the town and its taxpayers to make and award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

**Guideline 5.** A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

**Guideline 6.** Except when directed by the town board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services;
- b) Emergencies;
- c) Sole source situation;
- d) Goods purchased from agencies for the blind or severely handicapped;
- e) Goods purchased from correctional facilities;
- f) Goods purchased from another governmental agency;
- g) Goods purchased at auction;
- h) Goods purchased for less than \$250.00;
- i) Public works contracts for less than \$500.00

**Guideline 7.** This policy shall be reviewed annually by the town board as is reasonably practicable.

Aye- Bush, Milliken, Lucarelli, Allison, Sullivan

No- None

The Board discussed issues with sticker shop operating on Lake Road without a Certificate of Occupancy. Appropriate measures will be taken by Code Department.

The Board discussed the entrance to the Town Complex and putting a fence along the sidewalk to the basketball courts. Bids will be opened on August 10<sup>th</sup>.

Motion was made by Councilmember Milliken at 8:05 AM and seconded by Councilmember Lucarelli to adjourn the Workshop. All in favor, Motion Carried.

Tammy Stein  
Town Clerk