

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, May 2, 2022 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM

PRESENT: Mayor: John Belson
Deputy Mayor: Danny Woodward Jr.
Trustees: Anne Marie Holland
Kimberly Kenyon - via Zoom
Darren Wilson
Clerk-Treasurer Teri Woodworth
Supt. of Public Works Terry M. Woodworth
Code Enforcement Officer Jason Raduns
Attorney Katherine Bogan
Fire Chief Michael Heideman
Public – Present: Carla Woodworth

APPROVAL OF THE MINUTES

ON MOTION of Trustee Wilson seconded by Trustee Woodward Jr., to accept the minutes of the April 4, 2022 regular meeting and the April 11, 2022 special meeting.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

PRIVILEGE OF THE FLOOR

- Nothing

USE OF FACILITIES

- Street & Veterans Park – Houseman Tanner Post is requesting use of Streets and Veterans Park on May 30, 2022 for the Memorial Day Parade and Service.
- Streets – Vernon Fonda is requesting use of the Streets on May 30, 2022 for annual Murph Challenge.
- Lake Avenue Ball Fields – LOYAL Soccer is requesting use of the Lake Avenue Ball Fields from June 27, 2022 to August 4, 2022.

RESOLUTION NO 2022-39

USE OF FACILITIES – HOUSEMAN TANNER POST, VERNON FONDA AND LOYAL SOCCER

ON MOTION of Trustee Holland, seconded by Trustee Wilson, to approve the use of facilities requests by Houseman Tanner Post, Vernon Fonda and LOYAL Soccer as presented, LOYAL Soccer pending insurance is provided prior to use.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

Report – Code Enforcement Raduns

- Code Enforcement Raduns noted he’s been spending time getting up to date on local laws.

Report – Officer Larkin

- No report was provided at this time.

Report – Fire Chief Heideman

- Report – 75 Calls for 2022; 17 Calls for April (5 – EMS Village, 6 – EMS Town, 2 – Wires down Town, 1 – Fire Alarm Village, 2 – Tree’s down Town and 1 – Mutual Aid Medina)
- Chief Heideman inquired if Lyn #65 could be used as a Chief’s vehicle for Fire Department use only, would not be taken out of Town or for personal use. Attorney Bogan noted it can be used for Fire Department use only.
- Trustee Woodward Jr. noted he and Mayor Belson met with the Fire Chief, the Board of Directors and the Director of the Fire Commissioners from the Town of Murray regarding a Fire District. Trustee Woodward Jr. explained to the Board how a Fire District works noting: the Board of Commissioners are elected, the Town appoints the commissioners the first year, which can’t be a current Town Board member, the district would hire their own Treasurer and Secretary, there’s no up-front costs, the Town would collect the Fire taxes and give over to Fire District. Trustee Wilson noted Lyndonville Fire Department President David Hydock met with Town of Yates Supervisor Jim Simon and the Town would be interested. Trustee Wilson asked about funding and fund raisers.

RESOLUTION NO 2022-40

SUPPORT OF THE FORMATION OF A FIRE DISTRICT

ON MOTION of Trustee Woodward Jr., seconded by Trustee Holland, to support the Lyndonville Fire Department in looking into the formation of a Fire District.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

Report – Attorney Bogan

- Attorney Bogan noted she’s working a gate access agreement for Steven & Megan Vann allowing Village access and it would stay with the property permanently. Attorney Bogan noted the Vann’s would need to pay for the filing costs.
- Attorney Bogan expressed concerns regarding motorcycles out of control, noting a high-speed chase.
- Attorney Bogan noted updated policy changes are good. Attorney Bogan explained the changes.

Report – Clerk-Treasurer Woodworth

- Clerk-Treasurer Woodworth presented the Board with the budget to actual report as of April 30, 2022.

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- WIIA Grant – Clerk-Treasurer Woodworth informed the Board unfortunately the Village did not receive a WIIA grant this year.
- ARPA – Clerk-Treasurer Woodworth informed the Board the required US Treasurer reporting for ARPA has been completed.
- Main Street Grant – Clerk-Treasurer Woodworth informed the Board the property owner has signed the LPA Agreement and the letter from the Board. We are waiting on an updated price estimates from the architect for review and consideration of approval by NYS Homes and Community Renewal.
- Fire Hall Rental – Clerk-Treasurer Woodworth informed the Board that per NYCOM and the State Comptroller’s office rental of the fire hall could not allow any preferential treatment if municipally owned, districts have the ability to set their own rules.
- Intoximeters Alco-Sensor FST – Clerk-Treasurer Woodworth informed the Board that the Division of Criminal Justice Services (DCJS) and the Office of Public Safety have been given a grant to provide alcohol pre-screening devices to all police, probation and parole agencies in New York State, the Village of Lyndonville will be receiving one.
- Unmanned Aerial Vehicles (UAV) – Clerk-Treasurer Woodworth presented the Board with a survey request regarding UAV. Attorney Bogan noted we don’t qualify since it requires 2 persons to operate it and we only have one police officer.
- Clerk-Treasurer Woodworth presented the Board with the 2021 Fiscal Stress of 3.3 – No Designation and Environmental Stress of 13.3 – No Designation.
- County Planning Board Representative – Clerk-Treasurer Woodworth asked the Board to approve Steve Vann Chairman of the Village Planning Board as the Village’s representative on Orleans County Planning Board. Mayor Belson asked that Mr. Vann be contact to confirm he’d like to be appointed to that position.
- Vouchers – Abstract A11-1 – A12 #16106 - #16177 to be paid for 2021-2022

General	\$ 30,427.71
Water	\$ 4,507.15
Sewer	\$ 3,970.13
Grand Total	\$ 38,904.99

RESOLUTION NO 2022-41
VOUCHERS TO BE PAID FOR ABSTRACTS A11-1 – A12

ON MOTION of Trustee Wilson, seconded by Trustee Woodward Jr., to have Clerk-Treasurer Woodworth pay Abstracts A11-1 – A12 # 16106 – #16177.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

Report – Superintendent Woodworth

- Superintendent Woodworth presented the Board with five quotes to purchase a new pump for the low lift station at the Water Treatment Plant. Superintendent Woodworth noted the lowest quoted is \$3,216.00.

RESOLUTION NO 2022-42
PURCHASE OF A NEW PUMP FOR THE LOW LIFT STATION AT THE WATER TREATMENT PLANT

ON MOTION of Trustee Woodward Jr., seconded by Trustee Wilson, to authorized Superintendent Woodworth to purchase a new pump for the low lift station at the Water Treatment Plant not to exceed \$3,300.00.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- Superintendent Woodworth noted the Street lights are in the process of being changed over to LED.
- Superintendent Woodworth asked the Board for approval to declare a 2” trash pump, a 5 hp Briggs and Stratton motor and a simplicity mower with a 48” deck.

RESOLUTION NO 2022-43
SUPRPLUS EQUIPMENT – 2” TRASH PUMP, 5 HP BRIGGS AND STRATON MOTOR AND SIMPLICITY MOWER

ON MOTION of Trustee Woodward Jr., seconded by Trustee Holland, to declare a 2” trash pump, a 5 hp Briggs and Stratton motor and a simplicity mower surplus equipment and to authorize Superintendent Woodworth place for sale on GovDeals.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- Superintendent Woodworth noted a letter from MRB Group regarding funding available to assist with the Dam at a 25% match. Mayor Belson noted there’s consolidated funding coming.
- Superintendent Woodworth noted the design phase has started for effluent disinfection at the Waste Water Treatment Plant.

Report – Trustee Kenyon

- Nothing

Report – Trustee Woodward Jr.

- Nothing

Report – Trustee Holland

- Nothing

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Report – Trustee Wilson

- Nothing

Report – Mayor Belson

- Mayor Belson inquired if anyone dialed into the senator’s conference call. Clerk-Treasurer Woodworth noted she dialed in; it was a very informative call. Clerk-Treasurer Woodworth noted it was mentioned about funding coming to Orleans County for broadband updates.

OLD BUSINESS:

- Sale of Scrap Metal Policy

WHEREAS, the Village of Lyndonville Department of Public Works routinely accumulates scrap metal, and

WHEREAS, the Village Board has determined that selling the scrap metal periodically and depositing the funds in the General Fund of the Village is in the public interest, and

WHEREAS, Village Law section 1-102(1) authorizes a village to sell its scrap metal, and

WHEREAS, a village is under an obligation to obtain the best possible price for the scrap metal which it sells, and

WHEREAS, a village may sell its scrap metal by in a method determined best by the Superintendent of Public Works so that the best possible price can be determined and

WHEREAS, the Village Board wishes to set forth in writing its policy relative to the sale of scrap metal,

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1) To be deemed surplus scrap metal, one of the following criteria must be met:
 - a) It has been condemned for use by the health department or other regulatory entity of competent jurisdiction.
 - b) It is damaged or worn such that it is not economically feasible to repair.
 - c) It has been or is scheduled to be replaced.
 - d) It is outdated or obsolete.
 - e) It cannot be repaired in a cost effective manner for a different or additional use.
 - f) It is excess and will not be used.
 - g) It is functionally obsolete.
- 2) Prior to a sale, the Village DPW Superintendent shall determine an estimated fair market value of the scrap metal to be sold based upon current market factors.
- 3) The Village Board shall adopt a resolution declaring the scrap to be surplus, specifying the manner in which the scrap is to be sold and delegating the sale task to a specific official as hereinafter set forth.
- 4) Proceed with the sale as authorized by the Village Board in a commercially reasonable manner.
- 5) All checks or money orders shall be payable to the Village of Lyndonville.

RESOLUTION NO 2022-44

SALE OF SCRAP METAL POLICY

ON MOTION of Trustee Holland, seconded by Trustee Wilson, to approve and accept the updated Sale of Scrap Metal Policy as it reads.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- Procurement Policy

This resolution sets forth the policy and procedures of the Village of Lyndonville to meet the requirements of General Municipal Law § 104-b, which requires each political subdivision to adopt procurement policies and procedures.

I. STATEMENT OF POLICY AND PURPOSE

Goods and services that are not required by law to be procured pursuant to the competitive bidding requirements of General Municipal Law § 103 must be procured in a manner that assures use of public moneys in a prudent and economical manner and in the best interest of the taxpayers, facilitates the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and guards against favoritism, improvidence, extravagance, fraud, and corruption.

To further these objectives, the governing board is adopting an internal policy and procedure to govern the procurement of all goods and services that are not subject to the competitive bidding requirements of General Municipal Law § 103 or any other general, special, or local law.

II. APPLICABILITY OF THIS POLICY

The policies and procedures outlined herein apply to the procurement of every good or service procured by the municipality that are not required to be made pursuant to the competitive bidding requirements General Municipal Law § 103 or of any other general, special or local law.

- A. Purchase or Public Works Contract Determination.** Every proposed purchase must initially be reviewed to determine whether it constitutes a purchase contract or a public works contract. In general, purchase contracts involve the acquisition of commodities, materials, supplies, or equipment, while contracts for public work involve labor or construction. For the purposes of this policy, routine service contracts (e.g. grounds maintenance, vehicle maintenance and repair, janitorial services) will be considered purchase contracts for the applicable methods of procurement and adequate documentation.
- B. Aggregate Amount Determination.** Once the determination is made regarding whether the procurement constitutes a purchase contract or a public works contract, 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 goods or services falls below the monetary threshold for state competitive bidding laws set forth under General Municipal Law § 103. This determination must take into account past purchases and the aggregate amount to be spent in a year.

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- C. Procurements Subject to State Competitive Bidding.** The following items are subject to competitive bidding pursuant to General Municipal Law § 103 and must be procured through the procedure outlined therein:
- purchase contracts over \$20,000; and
 - public works contracts over \$35,000.

- D. (i) Procurements Not Subject to State Competitive Bidding Requirements.** The following items are either not subject to or are exceptions to General Municipal Law § 103 competitive bidding requirements:

- purchase contracts under \$20,000 and public works contracts under \$35,000;
- emergency purchases;
- certain municipal hospital purchases;
- goods purchased from agencies for the blind or severely handicapped;
- goods purchased from correctional institutions;
- purchases under state and county contracts; and
- surplus and secondhand purchases from another governmental entity.

(ii) Documentation Required. The determination that a purchase is not subject to competitive bidding requirements under General Municipal Law § 103 must be documented in writing by the purchasing agent. This documentation may include:

- written or verbal quotes from vendors; or
- a memo from the purchasing agent indicating how the decision was arrived at; or
- a copy of the contract indicating the source that makes the item or service exempt; or
- any other written documentation that is appropriate.

- E. Statutory Exceptions to Quotations/Proposals Requirements of This Policy and Procedures.** All goods and services will be secured in accordance with this policy except in the following circumstances:

- purchase contracts over \$20,000 and public works contracts over \$35,000 use competitive bidding procedures under General Municipal Law § 103;
- goods purchased from agencies for the blind or severely handicapped pursuant to State Finance Law § 175-b;
- goods purchased from correctional institutions pursuant to Correction Law § 186;
- purchases under state contracts pursuant to General Municipal Law § 104;
- purchases under county contracts pursuant to General Municipal Law § 103(3);
- purchases let by other governmental entities pursuant to General Municipal Law § 103(16); or
- other items excepted from this policy (see Section V, “Items Excepted from this Policy and Procedures by the Board”); or where other exceptions provided by law apply.

- (i) Documentation Required.** The determination that a purchase is not subject to this procurement policy must be documented in writing by the purchasing agent. This documentation may include:

- a. written or verbal quotes from vendors; or
- b. a memo from the purchasing agent indicating how the decision was arrived at; or
- c. a copy of the contract indicating the source that makes the item or service exempt; or
- d. any other written documentation that is appropriate

III. ADOPTION OF PROCEDURES

The following procedures identify the methods of competition and the means of adequate documentation to be used for the procurement of goods and services subject to this policy.

A. Methods of Procurement

The methods of procurement to be used are as follows:

1. Discretion of purchasing agent
2. Verbal estimates
3. Written quotations
4. Requests for proposals

B. Adequate Documentation

Documentation of actions taken in connection with each method of procurement is required as follows:

Estimated Amount of Purchase or Service Contract	Method
Less than \$1000	Discretion of purchasing agent
\$1000- \$4,999	2 verbal quotes
\$5,000 - \$19,999	3 written quotes/RFPs
Estimated Amount of Public Work Contract	Method
Less than \$1000	Discretion of purchasing agent
\$1000 - \$2,999	2 verbal quotes
\$3,000 - \$9,999	2 written quotes/
\$10,000 - \$34,999	3 written quotes/RFPs

- (i).** 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.

- C. Required Statements for Submissions Made Pursuant to Competitive Bidding.** If the goods or services to be procured must be acquired by competitive bidding pursuant to General Municipal Law § 103 or any other general, special or local law, the following statement must accompany such bid:

- i. The Iran Divestment Act.** Every written offer made to the [municipality] must contain the following statement subscribed and affirmed by the offeror as true under the penalties of perjury:

By submission of this offer, each offeror and each person signing on behalf of any offeror certifies, and in the case of a joint offer each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each offeror is not on the list created pursuant to State Finance Law § 165-a (3)(b).

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The Village of Lyndonville may award an offer to an offeror who cannot make the statement of non-investment on a case-by-case basis if:

- The investment activities in Iran were made before the effective date of this section, the investment activities in Iran have not been expanded or renewed after the effective date of this section, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
- The Village of Lyndonville makes a determination that the goods or services are necessary for the Village of Lyndonville to perform its functions and that, absent such an exemption, the Village of Lyndonville would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

No contract may be awarded to any persons determined to be engaged in investment activities in Iran as indicated by New York State Office of General Services.

- ii. **Statement of Non-Collusion.** Every written offer made to the Village of Lyndonville must contain the following statement subscribed and affirmed by the offeror as true under the penalties of perjury:

By submission of this offer, each offeror and each person signing on behalf of any offeror certifies, and in the case of joint offer each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief:

- The prices in this offer have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- Unless otherwise required by law, the prices quoted in this offer have not been knowingly disclosed by the offeror and will not knowingly be disclosed by the offeror prior to opening, directly or indirectly, to any other offeror or to any competitor; and
- No attempt has been made or will be made by the offeror to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

- iii. **Statements for Non-Bid Procurements.** Offers submitted in a manner other than competitive bidding shall also contain the above statements; however, the failure to include them shall not result in their automatic rejection.

IV. AWARDS TO OTHER THAN THE LOWEST RESPONSIBLE DOLLAR OFFEROR

Whenever a contract is awarded to someone other than the lowest responsible dollar offeror, the reasons why shall be documented as follows:

- A. **Best Value.** Notwithstanding anything else contained in this policy, the Village of Lyndonville may award purchase contracts and service contracts that have been procured pursuant to competitive bidding under General Municipal Law § 103(1) or otherwise under this policy by either the lowest responsible bidder standard or the best value standard.
- i. **Definition.** “Best value” is defined in State Finance Law § 163 as, “the basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors.” For the purposes of this section, the Village of Lyndonville adopts the above definition of “best value” as may be modified from time to time by the State Legislature.
- ii. **Applicability.** The best value standard may only be used for purchase contracts, which includes contracts for service work, but excludes any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law. When awarding contracts under the best value standard, the Village of Lyndonville must consider the overall combination of quality, price, and other elements of the required commodity or service that in total are optimal relative to the needs of the Village of Lyndonville. Use of the best value standard must rely, wherever possible, on objective and quantifiable analysis. The best value standard may identify as a quantitative factor whether offerors are small businesses or certified minority- or women-owned business enterprises as defined in New York Executive Law § 310.
- iii. **Approval.** Use of the best value standard for the procurement of goods and services requires approval from the Village of Lyndonville. The Village Board must also approve the factors to be considered when awarding contracts under this standard.
- iv. **Documentation Required.** The determination that a purchase may be awarded on the basis of best value must be documented in writing by the purchasing agent. This documentation may include a memo from the purchasing agent indicating how the decision was arrived at or any other written documentation that is appropriate.

V. ITEMS EXCEPTED FROM THIS POLICY AND PROCEDURES BY THE BOARD

Pursuant to General Municipal Law § 104-b(2)(g), this policy may contain circumstances 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 Village of Lyndonville 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.** 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.
- i. In determining whether a service fits into this category the individual or body making the purchase 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; and
- c. whether the services require a personal relationship between the individual and municipal officials.
- ii. “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.
- iii. To the extent practicable, professional services should be obtained through requests for proposals issued by the Village of Lyndonville’s purchasing agent. All RFPs are to be reviewed by the purchasing agent, who will make a recommendation to the Village Board for final approval. The determination of the RFP will be based on clearly described and documented criteria, and will include the evaluation of the service provider’s accountability, reliability, responsibility, skill, education and training,

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judgment, integrity and moral worth. The municipality must provide documentation, such as but not limited to a memorandum, outlining its evaluation and the basis for awarding the contract for professional services.

- iv. In the event an RFP is not used to procure a professional service, no contract shall be awarded without written documentation, such as but not limited to a memorandum, outlining the procurement process, the evaluation methods used, and the basis for awarding the contract.

- B. Emergency purchases.** For purpose of this section, an emergency refers to an occurrence that presents an immediate threat to public property, the life, safety, health, welfare or property of residents or the public, or threatens to curtail or terminate an essential service to residents or the public. 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, property or welfare of the residents or Village of Lyndonville. This section does not preclude alternate proposals if time permits. Emergency purchases will be made at the discretion of the appropriate department head with documentation as to the nature of the emergency.
- C. Sole Source.** Under State Finance Law § 163, “sole source” is defined as “a procurement in which only one offeror is capable of supplying the required commodities or services,” and no substantial equivalent exists. To qualify under the sole source exception, the Village of Lyndonville must demonstrate that the acquisition of the good or service sought is in the public interest and is available from only one source, for which there is no equivalent. A good or service serves the public interest if there are unique benefits arising from the particular good or service as compared to a different good or service, no other good or service would provide substantially similar benefits, and the cost is reasonable when considering the benefit conferred upon the municipality.
- D. Purchases of surplus and secondhand goods from any source or goods purchased at auction.** If alternate proposals are required, the Village of Lyndonville would be 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.
- E. Goods or services under \$500.** 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 de minimis contractors would be awarded based on favoritism.
- F. Cooperative or Piggyback Contracts.** General Municipal Law § 103(16) allows for the procurement of certain goods (including apparatus, materials, equipment and supplies) and services through contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein, if such contract was let in a manner consistent with competitive bidding, and has been made available for use by other governmental entities. The stated purpose is to reduce administrative and product cost, and increase efficiencies. Through cooperative purchasing, or piggybacking, a governmental subdivision has already investigated and secured the lowest possible price for the municipality.

It is the responsibility of the Village Board to review each proposed procurement to determine, on advice of the Village of Lyndonville attorney as appropriate, whether the procurement falls within this exception. Three items must be considered:

- i. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein; and
- ii. The contract must have been made available for use by other governmental entities; and
- iii. The contract must have been let in a manner that constitutes competitive bidding consistent with state law.

If it is determined that all three items to consider have been met, the [municipal board] shall allow this exception to the requirements of competitive bidding and this policy. The determination that cooperative purchasing is allowed shall be documented and a copy of the government contract off which piggybacking is allowed must be included in such documentation.

- G. Shared Services, Efficiencies and Municipal Cooperation.** Municipalities are encouraged and authorized to share services and work together when possible to reduce costs.

VI. INDIVIDUAL(S) RESPONSIBLE FOR PURCHASING

The Department Heads of the various Departments of the Village of Lyndonville.

VII. INPUT FROM OFFICERS

Comments have been solicited from officers of the political subdivision or district therein involved in the procurement process prior to the enactment of this policy and procedures, and will be solicited from time to time hereafter.

VIII. ANNUAL REVIEW

The governing board of the Village of Lyndonville shall annually review and, when necessary, update this policy and its procedures.

The Mayor of the Village of Lyndonville shall be responsible for conducting an annual evaluation of the effectiveness of the procurement policy and procedures and an evaluation of the control procedures established to ensure compliance with the procurement policy, and shall be responsible for reporting back to the board.

IX. UNINTENTIONAL FAILURE TO COMPLY

The unintentional failure to comply fully with the provisions of General Municipal Law, § 104-b shall not be grounds to void action taken or give rise to a cause of action against the Village of Lyndonville or any officer or employee thereof.

RESOLUTION NO 2022-45
PROCUREMENT POLICY

ON MOTION of Trustee Wilson, seconded by Trustee Holland, to approve and accept the updated Procurement Policy as it reads.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

NEW BUSINESS:

- Mayor Belson noted two new picnic tables have been donated and will be placed at the end of 63 at the Lake.
- 2022-2023 Tax Warrant - To Teri M. Woodworth Village Clerk-Treasurer

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll here unto annexed, the sum stated in the last column hereof opposite their names, being a total of \$501,199.00 for the following purposes:

For the Current Budget \$ 1,468,802.00

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YOU ARE FURTHER COMMANDED to receive and collect such sum without additional charges between the first day of June and the first day of July 2022 both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five per centum for the first month or fraction thereof, and one per centum for each month until paid.

YOU ARE FURTHER COMMANDED to return the tax roll and warrant to the Village Clerk on or before the first day of November, 2022, and to deliver to the board of trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

RESOLUTION NO 2022-46
2022/2023 TAX WARRANT

ON MOTION of Trustee Holland, seconded by Trustee Wilson, to accept the 2022/2023 Tax Warrant as it reads.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- Year End Meeting – The Board set the 2021/2022 Year End meeting for May 31, 2022 at 2:30pm.
- Clerk-Treasurer Woodworth informed the Board of the Clean Water State Revolving Fund (CWSRF), asking if the Village would like to apply for in the absence of the WIIA grant. Clerk-Treasurer Woodworth will confirm with Jeff Smith from Municipal Solutions that it's the 0% financing.

RESOLUTION NO 2022-47
APPLY FOR THE CLEAN WATER STATE REVOLVING FUND

ON MOTION of Trustee Wilson, seconded by Trustee Woodward Jr., to authorized Mayor Belson to sign for the Clean Water State Revolving Fund for financing for the Waste Water Treatment Plant Disinfection Project pending advisement from Municipal Solutions.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- Superintendent Woodworth requested to go into executive session regarding a personnel matter.

ON MOTION of Trustee Belson, seconded by Trustee Wilson, to enter into an executive session regarding a personnel matter at 6:36pm.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

ON MOTION of Trustee Wilson, seconded by Trustee Woodward Jr. to close the executive session regarding a personnel matter at 6:55pm.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

No action was taken during the executive session.

- Mayor Belson asked the Board for approval to hire on permanent bases Paul Kurz and James Hibbard with them being subject to strict monthly performance evaluations.

RESOLUTION NO 2022-48
PERMANANT HIRES – PAUL KURZ AND JAMES HIBBARD

ON MOTION of Trustee Wilson, seconded by Trustee Holland, to hire on a permanent bases Paul Kurz and James Hibbard with them being subject to strict monthly performance evaluations at the discretion of the Superintendent of Public Works.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

ON MOTION of Trustee Woodward Jr., seconded by Trustee Holland, to adjourn the meeting at 6:58PM.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

Teri M. Woodworth
Clerk-Treasurer