

The May meeting of the East Otto Town Board was called to order at 6:08 PM by Supervisor Ann Rugg on Tuesday May 9, 2017. Ann led the pledge to the Flag.

Present were councilmen Dave Forster, William Spors, Mike Poch and Sidney Barber. Highway Superintendent Tom Benz and CEO Officer Jeff Holler.

Guests present were Bob Bowen, Michael Guerin, and Wirt Smith.

A motion was made by Dave Forster and seconded by Mike Poch to authorize the Supervisor to pay all general and highway funds bills audited. Forster, Poch, Spors, Barber and Rugg were in favor. Motion carried.

	Abstract #	Claim #	Amount
Highway 1	102	02-03	\$ 5,596.82
Highway 3	305	42-46	\$ 1,650.51
General	005	36-45	\$ 13,846.40

A motion was made by Dave Forster and seconded by Sid Barber to approve and waive the reading of the April 11<sup>th</sup> 2017 meeting minutes. Forster, Poch, Spors, Barber and Rugg were in favor. Motion carried.

Bill Spors stated that the gas bill has been being estimated and would like to have an actual reading done. A motion was made by Dave Forster and seconded by Sid Barber to accept the audit of the April 2017 prepaid utility bills presented Forster, Poch, Spors, Barber and Rugg were in favor. Motion carried.

A motion was made by Mike Poch and seconded by Sid Barber to transfer \$60 from 5142.4 snow removal-contractual to DA9720.7 installment purchase-interest account. Forster, Poch, Spors, Barber and Rugg were in favor. Motion carried.

Clerk paid to Supervisor \$254.75 for April 2017 fees and commissions.

Discussion took place on the presentation from the Mobilitie Company regarding a monopole tower. Ann stated that the company has filed a section 106 with the Federal Commissions. Bill stated that he did research on the company.

A motion was made by Sid Barber and seconded by Bill Spors to adopt the following local law #1-2017 on Best Value. Roll call vote as follow:

Mike Poch	yes	Sid Barber	yes	Bill Spors	yes
Dave Forster	yes	Ann Rugg	yes	Motion carried.	

Town of East Otto  
Cattaraugus County  
State of New York

Local Law #1 - 2017 – A Local Law for Best Value Contracts

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### Section 1: Purpose

The Town Board seeks to exercise the local option set forth in §103, Subdivision 1, of the New York General Municipal Law, as amended by

Chapter 608 of the Laws of 2011 and Chapter 2 of the Laws of 2012, which amendment authorized the Town to award purchase contracts and contracts of services subject to competitive bidding and/or competitive request for proposals under General Municipal Law §103 on the basis of either lowest responsible bidder or “best value”, as defined in §163 of the New York State Finance Law. The “best value” option may be used if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder taking into consideration, but not exclusively, factors such as lower cost of maintenance, durability, higher quality and longer product life.

**Section 2: Award Based on Low Bid or Best Value**

The Town Board may award purchase contracts and service contracts that have been procured pursuant to competitive bidding and/or competitive request for proposals under General Municipal Law §103 by either lowest responsible bidder or “best value”.

**Section 3: Applicability**

The provisions of this chapter apply to Town purchase contracts involving an expenditure of more than \$20,000 and Town contracts for services involving an expenditure of more than \$35,000 but exclude purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the State Labor Law and exclude any other contract that may in the future be excluded, under state law from the best value option. If the dollar thresholds of General Municipal Law §103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.

**Section 4: Standards for Best Value**

Goods and services procured and awarded on the basis of best value are those that the Town Board determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described and documented criteria, which may include, but shall not be limited to, any or all, of the following: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; and longer product life; product performance criteria; and quality of craftsmanship.

**Section 5: Documentation**

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

**Section 6: Procurement Policy Superseded where Inconsistent**

Any inconsistent provision of the Town’s procurement policy, as adopted

prior to the effective date of this chapter by resolution of the Town Board, or as amended thereafter, shall be deemed superseded by the provisions of this chapter.

### **Section 7: Severability**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstance, and the Town Board of Farmersville hereby declares that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

### **Section 8: Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

Highway: Tom gave an update on the 550. It should arrive by the end of the month and it will go directly to Valley Fab. He told of repairs done to the 4 wheel drive truck: EGR valve and a new ECM. The EGR valve was also replaced in 2011. The 2008 Peterbuilt is having issues. The town of Otto has the same truck one year newer and their truck is also experiencing the same issues.

Tom received a call on Sunday May 7, regarding Connoisarauley Rd. Some of the bank including a tree had slid and there were limbs in the road. Tom cut and cleared them from the road. Later that afternoon he received a call from the County stating that residents were concerned. He took the loader over and cleaned more out. The highway department will take an excavator over and do more work. Ann asked Tom to contact soil and water and have them come take a look.

A flag pole with a light and flag were installed at the ball diamond. One will also be installed on the flag pole at the highway shop.

When Tom was in Rochester he spoke to 2 different companies regarding a new pressure washer, both companies price was around \$6,000.

A wooden flatbed was put on the old 550 to replace the box that was taken off to put on the new truck. The flatbed allows the truck to be continued to be used for jobs like putting up signs.

The emergency response protocol needs to be updated. The clerk will update and present the board with the new copies.

Ann told the board that the work has been completed on the surveillance cameras.

Ann encouraged the board members to participate in the Memorial Day Parade. The parade will be held on Sunday May 28. The participants will line up at 10:45 on Spring Street. Burdick's Blueberries will provide a surrey for the board to ride on. The board will purchase hot dogs, rolls and ice cream for the picnic after the parade.

Ann received a letter from NYS in regards to purchasing some property that is adjacent to state property for state reforestation land.

CEO Report: Jeff completed 10 inspections, issued 5 permits, issued 5 violation notices, answered 19 phone calls and deposited \$355 to the clerk for permits issued.

Wirt Smith presented the board with information from the Cattaraugus swimming program. He stated it is under new supervision. The program runs from 9am-noon and they provide free lunches. Life guards are provided.

Bill questioned the carryover amount from the previous year.

Ann asked to see a breakdown of their budget.

Ann stated she feels the program in Cattaraugus is a worthwhile program since the kids are able to earn a Red Cross Certificate.

The board questioned if there would be enough participation to justify the cost.

Bill presented information on the Holiday Valley summer program. It is 5 days a week, it is free and is funded by Ellicottville youth program. The swim program runs from July 10-28<sup>th</sup>, Mondays, Wednesdays and Fridays.

Public Comment: Mr. Guerin addressed the board. He asked why Traffic Street does not get plowed and closes in the winter. He also asked why the town needs a new truck.

A motion was made by Bill Spors and seconded by Sid Barber to adjourn at 7:48 PM. Forster, Poch, Spors, Barber and Rugg were in favor. Motion carried.

The next meeting will be June 13, 2017 at 6:00pm.

Respectfully Submitted

Deanna Bowen  
Town Clerk

