

## **Board of Trustees Meeting Minutes**

**04/06/2020 6:00 PM**

A Public Hearing for the proposed 2020-2021 budget was held at 5:45pm.

There were no questions regarding the proposed budget.

Attendees: Mayor G. Pearl; Trustees: R. Barton, D. Papasergi, J. Cummins, Clerk Treasurer K. Roth

The regular meeting of the Board of Trustees was called to order at 6:00 pm with a salute to the flag led by Mayor G. Pearl.

Present: Mayor: G. Pearl; Trustees: R. Barton, D. Papasergi, J. Cummins, Clerk Treasurer K. Roth

### **RESOLUTION #2020-031-ACCEPT MINUTES**

On motion made by Trustee J. Cummins, second by Trustee R. Barton resolved to approve the minutes from March 16, 2020. Aye-all, Nay-none

### **RESOLUTION #2020-032-APPROVE PAYMENT OF CURRENT BILLS**

On motion made by Trustee R. Barton, second by Trustee D. Papasergi resolved to approve the payment of current bills. Aye-all, Nay-none

### **PUBLIC SESSION-NONE**

### **NEW BUSINESS**

### **RESOLUTION #2020-033-APPROVE 2020-2021 BUDGET AS ATTACHED**

On motion made by Trustee J. Cummins, second by Trustee R. Barton resolved to approve the 2020-2021 budget. Aye-all, Nay-none

### **RESOLUTION # 2020-034-APPROVE 2021 ORGANIZATIONAL MEETING APPOINTMENTS**

The following items were read by Mayor Pearl:

1. Appointments
2. Official Newspaper
3. Dates/Times of regular board meetings
4. Designation of Depositories
5. Committees
6. Purchasing Policy
7. Investment Policy
8. Advance Approval of Claims
9. Mileage Allowance

**RESOLUTION # 2020-034-APPROVE 2021 ORGANIZATIONAL MEETING APPOINTMENTS**

2021 ORGANIZATIONAL MEETING APPOINTMENTS, NEWSPAPER, DATES AND TIMES OF REGULAR MEETINGS, DESIGNATION OF DEPOSITORIES, COMMITTEES, PURCHASING POLICY, INVESTMENT POLICY, AVANCED APPROVAL OF CLAIMS, MILE ALLOWANCE AND CREDIT CARD POLICY REVIEW AND APPROVAL BY BOARD OF TRUSTEES

On motion made by Trustee D. Papasergi, second by Trustee J. Cummins resolved that all Appointments, Official Newspaper, Dates and Times of Regular Meetings, Designation of Depositories, Committees, Purchasing Policy, Investment Policy, Advanced Approval of Claims, Mileage Allowance and Credit Card Policy read and/or submitted by Mayor Pearl at the 2020-2021 Village of Allegany Board of Trustees Organizational Meeting have been reviewed and/or approved on 4/6/2020 by the Board of Trustees. Aye-all, Nay-none.

**VILLAGE OF ALLEGANY  
APPOINTMENTS 2020-2021**

Deputy Mayor	Jerry Cummins
Clerk Treasurer	Kimberly Roth
Registrar of Vital Statistics	
Deputy Clerk, Court Clerk	Athena Silluzio
Deputy Registrar of Vital Statistics	
Office Assistant (part time)	Christy Peace
Superintendent of Public Works	Frank Snyder
Police Chief	Christopher Baker
Acting Lieutenant	Chris McGraw
Patrolman-full time	Richard Love
School Resource Officer	Jeremy Pula
Sr. Patrolman-part time-Acting Sergeant	Timothy Peterson
Patrolmen-part time	Travis Radomski Daniel Gonska Zachary Lippert David Conner Sean Obergfell Jordan Abdo Matthew Rado Anthony Ellis Kyle Threehouse Devine Leacock

Sex Offender Registration Act Compliance Officers	Timothy Peterson
Juvenile Officer	Jeremy Pula
Civil Defense Director	Frank Snyder
Emergency Command Coordinator	Frank Snyder
Attorney	Michael Burke
Prosecuting Attorney	Michael Burke
Code Enforcement Officer	John Helgager
Chief Water Operator	Mark Hastings
Crossing Guards	Ronald Williams
	Thomas Jones
	Randy Henderson
Crossing Guard (Sub)	Jeffery Harvey
	Gillian Williams
Official Newspaper	Times Herald, Olean
Village Board Meetings	1 <sup>st</sup> Monday of each month, 6:00 pm Municipal Building subject to change
Official Depositories	Five Star Bank
	Community Bank
	MBIA Class

**VILLAGE OF ALLEGANY  
COMMITTEES 2020-2021**

Streets	Jerry Cummins
Water	Robert Barton
Sewer	Robert Barton
Police	Jerry Cummins
Code Enforcement	Gregory Pearl

Fire Department Liaison	Gregory Pearl
Budget	Gregory Pearl
Sidewalks	Dominic Papasergi
Trees	Dominic Papasergi Sue Cooper-Forester Jay McIntosh-Arborist
Contracts	Gregory Pearl
Clerk's Office	Gregory Pearl
Zoning/Planning Boards	Dominic Papasergi Robert Barton
Village/Town/School Liaison	Jerry Cummins
Safety Committee	TBD
Personnel Committee	Gregory Pearl

### **PURCHASING POLICIES AND PROCEDURES**

THIS RESOLUTION SETS FORTH THE POLICIES AND PROCEDURES OF THE VILLAGE OF ALLEGANY TO MEET THE REQUIREMENTS OF GENERAL MUNICIPAL LAW, SECTION 104-b.

#### **Purpose**

Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner as to assure the prudent and economical use of public moneys in the best interest of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting an internal policy and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, section 103 or of any other general, special, or local law.

#### **Procedures for Determining Whether Procurements are Subject to Bidding**

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

- \$1-3,000                    At the discretion of the Board and/or Department Head.
- \$3,001-10,000            At the discretion of the Board and Department Head (may be verbal).

\$10,001-19,999      Written quote from at least 2 separate vendors (if available).

\$20,000 and up      Sealed bids in conformance with Municipal Law, Section 103.

Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes will be awarded to the lowest responsible and responsive vendor.

### **Statutory Exceptions to Quotations/Proposals Requirements of This Policy and Procedures**

Except for procurements made pursuant to General Municipal Law, section 103(3) (through certain county contracts), section 104 (through certain State and Federal contracts), State Finance Law, section 162, Correction Law, sections 184 and 186 (from “preferred sources,” including articles manufactured in correctional institutions), or the items excepted herein, alternative proposals or quotations for goods and services shall be secured by use of either written requests for proposals, written quotations, verbal quotations or any other method of procurement that furthers the purposes of the General Municipal Law, section 104-b.

As an alternative to soliciting competition individually or through cooperative purchasing arrangements, the village may “piggyback” on contracts that have been extended to local governments by certain other governments.

### Procedures for Public Work Projects/Contracts

\$1-5,000              At the discretion of the Board and/or Department Head.

\$5,001-10,000      At the discretion of the Board and Department Head.

\$10,001-20,000     Documented telephone quotes from at least 3 separate vendors (if available)

\$20,001-34,999     Formal written Request for Proposal with a response from at least 2 vendors and if possible 3 vendors.

\$35,000 and up      Formal sealed bids in conformance with Municipal Law, Section 103.

In all circumstances, whenever other than the lowest quote is awarded, there must be written documentation of the reason for the award.

UNDER NO CIRCUMSTANCES CAN A QUOTE THAT EXCEEDS THE BID LIMIT BE AWARDED.

### Professional Services

Professional services generally include services rendered by attorneys, engineers, and certain other services requiring specialized or technical skills, expertise or knowledge, the exercise of professional judgment or a high degree of creativity. In addition, insurance coverage (e.g, health, fire, liability, and workers’ compensation) is also not subject to competitive bidding requirements.

\$1-10,000	Annual charge will be at the discretion of the Department head and with the approval of the Board.
\$10,001-19,999	Prices will be obtained by formal written quotes from at least 2 sources and the award will be made at the discretion of the Department Head and with the approval of the Board.
\$20,000 and up	Prices will be obtained by Formal Request for Proposal, with the award of contract being made by the Board.

Awards to other than the lowest proposer must be properly documented with the rational/reason for the rejection of the lowest price.

Any and all procedures not specifically covered in this policy will be adhered to as covered in General Municipal Law, Section 104-b.

An emergency exists wherein the delay caused by soliciting quotes would endanger the health, Welfare, or property of the municipality, or more important the individual taxpayer, then the procurement of goods or services will be at the discretion of the property department head with documentation as to the nature of the emergency and shall be sent to the Governing Board, within five (5) working days of such procurement.

#### Input From Board

Comments have been solicited from the Board of Trustees of the Village of Allegany in the procurement process prior to the enactment of this policy and procedures, and will be solicited from time to time hereafter.

#### Annual Review

The Board of Trustees shall annually review and, when needed, update this policy and procedures.

The Mayor 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.

#### Unintentional Failure to Comply

The unintentional failure to comply fully with the provisions of General Municipal Law, section 104-b shall not be grounds to void action taken or give rise to a cause of action against the

Village of Allegany or any officer or employee thereof.

Resolution

Adopted on 4/6/2020 by 4 to 0 vote of the Board of Trustees of the Village of Allegany.

**INVESTMENT POLICY OF THE VILLAGE OF ALLEGANY**

The objectives of the Investment Policy of the Village of Allegany is to minimize risk, to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceed of obligation in:

Certificates of Deposit issued in a bank or trust company authorized to do business in New

York State:

Savings accounts;

Obligations of New York State;

Obligations of the United State Government;

The following banks and municipal investors are designated by the Village of Allegany;

Five Star Bank, Allegany, New York

The Community Bank, N. A., Olean, New York

MBIA Municipal Investors Service Corporation

Collateral:

Certificate of Deposits shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of federal agencies, the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Obligations shall be held by a third party.

Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United State Government.

The governing Village Board of the Village of Allegany shall review and approve the investment policy, at least annually, and if practicable, at its organizational meeting and the members shall review and amend, if necessary these investment policies

The provision of these investment guidelines shall take effect prospectively, and shall not invalidate the prior selection of any Custodial Bank or prior investment.

## **ADVANCE APPROVAL OF CLAIMS**

WHEREAS the Board of Trustees of the Village of Allegany has determined to authorize payment in advance of audit claims for public utility services, postage, credit card accounts, freight and express charges, and

WHEREAS all such claims shall be presented at the next regular meeting for audit, and

WHEREAS the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees.

Section 2. That this resolution shall take effect immediately.

## **MILEAGE POLICY**

WHEREAS the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of Trustees shall approve reimbursement to such officers and employees at the rate of \$.575 per mile;

Section 2. That this resolution shall take effect immediately.

## **ESTABLISHING A CREDIT CARD POLICY FOR THE VILLAGE OF ALLEGANY**

It is common practice for local governments to use credit cards for the convenience of making phone or internet purchases, paying for employee travel expenses or small purchases of goods and services for official business of the Village of Allegany. Credit cards used by local governments include general purpose credit cards, vendor-specific cards and fuel cards. General purpose cards are frequently issued under the name of the local government in the name of a specified local official; vendor-specific cards are commonly issued in the name of the local government and usually include a list of authorized users; fuel cards can be location-specific cards or travel cards that can be used at any of the designated vendor's service stations.

Therefore, it is essential that the Village of Allegany maintain adequate internal controls over government-issued credit cards and payments made for related expenses are properly authorized and appropriate.

### **Policy and Procedures**



- The Village of Allegany authorizes the use of government-issued credit cards by its officials and employees for phone purchases, internet purchases, travel-related purposes and for small goods and services as deemed necessary and feasible.
- The actual and necessary expenses shall be incurred in accordance with and subject to all laws, rules, and regulations applicable to municipal charges incurred by Village of Allegany officials and employees.
- The Village Clerk and/or Deputy Clerk shall have sole custody of the credit card(s)\*. They will be stored in a cabinet in the clerk's office and the cabinet locked when the office is closed. A credit card will be issued to an employee and recorded on a sign-out sheet (Exhibit A) by the clerk or deputy clerk as follows:

- date of issuance
- card issued
- purpose for issuance
- name of person card issued to
- employee card issued to must initial sheet

- Upon return of the employee, (s)he must surrender the card and the receipt (if card is used) to the Clerk/Deputy Clerk who will record the card as returned and place it in the cabinet. The invoice will be kept for future credit card statement reconciliation.

\*For credit cards used for the purchase of village fleet fuel, vehicle specific cards will be issued. They will be kept in the vehicle at all times and used when fueling vehicles. A pin number will be assigned to each employee (multiple pin numbers will be assigned when an employee is working both DPW and Police). In order to fuel a village vehicle, the vehicle specific card must be used, and personal pin number and accurate mileage on the vehicle must be entered at time of fueling. Use of another employee's pin number is prohibited and such action will not be tolerated.

- Proper documentation must be submitted in order to support and reconcile credit card statements each month. Itemized receipts shall be signed and departmentalized by the purchaser as a means of reconciling the monthly statement.
- The Clerk and/or Deputy Clerk will reconcile the monthly credit card statements and prepare the voucher for payment. The departmental supervisor will sign off if approved.
- Upon receipt of the voucher, the board of trustees will audit the claim to verify that costs are supported by proper documentation. The charges should be deemed valid and proper municipal expenditures. If approved, the board will sign off and return to the clerk for processing and payment.
- Government issued credit cards shall be used for government purchases/purposes only and will be prohibited for personal use. Alcoholic beverages and other entertainment-related costs do not represent a proper use of public funds; therefor such expenditures will not be permitted.
- Any illegal, questionable, or unauthorized expense or improper usage of the credit card shall require repayment by the party incurring the expense.
- In the event of a lost credit card, the village official or employee must immediately contact the village Clerk/Deputy Clerk who will notify the card service in order to eliminate any unauthorized use.
- Failure to comply with this policy will subject an employee to disciplinary action up to and including termination.

**RESOLUTION #2020-035-OFFICIAL APPOINTMENT OF JEREMY PULA AS FULL TIME POLICE OFFICER**

On motion made by Trustee D. Papasergi, second by Trustee R. Barton resolved to approve the official appointment of Jeremy Pula as full-time police officer effective March 26, 2020. Original appointment was July 1, 2019 pending civil service examination. Aye-all, Nay-none

**RESOLUTION #2020-036-RESIGNATION OF KELLY GRANGER AS DEPUTY MAYOR**

On motion made by Trustee J. Cummins, second by Trustee D. Papasergi resolved to approve with regret the resignation of Kelly Granger as Deputy Mayor effective April 1, 2020. Aye-all, Nay-none

**RESOLUTION #2020-037-APPOINTMENT OF RICHARD LOVE AS FULL TIME POLICE OFFICER**

On motion made by Trustee J. Cummins, second by Trustee D. Papasergi resolved to approve the appointment of Richard Love as full-time police officer effective April 1, 2020. Aye-all, Nay-none

**RESOLUTION #2020-038 – ADJOURN MEETING**

On motion made by Trustee J. Cummins, second by Trustee R. Barton resolved to approve the adjournment of the meeting. Aye-all, Nay-none

Respectfully submitted.

Kimberly Roth/Clerk Treasurer