

Meeting Minutes Livonia Town Board

3/20/2014

Present: Town Board, Several students and residents

Meeting called to order 7:00 pm

Supervisor Gott read legal notices for proposed local laws #1 and #2 and declared both public hearings open

George Schuster asked the purpose of Local Law #1 and the board answered that it is a way for the Town to be known as a "farm Friendly community"

Charlie Beecher thanked the Town Board for enacting such a law and applauded Jim Campbell for his good work preparing the law to fit Livonia

There were no public comments regarding Local Law #2

Supervisor Gott stated that the hearings would remain open for the entire meeting.

Open Session: Tom Vernam asked a question about past meeting minutes that referenced signage at Vitale Park. Supervisor Gott told Tom that he and Frank Seelos would be looking at ways to consolidate signs as well as incorporate a CLA sign into the sign plan for the park. Tom also has requested a new tractor for the park. The Town Board asked Tom for a solid proposal to look at in the future.

RES 35-2014 Approval of meeting minute dated 3/6/2014 Motion by Frank Seelos, Second by Angela Grouse. 5-0

RES 36-2014 Authorize advertisement for Part time Building and Zoning Clerk Motion by Angela Grouse, Second by Frank Seelos 5-0

RES 37-2014 Motion to set up interview committee. The committee will consist of Bob Leader representing the Village of Livonia, Angela Grouse representing the Town of Livonia and Adam Backus as Department Head. Motion by Matt Gascon, Second by Andy English.5-0

RES 38-2014 Motion to set Wage for Part time Building and Zoning Clerk at \$13.50/ hour 25 to 30 hours/week maximum. Motion by Angela Grouse, Second by Frank Seelos 5-0

RES 39-2014 Authorize advertisement for part time Vitale Park worker. Motion by Frank Seelos, Second by Andy English.5-0

RES 40-2014 Set the annual Town of Livonia Bulk Clean up day for June 7th from 7am to 10am and to use Shanks Enterprises again this year. Councilman Gascon will not be able to attend. Motion by Frank Seelos, Second by Matt Gascon5-0

RES 41-2014 Authorization to advertise for Mowing and Property Maintenance for 2014 season. Supervisor Gott did say that there was a possibility for a renewal with last years provider. The entire Town Board decided to see what this years proposals would be. Motion Andy English, Second by Matt Gascon. 5-0

RES 42-2014 Authorize purchase of two computers from Hurricane Technologies for Assessors office. These computers are old and can not operate the software of the Real Property office after this year. Motion Andy English, Second by Angela Grouse 5-0

RES 43-2014 Supervisor Gott received a sponsorship request for Little Lakes Triathlon. The Town Board decided to sponsor 50% of a \$1,000. sponsorship with the Village Board again this year. Motion Frank Seelos, Second by Matt Gascon 5-0

Supervisor Gott asked if anyone from the public wished to speak on either Local Law #1 or #2

With no further comment both hearings were closed.

Proposed Local Law # 1 – Right to Farm - will not be acted on tonight pending recommendation from County Planning Board.

RES 44-2014 Motion to declare Town Board as Lead Agent for proposed Local Law #2-2014 regarding purchase contracts. Motion Angela Grouse, Second by Matt Gascon 5-0

Supervisor Gott read the short form Environmental Assessment form and the Town Board answered all questions. It was determined that proposed Local Law #2-2014 would have no significant environmental impacts.

RES 45-2014 Motion of findings- Negative Declaration Motion Andy English, Second by Matt Gascon 5-0

RES 46-2014 Motion to adopt Local Law #2-2014 (which now becomes Local Law #1-2014) regarding purchase contracts. Motion Matt Gascon, Second by Frank Seelos. (See copy of adopted law at the end of these minutes.)

RES 47-2014 Motion to pay bills on abstract of claims. Motion Angela Grouse, Second by Frank Seelos 5-0

RES 48-2014 Motion to enter executive session to discuss pending litigation. Motion Matt Gascon, Second Andy English 5-0

RES 49-2014 Return from Executive Session at 7:35 Motion Angela Grouse, Second by Matt Gascon 5-0

Motion to adjourn at 7:35 Motion Andy English, second by Matt Gascon.

Be it enacted by the Town Board of the Town of Livonia as follows:

SECTION 1. TITLE AND SCOPE

A. This local law shall be known as “A LOCAL LAW AUTHORIZING THE TOWN OF LIVONIA TO AWARD PURCHASE CONTRACTS, INCLUDING CONTRACTS FOR SERVICE WORK, BUT EXCLUDING ANY PURCHASE CONTRACTS NECESSARY FOR THE COMPLETION OF A PUBLIC WORKS CONTRACT PURSUANT TO ARTICLE 8 OF THE LABOR LAW, ON THE BASIS OF BEST VALUE, AS DERFINED IN SECTION 163 OF THE STATE FINANCE LAW, TO A RESPONSIVE AND RESPONSIBLE BIDDER OR OFFER.”

SECTION 2. PURPOSE.

A. Section 103 of the General Municipal Law 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; and

B. Section 103 was recently amended to provide that by enacting a Local Law so providing, counties and other municipalities may award purchase contracts which would otherwise be subject to the “lowest bidder” rule on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offer; and

C. The Town of Livonia hereby determines that it is in the best interest of the Town and its residents for the Town Board to have authority to award purchase contracts on the basis of best value.

SECTION 3. AUTHORIZATION

A. On and after the effective date hereof, the Town of Livonia may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contact pursuant to Article 8 of the Labor Law, on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offer.

B. The election to award any such contract on the basis of best value shall be made by the Town Board which authorizes the solicitation for bids.

C. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing the required security.

SECTION 4. SEVERABILITY

If any clause sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy to which such order or judgment shall be rendered.

SECTION 5 EFFECTIVE DATE.

This local law shall be effective immediately upon its filing with the Office of the Secretary of State.