

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea L. Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Heather Stevens, Councilman
Terrance McClory, Councilman
Joseph Weaver, Councilman

DATE: March 12, 2024

RESOLUTION NUMBER: 32 YEAR: 2024

MOVED BY: Ms. Stevens SECOND BY: Mr. McClory

TITLE : **Resolution Establishing the use of Facebook for the Town of Franklinville for informational purposes only for the year 2024;**

WHEREAS, establish the use of Facebook for the sole purpose of sharing information involving the Town of Franklinville.

RESOLVED, that Facebook be designated as an informational source for the Town of Franklinville for the year 2024.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 12th day of March in the year 2024, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

N/A Sharon Hahn, Deputy Supervisor

Aye Terrance McClory, Councilman

Aye Heather Stevens, Councilman

N/A Joseph Weaver, Councilman

CERTIFIED: Andrea L Stanbro
Andrea L. Stanbro, Clerk
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Heather Stevens, Councilwoman
Terrance McClory, Councilman
Joseph Weaver, Councilwoman

DATE: March 12, 2024

RESOLUTION NUMBER: 33 YEAR: 2024

MOVED BY: Mr. McClory SECOND BY: Mrs. Stevens

TITLE: Resolution on Annual Review of Franklinville Procurement Policy for the Year 2024

WHEREAS, NYS General Municipal Law §104-b requires every NYS Town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of NYS General Municipal Law §103 or any other law;

WHEREAS, the Franklinville Town Board adopts a Procurement Policy by Resolution and thereof requires that the Franklinville Town Board review the Policy annually at its organizational meeting;

RESOLVED, that we, the Franklinville Town Board hereby reviews and approves the Franklinville Procurement Policy for the year 2024. The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 12th day of March in the year 2024, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

N/A Sharon Hahn, Deputy Supervisor

N/A Joseph Weaver, Councilman

Aye Terry McClory, Councilman

Aye Heather Stevens, Councilwoman

CERTIFIED: Andrea Stanbro
Andrea Stanbro, Clerk, Town of Franklinville

WHEREAS, General Municipal Law section 104-b requires governing boards to adopt by resolution internal policies 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; and

WHEREAS, comments concerning the policies and procedures set forth herein have been solicited from officers of the Town of Franklinville prior to the adoption of this resolution; and

WHEREAS the Town Board has determined that the following policies and procedures will ensure that procurements for the Town will be handled prudently, economically and in compliance with applicable law;

NOW, THEREFORE, BE IT RESOLVED that the following policies and procedures are hereby adopted to comply with 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 Town Board has adopted this internal policy and its 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 procedure for determining whether a procurement of goods or services is subject to competitive bidding is as follows:

- a. All purchases of supplies and/or equipment of:
 - i. Greater than \$20,000 in the fiscal year shall be formally bid pursuant to Section 103 of the General Municipal Law to the lowest responsible bidder.
 - ii. Less than \$20,000 but greater than \$13,000 require written quotes from a minimum of 3 vendors.
 - iii. Less than \$13,000 but greater than \$5,000 require verbal quotes from a minimum of 2 vendors.

- iv. Less than \$5,000 is left to the discretion of the Purchaser, within the budget.
- b. All estimated public works contracts:
 - i. Greater than \$35,000 shall be formally bid pursuant to Section 103 of the General Municipal Law to the lowest responsible bidder.
 - ii. Less than \$35,000 but greater than \$20,000 require a written request for proposals (RFP) and written proposals from a minimum of 2 vendors.
 - iii. Less than \$20,000 but greater than \$5,000 require written quotes from a minimum of 2 vendors.
 - iv. Less than \$5,000 is left to the discretion of the Purchaser.
- *In determining whether a purchase is an expenditure within the discretionary threshold amounts established by GML 103(1), the Town shall consider the reasonably expected aggregate amount of all purchases of the same commodities, services or technology to be made within the twelve-month period commencing on the date of purchase. Purchases of commodities, services or technology shall not be artificially divided for the purpose of satisfying discretionary buying thresholds. A change to or a renewal of a discretionary purchase shall not be permitted if the change or renewal would bring the reasonably expected aggregate amount of all purchases of the same commodities, services or technology from the same provider within the twelve-month period commencing on the date of the first purchase to an amount greater than the discretionary buying threshold amount. Commodities, services, or technology that are similar or essentially interchangeable should be considered the "same" for this purpose. GML 103(1).*

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 (see below), 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.

Methods of Competition to be Used for Non-Bid Procurements

Non-competitive procurement may be used **only** when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one of the following circumstances applies:

Where a public emergency or urgent situation is such that the urgency will not permit a delay beyond the time needed to employ one or the other procurement methods. An emergency is “an urgent and unexpected requirement where health and public safety or the conservation of public resources is at risk.”

Where the truck and equipment is taken to a vendor due to an unexpected breakdown (e.g., towed to a repair facility) and it would not be cost effective to incur extra costs to remove the truck or equipment and seek another bid.

Adequate Documentation

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

Verbal quotes require entry into a written procurement log;

Written quotes must be submitted with the voucher;

RFP's and copies of Federal, State, County, or other Government contracts for which “piggybacking” is permitted must be retained with the Town's procurement records

Written justification must be provided when a contract is awarded to other than the lowest responsible dollar offeror as described in more detail below.

Awards to Other than the Lowest Responsible Dollar Offeror (Best Value)

Whenever any contract is awarded to other than the lowest responsible dollar offeror, the reasons that such an award furthers the purpose of General Municipal Law, section 104-b, and Local Law as set forth herein above, shall be documented as follows:

When awarding a contract based upon best value, the requirements of State Finance Law §163 and the criteria and procedures shall apply and be observed as written in our Local Best Value Law.

Items Excepted from this Policy and Procedures by the Board

The board sets forth the following circumstances when, or types of procurements for which, in the sole discretion of the Town Board, the solicitation of alternative proposals or quotations will not be in the best interest of the Town of Franklinville:

“Piggybacking” on certain other government contracts in accordance with the prerequisites in GML, section 103 [16];

All professional services are exempt from competitive bidding. When contracting for professional services, the Town should employ the RFP process or obtain a minimum of two written quotes from professional service providers. Where cost is not the only deciding factor when selecting a professional services provider, an RFP should be done every 5 years at a minimum.

Individual(s) Responsible for Purchasing

The following individuals are responsible for purchasing by the Town:

Catharyn Campbell, Town Supervisor

Scott Stanbro, Highway Superintendent

Andrea Stanbro, Town Clerk

This list shall be updated every two years.

Annual Review

The governing board shall annually review and, when needed, update this policy and procedures. The Town Board 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.

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 Town of Franklinville or any officer or employee thereof.

Resolution Adopted

Adopted on (Insert date) by (Insert results of board vote) vote of the governing board of the Town of Franklinville.

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Heather Stevens, Councilwoman
Terrance McClory, Councilman
Joseph Weaver, Councilwoman

DATE: March 12, 2024

RESOLUTION NUMBER: 34 YEAR: 2024

MOVED BY: Mr. McClory SECOND BY: Mrs. Stevens

TITLE: **Resolution Making Appointment to the Town Board due to a Resignation;**

WHEREAS, the Town accepted the resignation of a member of the Town Board, Joesph Weaver as of March 13, 2024 and has a vacancy to be filled; and

WHEREAS, any member appointed to the Town Board will be appointed through December 31, 2024, and seek election during the fall of 2024;

RESOLVED, that the Town hereby appoints David Furman as a member of the Town of Franklinville Town Board as of the 3/13/24.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 12th day of March in the year 2024, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

NA Sharon Hahn, Deputy Supervisor

NA Joseph Weaver, Councilman

Aye Terry McClory, Councilman

Aye Heather Stevens, Councilwoman

CERTIFIED: Andrea Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Heather Stevens, Councilwoman
Terrance McClory, Councilman
Joseph Weaver, Councilwoman

DATE: March 12, 2024

RESOLUTION NUMBER: 35 YEAR: 2024

MOVED BY: Mrs. Stevens SECOND BY: Mr. McClory

TITLE: **Resolution announcing the vacancy in the Zoning Board of Appeals Chairman;**

WHEREAS, the Zoning Board of Appeals office previously held by Craig Balcer has become vacant; and

WHEREAS, the Town of Franklinville desires to refill such office, and

AND NOW, THEREFORE BE IT RESOLVED, that the Town hereby appoints,

Russell Hatch
3107 Route 98
Franklinville, NY 14737

as a member of the Town of Franklinville Zoning Board of Appeals with the duties of Chairman effective immediately for a term of five years, that shall be deemed expired on December 31, 2027; and be it further,

RESOLVED, that a copy of this resolution be transmitted to Loretta Close, Secretary to the Zoning Board of Appeals.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 12th day of March in the year 2027, the ayes and nays take and recorded below:

<u>Aye</u>	Catharyn Campbell, Supervisor
<u>N/A</u>	Sharon Hahn, Deputy Supervisor
<u>N/A</u>	Joseph Weaver, Councilman
<u>Aye</u>	Terry McClory, Councilman
<u>Aye</u>	Heather Stevens, Councilwoman

CERTIFIED:

Andrea L Stanbro

Andrea Stanbro, Clerk, Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Heather Stevens, Councilwoman
Terrance McClory, Councilman
Joseph Weaver, Councilwoman

DATE: March 12, 2024

RESOLUTION NUMBER: 36 YEAR: 2024

MOVED BY: Mrs. Stevens SECOND BY: Mr. McClory

TITLE: **Resolution Making Appointment to the Zoning Board of Appeals Secretary due to a Resignation;**

WHEREAS, the Town accepted the resignation of the Zoning Board of Appeals Secretary, Caitlynn Carson as of March 8th, 2024 and has a vacancy to be filled; and

RESOLVED, that the Town hereby appoints Loretta Close as the Secretary of the Town of Franklinville Zoning Board of Appeals as of the 3/12/24.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 12th day of March in the year 2024, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

N/A Sharon Hahn, Deputy Supervisor

N/A Joseph Weaver, Councilman

Aye Terry McClory, Councilman

Aye Heather Stevens, Councilwoman

CERTIFIED: Andrea Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
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Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Heather Stevens, Councilwoman
Terrance McClory, Councilman
Joseph Weaver, Councilwoman

DATE: March 12, 2024

RESOLUTION NUMBER: 37 YEAR: 2024

MOVED BY: Mr. McClory SECOND BY: Mrs. Stevens

TITLE: **Resolution Authorizing Supervisor to Execute Contractual Agreement with the Cattaraugus County SPCA ("SPCA") for March 12, 2024-January 31, 2025;**

WHEREAS, the Town Board desires to contract for services for lost, stray, abandoned dogs, and/or dogs subject to neglect or cruelty cases for the period of **March 12, 2024 through January 31, 2025**, or other period as proposed by the SPCA in negotiations; and

WHEREAS, The SPCA has presented a contractual agreement ("Agreement") to the Town of Franklinville which provides for certain enumerated dog related services to the Town, which Agreement in draft form is attached hereto, now therefore be it

RESOLVED, that the Supervisor be authorized and directed to execute an agreement with the SPCA in the form or substantially in the form of the Agreement attached to this Resolution.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 12 day of March the year 2024, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

NA Sharon Hahn, Deputy Supervisor

NA Joseph Weaver, Councilman

Aye Terry McClory, Councilman

Aye Heather Stevens, Councilwoman

CERTIFIED: Andrea Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
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Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Heather Stevens, Councilwoman
Terrance McClory, Councilman
Joseph Weaver, Councilwoman

DATE: March 12, 2024

RESOLUTION NUMBER: 38 YEAR: 2024

MOVED BY: Mr. McClory SECOND BY: Mrs. Stevens.

TITLE: **Resolution to Approve Dog Enumeration for the year 2024;**

WHEREAS, The Town of Franklinville has not completed a dog enumeration since 2007 and finds the need to have a more recent one completed and,

WHEREAS, The Town of Franklinville will seek board approval for the use of mailers mailed by a third party company named; Dog Enumeration.com for the price of \$646.25 for the Dog Enumeration and,

WHEREAS, mailers will be sent on or around 3/18/24, Dog Control Officer will then be going out to the residences of the Village of Franklinville and Town of Franklinville who have not registered by 4/30/24, there then will be a fee of \$20.00 for any unregistered/unlicensed dog, now therefore be it

RESOLVED, that the Town Board approves a 2024 Dog Enumeration via the use of the Dog Enumeration mailers as well as the follow up process to be sure dogs are properly registered/licensed: The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 12th day of March in the year 2024, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

NA Sharon Hahn, Deputy Supervisor

NA Joseph Weaver, Councilman

Aye Terry McClory, Councilman

NAY Heather Stevens, Councilwoman

CERTIFIED:

Andrea L Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville