

Town Of Olean

Town Officials
Town Hall
2634 Route 16 North
Olean, NY 14760
716-373-0582

Highway Superintendent
Town Garage
1948 Godfrey Hollow Rd
Olean, NY 14760
716-372-1060

2023 Organizational Meeting of the Town Board Held January 17, 2023 at Olean Town Hall, 2634 Rt. 16 North Olean, NY 14760, Commencing at 6:00 P.M.

Proposed Rules for Conduct of Town Board Meetings:

Rule 1: Regular Meeting

The Town Board shall meet at 6:00 P.M. on the third Tuesday of each month for the purpose of the conduct of general business. When the third Tuesday of the month is a holiday, the meeting shall be rescheduled by majority vote of the board at the prior months meeting.

Rule II: Special Meetings

Special meetings may be called at any time by the Supervisor or any three Town Board members. The Town Clerk shall cause the written notice thereof, specifically the object of the meetings, to be served upon each member personally or to be delivered at their place of residence at least two days before the time fixed for such meeting. At special meeting, no business other than named in the notice of the meeting shall be transacted.

Rule III: Work Sessions

1. Work sessions will be held with the regular board meetings on the third Tuesday of the month at 6 P.M. 2. After evaluation of the purpose of these work sessions and the benefits of having them. The supervisor may discontinue these work sessions if he/she feels the business is too much to be done all in one meeting, therefore will go back to the 2nd Tuesday of the month.

Rule IV: Quorum (Three members is a quorum)

The majority of the Town Board shall constitute a quorum for the conduct of business, but a smaller number may adjourn.

Rule V: Presiding Officer

The Supervisor shall preside at all meetings of the Town Board, but in his/her absence or inability to serve, the Deputy Supervisor, or if there is no Deputy Supervisor, a Board member designated by a majority of the Board, shall act as presiding officer, and shall so serve until the return of the Supervisor or Deputy Supervisor.

Rule VI: Permission for persons to speak before the Town Board

The presiding officer may allow any person to speak, upon terms and conditions that the presiding officer may from time to time prescribe, in relation to ordinances or resolutions which are before the board. No person shall be permitted to speak more than 5 (five) minutes on any one subject.

Rule VII: Town official conduct

That all Town Officials Elected and Appointed conduct themselves in a professional manner at all times while conducting town business.

Rule VIII: Areas of responsibilities of individual board members

Each member of the Town Board shall be responsible for investigating and recommending appropriate action to the Town Board for matters coming before the Board relating to one of the following areas:

1. Finance	Annette Parker Josh Torrey
(A) Insurance	Annette Parker
2. Public Health and Safety	Josh Torrey John Artlip
3. Highway	John Artlip Scott Zink Donna Howard
4. Personnel and Facilities	Annette Parker Josh Torrey
5. Planning and Zoning	Donna Howard Scott Zink
6. Sewer	Josh Torrey Scott Zink
7. Cemetery	Annette Parker Patrick Zink Donna Howard Josh Torrey

Examples of the scope of each area of responsibility are listed in the Appendix:

Miscellaneous matters not covered in one of the above categories will be the responsibility of the Town Supervisor, or a Board member designated by the Supervisor, subject to the agreement of the affected Board Member.

Rule IX: Procedure on Resolutions

As provided by law, the passage of a resolution requires the affirmative vote of a majority of five-member Town Board (3 out of 5). Any resolution to be introduced by any Town Board member at any meeting of this Town Board shall be filed in the office of the Town Clerk by 1:00 P.M. on the last day preceding said Town Board meeting.

Furthermore, where said Town Board meeting is to commence at a time other than 6:30 P.M., the said resolution shall be filed at the office of the Town Clerk at least 24 hours in advance of said meeting.

Rule X: Agenda

- 1) A written agenda shall be prepared for each meeting of the Town Board and shall include the title and author of each resolution to be presented. The agenda will be followed as presented and only business pertaining to the agenda items will be discussed at that time. Other Business will be town matters only.
- 2) The agenda and a copy of all resolutions to be presented shall be mailed, if possible, to each Board Member prior to the meeting or be given to each Board Member in attendance prior to the opening of the meeting, if there is insufficient time for mailing.
- 3) Any resolutions not filed in accordance with Rule VII above shall be tabled by the presiding officer until next meeting, unless, upon motion regularly made and adopted by a majority vote of the Town Board, the immediate consideration of such resolution is authorized.
- 4) Any resolution appearing on the agenda will not be read at the meeting of the Town Board, but shall be called up by referring only to the title, and the same shall be deemed to be before the board with full force and effect as though the same had been fully read; if, however, any Board Member requests the reading of the resolution in full, such resolution must be read to the Board.

Rule XI: Roberts Rules of Order

The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the Town Board in all cases except as herein provided for.

Rule XII: Suspension of Rules

Any rule the Town Board except as otherwise specifically provided in such rules may be temporarily suspended by a vote of the majority of all members present unless that rule is prescribed by State or Local Law.

Rule XIII: Amendment, Modification or Repeal of Rules

Permanent amendment, modification or repeal of the rules in whole or in part may be made at any time by a resolution of the Town Board at a regular or special meeting.

APPENDIX

FINANCE: ASSESSMENTS, FRANCHISES, GENERAL EXPENDITURES, AND COST EFFECTIVENESS

PUBLIC HEALTH AND SAFETY: WATER QUALITY, BUILDING AND FIRE CODE, WASTE DISPOSAL, ENVIRONMENTAL MATTERS

HIGHWAY: EQUIPMENT NEEDS, ROAD MAINTENANCE AND IMPROVEMENT PROGRAMS, TRAFFIC CONTROL

PERSONNEL AND FACILITIES: VACANCIES, WAGE AND BENEFIT RECOMMENDATIONS, RECOMMEND NEW POSITIONS, OR ABOLISH EXISTING POSITIONS, REVIEW TOWN BUILDINGS (HANDICAPPED ACCESS, ETC.).

PLANNING AND ZONING: LAND USE, INDUSTRIAL DEVELOPMENT, ZONING POLICY AND ENFORCEMENT

SEWER: COMPLIANCE, HOOKUP RECOMMENDATIONS, AND RESEARCH

CEMETERY: MAINTENANCE, PLOTS, MOWING AND GROUNDS

2023 SALARIES AND WAGE RATES FOR OFFICIALS AND EMPLOYEES

WHEREAS, NOW, THEREFORE, BE IT RESOLVED that salaries and wages for officials and employees be the same as stated in the adopted 2023 Budget.

- > Elected Officials- As stated in 2023 Budget
- > Appointed- As stated in 2023 Budget

HIGHWAY EMPLOYEES

>HIGHWAY EQUIPMENT OPERATOR- FOR 2023-\$21.94 PER HOUR

>TEMPORARY (PART-TIME) HIGHWAY EQUIPMENT OPERATORS

Federal minimum wage \$14.20

UNTIL A NEW CONTRACT HAS BEEN REACHED.

AND BE IT FURTHERED RESOLVED that the following special provisions shall also apply to wages and salaries of officials and employees of the Town of Olean in the year 2023.

SPECIAL PROVISIONS

Members of the Zoning Board of Appeals, Assessment Review Board and Planning Board shall be compensated \$75.00/year each and chairperson/secretary of each of these named Boards, shall be compensated at \$100.00 per year. The chairperson/ secretary is responsible for submitting Minutes of all Board Meetings to the Town Clerk for filing.

MILEAGE REIMBURSEMENT- Town Officials will be reimbursed (for personal vehicle use) at the Federal Rate for mileage while transacting business for the Town and for training and Association Meetings, outside the Olean area. The rate for the year 2023 will be based upon current reimbursement rate, which is the most current at the time of travel.

BONDING

RESOLVED: THAT the Town of Olean shall provide bonding through the purchase of an insurance policy for that specific purpose for all Town Officials required by law to post an official undertaking in connection with their Town office in the year 2023. The amount of the bond shall be \$20,000 for the faithful performance of their duties by covered Officials, with an additional coverage of \$500,000 for Town Tax Collector, and additional coverage of \$125,000 for Town Supervisor.

PETTY CASH AND CREDIT CARDS

RESOLVED: THAT the following Town Officials are hereby authorized to hold Petty Cash funds or credit cards in the name of the Town of Olean for the year 2023.

TOWN SUPERVISOR

TOWN CLERK	\$100.00
-------------------	-----------------

HIGHWAY SUPERINTENDENT	\$50.00
-------------------------------	----------------

TOWN COURT CLERK	\$100.00
-------------------------	-----------------

PURCHASING

HIGHWAY DEPARTMENT PURCHASES

RESOLVED: THAT the Highway Superintendent of the TOWN of Olean is hereby authorized to purchase small tools and equipment for use by the HIGHWAY Department of the Town of Olean without prior approval of the Town Board in the amounts not to exceed \$500.00 for any single purchase or \$500.00 in any one month.

RESOLVED: To adopt the Town of Olean Purchasing Policy as filed with the Town Clerk and effective January 1, 2023

2022 APPOINTMENTS TO POSITIONS

Attorney Building/Zoning Officer Assessment Review Board Planning Board Zoning Board of Appeals	Matthew Swenson Gerald Dzuroff Full Board Full Board 2 Board Members
--	---

FIVE STAR BANK & TRUST

- Tax Collection
- General Fund Saving and Checking
- credit card
- Highway Fund Savings and Checking
- Trust and Agency
- South Olean Sewer District
- Pleasant Valley Cemetery

COMMUNITY BANK NA

- East Olean Sewer Checking
- Dugan East Sewer Checking

THIS COMPLETES THE CUSTOMARY ORGANIZATIONAL RESOLUTIONS FOR THE TOWN BOARD OF THE TOWN OF OLEAN, N.Y.

TITLE/NAME/SIGNATURE	AYE	NAY
SUPERVISOR-PARKER <i>Matthew Parker</i> Supervisor		aye
COUNCILMAN-ARTLIP <i>John Artlip</i>		aye
COUNCILMAN-S. ZINK <i>[Signature]</i>		aye
COUNCILMAN-TORREY		
COUNCILMAN-HOWARD <i>Donna Howard</i>		aye

OFFICIAL NEWSPAPER:

THE TIMES HERALD

OFFICIAL DEPOSITORIES:

COMMUNITY BANK, NA

- Lighting Districts Funds/-South Olean
- Justice Checking / -Dugan East Sewer
- East Sewer

Procurement Policy Resolution

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid; and

WHEREAS, comments have been solicited from all officers in the Town involved in the procurement process;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Olean does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid:

Procurement Policy for the Town of Olean

- 1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, 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 item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: 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 second-hand purchases from another governmental entity.**

The decision that a purchase is not subject to competitive bidding will be documented in writing by the Town official making purchases. This documentation may include written or verbal quotes from vendors, a memo from the purchasing official indicating how the decision was arrived at, a copy of the contract or purchase order, a memo from the Town official detailing the circumstances which led to an emergency purchase, or any written documentation that is appropriate.

- 2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchases under \$250; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to**

for Review

Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to Section 103 (3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy:

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase</u>	<u>Method</u>
\$ 1,000 - \$ 2,500	3 Verbal Quotations
\$ 2,501 - \$ 34,999	3 Written Quotations

Piggybacking on Certain Government Contracts Per Board approval.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchasing Town official is unable to obtain the required number of proposals or quotations, that official 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.

4. Documentation is required of each action taken in connection with each procurement.

5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings, how the offeror was not responsible or why the offer was not responsive. A determination that the offeror is not responsible or that the offer was not responsive shall be made by the purchasing official and may not be challenged under any circumstances.

6. In the following circumstances, it is not in the best interests of the Town of Olean 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, judgement, 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.

In determining whether a service fits into this category, the Town Board 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. Professional or technical services shall include but not be limited to the following: services of attorneys; services of physicians; services of engineers; securing insurance coverage; services of accountants; 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 pre-packaged software.

b. It is not in the best interests of the Town to solicit alternate proposals for emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Do to the nature of this exception, these goods or services must be purchased immediately because a delay to seek alternate proposals mat threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

c. It is not in the best interest of the Town to solicit alternate proposals for purchases of surplus and second-hand goods. If alternate proposals required, the Town is precluded from purchasing surplus and second-hand 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 goods and a lower price may indicate an older product.

d. Any goods or services under \$1,000 need not be purchased competitively. The time and documentation required to purchase through this policy may be more costly than an item in this type of circumstance and would therefore not be in the best interests of the taxpayer.

e. It is not in the best interest of the Town to solicit alternate proposals for the purchase of utility services or postage as they are sole source acquisitions.

f. Every effort will be made for Procurement of Goods for the Town of Olean which reflect the need for re-cycling.

7. This policy shall go into effect January 1, 2012 and will be reviewed annually, by the Town Board.

Patrick Zink-aye, John Artlip-aye, Josh Torrey-aye, Mike Caya-aye