

TOWN OF ORANGETOWN TRAVEL AND CONFERENCE POLICY

ADOPTED BY TOWN BOARD RESOLUTION _____ OF 2021

Part 1: Objective:

The purpose of this Travel Policy is to help Town officers, appointed officials and employees understand and apply the Town's travel rules and regulations and to provide instructions regarding reimbursement for expenses while in travel status. The Town Board of the Town of Orangetown hereby sets forth the following policy for reimbursement of expenses incurred while traveling on official Town business. When traveling on official Town business, only actual, necessary and reasonable business expenses will be reimbursed.

Part 2: Travel, Lodgings and Mileage Reimbursement:

General Municipal Law §77-b(3) authorizes the Town to pay for the actual and necessary expenses of travel, meals, lodging, registration fees and tuition fees incurred by officers and employees while attending conferences. A "conference" is defined as a convention, conference or school conducted for the betterment of any local government. A conference also includes any convention or conference of police officers, if believed to be of benefit to a local government. The Town Board must, by resolution, give prior authorization for conference travel.

In order for conference expenses to be considered "actual and necessary", an expenditure must have been made, been incurred of necessity, and the amount of the expense must be no greater than reasonably necessary. Conference travel must be for official business and must be made utilizing a cost-effective and reasonable method of travel.

Accordingly, accommodations should be selected utilizing the most cost-effective and reasonable options available. Employees should be aware that travel expenses are paid for with public funds and all employees should exercise due care while incurring travel expenses. Spending lavishly on deluxe hotels, extravagant meals, and expensive transportation methods are not expenses that are necessary and therefore not an appropriate use of public funds.

Part 3: Form to be filed:

The Department Head/employee shall complete the Finance Office form "Request to Attend Conference, Meeting, Seminar or School" and annex any necessary documentation prior to submission of the request to the Town Board.

Part 4: Day Trip Travel Expenses:

Day-trips are defined as those activities that require the individual to be away from his/her department on official Town business for the day or part of the day, where the individual not out-of-town overnight. All day-trip travel including mileage allowances for conferences and training must be approved by the Town Board in advance. A “day-trip” shall be any travel that is less than thirty-five (35) miles (round-trip) away from Town Hall. Travel shall be by the most direct route.

Part 5: Reimbursement for meals:

Reimbursement for meals cannot exceed FIFTY AND 00/100 (\$50.00) DOLLARS per day, unless the Town Board has authorized an exception to the maximum rates (see Part 8: Exceptions to Maximum Rates below). The employee shall provide receipts for allowable meals during travel and is reimbursed for the actual amount necessarily incurred.

Part 6: Automobile Mileage Reimbursement Rate:

The automobile mileage reimbursement for employee use of personal vehicles while on official business will be the standard automobile mileage allowance amount set by the Internal Revenue Service for business (and in effect on the date travel occurred). Employees must document the date and time that they left their home (or work site) and the date and time that they returned. By adhering to this allowance, reimbursements for mileage are not taxable to the employee.

If a traveler uses a Town-owned vehicle, it should be indicated on the voucher. Garage and parking charges, and tolls will be reimbursed. Auto-emergency supply items will be reimbursed only if documented by appropriate receipt attached to the travel voucher.

The Town will not reimburse travelers for parking tickets, parking/traffic fines and moving violations, or vehicle towing charges.

Part 7: Overnight Travel expenses:

All overnight travel and lodging, mileage allowances, taxi and rental car expenses for conferences and training must be approved by the Town Board in advance. Incidental expenses such as reasonable, customary tips to bellmen, porters, hotel maids, etc., are included in the travel and lodging allowances; and reasonable and necessary parking expenses and tolls will be reimbursed. Expenses that are NOT reimbursable include, but is not limited to: charges for in-room movies, entertainment, alcoholic beverages, valet service and laundry services and other personal charges; and charges for gasoline, towing and insurance will not be reimbursed.

1. Exemption from Sales Tax on Hotel occupancy: Town employees are exempt from paying State tax on hotel occupancy purchased within New York State while

on official business. New York State Tax Form ST-129 (Exemption Certificate) should be presented to hotels upon registration. Copies of this form can be obtained at www.tax.ny.gov

2. Conference Expenses of Non-Employees: Employees may bring their spouses or other non-employees while travelling for conference purposes. However, any transportation, lodging or other expenses for spouses or other non-employees must be paid by the traveling employee or the extra traveler. For example, if the room rate is higher than it would have been if the employee was traveling alone (i.e. upgrading from a \$128.00 single-occupancy room rate to a \$168.00 double-occupancy room rate), the employee may only be reimbursed for the single rate amount.

Part 8: Exceptions to Maximum Rates:

Occasionally, exceptions to maximum lodging and meal rates should be allowed to accommodate special circumstances. Only the Town Board can authorize an exception to the maximum rate. These circumstances occur when:

- a. The hotel where the conference is held is charging a lodging rate higher than the maximum rate however, it is in the best interest of the Town to allow the traveler to stay at the higher rate site rather than incur transportation costs to and from the conference site.
- b. Lodging is unavailable at or below the maximum rate or lodging cannot be found reasonably close to the traveler's destination. (i.e., may occur during peak travel periods in tourist areas or other heavily travelled areas).
- c. Meals are included as part of the hotel/conference fee and you cannot separate the cost from the hotel/conference price.
- d. Special needs of specific travelers may necessitate increased expenses, i.e., special dietary restrictions, health concerns or handicapped access.

Part 9: Telephone Charges:

Claims for reimbursement for long distance telephone calls for official business will be reimbursed unless such calls were dialed on an authorized Town-owned cellular/mobile phone.

Part 10: Receipts:

Original receipts, specifying dates and rates, for all reimbursements including hotel room charges, mileage allowances, taxi and rental car expenses, and expenses for meals must be submitted to the Finance Office. Only actual and necessary travel expenses properly incurred while attending a conference may be billed or claimed for reimbursement.

The required documentation for travel claims/vouchers shall include:

1. A copy of the approval form;
2. If the travel is for a conference, a certification of attendance and/or completion, if applicable.
3. Original receipts for all and necessary expenses claimed. This includes lodging; conference fees; air, train or bus travel; rental cars; meals (unless a meal allowance is provided for); tolls; parking; etc. The receipt should specify the date, the rate or amount charged. These receipts should be provided regardless of the method of payment.
4. To prevent loss, receipts should be arranged in date order, and any receipts less than 8.5" x 11" in size should be taped to a clean, white 8.5" x 11" paper and attached to the voucher.

Part 11: Failure to Adhere to Policy and Proper Procedures:

Employees may be personally responsible for any improper costs incurred. In the case of improper claims for travel and conference expenses, the following may occur:

1. Denial of reimbursement to employees who do not submit required and appropriate documentation of expenses incurred sufficient to enable the proper audit of the claim for reimbursement by the Finance Office.
2. Denial of reimbursement for expenses incurred that are not actual and necessary and incurred in connection with the properly authorized travel.
3. Personal travel expenses (incurred before, during or after official travel status) should not be billed to the Town, nor claimed for reimbursement by the traveler.
4. Penalties for false submission: Any employee who files a falsified Travel Reimbursement request voucher will be subject to disciplinary action and/or criminal prosecution. Violations of this fashion may result in the dismissal of any employee involved.

Part 12: Online and Computer-Aided Training:

In some instances it may be appropriate to make use of online training and CD-Rom self-study packages. These methods are convenient and can minimize travel costs. It may be appropriate to make a computer and Internet service temporarily available to an employee or employees to facilitate training, subject to the necessary approval of the Town Board.

Part 13: Definition of “Employee”:

All references to “employee” in this policy shall refer to both officers (Elected and Appointed) and employees of the Town.

Part 14: References:

See, N.Y. Town Law §116; N.Y. General Municipal Law §77-b; New York State Tax Form ST-129 (Exemption Certificate); www.tax.ny.gov

Part 15: Annual Review:

This policy shall be reviewed annually by the Town Board of the Town of Orangetown at its organizational meeting or as soon thereafter as is reasonably practicable. This policy may be revised or amended as deemed appropriate by the Town Board, in conformance with applicable sections of New York State law.

Part 16: Resolution:

Adopted on _____, 2021 by a _____ vote of the governing board of the Town of Orangetown as Town Board Resolution Number _____ of 2021.

TOWN OF ORANGETOWN

REQUEST TO ATTEND CONFERENCE, MEETING, SEMINAR OR SCHOOL

(Complete and forward original to Finance Office. Retain copy for your records.)

REQUESTING DEPARTMENT: _____ DATE: _____

NAME(S) OF PERSON(S) TO ATTEND: _____

CONFERENCE, ETC. – NAME & LOCATION: _____

CONFERENCE, ETC. DATE(S): _____

WHAT DO YOU EXPECT TO GAIN FROM ATTENDANCE (ATTACH COPY OF BROCHURE): _____

DATE(S) LAST ATTENDED A SIMILAR CONFERENCE, ETC.: _____

ESTIMATED EXPENSES:

<u>Item</u>	Charge to:		<u>Total</u>
	<u>Schls & Confs</u>	<u>Travel Exp*</u>	
Registration Fee	\$ _____	\$ _____	\$ _____
Lodging	_____	_____	_____
Meals	_____	_____	_____
Travel	_____	_____	_____
Other	_____	_____	_____
Total	\$ _____	\$ _____	\$ _____

*Use if only travel expense involved

REMAINING BALANCE IN 0441 Account: \$ _____

IF TRAVEL ONLY, REMAINING BALANCE IN 0480 Account: \$ _____

DEPARTMENT HEAD APPROVAL/SIGNATURE (if not an attendee): _____

FINANCE OFFICE VERIFICATION OF FUNDS AVAILABILITY: 0441-\$ _____ 0480-\$ _____

TOWN BOARD ACTION: Approved _____ Disapproved _____ Date: _____ Res. No. _____

REASON FOR DISAPPROVAL: _____

TOWN SUPERVISOR'S SIGNATURE: _____

DISTRIBUTION BY TOWN CLERK:

Original to Head of Requesting Department:
Retain photocopy for file.

Date: _____

TOWN OF ORANGETOWN PROCUREMENT POLICY

(ADOPTED BY TOWN BOARD RESOLUTION _____ OF 2021)

Section 1. **POLICY INTENT**

This Procurement Policy is adopted pursuant to the provisions of General Municipal Law §104-b. The purpose of this Policy is to define the circumstances under which supplies and equipment and public works contracts may be let in the Town of Orangetown when those goods and services or public works are not required by law to be procured pursuant to the competitive bidding requirements of §103 of the New York General Municipal Law, and in accordance with Town Code Chapter 1A, Article IV.

These policies and procedures have been adopted in the best interest of the tax payers to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost, and to guard against favoritism, improvidence, extravagance, fraud and corruption. Comments have been solicited from all officers in the Town involved in the procurement process.

Section 2. **RESPONSIBLE OFFICERS AND OFFICIALS**

The following officers and officials are responsible for purchasing goods and services for the Town of Orangetown:

Teresa M. Kenny, Supervisor
Thomas Diviny, Town Councilperson
Gerald Bottari, Town Councilperson
Denis Troy, Town Councilperson
Paul Valentine, Town Councilperson
Rosanna Sfraga, Town Clerk/Receiver of Taxes
Jim Dean, Superintendent of Highways
Anthony Limandri, General Foreman – Highway Department
Eamon Reilly, Commissioner of DEME
Christopher Sheehan, Confidential Assistant to Commissioner, DEME
Michael Weber, Chief Operator Grade 3 Wastewater/Deputy Commissioner, DEME
Jeffrey Bencik, Director of Finance
Janice Ganley, Supervisor Fiscal Services
Jane Slavin, Director of OBZPAE
Aric Gorton, Superintendent of Parks & Recreation
Director of Personnel
Donald Butterworth, Chief of Police
James Brown, Captain, Police Department
Michael Shannon, Captain, Police Department
Brian Kenney, Tax Assessor
Robert V. Magrino, Town Attorney
Denise A. Sullivan, Deputy Town Attorney
Michael Bettmann, Chief of the Bureau of Fire Prevention
Lisa Hastings, Justice Court Clerk
Anthony Bevelacqua, Director of Automated Services
Mary Cardenas, Town Historian

Section 3. **INITIAL EVALUATION OF PURCHASES**

Every prospective purchase of goods to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. A purchase contract is a legal agreement between the Town and a vendor for goods and/or services. A public works contract is a contract for public facilities and improvements financed by the government for the public good.

Once that determination is made, a good faith effort shall 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 the competitive building requirements of General Municipal Law (“GML”) §103, by taking into account past purchases and the aggregate amount to be spent within a twelve (12) month period commencing on the date of purchase. **Generally speaking, unless an exemption applies, purchase contracts in excess of TWENTY THOUSAND AND 00/100 (\$20,000.00) DOLLARS and public works contracts in excess of THIRTY-FIVE THOUSAND AND 00/100 (\$35,000.00) DOLLARS are subject to the requirements of competitive bidding.**

Notwithstanding the foregoing, all requisitions above FIVE THOUSAND AND 00/100 (\$5,000.00) DOLLARS must be submitted to the Finance Director for his review and approval.

Section 4. **PROCEDURE FOR A PURCHASE CONTRACT**

The following methods of purchase shall be used for a purchase contract (for materials, equipment, supplies and services) when required by this policy in order to achieve fair and reasonable pricing and the highest savings:

PURCHASE CONTRACT:

ESTIMATED AMOUNT OF PURCHASE CONTRACT	METHOD
\$20,000 AND OVER	Competitive sealed bids pursuant to NYS General Municipal Law Section 103 after obtaining authorization from Town Board as long as there are sufficient funds currently available in the Department’s approved annual operating and capital budget, unless otherwise exempt.
\$3,000 TO \$19,999	A written Request for Proposal (RFP) and written/email/fax quotes from three (3) vendors so long as there are sufficient funds available in the Department’s approved annual operating and capital budget.
\$500 TO \$2,999	Oral request for the goods and written/email/fax/oral quotes from one vendor so long as there are sufficient funds currently available in the Department’s approved annual operating and capital budget.
UNDER \$500	Discretion of the Department Head.

Section 5. DOCUMENTATION REQUIRED FOR A PUBLIC WORKS CONTRACT.

The following methods of purchase for a public works contract shall be used when required by this policy in order to achieve fair and reasonable pricing and the highest savings:

PUBLIC WORKS CONTRACT:

ESTIMATED AMOUNT OF PUBLIC WORKS CONTRACT	METHOD
\$35,000 AND OVER	Competitive sealed bids pursuant to NYS General Municipal Law Section 103 after obtaining authorization from Town Board as long as there are sufficient funds currently available in the Department’s approved annual operating and capital budget, unless otherwise exempt.
	** note – where the cost of a building or structure is over \$500,000.00 there must be separate specifications and awards for construction, plumbing, heating and lighting. (GML §101(1)).
	** note – all public works projects regardless of their costs are subject to prevailing wages requirements. (Labor Law §220)
\$3,000 TO \$34,999	Written/email/fax proposals from three contractors so long as there are sufficient funds currently available in the Department’s approved annual and capital budget.
\$500 TO \$2,999	A single quote for the goods and written/email/fax/oral quote from a vendor, so long as there are sufficient funds currently available in the Department’s approved annual operating and capital budget.
UNDER \$500	Discretion of the Department Head.

Town Code Chapter 1A, Article IV permits the Town to award contracts that are subject to competitive bidding on the basis of "best value" as defined in § 163 of the New York State Finance Law.

Section 6. EXCEPTIONS TO COMPETITIVE BIDDING

- a. The following items are not subject to Competitive Bidding pursuant to Section 103 of the General Municipal Law:
 - 1. purchase contracts of \$20,000 or less and public works contracts of \$35,000 or less;
 - 2. emergency purchases (pursuant to GML §103(4));
 - 3. certain municipal hospital purchases;

4. goods purchased from agencies for the blind or severely handicapped (pursuant to Section 175-b of the State Finance Law);
 5. goods purchased from correctional institutions (pursuant to Section 186 of the Correction Law);
 6. purchases under State contracts (pursuant to Section 104 of the General Municipal Law);
 7. purchases under County contracts (pursuant to Section 103(3) of the General Municipal Law);
 8. purchase contracts, that are from sole source providers (a sole source provider being a provider or vendor that has been determined to be the only source of the goods or services that are to be obtained or provided);
 9. surplus and second-hand purchases from another government entity;
 10. leases of equipment with operators under the control and supervision of Town officers and employees;
 11. professional services; and
 12. insurance.
- b. The decision that a purchase is NOT subject to competitive bidding will be documented in writing by the individual making the purchase and will be provided to the Finance Department. Documentation may include:
1. written or verbal quotes from vendors;
 2. a memo from the purchaser indicating how the decision was arrived at; a copy of the contract indicating the source which makes the item or service exempt;
 3. a memo from the purchaser detailing the circumstances which led to an emergency purchase or any other written documentation that is appropriate; and
 4. If the purchase is approved for the contractors awarded by resolution of the Town Board, the Town Board shall state the reason why the purchase was not subject to competitive bidding.

Section 7. **GOVERNMENT CONTRACTS (“PIGGYBACKING”)**

Pursuant to Town Code Chapter 1A Article IV, purchases may be made without obtaining informal quotations or formal bids via “piggybacking” on to Federal, State, County or other governmental or municipal contracts. Whenever possible, the Town will purchase materials, supplies or equipment through the New York State Office of General Services when New York State contracts apply to government agencies and municipalities. Department Heads should explore the use of Federal, State or County contracts before requesting the initiation of a Town Bid for the same or similar commodities or services. **Generally speaking, New York and Rockland County contracts are presumed to have been properly procured through the competitive bidding process, but it is up to the Department Head to ensure that such contracts were properly bid according to GML §103 and are available for piggybacking.**

New York purchasing information containing the names of vendors, as well as price and packaging, are available from the New York State Office of General Services website at: www.ogs.state.ny.us

“Piggybacking” on to government contracts of municipalities outside of New York State must be reviewed to ensure that they were properly bid according to the requirements of GML §103.

SIMPLY BECAUSE A CONTRACT INDICATES IT IS A GOVERNMENT CONTRACT DOES NOT MEAN IT IS ELIGIBLE FOR PIGGYBACKING UNDER NEW YORK LAW. PROPER DOCUMENTATION MUST BE REVIEWED TO CONFIRM THE REQUIREMENTS OF GML §103 WERE FOLLOWED. CONSULTATION WITH THE TOWN ATTORNEY'S OFFICE AND FINANCE DEPARTMENT IS RECOMMENDED PRIOR TO PURCHASING THROUGH AN OUT OF STATE GOVERNMENT CONTRACT.

Section 8. **CIRCUMSTANCES WHERE THE TOWN HAS DISCRETION**

Pursuant to General Municipal Law Section 104-b (2)(g), the procurement policy may contain circumstances when, or types of procurements 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.

In the following circumstances it may not be in the best interest of the Town of Orangetown to solicit quotations or document the basis for not accepting the lowest bid:

- a. **Professional services or services requiring special or technical skills, training or expertise** – The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. Professional and technical services shall include but not be limited to the following: services of an appraiser; services of an attorney; services of a physician; technical services of an engineer or architect or planner engaged to prepare plans, maps, reports and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or artwork; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software. In determining whether a service shall fit into this category, the Town Board shall take into consideration the following guidelines:
 - (1) Whether the services are subject to state licensing or testing requirements;
 - (2) Whether substantial formal education or training is a necessary prerequisite to the performance of the services; and
 - (3) Whether the services require a personal relationship between the individual and municipal officials.
- b. **Emergency purchases as defined in Section 103(4) of the General Municipal Law** – Due to the nature of this exception, these goods or services must be purchased immediately where a delay in order to seek alternate proposals may threaten life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. **Purchases of surplus and second-hand goods from any source** – If alternate proposals are 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 contained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

- d. **Goods under \$1,000 and public works contracts for less than \$1,000** – The time and documentation required to purchase an item through this policy may be more costly than the item itself and therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
- e. **Sole Source** – When it can be justified that this supplier is the only source which can manufacture a product or provide a service so that there is no possibility of competition (i.e. patent, directed by law, possesses unique expertise).
- f. **Single Source** – Source identified as the result of previous standardization of a specific purchase when there are no other suppliers of that item for the Town service area.
- g. **Lease of equipment so long as the project is under the complete control and supervision of the Town** – However, in such event, competitive proposals are to be solicited from vendors who can provide a similar type service when the Town wishes to make such leases or rentals in the future; and any lease or rental rates shall be subject to the prior approval of the Town Supervisor.
- h. **Option to utilize competitive bidding process** – No portion of this policy shall be construed as preventing the competitive bidding of purchase contracts under \$20,000 or public works projects under \$35,000, if so desired by the Town Board. In that event, the Town Board shall also be permitted to award purchase contracts pursuant to General Municipal Law §103(1) on the basis of best value, in accordance with Town Code Chapter 1A, Article IV.

Section 9. **METHODS FOR SECURING GOODS AND SERVICES NOT SUBJECT TO COMPETITIVE BIDDING**

- a. All goods and services which are NOT subject to competitive bidding will be secured by use of written Requests for Proposals (RFP), written quotations, verbal quotations or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided.
- b. Any written RFP shall describe the desired service, goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/email/fax/oral quotes have been requested and the written/email/fax/oral quotes offers. Supporting documentation must be submitted to the Finance Department.
- c. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to procurement.
- d. All information gathered in complying with the procedures of this policy shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract. The supporting bid documentation **MUST** be submitted to the Finance Department with the requisition/voucher.

- e. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepared a written justification providing reasons why it is in the best interest of the Town and its' taxpayers to make an award to other than the low proposer. If a proposer is not deemed responsible, facts supporting that judgment shall also be documented and filed with the records supporting the procurement. In order to minimize and/or preclude these situations, it is expected that the purchaser would not solicit quotes from suppliers previously deemed unacceptable due to justifiable reasons.

Section 10. **CONSIDERATIONS FOR LEASE/RENTAL/INSTALLMENT AGREEMENTS**

Leases which in substance are not a “true lease” and are not really purchases will be considered purchases for competitive bidding purposes and for compliance with this procurement policy.

Where a true rental or lease agreement includes provision for separate service or maintenance charges in addition to rental charges, the service and maintenance aspect constitutes a separate public works contract subject to competitive bidding requirements and requires compliance with this procurement policy. However, where service and maintenance are purely incidental to the rental agreement and no separate charge is fixed, competitive bidding would not be involved.

Installment purchase contracts for equipment, machinery and apparatus are subject to competitive bidding requirements and for compliance with this procurement policy. Lease arrangements, where the purchase price is less than a reasonably accurate estimate of fair market value of the equipment at the time of purchase, so that a component of the annual rental charge is really an installment payment towards the purchase of the equipment including arrangements where there is a normal purchase price or where title will automatically pass, are to be considered an installment purchase.

Section 11. **ELECTRONIC BIDS**

The Town Clerk may accept bids, whether competitive bids or responses to RFP's, via electronic format, in accordance with Article 3 of the New York State Technology Law. The method for electronic submission must at a minimum:

- Document the time and date of receipt of the bids received electronically,
- Authenticate the identity of the sender,
- Ensure the security of the information transmitted, and
- Ensure the confidentiality of the bid until the time and date established for the opening of bids.

Section 12. **TOWN BOARD APPROVAL**

Where the cost of purchase of an item EXCEEDS the sum of \$20,000 for a purchase and/or EXCEEDS \$35,000 for public works contract, no officer or employee of the Town of Orangetown, shall purchase on behalf of the Town, or place any order for the purchase of any item on behalf of the Town, unless and until a majority of the members of the Town Board shall have voted, in advance, to approve such purchase or such order.

Section 13. **CONFLICT OF INTEREST**

Any Town officer or employee who has, will have, or acquires an interest in, any actual or proposed contact with the Town of which he/she is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to the Town Board as soon as he/she has knowledge of an actual or prospective interest. This written disclosure will be made part of the official minutes of the Town Board. If an officer or employee has a reason to believe that he/she may have a conflict of interest, the office of the Town Attorney should be contacted immediately. See GML §801.

Section 14: **ETHICS IN PUBLIC CONTRACTING**

All individuals involved in the procurement of goods and services for the Town of Orangetown shall comply with the "Code of Ethics" of the Town (Chapter 1 of the Town Code), including but not limited to the following:

- a. Protection of confidential information in relation to proposals and offers.
- b. Employee Conflict of Interest.
- c. Gratuities and Kickbacks.

Section 15. **MACBRIDE PRINCIPALS**

In conducting its procurements, the Town has voted to support and encourage adherence to the MacBride Principles, as applicable. (Town Board Resolution #797 of 1990). Furthermore, in accordance with the MacBride Fair Employment Principles, a contractor must stipulate that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

Section 16. **ANNUAL REVIEW**

This policy shall be reviewed annually, unless otherwise prescribed by law, by the Town Board at its organizational meeting or as soon thereafter, as is reasonably practicable.

Section 17. **EFFECTIVE UPON ADOPTION BY TOWN BOARD**

This Procurement Policy shall take effect immediately upon adoption by Resolution by Town Board of the Town of Orangetown.