



**TOWN OF ORANGETOWN**  
**TOWN BOARD RE-ORGANIZATIONAL MEETING MINUTES**  
**January 04, 2022**

This meeting was opened at 7:00 PM. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:  
Councilperson Thomas Diviny  
Councilperson Paul Valentine  
Councilperson Jerry Bottari  
Supervisor Teresa M. Kenny  
Councilperson Brian Donohue

Also Present:  
Denis Troy, Deputy Supervisor  
Allison Kardon, Supervisor's Confidential Assistant  
Carmel Reilly, Director of Economic Development & Tourism  
Rosanna Sfraga, Town Clerk  
Joseph Thomassen, Deputy Clerk  
Robert Magrino, Town Attorney  
Jeff Bencik, Finance Director  
James Dean, Superintendent of Highways  
Eamon Reilly, Commissioner of DEMA  
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.  
Bob Urban, Human Resource Coordinator  
Anthony Bevelacqua, Director of Automated Systems  
Matthew Lenihan, Computer Network Specialist  
Donald Butterworth, Police Chief

**Pledge of Allegiance to the Flag**

**PRESENTATIONS / ANNOUNCEMENTS:**

**"THE STAR SPANGLED BANNER"**

**Honorable Patrick J. Loftus administers the Oath of Office to Rosanna Sfraga, Town Clerk**

**Rosanna Sfraga, Town Clerk, administers the Oath of Office to:**

**Teresa M. Kenny, Supervisor**  
**Thomas Diviny, Town Councilman**  
**Brian Donohue, Town Councilman**  
**Richard Finning, Town Justice**

**Cheryl Dean Ward administers the Oath of Office to:**

**James J. Dean, Superintendent of Highways**

**2022 STATE OF THE TOWN SPEECH:**

**Town of Orangetown Supervisor Teresa M. Kenny**

Welcome to the Town Reorganization meeting of 2022, and thank you for taking the time to listen to my remarks about the State of our Town.

On January 1<sup>st</sup>, I started my second term as your Town Supervisor and, unfortunately, we are still dealing with the effects of a global pandemic. I am disappointed that tonight we cannot



## Supervisor Teresa M. Kenny, State of the Town Speech - Continued

have the fanfare that we customarily have at our Reorganization meeting, such as the presentation of the colors by the OPD honor guard, blessings and songs, and that is something our newest Town Board Member, Brian Donohue, most certainly deserves.

But, in light of the recent COVID outbreak, we opted to keep it small. But I look forward to celebrating with Brian and all of the other elected officials at a later time, a time when we don't need to wear masks or worry about social distancing, even if it ends up being on the yard of town hall. With that said, I want to offer my congratulations to all of our elected officials and I look forward to working with Brian as the newest member of the Town Board.

Although it seems like my first term was completely occupied with crisis after crisis, starting with the Declaration of a state of emergency for COVID and ending with a FEMA disaster recovery center being set up in the Town due to Hurricane IDA, we still managed to get many things done:

1. Most important, we started the Comprehensive Plan and it is well under way. This is so very important for the Town, more now than ever, and I am thrilled by the participation of so many residents. We will continue to work diligently on it with our planners, and welcome others to join us, as we work toward having it completed by the end of 2022.
2. We opened the Food Scrap Recycling Program. I am proud that Orangetown is the first Town in the County to offer a food scrap recycling program to its residents. The program was brought to my attention by two very enthusiastic members of the Orangetown Environmental Committee, Vicki Schwaid and Marcy Denker, and I was instantly interested. I won't use time tonight to preach the benefits of it, but urge all residents to go to the Town website to learn about it and the advantages of participating in the program.
3. The Town earned the designation as a Clean Energy Community by NYSERDA, bringing with it a \$5,000 grant, for completing certain actions this year. Notably, Jane Slavin, the Director of the Building Department, was trained in energy code enforcement.
4. My personal favorite, we opened the first dog park in Orangetown at Veteran's Memorial Park and it has been a huge success. In times of COVID, when people can be outside without a mask and have the opportunity to meet other residents who, like them, love their dogs, it seems as if it was just what we needed. I know it is a big hit because the Town Clerk has had a run on the issuance of dog licenses AND the dog park has its very own Facebook page! Thanks to Aric Gorton, Superintendent of Parks and Recreation, for overseeing this project, and to resident Rob Chiapperino for doing such a fantastic job on the dog park.
5. We developed a successful relationship with the Hudson Valley Humane Society, saving taxpayers over \$35,000 from the previous agreement, and allowing the Town to offer a discounted cat spay and neuter program where the town picks up a portion of the cost of the procedure for residents and, on a limited basis, to completely cover the cost of the procedure for community cats. Thanks to Rosanna Sfraga, our Town Clerk, for being so willing to work with us on the voucher for this program.
6. We got the Middletown Road project in Pearl River underway. This project has been in the works for many, many years but was delayed due to cost and other issues, but it is finally on schedule to be completed by the end of the year. Sidewalks, turn lanes and dividers are being added, all in an effort to make Middletown Road safer for pedestrians. While it is a temporary inconvenience, it is a much-needed improvement to Pearl River. Thanks to Jim Dean for never giving up on this project.
7. Just three days ago, we took over policing and DPW services from the Village of South Nyack and all of the Village employees from those departments were offered employment with the Town. Thanks to the South Nyack Board, the Town Board, and the Village and Town Department Heads, all of whom have been working diligently over the last year, with meeting after meeting over the last few weeks, all with a goal of making the takeover of services (and ultimate dissolution of the Village) as seamless as possible.



**Supervisor Teresa M. Kenny, State of the Town Speech - Continued**

Special thanks to Town Attorney Rob Magrino and Village Attorney Jim Birnbaum, both who have been working to make sure that all the final pieces came together.

8. This Town Board worked together and made hard decisions in order to keep the budget under the tax cap, even after having to add in 9 months of village expenses that could not be included for purposes of calculating the tax cap. Thanks to Jeff Bencik and the Finance Department, as well as Brian Kenny and Karen Serafin from the Assessors office, for their work figuring out how to bill, tax and take over a village in the middle of a Town tax year.
9. Finally, I did get to squeeze in some fun events: I got to throw out the first pitch at Boulder Stadium, started meeting with our senior clubs, attended several ribbon cutting ceremonies for new businesses in Town, attended the first official Orangetown Pickleball competition, AND celebrated the street naming dedications for Dr. Frances Pratt Drive and Rev. Dr. Louis Sanders Way, just to name a few.

BUT 2021 IS OVER and, like last year, I am looking forward to 2022 with hope and optimism for better days. Here are a few of the upcoming highlights for 2022:

1. The All-Inclusive Playground at Veteran's Park will become a reality this year, Although a year later than we wanted, it is scheduled to break ground in the Spring. I want to once again thank Allison Kardon from my staff and volunteer mom Lauren Domitrovits for making sure the replacement playground will be the best around and fun for Orangetown children of all abilities.
2. And, thanks to grants from Assemblyman Mike Lawler and Senator Elijah Reichlin-Melnick, the Town is in the planning stages of a Splash Pad not far from the new playground. As the only Town in the county with no pool, this will be a great way to offer our residents a way to cool down on hot summer days.
3. My office is working to make a walking path along the water at Lot 1 of the RPC property a reality. We are working on grants for the engineering of the path and, while it is too early to promise, the goal is to see construction start sometime in 2023.
4. In less than three months, we will be welcoming the residents from the Village of South Nyack as residents to the newest hamlet in Orangetown. However, even with all the hard work, there will no doubt be bumps along the way. I simply ask you to contact the appropriate Town Department if you experience any problems or have questions. Sadly, there are some individuals that were against the dissolution that seem intent on seeing the transition fail. We must all rise above this and do what we can to make it a success. As I said when I was running for Town Supervisor, long before there was talk of any Dissolution - We are one Town. We are stronger and better when we act together for the betterment of all of Orangetown.

But everything that has been accomplished this year could not have been done without the help and support from others, especially the Town Board and the Town Department Heads, as well as the Town employees, who work every day to keep your local government running efficiently.

But I want to specifically acknowledge two women from my staff, Allison Kardon and Carmel Reilly, who work tirelessly every day to make Orangetown a better place for the residents and make my job just that little bit easier. These women worked on weekends, holidays and after hours:

- a. To organize and work the Hunger 5K Heroes run which raised thousands of dollars for local food pantries;
- b. To plan and work (together with the Orangetown PBA) on an absolutely stunning, best in the County, 9-11 Ceremony at Town Hall;



**Supervisor Teresa M. Kenny, State of the Town Speech - Continued**

- c. To distribute boxed lunches on Veteran's Day and Thanksgiving Day meals on the Saturday before Thanksgiving to our Veteran's as a way to thank them for their service to our Country.

But this is just a small sampling of what these ladies do day in and day out to better the lives of Orangetown residents. So, thanks to both of you and I look forward to working with you for another two years, as well as Jeff Bencik, as my Finance Director, and Denis Troy, as my Deputy Town Supervisor.

I want to close with thanking you for placing your trust in me to be your Town Supervisor for another two years. I am honored by your trust and want you to know that it is not something that I take lightly. While my first term was challenging, I am proud of how we, as a Town, persevered. It has been an honor to serve you and I look forward to a much better, productive and healthier 2022.

**SUPERVISOR'S APPOINTMENTS:****Denis Troy, Deputy Supervisor****Jeffrey Bencik, Finance Director****Allison Kardon, Confidential Assistant to Supervisor****Mary Cardenas, Town Historian****Carmel Reilly, Director of Economic Development and Tourism**

The Town Board and the elected officials made various positive comments for the New Year.

**RESOLUTION NO. 1****OFFICIAL UNDERTAKING FOR ELECTED AND APPOINTED OFFICIALS**

**RESOLVED**, that upon the recommendation of the Director of Finance, Jeff Bencik, to approve Official Undertaking to be filed in the Rockland County Clerk's Office for elected and appointed officials, officers and employees as the Town Board may require for the faithful performance of their duties and the prompt and proper account for paying over all money received by said employees in their official capacities.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 2****2022 / MARRIAGE OFFICERS**

**RESOLVED**, the following are designated as Marriage Officers effective January 1, 2022 - December 31, 2022, at no salary:

Supervisor Teresa M. Kenny  
 Councilman Thomas F. Diviny  
 Councilman Paul Valentine  
 Councilman Gerald Bottari  
 Councilman Brian Donohue  
 Town Clerk, Rosanna Sfraga

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None





**RESOLUTION NO. 3  
2022 / OFFICIAL NEWSPAPER**

**RESOLVED**, that the Town Board hereby designates the Journal News as the official newspaper of the Town pursuant to NYS Town Law Section 64 (11), and the Journal News and the Rockland County Times, for additional notices as the Board may determine necessary or advisable, on a case by case basis.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 4  
2022 BANKING DEPOSITORIES**

**RESOLVED**, that the following banks are designated as the banking depository for the Town of Orangetown:

J. P. Morgan Chase  
Key Bank  
TD Bank  
Sterling National  
Connect One

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 5  
2022 TOWN CLERK FOR COLLECTION OF TAXES / BANKING DEPOSITORIES**

**RESOLVED**, that the following banks are designated as the banking depository for the Town Clerk for Collection of Taxes:

J. P. Morgan Chase  
Sterling National

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 6 (Amended by Resolution No. 6 of 2023, correcting the effective dates)  
REAPPOINT / REGISTRAR OF VITAL STATISTICS / ROSANNA SFRAGA  
JANUARY 1, 2022 – DECEMBER 31, 2023**

**RESOLVED**, that Rosanna Sfraga, Town Clerk, is hereby reappointed Registrar of Vital Statistics, effective January 1, 2022 through December 31, 2023.



**RESOLUTION NO. 6 - Continued**

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 7 (Amended by Resolution No. 7 of 2023, correcting the effective dates)  
REAPPOINT / RECORDS MANAGEMENT OFFICER (RMO) / ROSANNA SFRAGA  
JANUARY 1, 2022 – DECEMBER 31, 2023**

**RESOLVED**, that Rosanna Sfraga, Town Clerk, is hereby reappointed Records Management Officer (RMO), effective January 1, 2022 through December 31, 2023.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 8  
REAPPOINT / RECORDS ACCESS OFFICER (RAO) / 2022 / DEPARTMENT HEADS  
EFFECTIVE JANUARY 1, 2022 THROUGH DECEMBER 31, 2022**

**RESOLVED**, that the Town Board reappoints each Department Head as Records Access Officer (RAO) for their Department records, effective January 1, 2022 through December 31, 2022.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 9 (Amended by Resolution No. 8 of 2023, correcting the effective dates)  
REAPPOINT TERESA ACCETTA-PUGH / RIMA DEL VECCHIO / DEPUTY  
REGISTRARS OF VITAL STATISTICS / EFFECTIVE JANUARY 1, 2022 THROUGH  
DECEMBER 31, 2023**

**RESOLVED**, that upon the recommendation of the Town Clerk, that Teresa Accetta-Pugh and Rima Del Vecchio are hereby reappointed Deputy Registrar(s) of Vital Statistics, effective January 1, 2022 through December 31, 2023.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None



**RESOLUTION NO. 10** (Amended by Resolution No. 9 of 2023, correcting the effective dates)  
**REAPPOINT / 1ST DEPUTY TOWN CLERK / COLLECTOR / JOSEPH THOMASSEN**  
**EFFECTIVE JANUARY 1, 2022 THROUGH DECEMBER 31, 2023**

**RESOLVED**, that the Town Board hereby recognizes and reaffirms the reappointment of Joseph Thomassen by the Town Clerk to the position of First Deputy Town Clerk / Collector, effective January 1, 2022 through December 31, 2023.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 11**  
**INDEMNIFICATION OF PUBLIC OFFICERS AND EMPLOYEES**

**RESOLVED**, that the provisions of Section 18 of the Public Officers' Law concerning defense and indemnification shall apply to the officers and employees of the Town of Orangetown who are named defendants in any action arising out of the proper performance of duties to the fullest extent permissible by law, including, but not limited to, punitive damages, and the benefits of Section 18 shall extend to all such employees, and be it

**BE IT FURTHER RESOLVED**, that all necessary and reasonable costs for providing this benefit shall be a proper Town charge.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 12**  
**AUTHORIZE TOWN ATTORNEY TO INSTITUTE AND DEFEND ACTIONS**

**RESOLVED**, that for the year 2022, the Town Board hereby authorizes the Town Attorney to take all necessary steps to institute actions on behalf of or defend any proceedings brought against the Town of Orangetown, its agencies and employees, and

**BE IT FURTHER RESOLVED**, that this Resolution is hereby made retroactive to January 1, 2022.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 13**  
**APPOINT ROBERT V. MAGRINO / TOWN ATTORNEY / JANUARY 1, 2022**  
**THROUGH DECEMBER 31, 2022**

**RESOLVED**, that pursuant to the provisions of Town Law §20 and Town Law §24 the Town Board hereby reappoints Robert V. Magrino as Town Attorney, effective January 1, 2022 through December 31, 2022.



**RESOLUTION NO. 13 - Continued**

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 14**

**ADOPT TOWN OF ORANGETOWN PROCUREMENT POLICY / 2022**

**WHEREAS**, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt internal policies and procedures governing all procurements of goods and services not subject to the bidding requirements of GML Section 103 or any other law; and

**WHEREAS**, the Town Board having previously adopted a procurement policy pursuant to Town Board Resolution number 12 of 2021; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby adopt the procurement policy annexed (Exhibit 01-A-22) to this Resolution which is intended to apply to all goods and services which are not required by law to be publicly bid.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 15**

**ADOPT / 2022 TRAVEL AND CONFERENCE POLICY**

**WHEREAS**, the Town Board has determined that it is in the best interests of the Town to adopt a "Travel and Conference Policy" which will establish guidelines for the reimbursement of town business related travel and out-of-town travel expenses by officers and employees; and

**WHEREAS**, the Town Board having previously adopted a Travel and Conference Policy pursuant to Town Board Resolution 2020-18,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby adopts the Travel and Conference Policy.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 16**

**ACCEPT / FUND OVERAGE / STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) GRANT #24711 / SPLASH PAD / VETERANS MEMORIAL PARK**

**WHEREAS**, pursuant to a letter dated December 10, 2021, the Town of Orangetown has been approved by the State of New York to receive a State and Municipal Facilities Program (SAM) grant to be administered by the Dormitory Authority of the State of New York (DASNY) for Construction of a Splash Pad at Veterans Memorial Park, Project Identification #24711, in





**RESOLUTION NO. 16 - Continued**

the amount of \$50,000.00, subject to review and approval of DASNY and the submission of further documentation by the Town to DASNY and

**WHEREAS**, the Town Board was previously awarded a SAM grant in the amount \$275,000.00 for the Splash Pad project, which was accepted by the Town pursuant to Town Board Resolution 2021-475, and

**WHEREAS**, the Town Board hereby finds that the Construction of a Splash Pad at Veterans Memorial Park project and acceptance of the grant is a Type II action under SEQRA which requires no further review with respect to SEQRA, and

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby agrees to accept the SAM Grant from the State of New York, which is to be administered by DASNY, in the amount of \$50,000.00 for the Construction of a Splash Pad at Veterans Memorial Park project, and

**BE IT FURTHER RESOLVED**, the Town Board agrees to fund any overages in cost through fund balance or bond money, for the SAM grant for the Splash Pad at Veterans Memorial Park, not to exceed \$20,000.00, and

**BE IT FURTHER RESOLVED**, that the Supervisor or her designee is authorized to execute any and all documents necessary to accept and administer the grant for the Splash Pad in accordance with DASNY requirements, subject to review and approval of the Town Attorney's Office.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 17**

**APPOINT NELSON ZAMORA / GROUNDWORKER / PROBATIONARY / GRADE 9, STEP 1 // PARKS & RECREATION / EFFECTIVE JANUARY 5, 2022**

**RESOLVED**, upon the recommendation of the Superintendent of Parks and Recreation, appoint Nelson Zamora to the position of Groundworker, Probationary, Grade 9, Step 1 at a salary of \$56,418.00, effective January 5, 2022.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 18**  
**PAY VOUCHERS**

**RESOLVED**, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of two (2) warrants (attached) for a total of **1,912,691.32**.



**RESOLUTION NO. 18 - Continued**

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 19  
ADJOURNED / MEMORY**

**RESOLVED**, at 7:38 pm, the Town Board adjourned in memory of Herman Rosen, *Resident of Orangeburg & WWII Veteran* and Michael Russo, *Resident of Pearl River*.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None



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**Rosanna Sfraga, Town Clerk**



Town Of Orangetown

DATE: January 4th, 2022

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	122121	\$ 25,721.66
	122821	\$ 1,886,969.66
	Total	\$ 1,912,691.32

The above listed claims are approved and ordered paid from the appropriations indicated.

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Hottard

Councilman Paul Valentine

Councilman Thomas Diviny

Councilman Brian Donohue

Supervisor Teresa M. Keany



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**TOWN OF ORANGETOWN  
FINANCE OFFICE MEMORANDUM**

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**TO:** THE TOWN BOARD  
**FROM:** JEFF BENCIK, *DIRECTOR OF FINANCE*  
**SUBJECT:** AUDIT MEMO  
**DATE:** 1/3/2022  
**CC:** DEPARTMENT HEADS



The audit for the Town Board Meeting of 1/4/2022 consists of 2 warrants for a total of \$1,912,691.32.

The first warrant had 3 vouchers for \$25,721 and was for NYPA streetlight project and senior club funding.

The second warrant had 162 vouchers for \$1,886,969 and had the following items of interest.

1. AKRF (p2) - \$19,692 for comprehensive plan study.
2. Alfa Laval (p2) - \$6,048 for repairs to the sewer sludge press.
3. Auster Rubber Co. (p6) - \$7,622 for emergency repair to sewage tanks.
4. Cornell Cooperative Extension (p10) - \$7,300 for stormwater education program.
5. Cotter, Michael (p12) - \$10,725 for CTR inspections.
6. Crown, Castle Fiber (p12) - \$12,940 for connectivity.
7. CSEA Employee Benefit Fund (p13) - \$32,605 for CSEA dental benefits.
8. Fleet Pump & Service Group, Inc. (p15) - \$8,281 for Pearl St. PS repairs.
9. Gabrielli Truck Sales (p18) - \$636,805 for Highway equipment (bonded).
10. Global Montello (p19) - \$27,398 for fuel.
11. Goosetown Enterprises (p20) - \$27,404 for Police equipment leases.
12. Hach Co. (p20) - \$13,305 for DEME equipment (bonded).
13. Hudson Valley Engineering (p22) - \$76,728 for North Middletown Rd. project.
14. Lube Squad of NJ (p25) - \$5,707 for Highway oils.
15. Metropolitan Life (p29) - \$13,263 for Police Life Insurance.
16. Munis (p30) - \$6,250 for Energov charges.





17. NYS Dept. of Civil Service (p32) - \$798,600 for Healthcare benefits.
18. Precision Electric Motor Works (p34) - \$23,435 for emergency repair Sparkill PS.
19. RCSWM (p39) - \$5,870 for waste disposal.
20. Rockland Waste Paper (p40) - \$15,320 for OHA paper waste removal.
21. Tilcon NY (p45) - \$43,207 for highway materials.

Please feel free to contact me with any questions or comments.

Jeffrey W. Bencik, CFA

845-359-5100 x2204



**TOWN OF ORANGETOWN PROCUREMENT POLICY**  
(ADOPTED BY TOWN BOARD RESOLUTION 14 OF 2022)

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  
Gerald Bottari, Town Councilperson  
Thomas Diviny, Town Councilperson  
Brian Donohue, Town Councilperson  
Paul Valentine, Town Councilperson  
Rosanna Sfraga, Town Clerk/Receiver of Taxes  
Jim Dean, Superintendent of Highways  
Anthony Limandri, General Foreman – Highway Department  
Stephen Munno, Senior Administrative Assistant  
James M. Dillon, Highway Maintenance Supervisor II  
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  
Roberto Urban, Director of Personnel  
Donald Butterworth, Chief of Police



James E. Acheson, Captain, Police Department  
Michael F. Shannon, Captain, Police Department  
Brian Kenney, Tax Assessor  
Karen Serafin, Assessing Clerk II  
Robert V. Magrino, Town Attorney  
Denise A. Sullivan, Deputy Town Attorney  
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 bidding 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)).





ESTIMATED AMOUNT OF PUBLIC WORKS CONTRACT	METHOD
	<b>** note – all public works projects regardless of their costs are subject to prevailing wages requirements. (Labor Law §220)</b>
\$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](http://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.

**See also, New York State Office of the State Comptroller, Bulletin dated October 2021 regarding "Piggybacking" Law – Exception to Competitive Bidding (Updated).**

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.



**PROCUREMENT POLICY - FREQUENTLY ASKED QUESTIONS 2022**

It is the responsibility of each employee involved in procurement process to become familiar with the procurement procedures and to follow their requirements. Failure to do so may cause an unnecessary delay in the process. If there are any questions or concerns relative to these procedures or the ability of the employee to respond effectively to their requirements, it is the responsibility of that employee to bring such matters to the attention of the Town Finance Director.

1. Does the department/authorized representative need to sign the requisition form? All purchases made and contracts executed by the requestor will be pursuant to a signed requisition from the head of the department/authorized representative whose appropriation is to be charged.
2. Can I split an order to avoid the requirements of competitive bidding? Purchases may not be split in order to avoid the requirements for competitive bidding. Purchases may not be split in order to reduce the requirements for the number of written or verbal quotes. In all purchases requiring quotes, the lowest reasonable quote shall be accepted.
3. What if I cannot obtain the required amount of quotes or proposals? A good faith effort will be made to obtain the required number of proposals or quotations. If the requestor is unable to obtain the required number of written or verbal quotes, as applicable, the requestor shall document the attempt made in at obtaining the written or verbal quotes. If the purchaser documents the attempt at obtaining the proposals or quotations, in no event will the failure to obtain the proposals be a bar to the procurement.
4. Where do I enter a purchase requisition? All purchase requisitions shall be entered in the **KVS Program or current software program**. If you need assistance with this program, please contact Natalie Schutter in the Finance Office at (845) 359-5100 ext. 2217.





5. Do I need to save the documents supporting the purchase? All information gathered in complying with the procurement procedures shall be preserved and **MUST BE** filed with the documentation supporting the subsequent purchase with the Finance Department. The documentation should be attached to the requisition/voucher.
6. How do I enter information using a State Bid? The "P.C. #" must be noted on the requisition form (KVS Program) supporting the purchase. The supporting documentation regarding the State bid **MUST** be submitted to the Finance Department and attached to the requisition/voucher.
7. What if I find a supplier that offers a lower price than the State bid? If another supplier is lower than the State bid price, and the purchase is made from the other supplier, a written statement should be filed with the documentation supporting the purchase that the price of another supplier is lower than the State bid.
8. What information do I need if I select a vendor that is not the lowest price offeror? Proper documentation is required when the quotation is not awarded to the vendor giving the lowest price.
9. What if I cannot obtain the required number of quotes? Proper documentation on the quote sheet must be given if required number of quotes is not obtained.
10. How do I select a vendor that is exempt under the Procurement Policy? Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the Town Board, the solicitation of alternative proposals may not be in the best interest of the Town. For items excepted/exempted from this policy, the vendor will be selected based upon accountability, reliability, responsibility, skill, education & training, judgment, integrity, and ability to work successfully with the Town of Orangetown, its officers and agents.



11. What do I need to provide the Finance Office with for a quote for items \$3,000 and up?

Quotations will be in writing and submitted to the Finance Office as an attachment to the electronic requisition form (KVS Program). You can obtain a quotation form from Finance Department. Quotation forms will include three (3) vendors who can provide the item or services desired. These forms should contain a complete description of the item, the quantity desired and the unit on which the price is quoted (per gross, dozen, etc.).

12. What if I cannot obtain a firm price for the product(s) at the time the order is placed?

In the case of an order for which a firm price cannot be obtained at the time of the order is placed (repair work, etc.), an estimate should be obtained and this figure placed on the purchase order with the notation that this is an estimate.

13. Do I need to obtain the approval of the Finance Department prior to placing my order?

In ALL instances, purchase orders are to be completed and approved by the Finance Office before a purchase is made. The sole exception: emergency purchase orders. After THREE (3) quotations have been gathered, and the Purchase Order has been approved by the Finance Office, the department head will purchase the materials from the vendor with the lowest price. (The delivery time and cost of labor and mileage will be a consideration.)

14. Do I need to use the KVS Program?

All Departments shall use the KVS Program as it provides formal documentation and authority for the purchase of goods and services; provides documentation that goods and services have been ordered and received; provides the necessary authority to pay vendor claims for goods and services; initiates and substantiates various accounting processes; and provides the necessary tax-exempt sale proof needed by vendors. If you have any questions, or require assistance with the program, please contact Natalie Schutter in the Finance Office at 359-5100 x 2217.



15. When do I need to use a purchase order? Any purchase made in the amount of ONE THOUSAND AND 01/100 (\$1,000.01) DOLLARS or more requires the use of a purchase order.
16. What information do I need to complete a purchase requisition in the KVS Program? The requestor will complete a purchase requisition in the KVS Program including the following information: Date; Vendors name and address; Terms as they apply; Vendor Number; Quantity; Unit Price; Extension and Total Cost; Account number to be charged; Department Head Signature; Comments (resolution #, contract information, etc.) Description of goods being ordered with an explanation of whether the goods are supply versus equipment, etc. and where or what the goods are going to be used for (i.e. vehicle, building, program); **\*\*DON'T FORGET TO ATTACH YOUR DOCUMENTATION FOR VERBAL AND/OR WRITTEN QUOTES TO THE REQUISITION FORM!!!!**
17. Is there a deadline for purchase order? All purchase requisitions MUST be submitted to the Finance Office no later than December 11<sup>TH</sup> each year.
18. What if I need to place a purchase order after December 11<sup>th</sup>? After December 11<sup>TH</sup>, only EMERGENCY purchase requisitions will be accepted. Purchase requisitions must be done for the emergency purchase REGARDLESS of the amount. Those purchase requisitions will be scrutinized and followed to the letter of the purchasing policy as it relates to what is actually an emergency. There will be **NO EXCEPTIONS**.
19. Do I need to notify the Finance Department if I cancel an order? YES! Attach a copy of correspondence with the company to a copy of the purchase order and send to the Finance Office.
20. What if my department has an insufficient balance in the budget? If the Finance Office determines that insufficient or no appropriation balance is available in a Department's budget when processing a purchase order, the Finance Director will contact the requestor to discuss the purchase order and/or the purchase order will be returned to the originating department.



21. If my department has an insufficient balance, can I request a budget transfer request? To request an increase in appropriations, the department head should proceed as follows: The request for transfer, or increase in appropriations, should be in writing and directed to the Town Board with an explanation of why the transfer is needed. The amount needed and the budget account code involved must be indicated. The Department Head should make a written request for approval to the Finance Office. After accumulation of all related information, the Finance Director will submit the request to the Town Board for action. After approval by the Town Board, the Department Head will resubmit the purchase order. The Finance Director will make the appropriate adjustments to records, encumber the amount of the purchase order and certify to the availability of funds.
22. Can I use a Blanket Purchase Order? A Blanket purchase order eliminates the necessity for the issuance of separate orders for groups of items which are purchase frequently from the same vendor; and permits the department to purchase items for small repair or replacement items, stock replenishment of the expendable supply store and/or contract/bid items for various bulk items needed on a monthly basis. **NOTE:** This does not permit a department head to purchase stock for a month, etc., but merely allows department heads to purchase so that they do not run out of a necessary item.
23. What is the aggregate total price that can be purchased on a blanket purchase order? The aggregate (total) for items of the same description or use will not exceed TEN THOUSAND AND 00/100 (\$10,000.00) DOLLARS per annum. Those items normally used in a day to day operation include: hardware, plumbing, supplies, electrical supplies and automotive parts.
24. Can I purchase equipment on a blanket purchase order? **NO!** Equipment is not to be purchased on a blanket purchase order.





25. What information do I need to provide for a blanket purchase order? The amount and period of the blanket purchase order will be determined by the respective department head. It should be based on information available in the records covering previous fiscal years and present departmental needs. The department MUST keep a record of the purchases made to insure that they do not exceed the amount allowed by the blanket purchase order. Any over expenditure, depending on the circumstances, may not be approved for payment. If it appears that the amount on the blanket purchase order may not be sufficient to cover the time period allowed, the Finance Office must be informed immediately and the purchase order will be amended.
26. After delivery of the blanket purchase order, what do I need to send Finance? When supplies are delivered or picked up, receipts, delivery slips, or other documents transmitted by the vendor will be signed by the individual receiving the supplies. The blanket purchase order number MUST also be placed on the documents which will then be attached to the receiving copy of the purchase order and forwarded to the Finance Office with each applicable invoice.
27. Can I submit a purchase order form to Finance "after the fact"? An additional purchase order will not be issued "After the fact" to cover overages. The department head will submit the additional invoices causing the overage to the Finance Office accompanied by a voucher with an explanation as to why more accurate records were not maintained in relation to the blanket purchase order.
28. Are there exceptions to using a Purchase Order? There are certain expenditures for which the processing of a purchase order is unnecessary. The following should be made without purchase orders: Contracts for personal service; Training; classes; meetings and memberships; Employee expenses such as conference expense, mileage, and other reimbursable expenses in performance of day-to-day duties; Reimbursement of petty cash funds; Utility Bills; Service contracts for a fixed monthly or annual amount; Interdepartmental charges; Medical examinations; Legal



Notices; Postage meter costs; Subscriptions; Petty Cash; and any purchases costing under ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS (if not required by vendor).

29. Can a manual check be issued by Finance? Manual checks will only be issued in urgent situations. If a department cannot wait for the normal payment/audit process, the following procedure must take place: A purchase order or claim voucher must be submitted to the Finance Office. Multiple quotes must be obtained consistent with normal procedure; Send the purchase order (P.O.) or claim to the Finance Director and explain the emergency nature of the purchasing approval desired (if approved verbally, claim shall still be sent in for signature by Finance Director); AND The Finance Director MAY poll the Town Board prior to issuance.
30. What if my department exceeds the competitive bidding threshold for a product or service? If at any time a department finds they will exceed the competitive bidding threshold for a particular product or service, they should notify the Finance Office to allow time for the formal bid process to be completed to meet their anticipated needs.
31. Can the Town standardize the purchase of a particular material or equipment? General Municipal Law Section 103 makes it possible for the Town to standardize on a particular type of material or equipment. A resolution approved by the Town Board shall state that for reasons of efficiency or economy there is a need for standardization. The resolution shall contain a full explanation supporting such action. The adoption of such a resolution does not eliminate the necessity for conformance to the competitive bidding requirements. Standardization, restricts the purchase to a specific model or type of equipment or supply, but does not limit the vendors it can be purchased from.
32. Can I use a brand name specification in bidding? If a brand name product represents an industry-wide standard, a brand name may be listed in the specifications as long as the specifications provide an "equivalency clause" (an item of equivalent specifications). Where a



brand name or equal specification is used, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to limit or restrict competition. Advertisement for a product manufactured by a particular company is not permitted unless the Town Board adopts a resolution stating that the reasons for efficiency or economy there is a need for standardization. Such a resolution must be adopted by at least 3/5 of all the members of the Town Board. (See, GML §103(5)).

33. What are the procurement procedures for grant funds? Any procurement procedures required to be followed by the Departments as a condition of the receipt of any federal, state or county grant awarded to the Town shall supercede any provision to the contrary set forth in the procurement policy.

