PENFIELD TOWN BOARD MEETING AGENDA
Wednesday, October 5, 2016 7:00PM
Supervisor R. Anthony La Fountain, presiding

I Call to Order - Pledge of Allegiance - Roll Call

II Public Hearing –Town of Penfield 2017 Preliminary Budget and 2017 Special Districts Budget

III Communications and Announcements

IV Public Participation

V Additions and Deletions to Agenda

VI Approval of Minutes – August 17, 2016

VII Petitions

VIII Resolutions by Function

Law and Finance
#16T-203 Authorization for Supervisor to sign a License and Hold Harmless Agreement for a Fence in an Existing Sanitary Sewer Easement at 6 Pond Valley Circle

#16T-204 Authorization to Place School Bus Stop Signs on Fellows Road

#16T-205 Authorize the Town Supervisor to sign a Contract with the University of Rochester Medical Center School of Nursing

#16T-206 Establishment of the Windsor Ridge Subdivision Special Improvement District

#16T-207 Establishment of the Windsor Ridge Subdivision Sewer District Extension No. 59

#16T-208 Establishment of the Windsor Ridge Subdivision Intensified Sidewalk District No. 19
#16T-209 Establishment of the Barclay Park Sewer District Extension No. 58

#16T-210 Amending the Contract for the Construction Related to Willow Pond Outfall Modification Project

#16T-211 Budget transfers

#16T-212 Adopting Local Law No. 2 of 2016 entitled “Town of Penfield Best Value Contract Award Law”

#16T-213 Authorize the Town Supervisor to sign an Agreement with St. Pauly Textile

Public Works – None

Public Safety - None

Community Services

#16T-214 Authorization for Supervisor to Sign Recreation Contracts

IX Old Business

X New Business

XI Public Participation

XII Adjournment
The Regular meeting of the Penfield Town Board was held on Wednesday, October 5, 2016 at 7:00 PM at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York.

Present: R. Anthony LaFountain  Supervisor
Linda Kohl  Councilwoman
Paula Metzler  Councilwoman
Andrew Moore  Councilman
Robert Quinn  Councilman

Also Present: Amy Steklof  Town Clerk
Richard Horwitz  Town Attorney
Bernadette Brinkman  Library Director
Barbara Chirdo  Town Comptroller

Supervisor LaFountain called the meeting to order – The Pledge of Allegiance was led by Ed Lindskoog.

Public Hearing #1 Town of Penfield 2017 Preliminary Budget and 2017 Special Districts Budget

The Town Clerk read the title of the above Public Hearing; said Notice was published in the Penfield Post on September 15, 2016 and was posted on the Town Website and Town Clerk Bulletin Board. No postcards were mailed due to the fact that this was a town wide action. Town Attorney Horwitz confirmed that this Hearing is in order.

Supervisor LaFountain recognized the Town’s Finance Director, Barbara Chirdo who gave an overview of the 2017 Town Budget.

Ms. Chirdo stated that the budget keeps the tax rate at $2.69 per $1,000 of assessed property value and is below the New York State Tax Cap. Services for the Town’s residents will continue to be provided at a high level as it has been in past years.

Attached is a summary of the Preliminary Operating Budget for fiscal year 2017. Public comments will be received by the Town Board through October 14, 2016. The Town Board will review all comments and then develop the Final Budget which will then be adopted at the next Town Board Legislative meeting on October 19, 2016. The Budget can be viewed online at www.penfield.org.

Public Participation

Tim Murphy, 48 Corral Drive stated he appreciates the effort that is put into preparing the budget. He also stated that he had sent in 11 questions to Ms. Chirdo and that she had answered all 11 questions.

Mr. Murphy asked Supervisor LaFountain for an update on outsourcing for grass cutting and snow plowing.

Supervisor LaFountain stated that this year the Town split those tasks. 100 plus acres of grass were cut by the Town and 100 plus acres were cut by the contractor. More information can be found on the Town’s website under Department of Public Works. This is the last year of the contract. This fall the Town will go out to receive quotes for grass cutting and the Town Board will discuss whether to expand the amount to be cut by the contractor versus what will be cut by the Town.

Mr. Murphy asked if there are any other services that may be considered for outsourcing in the coming fiscal year?

Supervisor LaFountain stated nothing other than what we typically do now.

Mr. Murphy asked if there is any extra money put aside in the budget for the possible sale of Shadow Pines?

Supervisor LaFountain said “not at this time.”
Mr. Murphy asked if there is any money in the budget for Baker Commodities air, water or soil sampling?

Supervisor LaFountain stated “no, because that permit is issued by the Department of Environmental Conservation who oversees and monitors the operation process and has the budget for that.”

Mr. Murphy inquired whether there is any money put aside for creation of a new 10 year Comprehensive Plan?

Supervisor LaFountain stated that process will begin in 2017 for fact gathering and then money will be budgeted for the Comprehensive Plan in 2018.

Mr. Murphy asked Ms. Chirdo to clarify the information on one of the slides pertaining to short falls and Non-tax Revenue decrease to 2.9%.

Ms. Chirdo stated that we look at our five (5) year averages in revenue and have tightened up to get more accurate estimates on what can be reasonably expected and not over estimate.

Mr. Murphy asked if there are particular line items to refer to?

Ms. Chirdo said it was all across the Board and out of 11 million, 3% is not a huge amount. She went on to say if you look through all of the revenues, a slight decrease can be seen from 2016 to 2017.

Mr. Murphy asked Ms. Chirdo about the year to year changes and specifically why the Parks Department is down $120,000.

Ms. Chirdo stated when Parks and Facilities was split not everyone was allocated properly. It is still a General Fund Account. She also stated that she sat down with the Personnel Department and discussed where people are spending most of their time and whether they are working in Parks or working in Facilities depending on their skillset. The budget was adjusted to reflect where people are actually working.

Mr. Murphy stated he would like to see a year to year comparison in the future to see where the resources are and where they are changing. Mr. Murphy asked for clarification pertaining to the fund balance. He stated he does not understand why the budget went from 3.4 million in the Unassigned General Fund in 2014 to a current balance of 1.9 million.

Ms. Chirdo stated that within fund balances there are assignments that are necessary when looking into the future and what you can reasonably expect to spend the money on. So, the Town looks at what is reasonably needed for infrastructure, highway, employee benefits, COLA’s. The Town makes sure there is enough money for things that keep the Town operating. She went on to say, that unfortunately in our County there are Towns that have spent their fund balances and if something were to happen unexpectedly they would not be prepared to handle the expense.

Ms. Chirdo thanked the Town Board and Department Heads for all of their hard work in helping prepare this year’s budget.

Communications and Announcements

1. Passport Event will be held on Thursday, October 6, 2016 from 5:30 PM to 7:30 PM in the Town Hall Auditorium. You may download an application in advance by going to www.travel.state.gov/passport. For more information contact Town Clerk Amy Steklof at 585-340-8629.

2. October 9 to October 15, 2016 will be National Fire Prevention Week. For more information go to www.firepreventionweek.org, or contact the Fire Marshal’s office at 340-8643.
3. Historic Preservation Day will be held on Saturday, October 15, 2016 from 1:00 PM to 3:00 PM at the Town Hall Auditorium. For more information, please email Developmental Services Director, Jim Costello at costello@penfield.org or call 340-8642.

4. A Fall Recycling Event for Penfield residents will be held on Saturday, October 8, 2016 from 7:00 AM to 3:00 PM at the Department of Public Works, 1607 Jackson Road. For more information please visit the Town’s website at www.penfield.org or call 340-8710.

5. The bulk of the Route 441 concrete restoration has been completed and the major road blocks have been pulled. Weather permitting, work will continue at the intersection of Linden Avenue and NYS RTE 441 this weekend. For more information please visit the Town’s website at www.penfield.org or go to NYSDOT website at www.dot.newyork.gov/projects. This is a State project and not a Town project.


7. The Trails Committee will host a free public hike on Saturday, October 8, 2016 from 10:00 AM to Noon at Lucien Morin Park. Please pre-register by visiting www.penfieldrec.org or calling 340-8655.

8. The Family Halloween and Pizza Dinner event will be held at the Penfield Community Center, 1985 Baird Road Friday, October 21, 2016 from 6:00 PM to 8:00 PM (dinner from 5:30 PM to 7:30 PM). For more information and to purchase tickets in advance please call 340-8655.

9. The Historic Ghost Walk in Oakwood Cemetery will be held on Friday, October 21, 2016. Tours begin at 6:30 PM. For more information and to get tickets in advance, please call 340-8655.

10. The next Community Chat with Councilwoman Linda Kohl will be held on Tuesday, October 18, 2016 from 5:30 PM to 7:00 PM at the Penfield Library, 1985 Baird Road.

Public Participation

Tim Murphy, 48 Corral Drive stated that the Shepherd Home will hold an Open House on Sunday, October 16, 2016 from Noon to 2:30 PM to build awareness in our community. There will be food trucks, a raffle and tours of the facility.

Mr. Murphy asked Supervisor LaFountain to replace the ripped flag at Rothfuss Park.

Supervisor LaFountain stated that it will be addressed this week.

Mr. Murphy thanked the Town Board for coming through with the money for PCTV to replay Board meetings on the Public TV station.

Mr. Murphy stated he installed solar panels on his house last year and has saved a lot of money because of it. He went on to say that New York State has just enacted new regulations around fire safety and energy efficiency. Mr. Murphy asked if the Town of Penfield is planning to review and possibly adopt an ordinance around solar panel installations.

Supervisor LaFountain stated that the Town Board is in the process of looking into this and has meetings set up for discussions on this topic.
Mr. Murphy inquired whether any more site prep needs to be done with the Town’s solar project?

Supervisor LaFountain stated that most of our site prep has been completed and now we are just waiting for R G & E to be ready to do their part so that our contractor, Solar City can begin their work.

Supervisor LaFountain stated that our solar project will generate approximately 80% of our total electric needs for the Town of Penfield.

Mr. Murphy inquired about the Monroe County project out on Gloria Drive.

Supervisor LaFountain stated Monroe County has a different contractor that they’re working with named Solar Liberty which is out of Buffalo. The County has put up a berm, by a neighbors request, and are essentially ready to go. They also are waiting for the green light from R G & E. Solar Liberty will then come in and start to install.

Ed Lindskoog, 40 Willow Pond Way stated he heard there was a major collapse on Allen’s Creek and requested an update on the issue and asked how it may impact the budget.

Supervisor LaFountain stated there was a slough off the sloped area that abuts to the Mobile Home Park and came down to Allen’s Creek blocking off approximately 90% of Allen’s Creek. Engineer Mark Valentine and his team requested and received an emergency permit to get in to cut the trees away so that equipment could go through to work on the area. He went on to say that the Town Board revisited the Allen’s Creek Study that had been done a couple of years ago. The Town Board identified that from Brighton down to Penfield, where Allen’s Creek ties into Irondequoit Creek, there are a number of areas that need to be worked on. Back several years ago the price was $1.5 to $2 million. The Town is reaching out to Brighton and looking into applying for grants to move forward with this.

Mr. Lindskoog stated that there is much concern about invasive species and that the Trails Committee will be taking notes during their hikes to record where the problem areas are and alert the Town.

Additions and Deletions to Agenda - None

Approval of Minutes

Councilwoman Kohl moved to approve the Minutes of August 17, 2016 Councilman Quinn seconded and all voted “Aye.”

Petitions - None

Resolutions by Function

Law and Finance

#16T-203 Authorization for Supervisor to sign a License and Hold Harmless Agreement for a Fence in an Existing Sanitary Sewer Easement at 6 Pond Valley Circle by Moore

WHEREAS, Davina and David Domenico have requested that the Town Board grant permission for the installation of a fence within an existing sanitary easement located on their property, and

WHEREAS, as the easement contains a sanitary sewer pipe a safe distance from the proposed fence location, and

WHEREAS, said improvements will not diminish the integrity or purpose of the sewer easement and will not inhibit the inspection and maintenance of the sanitary sewer; and
WHEREAS, the owners have agreed to sign a License and Hold Harmless Agreement to indemnify the Town of Penfield from any damages that may result from said improvements being constructed in the Town of Penfield’s easement.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the easement requested by Davina and David Domenico to permit the installation of a fence within the sanitary sewer easement.

Moved: Moore  
Seconded: Kohl

| Vote  | Kohl | Aye | LaFountain | Aye | Metzler | Aye | Quinn | Aye |

Adopted

#16T-204 Authorization to Place School Bus Stop Signs on Fellows Road

WHEREAS, pursuant to New York State Vehicle and Traffic Law, Section 1660, the Penfield Town Board is given the authority to authorize the establishment of and placement of traffic control devices on Town Highways within the Town of Penfield and,

WHEREAS, the Town Board has received a request to install (2) Bus Stop Ahead signs on Fellows Road, and,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the installation of said traffic control devices, and directs the Department of Public Works to install said Bus Stop Ahead signs on Fellows Road, and,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a schedule of said traffic control devices shall be kept on file in the Office of the Town Clerk.

Moved: Moore  
Seconded: Quinn

| Vote  | Kohl | Aye | LaFountain | Aye | Metzler | Aye | Quinn | Aye |

Adopted

#16T-205 Authorize the Town Supervisor to sign a Contract with the University of Rochester Medical Center School of Nursing

WHEREAS, the Town of Penfield desires to offer a flu vaccination clinic to area residents; and

WHEREAS, the University of Rochester Medical Center School of Nursing offers a flu vaccination clinic, (URMC Flu Initiative);

NOW, THEREFORE BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with the University Of Rochester Medical Center School Of Nursing to provide said flu vaccination clinic for the Town of Penfield, upon review and approval by the Town Attorney.

Moved: Moore  
Seconded: Metzler
Penfield Town Board, October 5, 2016

(Resolution #16T-205 - Continued)

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye

Adopted

#16T-206 Establishment of Windsor Ridge Subdivision Special Improvement District by Moore

WHEREAS, a Public Hearing was held on September 21, 2016 to consider the Petition and to hear all persons interested in the establishment of the Windsor Ridge Subdivision Special Improvement District; and

WHEREAS, the Town Board received no negative and or substantive input regarding this matter.

NOW, THEREFORE, BE IT RESOLVED, that the annexed Order be executed by the Town Supervisor and members of the Town Board to establish the Windsor Ridge Subdivision Special Improvement District.

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye

Adopted

#16T-207 Establishment of the Windsor Ridge Subdivision Sewer District Extension No. 59 by Moore

WHEREAS, a Public Hearing was held on September 21, 2016 to consider the Petition and to hear all persons interested in the establishment of the Windsor Ridge Subdivision Sewer District No. 59; and

WHEREAS, the Town Board received no negative and or substantive input regarding this matter.

NOW, THEREFORE, BE IT RESOLVED, that the annexed Order be executed by the Town Supervisor and members of the Town Board to establish the Windsor Ridge Subdivision Sewer District Extension No. 59.

Moved: Moore
Seconded: Quinn

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye

Adopted

#16T-208 Establishment of the Windsor Ridge Subdivision Intensified Sidewalk District No. 19 by Moore

WHEREAS, a Public Hearing was held on September 21, 2016 to consider the Petition and to hear all persons interested in the establishment of the Windsor Ridge Subdivision Intensified Sidewalk District No. 19; and

WHEREAS, the Town Board received no negative and or substantive input regarding this matter.

NOW, THEREFORE, BE IT RESOLVED, that the annexed Order be executed by the Town Supervisor and members of the Town Board to establish the Windsor Ridge Subdivision Intensified Sidewalk District No. 19.
Penfield Town Board, October 5, 2016

(Resolution #16T-208 – Continued)

Moved: Moore
Seconded: Metzler

Vote: Kohl Aye LaFountain Aye
Metzler Aye Moore Aye
Quinn Aye

Adopted

#16T-209 Establishment of the Barclay Park Sewer District Extension No. 58 by Moore

WHEREAS, a Public Hearing was held on September 21, 2016 to consider the Petition and to hear all persons interested in the establishment of the Barclay Park Sewer District No. 58; and

WHEREAS, the Town Board received no negative and or substantive input regarding this matter.

NOW, THEREFORE, BE IT RESOLVED, that the annexed Order be executed by the Town Supervisor and members of the Town Board to establish the Barclay Park Sewer District Extension No. 58.

Moved: Moore
Seconded: Kohl

Vote: Kohl Aye LaFountain Aye
Metzler Aye Moore Aye
Quinn Aye

Adopted

#16T-210 Amending the Contract for the Construction Related to Willow Pond Outfall Modification Project by Moore

WHEREAS, the Town of Penfield maintains the Willow Pond Stormwater control facility that is located on the boundary of the Town of Penfield and Town of Perinton; and

WHEREAS, on August 17, 2016 by resolution 16T-178, the Town Board hereby awarded a contract to Keeler Construction to have the Willow Pond Dam downgraded from a Class “C” High Hazard Dam to a Class “B” Medium Hazard Dam; and

WHEREAS, a change order to the original contract amount is necessary based on field changes identified by the Engineering Department, in an amount not to exceed $11,100; and

NOW, THEREFORE BE IT RESOLVED that the Town Board concurs that this expansion of the scope of the project is prudent and therefore authorize the increase in contract for Keeler Construction, as outlined in Change Order #1 in an amount not to exceed $11,100.

Moved: Moore
Seconded: Quinn

Vote: Kohl Aye LaFountain Aye
Metzler Aye Moore Aye
Quinn Aye

Adopted
Penfield Town Board, October 5, 2016

#16T-211  Budget Transfers by Moore

WHEREAS, various programs resulted in the need for transfers within the Recreation accounts, and

WHEREAS, legal postings require the transfer of funds from the Engineering Account to the Planning Board Account, and

WHEREAS, the filing of easements requires an increase in the appropriations in the Planning Admin Account from easement fees collected, and

WHEREAS, the Town Board desires to have an up to date budget in relation to current income and expenditures,

NOW, BE IT RESOLVED that the following 2016 budget transfers be approved:

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<td>Planning, Legal Filings</td>
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Moved: Moore
Seconded: Metzler

Vote: Kohl Aye LaFountain Aye
      Metzler Aye Moore Aye
      Quinn Aye

Adopted

#16T-212  Adopting Local Law No. 2 of 2016 entitled "Town of Penfield Best Value Contract Award Law" by Moore

WHEREAS, the Town Board of the Town of Penfield held a Public Hearing at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526 on September 21, 2016 at 7:00 PM to consider adoption of Local Law No. 2 of 2016 entitled “Town of Penfield Best Value Contract Award Law”, and

WHEREAS, the Town Board received no public input regarding the adoption of Local Law No. 2 of 2016 entitled “Town of Penfield Best Value Contract Award Law” and closed said Public Hearing and reserved decision;

NOW, THEREFORE, BE IT RESOLVED, AND HEREBY IS ENACTED BY THE TOWN BOARD OF THE TOWN OF PENFIELD AS FOLLOWS: Local Law No. 2 of 2016 entitled “Town of Penfield Best Value Contract Award Law” as more particularly described in Schedule “A” attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that this Law will become effective upon its filing with the Office of New York State Secretary of State.
Moved: Moore  
Seconded: Kohl

Vote:  
Kohl Aye
LaFountain Aye
Metzler Aye
Quinn Aye

Adopted

See Schedule “A” at end of Minutes

#16T-213 Authorize the Town Supervisor to sign an Agreement with St. Pauly Textile by Moore

WHEREAS, the Town of Penfield desires to offer a donated clothing receptacle at the Department of Public Works Facility, and

NOW, THEREFORE BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with St. Pauly Textile, Inc., 1067 Gateway Drive, Farmington, NY to place and maintain a clothing receptacle at the Department of Public Works Facility, 1607 Jackson Road, Penfield, NY, upon review and approval by the Town Attorney.

Moved: Moore  
Seconded: Quinn

Vote:  
Kohl Aye
LaFountain Aye
Metzler Aye
Quinn Aye

Adopted

Public Works - None

Public Safety - None

Community Services

#16T-214 Authorization for Supervisor to Sign Recreation Contracts by Moore

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign the following Recreation Contracts:

Penfield Youth Wrestling Club, 11 Leonard Crescent, Penfield, NY 14526, Direct Youth Wrestle Summer Camp from 7/11/16 - 7/14/16 for fee of 80% of revenue. Voucher to be submitted 10/5/16.

Ed Porto, 97 Keyel Dr., Rochester, NY 14625, Instructor for Instructional Baseball, 9/7/16 - 10/26/16, for a fee of 70% of total revenue. Voucher to be submitted on 11/2/16.

Moved: Kohl  
Seconded: Quinn

Vote:  
Kohl Aye
LaFountain Aye
Metzler Aye
Quinn Aye

Adopted

Old Business - None

New Business - None

Public Participation - None
Supervisor LaFountain recognized George Hebert Monroe County Legislator representing the 15th Legislative District which includes a portion of Penfield and Webster and thanked Legislator Hebert for attending the Town Board meeting this evening and for supporting the Town on its 2017 Preliminary Budget.

Adjournment

Supervisor LaFountain moved to adjourn the meeting at 8:17 PM.

Amy Steklof, RMC/CMC
Town Clerk
## TOWN OF PENFIELD
### SUMMARY OF PRELIMINARY OPERATING BUDGET
#### FISCAL YEAR 2017

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<th>Fund</th>
<th>Appropriations</th>
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<th>Less: Fund Balance Contribution</th>
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<th>Calculated Residential Tax Rate</th>
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Section 1 - Title

This chapter shall be known as the "Town of Penfield Best Value Contract Award Law."

Section 2 - Findings and intent

The State Legislature and Governor amended General Municipal Law § 103 (A08692/S617) on January 27, 2012, to provide local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work, on the basis of best value. The state legislation requires political subdivisions with a population of less than one million to pass a local law authorizing the use of the best value award process.

Enactment of this legislation provides additional procurement options to localities in ways that may expedite the procurement process and result in cost savings. The "best value" standard for selecting goods and services vendors, including janitorial and security contracts, is critical to efforts to use strategic sourcing principles to modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors.

Today, the Federal government, approximately half of the states and many localities have added best value selection processes to their procurement options, in recognition of these advantages. With the increased complexity of the goods and services that municipalities must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense.

Taxpayers are not well served when a public procurement results in low unit costs at the outset, but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value procurement links the procurement process directly to the municipality's performance requirements, incorporating selection factors such as useful lifespan, quality and options and incentives for more timely performance and/or additional services.

Even if the initial expenditure is higher, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service. Fostering healthy competition ensures that bidders will continue to strive for excellence in identifying and meeting municipalities' needs, including such important goals as the participation of small, minority and women-owned businesses, and the development of environmentally-preferable goods and service delivery methods. Best value procurement will provide much-needed flexibility in obtaining important goods and services at favorable prices, and will reduce the time to procure such goods and services.

Section 3 - Definitions

As used in this law, the following terms shall have the meanings indicated:

BEST VALUE

The basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in Subdivisions 1, 7, 15 and 20 of § 310 of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

Requirements

A. Where the basis for award is the best value offer, the Town Comptroller shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which, whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.

B. The Town Comptroller shall select a formal competitive procurement process in accordance with General Municipal Law and Town of Penfield purchasing policies and document its determination in the procurement record. The process shall include, but is not limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerers to submit responsive offers; and a balanced and fair method...
of award. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.

C. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Town of Penfield in its determination of best value.

D. The Town Comptroller shall develop procedures that will govern the award of contracts on the basis of best value. These procedures shall be included in the Town of Penfield purchasing policies and reviewed annually by the Town Board in conjunction with its annual review and approval of the Town of Penfield purchasing policies.

Section 4 - Severability

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