ADMINISTRATION & OVERSIGHT COMMITTEE
Meeting Agenda – Thursday, October 23, 2014 – 3:00 p.m.
Large Conference Room

Agenda:

3:00 p.m. **Call Meeting to Order**

Approval of Minutes

- **October 14, 2014**

3:05 p.m. **Discussion – Purchasing Updates**

3:20 p.m. **Discussion – Board of Elections' Positions**

3:35 p.m. **Discussion – Public Comment Period - Board Meetings**

3:50 p.m. **Resolutions:**

1. **Amending Madison County's Purchasing Policy and Procedures.** *(please note that this resolution is for your review – will go before Government Operations on Oct. 30th)*
2. **Waiving the Rules for Resolutions.**
3. **Fixing Time and Date to Organize the Board for the Year 2015.**
4. **Fixing Time for Holding Meetings During 2015.**

Any other business

Next Meeting

Adjourn

Administration and Oversight Committee

Minutes of Special Meeting Oct. 14, 2014

PRESENT: **Chairman Scott Henderson, Vice Chairman James V. Rafte Sr., and Supervisors Roger D. Bradstreet, Paul "Pete" Walrod and William Zupan**

ALSO: **County Administrator Mark Scimone, Supervisor Daniel S. Degear, Buildings and Grounds Supervisor Kevin F. Loveless and Public Health Director Eric Faistt**

Chairman Scott Henderson called the meeting to order at 12:30 p.m. in the Supervisors Large Conference Room.

The minutes from the Sept. 9, 2014, meeting were unanimously approved on the motion of Supervisor William Zupan and second of Supervisor Roger D. Bradstreet.

Resolution: The committee unanimously approved a resolution designating the disposal of obsolete/surplus property on the motion of Vice Chairman James V. Rafte, Sr., and second of Bradstreet.

There was brief discussion of whether the County's Purchasing Agent would be providing the same service for towns; the consensus was no.

Resolution: The committee unanimously approved a resolution establishing the Office of Emergency Management and creating the position of director of Emergency Management on the motion of Bradstreet and second of Supervisor Paul "Pete" Walrod.

Motion to Adjourn: The Committee adjourned at 12.35 p.m. on the motion of Supervisor Zupan and second of Walrod.

Respectfully submitted Oct. 21, 2014, by Martha E. Conway for Chairman Scott Henderson.

Cindy Urtz

From: Mark Scimone
Sent: Thursday, October 16, 2014 8:27 AM
To: Cindy Urtz
Subject: FW: Public Comment Period
Attachments: 4536_001.pdf

Please include emails below and attachment on agenda for A&O per Scott.

From: Mark Scimone
Sent: Wednesday, October 15, 2014 3:28 PM
To: Martha Conway; Scott Henderson; John Becker - Sullivan; Dan Degear - Town Hall
Cc: Rick Bargabos; Cindy Urtz; S. John Campanie; John Campanie
Subject: RE: Public Comment Period

All,

I have attached the results of the survey Cindy conducted in regards to how other counties handle public comment period. We received a huge response. Many good ideas and things to consider if the path of modifying rules is preferred.

I also agree with Martha's comments below as a way to address the Padula issue. Additionally, so not to pin it solely on the Chairman to decide, any member of the Board of Supervisors could call for a vote to determine if enough was heard on any particular subject.

Scott, would you like me to forward the information in this email and attached to your committee for discussion at the next A&O Committee meeting?

Mark

From: Martha Conway
Sent: Wednesday, October 15, 2014 12:08 PM
To: Scott Henderson; John Becker - Sullivan; Dan Degear - Town Hall; Mark Scimone
Cc: Rick Bargabos; Robert Freeman (Robert.Freeman@dos.ny.gov)
Subject: Public Comment Period

Gentlemen:

As a member of the press – although not here – I feel compelled to respond to Rick's more-than-legitimate query at yesterday's meeting after Gary Padula's latest rant if there was nothing that could be done to curb such speech. A lot of us are feeling the same impatience. I usually sit with Caitlin Traynor at Board of Supervisors meetings, but Mr. Padula has been arriving earlier and earlier to take over the entire press table, and we are tired of trying to move him along. Caitlin sat in the back with me yesterday.

Open Meetings Law, and I am copying Bob Freeman to correct me on any points necessary, provides the public with means to observe government in action, not to participate in it. All of the towns, villages and schools I have covered have been gracious enough to invite audience participation.

Some have formal rules; some do not. Mr. Freeman has said on numerous occasions that if participation is going to be allowed, everyone must be allowed to speak – resident or not – and be given an equal amount of time. The Board set

forth in its rules the procedure for public comment, and, in my experience, has been pretty steadfast in its enforcement. A few speakers have run over, but it has been overwhelmingly unilaterally enforced.

I do not believe the Board rules need to be revised to put an end to Mr. Padula's increasingly fallacious and delusional speeches.

Gary Padula is no different from the single-issue constituents that haunt nearly every town, village and school board meeting. Mr. Freeman has stated in numerous presentations that, while public comment is not provided for under OML, if a public body decides to grant same, it should be done with consistency from person to person. He also said, however, that any public body can decide at any time that it has heard all it wants to about a particular subject. I believe a directive from Mr. Becker that the Board no longer will entertain comment on Oneida Indian Nation litigation or contractual matters would end what seems to have degraded into some grand conspiracy theory.

Now, to editorialize and get somewhat off-topic is the amount of time given to those wishing to speak. If you have 12 people wishing to speak and each of them take their full five minutes, you are extending your meeting by an hour. Perhaps, Hons. Becker and Henderson, you want to look at changing the rules to allow for three minutes; I feel that if someone needs more than that, they need to go through proper channels to get on your agenda and make a formal presentation either to the Committee of the Whole or at the Board meeting.

But, hey; I'm just the Maintenance Office typist.

Have a great rest of the week, gentlemen.

Martha

Martha E. Conway | Part-Time Typist

Madison County Departments of Maintenance and Central Service

P.O. Box 546 | Wampsville, New York 13163

Direct: 315.366.2259 | Martha.Conway@madisoncounty.ny.gov

Find Madison County Maintenance on the Web

Public Comment Allegany Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Riehle, Brenda Rigby <rigbyba@alleganyco.com>
Sent: Wednesday, October 15, 2014 10:31 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

We usually allow people that make arrangements in advance with approval from the Chairman to address the Board for a maximum of 5-10 minutes at the beginning of any Board meeting. If they just want to gripe about something, we usually tell them that we operate on a committee system, and that we can put them on the agenda for the committee of jurisdiction that covers the issue they want to discuss. I might also suggest that they put their comments in writing. If they have some remarks regarding a specific resolution that the Board will be addressing at that meeting, we might allow them a few minutes, but we generally do not allow people to come to the Board meeting to rattle on about something or complain. Our Chairman has the final decision regarding who can have Privilege of the Floor.

Thank you,
Brenda

Brenda Rigby Riehle, Clerk of the Board
Allegany County Board of Legislators
County Office Building, 2nd Floor, Room 201
7 Court Street
Belmont, NY 14813

Phone: 585-268-9220
Fax: 585-268-9446
E-mail: rigbyba@alleganyco.com

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
To: nysclerkboard@nysac.us
Subject: FW: Comment Period

From: Cindy Urtz
Sent: Wednesday, October 15, 2014 8:46 AM
To: 'nysclerkboard-request@nysac.us'
Subject: Comment Period

Good morning, our County Administrator has asked me to reach out to Board Clerk's to see how your Board handles public comment periods during your board meetings. We appreciate any information that you can provide to us. Thanks!

Cayuga Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Sheila Smith <ssmith@cayugacounty.us>
Sent: Wednesday, October 15, 2014 10:03 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Hi Cindy,

Cayuga County has the following statement on each Legislative agenda:
PUBLIC BE HEARD:
If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.

The public can either notify their Legislator before the meeting and their name would be placed on the agenda or they can just come to a meeting and ask to speak.

Sheila

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
To: nysclerkboard@nysac.us
Subject: FW: Comment Period

From: Cindy Urtz
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Subject: Comment Period

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This communication, together with any attachments hereto or links contained herein, is for the sole use of the intended recipient(s) and may contain information that is confidential, privileged, or legally protected, and as such is not a public document. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of this communication is STRICTLY PROHIBITED. If you have received this communication in error, please notify the sender immediately by return e-mail message and delete the original and all copies of the communication, along with any attachments hereto or links herein, from your system.

Chenango Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Woodford, RC <rcwoodford@CO.CHENANGO.NY.US>
Sent: Wednesday, October 15, 2014 10:09 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Chenango does not have a dedicated comment period.

To compensate for the lack at the Board level, issues are directed to the appropriate Standing Committee.

RC

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
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Cortland Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Jeremy Boylan <jboylan@cortland-co.org>
Sent: Wednesday, October 15, 2014 10:08 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Cortland County's Rules are as follows:

> **Public Comment:** Privilege of the floor shall be granted to any individual in the manner prescribed as follows: Any person or group may request permission to appear before the Legislature by signing on the provided sign-in sheet. The Legislature will provide a thirty (30) minute public comment period before resolutions are acted upon. Said thirty minutes will be divided evenly among the number of persons or groups that wish to appear before the Legislature, with no one person or group appearing for more than five (5) minutes. This rule shall not apply to the County Administrator, department heads, or others invited to appear before the legislature. The Chair shall preserve order and decorum. He or she shall prevent any persons speaking, including members of the Legislature, from making personal or derogatory comments regarding individuals and he or she shall confine the speakers to subject matters pertaining to the agenda.

Jeremy Boylan, Clerk
Cortland County Legislature
607-753-5049
jboylan@cortland-co.org

"LIKE" the Cortland County Legislature on Facebook

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Stacy Husted
Sent: Wednesday, October 15, 2014 10:01 AM
To: 'nysclerkboard@nysac.us'
Subject: RE: Comment Period

Schuyler allows for 30 minutes before our meeting and 15 minutes after. They are to stand, and state their name for the record.

Stacy

Stacy Husted, Clerk/County Auditor
Schuyler County Legislature
105 Ninth Street, Unit 6
Watkins Glen, NY 14891
(607) 535-8100
shusted@co.schuyler.ny.us

Delaware Co -

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Christa Schafer <christa.schafer@co.delaware.ny.us>
Sent: Wednesday, October 15, 2014 10:22 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Delaware is the same as Chenango.

Christa Schafer

Christa Schafer
Delaware County Clerk of the Board
Senator Charles D. Cook County Office Building
111 Main Street
Delhi, NY 13753
Phone No. 607.832.5110
Fax No. 607.832.5111

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Woodford, RC
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From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
To: nysclerkboard@nysac.us
Subject: FW: Comment Period

From: Cindy Urtz
Sent: Wednesday, October 15, 2014 8:46 AM
To: 'nysclerkboard-request@nysac.us'
Subject: Comment Period

Good morning, our County Administrator has asked me to reach out to Board Clerk's to see how your Board handles public comment periods during your board meetings. We appreciate any information that you can provide to us. Thanks!

Lewis Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Terry Clark <tclark@lewiscountyny.org>
Sent: Wednesday, October 15, 2014 10:10 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Lewis-Board Chairman announces and asks that any comments be limited to 5 minutes and speakers are asked to state their name. There are exceptions for special presentations 15-20 min. allowed.

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
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Subject: FW: Comment Period

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Subject: Comment Period

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Monroe Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of JamieSlocum@monroecounty.gov
Sent: Wednesday, October 15, 2014 12:15 PM
To: nysclerkboard@nysac.us
Subject: Re: FW: Comment Period

In Monroe County, public forum is held before each committee and legislature meeting. The public signs up with the Clerk's Office before the meeting and they are called up and given 2 minutes to address the committee or legislature.

-Jamie
Jamie Slocum
Clerk of the Legislature
407 County Office Building
39 West Main Street
Rochester, NY 14614
Office: (585) 753-1914

From: Cindy Urtz <Cindy.Urtz@madisoncounty.ny.gov>
To: "nysclerkboard@nysac.us" <nysclerkboard@nysac.us>
Date: 10/15/2014 09:54 AM
Subject: FW: Comment Period
Sent by: nysclerkboard-request@nysac.us

From: Cindy Urtz
Sent: Wednesday, October 15, 2014 8:46 AM
To: 'nysclerkboard-request@nysac.us'
Subject: Comment Period

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Montgomery Co -

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Cheryl Reese <creese@co.montgomery.ny.us>
Sent: Wednesday, October 15, 2014 11:50 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Montgomery County has privilege of the floor prior to resolutions.

Cheryl

Cheryl Reese
Clerk of the Legislature
Montgomery County Legislature
20 Park Street PO Box 1500
Fonda, NY 12068

creese@co.montgomery.ny.us
518.853.8338 (phone)
518.853.5091(Fax)

****
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Performance * Integrity * Pride

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From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
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Subject: FW: Comment Period

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Niagara Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of MaryJo Tamburlin <MaryJo.Tamburlin@niagaracounty.com>
Sent: Wednesday, October 15, 2014 11:05 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

we have 2 public comment periods in Niagara County we allows 30 min, 3 min per person allowing for 10 speakers in total --They must sign in comments only on Agenda items in the beginning of the meeting and at the end of the meeting the public can sign up on different sign up sheet for the good of the county with 30 min time limit

Mary Jo Tamburlin
Clerk
Niagara County Legislature
(716) 439-7177
Fax (716) 716 439-7124

>>> "Billard, Mike" <mbillard@ocgov.net> 10/15/2014 10:00 AM >>>
Oneida County allows a 30 minute comment period at the beginning of the meeting divided equally between the number of speakers, who shall request permission to speak from the Clerk, but no one person or group shall speak for than 10 minutes.

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
To: nysclerkboard@nysac.us
Subject: FW: Comment Period

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Subject: Comment Period

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Thank you for your cooperation.

Oneida Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Billard, Mike <mbillard@ocgov.net>
Sent: Wednesday, October 15, 2014 10:01 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Oneida County allows a 30 minute comment period at the beginning of the meeting divided equally between the number of speakers, who shall request permission to speak from the Clerk, but no one person or group shall speak for than 10 minutes.

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
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To: nysclerkboard@nysac.us
Subject: FW: Comment Period

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Sent: Wednesday, October 15, 2014 8:46 AM
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Subject: Comment Period

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Orleans Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Hanlon, Nadine <Nadine.Hanlon@orleansny.com>
Sent: Wednesday, October 15, 2014 11:11 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Orleans County does the same thing. Before to comment or question the resolutions on the agenda and then at the end of the meeting for generalized discussion.

Nadine Hanlon
Clerk of Legislative Board - Legislative Offices

Orleans County
3 South Main St.
Albion, NY 14411
Phone: (585) 589-7053 ext 5103 Fax: (585) 589-1618
Website: http://www.orleansny.com
Email: Nadine.Hanlon@orleansny.com

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Sady, Joan
Sent: Wednesday, October 15, 2014 9:59 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

We offer two opportunities for the public to address the Board. One prior to the Board voting on resolutions and a second at the conclusion of the meeting. The Chairman requests that comments be limited to three minutes.

Joan M. Sady
Clerk of the Board of Supervisors
Warren County Municipal Center
1340 State Route 9
Lake George, New York 12845
(518)761-6563

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
To: nysclerkboard@nysac.us
Subject: FW: Comment Period

From: Cindy Urtz
Sent: Wednesday, October 15, 2014 8:46 AM
To: 'nysclerkboard-request@nysac.us'
Subject: Comment Period

Oswego Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Falls, Wendy <wfalls@oswegocounty.com>
Sent: Wednesday, October 15, 2014 10:22 AM
To: nysclerkboard@nysac.us
Subject: Re: FW: Comment Period

Good Morning,

Oswego County offers the public to speak at 2 different times at the Legislative meeting...in the beginning to speak on resolutions of the day and then at the end of the meeting on any other topic. Time is limited to 5 minutes.

On Wed, Oct 15, 2014 at 9:53 AM, Cindy Urtz <Cindy.Urtz@madisoncounty.ny.gov> wrote:

From: Cindy Urtz
Sent: Wednesday, October 15, 2014 8:46 AM
To: 'nysclerkboard-request@nysac.us'
Subject: Comment Period

Good morning, our County Administrator has asked me to reach out to Board Clerk's to see how your Board handles public comment periods during your board meetings. We appreciate any information that you can provide to us. Thanks!

--

Wendy Falls
Clerk of the Legislature/RAO
Oswego County Legislature
46 East Bridge Street
Oswego, New York 13126
(315)349-8247
(315)349-8237 Fax

Otsego Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Carol McGovern <mcgovernc@otsegocounty.com>
Sent: Wednesday, October 15, 2014 11:49 AM
To: nysclerkboard@nysac.us
Subject: Re: Comment Period

Otsego County rules of order states:

RULE 23. PRIVILEGE OF THE FLOOR

The purpose of Privilege of the Floor is to give the public an opportunity to make a statement on any issue in a public forum to the Board. The public or any Board member may stand or raise his/her hand to be acknowledged by the Chairperson for the purpose of making a public statement. Said person shall first state his/her name and address and then may address the Board. The Board shall not respond to questions during Privilege of the Floor. The Chairperson shall have the authority to place a time limit on how long individuals may speak and how many times individuals may speak.

Carol

From: "Cindy Urtz" <Cindy.Urtz@madisoncounty.ny.gov>
To: nysclerkboard@nysac.us
Sent: Wednesday, October 15, 2014 9:53:40 AM
Subject: FW: Comment Period

From: Cindy Urtz
Sent: Wednesday, October 15, 2014 8:46 AM
To: 'nysclerkboard-request@nysac.us'
Subject: Comment Period

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Rensselaer Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Marra, Jenet <JMarra@rensco.com>
Sent: Wednesday, October 15, 2014 11:05 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

In Rensselaer County.....

RULE NO. 9: RIGHT OF PUBLIC TO ADDRESS LEGISLATURE

A. It is the intent of this Legislature that members of the public who are residents of the County of Rensselaer have ample opportunity to discuss issues contained in the agenda for the regular monthly meeting. In order to realize such intent, a period not to exceed one half hour shall be reserved for such members of the public prior to the opening of each meeting of the Legislature in order to permit such discussion and communication. Residents of Rensselaer County desiring to avail themselves of this opportunity shall sign-up on a form located outside of chambers on the day fixed for the meeting at which they desire to speak. This form will include name, address, phone, and agenda item they will be speaking on and will set a time limit of 5 minutes. The Chairperson of the Legislature shall thereupon call the Legislature into informal session one-half hour prior to the scheduled meeting time for the purpose of receiving those members of the public who have so signed up to speak. No more than three (3) persons shall be permitted to address the Legislature on the same subject and no person shall speak for more than five (5) minutes on such subject without the permission of the Chairperson. Upon the conclusion of any presentation by a member of the public, the matter may be referred by the Chairperson to an appropriate committee of the Legislature for further consideration.

B. County officers, department heads, employees and commission members shall be deemed to be members of the public and Rensselaer County residents under this rule.

C. The Chairperson of the Legislature may from time to time call upon elected officials representing Rensselaer County to make presentations to the Legislature upon any matter concerning Rensselaer County.

D. Pursuant to Resolution P/51/02 the public may address the County Legislature regarding any subject matter at a special public forum to be held on the Wednesday of each month, preceding the regular meeting, in the Chambers of the Rensselaer County Legislature, beginning at 6:00 p.m. This Public Forum is open to all interested members of the public and the media. The length of the meeting will be determined by the number of people otherwise no less than one half hour.

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
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Saratoga Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of pwright@saratogacountyny.gov
Sent: Wednesday, October 15, 2014 10:16 AM
To: nysclerkboard@nysac.us
Subject: RE: FW: Comment Period

Here's Saratoga County's rule that is adopted at the Organizational Meeting:

6. The following rules shall govern the appearance of persons who desire to address the Board of Supervisors or any of its Committees:

(a) Any person may address any Committee meeting with twenty-four (24) hours' prior notice to the Chair of such Committee. The Chair may waive the prior notice requirement.

(b) No person shall be permitted to address a regular, Agenda or special meeting of the Board of Supervisors unless twenty-four (24) hours' prior notice is given to the Clerk of the Board setting forth the identity of such person or organization and the nature of the subject matter to be presented to the Board. Regardless of the provisions set forth herein relating to twenty-four (24) hours' prior notice, any person shall be permitted to address a meeting of the Board with the approval of a majority of the total weighted votes of the Board.

(c) Any person wishing to speak at a public hearing held by the Board must sign their name and address on a sign-up sheet for speakers on the date and at the time of the scheduled public hearing. Oral comments will be limited to three (3) minutes. Speakers will be called in the order in which they sign up. Speaking time may not be transferred from one speaker to another. All written comments will be accepted and included in the minutes of the hearing.

(d) Consistent with Rule 9, no person may hold the floor at the Board meeting for more than five (5) minutes without the permission of the Chair. Speaking time may not be saved nor transferred from one speaker to another.

(e) The Chair of the Board and of each Committee shall have the right to establish other rules and reasonable time limits governing the appearance of persons before the Board and/or respective Committees.

Pam

Pamela A. Wright
Clerk of the Board
Saratoga County Board of Supervisors
40 McMaster Street
Ballston Spa, NY 12020

Phone: (518) 885-2240
Fax: (518) 884-4771
email: pwright@saratogacountyny.gov

-----Original Message-----

Seneca Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Li, Margaret <mli@co.seneca.ny.us>
Sent: Wednesday, October 15, 2014 1:27 PM
To: 'nysclerkboard@nysac.us'
Subject: RE: Comment Period
Attachments: RULE 34.docx

Our Rules of Order has a section that provides guidelines that we follow. A copy is attached. Any presenter or petitioner addresses the Board at the beginning of the Board meetings immediately following the Pledge of Allegiance and any public hearing.

If they want to speak to the committee, they deal directly with the chairman of that committee.

Margaret E. Li
Clerk to the Board of Supervisors
Seneca County Office Building
One DiPronio Drive, Waterloo, NY 13165
(Ph) 315-539-1700 / (Fx) 315-539-0207
Website: www.co.seneca.ny.us

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
To: nysclerkboard@nysac.us
Subject: FW: Comment Period

From: Cindy Urtz
Sent: Wednesday, October 15, 2014 8:46 AM
To: 'nysclerkboard-request@nysac.us'
Subject: Comment Period

Good morning, our County Administrator has asked me to reach out to Board Clerk's to see how your Board handles public comment periods during your board meetings. We appreciate any information that you can provide to us. Thanks!

Sullivan Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Martin, AnnMarie <AnnMarie.Martin@co.sullivan.ny.us>
Sent: Wednesday, October 15, 2014 10:33 AM
To: 'nysclerkboard@nysac.us'
Subject: RE: Comment Period

Sullivan County handles public comment as follows:

2-3 minute time limit **at the end** of each committee meeting
2 -3 minute time limit **at the beginning** of each full board meeting

---

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
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Tioga Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Dougherty, Maureen <DoughertyM@co.tioga.ny.us>
Sent: Wednesday, October 15, 2014 10:12 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

Tioga County's policy section:

(b) **Privilege of the Floor**

Persons not members of the Legislature may be accorded the privilege of the floor and be permitted to speak on any matter relevant to the business of the Legislature. Such privilege shall be granted to those who fill out a sign-up sheet prior to the beginning of the meeting. Such privilege shall be limited to five (5) minutes. The privilege may also be granted on motion of any member, if approved by majority vote. Those persons granted the privilege of the floor shall address the Legislature with proper civility and shall refrain from any personal attacks or accusations directed at any member of the public, including members of the Legislature and officers and employees of the County of Tioga. The Chair, or the Legislature by majority vote, may extend the time afforded any speaker, or may limit the number of speakers on any subject.

Maureen L. Dougherty
Legislative Clerk
Tioga County Legislature
56 Main Street
Owego NY 13827
doughertym@co.tioga.ny.us
607-687-8240
Fax: 607-687-8232

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
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Tompkins Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Cathy Covert <CCOVERT@tompkins-co.org>
Sent: Wednesday, October 15, 2014 10:16 AM
To: nysclerkboard@nysac.us
Subject: Re: FW: Comment Period
Attachments: privilege of the floor form.docx

In Tompkins County we allow Privilege of the Floor for the Public at the beginning of the meeting. I have attached the form we require members of the public to fill out if they wish to speak. The form is only used for Legislature meetings not committee meetings.

Thanks.
Cathy

Cathy Covert, Clerk
Tompkins County Legislature

>>> Cindy Urtz <Cindy.Urtz@madisoncounty.ny.gov> 10/15/2014 9:53 AM >>>

From: Cindy Urtz
Sent: Wednesday, October 15, 2014 8:46 AM
To: 'nysclerkboard-request@nysac.us'
Subject: Comment Period

Good morning, our County Administrator has asked me to reach out to Board Clerk's to see how your Board handles public comment periods during your board meetings. We appreciate any information that you can provide to us. Thanks!

Warren Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Sady, Joan <sadyj@warrencountyny.gov>
Sent: Wednesday, October 15, 2014 10:00 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

We offer two opportunities for the public to address the Board. One prior to the Board voting on resolutions and a second at the conclusion of the meeting. The Chairman requests that comments be limited to three minutes.

Joan M. Sady
Clerk of the Board of Supervisors
Warren County Municipal Center
1340 State Route 9
Lake George, New York 12845
(518)761-6563

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
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Subject: FW: Comment Period

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Westchester Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Seckerson, Tina <tws1@westchestergov.com>
Sent: Wednesday, October 15, 2014 10:15 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

The first 30 minutes of our Board meetings are for public comment. The public can sign up to speak beginning 45 minutes before our meetings start. They must sign up in person. Maximum of 10 speakers at 3 minutes each

Tina Seckerson
Clerk & Chief Administrative Officer
Westchester County Board of Legislators
148 Martine Avenue
White Plains, NY 10601

Tel: (914) 995-2823
Fax: (914) 995-3884
tws1@westchestergov.com

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
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Yates Co.

Cindy Urtz

From: nysclerkboard-request@nysac.us on behalf of Connie Hayes <chayes@yatescounty.org>
Sent: Wednesday, October 15, 2014 10:38 AM
To: nysclerkboard@nysac.us
Subject: RE: Comment Period

In Yates County we put a comment period on the agenda. The chairman asks if there is anyone from the public that would like to address the legislature and if so to please come to the podium, state your name and township. We don't normally have very many maybe one or two. Unless, there is something controversial on the agenda then the chairman will limit the comments to 5 minutes, if there are a lot of people he will then limit it after 10 or 15 people to anyone who wants to add something that has not already been stated.

Connie Hayes
Clerk of the Legislature

From: nysclerkboard-request@nysac.us [mailto:nysclerkboard-request@nysac.us] **On Behalf Of** Cindy Urtz
Sent: Wednesday, October 15, 2014 9:54 AM
To: nysclerkboard@nysac.us
Subject: FW: Comment Period

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Subject: Comment Period

Good morning, our County Administrator has asked me to reach out to Board Clerk's to see how your Board handles public comment periods during your board meetings. We appreciate any information that you can provide to us. Thanks!

RESOLUTION NO. 1

AMENDING MADISON COUNTY'S PURCHASING POLICY AND PROCEDURES

WHEREAS, the Madison County Board of Supervisors has previously adopted a revised Purchasing Policy and Procedure; and

WHEREAS, the current policy requires amendments to comply with procedural changes; and

WHEREAS, additional amendments to the obsolete and/or surplus county personal property are recommended to accelerate the turnover process; and

WHEREAS, the amendments will also increase efficiencies countywide; and

WHEREAS, the Government Operations Committee has reviewed the amendments to the procedures and recommends adoption by the Board of Supervisors;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors hereby adopts Madison County's Purchasing Policy and Procedures as amended.

Dated: November 10, 2014

_____

Daniel S. Degear, Chairman
Government Operations Committee

MADISON COUNTY'S

PURCHASING POLICY

AND

PROCEDURES

~~Cindy Urtz~~Nicole L. Schafer-Farino, Purchasing Agent
~~Rosemary Goff, Assistant~~
Madison County Office Building
P.O. Box 635
N. Court Street
Wampsville, New York 13163
(315) 366-2247

2014

MADISON COUNTY PURCHASING POLICY AND PROCEDURES

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STATEMENT OF INTRODUCTION

Pursuant to General Municipal Law (G.M.L.) Section (§)104-b, "goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interest of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption."

To further these objectives and in compliance with G.M.L. §104-b, the Madison County Board of Supervisors, by resolution, has adopted certain internal policies and procedures contained in this manual governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of G.M.L. §103 or of any other general, special or local law.

The purchasing function involves the procurement of commodities and services at the lowest possible cost consistent with the quality needed to meet the required standards of the County. Our goal is the promotion of the County's best interest through intelligent action and fair dealing which will result in obtaining the maximum projected value for each dollar expended.

PURCHASING ETHICS RULES

Purchases shall be made in accordance with all applicable Federal, State and Local Laws Rules and Regulations, including Local law No. 6 of 1990 (A Local Law Relative to the Filing of Financial Disclosure Statements by Certain County Officials and Employees and to a Local Code of Ethics as Authorized by Article 18 of the General Municipal Law and the Municipal Home Rule Law) as amended and Local Law No. 5 (A Local Law Amending LL#2 of 1970 Establishing Standards of Conduct for Officers and Employees of the County of Madison) of 1985 as amended, Article 18 of the G.M.L. (State Conflicts of Interest Law for Municipal Officers and Employees) and Article 1-A of the Legislative Law (Lobbying Act).

DEFINITIONS

'Alternate Procurement Method' shall mean those methods of procuring commodities and services identified in **Section 5(II)(E)**, herein below.

"Best Value" shall mean 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.

'Board' shall mean the Madison County Board of Supervisors.

'Commodity' or 'Commodities' shall mean a goods, and shall include but not be limited to materials, equipment and supply items.

'Emergency' under G.M.L. § 103(4), 'in case of a public emergency arising out of an accident or other unforeseen occurrence of condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants require immediate action'.

'Equipment' shall mean a movable or fixed unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which meets all of the following conditions:

a. It retains its original shape and appearance in use.

b. It is non-expendable, that is, if the article is damaged or some of its parts are lost or worn out, it is usually more feasible to repair it rather than replace it with an entirely new unit.

c. It represents an investment of money which makes it feasible and advisable to capitalize the item.

'Invoice' shall mean a formal statement or billing submitted by a vendor showing the amount due and terms of payment for supplies delivered or services rendered.

'Leases' shall mean "true leases", not subject to competitive bidding under G.M.L. §103, and shall include leases of equipment with operators which equipment and operators are under the supervision and control of Madison County. Entry into leases shall not be 'Purchasing' or 'Public Works Contracts' hereunder.

'Mandated Sources' or **'New York State Preferred Sources'** shall mean those entities selling commodities in the form, function and utility being sought pursuant to §162 of the State Finance Law.

'Professional Services' shall mean those services which are provided to the County and which shall be exempt from the competitive bidding procedures as outlined in this policy.

'Public Works' shall mean all works constructed for public use, protection, or enjoyment, ordinarily of a fixed nature, such as buildings, docks, canals, waterworks, highways, etc., and shall apply to those commodities or projects involving labor or both materials and labor and shall include such items as

construction, paving and repair contracts.

'Purchasing' shall mean the act of obtaining commodities or services necessary to carry out a particular function of the County.

'Purchasing Agent' shall mean the person or persons designated by the Board to coordinate procurement of necessary commodities and services.

'Quote' shall mean an informal notice (usually written) by a vendor setting forth the terms on which he/she will furnish supplies or services to the County.

'R.F.P.' shall mean a request for proposals.

'R.F.Q' shall mean a request for quotes.

'Requisition' shall mean a written request to the Purchasing Agent for one or more commodities or services necessary to carry on or improve a particular function of the County.

'Requisitioner' shall mean the official or department head, or the authorized subordinate, initiating a request for commodities or services.

'Specifications' shall mean a written description of needed commodities and/or services setting forth in a clear concise manner the performance and/or physical characteristics of the commodities and/or services to be purchased, and the circumstances under which the purchase shall be made.

'State Contract' shall mean any contract entered into by the State of New York from which Counties within the State of New York are authorized to make purchases from and pursuant to the terms of said contract.

'Supply Item' shall mean any commodity which meets one or more of the following conditions:

a. It is consumed in use.

b. It loses its original shape or appearance with use.

c. It is expendable, that is, if the commodity is damaged or some of its parts are worn out, it is usually more feasible to replace it with an entirely new unit rather than repair it.

d. It is an inexpensive item, having characteristics of equipment, whose small unit cost makes it inadvisable to capitalize the item.

e. It loses its identity through incorporation into a different or more complex unit or substance.

'Vendor' shall mean a supplier of commodities or services to the County.

PURCHASING POLICY

1. Pursuant to County Law, §625, the Purchasing Agent shall be appointed by the Board of Supervisors for a term for which the membership of such Board appointing him/her was elected. The Purchasing Agent working with the County Administrator will be responsible for reviewing and administering the purchasing program of the County of Madison. The County Administrator in cooperation with the Purchasing Agent shall be responsible for developing and overseeing the purchasing policy to be approved by the Government Operations Committee and ultimately the full Board of Supervisors.

2. The Purchasing Agent shall determine that the necessary commodities and non-professional services are purchased at the lowest possible prices from responsible providers and shall maintain the supporting documentation.

3. Pursuant to G.M.L. §103, all purchase contracts for commodities or non-professional services that involve an expenditure of over Twenty Thousand dollars ($20,000) and all public works contracts exceeding Thirty Five Thousand dollars ($35,000) shall be awarded only after public bidding pursuant to law for the solicitation of formal bids, unless purchased under State Contract or other New York State Preferred Sources. Items of a similar nature which are generally handled by one vendor should be grouped together for the purpose of determining whether the limit is exceeded. It is the responsibility of the Department Head to identify the purchases to be made by his/her department in a fiscal year that will exceed the monetary limits stated above and to initiate the competitive bidding process by contacting the Purchasing Agent.

4. The Purchasing Agent or designee is authorized to open and record such bids.

5. Purchases shall be evaluated with attention given to cumulative dollar amounts expended in any given fiscal year. When necessary, a canvass of all relevant departments will be conducted to determine the yearly value of a commodity or service. Past history may be taken into consideration when evaluating yearly costs associated with a purchase of a commodity or service. If the cost of a commodity or service is expected to exceed the bid limit, bidding shall take place. This decision shall be made by the Purchasing Agent, with the assistance of the Treasurer, and after consultation with affected Department Heads.

6. It is the responsibility of the Department Head and the County Administrator and/or Purchasing Agent to determine whether it is advantageous to the County to bid any purchase contracts less than these statutory limits.

7. The methods listed herein below shall be the methods used in procuring commodities or services and shall be made in accordance with the procedures set forth herein or by an alternative method authorized by law and approved by the Board of Supervisors.

8. If a commodity or service is available in the form, function and utility as required by the County, then the purchase must be made from New York State Preferred Sources in accordance with GML §104.

9. Items commonly used in the various departments thereof shall be uniform whenever consistent with the operational goals and in the interest of efficiency and economy.

10. Each Department Head is required to submit to the Purchasing Agent a list of names and signatures of no more than 3 people in their department authorized to requisition commodities for their respective departments.

11. The County of Madison will not be deemed responsible for commitments made circumventing these procedures.

12. All purchases shall be made in accordance with State Federal and Local Laws, including but not limited to the Lobbying Act (Legislative Law Article 1-A).

13. Every effort should be made to support private industries and businesses of Madison County, when possible, and so long as such action does not violate Federal Law, State Law, Local Law or County contracts, policies or resolutions.

14. The purchase of products containing recycled material is encouraged whenever its quality is adequate, it is economically and functionally feasible, and it is within State regulations concerning local financial transactions.

15. Determination of vendors from which goods and services shall be leased shall follow the procedures set forth in Purchasing Procedures Section 5.

16. The Purchasing Agent is designated to review the requisition form for completeness and approve or deny the requisitioner's request. Each Department Head shall be responsible for compliance by him/herself, and his/her subordinates, to the purchasing procedures as herein stipulated and that the items ordered and their subsequent costs are within the budgetary appropriations.

17. Two ethical principles should be observed in all purchasing transactions.

    First - Public funds may not be expended for the benefit of any individual outside of normal, customary and approved work related/public purposes. Even funds from private sources, once provided to or accepted by the County, become public funds.

    Second - No benefit should inure to any individual as a result of purchases made using public funds regardless of their source; i.e. federal, state or local funds.

    It follows from these principles that individuals shall not benefit by receiving goods for personal use through County purchasing action. Additionally no private benefits or items shall be accepted for personal use from vendors doing business with the County. Strict compliance with the Madison County Code of Ethics (Local Law No. 5 of 1985, As amended) regarding gifts and gratuities should be observed.

    It shall be the policy of Madison County that the reimbursement for or purchasing of food, food items, beverages or meals for consumption by County employees, County officials, volunteers, guests or private individual using public funds is prohibited except as indicated in the County Travel Policy and Procedures.

Exceptions to the policy. Medical necessity may justify exception to this prohibition of providing food/beverages at county expense. Examples of medical necessity exceptions are a) to provide snack or juice products to immunization clinic clients or blood donors where reactions to treatment may mitigated or avoided by taking food and or drink or b) prenatal clinic clients who may be gestational diabetes and require snacks and fluids

Other exceptions may be justified when the person receiving food/meals at County expense is in the custody of County officials (e.g. a child custody client) during normal mealtimes or for durations that prevent the individual from taking meals on their own recognizance.

Scheduling of meetings to include mealtimes is, in and of itself, not justification for providing food at county expense. Provisions should be made for attendees to leave the meetings for meals.

In general, approval for providing food/food items or beverages at County expense should be approved in advance by the County Administrator.

PURCHASING PROCEDURES

1. GENERAL

A. The purchasing procedures employed shall comply with all applicable laws and regulations of the State of New York, including but not limited to the use of prevailing wage rates when applicable and the "Lobbying Act" Article 1A of the Legislative Law, and shall be subject to the approval of the Board.

B. With the exception of those purchases made under emergency situations and/or blanket requisitions, only the person designated by the Board of Supervisors as Purchasing Agent or County Administrator may commit the County for a purchase of commodities costing more than One Thousand dollars ($1,000) Commitment by the County is only valid after a requisition has been authorized and approved.

C. The commodities and/or services to be purchased shall be of the quality and in the quantity required to serve the function in a satisfactory manner, as determined by the Requisitioner.

D. It is the responsibility of the Requisitioner to provide an adequate description of commodities needed in the preparation of their bid specification. The specifications should be written so as not to restrict competition or otherwise preclude the most economical purchase of the required commodities.

E. Standard supply lists of commonly used commodities and/or non-professional services shall be jointly developed for all categories or groups of supplies by the Purchasing Agent and the appropriate Requisitioners. These lists shall be used as the basis for requisitioning.

F. When dealing with the procurement of goods and services under a Federal Grant Project, review should be made of the Federal Regulations for Procurement of Goods and Services under Federal Grant Projects which was adopted by the Board of Supervisors by Resolution No. 111 in April, 2007.

2. SPECIFIC PURCHASING PROCEDURES

A. **Bidding Requirements** (Pursuant to G.M.L. §103(1))

General Provisions:

i. G.M.L. §103 requires purchases exceeding Twenty Thousand dollars ($20,000) and public works contracts exceeding Thirty Five Thousand dollars ($35,000) be awarded to the lowest responsible bidder after public advertising for sealed bids. (When bidding Public Works Contracts, the Department Head shall verify that prevailing wage rates are used when appropriate.)

ii. Competitive bidding is required when it is known or can reasonably be expected that the aggregate amount to be spent on commodities will exceed Twenty Thousand dollars ($20,000) in a fiscal year. Supply items of a similar nature which are generally handled by one vendor should be grouped together for the purpose of determining whether the limit is

exceeded.

iii. It is the responsibility of the Department Head to identify the purchases to be made by his/her department in a fiscal year that will exceed the monetary limits stated above and to initiate the competitive bidding process by contacting the Purchasing Agent.

Guidelines For Bidding:

i. Detailed specifications of the desired commodities shall be prepared by the Department Head in conjunction with the County Administrator.

ii. These specifications shall be submitted to the Purchasing Agent in their ~~final~~ draft form. It will be the Purchasing Agent's responsibility to enter these specifications into the County's approved bid document.

iii. The Purchasing Agent will arrange for the legal notice to be placed in the official newspaper(s) of the County, the cost of which will be charged back to the originating department.

iv. The Purchasing Agent will also establish a date and time for the opening and reading of the bids as per G.M.L.

v. Bids will be opened at a public meeting by the Purchasing Agent, assisted by his/her designee. A department representative may be requested to attend the bid opening by the Purchasing Agent.

vi. Awarding of the bid will take place only after the requesting department and their legislative committee have had time to jointly research the bids to make sure that the bidders have complied with the specifications, that sufficient monies have been appropriated within the department's current budget, and that the G.M.L. has been adhered to. When a low bidder proposes an alternative as "an equal" to that specified, it is the responsibility of the requisitioner to determine whether the proposed substitution is, in fact, an equal.

vii. The bid will be awarded to the lowest responsible bidder. The rejection of the low bid will be documented by the originating department with an explanation as to the basis for such a rejection and provided to the Purchasing Agent. This documentation shall be maintained in the Purchasing Agent's file.

B. Commodities and Non-Professional Services for Non-Public Works Contracts

i. Purchases of commodities or non-professional services costing less than One Thousand dollars ($1,000) do not require a formal quote. However, all requisitions should be accompanied by confirming price documentation.

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ii. Purchases of commodities or non-professional services costing more than One Thousand dollars ($1,000) but less than Three Thousand dollars ($3,000) requires a minimum of three oral or written quotes, unless an Alternate Procurement Method applies. In the event that, after documented, diligent efforts have been made to obtain

three oral or written quotes, the requisitioner is unable to obtain the required number of quotes, a waiver of this requirement can be granted by the Purchasing Agent and/or County Administrator.

iii. Purchases of commodities or non-professional services costing more than Three Thousand dollars ($3,000) but less than Twenty Thousand dollars ($20,000) requires a minimum of three written quotes, unless an alternate purchasing procedure applies. (SEE SECTION 2. E.) In the event that, after documented, diligent efforts have been made to obtain three written quotes, the requisitioner is unable to obtain the required number of quotes, a waiver of this requirement can be granted by the Purchasing Agent and/or County Administrator.

iv. A record of all quotes shall be made and maintained in the purchase file. For oral quotes there shall be a telephone log or written record which shall record the date, commodity or service requested, price quoted, name of vendor, name of vendor's representative making the quote and the name of Purchasing Agent receiving the quote. For written or facsimile quotes Vendors shall provide: date, description of commodity or details of service to be provided, quote, name of vendor, name of vendor's representative. Written quotes may be received by mail, electronic mail or by facsimile.

v. Department Heads shall only order from a vendor if said vendor has been approved by the Purchasing Agent, or if they are making an emergency purchase. Emergency purchases shall conform to the procedures set forth herein.

vi. All awards from quotes shall be made to the lowest responsible vendor, unless a valid and acceptable basis for deviation from this rule exists. Purchases made from anyone other than the vendor with the lowest quote shall detail the circumstances and reasons which justify and dictate the basis for such a deviation (e.g. delivery requirements, quality or quantity requirements, known past experience of vendor). All purchases must be reviewed and approved by the Purchasing Agent and shall require a requisition.

vii. If the Purchasing Agent, with the assistance of the Treasurer, believes that the total cost of the commodities or non-professional services will exceed the minimum monetary threshold established by G.M.L. §103, then the Purchasing Agent shall advise the Department Head of the situation and require the Department Head, in conjunction with other appropriate County personnel if appropriate, to follow the bidding procedures detailed herein.

viii. All awards from quotes shall be made to the lowest responsible vendor, if possible. Circumstances, which will be documented on the face of the quote form and attached to the ~~two-part~~ requisition ~~or attached thereto~~, may dictate purchase from other than the lowest quote (e.g., delivery requirements, quality or quantity requirements, known documented past experience of vendor).

ix. If any department purchases or projects are under bidding limits, but are suspected to exceed the Twenty Thousand dollars ($20,000) limit on a Countywide basis, discretion shall be used, inquiries made, and if appropriate, the bidding procedure will take effect.

All Non-Public Works Purchase Contracts

Up to $1,000	No quote necessary but should have confirming price
$1,000 up to $3,000	3 Oral and/or Written Quote or Approved Waiver
$3,000 up to $20,000	3 Written Quote or Approved Waiver
$20,000 and Over	Formal Bid

C. Commodities and Non-Professional Services for Public Works Contracts

i. Purchases of commodities or non-professional services costing less than One Thousand dollars ($1,000) do not require a formal quote. However, all requisitions should be accompanied by confirming price documentation.

ii. Purchases of commodities or non-professional services costing more than One Thousand dollars ($1,000) but less than Three Thousand dollars ($3,000) require a minimum of three oral or written quotes, unless an Alternate Procurement Method applies. In the event that, after documented diligent efforts have been made to obtain three oral or written quotes, the requisitioner is unable to obtain the required number of quotes, a waiver of this requirement can be granted by the Purchasing Agent.

iii. Purchases of commodities or non-professional services costing more than Three Thousand dollars ($3,000) but less than Thirty Five Thousand dollars ($35,000) requires a minimum of three written quotes, unless an alternate purchasing procedure applies. In the event that, after documented diligent efforts have been made to obtain three written quotes, the requisitioner is unable to obtain the required number of quotes, a waiver of this requirement can be granted by the Purchasing Agent.

iv. A record of all quotes shall be made and maintained in the purchase file. For oral quotes there shall be a telephone log or other record which shall record the date, commodity or service requested, price quoted, name of vendor, name of vendor's representative making the quote and the name of Purchasing Agent receiving the quote. For written or facsimile quotes Vendors shall provide: date, description of commodity or details of service to be provided, quote, name of vendor, name of vendor's representative. Written quotes may be received by mail, electronic mail or by facsimile.

v. Department Heads shall only order from a vendor if said vendor has been approved by the Purchasing Agent, or if they are making an emergency purchase. Emergency purchases shall conform to the procedures set forth herein.

vi. All awards from quotes shall be made to the lowest responsible vendor, unless a valid and acceptable basis for deviation from this rule exists. Purchases made from anyone other than the vendor with the lowest quote shall detail the circumstances and reasons which justify and dictate the basis for such a deviation (e.g. delivery requirements, quality or quantity requirements, known past experience of vendor). All purchases must be reviewed and approved by the Purchasing Agent and shall require a requisition.

vii. If the Purchasing Agent, with the assistance of the Treasurer, believes that the total cost of the commodities or non-professional services will exceed the minimum monetary threshold established by G.M.L. §103, then the Purchasing Agent shall advise the Department Head of the situation and require the Department Head, in conjunction with other appropriate County personnel if appropriate, to follow the bidding procedures

detailed herein.

viii. All awards from quotes shall be made to the lowest responsible vendor, if possible. Circumstances, which will be documented on the face of the two-part requisition or attached thereto, may dictate purchase from other than the lowest quote (e.g. delivery requirements, quality or quantity requirements, known and documented past experience of vendor).

ix. If any department purchases or projects are under bidding limits, but are suspected to exceed the Thirty Five Thousand dollar ($35,000) limit on a Countywide basis, discretion shall be used, inquiries made, and if appropriate, the bidding procedure will take effect.

All Public Works Contracts	
Up to $1,000	No Quote Necessary but should have confirming price
$1,000 up to $3,000	Oral and/or Written Quote or Approved Waiver
$3,000 up to $35,000	Written Quote or Approved Waiver
$35,000 and Over	Formal Bid

D. REQUISITIONS

Completing and Submitting Requisitions

i. The proper requisition form shall be available from the Purchasing Agent (the requisition form shall be reviewed by the County Treasurer prior to submitting to the Purchasing Agent for approval). The requisition must contain the following information:

a. Date of Requisition

b. Title of the Department

c. Current budget line item code

d. Complete description of product or service required including (if available):

- Description of commodity or service – if a specific brand is needed it should be specified on the form; if no such notation is made it is assumed that any comparable brand may be used.
- Catalog or model number.
- Color or other distinguishing features.
- Quantity desired.
- Date needed.
- Prices from a minimum of three vendors (if available).
- Vendor chosen (if not the lowest priced, a satisfactory written explanation is

required)

- Signature of Requisitioner

ii. Upon approval, the original requisition form will be returned to the requisitioner by the Purchasing Agent or his/her designee. The Purchasing Agent will maintain a copy of the approved requisition.

iii. In the event a quote was required and the lowest vendor was not selected, the requisitioner shall provide a detailed explanation as to why the vendor with the lowest quoted price was not selected. This explanation shall be on a separate sheet if necessary and maintained in the Purchase Agents file. The requisitioner may then order the items from the chosen vendor.

iv. When the Department Heads prepare their vouchers for payment, the original copy of the requisition form **MUST BE ATTACHED TO THE VOUCHER** and submitted to the Treasurer's Office for payment processing and audit by the Board of Supervisors.

v. If the commodities ordered were taken from a current County bid sheet or from an Alternative Procurement Method, the original voucher and requisition shall contain specific details regarding the purchase (e.g., Bid Award Date or State Contract Number).

Exceptions To The Purchasing System

i. There are certain expenditures for which the processing of a requisition is unnecessary. "Overpapering" can ruin the effectiveness of the system almost as quickly as non-compliance. The following should be made without requisition:

a. Contracts for professional services.

b. Employee expenses such as conference expenses, mileage and other reimbursable expenses in performance of day-to-day duties.

c. Reimbursement of petty cash funds.

d. Utility bills.

e. Service contracts for a fixed monthly or annual amount.

f. Interdepartmental charges (e.g. central services, printing, postage).

g. Medical and dental examinations (e.g. Jail, Mental Health, Public Health).

h. Legal Notices.

i. Postage meter costs.

j. Contract items in Central Services.

k. Valid memberships and dues.

l. Books and Periodicals.

E. Alternative Procurement Methods:

i. Mandated Sources/Preferred Sources - Mandated procurement sources shall be investigated when commodities and/or services offered by these sources are requested. These sources are referred to as New York State Preferred Sources. A list of the priority between the Preferred Sources should be obtained from the Purchasing Agent, who shall obtain the most recent priority schedule from the Office of General Services. If the commodity or service is available in the form, function and utility as required by the County, then the purchase must be made from the mandated/preferred source.

ii. State Contract - As an alternative to following the Purchasing procedures identified herein, a Department head may purchase from a State Contract, with approval by the Purchasing Agent, by submitting a requisition as directed herein. The Requisition must be accompanied by a copy of the authorizing contract with the relevant portions clearly identified.

iii. Other County Contracts - As an alternative to following the Purchasing procedures identified herein, a Department head may purchase from a another County's Contract, with approval by the Purchasing Agent, in accordance with the provisions of GML §103(3), when authorized pursuant to the provisions of County Law §408-A(2). Such purchases shall comply with the procedures and terms established by the County from whom said contract was originated. The Requisition must contain in the notes of each item the agency name and contract/bid/reference number.

iv. Sole Source - When there is only one possible source from which to procure commodities and/or services, thus indicating there is no possibility of competition, the following shall be documented in writing and certified by the ~~County Administrator~~ Purchasing Agentin addition to a sole source letter from the vendor:

a. There is no competition available~~Unique benefits to the County of commodity and/or service as compared to other commodity and/or service available in the marketplace; and~~

b. No other commodity and/or service provides substantially equivalent or similar benefits; and

c. Considering the benefits received, the cost of the commodity and/or service is reasonable as compared to other commodities and/or service in the marketplace; and

d. ~~There is no competition available~~ Unique benefits to the County of commodity and/or service as compared to other commodity and/or service available in the marketplace; and

v. Second Hand Equipment From Other Governments - Surplus and second-hand supplies, material, or equipment may be purchased without competitive bidding from the Federal Government, the State of New York, or from any other political subdivision, district, or public benefit corporation (G.M.L. §103(6)).

vi. Leases and Rentals - Prices for Leases and Rentals will be obtained through the use of price quoting as set forth below, with the evaluation of both services and price to determine the successful vendor. All awards from quotes shall be made to the lowest responsible vendor, if possible. Circumstances, which will be documented on the face of the two-part requisition or attached thereto, may dictate acquisition from other than the low "quoter" (e.g., delivery requirements, quality or quantity requirements, known past experience of vendor, etc.).

Leases/Rentals:

Up to $1,000	Discretion of Department Head with confirming price
$1,000 up to $3000	Oral and/or Written Quote
$3000 up to $20,000	Written Quote
$20,000 and over	Formal Bid and/or Board Approval of Lease In Advance

vii. Emergency Purchases –

a. Any Emergency purchase should be approved by the Department Head, County Administrator and/or Purchasing Agent.

b. Once an Emergency purchase has been approved, the following steps should be taken:

- An authorized requisition number will be given to the vendor.

- Within five days all invoices, paperwork, etc. shall be submitted to the Purchasing Agent, including the proper requisition form designating that the purchase was an emergency and documentation of the emergency.

c. When it appears that the Purchasing Agent cannot reasonably be notified the purchase may be made, but notification within the five day period shall still be adhered to.

viii. IT Purchases through Federal Schedule 70 – Pursuant to GML §103 (1-b) local governments can bypass the usual bidding process for IT equipment. They are authorized to purchase information technology and telecommunications hardware, software and professional services through cooperative purchasing permissible pursuant to federal general services administration information technology schedule seventy.

ix. Piggybacking on Other Government Contracts – Pursuant to GML § 103 (16), local governments are allowed to "make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, may make such purchases, or may contract for such services related to the installation, maintenance or repair of

apparatus, materials, equipment, and supplies, as may be required by such county, political subdivision or distract thereon through the use of a contract let by the United States of America or any agency thereof, any state or any other county or political Subdivision or district therein if such contract was let in a manner that constitutes Competitive bidding consistent with state law and made available for use by other Governmental entities."

x. Purchases Through Other Federal Government Schedules – Pursuant to GML § 104 (2) local governments can bypass the usual bidding process making purchases Through other federal schedules as provided by US General Services Administration.

F. Professional Services

i. Contracts which require professional methods, character, or standards, fall into the Professional Service contract category. Many of these professional services require a State license to practice or may be creative and specialized in nature. Examples of professional services:

Accounting
Advertising Agency Promotion
Architectural
Artwork
Computer Software Maintenance Agreements
Consultants
Design Services
Engineering
Instructors/Teachers/Training
Insurance
Legal
Medical/Dental Services

ii. G.M.L. §104 (b) governs the hiring of professionals, such as those outlined above.

iii. In most instances, the requesting Department Head ~~and the~~ , County Administrator and /or the Purchasing Agent -will negotiate between the supplier of services and Madison County. The Full Board will then vote after committee approval, whether to authorize the Chairman of the Board to enter into any resulting agreement.

iv. Legal service engagements shall be authorized by the County Attorney in accordance with County Law §501.

v. The provision of insurance coverage will be investigated, evaluated and negotiated by the County Administrator and Government Operations Committee or their designee.

G. Receiving Of Goods

i. After merchandise or service is received by the ordering department the following shall take place:

a. Each department acknowledges that the goods were received in good condition by writing such on the packing slip. Person receiving the goods must sign and date packing slip. Packing slips must be maintained by the department, if available.

b. Ordering department submits invoice and vouchers to the Treasurer's Office for payment processing and audit by the Board of Supervisors.

c. Failure of vendors to make promised deliveries should be reported to the Purchasing Agent for follow up by telephone to local vendors or by telephone and/or mail to out of town vendors.

STANDARDIZATION

A. G.M.L. §103 (5) states that "Upon the adoption of a resolution by a vote of at least three-fifths of all members of the governing body of a political subdivision or district therein stating that, for reasons of efficiency or economy, there is need for standardization, purchase contracts for a particular type or kind of commodities of more than Twenty Thousand dollars ($20,000) may be awarded by the appropriate officer, Board or agency of such political subdivision or any such district therein, to the lowest responsible bidder furnishing the required security after advertisement for sealed bids therefore in the manner provided in this section. Such resolution shall contain a full explanation of the reasons for its adoption."

DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY

Pursuant to §215 of the County Law, the Board of Supervisors herein and hereby establishes the following policy and procedures for the authorized disposal of the County's personal property which is declared to be obsolete and/or surplus and is deemed no longer of any use or value to the County by resolution of the Board of Supervisors for items with a replacement value in excess of five thousand dollars ($5000.00) or more. For items with a replacement value less than five thousand dollars ($5000.00) the Purchasing Agent will provide a report of the disposition of property. This disposition will conform to the procedures set forth below. Such personal property includes, but is not limited to, office furniture, computer equipment, motor vehicles, machinery and other equipment. The disposal of this property will be handled pursuant to the procedures set forth below.

1. Disposal of items to be declared obsolete and/or surplus personal property items will be referred to the ~~County Administrator~~ Purchasing Agent by the Department Head to authorize appropriate disposal of the property.

2. If the ~~County Administrator~~ Purchasing Agent declares the presented item or items NOT to be obsolete and/or surplus personal property, then the requesting department will retain the property for continued use.

3. If the ~~County Administrator~~ Purchasing Agent declares the presented item or items to be obsolete and/or surplus personal property, then he/she will direct the property to be disposed of by one of the following methods:

    a. Transfer to another department; or

b. For sale to other municipalities, Cities, Towns, Villages and School Districts; or
c. For sale by placing said item or items in a public auction; or
d. For sale by reverse bid, in accordance with the bid procedure; or
e. For trade-in on the purchase of similar, newer property; or
f. For scrap and/or salvage.

4. In the event that the item or items fail(s) to sell, the ~~County Administrator~~ Purchasing Agent may:

   a. Designate one of the alternate methods of offering the item or items for sale; or
   b. Direct the surplus personal property to be destroyed and/or disposed of in an appropriate manner; or with the preferred disposal method being recycling via the Department of Solid Waste; or
   c. Direct that the property be retained by the department or turned over to another department, as appropriate, where it shall be held and made available for any County purpose.

5. Items to be declared obsolete and/or surplus personal property with an original cost of $1,000 or more and a useful life of one year or more will be recorded on the County's fixed asset inventory. The fixed asset inventory shall be adjusted to record their disposal.

6. The disposal of computer equipment will be coordinated through the Information Technology Department who will take the necessary steps to insure the removal of any and all County data from the data drives of the equipment before it is sold of otherwise disposed of.

7. Proceeds from sales will be credited to the fund from which the original expense was incurred as directed by the County Treasurer.

Since this is a general policy that may not be applicable to every situation, when appropriate, the County Administrator/Board of Supervisors may override the requirements set forth.

PURCHASING BASED ON BEST VALUE

Declaration of Intent: General Municipal Law §103 requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project. Section 103 was amended to provide that by enacting a Local Law so providing, municipalities may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of best value, as defined in State Finance Law §163, to a responsive and responsible bidder or offeror. The Madison County Board of Supervisors hereby determines that it is in the best interest of the County of Madison and its residents for the Madison County Purchasing Agent (hereafter referred to as "Purchasing Agent") to have the authority to award purchase contracts on the basis of best value. Factors that may be used to enact the "best value" option, where cost efficiency over time to award the good(s) or service(s) to other than the lowest bidder, are:

(a) lowest cost of maintenance for good(s) or service(s);
(b) durability of good(s) or service(s);
(c) higher quality of good(s) or service(s); or
(d) longer product life of good(s) or service(s)

Authority: The Purchasing Agent may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8, on the basis of best value, as defined in State Finance Law §163, to a responsive and responsible bidder or offeror.

a. Where the basis for award is the best value offer, Purchasing Agent 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. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Purchasing Agent in their determination of best value.

c. The election to award any such contract on the basis of best value shall be made by the Purchasing Agent in consultation with the Department Head and appropriate Legislative committee. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing any required security in accordance with the Madison County Purchasing Policy.

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

Revised: Resolution No. 33 dated February 9, 1993
Resolution No. 59 dated March 9, 1994
Resolution No.103 dated May 10, 1994
Resolution No. 74, dated April 10, 2001
Resolution No.140-09, dated April 14, 2009
Resolution No. 197-09, dated May 12, 2009
Resolution No. 314-10, dated October 12, 2010
Resolution No. 159-11, dated May 10, 2011
Resolution No. 58-13, dated March 12, 2013
Resolution No. 195-13 dated July 9, 2013
Resolution No. XXX-XX dated October 23, 2014

RESOLUTION NO. 2

WAIVING THE RULES FOR RESOLUTIONS

RESOLVED, that Rule 24 and Rule 24-A of the Madison County Board of Supervisors, to the extent requiring that all resolutions intended to be moved for adoption be filed with the Clerk not less than seven calendar days prior to the meeting, and copies mailed to all members with the meeting agenda; and to the extent providing that resolutions be filed with the Chairman of the appropriate legislative committee at least ten days prior to the meeting at which its introduction will be sought, be waived during this annual session so that all resolutions may be acted upon immediately. Nothing herein shall be construed to limit the ability to table resolutions until the next succeeding meeting pursuant to Rule 17.

Dated: November 10, 2014

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Scott Henderson, Chairman
Administration and Oversight Committee

RESOLUTION NO. 3

FIXING TIME AND DATE TO ORGANIZE THE BOARD FOR THE YEAR 2015

RESOLVED, that pursuant to provisions in Section 151 of the County Law, **Tuesday, January 6, 2015 at 2:00 p.m.,** at the County Office Building, Wampsville, New York is hereby fixed as the date, time and place of the meeting to organize the Board of Supervisors for the year 2015; and

BE IT FURTHER RESOLVED, that immediately following the Organization meeting, the Board will meet for their first monthly meeting.

Dated: December 5, 2014

Scott Henderson, Chairman
Administration & Oversight Committee

RESOLUTION NO. 4

FIXING TIME FOR HOLDING MEETINGS DURING 2015

RESOLVED, that pursuant to provisions contained in Section 152 of the County Law, the Madison County Board of Supervisors shall hold meetings on the second Tuesday of each month, such meeting to be called at 2:00 p.m.; and

BE IT FURTHER RESOLVED, that the session held in November shall be designated as the **"ANNUAL SESSION"** and shall convene on the Monday following Election Day;

NOW, THEREFOREBE IT RESOLVED, that the Board hereby sets the first day of "Annual Session" for **Monday, November 9, 2015 at 2:00 p.m.**

Dated: December 5, 2014

Scott Henderson, Chairman
Administration & Oversight Committee