

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea L. Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 18 YEAR: 2026

MOVED BY: Mr. Furman SECOND BY: Mr. Forward

**TITLE : Resolution Authorizing the Supervisor to Execute Contract with The Law Firm
Hancock Estabrook, LLP for Legal Services on behalf of the Town Board for the
year 2026;**

WHEREAS, The Franklinville Town Board wishes to contract for general municipal legal services with the law firm of Hancock Estabrook LLP, Frank W. Miller as primary contact, to provide necessary legal services; and

RESOLVED, that the Franklinville Town Board authorize and direct the Supervisor to execute an agreement with The Law Firm of Hancock Estabrook, LLP effective January 1, 2026 and ending December 31, 2026 with the following contractual stipulations:

- Town agrees to pay the law firm of Hancock Estabrook, LLP in the amount of \$225.00 an hour for partner attorney time, and \$185 an hour for associates' time as soon as possible upon the receipt of an invoice;
- Attorney will invoice the Town for payment monthly received by the fifth of the month (or as soon as practicable);
- Certain circumstances may require Attorney to be unable to represent Town and/or perform necessary legal work, and may recommend outside counsel;
- Contract may be terminated by either party at any time with two weeks' notice.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13th day of January in the year 2026, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor
Aye Sharon Hahn, Deputy Supervisor
Aye Terrance McClory, Councilman
Aye Mike Forward, Councilman
Aye Dave Furman, Councilman

CERTIFIED:

Andrea L. Stanbro

Andrea L. Stanbro, Clerk
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea L. Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 19 YEAR: 2026

MOVED BY: Mr. Forward SECOND BY: Mr. Furman

TITLE : Resolution Authorizing Supervisor to Contract for Special Counsel Legal Services;

WHEREAS, The Town of Franklinville may require, from time to time, the legal services of an attorney for labor union negotiation, collective bargaining, various contractual issues, legal issues; now therefore be it

RESOLVED, the Supervisor be authorized to contract with the following for the aforementioned services for a one year term beginning on January 1, 2026 and terminating on December 31, 2026:

Carl Schmidt, Esq.
Hancock Estabrook, LLP

1800 AXA Tower I
100 Madison Street | Syracuse, New York 13202
Phone: 315.565.4560 | Fax: 315.565.4660
Email: fmiller@hancocklaw.com | www.hancocklaw.com

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13th day of January in the year 2026, the ayes and nays take and recorded below:

AR Catharyn Campbell, Supervisor
AR Sharon Hahn, Deputy Supervisor
AR Terrance McClory, Councilman
AR Mike Forward, Councilman
AR Dave Furman, Councilman

CERTIFIED:

Andrea L. Stanbro

Andrea L. Stanbro, Clerk
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea L. Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 20 YEAR: 2026

MOVED BY: Mr. McClory SECOND BY: Ms. Campbell

TITLE : RESOLUTION REAPPOINTING DOG CONTROL OFFICER AND ASSISTANT DOG CONTROL OFFICER

WHEREAS, Samantha Smith was duly appointed to serve as the Dog Control Officer (DCO) for the Town of Franklinville beginning April 17, 2023; and

WHEREAS, the Town Board desires to continue her appointment for the 2026 calendar year; and

WHEREAS, the Town Board also wishes to continue the services of Javan Tanner as Assistant Dog Control Officer, to support DCO operations as needed; now therefore be it

RESOLVED, that the Town Board of the Town of Franklinville hereby reappoints Samantha Smith to the position of Dog Control Officer for the period January 1, 2026 through December 31, 2026, at the compensation established in the 2026 adopted Town budget; and be it further

RESOLVED, that the Town Board hereby reappoints Javan Tanner as Assistant Dog Control Officer for the same term, at a rate established in the 2026 adopted Town budget; and be it further

RESOLVED, that the Supervisor is authorized to execute the 2026 Dog Control Kennel Contract and any supporting documentation necessary to administer dog control services in compliance with Agriculture & Markets Law; and be it further

RESOLVED, that such appointments shall be subject to all applicable Town policies and New York State Animal Control regulations.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13th day of January in the year 2026, the ayes and nays take and recorded below:

AK Catharyn Campbell, Supervisor
HR Sharon Hahn, Deputy Supervisor
HR Terrance McClory, Councilman
HR Mike Forward, Councilman
HR Dave Furman, Councilman

CERTIFIED: Andrea L. Stanbro
Andrea L. Stanbro, Clerk Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilwoman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 21 YEAR: 2026

MOVED BY: Mrs. Hahn SECOND BY: Mr. Forward

TITLE: Resolution Authorizing Supervisor to Execute a Contractual Agreement with the Phoenix Humane Society of the Greater Cattaraugus, Inc. for 2026

WHEREAS, the Town of Franklinville desires to provide lawful services for the sheltering and care of lost, stray, abandoned, and seized dogs, including dogs subject to neglect or cruelty cases pursuant to New York State Agriculture & Markets Law; and

WHEREAS, the Phoenix Humane Society of the Greater Cattaraugus, Inc. has presented a proposed contractual agreement to provide such services on behalf of the Town of Franklinville; and

WHEREAS, the Town Board finds it necessary and in the best interest of the public health and safety to secure qualified dog sheltering and care services for 2026; now therefore be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the 2026 Dog Control Shelter Agreement with the Phoenix Humane Society of the Greater Cattaraugus, Inc., in substantially the same form as attached hereto, subject to Town Attorney review; and be it further

RESOLVED, that renewal of such Agreement in subsequent years shall be subject to future Town Board authorization and annual budget appropriation.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13 day of January, the year 2026, the ayes and nays take and recorded below:

AR Catharyn Campbell, Supervisor

AR Dave Furman, Councilman

AR Sharon Hahn, Councilwoman

AR Terry McClory, Councilman

AR Mike Forward, Councilwoman

CERTIFIED:

Andrea Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilwoman
Terry McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 22 YEAR: 2026

MOVED BY: Mr. Forward SECOND BY: Mr. Furman

TITLE: Resolution Authorizing Supervisor and Highway Superintendent to Utilize Auctions International, Inc. for the Sale of Surplus Government Assets

WHEREAS, the Town of Franklinville periodically determines that certain equipment, vehicles, and materials are obsolete, worn, or no longer necessary for municipal operations; and

WHEREAS, New York State Town Law and Office of the State Comptroller guidance require disposal of surplus property to ensure fair market value and protection of taxpayer assets; and

WHEREAS, Auctions International, Inc. provides online public auction services commonly used by municipalities to conduct surplus property sales; now therefore be it

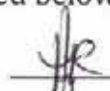
RESOLVED, that the Supervisor is hereby authorized to execute and maintain an agreement with Auctions International, Inc., 11167 Big Tree Road, East Aurora, NY 14052, for the period January 1, 2026 through December 31, 2026; and be it further

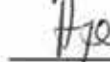
RESOLVED, that the Highway Superintendent is hereby authorized to coordinate with Auctions International, Inc. regarding the scheduling, inspection availability, logistics, photos, and preparation of Town Highway Department items approved for auction; and be it further

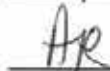
RESOLVED, that no Town property shall be listed for auction without prior Town Board resolution declaring the item surplus and authorizing its sale; and be it further

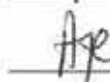
RESOLVED, that the Supervisor and Highway Superintendent are authorized to execute any necessary supporting documents consistent with this resolution.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13th day of January in the year 2026 the ayes and nays take and recorded below:

 Catharyn Campbell, Supervisor

 Sharon Hahn, Councilman

 Terry McClory, Councilman

 Mike Forward, Councilman

DF Dave Furman, Councilman

CERTIFIED: AS Andrea Stanbro, Clerk
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea L. Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 23 YEAR: 2026

MOVED BY: Mr. Furman SECOND BY: Mr. Forward

TITLE: Resolution Authorizing Purchase of Materials and Equipment under Cattaraugus County Contract Bid Awards and New York State Office of General Services (OGS) State Contract Awards

WHEREAS, the Town of Franklinville requires ongoing acquisition of highway construction and maintenance materials, equipment, and supplies essential to the safe and lawful operation of Town facilities and road infrastructure; and

WHEREAS, pursuant to New York State General Municipal Law §103 and the State's centralized procurement program, municipalities are authorized to purchase materials, equipment, and supplies under New York State Office of General Services (OGS) State contract awards without competitive bidding; and

WHEREAS, County Law §408-a similarly authorizes municipalities to purchase such items through County-awarded bids, including but not limited to Cattaraugus County's annual price summary list; and

WHEREAS, such cooperative purchasing is consistent with the Town's adopted Procurement Policy and ensures that taxpayer funds are protected through competitive pricing and transparent public procurement; now therefore be it

RESOLVED, that the Town Board hereby authorizes the purchase of highway and municipal materials, equipment, and supplies under contracts awarded by:

Cattaraugus County, and
New York State OGS

for the fiscal year January 1, 2026 through December 31, 2026, and in accordance with the Town's adopted Procurement Policy; and be it further

RESOLVED, that the Highway Superintendent is hereby authorized to make such purchases necessary for highway purposes within appropriations provided in the adopted 2026 Town budget; and be it further

RESOLVED, that all purchases made under County and State contracts shall be documented in accordance with audit and procurement requirements of the Office of the State Comptroller.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13th day of January in the year 2020, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

Aye Sharon Hahn, Deputy Supervisor

Aye Terrance McClory, Councilman

Aye Mike Forward, Councilman

Aye Dave Furman, Councilman

CERTIFIED: ASh 2 Stanbro
Andrea L. Stanbro, Clerk
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilwoman
Terrance McClory, Councilman
Dave Furman, Councilwoman

DATE: January 13, 2026

RESOLUTION NUMBER: 24 YEAR: 2026

MOVED BY: Mr. McClory SECOND BY: Mr. Furman

TITLE: Resolution Authorizing the Use of Contract "Piggybacking" for Municipal Purchasing

WHEREAS, the Town of Franklinville may, from time to time, require the purchase of goods, equipment, supplies, public works services, or other authorized purchases to effectively carry out municipal functions; and

WHEREAS, New York General Municipal Law §103(16) authorizes municipalities to purchase goods and services through contracts let by the United States government, the State of New York, or any other state or political subdivision thereof, provided such contracts:

1. Were awarded through competitive bidding or best value procurement, and
2. Include a clause that makes the contract available to other governmental entities (piggyback-eligible); and

WHEREAS, piggybacking allows the Town to obtain needed items at competitive prices without duplicating the public bidding process, ensuring efficiency and financial benefit to taxpayers; now therefore be it

RESOLVED, that the Town Board hereby authorizes the Supervisor and the Highway Superintendent to utilize piggybacking on eligible contracts in accordance with GML §103(16) and subject to the appropriations within the adopted budget; and be it further

RESOLVED, that all piggyback procurement shall adhere to the Town's adopted Procurement Policy, and documentation proving contract eligibility shall be retained with purchasing records and provided for audit upon request.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13 day of January, the year 2026, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

Aye Sharon Han, Councilman

Aye Terry McClory, Councilman

MF Mike Forward, Councilman

DF Dave Furman, Councilman

CERTIFIED:

AS 2 AS

Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilwoman
Terrance McClory, Councilman
Dave Furman, Councilwoman

DATE: January 13, 2024

RESOLUTION NUMBER: 25 YEAR: 2026

MOVED BY: Mrs. Hahn SECOND BY: Mr. McClory

TITLE: Resolution Appointing Town Clerk as Records Management Officer for the Year 2026

WHEREAS, pursuant to Arts & Cultural Affairs Law §57.19, each local government shall have a Records Management Officer responsible for the orderly and efficient management of municipal records; and

WHEREAS, the Town Clerk is the custodian of Town records and is most appropriately designated to oversee all records management functions, including retention, disposition, and compliance with the New York State Archives Records Retention and Disposition Schedule; and

WHEREAS, the Town Board desires to formally appoint the Town Clerk to fulfill these required responsibilities; now therefore be it

RESOLVED, that Andrea L. Stanbro, Town Clerk, is hereby appointed as the Records Management Officer for the Town of Franklinville for the period January 1, 2026 through December 31, 2026, and shall exercise all powers and duties as prescribed by law on behalf of the Town Board.

The resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13th day of January in the year 2024, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

Aye Sharon Hahn, Councilman

Aye Dave Furman, Councilman

Aye Terry McClory, Councilman

Aye Mike Forward, Councilman

CERTIFIED: Andrea L. Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 26 YEAR: 2026

MOVED BY: Ms. Campbell SECOND BY: Mr. Furman

TITLE: A Resolution Authorizing the Use of Email for the Delivery of Proposed Local Laws

WHEREAS, the Town Board of the Town of Franklinville recognizes the importance of efficient, timely, and environmentally responsible communication in the legislative process; and

WHEREAS, Section 20 of the New York Municipal Home Rule Law governs the procedures for introducing and adopting local laws, but does not prohibit the use of electronic means to distribute proposed legislation to Town Board members; and

WHEREAS, the use of electronic mail (email) is a secure and widely accepted form of communication that will facilitate the prompt delivery of proposed local laws to members of the Town Board;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Franklinville, Cattaraugus County, New York, as follows:

1. Authorization of Email Use: The Town Clerk is hereby authorized to deliver proposed local laws, drafts, amendments, and supporting materials to members of the Town Board by email.
2. Board Member Consent: Each Town Board member wishing to receive documents via email designate an official email address for such communications.
3. Recordkeeping: The Town Clerk shall maintain a record of each email transmission including the date and time sent, recipients, and confirmation where available.
4. Legal Consistency: Nothing in this resolution shall be construed to conflict with applicable provisions of the New York State Municipal Home Rule Law or the Open Meetings Law.
5. Effective Date: This resolution shall take effect immediately upon its adoption.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13th day of January the year 2026 the ayes and nays take and recorded below:

He Catharyn Campbell, Supervisor
He Sharon Hahn, Deputy Supervisor
He Dave Furman, Councilman
He Terry McClory, Councilman
He Mike Forward, Councilman

CERTIFIED: Andrea Stanbro

Andrea Stanbro, Clerk, Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 27 YEAR: 2026

MOVED BY: Mr. Forward SECOND BY: Mrs. Hahn

TITLE: RESOLUTION AUTHORIZING ONLINE PAYMENT OF BILLS BY THE TOWN SUPERVISOR

WHEREAS, pursuant to Town Law § 125 and applicable financial management practices, the Town Board is responsible for authorizing the disbursement of town funds in a manner that ensures transparency, accountability, and efficiency; and

WHEREAS, the Town Supervisor is the chief fiscal officer of the Town and is responsible for disbursing payments as approved by the Town Board through the audit of claims; and

WHEREAS, the Town Board recognizes that utilizing secure online bill payment methods can enhance efficiency, improve timeliness of payments, and reduce administrative costs associated with paper checks; and

WHEREAS, the Town Board wishes to authorize the Town Supervisor to use secure online payment systems for payment of duly audited and approved claims, provided such payments are documented in the abstract of audited vouchers and comply with all applicable laws and town policies;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklinville hereby authorizes the Town Supervisor to make payments for duly audited and approved claims through secure online payment systems, including vendor websites and financial institutions, as appropriate;

BE IT FURTHER RESOLVED, the Supervisor shall maintain appropriate documentation for all online transactions, including transaction confirmations, and shall present proof of payment with each abstract of audited vouchers to the Town Board;

BE IT FURTHER RESOLVED, this authorization shall not supersede the requirement that all claims be audited and approved by the Town Board prior to disbursement, in accordance with New York State Town Law.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13 day of January the year 2026; the ayes and nays take and recorded below:

Aje Catharyn Campbell, Supervisor

Aje Sharon Hahn, Deputy Supervisor

Aje Dave Furman, Councilman

Aje Terry McClory, Councilman

Aje Mike Forward, Councilman

CERTIFIED:

April 2 Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 28 YEAR: 2026

MOVED BY: Mr. Furman SECOND BY: Mr. Forward

TITLE: Resolution to Authorize Supervisor to Perform Administrative Duties on Behalf of the Town Board

WHEREAS, the Town Board of the Town of Franklinville conducts an annual reorganizational meeting to establish authorizations, appointments, and policies for the upcoming fiscal year; and

WHEREAS, it is necessary for the efficient and continuous operation of Town government that certain administrative duties be delegated to the Town Supervisor to act on behalf of the Town Board between regular meetings;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor of the Town of Franklinville is hereby authorized to perform the following administrative functions on behalf of the Town Board, subject to subsequent Board approval where required by law:

1. Sign and submit routine correspondence, reports, and forms required by County, State, or Federal agencies.
2. Authorize and execute administrative documents such as grant applications, budget amendments, and routine certifications.
3. Approve and sign vouchers, abstracts, and payrolls that have been previously approved by the Town Board or are recurring obligations of the Town.
4. Coordinate with department heads and outside agencies on day-to-day operational matters affecting Town services, facilities, and finances.
5. Oversee Town contracts and insurance policies and execute renewals or routine modifications as necessary for continued coverage or compliance.
6. Represent the Town Board in administrative meetings, training sessions, and inter-municipal discussions as deemed necessary and appropriate.

BE IT FURTHER RESOLVED, that this authorization shall not extend to any legislative or policy-making authority, nor shall it allow the Supervisor to execute contracts, incur debt, or obligate Town funds except as otherwise authorized by resolution of the Town Board or by law.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and remain in force until modified or rescinded by the Town Board.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13 day of January the year 2024 the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

Aye Sharon Hahn, Deputy Supervisor

Aye Dave Furman, Councilman

Aye Terry McClory, Councilman

Aye Mike Forward, Councilman

CERTIFIED:

Andrea Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: January 13, 2026

RESOLUTION NUMBER: 29 YEAR: 2026

MOVED BY: Mrs. Hahn SECOND BY: Mr. McClory

TITLE: **Appointment of Town Constables**

WHEREAS, Town Law §20(1)(b) authorizes the Town Board to appoint constables as deemed necessary for the proper conduct of Town business; and

WHEREAS, the Town Board of the Town of Franklinville recognizes the need for constables to assist with law enforcement functions, including service of papers, court security, and other duties as may be required;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklinville hereby appoints the following individuals to serve as Town Constables for the term beginning January 1, 2025 and ending December 31, 2025, or until their successors are appointed:

- Timothy Chase
- Kim Chase Scurr

BE IT FURTHER RESOLVED, that such constables shall have the powers and duties conferred by law, shall be subject to the direction of the Town Board, and shall serve without compensation / at the rate of \$__ per hour / per diem (as provided in the Town's budget).

BE IT FURTHER RESOLVED, that constables shall provide proof of valid certification (if required), and shall be bonded/insured under the Town's municipal liability coverage.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13 day of January the year 2026 the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor
Aye Sharon Hahn, Deputy Supervisor
Aye Dave Furman, Councilman
Aye Terry McClory, Councilman
Aye Mike Forward, Councilman

CERTIFIED: Andrea Stanbro

Andrea Stanbro, Clerk, Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilwoman
Terrance McClory, Councilman
Dave Furman, Councilwoman

DATE: January 13, 2024

RESOLUTION NUMBER: 30 YEAR: 2026

MOVED BY: Mrs. Hahn SECOND BY: Ms. Campbell

RESOLUTION RE-ADOPTING THE TOWN OF FRANKLINVILLE PROCUREMENT POLICY

WHEREAS, Section 104-b of the New York State General Municipal Law requires every municipality to adopt written policies and procedures governing the procurement of goods and services not required by law to be publicly bid; and

WHEREAS, the Town of Franklinville has previously adopted a Procurement Policy compliant with State law to ensure responsible purchasing and fiscal integrity; and

WHEREAS, the Town Board has reviewed the Town's Procurement Policy and determined that it remains appropriate, necessary, and in compliance with all applicable law; now therefore be it

RESOLVED, that the Town Board of the Town of Franklinville does hereby re-adopt the Procurement Policy for the Town of Franklinville for the year 2026; and be it further

RESOLVED, that said Procurement Policy shall continue in effect unless amended by resolution of this Board and shall be distributed to all officers and employees authorized to make procurements on behalf of the Town.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 13 day of January the year 2024 the ayes and nays take and recorded below:

Axe Catharyn Campbell, Supervisor
HR Sharon Hahn, Deputy Supervisor
Axe Dave Furman, Councilman
HR Terry McClory, Councilman
HR Mike Forward, Councilman

CERTIFIED: Andrea Stanbro

Andrea Stanbro, Clerk, Town of Franklinville

WHEREAS, General Municipal Law section 104-b requires governing boards to adopt by resolution internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law section 103; and

WHEREAS, comments concerning the policies and procedures set forth herein have been solicited from officers of the Town of Franklinville prior to the adoption of this resolution; and

WHEREAS the Town Board has determined that the following policies and procedures will ensure that procurements for the Town will be handled prudently, economically and in compliance with applicable law;

NOW, THEREFORE, BE IT RESOLVED that the following policies and procedures are hereby adopted to comply with the requirements of General Municipal Law section 104-b.

Purpose

Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner as to assure the prudent and economical use of public moneys in the best interest of the taxpayers; 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, the Town Board has adopted this internal policy and its procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, section 103 or of any other general, special, or local law.

Procedures for Determining Whether Procurements are Subject to Bidding

The procedure for determining whether a procurement of goods or services is subject to competitive bidding is as follows:

- a. All purchases of supplies and/or equipment of:
 - i. Greater than \$20,000 in the fiscal year shall be formally bid pursuant to Section 103 of the General Municipal Law to the lowest responsible bidder.
 - ii. Less than \$20,000 but greater than \$13,000 require written quotes from a minimum of 3 vendors.
 - iii. Less than \$13,000 but greater than \$5,000 require verbal quotes from a minimum of 2 vendors.

iv. Less than \$5,000 is left to the discretion of the Purchaser, within the budget.

b. All estimated public works contracts:

- i. Greater than \$35,000 shall be formally bid pursuant to Section 103 of the General Municipal Law to the lowest responsible bidder.
- ii. Less than \$35,000 but greater than \$20,000 require a written request for proposals (RFP) and written proposals from a minimum of 2 vendors.
- iii. Less than \$20,000 but greater than \$5,000 require written quotes from a minimum of 2 vendors.
- iv. Less than \$5,000 is left to the discretion of the Purchaser.

- *In determining whether a purchase is an expenditure within the discretionary threshold amounts established by GML 103(1), the Town shall consider the reasonably expected aggregate amount of all purchases of the same commodities, services or technology to be made within the twelve-month period commencing on the date of purchase. Purchases of commodities, services or technology shall not be artificially divided for the purpose of satisfying discretionary buying thresholds. A change to or a renewal of a discretionary purchase shall not be permitted if the change or renewal would bring the reasonably expected aggregate amount of all purchases of the same commodities, services or technology from the same provider within the twelve-month period commencing on the date of the first purchase to an amount greater than the discretionary buying threshold amount. Commodities, services, or technology that are similar or essentially interchangeable should be considered the "same" for this purpose. GML 103(1).*

Statutory Exceptions to Quotations/Proposals Requirements of This Policy and Procedures

Except for procurements made pursuant to General Municipal Law, section 103 (3) (through certain county contracts), section 104 (through certain State and Federal contracts), State Finance Law, section 162, Correction Law, sections 184 and 186 (from "preferred sources," including articles manufactured in correctional institutions), or the items excepted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of either written requests for proposals, written quotations, verbal quotations or any other method of procurement that furthers the purposes of the General Municipal Law, section 104-b.

Methods of Competition to be Used for Non-Bid Procurements

Non-competitive procurement may be used **only** when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one of the following circumstances applies:

Where a public emergency or urgent situation is such that the urgency will not permit a delay beyond the time needed to employ one or the other procurement methods. An emergency is “an urgent and unexpected requirement where health and public safety or the conservation of public resources is at risk.”

Where the truck and equipment is taken to a vendor due to an unexpected breakdown (e.g., towed to a repair facility) and it would not be cost effective to incur extra costs to remove the truck or equipment and seek another bid.

Adequate Documentation

Documentation of actions taken in connection with each such method of procurement is required as follows:

Verbal quotes require entry into a written procurement log;

Written quotes must be submitted with the voucher;

RFP's and copies of Federal, State, County, or other Government contracts for which “piggybacking” is permitted must be retained with the Town's procurement records

Written justification must be provided when a contract is awarded to other than the lowest responsible dollar offeror as described in more detail below.

Awards to Other than the Lowest Responsible Dollar Offeror (Best Value)

Whenever any contract is awarded to other than the lowest responsible dollar offeror, the reasons that such an award furthers the purpose of General Municipal Law, section 104-b, and Local Law as set forth herein above, shall be documented as follows:

When awarding a contract based upon best value, the requirements of State Finance Law §163 and the criteria and procedures shall apply and be observed as written in our Local Best Value Law.

Items Excepted from this Policy and Procedures by the Board

The board sets forth the following circumstances when, or types of procurements for which, in the sole discretion of the Town Board, the solicitation of alternative proposals or quotations will not be in the best interest of the Town of Franklinville:

“Piggybacking” on certain other government contracts in accordance with the prerequisites in GML, section 103 [16];

All professional services are exempt from competitive bidding. When contracting for professional services, the Town should employ the RFP process or obtain a minimum of two written quotes from professional service providers. Where cost is not the only deciding factor when selecting a professional services provider, an RFP should be done every 5 years at a minimum.

Individual(s) Responsible for Purchasing

The following individuals are responsible for purchasing by the Town:

Catharyn Campbell, Town Supervisor
Scott Stanbro, Highway Superintendent
Andrea Stanbro, Town Clerk

This list shall be updated every two years.

Annual Review

The governing board shall annually review and, when needed, update this policy and procedures. The Town Board shall be responsible for conducting an annual evaluation of the effectiveness of the procurement policy and procedures and an evaluation of the control procedures established to ensure compliance with the procurement policy.

Unintentional Failure to Comply

The unintentional failure to comply fully with the provisions of General Municipal Law, section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Town of Franklinville or any officer or employee thereof.

Resolution Adopted

Adopted on (Insert date) by (Insert results of board vote) vote of the governing board of the Town of Franklinville.