

Agenda

Administrative Services Committee

August 17, 2020, 5:00 p.m., Virtual Meeting via Zoom

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (7/13/20)
- C. Privilege of the Floor
 - 1. Proposed Resolution – Standard Workday and Reporting Resolution
 - 2. Proposed Resolution – Amend Chautauqua County Purchasing Policy
 - 3. Proposed Resolution - Quit Claim Deeds
 - 4. Other

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

KMD 07/22/20 ABC 07/22/20 SMA 07/26/20 KLC 7/27/20 PMW 7/27/20

TITLE: Standard Workday and Reporting Resolution

BY: Administrative Services Committee:

AT THE REQUEST OF: Chairman Pierre E. Chagnon:

BE IT RESOLVED, That the County of Chautauqua hereby establishes the following standard work days for these titles, as set forth in the attached schedule, and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy - mm/dd/yy)	Record of Activities Result	Not Submitted (Check only if official did not submit their Record of Activities)
ELECTED OFFICIALS								
Legislator	6	John Davis	XXXX	XXXXXXXXXX		01/01/20 - 12/31/21	3.73	
Legislator	6	Daniel Pavlock	XXXX	XXXXXXXXXX		01/01/20 - 12/31/21	8.98	
Legislator	6	Lisa Vanstrom	XXXX	XXXXXXXXXX		01/01/20 - 12/31/21	4.80	
APPOINTED OFFICIALS								
Deputy County Fire Coordinator	6	Daniel Aldrich	XXXX	XXXXXXXXXX		01/01/20 - 12/31/20	1.41	
Assistant District Attorney	7	Bridget Anderson	XXXX	XXXXXXXXXX		01/10/19 - 12/31/20	26.44	
Deputy County Fire Coordinator	6	Scott Bailey	XXXX	XXXXXXXXXX		01/01/20 - 12/31/20	1.52	
Public Defender	7	Nathaniel Barone	XXXX	XXXXXXXXXX		01/01/20 - 12/31/21	34.36	
Director Public Facilities	8	Bradley Bentley	XXXX	XXXXXXXXXX		01/01/20 - 12/31/20	24.26	
Assistant Public Defender	7	Heather Burley	XXXX	XXXXXXXXXX		12/23/19 - 12/31/21	27.03	

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County Executive

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Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy - mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
APPOINTED OFFICIALS								
First Assistant Public Defender	7	Philip Cala	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	22.19	
Assistant Public Defender	7	James Dimmer	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	20.24	
Assistant Public Defender	7	Danielle Erickson	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	23.11	
First Assistant District Attorney	7	Marilyn Fiore Lehman	XXXX	XXXXXXXXX		04/12/19 - 12/31/20	23.44	
Deputy County Exec for Econ Dvl	7	Mark Geise	XXXX	XXXXXXXXX		01/01/20 - 12/31/20	30.10	
Assistant Public Defender	7	Carlton Hamann	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	22.14	
Deputy County Fire Coordinator	6	Daniel Imfeld	XXXX	XXXXXXXXX		01/01/20 - 12/31/20	3.15	
Assistant Public Defender	7	Peter Larson	XXXX	XXXXXXXXX		12/18/19 - 12/31/21	23.53	
First Assistant Public Defender	7	Robert Lee	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	23.66	
Assistant Public Defender	7	Andrew Molitor	XXXX	XXXXXXXXX		03/08/19 - 12/31/21	24.91	
Second Assistant Public Defender	7	Rexford Morgan	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	23.48	
Assistant Public Defender	7	Luwing Peche Loayza	XXXX	XXXXXXXXX		01/27/20 - 12/31/21	26.27	
First Assistant Public Defender	7	Joseph Price	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	22.96	
First Assistant Public Defender	7	John Rice	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	23.18	
Assistant Public Defender	7	Elisabeth Rossow	XXXX	XXXXXXXXX		12/3/19 - 12/31/21	23.37	
Coroner	6	Douglas Sanderson	XXXX	XXXXXXXXX		09/03/19 - 11/28/22	4.73	
Deputy County Fire Coordinator	6	Richard Westpfahl	XXXX	XXXXXXXXX		01/01/20 - 12/31/20	2.22	
Assistant Public Defender	7	James Williams	XXXX	XXXXXXXXX		05/28/19 - 12/31/21	23.84	
Assistant Public Defender	7	Kristy Woodfield	XXXX	XXXXXXXXX		01/01/20 - 12/31/21	22.84	

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**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

KLC 8/3/20
KMD 08/03/20
SMA 08/03/20
PMW 8/10/20

TITLE: Amend Chautauqua County Purchasing Policy

BY: Administrative Services & Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Section 104-b of New York State General Municipal Law (GML), the County Legislature adopted a Purchasing Policy in Resolution 182-92, as amended by Resolutions 268-93, 171-94, 124-09, 142-13, 68-14, 161-15, 230-16 and 189-18; and

WHEREAS, individuals who have authority to make purchases on behalf of the County change on a frequent basis; therefore, in order to keep the list of such individuals current, it is preferable to incorporate the list in this Resolution by reference rather than including it in the body of the Resolution; and

WHEREAS the County desires to clarify and otherwise update purchasing requirements; now, therefore, be it

RESOLVED, That the County Purchasing Policy established by Resolution 182-92, as amended, is hereby further amended to read as follows:

1. Purchasing Procedures.

a. State Requirements. Every purchase of goods and/or services shall be reviewed by the officer or employee that initially approves the requisition to ensure compliance with State competitive bidding / offering requirements and preferred source requirements, under the general supervision of the Purchasing Manager. Any procurement that is not subject to competitive bidding shall be accompanied by documentation of the basis for the determination that competitive bidding is not required by law. The Purchasing Manager should be consulted when an acquisition is believed to be a professional service and therefore not subject to State competitive bidding requirements. Contracts involving the receipt by County of revenues are not required to be bid; however, quotes or proposals should be solicited.

b. Alternative Proposals and Quotes. Except as otherwise provided by New York State law, alternative proposals or quotations for goods and services shall be:

- i. secured by use of written requests for proposals (RFPs) and written, faxed, or e-mailed quotations received from at least three vendors, for procurements of services expected to exceed \$20,000 in value per year;
- ii. secured by written, faxed, or e-mailed quotations received from at least three vendors, for procurements of goods and services expected to be between \$5,000 and \$20,000 per year; and
- iii. within the discretion of the Department Head, subject to the advice of the Purchasing Manager, for procurements of goods and services under \$5,000 per year.

With respect to the procurements of goods and services between \$5,000 and \$35,000 (other than professional services) that are not subject to State competitive bidding requirements, the County shall purchase from a responsible and responsive local

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vendor when: (i) the price quoted by the local vendor does not exceed the lowest price quoted by a non-local vendor by more than ten percent (10%); and (ii) the local vendor is willing to match the lowest, non-local vendor's quoted price. For purposes of this Purchasing Policy, a "local vendor" shall be deemed to mean (i) in the case of a business entity vendor, a business entity which has a physical location in Chautauqua County and employs at least one full-time employee in Chautauqua County; and (ii) in the case of an individual vendor, an individual whose legal residence is Chautauqua County.

Purchases must also be compliant with any funding source requirements. See, for example, the requirements of Title 2: Grants and Agreements, of the Code of Federal Regulations (CFR), Part 200—Uniform Administrative Requirements, Cost Principles, and Audit requirements for Federal Awards ("Uniform Guidance") §§200.318-200.326.

Adequate documentation of actions taken in connection with each such method of procurement shall accompany the purchase order or the Agreement or Agreement of Services request submitted to the Purchasing Manager, and the credit card purchase information submitted to the Department of Finance. Such documentation must include a statement of the reason that three quotes were not able to be secured, when applicable. This Policy requires the receipt of three proposals or quotes; however, when that is not possible, the procuring party may document good faith efforts to comply with this Policy and/or reasons that three responses were not able to be secured.

c. Exceptions. In the event that the procurement is from: a State contract bid; General Services Administration schedule seventy, information technology; General Services Administration's "1122 Program Equipment and Supplies Catalog" and consolidated schedule contracts; involves surplus or second hand supplies, materials or equipment to be acquired from other governmental units; reflects unique or specialized goods or services that are needed by the County; is part of a program to standardize goods or equipment; arises from a bona fide emergency, accident or other unforeseen occurrence or condition that requires prompt action; involves a sole source situation; relates to the purchase of perishable food; is from a State-designated Preferred Source; or involves other situations where the above procedures for the solicitation of alternative proposals or quotations are not practical or will not be in the best interest of the County, a written explanation of why adherence to the procedures set forth in this Policy would not be practical or would not be in the best interest of the County shall accompany the Purchase Order, Agreement or Agreement of Services request submitted to the Purchasing Manager, or the Procurement Card statement submitted to the Department of Finance, which determination shall be subject to review by the Purchasing Manager, Department of Finance, and/or the Law Department.

d. Lowest Responsible Offer. In the event a contract is awarded to other than the lowest responsible dollar offeror, the Purchase Order or Agreement / Agreement of Services request shall be accompanied by written documentation and justification specifying why such award is in the best interest of the County. When a contract is awarded utilizing "best value" procedures pursuant to Section 103 of New York State General Municipal Law, the award shall be based to the extent possible on objective and quantifiable analysis, and best value RFPs shall include a description of the manner in which the evaluation of the offers and award of the contract will be conducted, and as appropriate, identify the relative importance of price and non-price factors.

e. Miscellaneous Provisions.

- i. Whenever practical, economical, and permitted by State law, the County shall acquire goods and services from local vendors and select goods and services which provide the least possible negative impact on the environment, including products made from recycled materials. In the event of a tie bid between a local vendor and a non-local vendor, the County may award the contract to the local vendor.

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- ii. The requirements of this Purchasing Policy apply to procurements in which the County expends funds or receives revenues.
- iii. Notwithstanding anything to the contrary in this Purchasing Policy, all County procurements shall be made in conformance with Federal and State requirements, including but not limited to applicable laws and Federal and State grant/funding requirements.
- iv. Department heads shall require their employees with purchasing authority to attend training sessions provided by the County Purchasing Manager and ensure that new employees receive training prior to purchasing on behalf of that department.
- v. An individual or entity that reviews a County Invitation to Bid or Request for Proposals in draft or final form prior to its issue may not (i) submit a response to the solicitation or (ii) serve as an employee, contractor or subcontractor of the individual or entity awarded the contract, for the first five (5) years of the contract period.
- vi. From the time of issuance of a County Invitation to Bid or Request for Proposals until final determination of the successful vendor, all prospective vendor questions and communications must be referred to the Purchasing Manager or his/her designee.

2. Credit Card Usage.

Procurement Credit Cards issued by the Finance Department to County departments and departmental staff, hereinafter referred to as credit cards, can be used to make payments for purchases of goods not exceeding \$1,000 in value when pre-approved by the Department Head and consistent with the direction provided by the Purchasing Manager. Upon request by the Department Head to the Director of Finance, credit cards will be issued to individual employees, hereinafter referred to as Cardholders. Such cards are not re-assignable for use by other employees.

Credit card limits shall be established by the Finance Department's credit card administrator. The credit cards have a monthly limit of \$5,000, unless the Department Head requests that a Cardholder's monthly credit limit be increased to accommodate the department's purchasing requirements. There is a non-adjustable \$1,000 limit per transaction. Under no circumstances will a Cardholder authorize a transaction exceeding this \$1,000 limit without the advance written approval of the Purchasing Manager.

Procurements paid for with credit cards remain subject to all requirements of this Policy. The Cardholder to whom the credit card is assigned shall reimburse the County for costs incurred with respect to any illegal or unauthorized expenditure or improper usage of the credit card, to the extent such costs were within the Cardholder's control. The credit card is expressly not authorized to be used to pay for the procurement of services unless specifically authorized in writing by the Purchasing Manager.

Cardholders must obtain packing slips for all purchases paid for by credit card, reconcile the slips with the Cardholder's monthly credit statement, and attest by signature on the credit card statement that all goods recorded have been received in good condition and are for the use of conducting County business. Department Heads must sign the monthly credit statements of their Cardholders as an indication that all purchases were authorized by the Department Head.

Credit shall be immediately requested from the vendor for any unauthorized purchases or billing errors. In the event the vendor does not cooperate in issuing a credit when due, the Cardholder should contact the Department of Finance and request that a Dispute Form be submitted to the financing agency. The County is not responsible for any unauthorized purchases or purchases made for personal use.

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Cardholders must perform an initial audit and reconciliation of their monthly statements and must promptly submit their statements, along with the appropriate G/L Account number to be charged, so that the bill can be paid prior to the time of imposition of late fees or penalties, and prior to the monthly closing of the County's financial statements.

The Purchasing Manager will review the periodic audit reports submitted by the auditors and take appropriate action to enforce the credit card policy. Each Cardholder must have on file with the County Executive's Office a current Financial Disclosure Form, and must attend all applicable Purchasing Manager training sessions.

3. Violations.

Employees are subject to disciplinary action and/or referral to the Chautauqua County Ethics Board, for violation of this Policy. County employees aware of a violation of this Policy shall report such violation to their County supervisor and/or to the County's Purchasing Manager.

4. Individuals with Purchasing Authority.

Pursuant to the requirements of Section 104-b(2)(f) of the General Municipal Law, the individuals identified as having purchasing authority are included on a list to be maintained and continually updated by the County Executive's office, which list is incorporated herein by reference. Such list shall identify all employees with purchasing authority, which includes individuals who are authorized to:

- i. Approve Agreements and Agreements of Services;
- ii. Use a County Credit Card;
- iii. Approve Purchase Orders; or
- iv. Approve Vouchers or Grids.

; and it is further

RESOLVED, That the County Legislature shall annually review these purchasing policies and procedures, with input from the county employees involved in procurement; and it is further

RESOLVED, That the unintentional failure to comply with the provisions of this resolution shall not be grounds to void action taken or give rise to a cause of action against the County or any officer or employee thereof.

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County Executive

Date

KLC 8/4/20
KMD 08/05/20
SMA 08/05/20
PMW 8/10/20

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Quit Claim Deeds

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M Wendel Jr.:

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owning
PA-155-2017	Busti	062289-385.05-5-50	Robert Robbins	Lee Robert & Sharon Fischer	\$2,000.00	\$12,315.03
PA-290-2018	Pomfret	065889-129.00-3-43	Eric & Tamra Johnson	Michael & Debra Brooks	\$500.00	\$22,716.64
				Total	\$2,500.00	\$35,031.67

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