

REGULAR MEETING

SOUTHAMPTON FIRE DISTRICT

FEBRUARY 9, 2006

A Regular Meeting of the Board of Fire Commissioners of the Southampton Fire District was called to order by Chairman Press in the Library of the Tuckahoe School, 468 Magee Street, Southampton, New York, in accordance with the notice provided to the news media, copy of which is attached hereto. The meeting opened at 7:30 PM with the salute to the flag followed by a moment of silence remembering Stanley "Guzzy" Guzewicz.

PRESENT: Commissioners Robert Grisnik, W. Mark Press, David Price, Harald Steudte, Secretary Bette-jeanne H. Schreier, Treasurer Mike Hadix

ABSENT: Commissioner Tom White

GUEST: Alfred Arthur Hulse, CPA

Chief's Report - None

A motion was made by Mr. Grisnik and seconded by Mr. Steudte to accept the minutes of the Organizational Meeting of January 12, 2006 as presented. The motion was approved by the following vote:

| | | | | |
|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-32</u> |

A motion was made by Mr. Grisnik and seconded by Mr. Price to approve the 10 vouchers as presented and approve for payment. The motion was approved by the following vote:

| | | | | |
|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-33</u> |

The Treasurer's Report was reviewed (a copy attached herein). A motion was made by Mr. Steudte and seconded by Mr. Grisnik to accept the Treasurer's report as presented. The motion was approved by the following vote:

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|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-34</u> |

The Secretary reviewed the correspondence sent and received over the last month. A list is attached herein.

Mr. Hadix brought up the accounting issue because the audit for 2004 has not been filed. Mr. Alfred Arthur Hulse of Hulse & Company, CPA's P.C. presented what may be done about this and what services his firm would provide for the Southampton Fire District. His estimates for the year's services is \$8500+/- and for the certified audit \$5000+/- . Mr. Hulse will put together a retainer contract and send it to the board.

A motion was made by Mr. Grisnik and seconded by Mr. Steudte to appoint the Hulse & Company, CPA's, PC as the accounting firm for the Southampton Fire District for the year 2006 pursuant to the terms of a separate retainer agreement, annexed hereto. The motion was approved by the following vote:

| | | | | |
|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-35</u> |

Committee Reports

Fire District Budget – no report

Fire Protection Contract

The meetings to date have not resulted in a contract. Mr. Steudte suggested that we request a GASB report from the Village of Southampton.

Once the Village of Southampton sends us another proposed contract; this will be reviewed by our attorney before we proceed.

Long Range Planning

The commissioners discussed the resolution regarding the acquisition of property and the bond issue that has to be voted on in the near future. We must develop a timeline for this vote and prepare a pamphlet to educate the voters and sell the project.

Wells, Hydrants & Water Mains

Review "Notice to Bidders" items.

The person Mr. Press notified regarding hydrant markers submitted one type of marker but it wasn't what we wanted and he has not sent any more for review.

Old Business

Mr. Press contacted the person conducting the ISO for the Village of Southampton but has not received any new information.

Mr. Grisnik and Mr. Steudte will contact Michael Conte of Syntax Communication to set up a meeting to discuss how we want to present a bond issue to our constituents e.g. pamphlet for mailing.

New Business

On motion made by Mr. Grisnik and seconded by Mr. Price, the board authorized Mr. Steudte to attend the Homeland Security Workshop to be held in Yaphank on Monday, February 13, 2006. The motion was passed by the following vote:

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|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-36</u> |

Mr. Steudte will email Congressman T. Bishop's office regarding this.

On motion made by Mr. Press and seconded by Mr. Grisnik, the board authorized Mr. Steudte to contact Senator K. LaValle regarding the change in the law to allow fire districts to offer health benefits to volunteers. The motion was passed by the following vote:

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|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-37</u> |

Mr. Press will contact Rob Florio regarding the possibility of setting up a web site for the Southampton Fire District.

Activities for Approval

On motion made by Mr. Price and seconded by Mr. Steudte a resolution to authorize the Chairman of the Board of Fire Commissioners to execute the contract (a copy of which is annexed hereto with the insert of "\$1,900,000.00 in paragraph B of the Second Rider and change the square feet on item 38 to read 85,688) for the purpose of vacant land, as described more particularly therein, from Paul Chiarani for the net price of \$1.7 million, such property to be acquired for the municipal purposes of the Southampton Fire District. Further resolved that the Treasurer of the Fire District be authorized and directed to forward a check in the amount of \$170,000.00, payable to "KerryLynn Powers, As Attorney", to serve as the down payment for said purchase, as set forth in the contract document. The motion was passed by the following vote:

| | | | | |
|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-38</u> |

The Notice to Bidders were reviewed and edited.

On motion made by Mr. Grisnik and seconded by Mr. Price, the secretary is authorized to place the Notice to Bidders for the installation of sign posts and maintenance contract (copy attached) and the Notice to Bidders for removal of four shallow wells in the next edition of "The Southampton Press". The motion was passed by the following vote:

| | | | | |
|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-39</u> |

At a meeting of the Board of Fire Commissioners of the Southampton Fire District held on the 9th day of February, 2006.

WHEREAS, Section 104-B of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from the officers and officials of the Southampton Fire District involved in the procurement process,

NOW THEREFORE, BE IT

RESOLVED, on a motion made by Mr. Price and seconded by Mr. Steudte that the Southampton Fire District does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE SOUTHAMPTON FIRE DISTRICT

Every purchase of goods and services to be made by the Southampton Fire District, which are not required by law to be publicly bid, must comply with the following procurement policy:

A. Every Purchase must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is now or can reasonably be expected that the total amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year.

The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: Purchase contracts under \$10,000.00 and Public Works contract under \$20,000.00; emergency purchases; certain municipal hospital purchases; acquisition of emergency services; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second-hand purchases from other governmental entity. The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

B. All goods and services will be secured by use of written requests for proposals, written quotations, or any other method that ensures that goods will be purchased at the lowest price and that favoritism will be avoided.

C. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

| <u>Estimated Amount of Purchase Contract</u> | <u>Method</u> |
|--|--|
| \$0 - \$1,999 | Board Decision |
| \$2,000 - \$4,999 | 2 Verbal Quotations |
| \$5,000 - \$9,999 | 3 Written/Fax Quotations or Written Requests for Proposals |

| <u>Estimated Amount of Public Works Contract</u> | <u>Method</u> |
|--|--|
| \$0 - \$4,999 | Board Decision |
| \$5,000 - \$9,999 | 2 Verbal Quotations |
| \$10,000 - \$19,999 | 3 Written/Fax Quotations or Written Requests for Proposals |

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempts made to obtain the proposals or quotes. In no event shall the failure to obtain the proposals be a bar to the procurement. Documentation is required of each action taken in connection with each procurement.

D. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible quote or proposal. This documentation will include an explanation of how the award will achieve savings or how the quote or proposal was not responsible. A determination that the quote or proposal is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

E. Pursuant to General Municipal Law Section 104-b (2)(f), in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Fire District to solicit quotations or document this basis for not accepting the lowest bid:

- i. Professional service or services requiring special or technical skill, training, or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training,

judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price. Additionally the nature of the services may be such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the Board of Fire Commissioners shall take into consideration the following guidelines:

- (a) whether the services are subject to State licensing or testing requirements;
- (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services;
- (c) whether the services require a personal relationship between the individual and municipal officials.

Professional or technical services are defined as services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing, or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of prepackaged software.

- ii. Emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately because seeking alternate proposals may threaten the life, health, safety, or welfare of the residents. This section does not preclude alternate proposals if time permits.
- iii. Purchases of surplus and second-hand goods from any source. If alternate proposals were required, the Fire District could be prevented from purchasing surplus and second-hand goods at auctions through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods since a lower price may indicate an older product.
- iv. Goods or service under \$100.00. The time and documentation required to purchase such goods or services would likely be more costly than the item

itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such *de minimis* contracts would be awarded based on favoritism.

F. This policy shall go into effect immediately.

Adopted: February 9th, 2006 by the following vote:

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|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-40</u> |

A Procurement Policy Checklist is attached to these minutes.

There being no further business to be brought before the Regular Meeting of the Board of Fire Commissioners, a motion was made by Mr. Grisnik and seconded by Mr. Steudte to adjourn the meeting. The motion was unanimously approved as follows:

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|-------------|-----|-------------|-----|---------------|
| Mr. Grisnik | Aye | Mr. Price | Aye | |
| Mr. Press | Aye | Mr. Steudte | Aye | <u>VS3-41</u> |

Chairman Press declared the meeting adjourned at 9:27 PM.

Respectfully submitted,

Bette-jeanne H. Schreier
Secretary