

## **Annual Meeting of the Village of Nassau Board of Trustees**

**AGENDA**  
**April 4, 2022**  
**7:30pm**

\*notice of fire escape route and alarm notification, (when 20 or more people are present) in the event of fire you will be notified from the dais. The fire exits are located at the back and side of room. Please move more quickly and in an orderly fashion to the indicated exits.

**Call Meeting to Order**  
**Salute to Flag**  
**Public Comment**

### **Resolutions**

- A. That the Village Clerk be designated to Collect Taxes
- B. That the regular meetings of the Village Board will be held on the second Wednesday of the Month at the Village Municipal Building at 7:30pm
- C. Approve the 2022-23 Meeting Dates (**Attachment**).
- D. That Key Bank be designated the Official Depository of the Village and the following banks can be used to bid investments & borrowings: MBIA (Class)
- E. That Mayor Robert W. Valenty and Trustee Forte be authorized to sign checks in the absence of the Treasurer. Checks over \$1000 require two signatures.
- F. That Tuesdays of each month be designated as Village Court nights at 6:00P.M.
- G. To designate The Record as the Official Newspaper.
- H. To give advance approval of payment of claims to public utilities, credit cards, postage, all insurance premiums, freight and express charges.
- I. Adhere to the NYS Office of State Comptroller mileage and lodging reimbursement rates.
- J. To authorize the Clerk, Treasurer, Mayor and Trustees to attend the Clerk's Association and Fall Training School as well as other municipal seminars and conferences and Peter Derkowski and Thomas Freemantle to attend the Rural Water Assoc., American Public Works Assoc.
- K. Review & accept current Procurement Policy (**Attachment**)
- L. Review & accept current Code of Ethics (**Attachment**)

### **APPOINTMENTS OF THE MAYOR:**

- A. Deputy Mayor: Gaetano Forte
- B. Acting Village Justice: Mark Greenberg
- C. Deputy Clerk: Mary Sager
- D. Water Commissioner: Charles Collins
- E. Building & Code Commissioner: Julia Moldoff
- F. Animal Control Commissioner: Charles Collins
- G. Street Commissioner/Refuse: Rich Elder
- H. Police/Public Safety Commissioner: Gaetano Forte
- I. Budget Officer: Robert Valenty
- J. Zoning Board. Member: Kevin Wynne Term Ending 2025

### **ADJOURNMENT**

# NOTICE

## MEETING DATES FOR THE VILLAGE OF NASSAU 2022-2023

The following dates have been established for the Village of Nassau Board of Trustees Meetings. All meetings will be held at the Village Municipal Building, 40 Malden Street, Nassau, NY at 7:30pm unless otherwise posted.

June 8, 2022	Regular Meeting	7:30pm
July 13, 2022	Regular Meeting	7:30pm
August 10, 2022	Regular Meeting	7:30pm
September 14, 2022	Regular Meeting	7:30pm
October 12, 2022	Regular Meeting	7:30pm
November 9, 2022	Regular Meeting	7:30pm
December 14, 2022	Regular Meeting	7:30pm
January 11, 2023	Regular Meeting	7:30pm
February 8, 2023	Regular Meeting	7:30pm
March 8, 2023	Regular Meeting	7:30pm
March 14, 2023	Village Election	12:00pm-9:00pm
March 14, 2023	Special Meeting Election	9:00pm
April 3, 2023	Annual Meeting	7:30pm
April 12, 2023	Public Hearing Budget	7:00pm
April 12, 2023	Regular Meeting	7:30pm
May 10, 2023	Regular Meeting	7:30pm
May 31, 2023	Year End Meeting	7:30pm

The Planning Board meets on the 1<sup>st</sup> Monday of each month (as needed) at 7:00 p.m. at the Village Municipal Building.

The Zoning Board meets on the 4<sup>th</sup> Monday of each month (as needed) at 7:00 p.m. at the Village Municipal Building.



**VILLAGE OF NASSAU**  
**PROCUREMENT POLICY**

**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 all officers in the Village of Nassau involved in the procurement process, now, therefore, be it

**RESOLVED**, that the Village of Nassau 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 VILLAGE OF NASSAU**

1. Every purchase to be made 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 known or can reasonably be expected that the aggregate 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 \$20,000 and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; 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 another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. The documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the sources 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.

2. All good and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy:

3. 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>
\$250 - \$2,999	2 verbal quotations
\$3,000 - \$19,999	3 written/fax quotations or written request proposals

<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$250 - \$2,999	2 verbal quotations
\$3,000 - \$4,999	2 written/fax quotations
\$5,000 - \$35,000	3 written/fax quotations or written request 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 attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.

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

6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, 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 interest of the Village of Nassau to solicit quotations or document the basis for not accepting the lowest bid:

a) Professional services or services requiring special or technical skill, training or expertise. The individual or company may 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 and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.



In determining whether a service fits into this category the Board of Trustees 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 necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare loans, maps, and estimates; securing insurance coverage and/or services of an insurance broker; services of 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 pre-packaged software.

b) Emergency purchase 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 and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

c) Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village of Nassau is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

d) Goods or services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

7. This policy shall go into effect March 1, 2019 and will be reviewed annually.

## **Chapter 10. ETHICS, CODE OF**

[HISTORY: Adopted by the Board of Trustees of the Village of Nassau 11-3-70 by resolution.  
Amendments noted where applicable.]

### **§ 10-1. Legislative intent.**

The Board of Trustees of the Village of Nassau recognizes that there are state statutory provisions mandating villages to establish rules and standards of ethical conduct for public officers and employees, which, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local governments and to discredit our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public administration of this village as part of our state's important system of local government. It is the purpose of this Code of Ethics to implement this objective through the establishment of standards of conduct and to provide for punishment for violation of such standards.

### **§ 10-2. Effect of other laws.**

The standards, prohibited acts and procedures established herein are in addition to any prohibited acts, conflicts of interest, provisions or procedures prescribed by statute of the State of New York and also, in addition, to common law rules and judicial decisions relating to the conduct of village officers to the extent that the same are more severe in their application than this Code of Ethics.

### **§ 10-3. Definitions.**

As used in this Code of Ethics, the following terms shall have the meanings indicated:

#### **VILLAGE**

Any board, commission, district, councilor other agency, department or unit of the government of the Village of Nassau.

#### **VILLAGE EMPLOYEE**

Any officer or employee of the Village of Nassau, whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

### **§ 10-4. Conflicts of interest.**

No village employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the public interest.



## **§ 10-5. Standards of conduct.**

- A. No village employee shall accept other employment which will impair his independence of judgment in the exercise of his official duties.
- B. No village employee shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.
- C. No village employee shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.
- D. No village employee shall engage in any transaction, as representative or agent of the *village*, with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.
- E. A village employee shall not, by his conduct, *give* reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties or that he is affected by the kinship, rank, position or influence of any party or person.
- F. Each village employee shall abstain from making personal investments in enterprises which he has reason to *believe* may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
- G. Each village employee shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.
- H. No village employee employed on a full-time basis nor any firm or association of which such employee is a member nor any corporation, a substantial portion of the stock of which is owned or controlled directly or indirectly by such employee, shall sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the Village in which such employee serves or is employed.

## **§ 10-6. Fine, suspension or removal from office or employment.**

In addition to any penalty contained in any other provision of law, any such village employee who shall knowingly and intentionally violate any of the provisions of this Code of Ethics may be fined, suspended or *removed* from office or employment in the manner provided by law.

## **§ 10-7. Distribution and posting.**

Upon the adoption of this Code of Ethics, the Mayor shall cause a copy thereof to be distributed to every village employee of this village. Failure to distribute any such copy or failure of any Village employee to receive such copy shall *have* no effect on the duty of compliance with this code nor the enforcement of provisions hereof. The Mayor shall further cause a copy of this Code of Ethics to be kept posted conspicuously in each public building under the jurisdiction of the village. Failure to so post this Code of Ethics shall *have* no effect on the duty of compliance herewith nor the enforcement of provisions hereof.

## **§ 10-8. Filing with State Comptroller** Within thirty (30) days of the adoption of this Code of Ethics, the Village Clerk shall file a copy thereof in the office of the State Comptroller.