

A public hearing was held by the Town Board of the Town of Moreau on December 23, 2014 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York, for the purpose of considering the adoption of Local Law No. 2 of 2014, which, if adopted would add Chapter 28 to the Code of the Town of Moreau entitled “Best Value Methodology For Purchase and Public Works Contracts”

Supervisor Jenkins opened the Public Hearing at 6:21 p.m.

The Town Clerk called the roll.

Town Board Members Present

Todd Kusnierz Councilman
Robert J. Vittengl, Jr. Councilman
Preston L. Jenkins, Jr. Supervisor

Town Board Members Absent

Gina LeClair Councilwoman
Bob Prendergast Councilman

Also Present: Leeann McCabe, Town Clerk; Malcolm O’Hara, Attorney for the Town; Rudy Klick, Special Projects Aide; Paul Joseph, Highway Superintendent; Peter Corlew, Recreation Department laborer.

Supervisor Jenkins asked the Board Members if they had any questions relating to the Local Law and no one responded.

The following Notice of Public Hearing appeared in the Legal Ad Section of the Post Star on December 18, 2014:

**TOWN OF MOREAU
NOTICE OF PUBLIC HEARING TO
CONSIDER ADOPTION OF LOCAL LAW**

NOTICE IS HEREBY GIVEN, pursuant to Section 20 of the Municipal Home Rule Law that a public hearing will be held by the Town Board of the Town of Moreau on December 23, 2014, at 6:15 p.m. at the Moreau Town Complex, 351 Reynolds Road, Moreau New York for the purpose of considering the approval of Local Law No. 2 of 2014. Local Law No. 2 of 2014, as proposed, would add Chapter 28 to the Code of the Town of Moreau entitled “BEST VALUE METHODOLOGY FOR PURCHASE AND PUBLIC WORKS CONTRACTS.”

A copy of proposed Local Law No. 2 of 2014 can be obtained at the Moreau Town Complex.

Dated: December 2, 2014

Leeann McCabe
Town Clerk
Town of Moreau

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to declare the Town as lead agency.

Roll call vote resulted as follows:

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Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

Attorney O’Hara stated that if the Board Members were ready to move ahead then they needed to answer the questions in Part 2 of the EAF.

The applicant completed Part 1 of the EAF.

Attorney O’Hara read questions 1 through 11 of the EAF and the Town Board answered “No” to each question.

Attorney O’Hara stated that it would be appropriate to declare a negative declaration.

A motion was made by Councilman Vittengl to declare a negative declaration under SEQRA and to adopt the following resolution:

Councilman Kusnierz stated that he is going to second the motion and knows there are enough votes to approve this local law but in the whereas of the Resolution it reads that the adoption of this Local Law is necessary and his contention from the beginning is that it isn’t necessary and that they’ve had the authority as a Town Board all along to reject bids.

Councilman Kusnierz seconded the motion.

WHEREAS, the Town Board of the Town of Moreau (“Board”) is considering the adoption of Local Law No. 2 of 2014, which would, if adopted, add a new law entitled “BEST VALUE METHODOLOGY FOR PURCHASE AND PUBLIC WORKS CONTRACTS” in the Code of the Town of Moreau; and

WHEREAS, the Board finds that in order to provide for the health, safety and welfare of Town residents and property owners, and in the best interest of the future of the Town to provide for an alternative method of reviewing bids and proposals to achieve the best projects for the Town; and

WHEREAS, Local Law No. 2 adds a new law allowing the Town to use an alternate methodology of “best value” to review bids and proposals to achieve the best projects for the Town and

WHEREAS, the Board finds that the adoption of Local Law No. 2 of 2014 is in the best interests of the Town and is necessary to protect the health, safety and welfare of the residents and property owners, as well as the future of the Town to provide for an alternative method of reviewing bids and proposals to achieve the best projects for the Town; and

WHEREAS, the Board finds that the adoption of Local Law No. 2 of 2014 is a necessary and proper exercise of authority by the Board; and

WHEREAS, the authority for the enactment of this local law is found in Section 10(1)(i) of the Municipal Home Rule Law; and

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law, a public hearing on the proposed adoption of Local Law No. 2 was properly notice in the newspaper and posted, and was duly

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conducted on December 23, 2014 at 6:15 p.m. at the Municipal Center, 351 Reynolds Road, Moreau, and

WHEREAS, the Board has considered the public comments made at the public hearing; and

WHEREAS, the Board, serving as lead agency for this Unlisted action under SEQRA, reviewed a short environmental assessment form and determined that the action does not present any adverse environmental impacts; and

WHEREAS, after thorough review and deliberation, the Board proposes to adopt Local Law No. 2 of 2014; and

WHEREAS, the Attorney for the Town has prepared the necessary documents for filing this local law with the Secretary of State including the text of the law itself;

NOW THEREFORE, BE IT RESOLVED, that the Board hereby adopts Local Law No. 2 of 2014, annexed hereto, which provides for an alternative method of reviewing bids and proposals to achieve the best projects for the Town; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Town Clerk and the Attorney for the Town to make such minor modifications to the local law documents as they deem necessary and thereafter are directed to execute and file the said documents as required by law and to take all of the necessary action for the promulgation thereof.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Absent
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to close the public hearing at 6:30 p.m.

Roll call vote resulted as follows:

Councilman Prendergast	Absent
Councilwoman LeClair	Absent
Councilman Vittengl	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk

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