

VILLAGE OF RED HOOK  
PUBLIC HEARING/MONTHLY BOARD MEETING  
APRIL 8, 2019

Present: Mayor Blundell, DM Kovalchik, Trustee Norris, Trustee Trapp, Trustee Laing, Clerk/Treasurer Chiarella.

7:00 pm Swearing in Ceremony

Clerk Chiarella officiated swearing in Jonah Triebwasser with the Oath of Office as Court Justice.

Honorable Triebwasser officiated swearing in Ed Blundell as Mayor, Brent Kovalchik as Trustee and Jay Trapp as Trustee.

Mayor Blundell opened the meeting at 7:02 with the Pledge of Allegiance.

Mayor Blundell made a motion to approve minutes from March 11, 14th and 21st. DM Kovalchik seconded this motion. All were in favor.

BUDGET PUBLIC HEARING 7:11 pm

Mayor Blundell made a motion to open the public hearing, DM Kovalchik seconded this motion. All were in favor. Mayor Blundell began by stating the tentative budget was due March 20th. The Village will receive AIM funds but will be distributed from Dutchess County based on internet sale tax. Water tower antenna revenue is up and so is the Village assessment. Currently the fund balance is # 375,000.00. The tentative budget was submitted to Clerk Chiarella. The tax rate is 6.28 per thousand.

Mayor Blundell made a motion to close the public hearing at 7:20. Trustee Trapp seconded this motion. All were in favor.

### **RE-ORGANIZATIONAL MEETING**

Mayor Blundell made the following appointments (motions):

Deputy Mayor - Brent Kovalchik - seconded by Trustee Trapp  
Clerk/Treasurer - Cynthia Chiarella - seconded by Trustee Trapp  
Deputy Clerk, Lara Hart, Administrator/Secretary to PB Arie Drewes, Village Attorney, McCabe & Mack, Special Prosecutor, Chris Mantalto. DM Kovalchik seconded this motion. All were in favor.

Police Sergeant - Patrick Hildenbrand, School Cross Guard - Ron Brodbeck, Registrar of Vital Statistics - Cynthia Chiarella, Deputy Registrar Vital statistics - Arie Drewes, Newspaper - Daily Freeman, Water Operator - VRI, Assistant Court Justice - Danielle Cordier, Court Clerk - Kathy Fell, Deputy Court Clerk - Rebecca Kent. Trustee Trapp seconded this motion. All were in favor.

CEO/ZEO - Gary Beck, Acting, ADA Coordinator - Trustee Trapp, Fire Inspector /Deputy Building Inspector- Clark Kimble, Deputy Building Inspector - Don Cocker -Acting, Planning/Zoning Secretary - Arie Drewes and Lara Hart.

Seconded by Trustee Trapp.

Dog Warden - Town SPCA Contract

Village Engineer - Delaware Engineering, Trustee Trapp seconded this motion.

Zoning Board of Appeals - Charles Eric Cuthel (CO-Chair), George Beekman, Maarten Relingh, Caroline Rider, William Noonan

Planning Board - Beth Pagano (Chair), David Pearson, Ray Towle, Steven Zarcharzuk, Don Hanson, Trustee Trapp seconded.

Village Green Committee - Kathy Pearson, David Pearson, Michael Johnson Brenda Cagle, Dave Javscas.

Hardscrabble Committee - Matt Donohue, Will Noonan, Sue McCann, Rebecca Rothstein, Craig Rothstein, Doug Strawinski, Kathy Triebel, Ed Blundell, Emily Trap, Kim McGrath, Jenn Norris.

Red Hook Library - Amy Husten, Sally Dwyer, McNulty, Beth Goldberg, Maryelisa Blundell, Jill Hall, Don O'Shea, Joshua Bardfield.

Spectrum Cable Rep - Ed Blundell,

Appeals Officer - Ed Blundell

Village Historian - Sally Dwyer - McNulty.

- Trustee Trapp seconded this motion. All were in favor.

Mayor Blundell read the following:

Meeting Schedule:

Village Board of Trustees - 2nd Monday @ 7pm

Village Board Workshop - 3rd Thursday @ 7 pm

Justice Court - 1st Wednesday @ 6 pm

Criminal Court - 3rd Wednesday @ 3 pm

Planning Board - 2nd Thursday @ 7 pm

Zoning Board - 4th Thursday @ 7 pm

### **Department Responsibilities**

Ed Blundell - Police & Law Enforcement, Personnel, Red Hook Together, Insurance, Economic Development Committee, All Municipal Departments.

Brent Kovalchik - Highway Department, Infrastructure, Streets & Sidewalks Architecture & Historic Resources, Village Green.

Jay Trapp - Planning and Zoning Department, Veteran Affairs, Emergency Services, Jennifer Norris- Parks, Recreation and Community Programs, Materials Management and Environment, Senior Affairs, Library Relations,

Charles Laing - Facilities - Village Building and Grounds, Water Department, Energy Sustainability.

Trustee Trapp seconded.

### **RESOLUTION 15-2019 Key Bank**

Designating Depositories – WHEREAS; the Board of Trustees has determined that Village Law Sec -4 412(3)(2) requires the designation of banks or trust Companies for the deposit of the Village monies;

Now therefore be it resolved;

Section 1 – The Board of Trustees designates the following institutions as depositories of all monies received by the Village Treasurer, Clerk, and receiver of taxes;  
Mayor Blundell made a motion to approve resolution 15-2019 as submitted. Trustee Trapp seconded this motion. All were in favor.

### **RESOLUTION 16-2019 Mileage**

Mileage Allowances – Whereas; the Board of Trustees of the Village of Red Hook has determined to pay a fixed rate for mileage as reimbursement to Village officials and employees who use their personal automobiles while performing official duties.

Now therefore be it resolved;

Section 1. The Board of Trustees will approve reimbursement to such officers and employees at the current federal IRS rate per mile at the time of the trip.

Section 2. This resolution is effective immediately.

Mayor Blundell made a motion to approve resolution 16-2019 as submitted. Trustee Norris seconded this motion. All were in favor.

### **TREASURER’S REPORT**

Presented by Treasurer Chiarella

#### **ACCOUNT BALANCES**

General Fund	\$ 423,709.83
Water Fund	\$ 146,132.45
Trust & Agency	\$ 33,131.65
Materials Mgt.	\$ 735.68
Petty Cash	\$ 68.70
Village Green	\$ 4,454.92
Hardscrabble	\$ 1,614.00
Sewer Fund	\$ 17,300.00
Capital Projects	\$ 00-00

#### **MONTHLY EXPENSES**

General Fund	\$ 170,583.32
Water Fund	\$ 61,196.14
Trust & Agency	\$ 33,131.65
Materials Mgt.	\$ 2,134.53

Mayor Blundell made a motion to approve the Treasurer’s report as submitted. DM Kovalchik seconded this motion. All were in favor.

### **POLICE**

	Village	Town	Tivoli
Incidents: 353	255	94	4
UTT’s: 105	78	27	
Arrests: 20	12	8	

Mayor Blundell stated a police car had been totaled on the way to a call. Insurance will replace full value.

## **PLANNING/ZONING – Trustee Trapp**

Building Permits - 4  
Certificate of Occupancy – 2  
Certificate of Compliance – 3  
Municipal Searches – 3  
Orders to Remedy – 2  
Stop Work Orders – 1  
Complaints – 3  
Fire Inspections – copy of file  
\$ 1,507.00 was collected in fees.

## **MATERIALS MANAGEMENT – Trustee Norris**

From March 10-March 28, we sold \$1236.00 in garbage tags. For the month of March, we had 7.78 tons of garbage, .45 tons of cardboard, 1.17 tons of newspaper and 1.32 tons of commingled. We paid \$837.39 for the disposal of garbage, we are no longer being charged to dispose of recycling.

Recycling has become a global problem, with many of the larger waste companies also having issues. We are recycling!! We will be alternating paper and cardboard (which must be separated) with commingled. We will also be having our annual spring cleaning tag sale, buy 10 of one color, get one free.

The Drawdown Eco-Challenge is going on the month of April – a fun and interactive way to make a difference on climate solutions (making sure you are recycling properly is one of the actions!) Join a team at [drawdown.ecochallenge.org](http://drawdown.ecochallenge.org).

## **EVENTS – Trustee Norris**

Our annual Egg Scramble will be Saturday, April 13, from 11-1 with egg “hunt” at noon. An egg hunt for all abilities will be held at 1:00, please contact the Red Hook Library to register. This event is run by the Red Hook Police Department, Red Hook Public Library and the Village of Red Hook.

Apple Blossom Day will be Saturday, May 11, this event is run by the Red Hook Rotary. For more information contact David Wright at the Red Hook Rotary.

## **WATER – Trustee Laing**

- During the month of March, the water treatment facility treated, 6,790,300 total gallons, which is an average of 219,000 gallons per day.
- All bacteriological samples for the month were collected and transported to Smith Environmental Laboratory Hyde Park NY.

- During the month of March, the water treatment plant used 60 gallons of sodium hypochlorite. The average daily use was 1.94 gallons per day.

**VILLAGE GREEN – DM Kovalchik**

The current balances of the Village Green Committee’s related budget accounts, as of March 31, 2019, are as follows:

Community Beautification – Contractual Expenses (#8510.4)  
 Balance . . . . . \$ 2,666.50

Shade Tree – Contractual Expenses (#8560.4)  
 Balance . . . . . \$ 2,350.00

Village Green Committee Checking Account  
 Balance . . . . . \$ 4,454.92

A Village Green Committee Meeting was held on March 30, 2019 in the Red Hook Village Building. David Pearson, Kathy Pearson, Brenda Cagle and Brent Kovalchik attended. The following items were discussed:

Annual Spring Planting and Arbor Day Celebration

April 27, 2019 is the tentative date for planting and Arbor Day Celebration.

Fifteen trees will be planted along Fraleigh Street, Church Street, West Market Street and at Richard Abrahams Memorial Park.

Volunteers will assemble at the Red Hook Village Municipal Parking Lot at 9:00am for the reading of the Arbor Day Proclamation, team assignments and photos.

Tasks, associated with Spring Planting, were assigned to the VGC Officers.

The National Arbor Day Foundation notified the Village of Red Hook that it has earned recognition as a 2018 Tree City U.S.A. stating, “Residents of the Village of Red Hook should be proud to live in a community that makes the planting and care of trees a priority.” The letter further states, “If ever there was a time for trees, now is that time. Communities worldwide are facing issues with air quality, water resources, personal health and well-being, and energy use.

The Village of Red Hook is stepping up to do its part. As a result of your commitment to effective urban forest management, the Village is helping to provide a solution to these challenges.”

### **HIGHWAY – DM Kovalchik**

The Highway Department has begun to pick up brush and lawn debris. This service will continue through the fall routinely picking up debris every first and third Monday of the month.

Residents are reminded to place lawn debris curbside and not in the road. Please limit the size of brush piles to 6' x 6' x 6' with tree branches and limbs not larger than 6" in diameter. Brush that includes tree trunks or stumps, grass clippings, garbage or building material debris will not be picked up.

The Highway Department will be sweeping streets in early May. Residents are reminded to sweep/rake sand and gravel from their lawn edges onto the side of the street. Please place sand and gravel in a row, not in a pile, to facilitate more efficient cleanup (the street sweeper is not designed for mounds of material).

The Highway Department received an estimate from Custom Street Services, LLC for street sweeping and culvert/catch basin cleaning services on March 20, 2019. Cost to provide for a sweeper truck is \$5,200.00 per week, and the cost to provide for a jet vac/pumper truck is \$5,600.00 per week. Funds to provide for these services will be deducted from the FY2019-2020 Maintenance of Streets – Street Maintenance (#5110.42) and Catch Basin Culvert (#5110.46) General Fund budget lines.

The Highway Department will be repaving portions of Kent Road and Cambridge Drive. The approximately \$70,000.00 project cost will be deducted from FY2019-2020 Maintenance of Streets (#5110.42) and CHIPS (#5110.3) General Fund budget lines.

No revenue was generated from the sale of scrap metal during the month of March, 2019. Total revenue generated in FY2018-2019 is \$2,159.60. Since inception of the Scrap Metal Recycling Program in September, 2007, \$28,157.77 has been generated.

### **Red Hook Sewer Project**

Meetings were held on March 1, 8, 15, 22 and 29, 2019 in the Red Hook Village Building. Kathryn Serra (C.T. Male Associates), Victoria Polidoro (Rodenhausen Chale and Polidoro LLP), Ed Blundell and Brent Kovalchik attended. The following items were discussed:

Reviewed comments from DC DOH of February 22, 2019 and prepared responses for a meeting with DC DOH scheduled for 4/3/19.

Reviewed and proposed amendments to the Sanitary Sewer Use Law of October 16, 2017.

Reviewed outstanding easements with the assessor for initial offerings and Eminent Domain Proceedings for the following property owners:

Germaine A. Coon and Arvine V. Coon Jr. (34 East Market Street)

Michael C. and Victoria Lueck (23-25 East Market Street)

Vincent P. Zitz (64-66 East Market Street)

Reviewed requirements to receive NYS DEC review and approval. Amended SPDES Permit is required to finalize NYS DEC approval.

Reviewed outstanding requirements to receive Prior to Bid approvals and notification. USDA-RD requires approval and sign-off from DC DOH and NYS DEC.

Consulted with Pat Nolan (Hillsdale, NY Sewer Operating), Tom Field (Ryan Biggs Clark Davis Engineering and Surveying), Pete Setaro (Morris Associates) regarding STEP Systems and DC DOH review procedures.

### **Red Hook Village Water Project – Phase II**

On March 21, 2019, Fernando Dongo (C3ND/VRI – Village Water Operator) made some adjustments to the pumps and controls to decommission the Tower Street elevated water storage tank. Pending further adjustments, the tank should be decommissioned in the near future.

### **South Broadway/Old Farm Road Water Main Loop Project**

Meetings were held on March 8, 15, 22 and 29, 2019 in the Red Hook Village Building. Robert Ross, James Ross, Todd Baright, Ed Blundell and Brent Kovalchik attended. The following items were discussed:

Reviewed plans, specifications and cost estimates to connect dead-end RHV water mains, located in the Town of Red Hook south of the Village border. By connecting the mains, the loop will provide for more efficient, safer, and more easily repaired water distribution service to properties along Old Farm Road and South Broadway (north of M&T Bank). The majority of the cost will be paid for by private property owners benefiting from Village water connections, with oversight provided by the Village of Red Hook.

## **Community Solar Project**

A meeting was held on March 22, 2019 in the Red Hook Village Building. Jeff Irish (Suncommon), Kai Nybro (Suncommon), Robert McKeon (RHT Supervisor), Dennis Collet (RHT CAC, ITF), Ed Blundell and Brent Kovalchik attended. The following items were discussed:

The project, located at the Red Hook Village Firehouse Lane Well Field Site, will contain approximately 8 acres of PV Solar Panels and provide energy, at a reduced rate, for Red Hook Town, Red Hook Village and Village of Tivoli municipally owned buildings and facilities. It will also provide reduced energy costs to residents who choose to sign up for this reduced rate energy program.

The anticipated timeline was discussed:

April, 2019 – Agreements settled with developer and municipalities.

May 1, 2019 – Begin marketing reduced-rate energy program to Town and Village residents.

September, 2019 – Construction and installation of PV solar panels.

November, 2019 – System operational and producing electrical energy via an approximately 2 mgw PV solar facility.

Reviewed and discussed land lease agreements, lease renewals, construction and operational rates and membership marketing strategies.

## **Intermunicipal Task Force (ITF)**

Charlie Laing and Brent Kovalchik – RH Village Representatives/Members

Meetings were held on March 1, 8, 15, 22 and 29, 2019 in the Red Hook Town Hall. The following items were discussed:

Discussed and reviewed Short Term Rentals (STR) for the Town of Red Hook.

The goal is to propose the adoption, by the Town Board, of balanced and reasonable regulations governing STRs, allowing citizens to share the economic benefit of their property, while protecting and preserving neighborhood character and long term housing availability.

Reviewed and discussed the proposed Annual Operating Permit (AOP) of 1/30/19 and 2/28/19 draft of a summary of uses (lodging, B and Bs, STR) allowed currently in the Town, and/or proposed to be allowed or prohibited in the Town's zoning districts.

Consulted with Michele Greig regarding hosted, non-hosted STRs in primary dwellings with 1 – 4 bedrooms offered for rent.

## **RESOLUTION 17-2019**

### **ADOPT UPDATED PROCUREMENT POLICY – ATTACHMENT 1**

WHEREAS, THE VILLAGE INCURS EXPENSES FOR OPERATIONS AND MAJOR PROJECTS;

WHEREAS, THE VILLAGE OF RED HOOK NEEDS TO UPDATE ITS PROCUREMENT POLICY TO REFLECT CHANGES IN NYS LIMITS AND UPDATE INTERNAL LIMITS TO BE CONSISTENT AND EFFECTIVE;

WHEREAS, THE VILLAGE BOARD HAS REVIEWED OPTIONS AND INTENDS TO MODERNIZE ITS PROCUREMENT POLICY IN LINE WITH NYS REQUIREMENTS, AS STATED IN THE ATTACHMENT;

THEREFORE BE IT RESOLVED, EFFECTIVE APRIL 8, 2019, THE VILLAGE WILL ADOPT THE ATTACHED TEXT INTO ITS CODE TO REPLACE THE CURRENT PROCUREMENT POLICY. THE CLERK WILL SEND THE TEXT TO CODE PUBLISHERS AND DEPARTMENT HEADS. AND, THE CLERK IS ASSIGNED TO DISTRIBUTE THE NEW RULES TO BOARD MEMEBERS AND ANY OTHER APPROPRIATE PERSONS.

#### § 50-1 Evaluation of Purchases

A. 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 § 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 secondhand purchases from another governmental entity.

B. 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 how the decision was arrived at, a copy of the contract 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.

#### § 50-2 Requests for Proposals

All goods 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 that achieves the best value for the product or service sought and avoids favoritism, 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 § 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to § 186 of the Correction Law; purchases under State contracts pursuant to § 104 of the General Municipal Law; purchases under County contracts pursuant to § 103, Subdivision 3, of

the General Municipal Law; or purchases pursuant to § 50-5 of this chapter.

§ 50-3 Method; Good Faith Effort

A. 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</u>	<u>Method</u>
<u>Contract</u>	
Up to \$2,000	Discretion of the Department Head
\$2,001 to \$4,999	Good faith effort to obtain three written/fax/e-mail quotes
\$5,000 to \$19,999	Good faith effort to obtain three quotes or via request for proposals
Over \$20,000	Formal public bid

<u>Estimated Amount of Public Works</u>	<u>Method</u>
<u>Contract</u>	
Up to \$2,000	Discretion of the Department Head
\$2,001 to \$4,999	Good faith effort to obtain three written/fax/e-mail quotes
\$5,000 to \$34,999	Good faith effort to obtain three quotes or via request for proposals
Over \$35,000	Formal public bid

B. 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 three proposals or quotations, the purchaser will document the attempt made. In no event shall the failure to obtain three separate proposals bar the procurement.

§ 50-4 Documentation

A. Documentation is required of each action taken in connection with each procurement. All purchases resulting from same shall have quotes referenced on purchase orders or vouchers, thus creating an audit trail.

B. Documentation and an explanation will be required whenever a contract is awarded to any person, institution and the like who is not the lowest reasonable offeror. Documentation will include an explanation of how the award will achieve savings or how the offeror was not reasonable and responsible. A determination that the offer is not reasonable and/or responsible shall be made by the purchaser and can only be challenged upon just cause.

C. The Board of Trustees will specify annually, by title, the individual in each department with authority to authorize purchases under this section, except as altered by union agreement. The

Village Clerk and Deputy Clerk shall have purchasing authority. All purchases for \$500 or greater shall require approval from the Mayor. All public works contracts will require Board approval.

#### § 50-5 Exceptions for Soliciting Quotes and Proposals

Pursuant to General Municipal Law § 104-b, Subdivision 2(g) the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interests of the municipality. In the following circumstances it will not be required that the Village of Red Hook solicit quotations or document the basis for not accepting the lowest bid:

A. Professional service or services requiring special or technical skills, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skills, 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 the services are such that they do not readily lend themselves to competitive procurement procedures.

B. In determining whether a service fits into this category, the Village of Red Hook Board of Trustees shall take into consideration the following guidelines:

- (1) Whether the services are subject to state licensing or testing requirements;
- (2) Whether substantial formal education or training is a necessary prerequisite to the performances of the services; and
- (3) Whether the services require a personal relationship between the provider and the municipal officials. Professional or technical services shall include, but not be limited to, the following:
  - (a) Services of an attorney;
  - (b) Services of a physician;
  - (c) Technical services of an engineer engaged to prepare plans, maps and estimates;
  - (d) Securing insurance coverage and/or services of an insurance broker;
  - (e) Services of a certified public accountant;
  - (f) Investment management services;
  - (g) Printing services involving extensive writing, editing or art work;
  - (h) Management of municipally owned property; and
  - (i) Computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.

C. Emergency purchases pursuant to § 103, Subdivision 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 life, health, safety or welfare of the residents. This subsection does not preclude alternate proposals if item permits.

D. Goods or services under \$1,000. 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 interest of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

### § 50-5.1 Piggybacking

[Added 12-11-2017 by L.L. No. 3-2017]

Notwithstanding the provisions of this chapter, the Village of Red Hook may, for purposes of public purchases, utilize the provisions of New York State General Municipal Law § 103 with regard to so-called "piggybacking" of purchases. Pursuant to New York State General Municipal Law § 103, the Village of Red Hook may purchase through the bids solicited by the United States government, New York State and/or any other state, political subdivision (counties, towns, school districts, etc.), provided those contracts clearly state that they are available for use by other governmental entities within the requirements of New York General Municipal Law § 103(16). Prior to such purchase, the Village of Red Hook will ensure that a piggyback purchase qualifies as follows:

A. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein.

B. The contract involved must have been available for use by other governmental entities through the bid solicitation process. In such case, the Village of Red Hook should determine that there is contained within the bidding political subdivision's bid package a provision that the bid is open to and can be used by either the Village of Red Hook or other municipalities. This determination should be made on a case-by-case basis.

C. The specific contract must have been let to the lowest responsible or on the basis of best value and in accordance with or in a manner consistent with the provisions of New York General Municipal Law § 103.

### § 50-5.2 Purchasing based on Best Value

[Added 12-11-2017 by L.L. No. 3-2017]

A. New York General Municipal Law § 103 requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project. General Municipal Law § 103 was amended to provide that by adopting a resolution so providing, municipalities may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of best value, as defined in State Finance Law § 163, to a responsive and responsible bidder or offeror.

B. Notwithstanding the provisions of this chapter, the Village of Red Hook hereby determines that it is in the best interest of its residents to have the authority to award purchase contracts on the basis of best value. Factors that may be used to enact the "best value" option, where cost efficiency over time to award the good(s) or service(s) to other than the lowest bidder include, but are not limited to:

- (1) Lowest cost of maintenance for good(s) or service(s);
- (2) Durability of good(s) or service(s);
- (3) Higher quality of good(s) or service(s); or
- (4) Longer product life of good(s) or service(s).

C. The Village of Red Hook may award purchase contracts, including contracts related to the installation, maintenance or repair of apparatus, equipment and supplies, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8, on the basis of best value, as defined in State Finance Law § 163, to a responsive and responsible bidder or offeror.

(1) Where the basis for award is the best value offer, the Village of Red Hook shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which, whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.

(2) Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be addressed by the Village of Red Hook in its determination of best value.

(3) The election to award any such contract on the basis of best value shall be made by the Board of Trustees. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing any required security in accordance with this chapter.

#### § 50-6 General Conditions for Bids

A. All prices quoted must be "per unit" as specified: e.g., do not quote "per case" when "per dozen" is requested; otherwise bid may be rejected.

B. Bidder must insert the price per unit and the extensions against each item in his bid. In the event of a discrepancy between the unit price and the extension, the unit price will govern.

C. Prices shall be net, including transportation and delivery charges fully prepaid by the successful bidder to destination indicated in the proposal. If award is made on any other basis, transportation charges must be prepaid by the successful bidder and added to the invoice as a separate item. In any case, title shall not pass until items have been delivered and accepted.

D. Where a bidder is requested to submit a bid on individual items and/or on a total sum or sums, the right is reserved to award bids on individual items or on total sums.

E. All bids received after the time stated in the public notice may not be considered.

#### § 50-7 Submission of Samples

Samples, when required, must be submitted strictly in accordance with instructions, otherwise the bid may not be considered.

#### § 50-8 Awarding of Contracts

Awards will be made to the lowest responsible bidder, as will best promote the public interest, taking into account the reliability of the bidder, the quality of the materials, equipment or supplies furnished, their conformity with the specifications, the purposes to which required and the terms of delivery.

#### § 50-9 Delivery

Delivery must be made in accordance with the instructions to bidders and specifications.

§ 50-10 Saving Clause

The successful bidder shall not be held responsible for any losses resulting if the fulfillment of the terms of the contract shall be delayed or prevented due to wars, acts of God, strikes or any other acts not within the control of the bidder.

§ 50-11 Collusion

The form of non-collusion bidding certification must be executed by the bidder and submitted with the proposal.

Mayor Blundell made a motion to approve resolution 17-2019. DM Kovalchik seconded this motion. All were in favor.

Red Hook Fire Department – contract update – contract date time will be in line with the Town contract with 2 % increase.

**RESOLUTION 18-2019**

A meeting of the Village of Red Hook Board of Trustees Board was convened in public session at the Village Hall, 7467 South Broadway, Red Hook, New York on April 8, 2019. The meeting was called to order by Mayor Ed Blundell.

Moved by:

Seconded by:

**RESOLUTION ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING  
PROPOSED AMENDMENTS TO THE VILLAGE SEWER LAW**

WHEREAS, a proposed form of a Local Law entitled “A local law to amend Chapter 145, Sewers” (the “Proposed Local Law”) has been submitted to the Village Board of Trustees of the Village of Red Hook (the “Board”); and

WHEREAS, the Proposed Local Law amends and clarifies the obligations of landowners within the active service area of the sewer system to connect to the sewer system and the costs associated therewith; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act (“SEQRA”), the Board is required to determine the classification of the proposed project; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(26), routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, is a Type II action.

NOW THEREFORE BE IT RESOLVED, by the Board as follows:

1. The adoption of the Proposed Local Law is a Type II action under SEQRA.
2. The Board shall hold a public hearing on April \_\_\_\_, 2019, at 7:00 p.m. at the Village Hall, 7467 South Broadway, Red Hook, New York, to hear all interested parties on said Proposed Local Law; and
3. The Village Clerk is hereby authorized and directed to publish notice of said public hearing in the official newspapers of the Village, on or before April \_\_\_\_, 2019, which is not less than ten calendar days prior to the date of said public hearing.
4. The Village Clerk is hereby authorized and directed to send a copy of the public hearing notice to the clerks of the adjacent municipalities.

Mayor Blundell made a motion to approve resolution 18-2019 authorizing a public hearing for the sewer use law. DM Kovalchik seconded this motion. All were in favor.

Mayor Blundell stated a resolution will be presented at the April 18<sup>th</sup> meeting to rescind the tax cap.

#### PUBLIC COMMENTS

Mayor Blundell made a motion to pay bills after audit. Trustee Trapp seconded this motion. All are in favor.

DM Kovalchik made a motion to adjourn the meeting at 8:45. Mayor Blundell seconded this motion. All were in favor.

Submitted by,

Cynthia Chiarella  
Clerk/Treasurer