



TOWN OF PORTVILLE, NEW YORK

RESOLUTION 20090828.5: PURCHASING POLICY AND PROCEDURE

WHEREAS, In accordance with New York State General Municipal Law 104-b, goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interests of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

WHEREAS, To further these objectives, the governing board of every political subdivision and any district therein, by resolution, shall adopt internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of Article 5-A Section 103 or of any other general, special or local law.

NOW, THEREFORE, the Town of Portville resolves that:

1. Superceding Policy and Procedure: All prior purchasing and acquisition policy and procedure shall be superceded and replaced by the purchasing policy and procedure of this resolution.
2. Contracts: Only the legislative body of the municipality, namely the town board, may enter into contracts or agreements except in instances where there is a declaration of an emergency. In an instance where a formal declaration of an emergency has occurred, the town supervisor or the deputy town supervisor may enter into contracts or agreements that endeavor to abate the declared emergency with subsequent notification of all town board members within three days of a commitment to a contract or agreement.
3. Recurring Purchase Authorization: The town board may authorize a recurring purchase, such as utility bills, at one of its public meetings that would then preclude further review by the legislative body but would require final payment signature by the town supervisor or deputy town supervisor. Removal of a recurring purchase authorization may be executed at any time by the town supervisor.
4. Administrative Expenditures: An administrative expenditure is an expense planned or unplanned that is going to be charged against the A Fund, B Fund, LD-740 Fund, LD-741 Fund, SD-741 Bond Fund, SD-741 Maintenance Fund, or any administrative or judicial grant fund as well as any unallocated fund balance for these same funds. Administrative expenditures that are not a recurring purchase authorization shall require pre-authorization by the town supervisor or deputy town supervisor and are subject to final payment authorization by the legislative body regardless of dollar amount.
5. Highway Expenditures: A highway expenditure is an expense planned or unplanned that is going to be charged against the DA Fund, DB Fund and any unallocated fund balance for these same funds. The highway superintendent is authorized to initiate supply and repair acquisitions of \$1,000 or less against the DA Fund or DB Fund as long as those funds as available and uncommitted elsewhere for the remainder of the fiscal year. Any supply or repair acquisitions over \$1,000 but less than \$10,000 must be pre-authorized by email from with the town supervisor or deputy town supervisor. Any expenditure \$10,000 or more must be presented for consideration of approval to the town board at a public meeting prior to the acquisition of materials, equipment, or services.
6. Fund Designation Of Expense: The fund to be charged for a particular expense is the sole responsibility of the municipal corporation's fiscal officer, namely the town supervisor. Highway expenditures will always be charged to one of the highway coded funds. Administrative expenditures will always be charged to one of the administrative coded funds. Special District expenditures will always be charged to one of the special district coded funds. Use of unallocated funds requires review and approval of the town's legislative body, namely the town board.



TOWN OF PORTVILLE, NEW YORK

7. Expenditures For Town Business: In accordance with New York State Law, the use of municipal funds or its bi-product materials, services, or equipment must be exclusively for the benefit of the town's municipal corporation and may never be used for personal purposes or directed to for-profit, not-for-profit or non-governmental purposes.
8. Internal Controls: All expenses must be accompanied by a town voucher submitted to the town's bookkeeper through the town clerk. Checks may only be signed by the town supervisor or the deputy town supervisor. Checks payable to the town supervisor or the deputy town supervisor may never be signed by the named payee. All expenses paid will be made available at minimum once a month at the town board meeting or within 48 hours of a request by any town board member.
9. Record Keeping: The fiscal officer, namely the town supervisor, is responsible through his/her agent, namely the town bookkeeper, for providing accurate records, bookkeeping, accounting and security so that recovery and review of this critical information is available upon request for at least 7 years.

Approved this 28th day of August, 2009 by the town board.