

SPECIAL TOWN BOARD MEETING

APRIL 29, 2015

The Pleasant Valley Town Board held a Special Town Board held Special Town Board Meeting on Wednesday, April 29, 2015 at 7:00PM at Town Hall, 1554 Main Street, Pleasant Valley.

PRESENT: Steve Albrecht Councilman
 Steve Latino Councilman
 Lisa Milicaj Councilwoman
 Carol Campbell Supervisor

ABSENT: Mark Figliozzi Councilman

PURPOSE: Authorize Lawn Care Mowing Contract:

EXECUTIVE SESSION:

Motion by Councilman Latino, seconded by Councilwoman Milicaj the Town Board entered into Executive Session at 7:06PM under Public Officers Law section 105.1(F) employment history of a particular person or corporation, carried.

Motion by Councilwoman Milicaj, seconded by Councilman Latino the Town Board came out of Executive Session at 7:18PM, carried.

Action was taken after coming out of Executive Session:

Item # 1 – Authorizing Contract for Lawn Care Maintenance Services in Various Locations in the Town of Pleasant Valley:

Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 90/2015

**RE: AUTHORIZING CONTRACT FOR LAWN CARE MAINTENANCE SERVICES IN VARIOUS
LOCATIONS IN THE TOWN OF PLEASANT VALLEY**

WHEREAS, the Town Board of the Town of Pleasant Valley solicited and received proposals from lawn care maintenance service contractors for various locations throughout the Town of Pleasant Valley; and

WHEREAS, the Town Board received 2 sealed proposals; and

WHEREAS, Daley's Lawn & Landscaping, LLC, Pleasant Valley, New York submitted a proposal on March 30, 2015 in response to the Town Board request for proposals being the lowest financial response to the request; and

WHEREAS, Daley's Lawn & Landscaping, LLC was the recipient of the 2011 lawn care and maintenance contract with the Town of Pleasant Valley which was terminated by Town Board Resolution dated June 8, 2011 effective June 10, 2011, for cause, for continually failing to perform to the standards of the Town and failing to comply with the requirements of the RFP and for failing to correct deficiencies for which prior written notice had been provided; and

WHEREAS, by letter dated April 3, 2015 Daley's Lawn and Landscaping, LLC was advised that the Town was considering awarding the contract to someone else pending a determination that Daley's Lawn & Landscaping, LLC was not a responsible bidder based upon past performance under the 2011 contract; and

WHEREAS, deficiencies in prior work and prior default is just cause for a determination of non-responsibility, *Lauvas v. Town of Bovina*, 86 AD2d 694; *Callanan Industries, Inc. v. City of Schenectady*, 116 A.D.2d 883; *Baroudi v. New York State Dept. of Environmental Conservation*, 55 A.D.2d 998; and

WHEREAS, on April 8, 2015 representatives of Daley's Lawn & Landscaping, LLC were given an opportunity to appear before the Town Board to be heard on the Board's consideration of them as a responsible bidder; and

WHEREAS, Daley's Lawn & Landscaping, LLC appeared and was heard on April 8, 2015 at which time they addressed the Board and then supplemented their appearance with additional information following the Board meeting; and

WHEREAS, Green Valley Maintenance, Tivoli, New York submitted a proposal on March 29, 2015 in response to the Town Board request for proposals of \$710 per mow for group 1 and \$305 per mow for group 2; and

WHEREAS, the Town Board of the Town of Pleasant Valley has duly recommended the award of the contract to Green Valley Maintenance of Tivoli, New York as they are deemed to have submitted the next lowest responsible proposal; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby determine that based upon past experience with the lowest proposal that they are not considered a qualified contractor and that the proposal of Daley's Lawn and Landscaping, LLC is not considered the lowest responsible proposal; and, be it further

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby awards a contract for lawn care and maintenance services for various locations throughout the Town of Pleasant Valley as specified in the request for proposal and the response dated March 30, 2015 to Green Valley Maintenance of Tivoli, New York; and, be it further

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to execute a contract in accordance with the proposal dated March 30, 2015.

MOTIONED BY: Councilwoman Milicaj

SECONDED BY: Councilman Latino

DATED: April 29, 2015

ROLL CALL:	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Albrecht	X		
Councilman Figliozzi			X
Councilman Latino	X		

Councilwoman Milicaj X

Supervisor Campbell X

Carried.

ADJOURN:

Motion By Supervisor Campbell, seconded by Councilwoman Milicaj the Town Board adjourned the meeting at 7:20PM, carried.

Respectfully Submitted,

Margaret Hart

Margaret Hart, Town Clerk