

October 18, 2010

Town of Albion Town Board special meeting held in the Town hall, 3665 Clarendon Rd.

Meeting called to order at 7:01 pm.

Pledge of Allegiance was said.

Present were Councilperson Ryan Miller, Supervisor Judith Koehler, Councilperson Timothy Neilans and Councilperson Matthew Passarell. Absent excused was Councilperson Clifford Thom. Also present were Attorney for the Town John Gavenda and Town Clerk Sarah Basinait.

Supervisor Judith Koehler: I need a motion to approve the agenda.

Motion was made by Councilperson Matthew Passarell and was seconded by Councilperson Ryan Miller to approve the agenda as published and submitted. Motion carried by the following vote:

**Councilperson Ryan Miller, aye Councilperson Timothy Neilans, aye
Supervisor Judith Koehler, aye Councilperson Matthew Passarell, aye
Councilperson Clifford Thom, absent excused**

Supervisor Judith Koehler: I need a resolution accepting the irregularities in the computer bid.

Resolution #83 Computer Bid

Be it hereby enacted by the Town Board of the Town of Albion as follows:

***WHEREAS*, pursuant to General Municipal Law Section 103 the Town of Albion advertised in the Daily News for bids for a computer system including a multifunction copier and service agreement; and**

***WHEREAS*, the date for bid opening was set for October 4, 2010 at 10:00 a.m.; and**

***WHEREAS*, a total of three (3) bids were submitted pursuant to the bid request, to wit: Alpha Computing, Inc. of Geneva, New York; C&H PC, Inc. of Medina, New York; and Duplicating Consultants, Inc. of Buffalo, New York; and**

***WHEREAS*, on October 4, 2010 at a regular meeting of the Town Board for the Town of Albion the award for the aforementioned bid was unanimously awarded to Duplicating Consultants, Inc as the lowest responsible bidder; and**

***WHEREAS*, subsequent to the awarding of said bid it was discovered that the bid specification submitted by Duplicating Consultants did not in two locations match the bid specifications that were attached in the Notice to Bidders; and**

***WHEREAS*, it also appeared in the bid submitted by Duplicating Consultants that the component parts of the desktop computers were substantially the same as the laptop computers; and**

***WHEREAS*, upon review of the Duplicating Consultants bid the Town Board determines that the variance from the bid specifications as set forth in the Notice to Bidders is a mere irregularity and it would be in the best interest of the Town to accept said bid based on the technical non-compliance; and**

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WHEREAS, accepting the Duplicating Consultant bid does not place said bidder at a substantial advantage or grant the bidder a benefit not enjoyed by the other bidders; and

WHEREAS, the Town Board has determined Duplicating Consultants bid as presented contains minor variations from the terms as advertised, is not material and does not impair the interests of the Town of Albion nor does it place the other bidders at a competitive disadvantage;

NOW, THEREFORE, after review of the facts and circumstances leading up to the submission of the bids for the computer system including a multifunction copier and service agreement

BE IT RESOLVED, that the bid for the computer systems including a multifunction copier and service agreement is awarded to Duplicating Consultants, Inc. of Buffalo, New York on the condition that the misprint of the component parts of the laptop computers and the desktop computers shall be modified so that the component parts of said computers will substantially comply with the bid specifications and that the bids submitted by Duplicating Consultants will remain the same; and be it further

RESOLVED, that the memory of the server for the computer system as bid by Duplicating Consultants is in substantial compliance with that called for in the Notice to Bidders and be it further

RESOLVED, the Town Board for the Town of Albion hereby finds that the initial bid submitted by Duplicating Consultants is a mere irregularity and that it is in the best interest of the Town of Albion to accept said bid; and be it further

RESOLVED, the modification of Duplicating Consultants, Inc. bid does not give said entity a substantial advantage or benefit not enjoyed by the other bidders; and be it further

RESOLVED, the variance of Duplicating Consultants, Inc. in its bid as compared to the specification in the NOTICE TO BIDDERS is not material.

Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Matthew Passarell authorizing the adoption of this resolution. Resolution duly adopted by the following vote:

Councilperson Ryan Miller, aye Councilperson Timothy Neilans, aye
Supervisor Judith Koehler, aye Councilperson Matthew Passarell, aye
Councilperson Clifford Thom, absent excused

Supervisor Judith Koehler: I need a motion authorizing payment of medical bills.

Motion was made by Councilperson Timothy Neilans and was seconded by Councilperson Ryan Miller authorizing the payment prior to abstract of Health Economics in the amount of \$100.00, Univera Health Care in the amount of \$326.71 and MVP Health Care in the amount of \$2,921.95. Motion carried by the following vote:

Councilperson Ryan Miller, aye Councilperson Timothy Neilans, aye
Supervisor Judith Koehler, aye Councilperson Matthew Passarell, aye
Councilperson Clifford Thom, absent excused

Supervisor Judith Koehler: I need a motion to close.

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Motion was made by Councilperson Matthew Passarell and was seconded by Councilperson Ryan Miller to close the meeting at 7:13 pm. Motion carried by the following vote:

**Councilperson Ryan Miller, aye Councilperson Timothy Neilans, aye
Supervisor Judith Koehler, aye Councilperson Matthew Passarell, aye
Councilperson Clifford Thom, absent excused**

Minutes approved with above corrections by the Town Board at their regular meeting on December 13, 2010.