



COUNCIL ON ETHICS

Questions Submitted to Town Departments
Re: Town Contracts- Plantings & Horticultural Services
January 12, 2021

The Council on Ethics respectfully submits the following question posed below to the following Town Departments, Boards, Commissions and/or Committees:

1. Environmental Affairs Department- *This department makes expenditures for plantings and horticultural services*
2. Tree Committee-*The Tree Committee is not authorized to make expenditures. This department can make recommendations to the Director of Environmental Affairs for expenditures for plantings and horticultural services.*
3. Parks & Recreation Commission- *The P&R Commission is not authorized to make expenditures. The Commission can make recommendations to the Director of Parks and Recreation regarding P& R Department responsibilities. The Parks and Recreation Department is responsible for the maintenance of Merwin and Allens Meadows, town fields, the area around the exterior of town buildings and certain planted areas on town property and on state property, where authorized. The work is performed by parks and grounds employees, supplemented by periodic expenditures for tree removal or pruning services.*
4. Inland Wetlands Commission-*This Commission is a regulatory board. The Commission is not authorized to make expenditures. When considering an application before the Commission, the Commission may request the Director of Environmental Affairs obtain assistance from an outside consultant engaged by the Town. This Commission would only make recommendations for town expenditures for plantings and horticultural services in connection with a Town project application before the Commission. The expenditures would be managed by the department sponsoring the project.*
5. Department of Public Works- *This department makes expenditures for tree removal and pruning services.*
6. Any Other Town Department/Committee/Commission Not Listed Above with Authority to Purchase Plantings & Horticultural Services.- *The First Selectwoman's Office makes expenditures for the maintenance of the flower baskets in Wilton Center.*

Question: Please explain in specific detail the Town Procedures and Purchasing Policy for each department, committee or commission listed above as it pertains specifically to the purchasing & contracting of Plantings & Horticultural Services.

The Town of Wilton purchasing policy is the same for every department and every type of purchase.

- *Purchases of \$500 or more require a purchase order.*
- *Purchase orders must be approved by the department head with additional approvals based on the size of the expenditure.*
- *Purchases can't exceed the department's line-item approved budget without prior approval of the CFO and, in certain circumstances, the approval of the First Selectwoman.*
- *For purchases that require a contract, the contract must be approved by Town Counsel. Contracts for budgeted goods or services up to \$10,000 can be executed by the First Selectwoman following Town Counsel approval. Contracts for \$10,000 or more or for goods or services not included in the budget, must be approved by the Board of Selectmen.*
- *Purchases can be made from the State Bid Lists, the Capital Region Bid Lists or Wilton BOE bids. Purchases can also be made from another municipality's bids, after proper vetting and with the approval of the CFO and the First Selectwoman.*
- *Purchases not from an approved bid list and between \$5,000 and \$24,999 require three documented bids. Purchases of \$25,000 and above require an RFP or an RFQ.*
- *RFPs and RFQs must be approved by Town Counsel and the First Selectwoman.*
- *Bids can be waived by the CFO and/or First Selectwoman for emergency work or single source providers.*

Prior to payment, finance department personnel will have reviewed all purchases for proper bid documentation and approvals.

The Town's financial software requires purchase orders for payment processing and has built-in required approvals during the process leading to payment.

Kindly include how vendors are sourced for Plantings & Horticultural Services.

Departments maintain a list of vendors that have previously performed services at a quality level acceptable to the town. Town employees solicit bids from the list with preference given to Wilton businesses.

As previously shared by Environmental Affairs Director Mike Conklin, these vendors are contacted about small dollar projects on a rolling basis. As above, those of \$500 or more require a purchase order and the requisite approval process.

Please also include whether there is any cooperation or collaboration between departments, committees or commissions during any phase in the purchasing/contracting of Plantings & Horticultural Services.

Described above.

If there is any other information that the Council should be aware of, we encourage that it be included in the answers.

- *The described procedures are the current procedures implemented after the CFO and the First Selectwoman assumed their positions in December 2015. Previously, the Town did not require purchase offers and may have had less consistency across departments.*
- *Town spending on horticultural services, other than tree services, is limited as most areas are maintained by parks and grounds employees. The Wilton Center Master Plan for trees has been fully executed. Exclusive of trees:*
 - *FY2021 to date, one vendor was engaged by Environmental Affairs to mow and perform clean up at Quarry Head.*
 - *FY2021 to date, one vendor was engaged by the First Selectwoman's Office to water and maintain the Wilton Center flower baskets.*
 - *In FY2020, two vendors were engaged to mow Quarry Head & tall grass meadows.*
 - *In FY2020, one vendor was engaged to perform the large landscaping project along River Road in Wilton Center.*
 - *In FY2019, three vendors were engaged to remove invasive plant species along River Road.*
 - *In FY2019, one vendor was engaged to provide and plant the donated evergreen on the Town Green.*
 - *In FY2019, three vendors were engaged to mow Quarry Head & tall grass meadows.*
 - *The most recently planted tree under the Wilton Center tree donation program was in 2018.*

Dated: January 12, 2021

SUBMITTED ON BEHALF OF THE COUNCIL

By:

Miriam Helene Sayegh, Esq.
Chairwoman
Council on Ethics