

**HOWARD TOWN BOARD MEETING
WEDNESDAY
November 14, 2018**

The regular meeting of the Howard Town Board was called to order at 7:02 p.m. by Supervisor Donald Evia. Councilmen present were Lowell Smith, Richard Stewart, and Robert Palmer. Also present were Town Clerk David Price, Planning Board Chairman Gary Rice, Eric Hosmer, Robin Phenes, Jason Holevinski, Bill Holevinski, Sean Turner, Robert Patrick, Butch Burdin, Brenda Burdin, Ed Frey, Marc Rixford, Margaret Rixford, Mike Kidder, Trey Kidder, Joanne Rice, Jeff Ross, Sam Webb, David Dockstader, David Dockstader, Jr., David Babcock, Roger Robords, and Mark Kidder.

Supervisor Donald Evia led the pledge to the flag.

The minutes of the previous meeting were reviewed by the Board. Councilman Stewart noted that one of the attendee's names was recorded differently from meeting to meeting. The Clerk explained that he identified those in attendance at Town meetings by the name on the attendance sheet provided for that purpose. In addition, Councilman Stewart noted several statements attributed to him and others were either incorrect or didn't reflect the speaker's actual intent. The Town Clerk agreed to make changes and/or annotate these instances. A motion was made by Councilman Smith and seconded by Councilman Palmer to approve the minutes of the previous meeting, once the foregoing changes and notations were made. Carried: Smith, aye; Palmer, aye; Stewart, aye; Evia, aye.

Town Clerk, David Price, reported that Highway Superintendent, Lee Pyer, would not be in attendance, as he had been up all night plowing.

Supervisor Evia announced that the budget hearing would start at 7:10. He then asked Gary Rice to join him and the Councilman at the table. Councilman Stewart asked Supervisor Evia, "for what purpose?" Supervisor Evia explained that he was a Board member. Mr. Rice had won the recent election to fill an open seat and his term started immediately. Councilman Stewart acquiesced.

Supervisor Evia asked for public comment. Joanne Rice read a statement prepared by her daughter Katie Harrell, regarding the setback of gravel pits proposed by the planning board. Her statement explained in detail the inconveniences that she and her family faced due to the current gravel mining operation near her property. Ed Frey requested that a public hearing be scheduled for the Planning Board proposed regulation regarding setbacks for gravel pits.

Councilman Rice made a motion to hold a public hearing on the Planning Board's proposed rule change. The motion was seconded by Councilman Palmer. Carried: Rice, aye; Palmer, aye; Smith, aye; Stewart, aye; Evia, aye.

Supervisor Evia called the Budget Hearing to order at 7:10 p.m. at which time he commenced to go through the Proposed Budget item by item.

Councilman Stewart reported that he had a lot of contact with Robbie (Patrick) and complimented him on being so forthcoming. Mr. Patrick responded that an audit would be available next year and then proceeded to explain how the Fire Department planned to spend its funds. One of the items, Mr. Patrick discussed, and which caused difficulty with their budget, was the recently-passed "Cancer Bill." Said bill required fire departments in New York to provide cancer coverage for all 'interior firefighters.' The bill required "cancer" insurance to be carried on firefighters for five (5) years after they left the fire department.

Supervisor Evia asked for the Boards' thoughts regarding the Fire Department's budget request. Councilman Stewart stated that he thought the funding was adequate, and that a \$30,000.00 reserve was sufficient. Councilman Stewart then asked Mr. Patrick, if the level of funding influenced the Fire Department's ability to secure grants. Mr. Patrick explained that it was more a matter of infrastructure. The Town's lack of a rail line or other large industrial site was a definite hindrance to receiving grants from FEMA.

Mr. Patrick raised the possibility of hiring a "grant writer" for the Town and Fire Department.

Councilman Stewart made a motion to accept the Fire Department's request of \$97,500.00 from the 2019 Town Budget. The motion was seconded by Councilman Rice. Carried: Stewart, aye; Rice, aye; Smith, aye; Palmer, aye; Evia, aye.

Supervisor Evia asked for other questions. Councilman Stewart noted that we had a "huge fund balance of \$800,000.00 in 2017." Supervisor Evia agreed that we were carrying a larger "fund balance than we should, but we tried to have enough money available, so that we didn't need to borrow funds for emergency purchases. Supervisor Evia further explained equipment buy-back programs and pointed out that, "good used trucks were hard to come by."

Robbie Patrick noted that the Fire Department had the same problem obtaining replacement trucks.

Supervisor Evia stated, "We have a building reserve that we may need for salt and sand storage." He continued he would like to use some of the \$800,000.00 fund reserve for the purchase of a new tractor for mowing. Councilman Stewart responded that Superintendent Pyer had indicated that he would like a 4WD, 90-horse- power tractor and opined, that was more than we needed for mowing. Councilman Rice agreed, "We probably don't need 4WD."

There followed a discussion regarding the Town tax rate and valuation. Councilman Stewart noted that the tax rate had gone down in the proposed budget. Ed Frey stated, "I am worried about cutting expenses too much. Money needs to be spent on

equipment. The budget should go up with inflation. \$800,000.00 doesn't look like so much, if you need equipment." Mr. Frey continued. "If you lower taxes, this year, but have to raise them next year, people will remember that you raised taxes, not that you lowered them."

Supervisor Evia responded, "If we manage the fund, we'll be O.K.," but agreed with Mr. Frey, "People won't remember lowering taxes, this year, if they go up next year."

A brief discussion followed regarding CD's that the Town holds. Councilman Stewart wondered if we were getting the best rates. Supervisor Evia responded, "We will be looking into that as they come due."

Supervisor Evia then asked, "If there were any more comments on the budget?" When there were no comments, he asked for a motion to close the "Public Hearing."

A motion was made by Councilman Smith to close the Public Hearing. Motion seconded by Councilman Palmer. Carried: Smith, aye; Palmer, aye; Stewart, aye; Rice, aye; Evia, aye.

Councilman Stewart asked, if we would adopt the proposed budget.

Councilman Palmer made a motion to adopt the proposed budget as presented. The motion was seconded by Councilman Smith. Carried: Palmer, aye; Smith, aye; Stewart, aye; Rice, aye; Evia, aye.

At this time, the Board went back to business of the Monthly Board Meeting.

Supervisor Evia had nothing to add to the Supervisor's report presented to the Board members.

Councilman Rice stated, "He was pleased that the Board was going ahead with a public hearing on the Planning Board's proposed gravel pit regulation." The Public Hearing will be held at the next regularly scheduled Town Board Meeting on December 12, 2018. He also reported that Rep. Reed's assistant had told him that Spectrum had not been honoring "Broadband for All." He suggested that we look for somebody else. Councilman Rice noted that Empire couldn't do it because of a conflict with Spectrum. He also announced that next week would be the last Planning Board Meeting of the year.

Robbie Patrick made a short presentation regarding the Fire Department.

Supervisor Evia reported that our new bookkeeper, Leanne Wightman, had been looking into our accounting and banking programs. She suggested that we forego our Money Market account. At one time, it might have been advantageous, currently there was no benefit to the Town.

Building Inspector Robert Riekofski's report was reviewed.

The Justice Report was reviewed.

Town Clerk David Price reported that the Clerk's office received payments from sales of dog licenses, building permits, and certified copies in the amount of \$416.00. He further reported that he had dispersed funds via two checks, one made payable to Supervisor Donald F. Evia in the amount of \$381.00, and the other made payable to NYS Animal Population Control Program in the amount of \$35.00.

A brief discussion followed on the Greenville Cemetery.

Supervisor Evia announced that the Board had some new business to discuss, *to wit*, acceptance of and the signing of new Ambulance Contracts with Freemont, Avoca and, Canisteo.

Resolution (#20-2018) was made by Councilman Stewart to move to accept and sign new Ambulance Contracts with the towns of Freemont, Avoca, and Canisteo. The Resolution was seconded by Councilman Palmer. Adopted: Stewart, aye; Palmer, aye; Smith, aye; Rice, aye; Evia, aye.

Supervisor Evia reported that Highway Superintendent Pyer had told him that he felt they were in pretty good shape.

Councilman Stewart reported, he had spoken with Troy Wilson regarding the Town using the County Facilities for storage of sand and salt. Apparently, at one point the County was planning on reconstruction that would preclude the town use, but plans had changed, and it was no longer an issue.

Supervisor Evia stated that a Resolution needed to be adopted regarding our "Shared Use Service Plan" with the County.

Resolution (#21-2018) was made by Councilman Stewart to move to accept and sign a new "Shared Use Service Plan" with the County. The Resolution was seconded by Councilman Palmer. Adopted: Stewart, aye; Palmer, aye; Smith, aye; Rice, aye; Evia, aye.

The following bills were presented for audit:

Highway (Abstract #117 – 138)	\$ 58,796.08
Town (Abstract #198 – 219)	\$ 5,328.60
Street Lighting (Abstract #215)	\$ 570.69

A motion was made by Councilman Smith and seconded by Councilman Palmer to pay these bills. Carried: Smith, aye; Palmer, aye; Stewart, aye; Rice, aye; Evia, aye.

A discussion was held regarding residents' complaints. Specifically, Luella Sharp had complained to Councilman Stewart about speeding trucks on Smith Pond Road. She informed him that there were many trucks speeding over a blind knoll before a school bus stop. It was determined that she was not reporting Town Trucks, but rather private trucks.

Supervisor Evia asked, if there were any additional "public comments." There were none, however, Councilman Stewart suggested that "Public Comment" be added to the Town Board Meeting agenda.

A motion to adjourn at 9:05 p.m. was made by Councilman Palmer and seconded by Councilman Rice. Adopted: Palmer, aye; Rice, aye; Stewart, aye; Smith, aye; Evia, aye.

David Price
Town Clerk