

**HOWARD TOWN BOARD MEETING
WEDNESDAY
SEPTEMBER 12, 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, Robert Palmer, and Richard Stewart. Also present were Town Clerk David Price, Planning Board Chairman Gary Rice, Eric Hosmer, Margie Rixford, Robin Phenex, Jason Holevinski, Sean Turner, Jay Cleaves, Gary Bagley, Michael Adam, and Lorraine Nelson.

Supervisor Donald Evia led the pledge to the flag.

The minutes of the previous meeting were reviewed by the Board. A motion was made by Robert Palmer and seconded by Lowell Smith to approve the minutes of the previous meeting as presented. Carried: Smith, aye; Palmer, aye; Stewart, aye; Evia, aye.

Supervisor Evia asked for public comment, Board member Lowell Smith remarked that it was nice to see so many folks here. Mike Adam, who had requested to be put on the agenda, addressed the Board.

Mr. Adam was concerned that he had heard, “the Board was intent on defunding the Fire Department, the library, and had let long-time employees go.”¹ He asked the Board members to address his concerns, although he assumed that the employee situation was, “a done deal.”

Supervisor Donald Evia stated that he could only speak for himself, but he felt the funds should not be cut for the Library, and Fire Department. He felt that the Library’s patronage was expanding. Councilman Stewart responded, by stating Fire Department was essential to the Town, but we must spend money wisely. He continued by stating, “The Fire Department’s budget had jumped 60%.”²

Supervisor Evia noted that the Town had received money from the Wind Farm. Jay Cleaves stated that the Fire Department had used more money, but taxes had not gone up.³ Mike Adam responded by stating that the Towns ISO Insurance (Service Organization, Inc.) rate had gone up, because the Fire Department’s equipment had improved. Supervisor Evia pointed out that the Towns Protection Class had not gone up. Councilman Stewart responded that he was only interested in transparency; he stated that he was told by the Fire Department that their books were private. Jay Cleaves responded that any funds received from the Town would be accounted for. Councilman Palmer agreed with Supervisor Evia and Councilman

¹ Upon review of the minutes at the October Board meeting, Councilman Stewart noted that the employees referred to were not “let go,” one retired and the other resigned.

² Upon review of the minutes at the October Board meeting, Councilman Stewart noted that “the Town’s contract costs had gone up 62.5%.”

³ Upon review of the minutes at the October Board meeting, Councilman Stewart stated that the taxes had gone up. Jay Cleaves claimed that he had documentation confirming his contention that the taxes had not gone up or if they had, it was a very minimal amount.

Stewart regarding the Fire Department, but was unfamiliar with the Library. Councilman Smith was concerned with unfunded mandates from the Government.

Mr. Adam was worried, as an insurance agent, about the effects of losing the Fire Department. He stated, if we go to an Unprotected Class, individuals' homeowners' insurance could go up by \$500.00 per year. Mr. Adam implored the Board to keep the Fire Department' and Library fully funded. At this point, Jay Cleeves and Sean Turner turned the topic to the Ambulance contracts. Councilman Stewart informed Mr. Adam that the Town pays a considerable amount for ambulance coverage. He invited Mr. Adam to look at the budget in the Clerk's office.

The Town Librarian, Ms. Lorraine Nelson, who had requested to be put on the agenda, was asked to come forward, and address the Board. Ms. Nelson began her presentation by noting that the Library was more than just a library, but also a community center. There were exercise classes, and many programs for children, as well as adults. Many of these programs are funded by grants that Ms. Nelson applies for. She also pointed out that she had gotten school books for students, who could not afford to buy them, and she only charges \$0.10/page for copying. Ms. Nelson invited Councilman Palmer to come visit the library. She then handed the Board her proposed budget. Councilman Stewart liked the fact that there was only a modest increase. However, he noted that Workman's comp. had gone up. Ms. Nelson explained that the increase was due to the fact that salaries were going up in 2019, because the minimum wage was increasing. Supervisor Evia thanked Ms. Nelson for her report.

Planning Board Chairman Gary Rice reported on progress with Land Use (Site Planning) Law update. Mr. Rice also mentioned that he intended to make some noise politically regarding high-speed internet. Supervisor Evia stated that we had to set up a hearing on the Planning Board's proposed new law. Councilman Stewart suggested that the decision be put off until the next Board meeting.

Jay Cleeves gave the fire department's report.

Building Inspector Robert Riekofski's report was reviewed.

Supervisor Evia reported that he had received the Town Justice Audit Reports.

A Resolution (#12-2018) was made upon a motion of Councilman Lowell Smith, and seconded by Councilman Robert Palmer to accept the 2016 and 2017 audit report of the books of the Town Justice by Debra Castle d/b/a Castle Municipal Services.

Adopted: Smith, aye; Palmer, aye; Stewart, aye; Evia, aye.

Town Clerk David Price reported that the Clerk's office received payments from sales of dog licenses and building permits in the amount of \$932.00. He further reported that he had dispersed funds via two checks, one made payable to Supervisor Donald F. Evia in the amount of \$884.00, and the other made payable to NYS Animal Population Control Program in the amount of \$48.00. Mr. Price informed the Board that he had appointed Ms. Loreen Karr as

Deputy Town Clerk. Mr. Price also stated upon questioning, that the auditing by the State Comptroller's office was continuing.

Supervisor Evia reported that Greenville Cemetery had requested funds from the Town. He needs to talk to Robbie Patrick. Councilman Stewart stated that Cemetery may still have funds. Mr. Evia responded that they had to be out of funds for the Town to take over upkeep of the Cemetery.

The following bills were presented for audit:

Highway (Abstract #75-94)	\$ 199,291.14
Town (Abstract #150-173)	\$ 8,842.43
Street Lighting (Abstract #174)	\$ 272.60

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

Highway Superintendent Lee Pyer reported that they would be oiling and stoning this week, and would also begin the second mowing. Mr. Pyer also reported that the Nicholson Road Bridge, which had been "Red Flagged" needed to be replaced. He estimated that the replacement cost would be \$15,000.00, but to be safe, we should budget \$20,000.00. The Town of Howard has to pay for it, but the County will do the work. Mr. Pyer explained that in order to get on the County's schedule, we needed to pass a resolution.

A Resolution (#13-2018) was made upon a motion of Councilman Lowell Smith and seconded by Councilman Robert Palmer to assign funds in the 2019 Town Budget in the amount of Twenty Thousand Dollars (\$20,000.00) for the replacement of the Nicholson Road Bridge, and further to direct Town Highway Superintendent Lee Pyer to inform the appropriate County Highway Authority of same. Adopted: Councilman Smith, aye; Councilman Palmer, aye; Councilman Stewart, aye; Supervisor Evia, aye.

Mr. Pyer continued his report by cataloging various truck, and equipment breakdowns and explanation of the repairs thereto. He further discussed replacement options of various truck, and equipment, as some of it was reaching the end of its usefulness.

Mr. Pyer requested 45 rolls of "snow fence." After a brief discussion, it was agreed that a Resolution be made for the purchase.

A Resolution (#14-2018) was made to move to purchase 45 rolls of snow fence at the cost of \$3,500.00 by Richard Stewart, and seconded by Lowell Smith. Adopted: Stewart, aye; Smith, aye; Palmer, aye; Evia, aye.

There followed a brief discussion regarding borrowing a post pounder from a neighboring town or renting one. Mr. Pyer will look into it.

Mr. Pyer requested an amendment to a previous resolution (which may have actually been a motion from the Board meeting held on June 8, 2005) regarding the purchase of steel driveway pipe. He would like to purchase plastic instead of steel at a considerable savings.

A **Resolution (#15-2018)** was made to amend a motion from the Board meeting held on June 8, 2005 to use Plastic driveway pipe rather than Steel or Galvanized pipe made by Lowell Smith, and seconded by Robert Palmer, Adopted: Smith, aye; Palmer, aye; Stewart, aye; Evia, aye.

Supervisor Evia asked, if there were any additional public comments. Gary Rice mentioned that he had a problem at his house.

A discussion was initiated by Highway Superintendent Lee Pyer regarding a new residence on Turnpike Road below Hughes Road. Mr. Pyer felt that the location of the driveway was unsafe, but the owner wants to keep it that way, and wants to install two 40 ft. culverts.

Robin Phenes asked where the funding for the Deputy Clerk was coming from.

Councilman Stewart asked why the former highway superintendent walked away with so much money. Supervisor Evia replied that he was paid out in accordance with the union contract. Councilman Stewart told Supervisor Evia that he believed that it was an “improper payment,” and asked if, there had been any calculation involved. Supervisor Evia responded that there had been, and that all the Board members had signed off on it.⁴ Councilman Stewart stated that he had not. Supervisor Evia, “That’s right, you weren’t on the Board at that time.”

Robin Phenes stated that there was a law, and wanted to know why there hadn’t been an audit in 20 years. She asked Supervisor Evia to look into it. Councilman Stewart stated that we should have an independent audit, “money is flowing out of here.”

Highway Superintendent Pyer said, he would put in writing the terms of his employment. Councilman Stewart concurred, it should be in writing.

Mr. Pyer suggested that he should have a “procurement plan.” He should be able spend up to \$3,000.00 without prior approval. Anything over that amount would need approval. He felt that there should be a procurement policy. Councilman Stewart suggested that there should be a Highway Committee that would consist of two Board members and one or two non-board members.

Councilman Stewart and Highway Superintendent Pyer discussed CHIPS funds and NYS PAVE funds. Mr. Pyer stated that we have between \$18,000.00 and \$20,000.00 left in CHIPS, and could roll it over for the Nicholson Bridge project, but would need a resolution from the Board.

⁴ Upon review of the minutes at the October Board meeting, Councilman Stewart, and Supervisor Evia came to the conclusion that a vote had not been taken on this specific matter.

At 9:28 p.m. a motion was made by Lowell Smith and seconded by Robert Palmer to adjourn the meeting. Carried: Smith, aye; Palmer, aye; Stewart, aye; Evia, aye.

David Price
Town Clerk