

HOWARD TOWN BOARD MEETING
WEDNESDAY
October 9, 2019

The regular meeting of the Howard Town Board was called to order at 7:00 p.m. by Supervisor Donald Evia. Councilmen present were Richard Stewart, Lowell Smith, and Gary Rice. Also present were Town Clerk David Price, Highway Superintendent Lee Pyer, Pete Nelson, Lorraine Nelson, Eric Hosmer, Michael Adams, and Kevin McNerny. Absent was Councilman Robert Palmer.

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 Councilman Smith and seconded by Councilman Rice to approve the minutes of the previous meeting. Carried: Smith Aye; Rice, Aye; Stewart, Aye; Evia, Aye.

Supervisor Evia asked for public comment as there was none, Supervisor Evia invited Lorraine Nelson, the Town Librarian, to make the presentation as she requested. Ms. Nelson's presentation included a slide show and recitation of some of the valuable service that the library provided to the Town.

At the conclusion of the presentation Ms. Nelson presented the Board with her proposed budget for the year 2020. There followed a discussion of some of the items listed on her budget.

Councilman Stewart asked Ms. Nelson if she would make the library's IRS form 990 available to the Town Board. Ms. Nelson responded by stating that she was not sure, she would have to ask her Board.

Councilman Rice thanked Ms. Nelson for her presentation.

One of the issues that Ms. Nelson had brought up was the Southern Tier Library Association's push to have its member libraries go onto the school district budget. Councilman Smith had heard that the Town of Avoca's library was attempting to do just that. He wondered why.

There followed a discussion regarding the Avoca Library as opposed to the Howard library.

At 7:20 pm Councilman Smith made a motion to begin the public hearing on proposing a Local Law to Override the Tax Levy Limit established in General Municipal Law 3-c for 2020 Town Budget. The motion was seconded by Councilman Rice. Carried: Smith Aye; Rice, Aye; Stewart, Aye; Evia, Aye.

Supervisor Evia explained to the attendees the need for the adoption of the local law. Two of the attendees, Michael Adams and Keven McEnerney expressed their negative feelings toward raising the tax levy cap.

There was a discussion regarding aspects of the budget that would require the expected cap raise. The culmination of which was an explanation by Highway Supervisor Pyer who stated that not having the local law would leave the Town open to substantial penalties if we indeed did go over it.

At 7:55 pm Councilman Smith made a motion, seconded by Councilman Rice to end the public hearing. Carried: Smith Aye; Rice, Aye; Stewart, Aye; Evia, Aye.

Resolution (#18-2019) was made upon a motion of Councilman Gary Rice and seconded by Councilman Lowell Smith to authorize a Local Law to Override the Tax Levy Limit established in General Municipal Law 3-c for 2020 Town Budget. Adopted: Councilman Rice, Aye; Councilman Smith, Aye; Councilman Stewart, No; Supervisor Evia, Aye

Highway Superintendent Pyer reviewed his monthly report. He informed the Board that he had received a CHIPS reimbursement in the amount of \$218,713.07. In addition, he reported that one of his employees had given his notice. He also requested that the Board pass a resolution regarding posting of seasonal roads.

A discussion followed regarding the need to replace the employee who was leaving. Superintendent Pyer explained why he felt that he needed to maintain a five-man crew. Councilmen Smith and Rice stated they agreed with Mr. Pyer. The superintendent was adamant about not putting an inexperienced man out on the road with 18 tons of sand on a truck.

The Board was in unanimous agreement that an ad should be run in the paper.

Resolution (#19-2019) was made upon a motion of Councilman Gary Rice and seconded by Councilman Lowell Smith to authorize an ad to be run in the paper for a Motor Equipment Operator. Adopted: Councilman Rice, Aye; Councilman Smith, Aye; Councilman Stewart, Aye; Supervisor Evia, Aye.

Resolution (#20-2019) was made upon a motion of Councilman Gary Rice and seconded by Councilman Lowell Smith to move to “post” as seasonal use, 12 roads in the Town of Howard (including all or part of Avery, Buena Vista, Burleson, Landers, Lyke, Mackey, Middle, Puffer, Rice Woods, South Woods, Spencer Hill and Stewart) from November 1, 2018 to May 1, 2019. Adopted: Councilman Rice, Aye; Councilman Smith, Aye; Councilman Stewart, Aye; Supervisor Evia, Aye.

Resolution (#21-2019) was made upon a motion of Councilman Gary Rice and seconded by Councilman Lowell Smith to authorize a Preliminary Budget Workshop to be held on Thursday October 24th at 6:00 pm and a notice to be run in the paper announcing same. Adopted: Councilman Rice, Aye; Councilman Smith, Aye; Councilman Stewart, Aye; Supervisor Evia, Aye.

Supervisor Evia reported that he had received a contract from Canisteo Ambulance and wanted to put it before the Board for their consideration. Councilman Smith wanted to

know if we could get a print-out of the calls made to Howard. Supervisor Evia responded, “they don’t send us one, but we could request it.”

Fire Chief Rob Patrick said that he could give us the list, since the fire department responded to all ambulance calls. He informed the board that there were between 60 and 70 calls per year. Canisteo responded to about 30 and the others were approximately evenly split between Avoca and Freemont ambulance services.

Highway Superintendent Pyer asked if it would be worth it to fund our own ambulance service. Chief Patrick thought it would require a capital outlay of as much as \$100,000.00 and that would not include staffing.

Councilman Smith made a motion to sign the three (3) year contract with the Village of Canisteo to provide ambulance service to the Town of Howard. The motion was seconded by Councilman Rice. Carried: Smith Aye; Rice, Aye; Stewart, Aye; Evia, Aye.

At this time, Supervisor Evia commenced to present reports for review.

The Fire Department Report and proposed 2020 budget was presented by Bob Cleeves. Mr. Cleeves reported that the radios were getting closer and can now get them reprogramed. The pagers will be reprogramed and have 5 channels. He confirmed that the Fire Department was getting quotes for paving the parking lot.

Chief Patrick proceeded to review the proposed budget. He reported that they were looking for tires. Due to insurance regulations they were required to replace them every seven years. He also mentioned that their electric bill was high. One reason they suspected was that the fire siren drew a lot of power.

Councilman Stewart suggested getting rid of the siren. There followed a brief discussion regarding the necessity of having a siren and how they might determine how much electricity it used.

Chief Patrick informed the Board that they had gotten an accountant and he was working on producing IRS Form 990. He also wondered if the Town or the Library would be willing to share the cost of a Grant Writer.

Superintendent Pyer thought it would be a good idea for the Town to have a grant writer.

Councilman Stewart asked the Chief if he expected any major expenses before the end of this year. Chief Patrick responded by telling the Board that in fact they needed to purchase a new tool to cut into wrecked vehicles. The one they have now is quite old and has insufficient for cutting the metal used in modern vehicle construction.

There was no Planning Board Report. Councilman Stewart asked the Clerk if an ad had been run in the local paper soliciting applicants to serve on the Planning Board pursuant to a motion of the Board at the meeting 2 months ago.

The Clerk informed the Board that the ad had not been placed as he had not received any communication from the Board Chairman, Jason Holevinski.

There was no Assessor's report.

Supervisor Evia presented the Supervisor's report.

There was no Building Inspector's report, it was a slow month.

The Justice Report was reviewed.

Town Clerk David Price reported that the Clerk's office received payments from sales of dog licenses and building permits in the amount of \$307.00. He further reported that he had dispersed funds via two checks, one made payable to Supervisor Donald F. Evia, Supervisor in the amount of \$286.00 and the other made payable to NYS Animal Population Control Program in the amount of \$21.00.

Animal Control Report was reviewed.

At this time, the review of the Highway, General, and Lighting District vouchers commenced.

The following bills were presented for audit:¹

Highway (Abstract #162-177)	\$	21,112.65
General (Abstract #196 - 213)	\$	3,703.51
Street Lighting (Abstract #205)	\$	263.78

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

Supervisor Evia solicited public comment. There were none.

Supervisor Evia presented the Board with a packet that he had received from *Vantagepoint* the company that had been contracted to install new poles for broadband internet. They required a signature stating that the Town had received the schematic drawings of the location of the new poles. After a brief discussion it was determined that the company would be responsible for any damage that they caused, it was agreed that the letter should be signed and returned so that *Vantagepoint* could start work on October 15th.

A motion was made by Councilman Rice and seconded by Councilman Smith to authorize Supervisor Evia to sign the release and return it to *Vantagepoint*. Carried, Rice Aye; Smith, Aye; Stewart, Aye; Evia, Aye.

¹ The monthly abstracts were not available at the Board meeting as the Bookkeeper was recovering from surgery. The bills and invoices were reviewed at the meeting and approved. The abstracts were given to the Clerk subsequent to the meeting.

At 9:57 p.m. a motion to adjourn and resume the meeting as a Preliminary Budget Workshop on Thursday October 24th at 6:00 p.m. was made by Councilman Smith and seconded by Councilman Rice. Carried: Smith, Aye; Rice, Aye; Stewart, Aye; Evia, Aye.

David Price
Town Clerk

BUDGET WORKSHOP
Thursday, October 24, 2019

A budget Workshop of the Howard Town Board was called to order at 6:00 p.m. by Supervisor Donald Evia. Councilmen present were Lowell Smith, and Richard Stewart, Gary Rice and Robert Palmer. Also present were Town Clerk David Price, Town Bookkeeper Leann Wightman, Highway Superintendent Lee Pyer, Eric Hosmer, Ed Frey, Bill Holevinski and Mike Adams.

The Town Clerk reported that a Legal Notice, regarding the budget workshop, had appeared in the *Evening Tribune* as required by statute.

Supervisor Evia notified the Board that while they had reappointed Laura Snow as the Town Assessor via motion at a previous meeting, the County required a Resolution be made in support of the appointment.

A Resolution (#22-2019) was made *Nunc Pro Tunc*² upon the Motion of Councilman Gary Rice and seconded by Councilman Lowell Smith to accept the appointment of Laura Snow as Assessor of the Town of Howard for a term Six (6) years commencing on October 1, 2019 and ending on September 30, 2025. ADOPTED: Councilman Gary Rice, aye; Councilman Lowell Smith, aye; Councilman Richard Stewart, aye; Councilman Robert Palmer, aye; Supervisor Donald Evia, aye.

The following discussions corresponded to related items in the Town Budget.

Councilman Stewart wondered if the Building Reserve Fund could be cut from \$13,000.00 to \$10,000.00. Superintendent Pyer explained that the main garage needed a new roof. The Board consensus was for the budget item to remain the same.

Councilman Stewart felt that the Planning Board should meet on an *Ad Hoc* basis. Councilman Palmer queried why we needed a Planning Board? Councilman Rice explained some of the projects that the Planning Board has worked on, including Subdivisions. He

² "Now for then." As the Board had already appointed Lara Snow as Assessor via motion, this Resolution was made to comply with the Counties request.

pointed out that the Town does have a Subdivision Law. Councilman Smith suggested that we leave it alone.

The Board asked Superintendent Pyer if Robbie Patrick ceased to maintain the Town Cemeteries would the Highway Department be able to take over the maintenance of same. Mr. Pyer responded that he did not have the manpower and the contract would have to go out to bid.

Leann Wightman explained to the Board how Employee Benefits were calculated. Superintendent Pyer alerted the Board that Health insurance might go up if some of the employees chose to put their wives and/or families on their insurance.

The Board discussed various items on the Highway budget including the increase in the amount of crushed gravel that was in the budget, and the amount of pipe that needed to be replaced under various roads.

In addition, Superintendent Pyer reviewed several additional categories including Machinery: \$163,000.00 for a 10-wheel truck in the spring; and Contractual, specifically vehicle maintenance. He pointed out that we have to assume that our older trucks will continue to need repairs. Hopefully at no greater rate than last year.

Councilman Rice wanted to confirm the Town planned on buying only one truck next year. Mr. Pyer confirmed that.

At this point Superintendent Pyer requested a special line item so that any funds that the Town received from scrap metal would go into a fund designated for tool replacement. The Board wondered why that was necessary as the Highway Department was able to replace tools as needed without it.

Leann Wightman agreed with Mr. Pyer, but there was no resolution to this discussion.

Supervisor Evia discussed the Fund Balance including why we need \$160,000.00. Leann Wightman explained that the Fund Balance was always an estimate.

There followed a discussion regarding the Tax Levy. Leann Wightman suggested the need for more categories. Rather than just broad categories that included many diverse items. Councilman Stewart concurred, he felt that more categories would be helpful to track expenditures, especially in the Highway Department.

Supervisor Evia thought that we should Keep about \$400,000.00 in our reserve accounts, but we don't have a written policy. He proposed that the Board should adopt one at the January meeting.

Superintendent Pyer explained buy-back programs and the possibility of buying our smaller trucks (one-ton pick-ups) new and trading them every two years. He continued that while it would require a higher initial capital investment, we would end up being able to get a new truck every two years for about \$2,000.00.

Councilman Smith pointed out that we are in the same position as we were a few years ago, trying to maintain old equipment. Councilman Rice acknowledged that we are buying one ten-wheeler next year, but we can't forget the rest of the fleet.

Supervisor Evia asked for public comment. Ed Fry stated that he was disappointed. He had told the Board at last year's budget meeting they shouldn't lower the budget for 2019 only to have to raise it for 2020. He cautioned the Board, "you have to plan ahead!"

At 8:30 the board adjourned to the court room for a private discussion.

At 9:10 the Board returned to the public hearing. Councilman Stewart reported that they had cut several thousand dollars from the tentative budget.

The Board said a Public Hearing would be announced for the next Board meeting to finalize the budget.

Councilman Rice declared that he felt it was a good budget.

At 9:10 p.m. a motion was made by Lowell Smith and seconded by Bob Palmer to adjourn the meeting. Carried: Smith, aye; Palmer, aye; Stewart, aye; Rice, aye; Evia, aye.

David Price
Town Clerk