

**TOWN OF NORTH HARMONY
PUBLIC HEARING 2010 BUDGET
Tuesday 10/27/09 7:00 PM**

SALLY P. CARLSON, SUPERVISOR	PRESENT
RALPH WHITNEY, COUNCILMAN	PRESENT
ART THOMAS, COUNCILMAN	PRESENT
FRANK STOW, COUNCILMAN	PRESENT
DICK SENA, COUNCILMAN	PRESENT

OTHERS PRESENT: Gary Ryan, Highway Sup't.; Betty Ryan; Clayton & Helen Emick, Dave Stapleton, Attorney; Robin Miller, Bookkeeper; Katherine Peterson, Bob Carlson, Nancy Thomas, Town Clerk

After the pledge of allegiance, Mrs. Carlson brought the hearing to order at 7:00 PM. She said rather than go through the summary on page 1 she would like to review the budget and then summarize.

Mrs. Carlson said many of the account amounts will not be changed from the 2009 budget figures. She reviewed each account of the proposed budget and the following items were noted:

GENERAL FUND REVENUES

- *Tax Warrant amount included on Summary Budget page but not shown in revenues
- A2089 (Youth Rec donations) increase from \$.00/2009 to \$2,000.00/2010
- A2192 (Charges/Cemetery Service) decreased from \$3,000.00/2009 to \$.00/2010 because lot sales are not assured
- A2401 (Interest Income) decreased from \$5,000.00/2009 to \$2,800.00/2010 based on actual revenues
- A2450 (gas/oil royalties) increase from \$.00/2009 to \$500.00/2010 based on actual revenues
- A2540 (Permits/other) decrease from \$300.00/2009 to \$.00/2010
- A2544 (Dog Licenses/Tax) decreased from \$1,800.00/2009 to \$1,400.00/2010 based on actual revenues
- A2610 (Justice Court Fund) increased from \$75,000.00/2009 to \$90,000.00/2010 based on actual revenues
- A3005 (Mortgage Tax) decreased from \$40,000.00/2009 to \$30,000.00/2010 because property sales have decreased

TOTAL REVENUES: ACTUAL 2009	\$615,850.00
TENTATIVE 2010	\$257,850.00 (total does not include Warrant)
+Unexpended Balance	\$218,695.00
TOTAL REVENUES ESTIMATED 2010	\$483,845.00

HIGHWAY FUND REVENUES

Items noted:

- *Tax Warrant amount included on Summary Budget page but not shown in revenues
- DA2401 (Interest Income) decreased from \$3,000.00/2009 to \$1,500.00/2010 based on actual revenues
- DA2665 (Sale of Equipment) decreased from \$20,000/2009 to \$10,000/2010 based on actual sale prospects

TOTAL REVENUES: ACTUAL 2009	\$1,069,641.00
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TENTATIVE 2010	\$460,115.00	(total does not include Warrant)
+Unexpended Balance	<u>\$100,000.00</u>	
TOTAL REVENUES ESTIMATED 2010	\$570,115.00	

GENERAL FUND APPROPRIATIONS:

Items of note:

General Government Support:

- * 2 1/2% wage increase for most employees is reflected in Salary .1 line items
- A1450.4 (Elections) increase from \$.00/2009 to \$500.00/2010 in case of the need for a special town election
- A1620.4 (Community Building) decrease from \$25,000.00/2009 to \$24,000.00/2010

Total General Gov't. Support: Actual 2009 \$252,700.00 Preliminary 2010 \$255,495.00

Public Safety:

- A3610 (Examining Board) decrease from \$1,500/2009 to \$1,000.00/2010

Total Public Safety: Actual 2009 \$15,600.00 Preliminary 2010 \$15,100.00

Health:

- A4020.1 (Registrar) increase from \$325.00/2009 to \$375.00/2010 based on receipts

Total Health: Actual 2009 \$325.00 Preliminary 2010 \$375.00

Transportation:

Total Transportation: Actual 2009 \$73,300.00 Preliminary 2010 \$74,500.00

Economic Assistance and Opportunity:

- A6410.4 (Newsletter) increase from \$1,000.00/2009 to \$2,200.00/2010 based on costs and an attempt to put out quarterly in 2010
- A6989.4 (Access CH5) decrease from \$2,000.00/2009 to \$.00/2010

Total Economic Assistance: Actual 2009 \$4,200.00 Preliminary 2010 \$3,400.00

Culture and Recreation:

- A7110.4 (Parks/encumbrance for brick walk) decrease from \$5,200.00/2009 to \$.00/2010 due to elimination of encumbrance
- A7270.4 (Bank Concerts) increase from \$.00/2009 to \$500.00/2010 for Ashville Day
- A7310 (Youth Rec) accounts divided differently but no change in expenditures
- A7510 (Historian) increase from \$1,000.00/2009 to \$1,500.00/2010 (*first increase in over 10 years)

Mrs. Ryan asked why the Library doesn't get anything.

Mrs. Carlson said they had received an increase last year and there are a number of organizations that have not had increases in quite some time.

Total Culture & Recreation: Actual 2009 \$50,825.00 Preliminary 2010 \$47,125.00

Home and Community Service:

- A8020 (Planning) increase from \$30,300.00/2009 to \$30,500.00/2010
- A8510.4 (CLA) increase from \$2,100.00/2009 to \$2,500.00/2010
- A8560.4 (Shade Trees) increase from \$500.00 to \$2,000.00/2010

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- A8750 (Storm Water Mgmt.) increase from \$5,600.00/2009 to \$10,300.00/2010 (includes \$2,500.00 for help from Chautauqua Co. Soil and Water)

Total Home and Com. Service: Actual 2009 \$120,400.00 Preliminary 2010 \$127,200.00

Employee Benefits:

- A9010.8 (NYS Retirement) increase from \$12,000.00/2009 to \$20,366.00/2010 based on estimates from NYS
- A9030.8 (Social Security) increase from \$15,000.00/2009 to \$16,000.00/2010 based on salary increases

Total Employee Benefits: Actual 2009 \$78,500.00 Preliminary 2010 \$87,866.00

Mitchell Property BAN

- A9730 (Mitchell BAN) increase from \$20,000.00/2009 to \$58,573.26/2010 based on board intent to pay off that debt

Total Mitchell BAN: Actual 2009 \$20,000.00 Preliminary 2010 \$58,573.26

HIGHWAY FUND APPROPRIATIONS:

Items of note:

- * 2 ½% wage increase for employees is reflected in Salary .1 line items
- DM5130 (Highway Machinery) addition of DM5130.1.1 Computer Tech (Robin or someone else) to work on the Williamson Law Highway Superintendent Software program. Decreased from \$252,000.00/2009 to \$108,200.00/2010

Mrs. Carlson said there is an addition of \$5,000.00 dedicated for the set up and operation of a software program purchased by the town two years ago that has not been put to good use.

Mrs. Ryan asked if Mrs. Miller would be paid \$5,000.00 more just to teach this program.

Mrs. Carlson said it would be for set up and input of data.

Mrs. Ryan said isn't that a part of her job anyway?

Mrs. Carlson said no, it is not.

Ms. Peterson asked how many hours that would take.

Mrs. Carlson said we don't know and that's why \$5,000.00 was included in the budget. She said Mrs. Miller gets an hourly rate, not the lump sum of \$5,000.00.

Mr. Ryan asked why she has to be paid out of the highway fund.

Mrs. Carlson said because it is a highway program.

Mrs. Peterson asked if someone could volunteer to do the program.

Mr. Ryan asked if when he works at the parks and cemeteries of the town he should be paid out of those funds.

Mrs. Carlson said it is Mr. Ryan's program and if he wishes one of the highway employees could run it.

Mrs. Ryan said since Robin already works for the town, why should she get paid an extra \$5,000.00 to do the work.

Mrs. Carlson said because she will spend extra hours doing the work.

There was further general discussion of the issue.

Mr. Whitney tried to make it clear that Mrs. Miller is the bookkeeper and an hourly employee whose allotted 26 hours per week are filled doing her current job. He said if she works the extra hours she should get paid.

Mrs. Emick said probably initializing the program setup would take more time, but once it is up and running, it should take less time.

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Mrs. Carlson agreed but said it is an ongoing thing. She said there is information that needs to be input as the highway works on roads, put up signs, etc. She said the idea is to reduce the liability to the town. She said there are many benefits to the program; i.e. when you put up signs there is documentation that the work has been done or if the highway is working on Cheney Road and someone tries to say that our trucks are on Rt. 394 and there is a suit, you have documented proof through the program that employees were on Cheney Road. She said it also allows you to track expenses on your trucks, road construction, and lets you know if your crews are being used effectively. She expressed no objection if someone wants to volunteer time and Gary wants to work with them to setup and operate the program as long as there is no liability issue for the town.

Mrs. Peterson asked if the program has already been purchased.

Mrs. Carlson said it was purchased more than 2 years ago at Mr. Ryan's request.

Mrs. Peterson said Mr. Ryan and the highway employees should be the ones to run the program.

Mrs. Carlson said she thought that was what they were going to do originally.

Mr. Ryan said he did not have time to be sitting around like Dave did. He said Dave never left the building. He said he did not have time to be like that, he had to be out looking at stuff and lining up jobs.

Mrs. Ryan said if the highway had gone without the program this long it should be eliminated and save the \$5,000.00.

Mrs. Emick asked how much the program had cost.

Mrs. Carlson said \$3,600.00 and the yearly maintenance/support fees have been paid up to date even though the program has not been used.

Mrs. Emick said then the program is current and once it was instituted all you would have to do is keep it updated.

Mrs. Carlson asked Mr. Stapleton what if any liability there would be for someone volunteering to do that.

Mr. Stapleton said any volunteer who might be doing something that will have an effect on the town operations that potentially impacts on any type of accident would certainly have to be trained properly. He said he did not know if you could accept volunteers to do anything (i.e. drive a town truck) but if you were going to have consultants or volunteers, you would certainly want to know that they are expert in what they are doing and take into consideration if they have any type of liability policy on themselves. He said he felt that the town should really have an employee do this so that is covered under the town's insurance policy.

Mrs. Peterson asked if Robin knows the program.

Mr. Ryan said no.

Mrs. Peterson asked how Robin would learn the program.

Mrs. Carlson said Mrs. Miller is intelligent and has computer experience.

Mrs. Ryan said again that Mrs. Miller is getting two raises, one for her regular job and an additional \$5,000.00 for the work at the highway.

Mrs. Carlson explained again that Mrs. Miller is an hourly employee and the \$5,000.00 is a maximum budgeted amount from which she would draw an hourly wage for the additional hours work on the software program.

Mr. Sena explained that whoever does the job will be paid an hourly amount to learn it, do the input and everything else. He said it is another job, not a portion of an already existing job. He said it may not even be Robin doing it.

Mrs. Ryan said if anybody could be doing the job, why is Robin's name by the line item.

Mr. Ryan said he put her name on the line item.

Mrs. Peterson asked what the software program was.

Mrs. Miller said it is a Williamson Law Book program. She said Mr. Ryan and Mr. Lloyd researched the program extensively and had requested board approval for its purchase.

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It was determined through discussion that if Mrs. Miller did do the work it would be at her hourly rate of \$13.40 (2009) and she would not exceed 35 hours per week at both positions.

Mrs. Carlson said the suggestion of Mrs. Miller for the work had been Mr. Ryan's and asked Mr. Ryan if he wanted to do the job himself and have Mrs. Miller eliminated from the line item. She said it is his decision.

Mrs. Emick said the program could be tried for a year and if it doesn't work it could be eliminated.

Mr. Emick said it sounds like an excellent program and should provide a great deal of detail.

Mrs. Thomas said the program provides fuel use information on vehicles/equipment and helps with maintenance/repair scheduling.

Mrs. Carlson said the program has a lot of potential as a good tool in knowing for example; what equipment needs to be replaced and where your money is being expended. She said the info can be used over the years to predict expenditures and maintenance schedules for the roads. She said the town had some problems on Ramsey and Morley Roads that were ongoing and this program can help better track and detail those types of problems and their remediation.

Mr. Stow remarked that the program is only as good as the information entered into it.

Mrs. Carlson said it would be a good tool for Mr. Ryan's highway reports and future plans for the purchase of equipment.

- DM5130.2 (Equipment-other) decrease from \$189,000.00/2009 to \$40,000.00/2010 (tractor purchase)
- DM5130.2 (Equipment-truck payoff) \$53,200.00 to relieve highway indebtedness.

Total Transportation: Actual 2009 \$950,415.00 Preliminary 2010 \$813,394.00

Employee Benefits:

- (DA9010.8 Retirement) Increase from \$20,000.00/2009 to \$21,622/2010 to reflect NYS estimates
- (DA9030.8 Social Security) Increase from \$22,000.00/2009 to \$25,000.00/2010 reflects wage increases
- (DA9060.8 Health Insurance) Increase from \$56,000.00/2009 to \$62,000.00/2010 for employee who had previously opted out but needs to be re-added.

Total Employee Benefits: Actual 2009 \$98,450.00 Preliminary 2010 \$109,072.00

Mrs. Emick asked if the health insurance is put out to bid for quotes.

Mrs. Carlson said we have in the past but we had not this year because we had been advised there would be no increase for 2010.

Mrs. Miller said she had received an e-mail from our broker late in the afternoon that there may be a 3% increase.

Mrs. Emick asked how many employees are covered under that plan.

Mrs. Carlson said five highway employees are covered and one chose to take the \$2,000.00 buyout.

GENERAL LONG TERM DEBT:

Items of note:

- D9785 (Highway Truck Lease) increase from \$20,776.00/2009 to \$75,346.00/2010 to relieve highway of all indebtedness

SPECIAL DISTRICTS AND BOND ANTICIPATION NOTES:

No budgetary changes noted.

SUMMARY OF TOWN BUDGET 2010

***Correction was made to the summary for error A8510.4 CLA shown as \$2,100.00 but should be \$2,500.00. Additional \$400.00 of unexpended balance used to offset this amount.**

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SUMMARY OF TOWN BUDGET 2010	
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Fund	Appropriations and Provisions for Other Uses	Less Estimated Revenues	Less Unexpended Balance	Amount to be Raised by Tax
GENERAL	668,535.00	265,150.00	219,095.00	184,290.00
GENERAL OUTSIDE VILLAGE				
HIGHWAY - TOWNWIDE	997,812.00	470,115.00	100,000.00	427,697.00
HIGHWAY OUTSIDE VILLAGE				
COMMUNITY DEVELOPMENT				
FEDERAL REVENUE SHARING				
PUBLIC LIBRARY FUND				
DEBT SERVICE FUND				

TOTALS:	1,666,347.00	735,265.00	319,095.00	613,987.00
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SPECIAL DISTRICTS:

ASHVILLE LIGHT DISTRICT	6,000.00		6,000.00
ASHVILLE FIRE DISTRICT			
LOOMIS BAY WATER DISTRICT	11,000.00		11,000.00
SUNRISE WATER DISTRICT	12,450.00		12,450.00
BOCES WATER DISTRICT	8,400.00		8,400.00

TOTALS:

Mrs. Carlson said the preliminary 2010 town tax rate will be \$2.399 per \$1,000.00 of assessed value.

Mr. Emick asked if by using the unexpended balance there would be no funds carried over at the end of the year.

Mrs. Carlson said no, there will be funds to carry over in 2011. She said the unexpended balance is based on the funds we started the year with. She said our sales tax receipts have exceeded expectations. She said we are not even using half of the balance, but in an effort to keep the tax rate stable we do use those funds.

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Mr. Emick said more codes would give the board more information to make decisions on.

There was extensive discussion of breaking down the Contractual codes and Mrs. Miller advised that she uses NYS government accounting principles and the codes they provide and that although specific costs (i.e. electric, phones, etc.) are not shown in the budget pages, they can be easily retrieved from her bookkeeping program for tracking purposes.

Mrs. Miller said if the taxpayers want to pay for the additional time to break down each code and keep track of those accounts, it might not be cost effective, but it can be done.

Mr. Whitney said that on a monthly basis each voucher is reviewed in detail by each individual board member and they know what is being spent. He said these totals are also shown in the Supervisor's monthly report.

Mrs. Carlson said the reports also give the appropriation amount as well as the amount expended and the balance on each individual account. She said the budget is the overall document, it is not that specific.

Mrs. Peterson asked about the Mitchell property which the town rents out. She said in the budget it shows \$4,800.00 in revenue for the rental. She asked what the gain/loss for repairs on the property is.

Mrs. Carlson said there have been no repairs made or requested by the tenants.

Mrs. Peterson asked about the Regner property. She said Mr. Sena had told her that the property was to be cleaned up and sold and he felt it could be sold at a profit. She asked Mrs. Carlson when she would do that and what figure would be put on it.

Mr. Sena said no sale figure has been placed yet because when Mr. Ryan gets time they will try to clean it up. He said at that time, a figure which will include the price and cost of improvements will be placed on the lot.

Mrs. Peterson asked if the board didn't think it was foolish to purchase that property.

Mrs. Ryan asked if that is Highway Law.

Mrs. Carlson said it has nothing to do with the highway and if Mr. Ryan does not have time to do the clean up the town can hire someone else to do it.

Mr. Sena said he had worked on the Planning Board for 8 years before becoming a Councilman. He said there has been a great deal of work done by the Planning Board that focuses on the Stow Interchange. He said the town had used the services of a Landscape Architect to give the board some conceptual ideas of what to do with the area. He said the Bemus Pt. Stow Ferry which will soon celebrate its 200 year anniversary is located here and is certainly a tourist draw. He said that property was a very large eye sore in the area and when the house burned it became even worse. There were numerous complaints from neighbors.

Mrs. Peterson asked if there were any plans in mind for it before it was purchased.

Mrs. Ryan said it was purchased for a museum.

Mr. Sena said that had been a thought, but when it came to a vote it was decided to purchase it with the stipulation that it be cleaned up and sold so that it could go back on the tax roll. He said the vote was 3, Yes; 2, No. He said he had voted yes because not only would it relieve an eyesore but it would be the best way to help keep the ideas of the Planning Board for the development of the intersection on track and perhaps attract some tourism like Bemus does.

Mrs. Peterson said sometimes it does not pay to try to "make a silk purse out of a sow's ear", when you are not letting the taxpayer know about it.

Mr. Sena said that all of the towns meetings are open and all are welcome to attend.

Mrs. Carlson said it was her idea to purchase it for a museum. She said she felt the area could benefit from a museum that would highlight Indian artifacts as well as navigational history (i.e. Stow Ferry, French and Indian portage to Celeron, etc.).

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Mrs. Peterson said she realizes that what is being done would be to better the area here, but the town does not have the lake property to be a Bemus Point. She said it will never be like what's going on over there. She said you do realize that, right.

Mr. Sena said in light of what Mrs. Peterson said it is even more important that we take care of the only access to the lake and ferry that we do have. He said that's why we need to try and make this corridor follow through with what Dudley Breeds and the Planning Board have worked so hard to achieve.

Mr. Whitney said after the purchase it made a great deal of sense to clean it up and make it that much more saleable.

There was further discussion of the property owner and the condition of the property.

Mrs. Peterson asked why the condition of the property had not been addressed with the owner.

Mr. Thomas said Ms. Regner has a history of leaving devastation wherever she goes. He said Harmony is still trying to clean up the mess that she left on the corner of Randolph and Rt. 474. He said he would like to have a museum here also, but apparently the majority of the people do not, so the town will clean it up and resell it as soon as possible. He commented on Mrs. Peterson's statement about hiding things from the taxpayers. He said the town has never done that and the solution to that is very simple, come to the meetings. He said we would love to have people attend the meeting. He also said Mrs. Peterson would not be at the current meeting unless there was an election going on.

Mrs. Peterson said he didn't know that.

Mr. Whitney confirmed what Mr. Thomas said about meeting attendance and said usually it is town employees in the audience.

Mr. Thomas said people come to the meetings for 2 reasons; they want a favor or they want to complain about something.

Mrs. Peterson said you should let people know what is happening. She said most people in Ashville and in the country don't even know that the town has a public dock in Stow.

Mrs. Carlson said there was a ribbon cutting ceremony held when the dock opened and the picture was on the front page of the Post Journal. She said the fire department is there all the time. She said newsletters have been available as well.

Mr. Sena said the Post Journal is at just about every town board meeting and puts an article in the paper about it.

Mrs. Peterson said sometimes it takes a little bit of extra time to talk to people and get them interested in what's going on.

Mr. Emick said many seasonal people don't read the Post Journal and they don't know what's going on at town meetings.

Mrs. Thomas said that is why we have a website and the minutes are posted on it. She said she understands that not everyone is comfortable with a computer, but within a budget provided by taxpayer money you do the best you can to make sure that everyone knows what is going on.

Mr. Sena noted that the survey sent out by the Planning Board promoted residents input and encouraged becoming active in community matters.

Mrs. Emick asked Mr. Stapleton what NYS law was in regards to the notification of the public of purchases by the town.

Mrs. Carlson said there had not been a Public Hearing on the Regner property, but there had been extensive discussions at the meetings before the purchase had taken place.

Mr. Stapleton said there are certain activities that towns do that require hearings that provide the opportunity to go through the referendum process (i.e. the recent Sewer Studies). He said the board had the opportunity to go ahead and do those studies without having any type of public election but had felt the taxpayers and voters should be given the opportunity to voice their opinion. He said to the extent that the statutes require it the town had met legal obligations in the purchase of the Regner property.

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Mrs. Thomas said the board had discussed the purchase of the Regner property during at least two meetings prior to the actual resolution to purchase it. She said those meeting minutes had been published on the website for public view.

Mrs. Emick said she had seen the minutes and the possible purchase had been discussed. She said there had been no general notice in the newspaper and if there had someone else might have had the opportunity to bid on the property. She said the decision had been made at the board meeting and that was fine.

Mrs. Carlson said when the property goes up for sale the town will probably set a minimum amount and accept bids for the purchase as opposed to establishing a price. She said she has already had 3 parties contact her expressing an interest in purchasing it.

Mrs. Peterson asked how much work the town plans to do to fix up the property for sale.

Mr. Sena said probably the town should just advertise for someone to do the clean up and he feels it will be worth more with the garage removed. He said a machine and one man could probably make it presentable in one day or less. He said he is certain the town will make money on the sale.

Mrs. Carlson asked if there were any further questions on the budget or any other business that needs to be brought before the board. She said the town has until 11/20/09 to present the budget to the county and there will be a board vote on its adoption at the 11/9/09 board meeting.

MOTION #149 OF 2009

ON A MOTION MADE BY MR. THOMAS AND SECONDED BY MR. WHITNEY, THE HEARING WAS ADJOURNED AT 8:15 PM. THE MOTION WAS CARRIED UNANIMOUSLY.

Nancy Thomas
Town Clerk