

A regular meeting (and Organization) of the Town Board of the Town of Ashford, County of Cattaraugus, and the State of New York was held at the Ashford Community Center, 9377 Route 240, West Valley, on the 11<sup>th</sup> day of January, 2023, at 7:00pm with John A. Pfeffer Town Supervisor presiding

**Present:**John A Pfeffer, Supervisor  
Jean M. Bond, Council  
James P. Boberg, Council  
Angela M. Ghani, Council

**Absent:** William J. Heim, Council

Patricia R. Dashnaw, Town Clerk  
Keith R. Buther, Highway Superintendent  
Larry Feldman, Code Enforcement Officer

Others present: Bryan Bower (DOE), Paul Bembia (NYSERDA), Joe Pillittere (CMBWV), Sue Feldman (TOA), Max Borsuk (Springville Journal), Janay Ghani, Sam Herbst

Supervisor Pfeffer called the meeting to order with the Pledge of Allegiance to the United States Flag.

**RESOLUTION 1-2023**  
**AUTHORIZE REVIEW OF TOWN OF ASHFORD ORGANIZATION**

On motion of Council Boberg seconded by Council Ghani the following resolution was

ADOPTED	Ayes	4	Pfeffer, Boberg, Bond, Ghani
	Nays	0	

Resolved the following requirements for organization be reviewed and all action be voted on at the closure of the meeting.

Regular Town Board meetings will be held the second Wednesday of each month at 6:00p.m. The Town Board will follow Roberts Rules of Order for Meeting Procedure.

All appointed positions will be advertised prior to appointment except in the case of an emergency.

**ANNUAL APPOINTMENTS:**

Water District Clerk:	Town Clerk	\$7,500.00 plus authorized expenses
Supervisors Bookkeeper:	Susan Feldman	\$18.00/hr
Code Enforcement Officer:	Larry Feldman	\$12,250.00 plus authorized expenses (plus \$25 cell phone)
Town Historian:	William King	\$50.00
Town Historian:	Erin Parish	\$50.00
Justice Court Clerk:	Jean I. Kwasnik	\$15.50/hr not to exceed annual budget appropriated amount
Comm Center Building Custodian:	Larry Feldman	\$15.50/hr
Assistant Records Mngmt Officer:	Susan Feldman	\$18.00/hr not to exceed annual budget appropriated amount
Budget Officer:	William King	\$3,366.00
Youth Recreation Member:	Janet Vant	(to 2027)
Youth Recreation Youth Member:	Maggie Parish	
Planning Board:	Alan King	(to 2027)
Planning Board Chairperson:	Andrea Mellon	
Board of Appeals Chairperson:	Eric Boberg	
Dog Control Officer:	John Syms	\$3,200.00 paid quarterly plus authorized expenses. The DCO will report appraisal of damage by domestic animals.
Youth Program Director	Amanda Lawrence	\$3,000.00

The Supervisor have certified as required by County Civil Service, Payroll for Highway and General.  
The Supervisor be authorized to pay without previous authorization of the Board, electric, gas, telephone, West Valley Fire District #1 Pilot & tax, internet fees, bonds & notes together with interest, the safety & street lighting districts bills and NYS unemployment, Justice court fines & fees to State Comptroller, Water District electric bill, Environmental Facilities Corporation (EFC) approved bills as preaudit, Justice Grant, Department of Energy Grant, and highway employees health insurance custodial account deductible monthly charges.

The mileage allowance be the same as federal mileage rate of \$.655 per mile for official business. Origin and Destination to be submitted using Google Maps. No allowance for fuel.

Town Officials receiving fees belonging to the Town shall turn the money over to the Supervisor by the end of each month.

Town Officials are authorized to attend training sessions connected to their position as allowed by the contractual budgeted amount and shall submit an expense voucher to the Supervisor’s bookkeeper for process. The Town will pay expenses from each respective appropriation.

Town records and other property must be kept at all times in the Town Community Center, unless authorized by the Town Board with the exception of certain highway manuals etc. that pertain to the operations of the highway department.

The Town accepts State and County bid prices where applicable.

The depositors for Town funds be M&T Bank (currently), or Cattaraugus County Bank or NYCLASS for General Funds, Highway Funds, Justice Funds, Town Clerk Funds, Tax Collector Funds, Water Funds, and Investment Funds.

The petty cash funds be the Town Clerk-\$300.00, Code Enforcement Officer-\$100.00, and Town Justice- \$200.00.

All checks paid to the Town of Ashford for all departments returned for non-sufficient funds will be charged an additional \$20 NSF fee.

The Supervisor shall have the authority to invest funds in certificates of deposit in any local bank authorized to do business in New York State and agree with the Towns adopted investment policy. Deputy supervisor and Supervisors bookkeeper shall have bank signature authority for emergency purposes only.

The **Springville Journal** be the **official paper** for the Town of Ashford to also be used for public notices.

Members of the Board of Appeals be paid \$20.00 per meeting if they choose to be compensated and also be paid mileage and other approved expenses.

Members of the Assessment Board of Review, appointed in September for a five year term, shall be compensated a fee of \$90.00 per year.

The Attorney for the Town be compensated as per fees based on required services and approved by the Town Board.

Supervisor of the Town of Ashford, may enter into agreements with the Cattaraugus County Youth Bureau, New York State Division for Youth, to run the youth program if the Board agrees to enter into such an agreement.

Certification of work time be as follows:

- 1. For all elected and appointed officials who are considered to be part time or full time, the standard work day will be eight (8) hours for full time and 6 hours for part time.
- 2. For all Highway or full time employees, the standard workday will be eight (8) hours per day and hourly forty (40) hours per week.

The **Supervisor** be designated as **Director of Purchasing** for the Town of Ashford.

The Supervisor appoint **James P Boberg** as Deputy Supervisor.

The Supervisor established standing Committees as follows:

<b>Insurance-</b>	<b>Bond, Heim</b>
<b>Planning-</b>	<b>Boberg, Ghani</b>
<b>Highway-</b>	<b>Heim, Butcher, Boberg</b>
<b>Sidewalks and Buildings-</b>	<b>Ghani, Butcher, Boberg</b>
<b>Animal Control and Constables-</b>	<b>Boberg, Ghani</b>
<b>Youth and Senior Citizens-</b>	<b>Bond, Ghani</b>
<b>Water District-</b>	<b>Bond, Boberg</b>
<b>Audit-</b>	<b>Bond, Heim</b>

Committees required to give reports within 30 days after meetings

The Supervisor be authorized to contract for lawn mowing services for the Town of Ashford cemeteries and the individual cost to be approved by the Town Board. Individuals hired by the Town of Ashford outside of contracted mowing services will be paid \$15.50 per hour for 2023.

The Highway Superintendent be authorized to spend up to the sum of \$2,000.00 during the current year on small tools and other small items without prior authorization of the Town Board, however purchases must comply with the thresholds procurement policy

The Highway Superintendent appoints **Jason Foley** as Deputy Highway Superintendent.

**SEXUAL HARASSMENT AND EQUAL OPPORTUNITY EMPLOYMENT;** The Town will comply with all Federal and State regulations concerning sexual harassment and equal employment. Standard complaint form and required information available in the Town Clerk Office.

**TOWN OF ASHFORD**  
**HIGHWAY EMPLOYEE PAY AND BENEFIT AGREEMENT**  
**APPROVED December 15, 2021 FOR THE YEARS 2021-2023**  
**Refer to AGREEMENT BETWEEN**  
**TOWN OF ASHFORD HIGHWAY DEPARTMENT AND TEAMSTERS LOCAL 264**  
**BUFFALO, NEW YORK**  
**AN AFFILIATE OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

**HEALTH INSURANCE;** For the year 2022 the insurance carrier will be Blue Cross Blue Shield. The coverage will be the Silver Standard. The Town has established maximum payments as follows: \$5,000 for the single health care plan; \$8,500.00 for an employee with children (child), \$10,000.00 for an employee with a spouse, \$14,200.00 for the family plan. These amounts are only in effect while the employee is part of the insurance plan and an employee of the Town of Ashford. Any costs, in excess of these amounts will be paid by the employee. A payroll deduction will be available. If a policy is terminated for any reason, all payments will be terminated as of the termination date. An account has been established and managed by the insured individual and will be subject to the terms of the Health Savings Account (HAS) policy. The town will pay \$3,000.00 to this account on a monthly basis for each member of this plan. In the case of any employee having a break in service, job termination, or for any other reason, the Towns payments and insurance plan will be terminated. Any agreed costs to be paid, will be calculated on the total number of normal work hours the employee has worked during the fiscal year, excluding vacation and sick days. If any employee wishes to opt out of the Towns insurance plan the Town will compensate directly to the employee \$3,000.00, to be paid quarterly at \$750.00, payable under the same calculating conditions and terms as an employee having a break in service, job termination, or for any other reason and be paid as a normal payroll amount subject to taxes and withholdings.

Authorization of the following association memberships and fees to be paid:  
General Town: Energy Communities Alliance, NYS Association of Towns, Southern Tier West  
Supervisor: Cattaraugus County Supervisors Association, West Valley Citizen Task Force (Alternate Angela Ghani)  
Town Justice: NYS Justice and Clerk Associations, Cattaraugus County Magistrates Association  
Highway Superintendent: Cattaraugus County Highway Superintendents Association, NYS Highway Superintendents Assoc.  
Code Enforcement Officer: Niagara Builders Association, International Code Council  
Town Clerk: NYS Town Clerks Association, Cattaraugus County Municipal Clerks Association, International Institute of Municipal Clerks Association, NYS Association of Tax Receivers and Collectors

Authorize the Supervisor to participate in and include the town in shared service agreements with Cattaraugus County.

Planning Board and Zoning Commission members be paid \$25.00 per meeting if they choose to be compensated, plus mileage and approved expenses.

Annual salaries of the Town Officials be set as follows, with the exception that elected or appointed officials who belong to the town insurance group choose option one or two. One, the town pay the single policy rate, not to exceed the established salary or the established cap as per highway employees agreement and if there are any remaining funds, they will be paid as the salary. Two, receive the established salary as set.

Supervisor	\$13,000.00	Highway Superintendent-	\$70,000.00
Town Justice	\$18,000.00	Town Clerk	\$17,700.00
Assessor-	\$17,000.00	Councilperson (each)	\$3,366.00

The Town adopt a written investment policy as follows:  
The objectives of the investment policy of the local government are to minimize risk, to insure that investments mature when the cash is required to finance operations, and to insure a competitive rate of return in accordance with this policy, the Chief Fiscal Officer is hereby authorized to invest all funds including proceeds of obligations and reserve funds in:

- Certificates of Deposit issued by a bank or trust company authorized to do business in New York State
- Time deposit accounts issued by a bank or trust company authorized to do business in New York State

This written investment policy shall be a minimum policy for the Town of Ashford and the Supervisor who is the designated Investment Officer. The Supervisor shall report to the Town Board each month the results of transactions and review the investments with the Town Board acting as the Investment Policy Committee. The Committee shall monitor and advise on the limits of investments. They shall approve the banks to be used and advise on the limits of investments.

All other local government officials receiving money in their official capacity must deposit such funds in negotiable order of withdrawal accounts.

All investments made pursuant to this investment policy shall comply with the following condition:

COLLATERAL:

Certificates of deposit shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of Federal agencies the principal and interest of which are guaranteed by the United States, obligations of New York State local government. Collateral shall be delivered to the local government or a custodial bank with which the local government has entered into a custodial agreement. The market value of collateral shall at all times equal or exceed the principal amount of the certificates of deposit. Collateral shall be monitored no less frequently than monthly, and the market value shall mean the bid or closing price as quoted in the Wall Street Journal or as quoted by another recognized pricing service. The town may choose the option to accept a pledge of a pro rata portion of a collateral “pool” as security for their deposits and investments. This requires that the town must take the necessary steps to ensure deposits and investments are properly secure, and the town should seek the advice of their legal counsel.

Written contracts shall be required for the purchase of all certificates of deposits.

A written contract shall be required with Custodial Banks.

Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies, the principal and interest of which are guaranteed by the United States Government.

Within sixty (60) days of the end of the fiscal year along with the annual report of the Supervisor, there shall be prepared for the Town Board acting as the Investment Committee, an annual report of the year’s transactions.

The Town Board shall review and approve the annual investment report if practicable, at its annual audit meeting

The Town of Ashford shall adopt Competitive Bidding Threshold Procurement Guidelines as follows:

1. Determine by Committee if or if not the Procurement is subject to competitive bidding. Public works contracts \$35,000.00 and Purchase contracts \$20,000.00 or more
2. If not subject to competitive bidding a minimum of two prices must be received.
3. The method used for procurement policy will be determined by line #1 above.
4. All quotes or bids shall be recorded in the minutes of the Town meetings. If a bid is the awarded bid price for equipment it, shall be recorded in the Town’s assets records.
5. If a contract of purchase is awarded to other than the lowest responsible dollar offer, justified documentation of the action shall be recorded in the Town’s minutes.
6. The Town Board shall solicit comments and review this policy annually.
7. The minimum threshold shall be \$2,000.00, items less will not require two prices, items over will be subject to this policy. Items \$2,000.00 and up-quotes must be in writing. Items \$2,000.00 and less-quotes can be verbal by telephone, or by other methods.
8. Governing Board of the Town of Ashford is authorized to participate in the United States Communities Governmental Purchasing Alliance and that the Town of Ashford or designee is authorized to register for the United States Communities program on behalf of the Town of Ashford.

The water operators will be compensated **\$25.00** per hour. No changes to water rates at this time.

Constables be paid **\$16.00** per hour (2 hour minimum) for 2023, mileage and other approved expenses.

Town Board members reviewed and approved the job descriptions provided for Supervisors Bookkeeper, Justice Court Clerk, Building Cleaning, Water Operator, Budget Officer, and Clerical/Secretary. Job descriptions on file in the Town Clerk office.

**RESOLUTION 2-2023**  
**APPROVAL OF TOWN OF ASHFORD ORGANIZATION**

On motion of Council Ghani seconded by Council Bond the following resolution was

ADOPTED           Ayes     4           Pfeffer, Boberg, Bond, Ghani  
                          Nays     0

Resolved the Organization of the Town of Ashford be based on all actions of these entire minutes the Town Board unanimously approved.

**RESOLUTION 3-2023**  
**ADJOURN ORGANIZATION MEETING**

On motion of Council Boberg seconded by Council Ghani the following resolution was

ADOPTED           Ayes     4           Pfeffer, Boberg, Bond, Ghani  
                          Nays     0

Resolved the Organizational meeting be adjourned and move to Regular Town Board Meeting at 7:15pm.

**REGULAR TOWN BOARD MEETING** called to order at 7:15pm with the Pledge of Allegiance of the American Flag, Supervisor, John A. Pfeffer, presiding. A moment of silence was held in honor of Gary Perkins, who served as Code Enforcement Officer for Ashford in the past.

**RESOLUTION 4-2023**  
**APPROVAL OF AGENDA**

On motion of Council Ghani seconded by Council Boberg the following resolution was  
ADOPTED Ayes 4 Pfeffer, Boberg, Bond, Ghani  
Nays 0

Resolved the Town Board of the Town of Ashford hereby approve the agenda

Paul Bembia reported the work on the slope has been completed and minor repair to vegetation is all needing to be done.

Joe Pillittere reported on updates of current projects.

**RESOLUTION 5-2023**  
**APPROVAL OF CONENSUS ITEMS**

On motion of Council Boberg seconded by Council Bond the following resolution was  
ADOPTED Ayes 4 Pfeffer, Boberg, Bond, Ghani  
Nays 0

Resolved hearing no objections, Agenda Item F1 through F8 be and are approved by the Town Board of the Town of Ashford, and shall be listed individually as follows in the minutes of this meeting:

- |   |                               |                     |             |
|---|-------------------------------|---------------------|-------------|
| 1. December Assessors Report                            | 8. December Audit the Claims: |                     |             |
| 2. December Code Enforcement Report (and November)      | General Fund                  | No. 1,3 through 18  | \$56,562.53 |
| 3. December 14, 2022/December 28, 2022 Minutes          | Highway Fund                  | No. 1 through 11    | \$25,251.29 |
| 4. December Supervisors Financial Report (and November) | Water District                | No. 1 through 6     | \$476.73    |
| 5. December Town Clerk Report                           | Trust & Agency                | No. 118 through 128 | \$15,260.47 |
| 6. December Highway Expense & Fuel Report               | Light District                | No. 1               | \$839.66    |
| 7. Annual Constabulary Report                           |                               |                     |             |

**SUPERVISORS MANAGEMENT REPORT:**

- Sidewalk bridge has been removed and National Fuel will move the gas line back.
- Ashford was not approved for the water meter replacement grant. There are also issues with the pump needing attention.
- Spittler Road has officially been abandoned by Cattaraugus County.
- Trainings for the constables are being set up by Rick Miller.
- NYMIR has been renewed and seems to be a good fit for the needs of Ashford.
- Highway internet and phone service will be provided by Armstrong.

**COMMITTEE REPORTS:**

- Highway Superintendent Butcher is continuing the process for hazard mitigation projects for Folts Road. Cattaraugus County has suggested a shared service for fuel tank.
- Audit of court will be conducted by the end of January.
- Constable committee needs to meet with constables to discuss what is needed to provide the best service.
- Senior Citizens have been happy with the opportunities to go on trips.
- The water committee needs to move forward with water meter problem solution.

**RESOLUTION 6-2023**  
**AUTHORIZE TRASH REMOVAL ADVERTISEMENT**

On motion of Council Boberg seconded by Council Ghani the following resolution was  
ADOPTED Ayes 4 Pfeffer, Boberg, Bond, Ghani  
Nays 0

Resolved Town Clerk advertise for Spring trash pickup to start May 1 for review at the Regular Town Board Meeting March 8, 2023 at 6:15 to be followed immediately by the Cemetery mowing bid opening.

**RESOLUTION 7-2023**  
**AUTHORIZE RESEARCH OF WATER METER REPLACEMENT**

On motion of Council Bond seconded by Council Boberg the following resolution was  
ADOPTED Ayes 4 Pfeffer, Boberg, Bond, Ghani  
Nays 0

Resolved the Ashford Town Board authorize water committee to develop plan to replace water meters.

**RESOLUTION 8-2023**  
**AUTHORIZE AGREEMENT FOR SHARED FUEL TANK**

On motion of Council Boberg seconded by Council Ghani the following resolution was  
ADOPTED Ayes 4 Pfeffer, Boberg, Bond, Ghani  
Nays 0

Resolved the Ashford Town Board authorize Supervisor Pfeffer to enter into agreement with Cattaraugus County for a fuel tank shared service with Cattaraugus County as lead agency and monthly reports being submitted.

The Cattaraugus County Agriculture and Farmland Protection Board has sent a letter to municipalities with the recommendation that *municipalities steer commercial solar energy development away from viable agriculture soils and instead focus on developing fallow or nonproductive agriculture land.*

Cattaraugus County Department of Public Works Multi Jurisdictional Hazard Mitigation Plan 2022 Plan Update has been submitted by Ashford.

A motion was made by Boberg seconded by Ghani and carried that the meeting be adjourned at 7:44pm. (All aye)

Patricia R. Dashnaw—Town Clerk