

Present: Supervisor Fleming, Councilpersons Huestis, McGlasson & Ruthven. Highway Superintendent Othmer, Town Counsel Tagliafiero, Town Clerk Cappelli and Sue Kotzur.

At 6:20 p.m. Supervisor Fleming called the meeting to order with the Salute to Flag.

**Purchase of Vehicles for Highway Department**

Supervisor Fleming explained the purpose of the special meeting is to discuss the emergency purchases that the Highway Superintendent wishes to buy. Highway Superintendent presented the board with a Procurement Policy for the Purchase of Trucks & Equipment from Private Vendors and the idea of implementing a 284 agreement which has never been done and should be done. Town Counsel Tagliafiero stated Highway Law §284 requires that before any money is spent whether it be CHIPs money or money raised from taxes or money moved from the General Fund to Highway Fund that an agreement must be in place between the Superintendent and the Town Board as to what that money is going to be spent on. He has a plan on what he would like to do in his proposal.

A discussion took place on roads to be paved and the method of determining priority paving. Artery roads or gateway roads used by everyone are a priority.

Highway Superintendent Othmer wants to purchase three trucks and provided six comparables three from an auction site and three from a private lot site. He felt he is able to procure the trucks under the emergency procurement clause. He said the onus is on him to explain why. He referred to the State of Emergency from March 2- March 9, 2018 and the other issued from the May 5<sup>th</sup> tornado which he is still cleaning up. He said the 1979 10 wheeler that the department has is done, the hauling tractor is on its way out, he will not be able to get sand and salt for winter storms. He said the two trucks are approved already by the CHIP's board; the money can be spent on a capital improvement or for equipment with a 10 year life span. He asked permission to spend up to \$250,000 of his CHIP's money, which is 2/3<sup>rd</sup> of the CHIP's money. Councilman Huestis asked if the CHIPs money will be cut as the town received notification of a significant cut. Superintendent Othmer did not think so, CHIPS has been increasing due to the recent storms. Supervisor Fleming questioned calling this now an emergency after the fact. Highway Superintendent explained it is the after effect of the emergency, it would be impossible to do this during the storm it was chaos.

The board discussed the CHIPs money and the 284 agreement and the timing. Highway Superintendent said a mechanic would be sent to look at the trucks and they would be delivered the same way he had the Army trucks shipped, he is negotiating the cost of delivery. He said he will use funds within his budget to send a mechanic and operator to look at it. He is comfortable stating the purchase is a necessary purchase to get winter supplies into the garage in a timely matter to keep the roads safe for the public. It is occurring now after the fact of two extended state of emergency's issued by the Governor. He said the equipment is old and overused and needs replacement to bring in sand and salt. The board with counsel discussed the emergency and bidding for the trucks. It was agreed that additional research was necessary, counsel was asked to obtain an opinion from the Association of Towns and the NYS Comptroller's office. The board agreed to advertise for bids and to meet again on Friday on this purchase.

**Resolution #91 - Advertise for Highway Trucks**

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

Resolved: The Town Clerk is authorized to advertise for Highway Trucks.

Motion carried unanimously

**Resolution #92 - Adjourn to Executive Session**

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: The Town Board adjourned to Executive Session at 7:30pm to discuss an employee.

Motion carried unanimously

**Resolution #93 – Adjournment**

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: The Special Town Board meeting adjourned at 7:50 p.m.

Motion carried unanimously

Respectfully submitted,  
Yolanda D. Cappelli

