

TOWN OF BARTON

DONALD FOSTER, SUPERVISOR

MINUTES –MARCH 11, 2024 @ 6:30 PM

Via In-Person

Board Members Present: Supervisor Donald Foster, Councilperson Kevin Everly, Councilperson Michael Rice, Councilperson Jeffrey Coleman, Councilperson David Shipman

Board Members Absent: None.

Staff Present: Fred Schweiger, Highway Superintendent; Arrah Richards-McCarty, Town Clerk

Guests:

Andy & Patty Aronstam; Waverly, NY

LeeAnn Tinney; Nichols, NY

Nicole Lamberti, Morning Times

The meeting was called to order at 6:30 pm by Supervisor Donald Foster.

Pledge of Allegiance

Privilege of the Floor

None.

Approval of Minutes: A **motion** to approve last month's regular board meeting minutes as submitted by the Town Clerk made by **Councilperson Kevin Everly**, seconded by **Councilperson Dave Shipman**.

5-Ayes, 0-Noes

Vouchers: A **motion** to approve the vouchers made by **Councilperson Dave Shipman**, seconded by **Councilperson Mike Rice**.

- General Fund \$73,461.99
- Highway \$52,916.11
- Water/Sewer..... \$1,955.18

5-Ayes, 0-Noes

Personnel:

Town Clerk Arrah Richards-McCarty

Ms. McCarty handed out a spreadsheet from Penelec showing all the streetlights the Town of Barton. The highlighted rows are still under the 20 years of remaining life and will incur a

charge to convert to LED costing a total of just under \$7,000; or on average \$499 per light. The Board will look this over.

Highway Superintendent Fred Schweiger

Mr. Schweiger discussed in depth Governor Hochul's proposed 2024-25 budget cuts on local highway funding. (Handout attached below.)

are essential!

58.6%
Cost Increase of Construction Materials

According to the Federal Highway Administration (FHWA) construction costs have escalated 58.6 percent over the past 30-months. Without the identification of additional resources to mitigate construction cost escalation, local governments will be forced to delay or defer critical projects.

are essential!

EDUCATION ECONOMY
SAFETY TOURISM
HEALTHCARE

A huge gap exists between needs and availability of BRIDGE-NY funding; demonstrated by the number of applications vs. awards.

150 MILLION

4,200

CHIPS, EWR and other local program funds are distributed to every municipality including NYC.

BRIDGE-NY project awards are distributed equitably throughout the state.

Under construction

NYSCHSA & NYSAOTSOH 2024-25 BUDGET REQUESTS:

1 Support increasing CHIPS by \$160 million to \$698 million annually.

2 Support increasing Extreme Winter Recovery funding by \$90 million to \$190 million annually.

3 Support maintaining the Marchiselli program at \$39.7 million annually.



local roads
are essential!

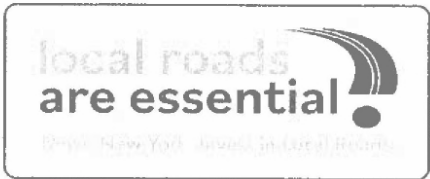
which New York invest in Local Roads

4 Support maintaining the local BRIDGE-NY program at \$200 million annually.

5 Support maintaining the local PAVE-NY program at \$150 million annually.

6 Support maintaining the State Touring Route program at \$100 million annually.

7 Support maintaining the POP program at \$100 million annually and allow the four sub project types (microsurfacing, paver placed surface treatment, single course surface treatment and double course surface treatments) which were removed as eligible on January 1, 2023 to continue to be efficiently utilized as pavement preservation methods.



2024 TALKING POINTS

GOVERNOR'S PROPOSED 2024-25 BUDGET

Governor Kathy Hochul's Executive Budget proposal continues the third year of the \$32.8B five-year investment plan for the New York State Department of Transportation (NYSDOT) and the local road system. Record high inflation rates on highway construction materials have severely increased costs and, as a result, local governments are seeing a significant reduction in real dollars from local highway maintenance programs. Unfortunately, the Governor's Executive Budget recommends cutting CHIPS aid by \$60 million and State Touring Route aid by \$40 million - a \$100 million drop in local road funding as compared to last year. Besides the \$100 million cut to these two programs the other local programs stay flat. It is critical that last year's funding be restored and additional \$150 million be added to the 2024-25 budget for local highway programs like CHIPS and EWR just to keep funding at the same level it was when the five-year program was initially adopted in 2022.

NYSDOT Local Transportation Funding (in Million \$s)	SFY Enacted 2023-24	SFY Proposed 2024-25	SFY Requested 2024-25
CHIPS	\$598.1	\$538.1	\$698.1 (+\$160)
Marchiselli	\$39.7	\$39.7	\$39.7
Local PAVE-NY	\$150	\$150	\$150
Local Pave our Potholes	\$100	\$100	\$100
Extreme Winter Recovery	\$100	\$100	\$190 (+\$90)
Local BRIDGE-NY	\$200	\$200	\$200
Local State Touring Routes	\$140	\$100	\$100
Total	\$1,327.8	\$1,227.8	\$1,477.8 (+\$250)

NYSCHSA & NYSAOTSOH 2024-25 BUDGET REQUESTS:

- ✓ Support increasing the CHIPS program by \$160 million to \$698.1 million annually.
- ✓ Support increasing the Extreme Winter Recovery funding by \$90 million to \$190 million annually.
- ✓ Support maintaining the Marchiselli program at \$39.7 million annually.
- ✓ Support maintaining the local BRIDGE-NY program at \$200 million annually.
- ✓ Support maintaining the local PAVE-NY program at \$150 million annually.
- ✓ Support maintaining the State Touring Route program at \$100 million annually.
- ✓ Support maintaining the POP program at \$100 million annually and allow the four sub project types (microsurfacing, paver placed surface treatment, single course surface treatment and double course surface treatments) which were removed as eligible on January 1, 2023 to continue to be efficiently utilized as pavement preservation methods.

NYS INFRASTRUCTURE IS LOCAL INFRASTRUCTURE

Local roads and bridges account for eighty-seven percent (87%) of NYS roads, and more than half of its bridges.

Forty-eight percent (48%) of the vehicle miles traveled in New York are on local roads, yet less than 12 percent (12%) of the taxes and fees paid to the state by these drivers go back to maintaining local roads; and this differential is increasing as more EV drivers are not subjected to gasoline taxes.

According to NYSDOT's latest bridge inspection report (the Graber Report) over the past three years (2020-22) an additional 1.25 million sq ft of local bridge decks have become deficient. Local bridge decks are declining at more than twice the rate of state bridge decks. This is the equivalent of nearly 20 lane miles of local bridge decks becoming deficient in just the past three years.

It costs five times more to rebuild a bridge and sixteen times more to replace pavements that have become deficient than those kept in a state of good repair.

According to a study conducted for the NYS Association of Town Superintendents of Highways, and updated in 2023, an additional \$2.074 billion in annual spending is needed to address local system pavement and bridge conditions, excluding of New York City.

As smart growth principles continue to be expanded and all modes of transportation are considered in projects there will be significant additional funding needs.

A PORTION OF THE \$2.4B GENERATED BY NY'S CAP AND INVEST GAS FEES NEEDS TO BE INVESTED IN LOCAL ROADS

According to Governor Hochul, starting in 2025, New York's Cap and Invest program will add 63 cents to a gallon of gas; generating about \$2.4 billion annually for the state. It is imperative that at least a third of these driver fees (\$800 million) be directed to localities through the current CHIPS formula. This will allow New York's almost 1,600 municipalities to offset a small portion of the many costly initiatives included in the Climate Action Council Final Scoping Plan. Compliance with the CLCPA will require local governments to make significant changes to our highway garages, our equipment and vehicles and even the materials we buy to maintain the critical infrastructure systems. These mandates will require significant additional financial investments well beyond what our traditional needs have been. Some of projected costs include:

- A doubling of the purchase price of plow trucks, diesel plow trucks cost between \$225-\$325,000 versus electric plow trucks at \$500-\$600,000. The state is already mandating that a portion of truck dealer's sales be electric vehicles even though no electric plow trucks have been successfully tested in New York's winter climate.
- The cost for infrastructure to electrify the plows will be at minimum an additional \$10 - \$30,000 per truck.
- Municipalities will be paying the 63 cents per gallon surcharge for gas to run our vehicles and keep our roads and constituencies safe.
- The cost of heating the thousands of municipal garages will also jump in 2025. The state projects the Cap and Invest surcharge on heating oil will add \$1.17 cents per gallon and 70 cents to each therm of natural gas.

NEARLY 90 PERCENT OF LOCAL ROADS ARE NOT ELIGIBLE FOR NEW FEDERAL INFRASTRUCTURE MONEY

Thanks to the Federal Infrastructure and Jobs Act, New York State will receive an additional \$4.6 billion from 2022-2027. Unfortunately, the vast majority of local roads -- 87% -- aren't eligible to receive these funds. At a time of declining local pavement conditions and increased federal aid, the state should be

more supportive of our local transportation system which is so critical to the recovery of our economy.

CHIPS UNDERFUNDED IN THE EXECUTIVE BUDGET

Every highway department relies heavily on this flexible funding source which distributes vital and reoccurring state funding through a formula to **every local government in the state**. We request that CHIPS base levels be increased by \$160 million to \$698.1 million annually to meet the well-documented needs of the local transportation system.

JOBS, ECONOMIC IMPACTS OF INCREASES IN LOCAL TRANSPORTATION FUNDING

CHIPS, PAVE-NY, POP and EWR funding is distributed to every municipality; and BRIDGE-NY project awards are distributed equitably throughout the state.

Each \$150 million increase in funding for local roads, bridges and culverts results in up to 4,200 highway construction-related jobs.

Efficient transportation systems provide economic and social benefits that result in better accessibility to markets, additional employment and increases in private sector investments.

EXTREME WINTER RECOVERY

The winter season is extraordinarily challenging for local highway departments in terms of high wind events and the amount of freeze/thaw cycles.

Overtime hours for snow/debris removal and the resulting labor costs strains operating budgets and, due to extreme events, equipment breakdowns and malfunctions are more frequent and road salt prices continue to escalate. We request that EWR base levels be increased by \$90 million to \$190 million.

Local highway departments plow not only the huge local road system, but also over a quarter of the NYSDOT's roads.

The freezing and thawing conditions lead to severe damage from flooding and will certainly create more potholes in roads that will need to be repaired in the spring.

PAVE-NY

PAVE-NY funds much needed road paving-related projects for local governments by formula. The inability to stabilize pavement conditions in our state is a huge concern for the future viability of the economy. Funding shortages mean many local governments' preventive pavement preservation strategies—to apply well-timed and targeted maintenance treatments—fall short of what is necessary to avoid more costly major rehabilitation or reconstruction down the road. PAVE-NY must continue to be fully funded annually.

BRIDGE-NY

BRIDGE-NY is a signature program to direct federal and state funding to local bridge and culvert projects throughout the state. In all three rounds of BRIDGE-NY, the number and value of project applications far exceeded funding available for each region of the state. In 2021, only about 1 in 5 bridge applications received funding and about 1 in 8 culvert projects got an award. The chart below clearly indicates this gap between needs and availability of BRIDGE-NY funding. Round IV's applications were due in January – and we expect to see a similar gap in funding. Periodic review and modifications to the program's administration help to improve its efficiency and regional balance. As a result of this periodic review process, NYSDOT implemented the BRIDGE-NY Program in 2023 through the existing capital program planning process instead of the statewide solicitation used in recent years. This new approach was successful in its intent to provide greater local input on project scoring and selection and is being used again in 2024 for Round V.

Year	Amount \$ Available	Applications	Funded
2016	\$200M (\$20M dedicated to culverts)	Round I: 229 bridges, 366 culverts	93 bridges, 39 culverts
2018	\$262M (\$50M dedicated to culverts)	Round II: 259 bridges, 514 culverts	86 bridges, 79 culverts
2021	\$216M (\$50M dedicated to culverts)	Round III: 240 bridges, 421 culverts	52 bridges, 57 culverts
2022	\$516M (bridges \$392M, culverts \$ 124M)	Round IV: 213 bridges, 328 culverts	115 bridges, 101 culverts

Submissions for Round V of Bridge-NY are due in January 2024. Round V currently has \$483M available, \$357M for bridges and \$126M culverts.

PENSION SYSTEM REFORM

NYSCHSA and NYSAOTSOH members are facing significant workforce challenges with regards to recruitment and retention, specifically as employees compare the benefits between public and private sector jobs. Tiers V and VI make the decision to join and remain in the public sector less appealing and we urge changes be enacted to reverse the trend of losing quality employees to other, private, often higher paying options.

INCREASE THE CHIPS BIDDING THRESHOLD

We support adding to the Budget language to amend the Highway Law to increase the CHIPS competitive bid threshold from \$350,000 to \$1,000,000. Increasing the CHIPS bidding threshold, or eliminating the threshold altogether, will give municipalities more flexibility to pursue the most cost-effective option on behalf of taxpayers – bid projects or perform them in-house – while still being eligible for state reimbursement, regardless of project size.

A.426 (Magnarelli) -- An Act to amend the highway law, in relation to consolidated local highway assistance payments to increase the Consolidated Local Street and Highway Improvement Program (CHIPS) competitive bid threshold from \$350,000 to \$750,000. Status: Assembly Transportation Committee

A.8238 (Kelles) -- An Act to amend the general municipal law, and to amend the highway law, in relation to reduce the administrative burden and costs for municipalities when conducting routine purchasing and public works contracting and to eliminate the competitive bid threshold under the Consolidated Local Street and Highway Improvement Program (CHIPS). Status: Assembly Transportation Committee

Mr. Schweiger added his department has been out paving a lot of potholes. The weather has been wreaking havoc on the roads with the freezing and thawing.

Keith Shipman will be retiring soon. This will create a vacancy within the department. The job will be posted soon.

New Business

1. Resolution 06-2024_NYCLASS Municipal Cooperation Resolution-All Supervisor Accounts

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 03/11/2024

RESOLUTION NO 06-2024

NYCLASS MUNICIPAL COOPERATION
RESOLUTION – ALL SUPERVISOR ACCOUNTS



New York Cooperative Liquid Assets Securities System

Municipal Cooperation Resolution

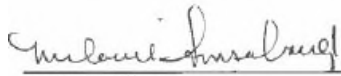
WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

WHEREAS the Town of Barton _____ wishes to invest portions of its available
Entity Name
investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS the Town of Barton _____ wishes to satisfy the safety and liquidity
Entity Name
needs of their funds;

Now, therefore, it is hereby resolved as follows:

That Melanie Sinsabaugh _____, Bookkeeper _____ of
Key Contact* Title
Town of Barton _____ is hereby authorized to participate in the NYCLASS program under
Entity Name
the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.



Key Contact Signature
Melanie Sinsabaugh
Printed Name

Bookkeeper
Title
12/11/2023
Date

*The key contact on an account is the main point of contact for an entity. They receive voting credentials for Governing Board elections and all other important communications.

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Motion to approve resolution 06-2024 made by Councilperson Mike Rice, seconded by Councilperson Dave Shipman and carried.

Roll Call Vote:

Mike Rice Aye
Kevin Everly Aye
Donald Foster Aye
Jeffrey Coleman Aye
Dave Shipman Aye

2. Resolution 07-2024_Authorization to Close Bank Account and Transfer Funds from Tioga State Bank to NYCLASS

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 03/11/2024

RESOLUTION NO 07-2024

AUTHORIZATION TO CLOSE BANK ACCOUNT
AND TRANSFER FUNDS FROM TIOGA STATE
BANK TO NYCLASS

WHEREAS, it has been found that NYCLASS will provide a higher interest rate; and
NOW THEREFORE upon a motion by Councilperson Jeff Coleman, seconded by Councilperson Kevin Everly and carried; therefore, be it

RESOLVED, that on this day, March 11, 2024, the Town Board of the Town of Barton authorizes Barton Town Supervisor Donald Foster to transfer any and all funds applicable to NYCLASS; and be it

FURTHER RESOLVED, that Tioga State Bank ISC account will be closed out immediately.

Roll Call Vote:

Mike Rice Aye
Kevin Everly Aye
Donald Foster Aye
Jeffrey Coleman Aye
Dave Shipman Aye

3. Resolution 08-2024_ Proclamation Commemorating the 200th Anniversary of the Town of Barton, NY

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 03/11/2024

RESOLUTION NO 08-2024

PROCLAMATION COMMEMORATING THE 200TH
ANNIVERSARY OF THE TOWN OF BARTON, NEW
YORK

WHEREAS, the Town of Barton, New York celebrates its bicentennial in the year of 2024 and it is fitting to recognize the Town of Barton on the occasion of this special milestone and to applaud its distinguished history; and

WHEREAS, the Town of Barton was officially created on March 23, 1824, from part of the Town of Tioga; has a total area of 59.69 square miles; is by population the second largest town in Tioga County, New York; and includes the Village of Waverly as well as the Hamlets of Barton, East Waverly, Ellistown, Glencairn, Halsey Valley, Lockwood, North Barton and Reniff; and **WHEREAS**, currently, the population of the Town of Barton is around 8,570; and **WHEREAS**, in recognition of the Town of Barton's rich history and enduring contributions, it is indeed an honor to pay tribute to this town upon the occasion of its bicentennial; and **NOW THEREFORE** upon a motion by Councilperson Mike Rice, seconded by Councilperson Dave Shipman and carried; therefore, be it **RESOLVED**, that on this day March 11, 2024, the Town Board of the Town of Barton, County of Tioga, State of New York, approves this proclamation commemorating the 200th Bicentennial Anniversary of the Town of Barton, New York; and be it **FURTHER RESOLVED**, that congratulations are sent to the Town of Barton on their bicentennial and the town and its residents are to be enthusiastically recognized as they celebrate this auspicious occasion.

Roll Call Vote:

Mike Rice	Aye
Kevin Everly	Aye
Donald Foster	Aye
Jeffrey Coleman	Aye
Dave Shipman	Aye

4. Resolution 09-2024_Approve Audit of 2023 Justice Court Records

Supervisor Foster read a letter from Justice Myers regarding the justice court records notifying him that his records are ready to be audited.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 03/11/2024

RESOLUTION NO 09-2024

APPROVE AUDIT OF 2023 JUSTICE COURT
RECORDS

WHEREAS, Bookkeeper Melanie Sinsabaugh performed a review of the Justice's records on February 19, 2024 using Appendix 10 Annual Checklist; and

WHEREAS, a copy of said findings to the checklist was given to each Town of Barton Board Member for review and approval; and

NOW THEREFORE upon a motion by Councilperson Kevin Everly, seconded by Councilperson Dave Shipman and carried; therefore, be it

RESOLVED, that the Town of Barton Town Board did hereby review and approve the aforementioned audit of records performed by Melanie Sinsabaugh; and be it further

RESOLVED, a copy of said findings to the checklist and approved resolution be forwarded to the Town Justice.

Roll Call Vote:

Mike Rice	Aye
Kevin Everly	Aye
Donald Foster	Aye
Jeffrey Coleman	Aye
Dave Shipman	Aye

5. Resolution 10-2024_Deposit Funds into Capital Machinery Reserve Account (DA231)

DA5130.2 had leftover funds in that account and therefore the Bookkeeper would like to put these funds into the capital machinery reserve account.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 03/11/2024

RESOLUTION NO 10-2024

DEPOSIT FUNDS INTO CAPITAL MACHINERY
RESERVE ACCOUNT (DA231)

WHEREAS, the Town Board of the Town of Barton deems it necessary to transfer surplus monies from the Fund Balance to the Highway Capital Machinery Reserve; and

NOW THEREFORE upon a motion by Councilperson Dave Shipman, seconded by Councilperson Jeff Coleman and carried; therefore, be it

RESOLVED, that on this day, March 11, 2024, the Town of Barton Town Board approves the transfer of funds as written:

From: DA909	Fund Balance	\$171,000.00
To: DA231	Capital Machinery Reserve Account	\$171,000.00

Roll Call Vote:

Mike Rice	Aye
Kevin Everly	Aye
Donald Foster	Aye
Jeffrey Coleman	Aye
Dave Shipman	Aye

Old Business

None.

Motion to adjourn meeting at 6:59 pm made by Councilperson Kevin Everly, seconded by Councilperson Mike Rice. All in favor.

Respectfully submitted,

Arrah Richards-McCarty

Town of Barton Town Clerk