

**Town of Howard
Town Board Meeting
February 8, 2023**

The regular meeting of the Howard Town Board was called to order by Supervisor Donald Evia at 7:00pm.

Present were Councilman Ed Frey, Councilman Ed OBrochta, Councilman Ron Dyer, Councilman Gary Rice and Supervisor Donald Evia, Highway Superintendent Lee Pyer.

Also present were William Thew, Howard Planning Board, Barry Dye, Fremont Ambulance and Richard Stewart.

The pledge to the flag was led by Supervisor Donald Evia.

Previous Minutes: The minutes for the previous meeting were reviewed by the Board, there was one small typo which was promptly corrected. A motion was made by Councilman Gary Rice and seconded by Councilman Ron Dyer to approve the January 11, 2023 minutes. Carried: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Public Comment: Richard Stewart expressed a concern about a signature and the Board had some discussion on the matter.

Department Reports:

A. Monthly Highway Department Report – Highway Superintendent Lee Pyer from a written report, reports that doing a lot of sanding and very little plowing, working on plows, working on trucks, working on the boom mower. They had 3 trucks go down last month to Sonny's for repair Tr # 12 fuel rail, Tr # 20 bell housing, Tr # 17 def problems. The Town received all the payments so far from FEMA total amount is \$635,305.56.

With Board approval Lee Pyer is asking for money from the Building Reserve fund which has currently \$56,142.93 in its account to make repairs to the sheeting and soffits and put up metal siding to the outside of the cold storage building. He explains these repairs will require a high lift and that will require training on how to use this type of equipment. The Board suggest getting 2 quotes for materials and Contractors to have this work done. The Board suggest that Lee should get quotes from Contractors to do the job that is up at the top of the building because they would carry their own Liability Ins. and highway employees could do the repairs at the bottom and they would be able to continue taking care of the roads. It was discussed getting started soon because there is some time in their schedule now to work on replacing the OSB sheeting on the bottom parts of the building.

A Resolution (#42-2023) was made upon a motion by Councilman Rice and seconded by Councilman OBrochta to get started with repairs on Building #2 replacing the OSB sheeting.

Adopted: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Superintendent Lee Pyer is asking for a Resolution to purchase summer tires for the trucks which is going to cost about \$16,000.00. The Board suggests getting an inventory of tires on hand. Supervisor Don Evia mentioned the possibility of starting a tire reserve fund. Will discuss this further at the March meeting.

A Resolution (#43-2023) was made upon a motion by Councilman Rice and seconded by Councilman Obrochta to use \$16,000.00 to purchase tires.

Adopted: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Superintendent Lee Pyer discusses the 284 Agreement which he is giving the Board 30 days to look over Agreement regarding the roads and get approval on the roads to be worked on and bring back to the table in the March meeting for final approval. Lee Pyer also gives a full description of what each road will need.

Lee Pyer asked for a Resolution to hire Ethen Smalt for summer Part-Time help at \$16.25 per hour and he would be able to start in the spring as soon as things dry out from the winter.

A Resolution (#44-2023) was made upon a motion by Councilman Rice and seconded by Councilman Frey to hire Ethen Smalt.

Adopted: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Superintendent Lee Pyer comments about the fuel bill being \$9,600.00 for January claiming that it is the highest fuel bill he has had in over a year.

Lee also mentioned that there is a problem with cats and pigeons with the new Salt barn. Board suggests trying to find a solution to this issue.

- B. Monthly Planning Board Report** – William Thew discussed positions on the Board. He reports the Jack Bossards term ended and Wes Coots announced that he was resigning after being on the Planning Board for 20+ years. William asked the two alternates Shane Slayton and Andrew Burdin (their terms were expired) if they would be interested in becoming permanent members of the Planning Board and they both expressed an interest. William also reached out to Josh Ferguson and he expressed an interest in becoming an alternate. Shaun Turner is the other permanent member that will be returning from deployment and that will give the board a total of 7 needed for the Planning Board. He also states that the Board has asked him to become the Chairman. Supervisor Evia mentioned that there will be Government training classes coming up at Corning Community College and said we will get him the information regarding those classes. We will also provide William the term information for the new members.
- Councilman Rice made a motion for Andrew Burdin and Shane Slayton to become regular Planning Board Members and was seconded by Councilman OBrochta.
- Carried: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Councilman Rice made a motion for Josh Ferguson to become an alternate and was seconded by Councilman OBrochta.

Carried: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Councilman Rice made a motion to approve William Thew is become the Chairman of the Planning Board and was seconded by Councilman OBrochta.

Carried: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

William Thew will swear in all the new members. Town Clerk will provide him with the Oath of Office forms.

Fran Sharp, Town Clerk addressed William Thew in regards to getting the Planning Board minutes up to date in order for the Board Members to get paid. He said he will talk to Robyn Phenes who takes their minutes.

The Board inquired what the Planning Board has been working on. The William Thew said they were looking at the Logging Law and that he drew up a draft and will bring that to the next meeting. Councilman Dyer brought up that he should include language in the draft regarding logging across creeks and wetlands. As far as the Battery Storage, he does have the finalized version. Supervisor Evia instructed him to drop off at the town hall and Town Clerk will make copies for the Board Members.

C. Monthly Fire Department Report – No Report.

However, Barry Dye from the Fremont Ambulance spoke at the Board Meeting. He said their Town Board will not sign the Hornell Ambulance Contract. He explains that there was language in the contract that they did not agree with. He talks about what they are doing. They are going to go to a paid service, paid during the day with an EMT and driver. Than down the road they will go to a Paramedic status in one of their Ambulances. Supervisor Evia says our town will continue on until April 1st with Hornell. He also said he had a conversation with Tim Marshal, Director of Public Safety for Steuben County and Tim explained that Mutual Aid is more for fire and not the same for the Ambulance Service. Supervisor Evia makes the comment that it would have been good if the County had gotten the towns together to talk about this matter with the Ambulance Services. He asks Barry to let the Board know their progress. Councilman Dyer makes the comment that the towns should work together regarding this matter.

D. Monthly Assessor's Report – No Report.

E. Monthly Building Inspector's Report – No Report.

F. Monthly Town Justice Report – No Report.

G. Monthly Animal Control Report – No Report.

H. Monthly Town Clerk's Report – January Monthly Report. Also, reported that all the Town property taxes have been collected and paid to the Town Supervisor.

I. Monthly Supervisor's Report – Written Report. Supervisor Evia reports that the town received the FEMA money in the amount of \$501,000.00, Sales Tax check in the amount of \$76,000.00 and the Town Property Tax check in the amount of \$754,291.00. He also reports that annually Representatives from Citizens & Northern Bank visited us today offering suggestions for fraud protection, check

scanners and online banking and that we will be meeting again to put some of these things in place. Councilman Frey asked about CD accounts and that the rates are going up and asked if Supervisor Evia could look into it with Linda, Rep. with Citizen & Northern and Don had already discussed this with her.

Old Business: Councilman Dyer reports on Website for the Town of Howard. He explains that he checked with Digital Topath and that one of the requirements is coming up with a domain address with a .org. which there is no charge for this, it is a government type one and they will issue it for us. Last year the fee was approx. \$1000.00 annual fee and this year's rate is \$1100.00 based on a co-op. And the website would need an Administrator. The Board discussed getting the old website taken down and that the Administrator of that website that belonged to a former Councilman would have to remove it. The Town Clerk, Fran Sharp will send out a letter to the individual requesting that he remove his website. Supervisor Evia comments that in a conversation with Ed Flaitz Computer Service, he suggests that we should change our email from Yahoo mail to Google mail because Google is more secure. He also suggests that when we start making changes with building a website and changing the email it should be all done to once. When this happens, Councilman Frey suggests doing a mailer to all residents. The Board discussed hiring an Administrator with a one-time pay to do the initial start up because it is time consuming and having the Town Clerk maintain it as part of the Clerk responsibilities. Councilman Rice ask if it would be possible to have a Representative from Topath come to one of the Board meetings so the Board could ask questions and get more information. Councilman Dyer will reach out to the Representative and see if this will be possible.

Councilman Dyer also mentioned that he had called Logan at the DEC office regarding the Dolomite Mining Project and she said that because it is past 30 days, the town does not have to do any reaction to this and that the DEC is the lead agency for the Dolomite Mining Project. Councilman Rice comments about the street lights not being repaired yet and asked if there are any updates. Councilman Dyer said that NYSEG has to create workorders and it is in progress. Councilman Dyer will check it out further.

Councilman Rice asked about updates on the Library repairs and Councilman Frey said there is a quote of \$500.00 and the question was is the Town paying the bill or the Library and that is where it is stalled right now. Supervisor Evia will discuss this matter with the library when he takes their check over to them in late March, early April.

New Business: (Highway) Councilman Rice reports that the quote for the Excavator has changed to the good. The price is now \$179,991.92 with a 5 year warranty and comes with a thumb attachment. Councilman Rice and Highway Superintendent both suggest that now would be a good time to purchase this Excavator and sell the old Excavator at Auction. Supervisor Evia explains how the purchase of this machine will be paid for, they knew after the flood the amount of gravel the highway department was going to need for Spencer Hill Road so, they had that gravel crushed ahead. Making it so that it can be billed against it as a FEMA job, the gravel value is \$140,000.00 and in the FEMA fund there is \$635,305.56 and selling the 2006 6415 John Deere Boom Mower at Auction. The Board is also discussing getting the equipment

on a rotation schedule and getting a more fixed budget with the highway equipment. The Board will commit to the purchase of the Excavator with the 5 year warranty.

Resolution (45-2023) was made upon a motion by Councilman Rice and seconded by Councilman Frey to commit to the purchase.

Adopted: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Resolution (46-2023) was made upon a motion by Councilman Rice and seconded by Councilman OBrochta to sell the 2012 140 Excavator at Auction International 3 weeks before the delivery date of the new Excavator.

Adopted: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Resolution (47-2023) was made upon a motion by Councilman Rice and seconded by Councilman Frey to sell the 2006 6415 John Deere Boom mower Tractor on Auction International.

Adopted: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Regular Business: The following bills were presented for Audit:

Highway	\$97,821.49
General	\$13,394.62
Street Lighting	\$414.94

A motion was made by Councilman OBrochta and seconded by Councilman Frey to pay these bills.

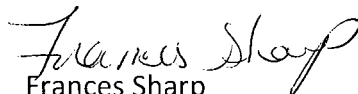
Carried: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Town Board Discussion: Supervisor Evia asked what the Boards thoughts were on the Ambulance situation with the Hornell Ambulance Contract offer. After deep discussion about what is in the contract and due to a certain clause in the Contract, the Board agrees they should not sign with this clause in place but are willing to negotiate this with Hornell.

Adjournment:

A motion was made by Councilman Frey and seconded by Councilman OBrochta to adjourn the meeting at 10:14pm.

Carried: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.


Frances Sharp
Town Clerk