

**Town of Howard
Town Board Meeting
January 11, 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.

Also, present were Aaron Mullen (Attorney for Wind Project), Bob Cleeves, Barry Kidder, Robin Phenes, Richard Stewart.

Absent: Highway Superintendent Lee Pyer.

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

The 2023 Town Appointments were read by Fran Sharp, Town Clerk. See attached list. A **Blanket Resolution (#33-2023)** was made upon a motion by Councilman Gary Rice and seconded by Councilman Ron Dyer to approve the 2023 Town Appointments.

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

Previous Minutes: The minutes for the previous meeting were reviewed by the Board and there were no changes. A motion was made by Councilman Gary Rice and seconded by Councilman Ed Frey to approve the December 14, 2022 minutes.

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

Public Comment: Robin Phenes questioned about checking into the approval of the lower assessment for the wind towers. What the state recommended verses the Town Assessor. Supervisor Donald Evia responded, that he did not get a figure for what the State did and that he did not inform the Town Assessor to take the lower assessment and the Assessor used what she was approved to use.

Richard Stewart mentioned the amendment to the mining permit that Dolomite has. Supervisor Evia responded that they were only looking to get a bigger reclamation are and he believes it does not effect the town. But, will get copies of the email and give to the Board Members to review.

Robin Phenes brought up the subject of an official website for the Town of Howard. Claiming it would be a means for residents to stay informed. Councilman Dyer responded that it was approved and that an Administrator would have to get it set up and maintain the website and with all the changes in the Town Clerks office there hasn't been anyone substantial.

Councilman Dyer suggested that a discussion of an official website could by brought back up from Old business and start considering it.

Department Reports:

- A. **Monthly Highway Department Report** – Highway Superintendent Lee Pyer from a written report, reports that the highway department has been plowing and sanding, working on the plows. Cutting brush, working on the boom mower and filling pot holes. Supervisor Donald Evia reports on behalf of Superintendent Pyer that they also have been working on the 10 wheeler wheel bearings on the sander.

- B. Monthly Planning Board Report** – Councilman Rice reports that he spoke with Jack Bossard who reports that William Thew is going to lead on the Battery Storage law and will review this at their next meeting. Councilman Rice also informed Jack Bossard that they need to re-visit the Logging law and will bring information regarding this back to the Town Board.
- C. Monthly Fire Department Report** – Bob Cleeves gave an in depth written report on the Fire Department. He reports that Old Homes Day is Sept. 9, 2023 and the Sportsman’s raffle with a chicken dinner is on April 29, 2023 from 12-4pm. He also wanted to report the Dave Babcock is their Bookkeeper and that he is doing a real good job. He brought the Fire Department Binder for anyone to look at. The Fire Chief report that they are installing a new siren on the building. The department was approved to purchase a new truck for \$380,000.00. This purchase will take up to 3 years. They are setting money aside in the truck account to make this purchase. Mr. Cleeves wanted to point out the fact that 11 of the 17 that attended the meeting are retired and the average age for volunteers is 60 years old. The list of Elected Officers are on the report and Robert Patrick remains the Chief and James Christian (new) was voted in and cleared by the Chief.
- D. Monthly Assessor’s Report** – No report
- E. Monthly Building Inspectors Report** – No report
- F. Monthly Town Justice** – December 2022 written report. Town Supervisor Don Evia reports that the Newly Elected Town Judge Bruce Cornell completed his schooling and Judge Ruth Chaffee has been helping Bruce.
- G. Monthly Animal Control Report** – Nothing to report
- H. Monthly Town Clerk’s Report – December 2022 monthly report and the 2022 Annual report**
- I. Monthly Town Supervisor’s Report** – No written report. He reports that Leann Wightman is ill and is behind and will have December report ready for February Town Board meeting. Supervisor Evia also report that there has been an issue with Ambulance coverage. He received a letter from the Hornell Mayor claiming their Ambulance Service will not be responding to our area after April 1, 2023 unless the Town agrees to pay \$750.00 per/call. Supervisor Evia plans to attend the County’s Comprehensive Workshop and address the ambulance situation in this area. Robin Phenes spoke suggesting negotiating something with the Wind Company seeing how they claim they are in support of local services to contribute to the Emergency Services. Supervisor Evia comments that the Town could certainly ask the Wind Company. Councilman Frey suggest that this issue does need to get addressed and serving the township with what makes sense and what is needed. Supervisor Evia will continue discussing this matter with Canisteo Ambulance service and get information regarding this issue back to the Board.

Old Business: Aaron Mullen brought in information regarding the County’s Comprehensive Planning meeting. He suggests that the Board members should attend one of these workshops. It would involve what we would like to see for the County such as, promoting industrial areas, protecting agriculture, environment issues and public safety issues. These workshops will give small communities, like ours the opportunity to have their voices heard.

Aaron talked about the Wind Permit Application and that it was deemed incomplete with 63 pages of deficiencies on the first go round which he had anticipated. He is uncertain of the time line for the company to resubmit their application. Total process could take quite a while, up to 6 months, could be year 2025 before any construction starts on the wind project.

As for the Road Use agreement, the company agreed to most of what the town wanted but, not a speed limit. They did agree to restrict all their traffic going to and from the project sites to those roads agreed

upon. He discussed more legal information regarding the wind project such as marking the roads, repair damages. The Company agreed to bringing the roads that they will using up to par before and after use. The Company did agree to a \$1000.00 contractual penalty for each violation for heavy vehicles. There is a \$5,000,000 bond. Aaron also presented the Board and the Highway Department a list of the roads they will be using and a map. The Wind Company wants to come to an agreement with the Highway Superintendent Lee Pyer with what he wants for dust control.

New Business: A Resolution (#34-2023) was made upon a motion by Councilman Frey and seconded by Councilman Rice to keep the Town Board meetings on the second Wednesday of the month at 7:00pm. Adopted: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

A Resolution (#35-2023) was made upon a motion by Councilman Dyer and seconded by Councilman OBrochta to authorize signatures of Town Supervisor Donald Evia and Deputy Town Supervisor Gary Rice at Citizen & Northern Bank and Five Star Bank.

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

A Resolution (#36-2023) was made upon a motion by Councilman Frey and seconded by Councilman OBrochta to authorize signature of Town Clerk/Tax Collector Frances Sharp at Citizen & Northern Bank and Five Star Bank.

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

A Resolution (#37-2023) was made upon a motion by Councilman Frey and seconded by Councilman Dyer to authorize signature of Deputy Town Clerk/Tax Collector Loreen Karr at Citizen & Northern Bank and Five Star Bank.

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

A Resolution (#38-2023) was made upon a motion by Councilman OBrochta and seconded by Councilman Rice to authorize signature of Town Justice Bruce Cornell at Five Star Bank.

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

A Resolution (#39-2023) was made upon a motion by Councilman OBrochta and seconded by Councilman Dyer to approve the Town Polices.

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

A Resolution (#40-2023) was made upon a motion by Councilman Rice and seconded by Councilman Frey to sign the Canisteo Dog Shelter Agreement.

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

A Resolution (#41-2023) was made upon a motion by Councilman OBrochta and seconded by Councilman Frey to appoint Jack Bossard – term 10/01/2022 to 09/30/2024 and Re-Appoint Robert Riekofski – term 10/01/2022 to 09/30/2027 to the Board of Assessment Review.

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 \$23,038.05

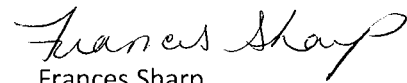
General \$7,233.45
Street Lighting \$397.26

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: Councilman Dyer mentioned that we should have some kind of building fund and assess the condition of the town buildings again. Supervisor Evia commented that we have one established and could add more money to it if need be. Fran Sharp, Town Clerk asked to speak regarding the main entrance door to the town hall, comments that the handle does not always work proper and some of the town residents are having difficulty getting it open. The Board discussed getting it fixed. Councilman Dyer also suggested getting some security for the Town Hall.

Adjournment:

A motion was made by Councilman OBrochta and seconded by Councilman Frey to adjourn the meeting at 8:57pm.
Carried: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye
and Supervisor Evia, Aye.


Frances Sharp
Town Clerk

2023 TOWN APPOINTMENTS

Highway Superintendent..... Lee Pyer @ \$62,525.00 p/yr.
Deputy Highway Superintendent..... Thomas Dubois @ 58,525.00 p/yr.
Deputy Town Supervisor..... Gary Rice
Town Attorney..... Brian Schu
Dog Control Officer..... Gary Hadsell @ \$2,850.00 p/yr.
Health Officer..... Dr. Richard Parker @ \$418.00 p/yr.
Historians..... Robert & Marsha Patrick @ \$500.00 p/yr.
Deputy Town Clerk/Tax Collector..... Loreen Karr @ \$15.00 p/hr.
Registrar of Vital Statistics..... Frances Sharp @ \$100.00 p/yr.
Deputy Registrar..... Loreen Karr
Flood Plain Reg. Off..... Donald F. Evia
Building Inspector/Code Enforcement Officer..... Bradley Laverty @ \$8,000.00 p/yr.
Bookkeeper..... Leann Wightman @ \$8,250.00 p/yr.
Banks..... Citizens & Northern Corp. & Five Star Bank
Mileage..... .50 cents p/mi.
Official Newspaper..... Hornell Evening Tribune