

**Town of Howard
Town Board Meeting
March 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 OBrochta, Councilman Ron Dyer, Councilman Gary Rice and Supervisor Donald Evia and Highway Superintendent Lee Pyer.

Absent: Councilman Ed Frey

Also present were Laura Snow (Town Assessor), David Babcock (Howard Volunteer Fire Dept. Treasurer), Morgan Pierce (Bath Ambulance), Carole Tombs (Bath Ambulance), Shane Slayton (Planning Board), Barry Kidder (Planning Board), Andrew Burdin (Planning Board), Robin Phenes (Planning Board), Theresa Dyer, Luke Reinbold, Mike Slayton, 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 a name error and was promptly corrected. A motion was made by Councilman Rice and seconded by Councilman Dyer to approve the February 8, 2023 minutes.

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

Public Comment: Richard Stewart questioned the salaries and comments that the W-2 show more than the wages. Highway Superintendent Lee Pyer gives an explanation for this. He also comments that Leann the bookkeeper would be able to explain this better. Supervisor Evia says he will look in to it.

Mike Slayton asked if the Planning was looking into a new logging law and Supervisor Evia said they were looking into it. Mr. Slayton questioned why we were looking at it when it was abolished. Supervisor Evia explains that because of logging trucks setting up on the edge of one of the roads up near Smith Pond loading logs off the edge and there were logs in the ditch. And that having a logging truck parked on the road loading logs is a safety issue with traffic. Shane Slayton asked what the new law would do to prevent that to begin with and Supervisor Evia explains that it is similar to the old logging law and would give set backs that they would have to work off the road. Highway Superintendent Pyer expressed that with a logging law with permits there would be some recourse, without a permit if there should be issues that arise such as damages to the roads the expense would fall on the taxpayers. Councilman Dyer asked Mr. Slayton what he thinks that the logging law would affect him on taxes and what his real thought on this issue. Mr. Slayton replied that is was another regulation in the town that someone has to deal with. Luke Reinbold comments that the board will not find too many people sympathetic to the argument that the government needs more power. He also questions whether this law will benefit or create more problems. Councilman OBrochta speaks that it is about the safety for him. He expresses that there needs to be a landing to load logs from and not the road. Councilman OBrochta also expressed that it is not about the money and that he did not want money behind this. He has made that clear to everyone on the board.

Luke Reinbold also expressed the concern of having more regulations. Councilman Rice expressed that when the board abandoned the logging law in the past and there was discussion that there should have still been something in place such as some sort of notifications of who is logging. Robin Phenes commented that there is really no difference between a farming truck and a logging truck and expresses a concern about whether there would be permits for farmers for any possible road damage. She also states that she was one that signed the petition for the initial logging law proposed to be revoked. Richard Stewart presented a copy of the petition that had 102 signatures on it to the Highway Superintendent that claims the highway dept. does have power to take action regarding damages done to the roads by log trucks. Supervisor Evia comments that there is not yet any new law been put in place as of yet. Councilman Dyer comments that he is pleased that there is public input regarding this matter and that the board is not just doing what they think is the right thing for the town. Councilman Dyer expresses that the board will take all this into consideration. Supervisor Evia suggests to Robin the she take this information back to the Planning Board. Robin Phenes also brought up that there is noise complaints regarding the Barian Wind project and that she is hoping the Board is watching this. Richard Stewart asked if Supervisor Evia got notification about the approval of the amended Dolomite mining permit and Supervisor Evia said the board is aware.

Carol Tomb and Morgan Pierce from the Bath Ambulance said they were called and invited by the Board and were asked about being able to cover calls in the Town of Howard that are not being currently covered by other Ambulance Corps. that the town has contracts with. Supervisor Evia asked them how they would be able to do that and what their fee structure is. Carol suggestion is that in 2020 they signed a contract to change how Avoca is toned out so, depending on the region that the call came from they would be on their first tones. In 2020 they signed as Bath Ambulance covering a small portion of Avoca and Howard. She also explains that they bill the patients. She suggests that a simple fix for our town with Ambulance service would be to talk to Avoca and change the way they do their box alarms and if Fremont and Cohocton are okay with being on their first alarm. Carol also mentioned that are talks of a County wide ambulance service and that the County would bid it out to the larger Ambulance services. She also shared that the cost of service is going up and the reimbursements from insurance companies are not. She also mentioned that there is an EMT class coming up and there is an increase need for people to apply. The Board thanked them both for coming.

Department Reports:

- A. Monthly Highway Report-** Highway Superintendent Lee Pyer from a written report, reports that they have been plowing and sanding. Working in Building #2 replacing the rotten wood with new. Also, they installed an overhead door at Building #3. The department had a PESH inspection and had 11 write ups that they fixed. The 6415 JD tractor sold for \$36,100.00 on auction and would like a resolution to sell the tractor. The highway department would like a resolution to put the 2018 Cat backhoe on auction. They also have 3 quotes for a new salt brine tank and they would also like a resolution for the 284 Agreement for 2023.

A Resolution (#48-2023) was made upon a motion by Councilman OBrochta and seconded by Councilman Dyer to sell the 6415 JD tractor

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

A Resolution (#49-2023) was made upon a motion by Councilman OBrochta and seconded by Councilman Rice to sell the 2018 Cat Backhoe on Auction International.

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

A Resolution (#50-2023) was made upon a motion by Councilman Rice and seconded by Councilman OBrochta to the 2023 284 Agreement to make the change from Lyke Road to Brasted Road.

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

A Resolution (#51-2023) was made upon a motion by Councilman Rice and seconded by Councilman Dyer to purchase the salt brine tank.

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

Highway Superintendent Pyer also mentions that he has Contractor Jeff Henry coming in to give a quote on Building #2. He will also be calling on Contractor D.A. Halts from Hornell and Contractor Josh Storing from Arkport to give quotes.

Superintendent asked the Board what they want to do with Firehall garage that is attached to one of the town buildings. They asked Bob Cleeves what he thinks and he says it needs to be cleared out and Superintendent Pyer suggests going up together to see what to get rid of or keep. Supervisor Evia suggests tearing it down, that it is not worth investing money into it.

Lee talks about the bills and that the fuel bill is down from last month.

- B. **Monthly Planning Board Report-** Barry Kidder (Member) reports that they finished the Battery Storage. Robin Phenes (Member) reports that William Thew drafted up the Logging Law. Councilman Rice talks about the planting of trees as part of the permit to hide the Salt Barn. Some of the residents of Howard would like to see a variety trees to be planted around the building. Councilman Rice talked about the kind of trees to plant keeping water lines in mind when picking out trees with shallow root system.
- C. **Monthly Fire Department Report-** Bob Cleeves reports that the last meeting involved physicals involving Fremont, Canisteo, Howard and Avoca. He also introduced David Babcock as the Fire Dept. Treasurer. He informs the Board that David and Mr. Madical, CPA were the ones that made sure everything was in order for the 990. David Babcock gives a presentation regarding the Monthly reports of the Fire Dept. The Board thanks him for his presentation.
- D. **Monthly Assessor's Report-** Laura Snow, Town Assessor, she explains to the Board what has been going on with the Wind Mills in regards to the evaluation method

done last year and about the restraining order on the evaluation law. She reports that she has gone to the different Assessor's and been in contact with New York State Assessor's Association's inquiring on what she should do as far as going back to the previous value of 2.5 million dollars each or do we stay with the model that was advised that they had to follow, but because of the restraining order it was asked what do the Town Assessors do. The Attorney for the NYS Assessor's Association advised the Assessor's if they go back to the previous 2.5 million they could be opening up the Town of Howard to lawsuits for selective assessments. She is asking the Town Board how she should proceed whether they want to stay put with the lower assessment or go back to the higher assessment. She does not want to open the Town up to a Law suit. Robin Phenes asked how long the lawsuit could last and Laura does not know the answer, it was supposed that it would have been over by now. Town Supervisor Evia believes they will end up with the lower assessment in the end so the Board agrees to stay put with the lower assessment model.

- E. Monthly Building Inspector's Report-** No Written report
- F. Monthly Town Justice Report-** No Written report
- G. Monthly Animal Control Report-** Sent in report with nothing to report
- H. Monthly Town Clerk's Report-** February written report and still steadily collecting taxes.
- I. Monthly Supervisor's Report-** Supervisor Evia reports about the classes at Corning Community College and if anyone on the Town and Planning Boards would like to attend to let Fran, Town Clerk know to get registered before the deadline.

Old Business: Councilman Dyer gave updates on the website information. He reached out to Digital Topath and did not get a response from them. He also talked to Network Solutions and a 5 page website would be \$1499.00 (includes them building the website) additional pages (one time fee) would be \$99.00. Banners are onetime fee of \$30.00. 30 photos one time fee of \$60.00. Yearly hosting fees is \$132.51 per year. Maintenance is \$629.00 per year. Business directory package is \$364.00 for the first year. He also talked to Blue Host which is similar to Network Solutions. This company has the Google email. Each of these website will give us .org, .ny or .com. Councilman Dyer suggests that the .gov is costly and they have to go through a lot to get one. He also talked to Courtney, she is local and she has done the Fremont, Hornell etc. websites. Courtney was very knowledgeable and she comes very highly recommended and her cost are below the others. She is unable to come to one of the board meetings but if the Board had any questions Councilman Dyer could write them down and submit them to her and she would answer them. The Board will review this information and report back at next months meeting.

There was further discussion on the town buildings mainly Building #2 and more discussion on removing the Fire Dept. space that is connected to the town building. Councilman Rice asked if there was any update on the work to be done with the Street lighting issue and there was none. Councilman Dyer said he would reach back out to NYSEG and check on it.

New Business: Councilman Dyer reports that we got notification from the New York State DEC approving the town for the Salt Barn Grant. The amount of the Grant is \$228,300.00 and that money will be able to go back into the building fund. The Board gives thanks to Councilman Dyer for his work in getting this Grant. Councilman expresses that he was pleased that the Planning Board was involved as well as Councilman Rice's and Supervisor Evia's input. Fran Sharp, Town Clerk reports that the Dog Kennel Fees on the Fee schedule are not matching what is in the Dog Control and License Law of the Town of Howard, Local Law No. 2 of the Year 2010. With this knowledge, Fran is asking the Board permission to update the kennel fees in the Local Law.

A Resolution (52-2023) was made upon a motion by Councilman Dyer and seconded by Councilman Rice to update the Dog Kennel fees in the Local Law to match the fees on the fee schedule.

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

Regular Business: The following bills were presented for Audit:

Highway	\$127,349.77
General	\$72,271.72
Street Lighting	\$387.19
Fire Department	\$99,500.00

A motion was made by Councilman Obrochta and seconded by Councilman Rice to pay these bills.

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

Town Board Discussion: None

Adjournment:

A motion was made by Councilman Dyer and seconded by Councilman Obrochta to adjourn the meeting at 9:14pm.

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


Frances Sharp
Town Clerk

TOWN OF HOWARD
RESOLUTION TO AMEND THE DOG KENNEL FEES
IN THE
DOG CONTROL AND LICENSE LAW
(RESOLUTION #52-2023)

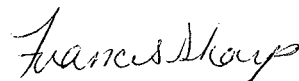
At a regular meeting of the Town Board of the Town of Howard, Steuben County, New York, held on the 8th day of March, 2023,

A Resolution was made upon a motion by Councilman Dyer and seconded by Councilman Rice to update the Dog Kennel fees in the Dog Control and License Local Law to match the fees on the fee schedule.

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

Updated fees are as follows:

1-10 Dogs	\$50.00
11-25 Dogs	\$75.00
26+ Dogs	\$125.00


Frances Sharp
Town Clerk
Town of Howard

DATED: March 8, 2023