

**TOWN OF HOWARD
TOWN BOARD MEETING
April 10, 2024**

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

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

Absent: Councilman Ed Frey

Also Present: Richard Stewart, Barry Kidder

The Pledge to the flag was led by Town Supervisor Don Evia.

Previous Minutes: The minutes for the previous meeting were reviewed by the Board.

A Motion was made by Councilman Dyer and seconded by Councilman Rice to approve the March 13, 2024 minutes.

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

Public Comment: Richard Stewart commented that he believed the company that own and manage the Windfarm is called Greenbacker and not Bedrock Renewables that is reported in the March minutes. Supervisor Evia commented that it was Bedrock at the time. Mr. Stewart also asked if the Annual Financial Report was done and Supervisor Evia responded that it was not.

Barry Kidder handed out information to the Board regarding Clean Energy Grants. He said that there was a lot of information about this online. He explains that towns can get points for participating in high impact actions and fill out a form to start earning points. He believes it would be beneficial to the town in the long term. Supervisor Evia said he would read through the information and thanked Barry for his research.

Department Reports:

A. Monthly Highway Report- Superintendent Lee Pyer reports that the Highway Department has been working on trucks, plowing, and sanding, broomed all the paved roads, cutting brush and fixing wash-outs on the roadsides also, cutting the shoulders on McChesney and Turnpike. He addresses the Board on passing the 284 Agreement and mentions about the Gravel Quotes that need to be decided on as well as a Lane Pipe Quote for McBeth Road. **A Motion** was made by Councilman Rice and seconded by Councilman Dyer to accept the 284 Agreement.

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

Superintendent Pyer explained to the Board that things could change on the agreement due to not knowing what is going to happen with the CHIP funding.

Lee presents the Board with 3-year Gravel Quotes:

Daggett Sand & Gravel, Inc. (Steve Hess) \$4.50 p/ton for 2024, \$4.70 p/ton for 2025 & 2026 and with landowner cost which is \$1.00 p/ton.

Tim Hubbard Gravel Supply: (15,000 ton) \$6.00 p/ton for 2024, \$6.30p/ton for 2025, \$6.66 p/ton for 2026.

Hubbard also included 3-year quotes for sand (4,000 ton): \$6.00 p/ton for 2023 which is completed.

(5,000 ton) \$6.30 p/ton for 2024, \$6.61 p/ton for 2025, \$6.94 p/ton for 2026.

Mr. Hubbard also included a fuel surcharge clause in the event the diesel fuel price exceeds \$7.00 p/gal. at the Pilot in Kanona.

Superintendent Pyer comments that there is a difference of \$3,750.00 between the two quotes. The Board discusses the pros and cons. The Board expresses their concern of reliability and the quality of the materials. The Board decides to go with Tim Hubbard.

A Motion was made by Councilman Rice and seconded by Councilman OBrochta that they get all the sand and gravel from Tim Hubbard Gravel Supply.

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

Councilman Rice asked Highway Superintendent Pyer if they got the bleachers at the Town Park removed and Superintendent Pyer replied that he did not know about this and asked if it was in the minutes. Town Clerk, Fran Sharp commented that it was discussed with Deputy Superintendent Tom Dubois and it was written in the Planning Board section (it was being discussed during the Planning Board report) of the minutes and not in Highway Department section. Councilman Rice expressed that the bleachers need to be taken out due to the shape they are in and liabilities. Supervisor Evia suggested that he and Superintendent Pyer go to the park in the morning and look at what needs to be done to remove them.

Superintendent Pyer talks about the pipe that needs to be purchased from Lane Pipe. The cost will be \$11,008.80 that includes: 100ft. of 18" and 100ft. of 24" plastic pipe for the highway's stockpile and the pipe going in on McBeth Road is \$7,428.80

A Motion was made by Councilman Rice and seconded by Councilman Dyer to purchase the pipe from Lane Pipe.

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

Superintendent Pyer discusses the matter of sandblasting the frames and under the boxes of the trucks with the Board. He explains that he took 2 trucks over the Smith's Body Shop for an estimate and they quoted \$17,000.00 a truck. He suggests that they consider purchasing a 300pd. sandblaster and tow behind air compressor unit and doing their own trucks. Lee mentions that Larry Jackson (Contractor putting on their metal siding) has a sandblaster unit for \$2500.00 that includes the hood, the electric air intake to the helmet, nozzles, hoses, etc., he also has an air compressor which is not in good shape for \$2,500.00. Lee found a 2000 Atlas 185 air compressor online with Auction International from the City of Cortland Public Works with the bid currently at \$2,000.00. Lee spoke with the individual selling this air compressor and found out it is in very good condition with low hours and being sold because they are purchasing a new one. He informs the Board that these items would be used for other things in the shop. The Board agrees that they would save money in the long run with the life of the trucks and they discuss the options. Superintendent Pyer asked the Board to be able to bid on this and asked how much they would want to spend of it.

A Resolution (#12-2024) was made upon a motion by Councilman OBrochta and seconded by Councilman Rice to purchase the sandblaster from Larry Jackson for \$2,500.00 pending trying it first.

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

A Resolution (#13-2024) was made upon a motion by Councilman Rice and seconded by Councilman OBrochta to set a bidding limit of \$7,500.00 on Auction International for the 2000 Atlas air compressor from the City of Cortland Public Works.

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

Superintendent Pyer also comments that the Windfarm is going to start replacing the blade that fell off on Hughes Road and doing some bearing work on the Turbine on Coots Road at the end of April. Supervisor Evia mentioned that he spoke to Dwight Kanyuck from Rochester and he is going to help with the re-power project.

- B. Monthly Planning Board Report-** Barry Kidder reports that there was no meeting in March. He reports that the Planning Board is continuing work on the subdivisions and will be looking at the Land Use Law due to the way the Health Department reads, they believe it could change the minimum size area to build a house on. Councilman Dyer commented that if the Health Department wanted something on a minimum lot size, it is probably based on the distance between the well and the septic. Councilman Rice asked if the Solar farms that are of reasonable size, if they would fall under a special use permit. Barry explains that it all depends on the size of the solar panels.
- C. Monthly Fire Department Report-** Written reports consisting of March 2024 Monthly Business Meeting and Monthly Expenditures and April 1, 2024 Monthly Meeting.
- D. Monthly Assessor's Report-** No report
- E. Monthly Building Inspector's Report-** No report
- F. Monthly Town Justice Report-** Written report consisting of cases and fines. Justice Cornell wrote a check to the town in the amount of \$790.00.
- G. Monthly Animal Control Report-** Written report stating that there was one dog on the loose on County Route 14.
- H. Monthly Library Report-** Written report consisting of a letter addressed to the Board, Expense Sheet, miscellaneous attendance sheet. In the letter they thanked the Town for their Yearly Budget check and reported that the side of the driveway the library shared with the Church have some deep dips in it that may become dangerous for patrons of both buildings. Councilman Dyer and Councilman Rice suggested having Highway Superintendent Pyer look at the pot holes. Supervisor Evia commented that he and Lee would be going to look at the park bleachers in the morning and could check this out as well.
- I. Monthly Town Clerk's Report-** Written report for March 2024 consisting of revenue that was brought in from 1 Building Permit (\$87.00) and 8 Dog Licenses (\$116.00). Disbursements: Paid out to Town Supervisor \$203.00 and NYS Animal Population Control Program \$18.00 totally \$221.00. Town Clerk, Fran Sharp reports that all went smoothly with the Property Tax Collection and has settled with the County. Fran also reports on the flower

boxes/flowers as well as the newly built outside bulletin board. Everything was donated, giving special thanks to Christine Haar, bookkeeper for the flower boxes and the flowers were purchased by Christine and Town Clerk, Fran Sharp. Also, giving special thanks to Joe Sharp for building the new outside bulletin board. All this giving our town hall entrance a beautiful new look. Fran comments that the Cooperative Extension that was going to partner with us at our July Rabies Clinic distributing information regarding weatherization programs for low-income household decided not to due to the fact this is a walk-in clinic and they felt it would be too dangerous for the individual distributing the information. Supervisor Evia and the Board gives their thanks for the efforts given to the entrance claiming it looks a whole lot nicer. Also, in regards to the entrance Supervisor Evia points out that the Town Offices sign has been relocated so it could be seen easier from the road and Highway Superintendent Pyer is going to put a handicap parking emblem down on the parking space to designate the handicap parking space and painting a blue strip and 2 yellow strips.

- J. Monthly Town Supervisor's Report-** Supervisor Evia reports that the town has sold the Peterbilt water truck to the Town of Avoca. A water tank has been ordered to put in the back of the Western Star truck. Supervisor Evia comments that there is an agreement between the Town of Howard and the Town of Avoca to share the usage of the water truck until the Howard highway department gets their water truck set up and going. Councilman OBrochta asked what the information regarding the NYSEG Electric bills was in their packets. Supervisor Evia explained that was what he was talking about last month regarding this American Energy Partners accessing the town's electric usage and explains that the town is paying up to 14 cents p/kilowatt and that they could lock the town in under 10 cents for 3 years. And they will see the results of this change in the next billing cycle.

Old Business: Aaron Mullen, Atty. Reports on the "Road Use Agreement." He believes that the "Road Use Agreement" is ready to go and the language is in it that addresses the towns concerns with speed control. He comments that there are no new changes regarding the "Road Use Agreement" and it is ready to be signed by the Board.

Atty. Mullen also talks about the Host Community Agreement, he claims it is almost complete. He has concerns with the language regarding the "TERM", he would like to re-work the language with the Wind Company to make sure they are all on the same page on exactly what the term is and try to nail down the exact term and keeping it from expiring early from something unexpected. Atty. Mullen also explains to the Board that it is possible that they could lose some revenue but its probable that they can gain revenue, he gives examples. Aaron suggests that the Board read over the Host Agreement.

He also mentioned another change that he was not in agreement with, it is a provision that says "It is a Breach of Agreement" if the Town tries to stop the project. He explains that it is in the language they are using and he is working on getting that changed.

A Motion was made by Councilman Rice and seconded by Councilman Dyer to agree and sign the "Road Use Agreement"

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

The Board signs the Agreement.

Atty. Mullen also informed the Board about the additions of 2 Individuals, their roles, and their rates p/hr. to the Amendment to Local Agency Fund.

Atty. Mullen comments to the Board that there are some Litigations going on and asked to go into Executive Session.

A Motion was made by Councilman Rice and seconded by Councilman Dyer to go into Executive Session with Atty. Mullen regarding Litigation at 8:00pm.

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

A Motion was made by Councilman Rice and seconded by Councilman OBrochta to come out of Executive Session at 8:25pm.

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

New Business: None

Regular Business: The regular bills were presented to the Board for Audit.

Highway Fund	(Abstract #20 – 36)	\$59,059.41
General Fund	(Abstract #326 – 336)	\$5,375.18
Street Lighting	(Abstract #327)	\$426.96
Fire District	(Abstract #323)	\$99,500.00

A Motion was made by Councilman OBrochta and seconded by Councilman Rice to approve and pay these bills.

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

Town Board Discussion: There was discussion regarding the street lights and that NYSEG was starting to change them out. It was determined that the fixtures were bad and that was why the lights they had recently changed went out.

Adjournment:

A Motion was made by Councilman Dyer and seconded by Councilman Rice to adjourn the meeting at 8:50pm.

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

Frances Sharp
Howard Town Clerk