

**TOWN OF HOWARD
TOWN BOARD MEETING
MAY 8, 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 Frey, Councilman Ed OBrochta, Councilman Ron Dyer, Councilman Gary Rice, and Highway Superintendent Lee Pyer.

Also Present: Richard Stewart, Mike 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 April 10, 2024 minutes.

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

Public Comment: Richard Stewart asked if the Annual Financial Report was done. Supervisor Evia answered that it was not done. Mr. Stewart asked when it would be completed and Supervisor Evia responded, shortly. Mike Kidder commented that the metal siding on the building looks very nice. He also commented that the street lights are working. He asked about the fixing and upgrading of the town park. Supervisor Evia commented that 4-H Club took the bleachers out and that the Board has tasked the Planning Board with giving some recommendations regarding the park. He commented that the old plans for the park were located and looking at what was projected than and working from there. Councilman Rice commented that the Town Clerk had emailed the Board information regarding maintaining parks and playgrounds. Mr. Kidder addresses the Board with the Library repairs such as under the roof in the front and the railing. He questioned the Board on who is responsible for the exterior repairs of the library being that the building belongs to the Town. Supervisor Evia responded that at times they probably are. With further discussion regarding the matter of the repairs needing to be done, Supervisor Evia comments that the library is an asset to the community and he will stop by and look at what repairs needs to be done. Mr. Kidder asked about the Contractor doing the metal siding on the town buildings and asked if maybe he could use metal for the repairs under the roof on the front porch of the library. Highway Superintendent Pyer commented that Mr. Jackson, Contractor, is a very busy, but will check with him and get a quote from him to do the job at the library. Mr. Kidder also asked Superintendent Pyer if the road at the lake was still in process and Superintendent Pyer said yes, that it has gone through the 284 Road Agreement and has passed.

Department Reports:

- A. Monthly Highway Report-** Superintendent Lee Pyer reports that the Highway Department has been working on Spencer Hill Road hauling gravel and putting in pipes, which completes the FEMA projects. They also hauled gravel to Middle Road

and Avery Road and on Parker Rd. They are hauling gravel out of Hubbard's and Superintendent Pyer reports that the gravel from Hubbard's gravel is too clean and that Hubbard's will add some dirt in it for binder. He also reports that he has been waiting for the Salt Brine BUD Permit since the application was sent in February. He comments that no other Highway Dept. in Steuben County has received theirs and he does not expect it any time soon. He addresses the Board on what to do without the brine for dust control, town residents are already starting to complain about the dust. Superintendent Pyer claims he has called and left messages to Kathleen in Albany, DEC. Superintendent Pyer and the Board discusses different ideas and Lee suggest the Board call Albany, DEC and he also presented the idea of making their own salt brine using a test road (possibly Robinson Road) by spreading salt first than putting water down, than roll it. They all agree it is an idea worth trying. Superintendent Pyer reports that they got their CHIPS letter from NYS Department of Transportation and the Town of Howard has the following funding amounts available for the June payments. CHIPS (\$330,659.45) PAVE NY (\$76,577.89) EWR (\$66,876.55) POP (\$51,051.93) totaling \$525,165.82. Lee goes on to discuss that on the 284 Road Agreement he had Smith Road on as getting Oil & Stone. He suggests that with the amount of traffic and heavy equipment that uses that road; that for the 8/10ths of a mile starting from Rt. 56 going towards Rt. 109 they consider putting a 2" binder on it, then go back and put the oil and stone over that and the price for the binder is \$99,000.00 and the Oil and Stone will be \$40,000.00. Councilman Rice recommends black topping this road. Lee suggests using the PAVE NY and the POP to pay for this road project. It was suggested by Councilman Frey to have Dawn Smith who oversees CHIP funding to come to the June Board meeting to explain how CHIPS work.

A Resolution (#14-2024) was made upon a motion by Councilman Rice and seconded by Councilman Dyer to pave Smith Road.

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

Superintendent Pyer addresses the Board that the town Hyundai roller's tank is leaking and Georgia Swede is coming out to fix it. The roller's Air Conditioning Unit has stopped working after being fixed multiple times. He comments that warranty runs out on it this summer and they no longer manufacture that size roller anymore. He also comments that it is down more than what they use it. He asked the Board to consider getting another roller. He explains they bought this roller in 2021 for \$118,000.00, the company offered a trade in of \$60,000.00. The Case dealer in Campbell gave a quote of \$193,825.02 for a H130ic Hamm with a trade in offer of \$62,000.00. John Deere's quote was much higher and less tonnage. Lee also explains that it is 60 – 90 days out to get a new one. He discusses the option to trade off the old roller or put it on the Auction and see if it brings more than the trade in value. He said if they decide to purchase from Case, they will give them a roller to use for one month free and half price after that till the new one comes in. Superintendent Pyer explains that he plans on using CHIPS to pay for this new roller. He also discusses with the Board that he would like to roll over around \$125,000.00

of CHIPS into next year to be designated towards an equipment fund.

Superintendent Pyer and the Board also discussed that when purchasing equipment, the deal should also include oil changes in the price or at least make it aware that it could be a separate expense. In further discussion, it was decided to fix the Hyundai Roller and put it in the Auction and order the new Hamm Roller.

A Resolution (#15-2024) was made upon a motion by Councilman Rice and seconded by Councilman Frey to purchase the Hamm H130iC Roller with the option of trading the Hyundai Roller (trade value of \$62,000) and not to exceed \$200,000 with transferrable warranty and amend to the actual number when it is known.

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

Superintendent Pyer addresses the Board about the pickup truck that he is driving because it is at 3 years now, he asked if they want to want until it is at 5 years. The Superintendent and the Board discuss ways to continue moving forward with the rotation and purchasing of the Highway Departments fleet.

Superintendent Pyer reports that the Wind Company is having mechanical issues and have not been able to do much with the work on the 2 turbines and their permits to move the large cranes run out on May 10th. They now must get new permits. Richard Stewart comments that the repair crew has been staying at his Air BNB and they are waiting for a tool from Germany.

Lee also reports that Ethan Smalt will start on May 13th and Larry Switzer from B.O.C.E.S. called him and asked if he could take an Intern for a week. He accepted however; all he would be able to do is observe. Lee also asked if we had any flags to put up for Memorial Day. Clerk said we did not have any on hand and Councilman OBrochta said he had one. Councilman Dyer asked Superintendent Pyer if he had purchased an air compressor from the auction yet and Lee responded that he did purchase a 1989 from Yates County with 1700 hrs. for \$3,400.00. He also informed the Board that the 2010 truck must go to Sonny's Service for a leaky EGR valve. Supervisor Evia asked about the mowing tractor. Lee said he discussed the tractor's hydraulic line issue with Greenlight in Penn Yan and was told to check all the lines, clamps, and fittings for leaks and if needed to call them back. Superintendent Pyer mentioned that Councilman Gary Rice contacted him regarding looking into getting a generator for back up when there is a power outage. Councilman Rice stated that he was going to discussion in New Business.

B. Monthly Planning Board Report- No report

C. Monthly Fire Department Report- No meeting, No report

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-** Written report that consists of reporting one dog running at large on County Route 109.
- H. Monthly Library Report-** Written report consisting of a letter to the Board, Expense Sheet, miscellaneous attendance sheet as well as May and June Calendars. In the letter they also report that they will be having the library power washed this month.
- I. Monthly Town Clerk's Report-** Written report for April 2024 consisting of revenue that was brought in from 1 Building Permit (\$25.00) and 7 Dog Licenses (\$66.00). Disbursements: Paid out to Town Supervisor \$91.00 and NYS Animal Population Control Program \$9.00 totally \$100.00. Town Clerk, Fran Sharp also reports that the March report was forgotten to be put in their packets last month and is now included in this month's packet. She reports that there was an issue of mildew in the Meeting Room all at the floor level starting on the baseboards, legs of the chairs, bottom of the file cabinet is rusted. She reports that she cleaned it off the affected areas and is uncertain if it will come back. It was suggested that the fluctuation of the temperature in the room may be causing the issue and that maybe a dehumidifier is needed. Supervisor Evia suggests waiting to see if it comes back and then decide how to treat the problem.
- J. Monthly Town Supervisor's Report-** No Supervisor financial report. Supervisor Evia reports that the town received the Tru-up check that settles the sales tax from the prior year (\$147,615.95)
Supervisor Evia mentions that Christine Haar has been doing the town's books and getting things up to speed. The problem she is having is closing out last year's financial report. Leann Wightman, prior bookkeeper used a system that Christine is unfamiliar with and she has been working with Willaimson Law and they are unable to help her resolve this issue. Supervisor Evia said he has talked with Leann Wightman and she is willing to come and close out last year so Christine can move forward.

Old Business: Town Park: Councilman Dyer said that he visited the park and describes the different building structures and other park structures that need repairs, such as a roof on one of the buildings, swing needs new seats, picnic tables need paint, playground has weeds under the units. He also mentioned that the pavilion has a sag in the roof. Councilman OBrochta commented that Larry Miles the mower will be spraying for weed control. Councilman Dyer also mentioned different ideas of entertainment, pickle ball, bat mitten or tennis court, corn hole units. Councilman Dyer mentioned getting ideas from the residents of Howard on their suggestions or improvements for the park, maybe putting something on the town's website or

a public hearing than bring those ideas to the Planning Board. Councilman OBrochta talks about what he found out from Mike Sweet, Mayor of Bath, about what they did with their park. He says that Mr. Sweet uses a company out of Elmira called Hunt Engineering, he suggests possibly getting a Representative to come in and see what they may be able to do for the Town of Howard in assisting with getting a grant. Councilman OBrochta also mentioned that Mayor Buckley got grants for the James Street Park project.

Councilman Frey talks about the purchasing of trees bordering neighboring properties to the Salt Barn that has been in discussion for the last 2 years. He speaks of a Miscanthus grass (like sugar cane) that grows up to 12 feet tall and takes 3 years to get to full height that he discovered when he was in Michigan. He believes it could be an alternative to trees and is something to think about. He comments that it is easy to plant and as it is establishing itself it grows more canes resulting in a natural fence and he believes it is less expensive compared to purchasing trees. Councilman Frey states that it would have to be ordered this month because they only harvest this time of year. Councilman Rice asked if it is deer resistant and Councilman Frey said that it was. Councilman Dyer commented that he had spoken to Lynn Karr of the residents bordering the salt barn and asked his opinion about putting in trees to cover the barn and Mr. Karr replied that he did not want trees and Loreen Karr had stated that she did not want trees either. Supervisor Evia mention he had talked with Deb Travis another border resident and she felt the same way. Councilman Dyer also commented that with getting our buildings up in good shape, he feels there is no eye sore and nothing to cover up.

New Business: Councilman Rice suggests in the case of power outages the town get someone to come and give quotes on generators and to determine the size needed and possibly be set up with natural gas. Councilman Rice said he is looking into (FEMA) grants for stand-by generators for critical facilities which the town hall supplies water (our electric) to the fire department which has been used for Red Cross, warming station which may help eligibility. Superintendent Pyer comments that there are 2 generators on hand that they have used, one for the shop and one for the Clerk Office. He explains the process of getting them set up with wire and extension cords is an inconvenience and a potential hazard. Superintendent Pyer comments that CHIPS has an equipment life, Ex. generators, jack hammers, ice compressors etc... that can be bought brand new however, the equipment life must be 12 years, therefore a generator might be able to go on CHIPS.

Councilman OBrochta brings up the subject of Squatting, he comments that the State of New York took up a position on Squatters Rights prior to the budget that gives squatters rights to property they enter illegally occupy a residence for more than 30 days, after that the property owner must pursue legal action to remove them. Since the budget that State of New York has taken a different stance on this matter. Now the property owner has the right to remove them immediately. Councilman OBrochta is asking the Town of Howard to take a hard line against squatting in the town before it becomes a problem. Supervisor Evia asked if he was asking the Board to pass a Town Law and have the Town Law be more stringent than NYS Law. Councilman OBrochta said he would research how this could be done. He suggested possibly getting the Planning Board involved because the Chairman is an Attorney.

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

Highway Fund	(Abstract 37 – 48)	\$22,466.87
General Fund	(Abstract 337 -351)	\$9,615.94
Street Lighting	(Abstract 340)	\$254.95

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

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

Executive session: None

Town Board member discussion: None

Adjournment:

A Motion was made by Councilman Rice and seconded by Councilman OBrochta to adjourn the meeting at 9:40pm.

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

Frances Sharp
Howard Town Clerk