

**TOWN OF HORSEHEADS  
TOWN BOARD  
JANUARY 27, 2021  
8:00 A.M.**

The second monthly meeting of the Town Board was held on the above date at the Town Hall, 150 Wygant Road, Horseheads, New York.

Members Present: Donald J. Fischer, Town Supervisor; Gary Riopko, Carl R. Lewis, Sr., Stephen E. Wilber, and Donald W. Zeigler, Councilmen

Others Present: John P. Mustico, Town Attorney, Teresa Lyons, Assessor and Gretchen Deglau.

Supervisor Fischer called the meeting to order at 8:00 A.M. and welcomed everyone to the meeting.

Resolution #56 of 2021

**AMENDMENT OF LOSAP POINT SYSTEM FOR FIRE PROTECTION  
DISTRICT NO. 1 PURSUANT TO CHAPTER 113 OF THE LAWS OF 2020 COVID-19  
STATE OF EMERGENCY**

**WHEREAS**, the Town Board, of the Town of Horseheads has by appropriate resolution and referendum previously established a Length of Service Awards Program [hereinafter referred to as LOSAP] for the active volunteer firefighters of the Town of Horseheads Fire Protection District No. 1 in accordance with Article 11-A of the General Municipal Law, and

**WHEREAS**, the Town of Horseheads has established a Point System of the LOSAP in accordance with General Municipal Law § 217 in order to determine which active volunteer firefighter program participants qualify each year to be awarded a year of service credit under the LOSAP: and

**WHEREAS**, General Municipal Law § 217 was amended by Chapter 113 of the Laws of 2020 as follows:

*“AN ACT to amend the general municipal law; in relation to the determination of points for service award programs for volunteer firefighters during a state disaster emergency and authorizing service award program sponsors to adjust certain point systems when such sponsor adopts written emergency response protocols.*

*“THE PEOPLE OF THE STATE OF NEW YORK, represented in Senate and Assembly, do enact as follows: Section 1. Section 217 of the General Municipal Law is amended by adding at new subdivisions (p) to read as follows:*

*“(p) for purposes of determining total points earned for a calendar year in which a state disaster emergency, as defined in section twenty of the executive law, has been declared pursuant to executive order number two hundred two of two thousand twenty, as amended, to address the outbreak of novel coronavirus, COVID-19, an active volunteer firefighter service award program may provide for the crediting of up to five additional*

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*points per month that special emergency response rules were in place restricting firefighter responses to emergency responses and/or restricting the holding of activities for which points could be earned due to guidelines related to the state disaster emergency. A political subdivision electing to provide the additional points authorized under this subdivision shall adopt a resolution by April thirtieth, two thousand twenty-one determining the number of additional points to be credited per month, provided that any additional points credited pursuant to the subdivision shall be in addition to any other points earned pursuant to this section during the state disaster emergency.”*

**WHEREAS**, the Town of Horseheads has determined that active volunteer firefighter program participants performed their duties under special emergency response rules related to emergency responses and /or restricting the holding of activities for which points could be earned due to guidelines related to the State Disaster Emergency during the period of March 7th 2020 through December 31, 2020, and LOSAP coordinators who maintain Point System records are directed to adjust the point totals for each active volunteer firefighter program participant for the time during such period that he or she was listed as an active volunteer firefighter: and

**WHEREAS**, the Town Board has duly considered the same.

**NOW, THEREFORE, BE IT RESOLVED**, the Town of Horseheads has determined to award up to five (5) points per month, prorated for periods of less than one month, under the Point System for each month or part thereof that the COVID-19 State of Emergency was in place and active volunteer firefighter program participants performed their duties under special restrictive emergency response rules created by the Town & Country Fire Department Board of Directors, the President of said Fire Company, and the Fire Chief of said Company related to restricted emergency responses and/or restricting the holding of activities for which points could be earned due to guidelines related to the State Disaster Emergency; and be it further

**RESOLVED**, that volunteer firefighters that were not on the active rolls during all or part of the aforesaid period due to a leave of absence, suspension or other reason shall not be eligible for these special COVID-19 points during any period that they were not active firefighters participating in the accumulation of points under the LOSAP; and be it further

**RESOLVED** that the Town of Horseheads reserves the authority under this resolution to grant special COVID-19 points during later periods in 2020 and 2021 if the State of Emergency remains in effect and the Board is required to go back to emergency response and point generating activity restrictions if future developments with regard to the pandemic require that a new set of restriction be put in place for additional periods of time.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

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At this time, the board received the Annual report and the letter from the Town Historian and decided that they would like to have him come in and give a presentation. The Town Historian, Benjamin Erway will be coming to the February 24, 2021 Board meeting at 8:00 A.M. to give his presentation.

Supervisor Fischer discussed the need for a Public Health Emergency Declaration Plan and submitted a draft to the Board members. It will be put on the February 10, 2021 meeting at 7:00 P.M. for possible final adoption.

Next, the Board discussed the currently vacant position of part-time Building and Safety Inspector. They are currently putting together a job description to get to Civil Service and will be acting on this at a later date.

Next, a motion was made by Mr. Zeigler and seconded by Mr. Lewis to add and receive the following correspondence:

Jeffrey A. Geatsinger and Caitlyn V. O'Dell – applications for membership to Town and Country Fire Department. (12/28/2020 and 1/19/2021).

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Next, the Board asked the Town Assessor, Teresa Lyons to join the meeting to discuss a Town wide Revaluation. She explained that NYS will do the utilities at no cost, and she will be looking into appraisal companies to do the commercial properties. The board will then be approving a revaluation at the next Town Board meeting if all goes well.

At this portion of the meeting, a resolution was made by Mr. Lewis and seconded by Mr. Wilber to go into executive session at 8:55 A.M. to discuss a certain employee.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

As there was no business taken during executive session, a motion was made by Mr. Lewis, and seconded by Mr. Wilber to reconvene at 9:20A.M.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

As there was no further business to come before the board, a motion was made by Mr. Edwards and seconded by Mr. Lewis to adjourn at 9:21 A.M.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Respectfully submitted,

Nancy C. Rohde, Town Clerk