

**TOWN OF HOWARD  
TOWN BOARD MEETING  
MAY 14, 2025**

The regular meeting of the Howard Board was called to order by 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, Andrew Burdin and Property Owners/Lake Demmon: Laura Eisele, Andy and Mary Fazio, Dave and Michele Randall, Mary Jo Brundage, Richard Brundage, Steve Rayboy, Lisa Siragusa, Charles and Gail Snider.

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

**Previous Minutes:** The minutes of the previous meeting were reviewed by the Board and there were minor corrections that had to be made.

**A Motion** was made by Councilman Rice and seconded by Councilman Dyer to approve and accept the 2025 April minutes with the corrections.

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

**Public Hearing:** Supervisor Evia announces the opening of the Public Hearing on Local Law #01

**A Motion** was made by Councilman Rice and seconded by Councilman Frey to open the Public Hearing on Local Law #01 Regulations of Navigable Water of Lake Demmon in the Town of Howard at 7:10pm.

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

Supervisor explains the purpose of this hearing is to decide whether the town should rescind the law regarding the boat regulations on the lake.

One of the Lake residents asked why the Board would want to do away with it and Supervisor Evia responded that the Board was approached to do away with the law. Supervisor Evia explains how the law came about; it was put in place in 1986 and back then it made sense because here was no personal watercraft on the lake (jet skis). Since then things have changed, now there are personal watercrafts. He goes on to explain that in the NYS law regarding navigable waters it addresses the regulations with jet skis and swimming areas, etc.

The residents of Lake Demon express their concerns regarding safety on the lake and why the Town should keep the Law in place. They feel that the law is the only leverage that they have in regulating the size of the watercraft on the lake that is only 32 acres and 17' deep. One of the residents gave the Board a copy of the "Brianna's Law" passed in 2019. Lisa Siragusa, Lake Demon Association President, explains that the lake Association only has 2 members, herself and a Treasurer and 30 members with \$20.00 fees which goes towards the Ambulance, Fire Department and Sheriff department. She explains this is not a real Association more like a

community and said they do not have laws and cannot enforce regulations. Town Supervisor Evia explained that the town cannot enforce the law either. Lisa said she had a petition that was signed by 17 people that she had given to Councilman Ed OBrochta last year as well as recent emails from residents voicing against the use of jet skis and not changing the law. She also commented that in the previous minutes it stated that the lake has no public boat launch when it does have one, which is also a reason to keep the law in place. She comments that it confuses her as to why they would do away with the law now when it is working to keep the size of the boats at 15" and 50hp. Councilman Frey brings up the fact that there are no laws for Smith Pond and questions why is there a law for Lake Demon, they are of the same size. Lisa answers back that Smith Pond does not have a public boat launch and Lake Demon does. The Board ask if they have ever called the Sheriff Department regarding a particular individual that they have mentioned that has a jet ski and uses it with little disregard to the safety of others on the lake. They said they have and by the time they get there this person is gone and the Sheriffs are not doing anything about it because it is not written in the town law regarding the use of jet skis on the lake. Supervisor Evia suggests that they sign a complaint against this person. Another resident comments that it's not just about one individual with a jet ski but the fact that more could come in with jet skis if the law was taken away. Supervisor Evia commented that he had given this much thought and he is in favor of keeping the law in place, he also said that he is not speaking for the whole Board. Councilman OBrochta commented that he offered to attend their meetings to be able to address some the issues and give feedback and he was told through an email not to come because it wasn't necessary to have a sitting Town Board Member to attend their meetings. He followed up by saying he would be happy to attend their meetings because he works for the people. It was also acknowledged that in NYS all persons operating water craft has to take a Boater Safety class and obtain a Certificate and the classes are given through Steuben County Sheriff's Department. Councilman Dyer voiced that he believes from what he is hearing that even though there is a law, there is still a problem with boats and jet skis. He believes that even if the law was amended, there would still be need to follow through, ex. ticket and fines. Councilman Dyer also stated that it could be added to the law to simply add follow the NYS Navigation Laws. Councilman Rice commented that he is familiar with the Lake and he would like to see the law stay in affect however his concern is signaling out jet skis and that could be considered infringing. The Lake residents asked what it would take to change the language of the current law and Supervisor Evia explained there would need to be another Public Hearing before that could happen. Supervisor Evia announced that the Public Hearing will be closed.

**A Motion** was made by Councilman Rice and seconded by Councilman OBrochta to closed the Public Hearing at 7:43pm.

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

Councilman Rice suggests taking a vote on keeping the existing Law and keep it as written.

Councilman Dyer comments that he believes there should still be language added to the law pertaining to the NYS laws regarding safety issues and this would cover all water craft.

Supervisor Evia comments that he would like to speak to the Town Attorney to explain what the Town would like to accomplish; can it be done and how to word it without being discriminatory.

**A Motion** was made by Councilman Rice and seconded by Councilman Dyer to leave the Town's existing Local law #01 Regulations of Navigable Waters of Lake Demon as it is.

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

The Lake Demon resident thanks the Board for their time in listening to their concerns.

Superintendent Lee Pyer addresses the Lake Demon residents informing them that the highway department will putting down the last layer of oil and stone on the lake road after Memorial Day. The residents inform Lee that they appreciate what he has done with the road.

**Public Comment:** An unknown gentleman from Lake Demon (he did not introduce himself) asked the Board Members if we would all give our names and title so he would know who we were, the Board introduced themselves.

Richard Stewart addressed the Town Supervisor and asked if he was aware that the Town Assessor, Laura Snow had put the wind mills back up to \$2.5 million dollars per turbine.

Supervisor Evia commented he is aware and that the Wind Company is appealing and countered back with \$715,000. Mr. Stewart commented that it will be interesting to see how the Board of Assessment Review handles it. Supervisor Evia informs the Board Members that there is information in their packets regarding the windmill assessments.

Richard mentions that there will be changes regarding town websites. He says that the new changes would require changing from .com to .gov. Town Clerk, Fran Sharp, informs Richard that it only affects towns with populations over 1500 and our town is under that. He suggests that we should get rid of the website and that he finds it quite useless. He also comments that none of the Board Members names or numbers are on there and they informed him that they were in fact on the site. Richard gave the Board a copy of the website law. Supervisor Evia informs Richard that his comments are duly noted.

#### **Department Reports:**

**A. Monthly Highway Report-** Highway Superintendent Lee Pyer reports that they have been grading pot holes. Cleaned up downed trees and fixed the wash-outs. Putting gravel on Mystic Rd., Burlson Rd. and Burt Hill Rd. He reports that paving will start on the 19<sup>th</sup> of May. And the FEMA paperwork is almost complete, waiting on estimated cost on work completed and uncompleted. He said if the estimates look good, he will sign off if not they will go back to the negotiating table. He also reports that the CHIPS did go up in the NYS Budget to 25 million dollars which leads to the town getting a slight increase in CHIPS funding.

Councilman Rice comments that he would like to make a motion to purchase a new Grader. Supervisor Evia informs the Board Members that there is a quote in their packet. Councilman Frey asked for the number of hours and is there anything wrong with the current grader. Lee responded there is approx. 2700-2800 hrs. and it needs tires and it is out of warranty. Councilman Frey asked how it is going to be paid for. Supervisor Evia responded with F.E.M.A. money. Supervisor Evia also mentioned that it the highway dept. must important piece of equipment in the summer time and this is the "G" Model and this is the last year for this model before next years new model and increase in price. Councilman Frey asked if this aligns with the 5-year

plan that was put together. Councilman Dyer comments that it is close enough to the 5-year plan.

**A Motion** was made by Councilman Rice and seconded by Councilman Dyer to purchase a 2025 John Deere 672G Motor Grader.

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

- B. Monthly Planning Board Report-** No report, they have a Board meeting on Thursday the 15<sup>th</sup>.
- C. Monthly Fire Department Report-** Minutes for 2025 Jan., Feb., April in Board Members packets.
- D. Monthly Assessor's Report-** The Town Assessor, Laura Snow provided the Board members with the Howard Wind LLC Assessment information.
- E. Monthly Building Inspector's Report-** No report
- F. Monthly Town Justice Report-** A written report consisting of cases and fines for the month of April 2025. A check was written to the town in the amount of \$93.00.
- G. Monthly Animal Control Report-** Nothing to report for April 2025
- H. Monthly Library Report-** Written report consisting of a letter addressed to the Town Board Members, Expense Sheet, Miscellaneous attendance sheet and the May and June Program Calendars. In the letter they thank the Board for their quick communication.  
Supervisor Evia reports that the new furnace from Keeler's has been installed. Councilman OBrochta reports that he has pretty much given up on Bullfrog Construction on giving an estimate regarding the upstairs kitchen in the library and has contacted Collin Henry, Finishline Construction and meeting with him at the library to get some estimates for the work that needs to be done. Councilman Frey asked if the soffits was going to be fixed by Bullfrog Construction and Supervisor Evia commented that Bullfrog admitted that they had forgotten to get that part of the job done and would be getting ahold of them regarding this.  
Highway Superintendent Lee Pyer asked for an update regarding if a decision had been made by the Library Board Members regarding the driveway between the Library and the Church. Town Supervisor Evia informed him that they decided they wanted to keep it a driveway rather turning it into a lawn. He also informed Lee that it would need to be graveled and rolled.

- I. Monthly Town Clerk's Report-** Written report for April 2025 consisting of revenue brought in from 5 Certified Copies (\$50.00), 6 Dog Licenses (\$57.00).

**Disbursements:** Paid out to Town Supervisor (\$107.00) and to NYS Animal Population Control Program (\$8.00) totally \$115.00.

Clerk reports she has been issuing Handicap permits. She also informed the Board member they had a Memorandum in their packets regarding Roadside Cleanup Weeks that had been approved by the Steuben County Legislature for no charge at the Bath Landfill for up to 20 tons of garbage and 10 tons of tires.

- J. Monthly Supervisor's Report-** Supervisor Evia reports that the town received the Tru-up sales tax check in the amount of \$152,000.00. He also reports that the Clerk and I have been dealing with the reporting of the Covid Relief fund money which we believed we had completed our obligation last August (2024). NYS sent an email claiming we were not in compliance and he reports that he also received a phone call from Senator Schumer's office notifying us of non-compliance and that the many towns are in arrears of filing and the possible threat of having to pay back the funds. The Assistant explained that we need to file every quarter even if all the funds were expended and reported as such until the end of 2025. Supervisor reports that he met with Kayla, the towns insurance agent to complete the long form, everything will remain the same except Shop contents that is over \$1,000.00. This is to ensure there is proper coverage. He also reports that he and Councilman Rice went to a Windfarm meeting in Prattsburg for the new project. The Wind Company will start to do some prep work this year to ensure funding and that a possible finish date would be 2026. The maps showed the town will get 7 more towers. He also talked about getting estimates for Metal siding for the shop and offices, also for adding 2 more bays on the end of the shop. He mentioned getting an estimate from Collin Henry regarding the Museum's roof.

**Old Business:** Councilman OBrochta gives an update on the town park. He mentions that when the Phase 1 grant gets approved the Board will look at the designs and prices of the playground equipment. He talks about the storage shed for the park. He says Mike Sweet still has it and he believes it would be a good addition to the park and will serve a good purpose. Councilman OBrochta would like to move on the purchase of this building using the (Park) playground fund for the current price of \$4702.50 and replace it with the funds from the Wind Company donation. Councilman Dyer asked what would be getting stored in this 10 x 16 building. Councilman OBrochta responds that it would all depends, it would store games and anything else the park may have that needs to be stored. He also mentions that the business will deliver and level it for free and that the building has locks and comes with keys. The Board discuss where to put this building.

**A Motion** was made by Councilman OBrochta and seconded by Councilman Frey to purchase a 10 x 16 Storage building for \$4702.50.

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

Councilman OBrochta also comments that the Cornish's will be hosting several "Kid's Night Out" events at the Friends of Howard Community Center over the summer and they are all sponsored by individuals and businesses. He reports that at their first one, they had 40 children attend and they utilized the Community Building and the Park. He also reports that he received a letter of support for the town park grant from Britteny Stevens a mother of a 2 ½ year old son that is diagnosed with Fox G-1 Syndrome. He read the letter to the Board members. He states that if this grant gets approved it would have playground equipment that would accommodate children with special needs and would be the only park within 30-minute drive from them.

**New Business:**

**A Resolution (#07-2025)** was made upon a motion by Councilman Frey and seconded by Councilman Rice to approve the Budget Transfers.

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

**A Resolution (#08-2025)** was made upon a motion by Councilman Rice and seconded by Councilman OBrochta to pass this resolution for all paid elected and appointed officials who are members of the Retirement System for any new or subsequent term of office.

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

Supervisor Evia informs the Board that the Pilot Consent Resolution for the Prattsburgh Wind Project information is in their packets for review. Councilman Rice comments that this is the best the town will get because the IDA sets the amounts.

**A Resolution (#09-2025)** was made upon a motion by Councilman Rice and seconded by Councilman Frey to approve the Pilot Consent Resolution for the Prattsburgh Wind, LLC-Wind Energy Project.

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

Councilman OBrochta reports that Parykers Power Soft Washing called him and said he would be power washing again this year for the same price as last year, \$300 for each (2) building and \$10.00 a piece for the park picnic tables.

**A Motion** was made by Councilman Frey and seconded by Councilman OBrochta to hire and pay Parykers Power Soft Washing

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

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

Highway Fund	(Abstract #548 – 563)	\$39,292.31
General Fund	(Abstract #549 – 571)	\$24,121.74
Street Lighting	(Abstract #570)	\$177.12

**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:**

**A Motion** was made by Councilman Rice and seconded by Councilman Dyer to go into Executive Session for personnel reasons at 8:51pm.

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

**A Motion** was made by Councilman Rice and seconded by Councilman Frey to come out of Executive Session at 9:23pm.

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

**A Motion** was made by Councilman Rice and seconded by Councilman Frey to run an ad for a M.E.O. that does not require an CDL but would require a Class A or B permit. The Town would assist the individual in getting their CDL through the County. Also, using Facebook, The Shopper, Radio and Alfred State for advertisement.

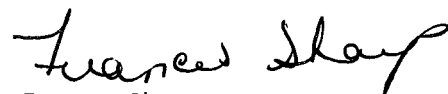
**Carried:** Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

**Town Board Discussion:** Councilman OBrochta asked if the Board could set a date to spray the weeds at the town park. He explains that there were some complaints regarding spraying the weeds last year because there was no notification to the public. He said the product would be Roundup bought from a store and that it would not require certification. Supervisor Evia suggests putting up a sign notifying the public. Councilman OBrochta suggests a date of May 21, 2025. He also made the comment that Larry Miles, the gentlemen that does the mowing should also be doing weed control and that the Board should look at his agreement with the town regarding this issue. Andrew Burdin commented that it would still require an Applicator's License because it would be getting used on public land. Councilman OBrochta commented that he would not be the one to do the spraying and would have to find someone that is certified to spray at the park. Councilman Rice said that he has an Applicator's License and said that he could spray the weeds at the park.

**Adjournment:**

**A Motion** was made by Councilman Dyer and seconded by Councilman Frey to adjourn the meeting at 9:42pm.

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



Frances Sharp  
Howard Town Clerk