

**TOWN OF HOWARD
TOWN BOARD MEETING
AUGUST 13, 2025**

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

Present: Supervisor Donald Evia, Councilman Ed Frey, Councilman Ed OBrochta, Councilman Ron Dyer, Councilman Gary Rice, Deputy Highway Superintendent Tom Dubois.

Absent: Highway Superintendent Lee Pyer

Also Present: Richard Stewart, Mike Kidder, Trey Kidder, Larry Mosher, Dennis Cole, Sharon and Joe Dutkiewicz, Brian Sutell, Jim DuQuette, Richard and MaryJo Brundage, Rob Patrick, Brian Kidder, Debra Matthews (Howard Dog Control Officer)

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.

A Motion was made by Councilman Rice and seconded by Councilman Dyer to approve and accept the 2025 July minutes.

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

Supervisor Evia announced the opening of the Public Hearing will start at 7:10pm.

A Motion was made by Councilman Rice and seconded by Councilman OBrochta to open the Public Hearing regarding Local Law #1 Lake Demon Navigable Waters at 7:10pm.

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

Supervisor Evia explains that all the town is doing with this law is incorporating the NYS Boating Law into it, so that there is no question if someone looks at the law and says what regulates the laws on Lake Demon. He asked the Lake Demon residents what their thoughts are on this. One of the residents asked why the town was re-doing the law and Supervisor Evia answered that people had issues with personal water crafts and that some are more than 50hp. And the NYS law has regulations regarding distancing from swimmers, etc. Councilman Dyer suggests this should also apply to Smith Pond because they have nothing in place and the NYS law addresses that you need to have a Boaters Certificate to be on any Navigable waters starting January 1, 2026 and it will help give the Sheriff's Department more leverage to enforce safety which was a concern of the Lake Demon residents. Councilman Dyer also states that because the Parks and Recreations are involved, one could possibly get a DEC Officer involved. Councilman Frey also explains that our law is out of date and it needed to be updated to include the NYS Boaters law to cover all personal water crafts. Councilman Rice comments that the Town of Howard held the Public Hearing and we as a Board agreed not abolish the law and decided that just adding

the NYS Boaters Law verbiage in it would update the town law and that NYS law is the law and that is all the Board is doing with this change. Supervisor Evia reassures the Lake Demmon Residents that the 50 horsepower and 15ft length of the boats would not be changed. There was lengthy discussion between the Lake Demon residents and the Board Members. Mr. DuQuette added a fun fact that Smith Pond was the only body of water in NYS according to the Waterbom Society that is listed as a Lun refuge on the 1980 Waterbom map south of the Adirondacks. Supervisor announced that if there were not more comments, we can move to close the hearing.

A Motion was made by Councilman Rice and seconded by Councilman Frey to close the Lake Demon Public Hearing at 7:40pm.

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 OBrochta that the Town leave the existing Lake Demmon Law as it is and just add the notation referencing the NYS Boating Laws.

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

Public Comment: Richard Stewart commented that he had noticed an error in the minutes. He said that the statement regarding that in the last 7 years no one from Smith Pond has attended a Town Board meeting and that statement is not true, because a gentleman from Smith Pond attended just a couple of years ago. Mr. DuQuette from Smith Pond commented that he would like to thank the Board Members and the Highway Superintendent for their prompt attention regarding the speeding issue at Smith Pond with the signs and placing the speed detector. Councilman Frey commented about the issue of changing the speed zone and the fact that it is true, he explains that when a township is less than 50,000 people it takes a NYS DOT Engineer to do a site examination and then make a decision if the speed limit can be changed or not. He also mentioned an issue with the lilac bushes that was obstructing visibility at Smith Pond and asked for them to be pruned back. Mr. DuQuette replied that he will take care of that.

Department Reports:

A. Monthly Highway Report- Deputy Highway Superintendent Tom Dubois reports that the department is still working on the road and ditch lines caused by the storm damage. And the roadside mowing is complete. Supervisor Evia mentioned that they had gotten a price from The Town of Eaton for the next 2020 Western Star 10-wheel Dump truck that will become available in 2027 for a price of \$220,000.00. He comments that the Board will have to let them know if there is an intent to purchase. Councilman Rice comments that he thinks the town is on a good path with the trucks from the Town of Eaton and should continue for as long as the trucks are available to us.

A Motion was made by Councilman Rice and seconded by Councilman OBrochta to send a "Letter of Intent" to purchase the 2020 Western Star 10-wheel dump truck from the Town of Eaton for a fixed price of \$220,000.00.

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

- B. Monthly Planning Board Report-** No report
- C. Monthly Fire Department Report-** May and June Business Minutes and July Monthly Meeting Minutes in B.M. packets
- 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 for the month of July 2025. There were no fines, no check was written to the town for July 2025.
- G. Monthly Animal Control Report-** Debra Matthews the new Town of Howard Dog Control Officer intrudes herself to the Board Members and thanks them for hiring her for the Dog Control Officers position. The Board Welcomes her and thanks her for coming to the Town meeting. She reports that she has nothing to report at this time. Supervisor Evia comments that he had a conversation with the NYS Municipal Inspector Hannah Hoelscher regarding that the town is no longer using the Canisteo Animal Shelter and will be now using the Wayland Animal Shelter. It was also acknowledged that the Town has signed a contract with the Wayland Animal Shelter.
Councilman OBrochta explained to Debra Matthews why he was a non-vote (abstain) when appointing her the Town of Howard Dog Control Officer.
- H. Monthly Library Report-** Written report consisting of a letter addressed to the Town Board Members, Expense Sheet, Miscellaneous attendance sheet. They report that the Summer Reading Program is going very well.
- I. Monthly Town Clerk's Report-** Written report for July 2025 consisting of revenue brought in from 1 Dog Redemption donation (\$20.00), 2 Building Permits (\$70.00), 23 Dog Licenses (\$266.00) totally \$356.00.
Disbursements: Paid out to Town Supervisor (\$356.00) and to NYS Animal Population Control Program (\$64.00) totally \$420.00.
Town Clerk, Fran Sharp reports no marriages for July and 1 handicap permit were issued. She also informs the Board that the town offices now have Caller ID added to the phone service.
Fran addresses the Board regarding her added responsibilities of preparing the vouchers and the abstracts for the Board meetings. She explained that as of right now she is sharing a computer with the bookkeeper because her computer does not

have an Accounting Work Station set up on it. She explained to the Board that Williamson law Book explained to her that it is important to have a separation of duties and it is more efficient to have the program set up so the 2 computers can communicate with each other and the cost would be an additional \$495.00 annually. She asked the Board for their approval to get this service. The Board is in agreement. **A Motion** was made by Councilman Dyer and seconded by Councilman Rice approving the Accounting Work Station/Licensing Program be installed for the additional cost of \$495.00 annually from Williamson Law Book on the Town Clerk's computer and to be sure that the Clerk can access the program at the same time as the bookkeeper being on the same program.

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

Fran also reports that the Summer Youth Program was a success and presented the Board Members with a Thank you card and 2 pictures from the children. She also commented that they were very appreciative of the hand washing station and the new shed.

- J. **Monthly Supervisor's Report-** Supervisor Evia reports that the file cabinets that was ordered for the Historian that had moved the town history records to the upstairs of the library was delivered to her new space and the fireproof cabinet because of the weight was placed in the downstairs back stairwell of the library.
- Supervisor Evia talks about the possibility of an addition at the end of the highway shop to better house the trucks and residing the town office building. He commented that there are quotes in the members packets to review. He comments that they would need to decide whether they will be doing something now or in the spring. Councilman Dyer suggests that in his opinion they should have an Engineer involved in this project because it is a commercial building and go through the Planning Board and have a hearing. Councilman Frey also commented that he has a number of questions and that the quote is very vague and doesn't agree with the way the quote was done and that it is unacceptable. He also states that an Engineer should be involved and it should be bid out. Councilman Rice asked if there would have to be an engineer drawing to just replace the sheathing/siding on the existing building or just the addition. Councilman Frey responded just the new addition. Councilman OBrochta asked if other Municipalities have engineer drawings to build a building. Councilman Frey responds that this would be a brand-new structure and needs an Engineer. The board discusses bidding it out and the problem with getting responses. Councilman OBrochta states that he would like to see the business stay in the Town of Howard. Supervisor Evia comments that they should table both of them. Councilman Frey also suggests tabling this and have an Architect come in and look at what the town has and make recommendations and go from there.

Old Business: Supervisor Evia comments that Phase I and Phase II information is in the Board Member packets. Councilman OBrochta gives an update on Phase II (Walking Path). He reports that Phase II (Walking Path) has been submitted and now we wait. He explains that the path direction has changed, instead of coming straight through and cutting out left field of the

baseball diamond, it is now going around the perimeter of the park and it includes benches and trash receptacles. Councilman Rice asked if they offered any dates approving or not approving the grants. Councilman OBrochta responded that Hunt Engineering said they may have a date for Phase I (Pavilion and Playground Equipment) in the fall.

Councilman Dyer gives an update on the Salt Barn Grant. He reports that there are two different reports (Town of Howard Budget information and Attachment C-Work Plan Summary) in the Members packets regarding this grant. He explains that the Budget worksheets is the information that he submitted to Christine Garrity and the Work Plan Summary is the information that Christine Garrity, DEC worked up for the town. He explains what the reports entail. He comments that the final step is to electronic sign the documents approve it is complete. He explains that before that happens, he still wants to go over everything one more time with Christine Garrity, DEC to make sure nothing is missing.

He requests the Board Members for their approval to sign.

A Motion was made by Councilman OBrochta and seconded by Councilman Frey to approve the signing of the Salt Barn Grant.

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

The Board thanks Councilman Dyer for all his hard work with this grant process.

New Business: Supervisor Evia announces that they need a motion to appoint an Assessor effective on October 1, 2025 for a 6-year term. He says Laura Snow the current Town Assessor would be happy to do another term.

A Motion was made by Councilman Frey and seconded by Councilman OBrochta to re-appoint Laura Snow as the Town's Assessor for the 6-year term.

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

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

Highway Fund	(Abstract #592 – 609)	\$44,767.59
General Fund	(Abstract #618 – 643)	\$39,350.82
Lighting District	(Abstract #636)	\$207.43

A Motion was made by Councilman OBrochta and seconded by Councilman Frey 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 Frey to go into Executive Session to discuss the Union Contract Negotiations at 8:14pm.

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 Dyer to come out of Executive Session at 8:49pm.

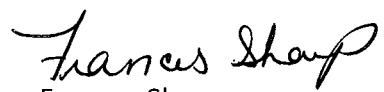
Carried: Councilman Frey, Aye; Councilman OBrochta, Aye; Councilman Dyer, Aye; Councilman Rice, Aye and Supervisor Evia, Aye.

Town Board Discussion: None

Adjournment:

A Motion was made by Councilman Rice and seconded by Councilman Frey to adjourn the meeting at 9:12pm.

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



Frances Sharp

Howard Town Clerk