

**TOWN OF HOWARD
TOWN BOARD MEETING
MARCH 12, 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: Theresa Dyer, Richard Stewart, Andy Burdin

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 Frey and seconded by Councilman Rice to accept the 2025 February Minutes.

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

Public Comment: Richard Stewart makes comment about the Real Property Law 575 which is the Windmill Assessment Model. He said that it was declared unconstitutional in New York. He gives the Board an information sheet that came from a Lawyer Firm that puts out alerts for their clients regarding this claim which he had printed off the internet. He says that it now puts it back to the Town Assessors to assess with a method of their choose. He reminded the Board that they had encouraged the Town Assessor to use the NYS Windmill Assessment Model put out by NYS Taxation and Finance about 3 years ago. He encouraged Town Supervisor Evia to speak with the Town Assessor to put the tax base back to where it was and he believes that it would be good for the town's tax base. Supervisor Evia said he will discuss this with the Assessor.

Department Reports:

A. Monthly Highway Report- Highway Superintendent Lee Pyer reports that the department has been pushing back all the snow banks to open up the ditch lines on the roads, unthawing pipes, grading in the pot holes with the grader and roller. He asks for 2 resolutions, one for the 284 Agreement for Expenditure of Highway Moneys and to hire Chris Abbott part time for the 2025 summer.

A Resolution (#01-2025) was made upon a motion by Councilman Rice and seconded by Councilman Dyer to approve the 284 Agreement.

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

A Resolution (#02-2025) was made upon a motion by Councilman Rice and seconded by Councilman OBrochta to approve the hiring of Chris Abbott for the 2025 summer.

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

Superintendent Pyer reports that as of 5:35pm ahead of the board meeting, he received via email from George and Swede 2 quotes for Hyundai Loaders. It was acknowledged that Superintendent Pyer did not reach out to them, they reached out to him.

The Board ask Superintendent Pyer questions about the Highway's current Loader and reviews the quote for the HL955A Hyundai Loader with a 3.7-yard bucket which is with a total sale price of \$21,804.00 after trade and a HL960A Hyundai Loader with a 4.3-yard bucket with a total sale price of \$45,000.00 after trade of current Loader from George and Swede. Lee informed the Board the offer is only good till the end of the Month. The Board agrees that it is a good price. Supervisor Evia suggests getting quotes from Case and John Deere. They talk about the warranty and Councilman Frey would like to see the Warranty in writing, he also was not in approval with the short notice of the offer to make a decision and believes that the company should give till the next Board meeting. Supervisor Evia said he was in favor of trading. Superintendent Pyer will be calling Case and John Deere to get quotes on their loaders and will get back with the Board with findings. Andrew Burdin asked the Board to speak, he offers an opinion on Case vs John Deere. He claims that Case has better Customer Service.

- B. Monthly Planning Board Report-** 2024 November Draft minutes in Board Member packets. They also had a special meeting schedule for March 20th for a sub-division.
- C. Monthly Fire Department Report-** No Report. Councilman Rice reports that Bob Cleeves has resigned from being the President of the Fire Department. He reports that they had a meeting and Mike Robords being a past President will fill in until they have the next meeting to elect a new one.
- 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 February 2025. A check was written to the town in the amount of \$143.00. Supervisor Evia reports that going forward the money from the Justice Department will be getting deposited in the General Fund at C & N Bank instead of the Magistrates Account at Five Star Bank.
Town Clerk, Fran Sharp informed the Board that they need to do a resolution accepting the Justice Audit.

A Resolution (#03-2025) was made upon a motion by Councilman Dyer and seconded by Councilman Rice to accept the Justice Audit.

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

G. Monthly Animal Control Report- Nothing to report

H. Monthly Library Report- Written report consisting of a letter addressed to the Town Board Members, Expense sheet, Miscellaneous attendance sheet. There was also an estimate from Keeler's Heating (Parts and Labor total \$5,047.00) for a new furnace. They had also provided an earlier estimate from Phoenix Heating (Parts and Labor total \$6,800.00). The Board discusses the Keeler and Phoenix Estimates and make a decision.

A Motion was made by Councilman Rice and seconded by Councilman Frey to accept Keeler's quote and hire them to put the new furnace in at the library.

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

I. Monthly Town Clerk's Report- Written report for February 2025 consisting of revenue brought in from 4 Certified Copies (\$40.00) 2 Building Permits (\$75.00) 7 Dog Licenses (\$63.00).

Disbursements: Paid out to Town Supervisor (\$178.00) and to the NYS Animal Population Control Program (\$7.00) totally \$185.00.

Town Clerk, Fran Sharp also discussed with the Board Members on holding another Rabies Clinic in July. Fran also mentioned the upcoming STC's Regional Leadership Conference that is scheduled for June 5, 2025 which is in the Members packets.

J. Monthly Supervisor's Report- Supervisor Evia reports on the 2 checks received from the Justice department and Town Clerk. He also mentions that he has been working on the Reserve Fund Policy which will have 5 reserves included in it (Machinery/Equipment, Building, Bridge Repair/Replacement, Retirement and Park) and to be reviewed annual. Councilman OBrochta asked if there was a cap on the retirement reserve and Supervisor Evia said there were no caps put on any of the reserves. Councilman Frey comments that this Reserve Fund is a very good start.

Old Business:

After discussion regarding the "Reserve Fund Policy" the Board votes to approve it.

A Resolution (#04-2025) was made upon a motion by Councilman OBrochta and seconded by Councilman Frey to approve the "Reserve Fund Policy" as written with the sum of \$415,243.45.

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

Councilman OBrochta gives an update on the town park and Hunt Engineering. He reports that they had a meeting with Bullfrog Construction regarding the pavilion. He also reports that he had a conversation with the Department of Health regarding the possibility of a well, he explains that if they drill a well for the standalone privy there would be water testing once every 3 months and if they put the privy over a holding tank that there were other guidelines regarding that. This would cost an extra \$12,000 - \$16,000 more than opting for a just a port-a-john. The question was asked...who will be responsible for the testing of the water and who will be responsible for pumping the holding tank and cleaning the privy. The Board discussed the better option would be to go with a port-a-john with a sink included. The Clerk explains that the town has Larry's Latrines bring a port-a-john in for the park from end of April till mid-October and they do all the pumping and cleaning as part of the monthly contract. The Board agrees when we order the port-a-john for the season to have include the sink as well as being handicap accessible. Councilman Rice speaks about the children participating in the summer youth program and that having a sink to have the ability to wash their hands was a concern of the leaders. Councilman OBrochta says that's all he has for now except the Hunt Retainer Proposal for the Board to review. The Board reviews the proposal and makes a decision. Councilman Frey suggests making a line item for the \$6,000.00 being proposed. Supervisor Evia suggests they need to make a motion to enter into the agreement with Hunt Engineering.

A Motion was made by Councilman Frey and seconded by Councilman OBrochta to enter into the agreement with Hunt Engineers, Grant Writers for the town park.

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

The Board gives Councilman OBrochta a thank you for his work in this park project.

New Business: Councilman OBrochta asked if had been decided to get a credit card to be able to make online purchases and Supervisor Evia responded that yes it was. He reports that he and Deputy Town Supervisor Rice and Highway Superintendent are the only ones that have one and that the Town Clerk has permission to use for stamps and office supplies if needed.

The Board also reviews the Canisteo Municipal Dog Shelter Inspection Report and the Dog Control Officer Inspection Report that was completed on 2/28/2025 from the Ag & Markets. Councilman OBrochta talks about the Local Law #01 "Regulations of Navigable Waters of Lake Demon" in the Town of Howard. He believes that the Board should consider doing away with the law. Supervisor Evia asked about how the majority of residents on the lake feel. Councilman OBrochta replied that he believes that the law does not apply to anything anymore with NYS Building and Safety Laws that are already in effect. The law is very much out dated. He goes on to say there are no public boat launches on the lake, it is all privately owned. Councilman Frey also explained that they have their own Association that would solve problems. Councilman Dyer suggests a new law should state to pertain to NYS boating laws on Navigable waters. Councilman Frey suggests setting a date for a Public Hearing in the April meeting to have a May Public Hearing regarding this law.

Councilman OBrochta suggests putting a television in the board room for zoom meetings. He suggests that it would be a good idea for people that would have to travel a great distance to address the board with topics. Supervisor Evia comments that Ed Flaitz is coming to upgrade computers in the offices and can discuss this with him. Councilman Rice asked if there any rules

or regulations with this as far as Open Government Meeting Law. Councilman Dyer believed that applied during COVID when all meetings were being held via Zoom.

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

Highway Fund	(Abstract #514-534)	\$185,241.84
General Fund	(Abstract #532-554)	\$9,668.05
Street Lighting	(Abstract #532)	\$164.65

A Motion was made by Councilman Frey and seconded by Councilman OBrochta 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 Discussion: None

Adjournment:

A Motion was made by Councilman Frey and seconded Councilman OBrochta to adjourn the meeting at 8:45pm.

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



Frances Sharp
Howard Town Clerk