

Town of Fowler Regular Board Meeting Minutes for June 8, 2020 at 7:00PM

The Regular scheduled board meeting for the Town of Fowler was held on the above date, at the Town Hall with all board members present excluding Councilperson Bishop who attended remotely. Also present were Town Clerk Tami Gale, Highway Superintendent Randy Durham, Pavilion Committee Chair Michael Cappellino, Board of Ethics Committee Member Vicky Cappellino, Lisa Durham, and Rachel Hunter, editor of the Gouverneur Tribune Press. Attendance was limited to 10 individuals, and social distancing recommendations were observed.

Supervisor Newvine called the meeting to order at 7:00PM, then proceeded with the pledge of allegiance and led a moment of silence to honor our military men and women, all healthcare workers serving on the front lines, and particularly right now, all of our police officers. Supervisor Newvine expressed well wishes to Deputy Town Clerk Debbie Tupper and Assessor Kathleen Besaw, who both have endured health challenges and expressed his thanks that they are on the road to recovery.

Supervisor Newvine asked for a motion to approve the minutes from the May 11, 2020 Town board meeting. Town Clerk Tami Gale asked that the minutes be corrected to clarify that a highway worker was taking only Fridays off for the whole summer, and not the whole week off for the whole summer as was stated and written into the minutes.

A motion was made by Councilperson Andrews, seconded by Councilperson Simmons to approve the May 11, 2020 Town board minutes with the correction. All in Favor. MOTION CARRIED.

Re-opening of Municipal Properties

Supervisor Newvine led a discussion on the re-opening of Municipal Properties. He reported that Phase 3 begins on Friday, June 12, 2020.

Re-opening of the Hailesboro Ball Park:

- Supervisor Newvine reported the softball league starts at the Hailesboro Ball Park on Friday June 12, 2020. He reported the softball players have been made aware that they have to practice and maintain social distancing while at the park. Supervisor Newvine reported the Town has done well with keeping people from using the ballpark during New York on Pause, however Councilperson Simmons had received a call on Sunday stating that there were too many people at the ball park. Supervisor Newvine contacted Charles Newvine, who is in charge of the soft ball league, and Charles visited the ball park and advised the players that only one team, consisting of 10 players can practice at a time. Excess people were asked to leave and the situation was remedied.

Re-opening of the Playground:

- Supervisor Newvine reported that the playground is a little more entailed and has much closer quarters there. He feels that the Town needs to wait until we receive further detailed guidance from the State on when and how to re-open it, referencing an article that was published in the Gouverneur Tribune press and penned by Editor Rachel Hunter, on the subject. He feels the Town needs to be very careful especially when children are concerned.

- Supervisor Newvine stated that the port a john is already in place and ready to go when the playground does re-open. He asked Town Clerk Gale if we were able to reserve a hand washing station for the playground. Town Clerk Gale reported that she had consulted with H-Brothers when ordering the port a johns' for the beach, the ball field and the playground, but they had only one hand washing station left and she had requested it to be delivered to the beach which is set to open on June 15th. H-Brothers is going to try to obtain two additional hand-washing stations, however they said due to the high demand, everyone is sold out. H-brothers are putting the Town on a list for 2 additional hand washing stations for the ball field and the playground if they can locate any to purchase.

Re-opening of the Sylvia Lake Beach:

- Supervisor Newvine reported that the Town had received its permit to operate the beach today from the Department of Health and the beach is set to open on June 15th. Supervisor Newvine asked if all of the Councilmembers had received the Forward New York Business Safety Plan for Sylvia Lake Community Park Beach in their meeting packets. Town Clerk Gale reported that she had included the Plans in all Councilmembers meeting packets so they could see the extra work that was required to be completed regarding COVID-19 precautions at the beach.
- Supervisor Newvine reported the Safety Plan had been completed by Head lifeguard Emily Bush. Supervisor Newvine and Town Clerk Gale agreed that Emily had done an excellent job on the Safety Plan. The plan was required to be created and posted at the beach from reviewing State interim guidance for beach re-opening activities and operations during the COVID-19 public health emergency, and the Town is required to understand their obligation to operate the beach in accordance with the guidance.
- Supervisor Newvine then asked for the board to discuss the pay the lifeguards will earn in 2020, and if it should be bumped up in relation to the extra work and duties stemming from the COVID-19 Pandemic. Supervisor Newvine asked what the lifeguards were paid last year. Town Clerk Gale reported the lifeguards all received pay increases last year, the head lifeguard was increased from \$13.00/hour to \$14.00/hour, and the rest of the lifeguards were increased from \$12.00/hour to \$13.00/hour.

After some discussion, a motion was made by Councilperson Bishop seconded by Councilperson Andrews to raise the head lifeguard pay to \$15.00/hour, and the rest of the lifeguards to \$14.00/hour. All in Favor.

MOTION CARRIED.

- Supervisor Newvine thanked Highway Superintendent Durham for getting the new steps installed at the beach so quickly and reported that the lifeguards were meeting the next day to clean and set up the beach.
- Supervisor Newvine asked the board for the lifeguards to be put on the payroll and to receive pay for their time setting up the beach and for Emily to be paid for a couple hours for her work in creating the Safety Plan. It was the consensus of the board to approve Supervisor Newvines' requests.

Re-opening of the Town Hall:

- Supervisor Newvine reported the Town Hall would be re-opening on June 15th. He is having Maintenance worker Byron Woodward install plexiglass in front of the Town Clerk and Assessor windows and put social distancing markers on the floor.

Re-opening of the Justice Court:

- Supervisor Newvine stated that he had received correspondence from Court Clerk Irma Ashley that the court would not be re-opening until August. The Justice Court is requesting plexiglass to be installed, along with 6 foot social distancing markers on the floor, and the Town will be responsible for providing masks and hand sanitizer for all visitors to the court, as part of a directive from the 4th Judicial District Court System.

RESIGNATIONS

Town Justice Resignation

Supervisor Newvine read aloud a letter received from Ryan Young dated May 30th, 2020 resigning his position as Town of Fowler Court Justice effective August 1, 2020. After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Andrews to accept the resignation. All in Favor. MOTION CARRIED.

Supervisor Newvine stated that the board would need to discuss their options on how to proceed to fill the vacant justice position. He reported he had received correspondence from Town Attorney Henry Leader regarding the future of the Justice Court. He reported that under the Unified Justice Court Act, if two or more Towns in the same County agree, through their respective boards they could authorize an election of 1 or more Town justices who could preside as justice for each Town. The other issue to take in consideration is in order for someone to run, the person would need to apply to the board of elections by July 28th, (the date was clarified by Councilperson Simmons, who serves as the Town of Fowler Republican Committee Chairperson.) Supervisor Newvine reported that in order to make it possible for someone to run for the justice position, they would need to ask Justice Young to change his resignation date to a date prior to July 28, 2020. Supervisor Newvine reported that in speaking with the Justice Court, there are no justice classes right now, and it would be foolish to appoint someone to fill the justice position as they start being paid upon their appointment, and a justice can't sit on the bench until they have received the proper training. Supervisor Newvine asked the board if they knew of anyone who is interested in running in November. Town Clerk Gale stated that she knew of 2 people who were interested, 2nd Deputy Town Clerk Kimberly Reed, and Board of Assessment Review member Candy Brown.

Supervisor Newvine asked the board their thoughts on how they wanted to proceed. Councilperson Andrews asked what the Town would do in the meantime for a justice. Supervisor Newvine reported that the 4th Judicial Court will appoint a current sitting judge to fill in at the Town of Fowler until a new justice is up and running. Councilperson Simmons asked if Supervisor Newvine thought there would be justice classes offered before January 2021. Supervisor Newvine replied that he felt there would be.

Councilperson Bishop asked the board if the justice position should be advertised to make more Town of Fowler residents aware of the vacancy in case they were interested in running for the job. Supervisor Newvine asked who the Democratic Committee Chairperson was in the Town of Fowler. After some discussion, it was determined that no one in attendance knew who the Democratic Chairperson is for the Town.

Supervisor Newvine stated the Town could place an ad stating anyone interested in running for the job could contact Republican Committee Chairperson Karen Simmons, or the Democratic Committee Chairperson as soon as we find out who it is.

Councilperson Simmons reported that if someone decides that they want to run for the position, the Democrats are going to have to have time to hold a caucus, and the Republicans are going to have to have time to get permission from the Republican committee in Canton, just to be on the ballot.

Supervisor Newvine asked if the Town had notified the Board of Elections about the justice resignation. Town Clerk Gale stated she had notified them. Councilperson Simmons added the notification to the Board of Elections was how this whole thing got started, because after the notification was made she received a phone call from the Board of Elections stating that Justice Young's resignation had to be moved back in order to get somebody on the ballot.

After more discussion, Supervisor Newvine stated he would call Ryan Young and see if he could change the date of his resignation and then he would let Town Clerk Gale know how to proceed with the ad.

Planning Board Member Resignation

Supervisor Newvine read aloud a resignation letter effective immediately from Planning Board Member Larry Streeter. A motion was made by Councilperson Simmons seconded by Councilperson Andrews to accept the resignation of Larry Streeter from the Town of Fowler Planning Board. All in Favor. MOTION CARRIED.

Supervisor Newvine directed Town Clerk Gale to advertise that there is a vacancy on the Town of Fowler Planning Board.

TOWN BOARD MEETING TIME CHANGE

Supervisor Newvine led a discussion on changing the board meeting time to 6:00PM from 7:00PM, a topic that was entertained at the previous months Town board meeting and not acted on and asked the board members their thoughts on the time change. After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Andrews to change the board meeting time from 7:00PM to 6:00PM on the 2nd Monday of each month effective beginning in July. All in Favor. MOTION CARRIED.

TOWN DEPARTMENT REPORTS

Town Justice

Town Justice Ryan Young was not in attendance.

Bookkeeper

Bookkeeper Barbara Finnie was not in attendance. Supervisor Newvine reported for Bookkeeper Finnie:

- That Bookkeeper Finnie had prepared and distributed to the board a cash balance month ending May, 2020 report for the board for this evenings meeting.
- Supervisor Newvine asked the board to pay attention to the budget balances on the 2nd page of the report. He stated this report does not include the month of June, but right now the report shows the Town to be in very good shape. He reported that next month we will be at the ½ year mark and the report shows that only 37% of the General Fund and 21% of the Highway Fund have been spent. He reported that we are in really good shape as far as spending goes.

Assessors

The assessors were not in attendance.

Historian

Historian Karen Simmons:

- Thanked custodian Rosalee Thornton for cleaning and sanitizing the Historians Office.
- Reported that she continues to work on scrapbooks from home.

Animal Control

Councilperson Karen Simmons reported for Animal Control Officer Dan Moyer who was not in attendance:

- He has received no complaints and there is not much going on right now with dog concerns.

Councilperson Simmons (Councilperson in charge of Dog Control) wanted to remind everyone that even with the Corona Virus going on, dog licenses are still due. She stated that she does send notices and call people on the phone to remind them of their over-due dog licenses. She doesn't do it to be mean, she is just trying to remind people that they still have to pay for their dog license.

Beaver Control

Councilperson Karen Simmons reported for Moyers Wildlife Control:

- That he is still working on the Chub Lake Road.
- He had just been paid for 4 beavers he took off the Emeryville Road, 2 beavers from the Shantyville Road, 6 beavers on the Stone Road, and 1 beaver, which is the 2nd beaver, was taken from the Byrns Road.

Code Enforcement

Code Enforcement Officer Glen Besaw was not in attendance.

Town Clerk

Town Clerk Tami Gale reported:

- She had licensed 37 dogs, handled 16 building permits, issued 1 marriage license, issued 1 certified marriage transcript, collected \$3.00 in miscellaneous dog fees, the total DEC sales for the month was \$185.00 with \$10.21 being Town commissions.
- She is now done collecting taxes for the year. 93.67% of the tax warrant had been collected. It ended up being just a touch down from what was collected last year. She reported that she hopes the word gets out that the Town now accepts credit cards, just over \$6,000 was collected in credit card sales as payment for taxes, with the availability beginning in March. She reported many people using the feature were very pleased to have this option.
- She had attended a webinar from the Office of the State Comptroller on May 27 on "Fiscal Responsibilities of the Town Clerk" and found it to be very informative.
- The next webinar offered from the Office of the State Comptroller will be held on June 16th covering "Internal Controls for Cash Receipts" and she has notified Councilperson Simmons of the time if she wanted to attend, or if any councilperson wished to attend.

- She had made a deposit to the Playground Fund in the amount of \$235.45. Of which \$66.30 was from a scrap metal check for 4,940 pounds of metal, and \$169.15 was from bottle and can donations.
- At the End of June the DEC will be implementing a new licensing system. She has received the new machine, and is awaiting a call to schedule set up and training from the DEC.
- She had copies of an up to date rabies clinic schedule if there was any one who wished to obtain this information.

PAVILION REPORT

Supervisor Newvine invited Town of Fowler Pavilion Committee Chair, Michael Cappellino to give an update on the pavilion.

Pavilion Committee Chair Michael Cappellino Reported:

- The concrete was poured for the pavilion pad on June 5th with over 30 yards of concrete poured. Ivan and his workers had it wrapped up by noon and all went well.
- Ivan is working on the finishing grading right now.
- We need to determine where the flag- pole is going to be installed, ensuring that certain criteria is met.
- The flag- pole has to be taller than anything that is near it.
- He has been researching good commercial flag-poles online. Supervisor Newvine reported that there is no point in buying a cheap one. Councilperson Bishop agreed that if we are going to do this job, then lets do it right. Michael Cappellino reported that he would work on getting the flag-pole ordered.
- He has spoken to North Country Barns who have a start date of June 17th.
- The plaque for the pavilion has come in and is very nice.

Highway Department

Highway Superintendent Randy Durham reported:

- Dennis (David) Travis is back to work as of today, with no restrictions. He had a good day.
- He will work him on Fridays, which will make 2 highway workers on Monday and Fridays.
- John Walsh is off until further notice. Supervisor Newvine stated that we wish him well and hopefully we will get him back to work soon.
- They have been working on the Byrns Road.
- Hanson Aggregates was the low bidder for the 2020 paving, but they still have not been informed by the State what they have to work with for money.

Councilmembers

Councilperson Simmons:

- Reported the rabies clinic for the Town of Fowler is still on for August 13, 2020 as far as we know.
- The up-coming primary on June 23rd is both a Republican and a Democratic Primary that will be taking place at the same time, so when you come to vote you will need to let the election inspectors know what party you are affiliated with.
- Thanked Fifield's Lawn Service for the job that they did at the Fullerville Cemetery. It was a very nice job.
- Asked Highway Superintendent Durham to remove the trash at the Fullerville Cemetery as it is spilling over again. He replied he would take care of it on Friday.

- Reported on the SOS Delivery Program that Friday there had been deliveries made to 73 seniors in the Town of Fowler. She reported that the Town is glad to see people utilizing the program no matter how much money they make or don't make, the program is there for all seniors no matter what.
- Thanked Krista and Richard Wainwright for their help in packing and deliveries.
- Reported that we would at least be doing 1 more delivery of care packages. Supervisor Newvine stated that we had to be sure to use all of the money that has been received before the deliveries would end. He stated that Town Clerk Gale had mentioned possibly purchasing gift cards from local establishments to place in with next delivery to use the remainder of the money donations up.
- Reported that the next delivery won't be for awhile, as the elections are being held on June 23, and the Town Hall can't be filled up with groceries.
- Reported to date \$ 5,676.47 in donations has been received since the SOS Program started. The total amount spent on the 1st, 2nd, 3rd deliveries totaled \$2,310.09. The amount spent on the 4th delivery that she had just figured out today is \$859.88, which she figures leaves \$2,506.50 left of the donations.
- Reported that she has been asked by a member of TOPS if and when they were going to be let back in to use the Town Hall, and she feels the board needs to make a decision if they are going to let them back in to use the Town Hall. After some discussion, it was the consensus of the board to close the Town Hall until January of 2021 to all community activities. Supervisor Newvine reported that he will get in touch with the leader of the TOPS group and advise them that they will need to pick up their equipment.

Councilperson Andrews:

- Asked if the Town had sold another culvert pipe. Highway Superintendent Durham reported that he had sold a culvert to Mavis Allen for a cost of \$99.40 and it will be installed on Friday June 12th.
- Reported that his other questions had been previously answered on the pavilion.

Councilperson Bishop:

- Wanted to commend the job that the highway department is doing on the Byrns Road. He stated that he has been up there a few times, it is widening out real nice and starting to look real good.
- Asked when the highway department was going to be black topping the cut out by Spilmans on the Country Club Road, stating that the son of a gun was rough. Supervisor Newvine asked Highway Superintendent Durham if he was going to be cold patching this part of the Country Club Road and when he would be starting it. Highway Superintendent Durham stated he would use hot mix and he would do it when he gets enough culverts to do a whole load. Councilperson Bishop stated that people are going to be banging around on it for 2 more weeks to a month then.

Supervisor Newvine:

- Reported that Town Clerk Gale had completed the application with FEMA and would be the FEMA liaison for the Town of Fowler. He stated Marty Hassett would be our contact person and provided his number to Town Clerk Gale and thanked her for doing a good job and is hopeful that the Town can recoup some money it has spent during the COVID-19 Pandemic.
- Congratulated Councilperson Simmons on the hard work and time she has put into all the organization and success of the SOS Program.
- Wanted to thank Dave Spilman for the generous donation of bottles to the playground fund.

- Read aloud a letter from Town Attorney Henry Leader on his resignation from the St Lawrence County Legislature for District 5 effective May 31, 2020, and stated that it says a lot about Henry and he is glad to have Henry Leader as our Town Attorney.
- Discussed the Town had a couple of Local Laws to consider adopting and that they would require a public hearing being scheduled. After some discussion, it was decided to set the public hearing to be held at the August 10, 2020 Town Board Meeting.
- Reported the local Sheriff had left a card in the drop box on 5/27/2020 stating that the Sheriff Department had been here to check the doors and make sure that everything was locked up, and had left the card saying that everything was found to be locked. Supervisor Newvine thought this was a great thing that people realize the Sheriff are coming through the area on a regular basis. He stated he had called Sheriff Bigwarfe today and told him he thought this was a great program.
- Reported he had received a letter from National Grid concerning a tree reimbursement program.
- Reported that Code Enforcement Officer Besaw may make a proposal to the town board in the future to change the Town of Fowler's building permits, stating that some research has been done to look into changing the Town of Fowler building permits.
- He stated he had acquired a pricing list from the Town of Gouverneur Code Enforcement Officer on their building permit fees and had given a copy to Code Enforcement Officer Besaw and Town Clerk Gale had researched the Town of Gouverneur's building permit application that is available online and found it to be very professional, noting the Town of Fowler building permits have been changed and re-changed through the years, and are in need of updating.
- Reported that once we get through the COVID-19, and the Town Hall is opened back up he would like to schedule a work session to go through all of the Town of Fowler policies, in particular the culvert policy is an issue, and needs to be re-written to say exactly what the Town wants it to say, even though the board verbally has committed to selling land owner's a culvert purchased by the Town, it needs to state that in a policy.
- Thanked Michael Cappellino for all of his work as pavilion committee chairman and for researching and getting a flag-pole ordered.

PUBLIC COMMENT

- Vicky Cappellino asked if the ability to pay by credit card at the Town Clerk office is posted on the Town's website. Town Clerk Gale replied it has been posted on www.fowlerny.com the Town of Fowler website since March.
- Rachel Hunter, editor of the Gouverneur Tribune Press commented that the Town Hall was a wonderful facility after being asked by Supervisor Newvine if she had any comments. She also clarified that the Town Hall is closed to all community activities until January 2021.

A motion was made by Councilperson Andrews seconded by Councilperson Simmons to audit the bills.

The bills audited for the General and Highway Fund were # 174 - 207, with a total of \$54,712.71.

The next regularly scheduled board meeting will be on Monday, August 10, 2020 at 6PM.

At 7:56PM a motion was made by Councilperson Andrews seconded by Councilperson Simmons to adjourn the meeting.

Tami Gale; Town Clerk

