

## **Town of Fowler January Organizational Meeting Minutes held on January 9, 2023, at 6:00 PM.**

The Regular scheduled January Organizational Meeting was held on the above date, with four board members present. Councilperson Cleveland was not in attendance. Also present were Mark Devers, Director of the Gouverneur Rescue Squad, Town Clerk Tami Gale, Highway Superintendent Randy Durham, Town Justice Tim Knowlton, Planning Board Chair Stephen Gale, Planning Board and Code of Ethics Committee member Vicky Cappellino, Michael Cappellino, Leo Knight, and Dave and Rosane White.

Supervisor Newvine called the meeting to order at 6:00 PM, then proceeded with the pledge of allegiance and led a moment of silence to honor our military men and women, all healthcare workers, and those who have recently passed: Kirk Brown and David Horne.

Supervisor Newvine asked for a motion to approve the minutes from the December 12<sup>th</sup>, 2022, Town board meeting. A motion was made by Councilperson Simmons, seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

Supervisor Newvine asked for a motion to approve the minutes from the Special Year-End Transfer Meeting held on December 28<sup>th</sup>, 2022. A motion was made by Councilperson Andrews, seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

### **RESCUE SQUAD CONTRACT PRESENTATION BY DIRECTOR MARK DEAVERS**

Supervisor Newvine reported Director Mark Deavers, of the Gouverneur Rescue Squad was in attendance this evening to present the yearly contract to the Town Board and to obtain Supervisor Newvine's signature in triplicate. Supervisor Newvine reported the yearly contract total to be \$23,963.50 to be paid quarterly. A motion was made by Councilperson Andrews seconded by Councilperson Bishop giving Supervisor Newvine approval to sign the yearly contract. All in Favor. MOTION CARRIED.

Director Deavers reported the year of 2022 had been the rescue squad's busiest year pre-COVID-19, reporting they had an increase of 500 total responses. He stated in the year 2021 they had 1644 total responses and had a total of 2253 in the year 2022. Director Deavers reported hospital to hospital transports had totaled 608 in 2022 up from the rescue squad's 375-400 average number of hospital-to-hospital transports. Director Deavers reported they are going farther for the hospital-to-hospital transports, such as transporting patients to Albany and Rochester multiple times per week, instead of a few times a year due to hospital issues in the Syracuse area.

Director Deavers reported there is an EMT class starting this Sunday, with 18 individuals signed up to take it. Supervisor Newvine asked how many people are working with the rescue squad now. Mr. Deavers reported there are 44 workers that include everything from per diem, full-time, and volunteers.

Director Deavers reported a publication will be made publicly available on February 7<sup>th</sup> that he will forward to Supervisor Newvine and the town board members to read. He reported the document, covers Town and Local Government recommendations concerning EMS.

Director Deavers reported the EMS Task Force should be starting next month and will be chaired by Ann Smith, who is also their Regional Program Director.

Supervisor Newvine thanked Director Deavers for all the Gouverneur Rescue Squad does and thanked him for the update.

### **2023 SALARY SCHEDULE**

Supervisor Newvine read aloud the Town of Fowler Salary Schedule for the year 2023 and asked for a motion to approve the Salary Schedule. A motion was made by Councilperson Simmons seconded by Councilperson Bishop to approve the Salary Schedule. All in Favor. MOTION CARRIED.

### **2023 TOWN BOARD COMMITTEES & DEPARTMENT HEADS**

Supervisor Newvine asked for a motion to approve the 2023 Town Board Committees and Department Heads reporting they will remain the same. A motion was made by Councilperson Simmons seconded by Councilperson Andrews to approve the Committees and Department Heads. All in Favor. MOTION CARRIED.

<b>Supervisor Ricky W. Newvine</b>	<b>- Sylvia Lake Beach, Hailesboro -Ballpark, Solar Projects</b>
<b>Councilperson Jeff Andrews</b>	<b>- Highway Department</b>
<b>Councilperson Karen Simmons</b>	<b>- Animal Control, Cemeteries, Food Programs, Beaver Control</b>
<b>Councilperson Lynn Bishop</b>	<b>- Mowing</b>
<b>Councilperson Scott Cleveland</b>	<b>- Pavilion &amp; Playground, Use of -Town Hall and Pavilion</b>
<b>Audit Committee</b>	<b>- Supervisor Newvine, Bookkeeper Finnie, Councilperson Simmons</b>
<b>Union Contract Negotiations</b>	<b>- Supervisor Ricky W, Newvine, Councilperson Bishop, Councilperson Andrews</b>

### **AGREEMENT TO SPEND TOWN HIGHWAY FUNDS**

Supervisor Newvine asked for a motion allowing the majority of the Town board members and Hwy. Superintendent Durham to sign the agreement to spend Town highway funds. The sum of \$260,690 for general repairs on 1.4 miles of town highways. \$42,000 will be spent commencing at SH 812 (Office Rd) and leading to End of Town Road, a distance of .3 miles, \$32,270 will be spent commencing at SH 812(Whitford Rd) and leading to the end of pavement, a distance of 966 Feet. \$18,600 will be spent commencing at CR 24 (East Street) and leading to Office Street, a distance of 556 Feet, \$65,660 will be spent commencing California Rd(Sibley Rd) and leading to Seasonal piece of Sibley Rd , a distance of 2217 Feet, \$48,160 will be spent commencing California Rd (Shantyville Rd) and leading to Seasonal piece of Shantyville Rd , a distance of 1488 Feet.

A motion was made by Councilperson Bishop seconded by Councilperson Andrews. All in Favor. MOTION CARRIED.

## **RESOLUTIONS**

### **RESOLUTION # 1 of 2023**

#### **PREPAID VOUCHERS**

A motion was made by Councilperson Simmons seconded by Councilperson Bishop to adopt Resolution #1 of 2023, a resolution to authorize the payment in advance of audits of claims for public utility services, postage, freight, express charges, and health insurance premiums. All in Favor. MOTION CARRIED.

AYES: 5 *NEWWINE, SIMMONS, ANDREWS, BISHOP,*

NAYS: 0

ABSENT: 1 *CLEVELAND*

### **RESOLUTION # 2 of 2023**

#### **OFFICIAL UNDERTAKING OF OFFICERS OF THE TOWN OF FOWLER**

A motion was made by Councilperson Simmons seconded by Councilperson Bishop to adopt Resolution #2 of 2023, a resolution for the respective officers of the Town of Fowler; Supervisor, Bookkeeper to the Supervisor, Town Clerk, 1<sup>st</sup> Deputy Town Clerk, 2<sup>nd</sup> Deputy Town Clerk, Tax Receiver, 1<sup>st</sup> Deputy Tax Receiver, 2<sup>nd</sup> Deputy Tax Receiver, Registrar of Vital Records, Deputy Registrar of Vital Records, Deputy Supervisor, Highway Superintendent, Town Justice, and Court Clerk to undertake with the Town of Fowler that they will faithfully perform and discharge the duties of their office and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law. All in Favor. MOTION CARRIED.

AYES: 5 *NEWWINE, SIMMONS, ANDREWS, BISHOP,*

NAYS: 0

ABSENT: 1 *CLEVELAND*

### **RESOLUTION #3 of 2023**

#### **HOLDING HARMLESS AGREEMENT WITH ST. LAWRENCE COUNTY**

A motion was made by Councilperson Bishop seconded by Councilperson Andrews to adopt Resolution #3 of 2023, a resolution to hold harmless the County of St. Lawrence County for providing service for the year 2023. All in Favor. MOTION CARRIED.

AYES: 5 *NEWWINE, SIMMONS, ANDREWS, BISHOP*

NAYS: 0

ABSENT: 1 *CLEVELAND*

## **OATHS OF OFFICE**

Town Justice Tim Knowlton administered the Oath of Office to the appointed persons who were in attendance. Taking their oaths were: Byron Woodward as Maintenance Worker, Vicky Cappellino as Code of Ethics Committee Member, and Stephen Gale as Chair of the Planning Board.

## **RE-DISCUSS SENIOR EXEMPTION FROM DECEMBER 12, 2022 TOWN BOARD MEETING**

Supervisor Newvine reported for Assessor Chair Besaw who was not in attendance:

- Assessor Chair Besaw had changed her mind on the need for a new Senior Exemption Resolution that would raise the limit of income from \$15,000.00 to \$17,699.99 for seniors of the Town of Fowler to receive a 50% break on their county taxes, that was discussed at the December 12, 2022 town board meeting.
- Assessor Chair Besaw now feels that the increase in the income limit would benefit the people in the Town of Fowler, and the process will be addressed at the next monthly board meeting for Assessor Chair Besaw to notify the board what steps needs to be taken for the process.

## Town Department Reports

### **Justice Department**

Justice Tim Knowlton reported:

- Court has been slow with not many cases.
- The new computers are working well.
- Court Clerk Ashley will be completing six hours of court clerk training this year and he will be completing twelve hours of justice training in 2023 as required.
- The J-CAP Grant award notification has been pushed back until the end of January or the end of February.
- He is going to start giving the town board a summary of all court activities at the monthly board meetings. He stated in December of 2022 there were 20 tickets issued in the Town of Fowler with one being a violation of penal law and the others were all vehicle and traffic violations. He reported it is a little deceiving as one person received 5 of the 20 tickets that were issued, and another person received 2 of the 20 tickets that were issued.

### **Bookkeeper**

Bookkeeper Barbara Finnie was not in attendance.

### **Assessors**

Assessor Chair Kathy Besaw was not in attendance.

- In advance of the meeting had given board members documentation on "What does an Assessor Actually Do? How they Do It? A guide for Taxpayers.
- In advance of the meeting had given board members documentation on St Lawrence County Town and County Tax Rates in Dollars Per Thousand.

### **Historian**

Historian Karen Simmons reported:

- It has been quiet in the historian office.
- She had taken care of the gentleman that was inquiring about a lot in the old section of the Fullerville Cemetery and the necessary paperwork had been completed.
- Reported there are many lots available in the new part of the Fullerville Cemetery and may be purchased by contacting the Town Clerk's Office. Prices of the lots are \$450.00 for one and \$400.00 for a second lot purchased at the same time.

### **Dog Control**

Dog Control Officer Dan Moyer was not in attendance.

Councilperson Karen Simmons reported for Dan Moyer:

- 2 dogs had been picked up and stayed in the kennel over the weekend. Both owners had been located, one dog was picked up today and the other owner did not pick the dog up as scheduled, and will be contacted.
- 2 complaints were handled, one on the Emeryville Rd and one on CR 22.

### **Code Enforcement**

Supervisor Newvine reported for Code Enforcement Officer Glen Besaw was not in attendance:

- He is investigating a lead to apply for some grant money through Elise Stefonik's Office to do some rehabilitation within the township.

## **Town Clerk**

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were \$1,295.00 with the Town of Fowler Commission being \$14.25. She had licensed 18 dogs, issued 1 marriage license, and had taken in \$30.00 in kennel fees.
- Bottle & Can money was received in the amount of \$91.20.
- Pepsi Machine money was received in the amount of \$209.00 in dollar bills and \$160.10 in change.
- She began collecting taxes on January 3<sup>rd</sup> and as of meeting time 4.77% of the tax warrant has been collected.

## **Maintenance**

Maintenance Worker Byron Woodward reported:

- He had replaced the eye on the flag pole light as it had been staying on all of the time.
- Reported the sluice boxes between his property and his neighbor Luis Guttierrez are almost completely plugged, and the water is getting very high, and he has concerns for his well. He and his neighbor used to dig it out and put it on the road, now there is no where to put it, and he thinks someone should start digging it out.

Supervisor Newvine asked Hwy. Superintendent Durham if this was something he could do. Hwy.

Superintendent Durham reported he could dig out up to the cement, but he can't dig out under it, and the location is not able to be flushed out. Hwy. Superintendent Durham reported he had discussed the problem with the County on several occasions, that if the County could get rid of the beavers on their County road, it will take care of this problem. Hwy. Superintendent Durham reported the County beaver control worker is done until next year. He reported he would take the excavator down there and see what he could do.

## **Highway Department**

Highway Superintendent Randy Durham reported:

- He would like to contact the County to have them do the paving this year. After some discussion, it was the consensus of the board to approve the request.
- The speed limit reduction request for the Island Branch Road was turned down. This is the 2<sup>nd</sup> request for the road that has been turned down.
- Reported he had a quote for a new broom for truck 17 at a cost of \$15,650.00 and provided copies of the quote from Cives Corporation to the board for their review. After some discussion, it was the consensus of the board not to approve the purchase at this time.
- Asked to have a new automatic opener on the door to the tin barn and gave a price quote of \$2,698.00. A motion was made By Councilperson Andrews seconded by Councilperson Bishop to approve the purchase. All in Favor. MOTION CARRIED.
- Reported the rollers for the other doors all need to be replaced and asked the board their thoughts. After some discussion, Supervisor Newvine asked Hwy. Superintendent Durham to get a quote for the work.

## **COUNCILPERSONS**

**Councilperson Simmons:**

- Thanked Councilperson Cleveland and Councilperson Bishop for their food donations to the HAP Program.
- 95 care packages were delivered in December to senior citizens through the SOS Program.
- Reported the SOS care package deliveries will be made a little differently in 2023, stating the deliveries will be done quarterly in 2023, being made in March, June, September, and December.
- Reported the average number of people who visit the HAP food program monthly is between 12 – 15 weekly on Thursdays.

Michael Cappellino complimented Councilperson Simmons on the great job she does with the programs. Supervisor Newvine agreed stating, she puts in a lot of hard work for the programs.

**Councilperson Bishop:**

- Had no further discussion.

**Councilperson Andrews:**

- Reported he hasn't heard if the Town of Fowler would be able to pick up any food boxes at the school.
- Reported he is not running for re-election in the fall if anyone had an interest in running for town council.

Supervisor Newvine stated Jeff has done a great job and he will be missed. Councilperson Simmons stated she hated to have him go.

**Councilperson Cleveland:** Was not in attendance.

**Supervisor Newvine:**

- Reported they are going to try something new and would be having a Chicken BBQ, to be held on January 21<sup>st</sup> with proceeds to benefit the food programs. It is being coordinated by himself, Randy Durham, and the Elks Club. It will be strictly take-out or delivery.
- Reported the Sylvia Lake Milfoil Task force recently sent a survey to determine how people would like to handle the milfoil problem at the lake, and 70% of people would like to use chemicals to treat the milfoil problem. The task force would like to meet with the town board to discuss the Town of Fowler being the lead council on the matter.
- Reported taxes are up in the Town of Fowler, partially due to the County and partially due to our equalization rate going down to 9 ½, which impacts the amount of taxes.
- Reported he will be discussing the increasing costs of chargebacks at his next Supervisor's meeting, where Bruce Green of the Real Property Office and County Administrator Ruth Doyle will be in attendance for the discussions.
- Discussed Emergency Services are trying to receive money from FEMA and the Town of Fowler may be able to re-coup some money spent during the last snow storm. He provided Matt Denner with an estimate of \$18,000 for snow clean up. Hwy. Superintendent Durham reported we had received 3 feet of snow.
- Reported the union had called the town concerning what they saw as an insufficient pay raise given to a highway employee.
- Reported the BOCES open house was very nice, and he enjoys attending the yearly event.

**PUBLIC COMMENT**

- Jack Woodward asked to use the town hall this Saturday for a meeting. It was discussed Councilperson Cleveland would be notified of the meeting and a building use form would be filled out.
- Dave White addressed the board concerning the property his wife Rosane purchased 2 years ago and how it becomes flooded at times, year-round, for several reasons. He expressed he feels the drainage system that is in place is not able to handle the flow rate of water due to heavy snow melts, rain storms, and beaver activity.
- Mr. White stated in 2021 he had contacted Mr. Flick, from the State, with his concerns of flooding on his property and had received assistance from State workers who brought in heavy machinery and dug out his yard until it met the Town of Fowler's jurisdiction. He reported he was told the State could not go any farther as it was now up to the Town of Fowler as it is in their jurisdiction. He reported Mr. Flick stated he had informed the Town of Fowler it needed to be dug out until it meets the other culvert.

Supervisor Newvine asked Hwy. Superintendent Durham if it was something the Town could address.

- Mr. White interjected that he has had a discussion with Hwy. Superintendent Durham, and he has been great. He stated he has helped with their driveway and the water that goes under it, but his hands are tied when it comes to this problem.

- Hwy. Superintendent Durham stated the Town has been addressing water problems for the last 7 years. He stated the road the Whites live on is scheduled to be done next year and it is a cement road. He reported he has already replaced the culvert they are talking about one time. He reported they can add another culvert on the Glasby Road and add another culvert there, but on the other side of the Glasby Road there is no where for the water to go.

Supervisor Newvine asked Hwy. Superintendent Durham if a culvert were to be added if it would solve the problem. Hwy. Superintendent Durham reported what had happened this time, was the State went in and pulled the beaver dam, and the water is higher than he has ever seen it before on that side of the road because they didn't put the bucket in to slow anything down and the water just flowed. Hwy. Superintendent Durham stated this is the first time the water has been over the road since they had put the new culvert in.

Councilperson Andrews agreed, that when the State pulled the beaver dam, it flooded the whole area.

- Mr. White asked the town board if he is suppose to be paying taxes on land that is continuously being flooded by both the State and the Town. Hwy. Superintendent Durham stated the Town can't dig between the two roads due to the gas line and that is cut and dry.
- Mr. White then discussed the easements that the State and the gas company have on his property and asked the Town of Fowler how he could donate that land to the Town of Fowler to get it off his hands. Mr. White asked the Town if they are willing to accept the donation of the land since he and his wife can't do anything with it.

Supervisor Newvine stated you can't stop the natural flow of water. Mr. White stated he is willing to fight this issue in court and put the Town of Fowler under water themselves. He stated all that they are asking for is for the Town to dig out that road and dig out the drainage ditch, and if it still floods over then they will know there is nothing that can be done.

- Hwy. Superintendent Durham stated this summer when they prep that road to be done next year, he will put another culvert in on both sides, but he can not dig in the center because of the gas line.

Councilperson Bishop suggested the White's try calling the gas company to see if they could come and put the section of pipe in for them. He stated the gas line is the reason the water is backing up on their property because the Town can't dig there.

- Mr. White thanked the board for their time.

The next regular scheduled board meeting will be on Monday, February 13, 2023, at 6:00PM at the Fowler Town Hall.

A motion was made by Councilperson Andrews seconded by Councilperson Simmons to audit the bills. All in Favor. MOTION CARRIED.

The bills audited for the General and Highway Fund of December 2022 remaining bills # 509 to # 516, with a total of \$2,229.21 and January 2023 bills # 1 to # 7 with a total of \$14,525.62.

With no further business, on a motion of Councilperson Andrews, seconded by Councilperson Bishop, the Organizational meeting was adjourned at 7:10PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk