

Town of Fowler Regular Board Meeting Minutes of September 14, 2020 at 6:00

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 Mark Deavers / Director of Operations for Gouverneur Rescue, Town Clerk Tami Gale, Highway Superintendent Randy Durham, Code Enforcement Officer Glen Besaw, Assessor Chair Sherry Geer, Assessor Phyllis Shaw, Assessor Kathleen Besaw, Pavilion Committee Chair Michael Cappellino, Board of Ethics Committee Member Vicky Cappellino, Lisa Durham, Scott Cleveland, and Leo Knight Jr. Attending the meeting via teleconference was Rachel Hunter, Editor of the Gouverneur Tribune Press.

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, the healthcare workers who are keeping us safe, and especially tonight for the family of Lyle Bishop, whom four of his six family members have worked for the Town of Fowler, our hearts go out to them and we will remember them during this moment of silence.

Supervisor Newvine reminded all in attendance that public comments would be heard during the allocated time listed on the agenda.

Supervisor Newvine asked for a motion to approve the minutes from the August 14, 2020 Town board meeting. A motion was made by Councilperson Simmons, seconded by Councilperson Andrews to approve the August 14, 2020 Town board meeting minutes. All in Favor. MOTION CARRIED.

Supervisor Newvine reported the board needed to set a new date for the regular October Town Board meeting as it falls on Columbus Day. After some discussion it was the consensus of the board to schedule the Town Board meeting date to be held on October 5th, 2020 at 6:00 PM.

Supervisor Newvine reported the board needed to schedule a budget workshop to begin the 2021 budget process and bookkeeper Barbara Finnie had suggested September 28, 2020 at 3:00 PM. After some discussion it was the consensus of the board that September 28, 2020 at 3:00 PM would be scheduled for the budget workshop.

Gouverneur Rescue Update

Mark Deavers, Director of Operations for Gouverneur Rescue was in attendance to give an update to Town Officials. Mr. Deavers stated the information in his report was for the year 2020 through the end of August. Gouverneur Rescue had a total of 131 responses to the Town of Fowler. He reported from mid -March to the end of May they had about a 40% reduction in volume, a lot of which was hospital to hospital transports, which is the Rescue's revenue generator in terms of the budget. He reported there was a steep decline in 911 responses, stating in the last 2 weeks of March they experienced about a 70% reduction to responses. Revenue budgeted versus actual is down about \$154,000. He reported that after COVID-19 supplements, the total net loss is about \$40,986.20. He reported that the State continues to put more people on Medicaid, and that Medicaid covers roughly 30% to 40% of the cost. He stated there are more cuts to Medicaid coming and unfortunately the budget situation in the State is not pleasant for anybody. Mr. Deavers stated that the Rescue's expenses are up, like everyone else's and mentioned that masks, gloves, medications, and medical equipment shortages have been a portion of the increased expenses.

Supervisor Newvine asked Mr. Deavers what he was asking for from the Town of Fowler. Mr. Deavers replied that he was looking for any budget increase that the rescue could get. Mr. Deavers reported that the rescue hadn't received any contract increase from the Town of Fowler that he can remember in the 7 years that he

has been at the rescue. Councilperson Andrews asked if the rescue would be eligible for any assistance from the State. Mr. Deavers replied that the State wants to cut more and more. Supervisor Newvine asked if the other Towns had regular scheduled increases for the rescue. Mr. Deavers stated the Town and Village of Gouverneur usually increase the rescue contract by 2% each year. Some Towns are hit and miss meaning one year they may receive an increase and another year they don't. Mr. Deavers reported the Town of Rossie had given a 4% increase at the beginning of the year, but they hadn't received any increase from them in sometime. Town Clerk Tami Gale stated that she was quite sure the Town of Fowler had given them a 3% increase last year as we gave them the same increase as the Gouverneur Fire Department. Councilpersons Simmons and Bishop agreed they also remembered the 3% increase to the rescue. Supervisor Newvine stated the Town is having a budget workshop on September 28th, his request would be presented at that time and the Town would see what they could do. Supervisor Newvine thanked Mr. Deavers for his report.

Pavilion Update

Supervisor Newvine invited Pavilion Committee Chair Michael Cappellino to give the board an update on the pavilion. Mr. Cappellino reported that the installation of the new flagpole at the pavilion is scheduled to be done on Wednesday the 16th and asked the boards' approval of \$175.00 for a 1- day lift rental plus a \$200.00 refundable deposit for the lift to install the flagpole. Mr. Cappellino reported that Jack Woodward will be assisting with the installation. Councilperson Bishop offered to donate to the installation costs if extra money was needed to get the flagpole installed. After some discussion, it was the consensus of the board to approve the cost of the lift rental.

Mr. Cappellino reported that he has been in contact with Ivan Shampine who is setting a date to complete the block work at the pavilion. He has also been in touch with North Country Barns and will let them know as soon as the block work is done so they can begin their work on the pavilion.

Supervisor Newvine thanked pavilion chair Mike Cappellino for all of his work on the pavilion.

TOWN DEPARTMENT REPORTS

Town Justice

Town Justice Travis Dann was not in attendance.

Bookkeeper

Bookkeeper Barbara Finnie was not in attendance:

Assessors

Assessor Chair Sherry Geer:

- Asked if Bookkeeper Finnie had left the budget paperwork showing the standing of each department. Town Clerk Gale stated she had the budget paperwork from Bookkeeper Finnie for the Justice Dept, Assessor Department, Code Enforcement, Custodial Dept, Town Clerk, and Highway Dept. and would get it to her after the board meeting.
- Reported the assessors have been riding around checking on completed building permits.
- Reported Assessor Besaw has been taking her required ethics class and working on assessor fundamentals and is quite advanced in the required assessor training.

Historian

Historian Karen Simmons reported:

- Last Thursday she had a visitor to the Historian's Office who brought donations. Books and maps of Sylvia Lake were donated by Lea Dixon, and pictures that were taken at Sylvia Lake were donated by Jon Jackson. She reported she received a bag full of pictures of camps at Sylvia Lake and they spent some time adding names to the backs of the photos. Included in Lea Dixon's donation were old news-

letters from 1989 that she had found while cleaning the camp. Historian Simmons stated she would send thank you notes to both for the donations..

Animal Control

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

- She had spoken with Dan Moyer this morning and he reported he had picked up a dog on County Route 22 and taken the dog to the kennel. About a half hour after taking the animal to the kennel, the owner of the dog called Dan. The dog's owner was from Rochester and had let the dog out to go to the bathroom and the dog had taken off. Dan reunited the dog with its owner.

2020 Rabies Clinic Report

Councilperson Simmons, who oversees animal control, reported:

- That the yearly rabies clinic had a very good turn- out considering the new way of having to run it this year by appointment only due to COVID-19.
- 88 animals were vaccinated, 75 dogs and 13 cats.
- The vet was late, but we were caught up in no time once he arrived.
- The clinic raised \$281.00 from donations, up from last years' donations of \$135.00. The total number of animals vaccinated was down, but the donations were up.
- The money raised was donated to the playground fund.
- There was a gentleman who came from Malone with 5 dogs.
- That she and Town Clerk Gale are still working on getting the certificates sent in the mail to attendees of the clinic.

Supervisor Newvine added, that the 2 candidates running for the open Councilperson seat in the November 3, 2020 election both volunteered their time to direct traffic and park cars at the rabies clinic.

Councilperson Simmons added that Kim Reed, candidate for Fowler Town Justice, also volunteered at the rabies clinic handing out bottled water and directing clinic attendees when it was there appointment time to approach the shot area.

Supervisor Newvine stated that Councilperson Simmons forgot to tell about one of the dogs making a donation that he got to clean up. Councilperson Simmons replied poor Rick, you always get the dirty end of the stick.

Supervisor Newvine stated that he really enjoyed being a part of the rabies clinic, getting to see the people and the animals.

Beaver Control

No report was given on beaver control for the month by meeting time.

Code Enforcement

Code Enforcement Officer Glen Besaw reported:

- He has been very busy this month.
- He received building permit applications for 2 new homes.
- He has been taking his required training classes online, and the Town can be reimbursed for the payment that it made before in person training was cancelled due to COVID-19.
- There are 2 cases still pending in court for tickets that were issued, and 2 more that are pending on tickets that were issued for violations of State Law and the Town of Fowler Land Use Law.

Clean Up of County Route 22 Property Discussion

- Pertaining to the clean up job that was discussed at the August 2020 Town Board meeting, he had been in touch with 3 people, and to his knowledge, all 3 people had looked at the property, and only 1 guy is willing to do the clean up with an estimate of \$1850.00. Code Enforcement Officer Besaw stated that he personally would not do the clean up for \$1850.00 and asked the board members if they had been to look at the property in discussion, stating that it looks like a pretty good deal to him for the Town.

Supervisor Newvine asked if the cost of the clean up could be added to the property owner's tax bill, and asked Assessor Chair Geer if she knew if it could be. Assessor Chair Geer reported she didn't think so but really had no idea. Code Enforcement Officer Glen Besaw stated that he had spoken to Court Clerk Irma Ashley on the matter and he reported she had said there was a stipulation that a lien could be placed on the property, but if the ownership ever changes, then they would no longer be responsible for it, and with it being a Civil matter he didn't know too much about it. Code Enforcement Officer Besaw reported that the 1 person who is willing to do the clean up at the property is a Fowler resident and is prepared to give an estimate in writing describing exactly what he is going to do if the Town decides to move forward with it. Supervisor Newvine asked if we have to be concerned with the clean up person having insurance. Code Enforcement Officer Besaw replied he didn't think so, as he is a private contractor, so as long as it is only him and 1 other person, he does not need to provide liability insurance. Code Enforcement Officer Besaw reported that the person does have the necessary equipment to do the clean up. It is not a job that is able to be done by hand. Code Enforcement Besaw further stated he did get permission from the homeowner to go on to the property to perform the clean up, if the Board moves forward. He would just have to notify the homeowner that the clean up was going to be done and when it would be done. Code Enforcement Officer Besaw then stated it is up to the board, he will obtain an estimate in writing from the 1 person who is interested and notify the homeowner when it will be done if they approve to move forward with the clean up.

- Councilperson Simmons asked if the clean up pertains to the inside and the outside of the residence. Code Enforcement Officer Besaw stated that all they can take away is what poses a threat to the other people in the area, stating for example the household garbage, tires, because they breed mosquitos, anything that is outside that isn't part of the structure that could be a danger like scrap steel, the garbage and any items such as that. He reported that he has not heard back from the DEC regarding the tires, stating it is a DEC violation to have an illegal tire dump.

- Supervisor Newvine asked if the estimate of \$1850.00 included hauling away the aforementioned items. Code Enforcement Officer Besaw reported that it did. Councilperson Andrews and Simmons both agreed the Town should move forward with the clean up. Councilperson Bishop stated he would do whatever the other board members wanted to do.

Michael Cappellino asked if the homeowner lives there. Code Enforcement Officer Besaw replied, no one lives there, it is one of the cases that is going to court. Michael Cappellino then asked why the Town was paying to clean it up. Code Enforcement Officer Besaw replied because it is a public nuisance the Town has to take care of it. Michael Cappellino stated he thought the Town should have some form of guarantee for reimbursement for paying to pick up someone else's crap. Code Enforcement Officer Besaw stated he doesn't know how that part of it works. Assessor Chair Geer stated that if a lien is put on the property and it ends up going to a tax sale, then the Town would not get anything.

- Supervisor Newvine stated that the Town will get in touch with Attorney Henry Leader and hash it out and make sure the Town has a plan to try to recoup the money that will be spent on the cleanup.
- Code Enforcement Officer Besaw stated he would call Henry Leader the next day.
- Supervisor Newvine asked when the disposition of the ticket issued to the homeowner was taking place. Code Enforcement Officer Besaw stated the first week in October is the court date saying that it had went to court once, and Justice Dann rescheduled it as he wanted Town Attorney Henry Leader to be present.
- Supervisor Newvine stated that the board should wait until such time the homeowner has his court appearance and see what gets determined by the court before moving forward with the cleanup.

Town Clerk

Town Clerk Tami Gale reported:

- The office has been very busy selling hunting licenses. DEC gross sales were \$2,269.00 with a commission of \$116.20.

- 2 deposits were made into the playground fund, the first deposit included proceeds from a t-shirt sale, scrap metal check, bottles & cans & the highway truck that was sold as scrap in the amount of \$1,097.10 the 2nd deposit was in the amount of \$380.45 in which \$99.45 was from bottles and cans, and \$281.00 from rabies clinic donations, making the months total Playground Fund deposit \$1,477.55.
- She had licensed 67 dogs, handled 8 building permits, issued 2 marriage licenses, issued 1 Certified Transcript of Marriage, and had issued 1 Certified Death Certificate.
- It has been very busy with the door having to remain locked, trying to answer the knocks at the door while being on the phone, it feels like your going every which way but loose and like you are not getting anything accomplished.

Supervisor Newvine interjected since we were on the subject of the door, he asked if everyone had a copy of the quote from Barkley's Safe and Lock. He reported the quote is for an intercom and buzzer system to be installed on the entrance to the back door which would allow remote access control entry of visitors to the Town Hall. Supervisor Newvine reported the cost would be \$1,389.97 and asked the board what their thoughts were on the quote. After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Andrews to approve the installation of the remote access intercom and buzzer system to be installed on the door. All in Favor. MOTION CARRIED.

Highway Department

Highway Superintendent Randy Durham:

- Asked if all of the board members had seen the report on the bridge located on River Drive and it being yellow flagged. He stated that it has been yellow flagged since 2012 as far as he can find.
- It will cost just over \$100,000 to repair the problem. He has applied for a grant in the past and for 2 years in a row he has been turned down.
- He has discussed the situation with Supervisor Newvine a few times and it is an on-going problem. What he would like to do right now is apply for another grant for next year. Supervisor Newvine suggested that Highway Superintendent Durham call and make the County aware that they have put the wrong name of the road on the report of the yellow flagged bridge, stating it is the River Drive bridge, not the River Road bridge, as is stated on the paperwork. Highway Superintendent Durham reported that he has already made the County aware of the error. He reported it is really a culvert, but the County calls it a bridge, so they don't have to pay for it. Highway Superintendent Durham reported that we could possibly fix it next year if that was what the board wanted to do. Councilperson Andrews stated he didn't think the highway department had enough equipment to fix it. Highway Superintendent Durham reported that the repairs would be hired out and the quote of \$100,000 to do the repairs is still good. Supervisor Newvine stated that as long as the County hasn't closed the bridge, that this wasn't the year to spend a \$100,000 on it. Highway Superintendent Durham agreed and reported that the Town should find out by the end of the month how much money they are getting back in CHIPS.
- The Highway department vacations are just about over with, most of the men have one or two more days to use, with the exception of John Walsh, who will have about a month of vacation to use when he comes back.
- Reported that the highway department had discussed social distancing and how it will be handled during the Winter schedule. He stated they will be wearing their masks and he is keeping 1 bay empty by parking one of the trucks outside. The highway department will be returning to five, eight hour shifts. Councilperson Andrews asked when the five- day work- day is resuming. Highway Superintendent Durham stated it would resume in early October.
- Reported 4 of the 5 primary plow trucks are ready for the season. The number 5 truck is having repairs. He informed the board they would be seeing lots of bills for tires.
- Reported he had taken his inventory today and had removed the 2000 truck from the insurance as it no longer has a radiator in it.

- Reported the Proline dump sander is still in the barn, it received too low of a bid last year when it was advertised. He reported that there is \$39,000 insurance still on it and asked the board if they wanted to keep insurance on it. Supervisor Newvine asked if it was something that another Town would be interested in. Highway Superintendent reported that some other Towns still use that kind of sander and he would call around and see if there was any interest.
- He has applied for a grant through the Gouverneur Elks Lodge for the SOS Program that is for a larger amount than the last one. He reported that Supervisor Newvine and he had talked about it and maybe it could be used for something for a Thanksgiving dinner for our seniors. Supervisor Newvine stated that it had been Councilperson Simmons idea for the Thanksgiving dinners. Councilperson Simmons thanked Highway Superintendent Durham for applying for the grant through the Elks.
- Asked Highway Superintendent Durham if he has heard anything from the railroad yet. Highway Superintendent Durham stated he has not heard anything since the welding was being completed.

Councilmembers

Councilperson Jeff Andrews:

- Asked Highway Superintendent if the back- hoe has been fixed. Highway Superintendent Durham reported that it has not been sent to be fixed yet as he is still using it. He reported it is not that rattly yet and needs 2 pins that hold the bucket up.
- Asked if any of the railroad tracks in the Town of Fowler have been fixed yet. Supervisor Newvine reported that none of the railroad tracks have been fixed yet, he gets a different excuse each week, as to why they haven't been fixed. Supervisor Newvine stated he will call the Federal person in charge.
- Asked about the land acre size needed to build on in the Town of Fowler, and stated he thought it was 1 acre. Code Enforcement Officer Besaw replied that if the land was sub-divided before the new Land Use Law went into effect, it is considered a conforming lot.

Councilperson Lynn Bishop:

- Asked the size of the flag and how many flags the Town had for the flagpole. Mr. Cappellino stated the flag was 5' by 8' and there was 1 flag. Councilperson Bishop stated that he, and his mom & dad, Connie and Eugene Bishop would like to pay for a 2nd flag, so there would be an extra flag and they could be changed out. Appreciation was expressed to Councilperson Bishop for the gesture.
- Thanked Highway Superintendent Durham for fixing the washout area on the California Road and stated it looked very good.
- Asked if the Hailesboro Post Office area had been patched yet. Supervisor Newvine reported that it had been leveled out and looked really nice. There was further discussion regarding the post office location and winter maintenance clean up being performed there.

Councilperson Karen Simmons:

- Asked Highway Superintendent Durham what was the status on John Walsh. He reported that he had seen him the other day and he looked good. He is going back to the doctors in 3 weeks and he didn't know much more than that.
- Reported she had received a call from Diana Hutton-Newvine inquiring about the possibility of holding another Trunk or Treat at the Town Hall this year. Supervisor Newvine wondered if social distancing could be maintained by participants wearing masks, Councilperson Simmons stated all Halloween activities elsewhere have been cancelled as far as she understood, Councilperson Andrews did not think it would be a very good decision to have it this year and Councilperson Bishop stated it would be okay if social distancing could be observed. Supervisor Newvine stated he would check with some other Towns to see what they are doing. Councilperson Simmons will let Diana Hutton-Newvine know when the board makes a determination.
- Reported that she has taken her yearly Sexual Harassment training and there is a computer set up for all to take the training in the Town Clerk's Office. The training takes about 40 minutes to complete and will need to be completed by the end of the year.

Supervisor Newvine:

- Reported that action is underway by the County on the property across the road. He has spoken with County Attorney Steve Button and they are waiting on clearing a work order from the DEC before work can start. He was hopeful the Town would get the property.
- He had spoken with Legislator Bill Sheridan and Mr. Sheridan can't attend any of the Town of Fowler board meetings, as he chairs a committee that meets on the 2nd Monday of the month. Supervisor Newvine stated he would contact Legislator Sheridan to notify him of the meeting date change for October to see if he would like to attend that meeting. Supervisor Newvine stated he would like to be kept abreast of what is going on at the County especially concerning the sales tax. Councilperson Jeff Andrews agreed.
- Reported that he was told by Legislator Sheridan that Don Chambers, County Highway Superintendent has a new plan for the Emeryville bridge.
- Reported the ball diamond and the Sylvia Lake Beach are both closed. He stated everyone involved with the operation of the beach had done a great job. He reported the beach had only one bump in the road, where a lifeguard was on their phone while people were in the water. This led to a \$100.00 fine for the Town and could have been up to \$2,000. Supervisor Newvine reported that the beach had a 2nd inspection on the 26th of August with no write ups.
- Reported he had received a notification from NYS Ag & Markets that they had done an inspection on Dan Moyer's paperwork involving the Town of Fowler dog kennel, and all was found to be in order.
- Reported the college chargebacks were over \$20,000 this year.
- Reported he had spoken to Matt Denner, from Emergency Services concerning the problem involving the police being sent to the wrong side of the Emeryville Road bridge. He learned there is a new system in place that will go directly into the computer of the State Police and they will know exactly which side of the bridge to go to when answering an emergency call.
- Reported there is a donor who would like to pay for picnic tables to be purchased for the pavilion, and asked pavilion committee chair Michael Cappellino how many tables he thought we would need. Pavilion committee chair Mike Cappellino recommended the purchase of a half dozen tables. It was discussed that Supervisor Newvine would let the donor know the number of tables and the recommendation to obtain the tables next year.
- Asked the board if they all had seen the proposal from the Mayor of Ogdensburg for the sales tax that was sent via e-mail. Councilperson Simmons, Bishop and Andrews reported that they had not received the proposal. Supervisor Newvine asked Town Clerk Gale to make them each a copy.
- Discussed that he had noticed a septic odor at the Town Hall, especially early in the morning and the odor was noticeable in the Town Hall. It was discussed the odor is very noticeable outdoors and it is hard to identify where the smell is actually coming from. Supervisor Newvine asked Code Enforcement Officer Besaw to investigate where the smell is originating from. Code Enforcement Officer Besaw stated he would talk with the neighbor and see if he can get permission to investigate any smells coming from his property.
- He had received a water quality report from Sylvia Lake which showed a high amount of Ecoli at the pumphouse and on Hotel Bay. He reported he had spoken to Bill deLorraine, of Sylvia Lake, who stated the high Ecoli test results could be caused from something as simple as geese defecating in the water. Mr. deLorraine reported that there would be another water sample taken and he would give a copy of it to Supervisor Newvine.
- Reported there is a new leader at DANC, Carl Ferrone. He is going to get in touch with him and see if there are any new grant opportunities available.
- Reported that he is going to be attending a webinar by NYSERTSA, who also offers some grants.
- Asked Assessor Chair Sherry Geer if the tax bills that are printed by the County would allow the Town to ask for email addresses. Supervisor Newvine thought it would be nice to have a data base with

emails in the event the Town needed to send a message. Assessor Geer stated she would ask Donna Brown at the Real Property Office.

- Reported the Town of Fowler is at 61.7% for census responses, which is the 2nd highest in St. Lawrence County. Supervisor Newvine encourages anyone who has not yet completed the census to do so as it means a lot of money for the Town.

PUBLIC COMMENT

- Sherry Geer asked Highway Superintendent Durham if he was social distancing the trucks by leaving 1 truck outside this winter. Highway Superintendent Durham replied he needed to leave one truck outside to have the room inside for the highway workers for proper social distancing.
- Sherry Geer stated that with DA day for the court being held in the middle of the day, it is a lot on the Town Clerk to take temperatures for all who enter the building during that time. She wondered if the court could have someone come in for a few hours to take the temperatures during court. Supervisor Newvine stated that they will look into the matter.
- Randy Durham gave kudos to Town Clerk Gale for looking into an issue with the DEC new licensing system, effecting military disabled veterans and their ability to obtain fishing licenses at the same time of purchasing their hunting licenses. He reported it was a problem that the DEC Licensing System was not aware of, and a solution had been provided by the DEC to solve the problem.

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 were # 292 - #331, with a total of \$29,491.67.

A budget workshop will be held on September 28, 2020 at 3:00 PM.

The next regularly scheduled board meeting will be on Monday, October 5, 2020 at 6PM.

At 6:58PM a motion was made by Councilperson Simmons seconded by Councilperson Andrews to adjourn the meeting.

Tami Gale; Town Clerk