

Town of Fowler August 10, 2026 Minutes of Regular Scheduled Board Meeting at 6PM.

The Town of Fowler Regular scheduled Town Board meeting was held on the above date with all board members present. Also present were Town Clerk Tami Gale, Town Justice Tim Knowlton, Bookkeeper Barbara Finnie, Highway Superintendent Nelson Bice, Assessor Chair Kathy Besaw, Code Enforcement Officer Glen Besaw, Maintenance Worker Byron Woodward, Laurina Greenhill, Debbie Walsh, Paul Johnson Jr, Scott Cleveland, Marcia Cleveland, Terrell Ferrer, Jackie McEathron, David Travis, Gina Orr, Paul Lamson, Cody Hadfield, Jacob Cunningham, Kelly and Sidney Harmer Jr, and 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, all healthcare workers, and for the families of those who have lost loved ones: Valerie Brown, Cathy McDougall, and Debra Theriault.

Supervisor Newvine reminded the large number of meeting attendees that this is a business meeting and that there will be no public comment until it is allowed on the agenda.

Supervisor Newvine asked for a motion to approve the minutes from the July 13, 2026, regular scheduled board meeting. A motion was made by Councilperson Bishop, seconded by Councilperson Knight . All in Favor. MOTION CARRIED.

Appointment of Assessor

Councilperson Simmons reported that Gina Orr is going to be appointed this evening to the vacated assessor position, replacing Robert Theriault, who resigned from the office earlier this year.

Councilperson Simmons reported that Gina will be appointed to the position until December 31, 2026 and will be on the ballot for the General Election held this November 3, 2026 to be elected to the position for the remainder of the vacated assessor term of office.

Supervisor Newvine asked for a motion to appoint Gina Orr to the office of assessor until December 31, 2026. A motion was made by Councilperson Simmons seconded by Councilperson Bishop. All in Favor. MOTION CARRIED. Supervisor Newvine welcomed Gina aboard. Town Justice Timothy Knowlton administered the Oath of Office to Gina Orr.

Discussion on Hwy. Superintendent position for the remainder of 2026

Supervisor Newvine reported that the board has concerns in the highway department that management has no presence in the building. Supervisor Newvine discussed the past discipline issues and that the interim appointed Hwy. Superintendent, being a member of the union, can't discipline a fellow union member.

Supervisor Newvine discussed that there is a candidate, who will be running in the November 3, 2026 General Election, to be elected to the Highway Superintendent position with no other competition that he is aware of and asked the board where they go from here.

Councilperson Bishop made a motion to appoint Paul Johnson Jr. as Hwy. Superintendent for the remainder of the year receiving no seconds to his motion.

Councilperson Simmons stated she did not feel that Paul Johnson Jr. should be appointed at this time as Nelson has done the job since February, has done a good job, has learned to do what he had to do, and that she understands that Nelson does not have any power in hiring, firing, or disciplining highway department employees, but she does not feel right about removing him from his appointed office. Supervisor Newvine stated that there is no dispute that Nelson has done a wonderful job asking Councilperson Simmons if she had another solution for discipline in the highway department. Highway Superintendent Bice stated that it was the board's decision to appoint a new highway superintendent and he was fine with whatever decision was made. Highway Superintendent Bice stated he took the job to help the board out after Hwy. Superintendent Durham's passing, and that the new person has a lot to learn.

Councilperson Bishop expressed his strong opinion that Paul Johnson Jr. should be appointed as Highway Superintendent. Councilperson Knight expressed that appointing Paul Johnson Jr. to the position would take the pressure off Nelson. Councilperson Simmons asked Hwy. Superintendent Bice if he would help Paul Johnson Jr. if he were to be appointed as Highway Superintendent. Highway Superintendent Bice reported he would not help the new Highway Superintendent as he had to learn how to do the job on his own, and thanked Supervisor Newvine, Bookkeeper Finnie, Councilperson Simmons, and Town Clerk Gale for all their assistance they gave to him.

Supervisor Newvine asked Paul Johnson Jr. if he was ready at any time to take over as Highway Superintendent. Paul Johnson Jr. stated that whenever the Town of Fowler needed him, he was ready.

After further discussion, the motion that was previously made by Councilperson Bishop to appoint Paul Johnson Jr. as Highway Superintendent was seconded by Councilperson Knight with Councilpersons Simmons and Walsh opposed and Supervisor Newvine, and Councilpersons Bishop and Knight in favor, with the motion passing by the majority of the board. MOTION CARRIED. It was further discussed that Paul Johnson Jr. would begin as appointed Highway Superintendent on August 17th, 2026.

Supervisor Newvine interjected that the board needed to go back and rescind the appointment that was made in February for Nelson Bice as Highway Superintendent. A motion was made by Councilperson Bishop seconded by Councilperson Knight with Councilpersons Simmons and Walsh opposed and Supervisor Newvine, and Councilpersons Bishop and Knight in favor, with the motion passing by the majority of the board. MOTION CARRIED.

Discussion on the Fowler Dog Kennel

Supervisor Newvine asked the board if they had all received the dog kennel expenditure reports from Bookkeeper Finnie. Councilperson Simmons reported that 2 more dogs had been picked up and there are now 3 dogs in the kennel, one of which has been there since July 6th. Councilperson Simmons reported that the Town of Fowler has spent \$300.00 on the dog so far and he will be going to get his required shots which will cost another \$100.00.

Councilperson Simmons reported that volunteer Scott Cleveland had been walking the dog and putting him on Facebook with the hope he will be adopted. Councilperson Simmons reported that it is a no-win situation, and no one seems to want him, or many of the other dogs that have gone unclaimed in the kennel.

Councilperson Simmons stated that she personally would like to do away with the dog kennel.

Supervisor Newvine reported that in 2025 a total of \$6,300.00 had been spent and to date in 2026 a total of \$3,900 has been spent on dog kennel expenditures, with mandated work still in need of being completed at the dog kennel. Supervisor Newvine discussed the annual amount it would cost to contract with Dan Moyer to kennel the animals is roughly a third of what we have spent.

Supervisor Newvine asked Maintenance Worker Byron Woodward how much work still needed to be done to the kennel to meet the mandated requirements. Byron stated floor drains, and a quarantine room still need to be completed at an estimated cost of \$1,000. He reported he had spent \$200.00 over the weekend on the new sink with a filtration system for the kennel.

Supervisor Newvine asked the board their thoughts on keeping the dog kennel or contracting with another kennel to board Fowler dogs. Councilpersons Simmons and Knight would like to get rid of the dog kennel and contract out. Councilperson Bishop stated that we have put so much money into the kennel now that it would be a waste of money to get rid of the kennel. Councilperson Simmons discussed it is not as much the cost of the kennel as the fact that no one wants the animals that are in the kennel, with one of the animals having been there over a month. She discussed that under the new mandates; you must be certified to take the kennel dogs for a walk or do anything with them.

Supervisor Newvine asked the board how we are going to resolve the matter, stating that it can't be closed today. After further discussion it was decided that further discussion on the sustainability of the Fowler dog kennel will be had at the September board meeting.

Town Department Reports

Justice Department

Town Justice Tim Knowlton reported:

- Court proceedings are going well.
- The trial that was scheduled for August is not going to occur.

Bookkeeper

Bookkeeper Barbara Finnie:

- She had provided Cash Balance Reports for Month ending June, 2026 and Cash Balance Reports for Month ending June, 2026 to the board for their review.
- 46.79% of the General Fund has been spent with 63.91% of revenues received.
- 31.32% of the Highway Fund has been spent with 68.45% of revenues received.
- Discussed that being half way through the year we are doing very well.
- Reported 3rd quarter sales tax was received in the amount of \$179,000, which is down a little from last year, but up from the last sales tax check that we received in May.

Assessors

Assessor Chair Kathy Besaw reported:

- There have been a lot of activities going on involving the assessor department to include property sales, property transfers, new builds, and commercial sales.
- Discussed, our equalization rate is going to go down once again.
- She has contacted an individual that is qualified to complete an appraisal for the graphite mine and is waiting for an estimate to have this done. The estimate will include the rate for a re-valuation.

Historian

Historian Karen Simmons reported:

- It has been quiet in the historian's office.

Animal Control

Councilperson Simmons reported for Dan Moyer who was not in attendance:

- A complaint was received by animal control concerning unlicensed dogs and dogs running at large on California Rd which will likely involve tickets being issued.

Beaver Control

Councilperson Simmons reported for Moyer's Wildlife Control who was not in attendance:

- Beaver control is being completed at two sites on Stone Rd, and Chub Lake Rd.

Code Enforcement

Code Enforcement Officer Glen Besaw reported:

- There is a lot of new construction happening in the town.
- Reported he had received a call concerning a culvert that is hung up in the water at Twin Falls in Fullerville.

Town Clerk

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were \$111.00 with the Town of Fowler's Commission being \$6.12. She had licensed 24 dogs, issued 1 Marriage License, issued 1 birth certificate, issued 15 death certificates, processed 1 genealogical services request, handled 9 building permit applications, issued 1 Certified Marriage Transcript, and had collected \$6.00 in miscellaneous dog fees.
- Cybersecurity Awareness training was held on July 28th and was well attended.
- Sexual Harassment and Workplace Violence training will be held on Wednesday in the court room.
- Pepsi machine sales were collected in the amount of \$100.00.
- She received a check for scrap metal in the amount of \$267.60 for 2.77 tons of scrap.
- She received her discharge for her 2026 tax collector's warrant from the County, and everything was paid in full.
- Reported the BAS town clerk program has been having some issues that involve needing the IT department to give access to correct the problem, which has been going on for much of the month, and remains not corrected as of meeting time.
- Asked Assessor Chair Besaw if the newest lawsuit involving assessment had been taken to Attorney Leader's Office.

Maintenance

Maintenance Worker Byron Woodward reported:

- He has been working on the dog kennel installing a water filtration system and sink.
- He is working on repairing the building that was damaged at the highway department.
- Asked when he can begin working on the sidewalk at the pavilion. It was discussed that the pavilion is booked through the end of summer, and the sidewalk installation can happen in September.

Highway Department

Highway Superintendent Nelson Bice:

- Reported everything in the highway department has been going well.

- Roadsides are being mowed, ditching is being worked on, and culvert work continues to be done.
- Parts have been ordered for the boom mower and John Deere tractor.
- The crack sealer is still not working correctly, and the payment will be held until the matter is resolved.

Supervisor Newvine stated that Highway Superintendent Bice had done a great job with CHIPS fund submissions this year with the amount of \$282,000 being submitted for reimbursement.

- Hwy. Superintendent Bice discussed that there is still \$218,000 more to be claimed in CHIPS funds, stating the work done by Suite-Kote can be claimed, as well as the black top, and whatever is left over can be submitted in the following year.
- Discussed the 10-year road program report that he had provided to the board at the meeting and suggested it might be a good idea for the board to meet and drive around to determine what roads they want to have done next year.

Supervisor Newvine thanked Highway Superintendent Bice for the job he has done as Highway Superintendent, and for his 27 years of service for the Town of Fowler.

Councilmembers

Councilperson Lynn Bishop:

- Asked Highway Superintendent Bice about the incident with the brush hog and why the machine wasn't shut down immediately and towed back to the town barn instead of driving it back in its condition. Highway Superintendent Bice stated that it should have been shut down and towed.
- Discussed that he wants to see highway workers better trained on the equipment when it is purchased.
- Asked Highway Superintendent Bice if he was going to be on vacation when the paving is done. Highway Superintendent Bice stated he is going on vacation for 2 weeks and has not been notified when the County is returning to complete the paving.

Councilperson Leo Knight Jr:

- Reported he had looked over multiple job applications at the highway department and had talked with a few applicants and has found an applicant with a Class A license, who is presently working for another municipality, who he considers to be a good candidate for a position in the highway department at the Town of Fowler.

Supervisor Newvine asked if he would like to have the applicant back for a second interview.

Councilperson Knight, as liaison for the highway department would like to, if the other board members concur. Supervisor Newvine asked Councilperson Knight to set up a second interview with the applicant.

Councilperson Karen Simmons:

- Reported the HAP Program was closed for the month of July due to family day.
- Reported there will be an SOS Program delivery made in September.
- Proceeds in the amount of \$5,500 were taken in from family day.
- Reported that there will be a free rabies clinic on Thursday, August 20th at the town barn. Anyone wishing to bring an animal to the event must have an appointment. No walk-ins are allowed.

Councilperson Walsh:

- Had no further questions or commentary.

Supervisor Ricky W. Newvine:

- Discussed that the town clerk had received a “phishing” scam email from Randy Durham earlier this morning, trying to have his information changed for his paycheck ‘s direct deposit . Supervisor Newvine contacted the Town Attorney and was advised to contact the Sheriff Department who has a cybersecurity division. It was discussed the town clerk would notify Randy’s wife of the email.

Public Comment**Kelly Harmer**

- Asked if the kennel dogs are put on social media and suggested that the Town look into posting on Facebook if they aren’t already doing so.
- Discussed the motion that was made appointing Paul Johnson Jr to Highway Superintendent earlier in the meeting, advising that Highway Superintendent Bices appointment should have been rescinded before Paul Johnson Jr was appointed.
- Asked if the newly appointed highway superintendent was going to have all day working hours for the rest of the year or if he will come and go as he wishes. Supervisor Newvine stated that while he is an appointed highway superintendent the board can request that he work certain hours, stating it will be a work in progress that the board will monitor.
- Asked about the Public Notice that she received from the US Army Core of Engineers regarding the Titan Mining Corporation.

Supervisor Newvine stated that others were in attendance this evening concerning their notifications.

Supervisor Newvine stated that he had contacted them and had gleaned that it is a formality, and because it is a Federal Application it is a requirement that needs to be sent to any residents that might be affected by it.

Paul Lamson

- Reported that he had read through the entire packet and felt that this is going to affect the Town of Fowler in a terrible way and asked the Town of Fowler to express its voice.
- Discussed that he felt there was potential for 18 nearby houses to lose their water.
- Asked if anyone in attendance had ever lived next to a coal mine and stated that is what it is going to be like.
- Discussed the pit is going to be located on Randy Durham’s land and all of the houses will be 200’ from the pit.
- Discussed, the Town of Fowler has no benefit from this, stating the Town is not going to receive any money from them right now and the value of their homes is going to go down.
- He asked the Town to do something to mitigate for the taxpayers.
- He feels that this venture is going to be way more than what we are led to believe.

Sidney Harmer Jr.

- Stated if the mines buy all the affected residences, that’s a lot of people that the Town of Fowler are going to lose.

Kelly Harmer

- Reported that representatives from the mines have gone onto her property and she wasn't made aware of it.
- Reported when she called Empire State Mines, she were told they thought they had notified someone.
- Discussed the entire packet is confusing, and as a homeowner in the affected area, she is concerned.

Supervisor Newvine reported that he will contact Empire State Mines and try to get some answers.

Dennis Travis

- Discussed the tractor issue that was covered previously in the meeting, stating that he had worked in the highway department for 8 years, the tractor in discussion has been there longer than he has, and he didn't know that you couldn't shut off the pump that blew by shutting off the main valve. He stated that the hose that blew runs the mower deck and blades and that the hose runs right off of the engine, and the emergency shut off does not stop the fluid.

Terrell Ferrer

- Asked about the knit-picking stuff that has been going on lately at the highway department, like having the highway department straightening signs, and other work that takes away from important jobs at the highway department.

Councilperson Walsh

- Questioned posts being on the highway department suggestion of items to do.

Councilperson Knight stated the board gives suggestions to the Highway Superintendent, who can assign tasks in the order he chooses to.

Sidney Harmer Jr.

- Discussed that Highway Superintendent Bice was put in charge by the board, and now the board is pulling him out because of disciplinary reasons and thought the board should let him do the discipline.

Supervisor Newvine discussed that the union will not allow Hwy, Superintendent Bice to do it.

Sidney Harmer Jr.

- Asked the board if one of the board members could do the discipline at the highway department, or if it was that no one wanted to.

Supervisor Newvine stated that any board member that wanted to take the position of Highway Superintendent would have to resign from the board to take the position.

Sidney Harmer Jr.

- Asked as an outsider looking in, if the highway department has gotten so bad that they can't go another 6 months without changing the Highway Superintendent.

Supervisor Newvine stated that they have had some issues, so they addressed it.

Debra Walsh

- Stated that she agrees with Sidney Harmer Jr, she thought that it was in the union contract that the Deputy Highway Superintendent would take over until the new elected term begins in January.

Dennis Travis

- Stated that he felt that if there was a discipline issue in the highway department, the incident would be documented and reported to the board by Nelson, and the board would sign it for disciplinary action to be handled in a legal way, by the board, and that is how he understood it was going to be from the beginning of Nelson's appointment as Highway Superintendent.

Supervisor Newvine stated that he felt that would be unfair to Nelson.

Nelson Bice

- Stated he had handled a recent incident the way Dennis discussed it, and he understands the board thinks it is less pressure on him to appoint a new Highway Superintendent who can discipline the workers.
- Stated he is retiring in January of next year, he understands the board is looking at putting someone in the office of Highway Superintendent who has the ability to hire, fire, and to discipline. He stated they put him in the office of Highway Superintendent and if the board now wants to remove him from the position he has no problem with it, and whether he agrees with it or not it isn't up to him.

Scott Cleveland

- Notified the board that the person they are interested in having re-pave the basketball court is coming back this way soon and if they are still interested in having it done, they will need to get the old court torn up and removed as soon as possible.
- Asked the board if they wanted him to get a quote for the price of removing the old court. Supervisor Newvine asked Scott to go ahead with obtaining a quote for the removal of the old court.
- Thanked maintenance worker Byron Woodward for hooking the water filtration system up at the dog kennel.
- Volunteered to continue helping at the dog kennel if they decide to keep it and discussed he is working on his certification that is mandatory to volunteer and expects to be certified soon.
- Stated that "Charlie" the dog that has been in the kennel now for some amount of time is a good boy. He may need to be adopted by a household who has no other pets.
- Discussed the highway department, the union contract, arbitration, labor relations, and hoped that everyone would work together at the highway department.

Correction of Motion Order

To correct a mistake made earlier in tonight's meeting, Supervisor Newvine asked for a motion to rescind the appointment made at the Emergency Meeting held on February 2, 2026, appointing Nelson Bice as Highway Superintendent, until December 31, 2026, a motion was made by Councilperson Knight seconded by Councilperson Bishop with Councilpersons Simmons and Walsh opposed and Supervisor

Newvine, Councilpersons Bishop and Knight in favor, with the motion passing by the majority of the board. MOTION CARRIED.

To correct a second mistake made earlier in tonight's meeting Supervisor Newvine asked for a motion to appoint Paul Johnson Jr. as Highway Superintendent, beginning on August 17th, 2026 for the remainder of 2026. A motion was made by Councilperson Bishop seconded by Councilperson Knight with Councilpersons Simmons and Walsh opposed and Supervisor Newvine, Councilpersons Bishop and Knight in favor, with the motion passing by the majority of the board. MOTION CARRIED.

Supervisor Newvine further discussed that Nelson would remain at the same rate of pay until August 17th, 2026, and both appointed Deputy Highway Superintendents serving in 2026 (Dennis Travis and Nelson Bice) would receive the 1 week of extra vacation that comes with the position.

Supervisor Newvine asked for a motion to audit the bills. A motion was made by Councilperson Simmons seconded by Councilperson Knight to audit the bills. All in Favor. MOTION CARRIED.

The bills audited for the General and Highway Fund were #274 to #323 with a total of \$206,520.81.

The Town Hall will be closed on Labor Day, Monday, September 7TH.

The next regularly scheduled board meeting will be held on September 14th, 2026, at 6:00PM.

Supervisor Newvine extended an invitation to the public to attend Music Night at the Pavilion on Wednesday, August 19th 6:30 PM - 8:30 PM Featuring The New Revolution singing Classic Rock and Country Music. "Come Spend Time With Friends and Neighbors".

With no further business, on a motion of Councilperson Bishop, seconded by Councilperson Walsh, the August 10th, 2026, Regular Town Board meeting was adjourned at 7:07PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk