

Town of Fowler February 13th, 2023, Justice Audit & Town Clerk Audit and Regular Scheduled Board Meeting at 6PM.

The Town of Fowler Justice Audit & Town Clerk Audit and Regular scheduled Town Board meeting was held on the above date with 4 Board members present. Councilperson Simmons was not in attendance. Also present were Town Clerk Tami Gale, Town Justice Tim Knowlton, Dog Control Officer Dan Moyer, Code Enforcement Officer Glen Besaw, Assessor Chair Kathleen Besaw, Highway Superintendent Randy Durham, Pavilion Committee member Richard Clement, Planning Board Member Leo Knight, and John and Deb Walsh.

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 family of Kathryne Bigarel who had recently passed. Supervisor Newvine asked additionally for prayers for Councilperson Simmons and Town Clerk Gale who have experienced recent health concerns.

Supervisor Newvine asked for a motion to approve the minutes from the January 9, 2023 Organizational Town board meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

Supervisor Newvine asked for a motion to approve the minutes from the Special Meeting held on January 30, 2023. A motion was made by Councilperson Andrews, seconded by Councilperson Cleveland. All in Favor. MOTION CARRIED.

2023 AGREEMENTS

Supervisor Newvine presented three Agreements that are executed yearly, and one 3-year agreement to the Town board for their consideration, and asked for a motion giving him permission to sign the following:

YEARLY AGREEMENTS

1. CEMETERY AGREEMENT (HAILESBORO CEMETERY ASSOCIATION) IN THE AMOUNT OF \$5,000.
2. READING ROOM AGREEMENT IN THE AMOUNT OF \$1,400.
3. RECREATION CENTER AGREEMENT IN THE AMOUNT OF \$1,200.

3-YEAR AGREEMENT

1. 3-YEAR HEALTH OFFICER AGREEMENT IN THE AMOUNT OF \$530.60 A YEAR.

After some discussion, a motion was made by Councilperson Cleveland seconded by Councilperson Bishop giving permission for Supervisor Newvine to sign all four agreements. All in Favor. MOTION CARRIED.

RESOLUTIONS

RESOLUTION #6 oF 2023

Establishing a Hailesboro Cemetery Reserve Fund

Supervisor Newvine submitted Resolution # 6 of 2023, a Resolution that hereby establishes a capital reserve fund for the purpose of helping to remove rotten trees from the Hailesboro Cemetery.

A motion was made by Councilperson Bishop seconded by Councilperson Andrews to adopt resolution # 6 of 2023. All in Favor. MOTION CARRIED.

AYES: 5 NEWVINE, BISHOP, ANDREWS, CLEVELAND

NAYS: 0

ABSENT: 1 SIMMONS

JUSTICE COURT AUDIT & TOWN CLERK AUDIT OF 2022 BOOKS

Supervisor Newvine noted the 2022 books and records of Town Justice Timothy Knowlton, and Town Clerk Tami Gale were presented to the board for review this evening and remained open for public inspection during the regular board meeting. The audit conducted by the town board members was completed at the end of the board meeting.

RESOLUTION # 7 of 2023

Justice Audit & Town Clerk Audit of the 2022 Books

A motion was made by Councilperson Cleveland seconded by Councilperson Bishop to adopt a resolution to allow the Town Board to audit the Justice Department 2022 books & the Town Clerk 2022 books. All in Favor. MOTION CARRIED.

AYES: 4 NEWVINE, BISHOP, ANDREWS, CLEVELAND

NAYS: 0

ABSENT: 1 SIMMONS

The 2022 books and records of Town Justice Timothy Knowlton and Town Clerk Tami Gale were presented for review. The board examined the records and dockets and verified that the records of criminal actions stated the names of the sworn witnesses as well as residence information. The records were duly examined and, it was determined that the fines therein collected have been turned over to the proper officials of the Town of Fowler as required by law. The Town Clerk's records including the deposits of all funds were determined to be in order. ****Special Note: Councilperson Simmons, who was not in attendance this evening, audited the 2022 books and records of Town Justice Timothy Knowlton and Town Clerk Tami Gale on Thursday, February 16th, 2023.**

BEAVER CONTRACT

Supervisor Newvine discussed the Town of Fowler Beaver Contract is in effect from March 1st to December 31st and reported Dan Moyer of Moyer's Wildlife Control requested and increase by \$25.00 per beaver site to offset the current gas prices. Supervisor Newvine asked for a motion to award the beaver contract to Moyer's Wildlife Control for 2023 with the increase amount amended from \$275.00 per site to \$300.00 per site as requested. After some discussion, a motion was made by Councilperson Bishop seconded by Councilperson Andrews to award the beaver control contract to Moyer's Wildlife Control for the year 2023. All in Favor. MOTION CARRIED.

RE – APPOINTMENTS

Supervisor Newvine reported the board needed to re-appoint the Code Enforcement Officer and the Health Officer as they did not take their Oath of Office within 30 days of being appointed. A motion was made by Councilperson Cleveland seconded by Councilperson Andrews to re-appoint Glen Besaw as Code Enforcement Officer to the 1 year appointed term of office and Eric Putman as Health Officer for the 3-year appointed term of office. All in Favor. MOTION CARRIED.

OATH OF OFFICE

Town Justice Tim Knowlton administered the Oath of Office to Glen Besaw, as Code Enforcement Officer. Supervisor Newvine reported he had spoken to Eric Putman earlier and he would be coming to the Town Hall to take his oath of office with the town clerk at a later date.

Volunteer Firefighter and Ambulance Worker Tax Exemption Discussion

Supervisor Newvine discussed he had received correspondence from the Town Attorney making the Town aware of a new law that allows municipalities to offer property tax exemptions to volunteer firefighters and ambulance workers. Supervisor Newvine asked Assessor Chair Kathy Besaw her thoughts on providing the exemption. Assessor Chair Besaw reported it is not a huge exemption and would affect maybe two people in the Town of Fowler. Town Clerk Gale reported the Town Attorney would prepare the Local Law, and the town would just need to hold a public hearing for the proposed local law's adoption. After some discussion it was the consensus of the board to approve the volunteer firefighter and ambulance worker tax exemption to be prepared by the Town Attorney for consideration of adoption. Town Clerk Gale reported she would notify the Town Attorney of the board's decision.

Discussion on Sylvia Lake Milfoil Task Force Request

Supervisor Newvine reported there is a milfoil problem at Sylvia Lake and the task force would like to have a chemical solution applied to treat the problem. He reported the cost for the chemical treatment for the area would be \$15,000. The task force has asked the Town to apply for the necessary permitting to use the chemical treatment as they didn't feel they had the standing to apply for the necessary permits. Supervisor Newvine reported that wasn't correct, stating they, as riparian owners of property at the lake, have the standing to apply for the necessary permits. Supervisor Newvine discussed the matter with Town Attorney Henry Leader, as well as all board members and reported none of the board members were comfortable with the Town of Fowler taking on the liability for the necessary permits due to the possibility of any future litigation. Supervisor Newvine stated he had inquired with the Association of Towns if the Town of Fowler could designate some of the ARPA (American Rescue Plan Act) funds toward the chemical cost and had learned that it could be used for it. Supervisor Newvine stated he felt it would be a good alternative to help fund the project and proposed the Town of Fowler could donate \$5,000 toward the chemical costs and asked the board their thoughts. After some discussion, a motion was made by Councilperson Cleveland seconded by Councilperson Andrews to approve the \$5,000 donation to the Sylvia Lake Task Force for the application of the chemical treatment. All in Favor. MOTION CARRIED.

Town Department Reports

Justice Department

Town Justice Timothy Knowlton reported:

- Court Clerk Irma Ashley had prepared the documents for the audit this evening for the board's viewing.
- He is receiving a new laptop from the State due to the court recording program still not working, after having been repaired by the court IT department.
- He is still waiting to hear on the JCAP Grant that he had applied for.
- There were 18 tickets written in the month of January, with 10 defendants.

Bookkeeper

Bookkeeper Barbara Finnie was not in attendance:

Assessors

Assessor Chair Kathleen Besaw reported:

- She has received a lot of calls since the Town & County taxes were received by taxpayers as the tax rate went up significantly.
- She had learned the level of assessment for the Town of Fowler next year will be 8.8%. It was 9.8% this year, and the year before that it was 11.8%. She reported the level of assessment is always very low, and will mean the County tax rate will go up again next year.
- She had looked at other towns tax rates and had noticed that everybody's tax rates had gone down, stating the entire County's assessment rate has gone down.

Supervisor Newvine reported he had attended a supervisors meeting where Bruce Green, Director of the St. Lawrence County Real Property Office, and County Administrator Ruth Doyle, were in attendance. He stated they discussed the chargebacks that appear on the Town and County tax bills. He reported it costs the Town of Fowler almost \$30,000 in Community College chargebacks, which is for individuals living in the Town of Fowler who attend a Community College, for education that is not offered here. The election costs are also up, which is another charge that appears on the Town and County tax bill as a chargeback. Supervisor Newvine stated there isn't much that we can do about it, unless we want to do a re-valuation, and nobody wants that.

- Assessor Chair Besaw reported surprisingly, she has been asked by a resident in the Town of Fowler why we aren't doing something so that we are assessed at 100%. She asked the individual to attend a board meeting to discuss it. Assessor Chair Besaw stated the Town of Fine had went through a re-valuation last year and their assessment was at 100%, and this year they are at 92%, and stated she didn't know if a re-valuation would change anything.

Historian

Historian Karen Simmons was not in attendance.

Animal Control

Dog Control Officer Dan Moyer reported:

- The dog that was in the kennel as of the last meeting had been picked up by its owner.
- He issued an appearance ticket for a dog running at large on the Country Club Road which had been picked up twice previously. He reported the dog was almost hit by a vehicle the same day it was picked up, running at large again.
- The State is offering grant money right now for existing dog kennels to meet the new guidelines set by the Department of Agriculture. He reported the application needs to be sent back in by March 7th. He reported the new guidelines needed to be met within 2 years. Town Clerk Gale reported she had not received any information from the Department of Agriculture. DCO Moyer reported he had received a letter for his kennel and the Town of Fowler's kennel and would bring a copy in for the Town of Fowler.

Supervisor Newvine reported the Town of Fowler kennel had just had an inspection and had passed.

Code Enforcement

Code Enforcement Officer Glen Besaw reported:

- It is pretty slow this time of year and he has been trying to close as many permits as he can before he does the year end report.

Supervisor Newvine asked CEO Besaw when the report was due. CEO Besaw reported he has until April to have it completed.

- He is still having trouble with contractors not calling him for inspections. He reported when they don't call him, he has to drive to the site two or three times, which is driving up the mileage he claims from the Town. He reported he may have to start issuing tickets to get them to comply.
- He has not had any word from the DEC about the regulation of docks. He is still waiting to hear from the DEC Attorney.
- He reported the ARMY Core of Engineers won't return his calls, and he stated he would be going to their office and see if they can speak with him about dock regulations.
- He reported he has been advised by our Town Attorney in absence of any other regulations that the Town could set forth regulation on docks.
- Asked how he should be handling expired building permits. It was discussed building permits are good for 1 year and may be renewed for a second year for free, and every year after that the charge is set at \$10.00 a year to renew. It was discussed the fee for renewal of a building permit should be increased.

Supervisor Newvine asked CEO Besaw if he had seen the email regarding the DEC and the 2 properties in violation of the flood plain regulations. It was discussed Supervisor Newvine had forwarded the information to Town Attorney Henry Leader who will respond accordingly if they decide to go after the Town of Fowler.

Town Clerk

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were \$30.00 with the Town of Fowler Commission being \$1.66. She had licensed 30 dogs, collected \$90.00 in dog kennel fees, collected \$20.00 for a rabies shot for a dog that was in the kennel, sold one bicentennial book at \$5.00, handled one building permit, and had taken in \$1.75 in copies.
- Bottle & Can money was received in the amount of \$99.20.
- Scrap Metal Check was received in the amount of \$189.80 for 2.22 tons of scrap metal.
- Reported January was a very busy month of collecting taxes. They are 72% collected, with the Town of Fowler being paid \$733,637.00 for the town's share of the 2023 Town and County Tax Warrant, and the Treasurer's Office being sent a check in the amount of \$800,000.00 in money that has been collected over the Town of Fowler's share of the 2023 Town and County Tax Warrant.
- Thanked both Deputy Town Clerk's Kim Reed and Debra Tupper for their work in January and February.

Highway Department

Highway Superintendent Randy Durham reported:

- He has been receiving a lot of phone calls on beaver activity occurring on County Route 22, which is affecting many residents and has been working with the County to resolve the problem.

- He turns in highway reports every month that can be picked up by board members prior to the meeting from the Town Clerk's Office, if anyone on the board would like to view the report prior to the meeting.
- He has been trying to keep the highway workers busy, stating the roads look really good right now. The brush is all cut back, and painting is being worked on in the building, and work is being done on the flat bed.

Councilmembers

Councilperson Karen Simmons: Was not in attendance.

Councilperson Cleveland: Had no questions or comments this month.

Councilperson Lynn Bishop: Had no questions or comments this month.

Councilperson Jeff Andrews:

- Thanked everyone who helped with the Chicken BBQ which was very successful. Supervisor Newvine reported with the donations, almost \$3,000 was raised to support the food programs.

Supervisor Ricky W. Newvine:

- The County Highway contract is very close to being finished. He reported they are getting rid of the tier levels, and everyone will be paid the same.
- The Town of Fowler received a thank you card from the family of Kirk Brown.
- The Island Branch Road speed limit reduction request was denied.
- Discussed the Hazard Mitigation Plan and resolution was forwarded to the Town Attorney for review, a change in the resolution had been made and it will be advertised in the paper for public participation and be on the agenda in April for adoption.
- He will be attending a meeting of the Town of Macomb where St. Lawrence County Emergency Services will be discussing what happens in the case of a nuclear event.
- Reported Scott Gray has a very nice you tube channel called the Gray Area, that details what is happening in Albany if anyone wanted to check it out, he found it to be very informative.
- Family Day 2023 planning dates will be discussed at the March board meeting.

Public Comment

- Deb Walsh asked if anyone had heard how Jon Kelley is doing.

Supervisor Newvine reported he had visited the other day and spoke to Natalie Kelley who reported Jon is doing very well.

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

The bills audited for the General and Highway Fund were # 8 to # 48 with a total of \$79,777.13.

The next regular scheduled board meeting will be held on March 13, 2023, at 6:00PM.

With no further business, on a motion of Councilperson Cleveland, seconded by Councilperson Bishop, the February Audit & Regular Town Board meeting was adjourned at 6:36PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk