

## **Town of Fowler Meeting Minutes for November 8, 2018 at 7PM**

The Regular Meeting for the Town of Fowler was held on the above date with all Board Members present. Also present were Town Clerk Tami Gale, Highway Superintendent Randy Durham, Dog Control Officer Dan Moyer, CEO Glen Besaw, Bookkeeper Barbie Finnie, Assessor Chair Sherry Geer, Empire State Mines Representatives: Kevin Torpy, Joel Rheault, and Clara Cummings, Vicky Cappellino, Debbie Tupper, Richard Clement, Dan Kingsley, Stephen Gale, Ellie J. Simmons and Rachel Hunter from the Gouverneur Tribune Press.

Supervisor Cappellino called the meeting to order at 7PM then proceeded with the opening prayer and the pledge of allegiance.

A motion was made by Councilperson Newvine and seconded by Councilperson Bishop to approve the minutes of the October 2, 2018 Regular Board meeting. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Andrews and seconded by Councilperson Newvine to approve the minutes from the October 13, 2018 Emergency Board Meeting. All in Favor. MOTION CARRIED.

At 7:04 PM a motion was made by Councilperson Newvine and seconded by Councilperson Simmons to open the Public Hearing on the 2019 Budget. All in Favor. MOTION CARRIED.

Supervisor Cappellino stated that bookkeeper Barbara Finnie had done a good job putting the budget together. Bookkeeper Finnie stated that the budget reflects a 1.9 percent rate increase. Bookkeeper Finnie reported that Town expenditures are down, and that the Board and their departments had worked well with what they had. She stated that the town had completed over 11 miles of roadwork this year, leaving the Highway Budget depleted. The Town took \$93,500 from the General Fund to help balance the budget. Bookkeeper Finnie stated that the Town will work to build the General Fund back up over the next couple of years. Highway Superintendent Randy Durham stated that you can drive around and see where the money went.

Supervisor Cappellino asked if anyone in attendance had any questions concerning the budget. TaxPayer Debbie Tupper asked the board why the Court Clerk was paid more than the Town Justice. Supervisor Cappellino responded that the Court Clerk was responsible for more work than the Town Justice.

At 7:21PM a motion was made by Councilperson Newvine and seconded by Councilperson Andrews to accept the 2019 Budget as drafted and to close the Public Hearing on the 2019 Budget. All in Favor. MOTION CARRIED.

Supervisor Cappellino stated that New York State had mandated a new Sexual Harassment Prevention Policy Labor Law 201g that went into effect on October 9, 2018. After discussion, a motion was made by Councilperson Newvine and seconded by Councilperson Simmons to adopt the Sexual Harassment Prevention Policy Labor Law 201g. All in Favor. MOTION CARRIED.

Representatives from the Empire State Mines Leadership Team; Kevin Torpy - VP, Operations, Joel Rheault- General Manager, and Clara Cummings – Human Resource Director gave the Town of Fowler an update on their mine operation progress. The Empire State Mine is modernizing a 100-Year-Old Zinc District, and controls over 80,000 acres of mineral rights in northern New York. They stated that Empire State #4 mine had been restarted, Titan Mining and Empire State Mine are committed to the ramp up of production at the Empire State Mine, and remain positive on the long term success. Empire State Mine stated that 87% of their workforce are local employees, and they continue to increase their employment by training local talent and relocating miners to the area. Two training programs have been completed with a total of 16 local workers trained. The training program runs for 13 weeks and trainees are paid as full time employees with benefits. The Empire State Mine has a 24 hour a day, 7 days a week Community Response Line at 1-800-632-9709, if someone has a question or concern they are encouraged to call.

Taxpayer Debbie Tupper asked the Human Resource Director if the Empire State Mine were hiring “surface” employees. Human Resource Director Clara Cummings reported that an applicant would need to specify a “surface position.” The positions are limited, but they are continuing to hire those positions.

Supervisor Cappellino thanked the Empire State Mine Leadership Team for the presentation, and reported that the Town of Fowler is still waiting for a response from the New York State Department of Transportation concerning a speed reduction on the Sylvia Lake Rd.

### **Town Department Reports**

#### **Assessors**

Assessor Chair Sherry Geer reported that the assessor office has been busy preparing and mailing enhanced renewals. If a resident is already in the IVP system, they do not have to re-apply. It is anticipated that next year, the State is taking over Senior and Enhanced Star

Exemptions. Anyone receiving or applying for the Enhanced Star or Senior Exemption **MUST** be enrolled into the IVP Program ( Income Verification Program ). Residents with any questions about the Star program are encouraged to contact the assessor office at 315-287-9792 and they will be happy to assist you. Highway Superintendent Randy Durham asked Assessor Chair Sherry Geer if the Town of Fowler assessment is going to start rising. Assessor Chair Geer stated that there are new houses being built, new properties, and lots of improvements within the Town of Fowler. Assessor Chair Geer reported that she could not answer that question at this time as she is not the sole assessor for the Town of Fowler. The Town has two other assessors who were not in attendance.

### **Dog Control**

Dog Control Officer Dan Moyer reported that he had transferred two dogs from the kennel to Friends for Pound Paws. He stated that he had a report of a small dog loose on the Island Branch Rd.

### **Beaver Control**

Dan Moyer reported for Moyer's Wildlife Control stating that he had removed 2 beavers from the Country Club Rd, 3 beavers from the Shantyville Road, 1 Beaver from the River Rd, and 3 beaver from the Stone Rd. He stated that there is still activity on the Shantyville Rd.

### **Code Enforcement**

Code Enforcement Officer Glen Besaw reported that he had received 12 Building Permits, and that he has issued 11 of the Building Permits and is waiting on a court decision from Justice Young on 1 permit. He stated that he had received 1 complaint that was resolved. CEO Besaw reported that he had attended a meeting in Ogdensburg that outlined information that code enforcement would give to a court for code violations. He stated that he would contact Justice Young to set up a meeting to discuss code information he would require in such cases.

### **Town Clerk**

Town Clerk Tami Gale reported that she had issued 1 marriage license, 1 Certified Marriage Transcript, 1 Certified Death Certificate, and 1 certified Birth Transcript, licensed 40 dogs, taken in \$155.00 in kennel Fees, \$450.00 in cemetery lot sales, and took in \$1813.00 in hunting and fishing licenses.

### **Bookkeeper**

Bookkeeper Barbara Finnie reported that the Sales Tax check received in 2018 was up from last year, Town of Fowler retirement saw a \$3800 increase from the previous year, and Bookkeeper Finnie asked Supervisor Cappellino to add her to the Town Reports at the monthly Town Board Meetings.

## **Highway Superintendent**

Highway Superintendent Randy Durham reported that the SAM Grant for the new loader is on its 2<sup>nd</sup> desk review and has been approved by Senator Patty Ritchie. The Town of Fowler will be receiving the new loader on January 1, 2019. He stated that the Town had received monies for the paving of Riverside Drive. Supervisor Cappellino asked Highway Superintendent Durham what it had cost the Town. Highway Superintendent Durham stated that it had cost the Town \$4,000 to pave Riverside Drive after the grant money was figured in.

Highway Superintendent Durham reported that he had the 2<sup>nd</sup> SAM Grant Application paperwork completed. He stated that the grant would be for \$100,000. He stated that he would like to submit 1 of 2 roads that he had received quotes for:

Road 1 - Swiss Hill Rd .98 mile, 16' Wide, 3" Binder with 1.5 Top

Hanson Quote: \$203,750.00      Sheehan Quote: \$250,500.00

Road 2 - Country Club Rd. from Smith Rd. to the Town Line Rd 2.5

Mile, 16' Wide 1.75 Average 1.5 Compacted Top

Hanson Quote: \$ 210,350.00      Sheehan Quote: \$197,300.00

Highway Superintendent Durham stated that he would recommend moving forward with the Country Club Rd. Councilperson Newvine asked Highway Superintendent Durham why he was applying now. Highway Superintendent Durham stated that you had to apply now to receive the grant the next year. Councilperson Newvine stated that the prices are obviously inflated. Highway Superintendent Durham stated that he could turn the grant down, and that he still has time before he needs to turn the application for the SAM Grant in. Bookkeeper Finnie asked Highway Superintendent Durham if the road could be bid when it is going to be done. Highway Superintendent Durham stated that the grants are very administrative and need to go through about 4 desk reviews. He stated that this was the third State grant that he has applied for and he is getting better at it.

Highway Superintendent Durham asked the Board what they wanted to do concerning the SAM grant and their choice in which road to go with, as he would like to get the application

turned in by January 1, 2019. Supervisor Cappellino asked the Board their thoughts on the subject. Councilperson Newvine asked if there were any other roads that the Town could do besides capping the Country Club Rd. Code Enforcement Officer Besaw asked if there were any plans to do the Byrns Rd. Highway Superintendent Durham stated that there are plans for doing 1 mile a year on the Byrns Rd, as well as 3 miles of prepping the Byrns Rd in 2019. Supervisor Cappellino asked if there were any counts done on the Byrns Rd. Highway Superintendent Durham stated that the counts are only done on the roads that have bridges. Councilperson Newvine suggested looking into the cost of the Town purchasing a counter. Highway Superintendent Durham stated that he would look into the counter.

Highway Superintendent Durham reported that the 1999 TS90 tractor had a bad engine. He stated that the highway department uses the tractor a lot and he is having a hard time finding a replacement engine for it. Councilperson Newvine asked him if that was the tractor that the Town uses as a generator. Highway Superintendent Durham stated it was. He stated the value of the tractor with the bad engine is \$15,000. The Board asked Highway Superintendent Durham to obtain some quotes for fixing the tractor.

Highway Superintendent Durham stated that he had trained the Highway Department workers using the new Sexual Harassment Prevention policy that was adopted by the Town of Fowler.

Highway Superintendent Durham wanted to thank Dave Spilman Jr, Supervisor for the Town of Gouverneur, for starting Safety Classes.

### **Councilmembers**

Councilperson Simmons stated that the Trunk or Treat event was well attended, and that all had a good time. She asked about the Planning Board, and if Supervisor Cappellino had been in touch with Planning Board Chair Ed Siebels for his letter of resignation from the Planning Board. Councilperson Simmons reported that the Town is still in need of 1 member for the Planning Board and 3 members to sit on the Board of Appeals, she then recommended Ron Blair as a candidate to serve on the Board of Appeals. Councilperson Simmons asked Supervisor Cappellino if Doctor Twining was going to stay on in 2019 as the Town's Health Officer. Councilperson Simmons stated that Spectrum had been called to do some work at the Town and the Court fax is now working. Councilperson Simmons stated that once the water issue in the cellar is resolved she would like the extra chair seating to be taken to the cellar for storage. Councilperson Simmons thanked all of the Town Departments for preparing information to be put into 2019 Town of Fowler newsletter. She is working on having the newsletter ready to be sent out with tax receipts in January.

Councilperson Newvine asked Highway Superintendent Durham where the speed reduction would be on the Sylvia Lake Rd. Highway Superintendent Durham stated that the State determines that. Councilperson Newvine reported that the work had been started at the Sylvia Lake Beach, and he would like the Board members to go up and take a look at it. Bookkeeper Finnie suggested that the Town look into a grant in regards to the Sylvia Lake Beach Lifeguards. Councilperson Newvine stated that he would look into it and let her know. Councilperson Newvine suggested that the Town look into a door bell for the Town Hall, as the new doors are making it hard for the Town Clerk to hear when someone enters the building. Supervisor Cappellino stated that he would get in touch with Barkleys to see if they have an idea.

Councilperson Andrews asked the Highway Superintendent if the light on the Bobcat was broken. Highway Superintendent Durham stated that he would look into it. Councilperson Andrews asked Highway Superintendent Durham if the Highway Department is ready for winter. Highway Superintendent stated that he had 5 trucks ready.

Councilperson Bishop asked Code Enforcement Officer Glen Besaw if he had heard anything yet on the clean-up of the Davis Property located across the road from the Town Hall. Code Enforcement Officer Besaw reported that he is still waiting to hear from the DEC on the matter.

Deputy Supervisor Newvine reported that he was going to talk to Kris Bice to get an estimate on fixing the Hailesboro ballfield fence, stating that it needs to be repaired for safety concerns. Supervisor Cappellino reported that he had signed the contract for the \$31,000 Beach Repair project at Sylvia Lake. Supervisor Cappellino asked the Board for approval for the Court Clerk to purchase a new standing desk. After discussion, it was the consensus of the Board that the Clerk could go ahead with the purchase of the new desk.

### **Public Comment**

Tax-payer Ellie J. Simmons voiced concerns about winter driving conditions on County Route 22. She stated that it has been plowed in the center of the road in the past and she would like to see it plowed differently this year.

Randy Durham announced that there would be a free dinner at 1:00PM at the Elks Lodge in Gouverneur on Sunday November 13, 2018 for Veterans and their immediate families.

At 8:35PM a motion was made by Councilperson Andrews and seconded by Councilperson Simmons to go into Executive Session. All in Favor. MOTION CARRIED.

At 9:10PM a motion was made by Councilperson Simmons and seconded by Councilperson Andrews to end the Executive Session. All in Favor. MOTION CARRIED.

Highway Superintendent Randy Durham stated that one person was being interviewed for the vacant Highway Laborer position, and if the person did not take the position it would be advertised in the paper.

The bills audited for the General and Highway Fund were #397 - #436, with a total of \$43,028.94.

The next regular scheduled board meeting will be on December 4, 2018 at 7PM at the Fowler Town Hall.

With no further business, on a motion of Councilperson Newvine, seconded by Councilperson Simmons, the meeting was adjourned at 9:10 P.M. Carried Unanimously.

Tami Gale; Town Clerk