

Town of Fowler Minutes of June 14th, 2021 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, Highway Superintendent Randy Durham, Bookkeeper Barbara Finnie, Assessor Chair Sherry Geer, Assessor's Phyllis Shaw and Kathleen Besaw, Code Enforcement Officer Glen Besaw, Rachel Hunter, Editor of the Gouverneur Tribune Press, Vicky Cappellino, Michael Cappellino, Lisa Durham, Judy A. Hitchman, and Joan M. Shove. There were no teleconference attendees.

Supervisor Newvine called the meeting to order at 6:00 PM then proceeded with the pledge of allegiance.

Supervisor Newvine led a moment of silence to honor our military men and women, all healthcare workers, and for the family of Vernon Fuller Jr. with their recent tragedy, and in memory of Bernie Knowlton, father of Town Justice Tim Knowlton.

Supervisor Newvine asked for a motion to approve the minutes, from the May 11, 2021, Town board meeting. A motion was made by Councilperson Simmons, seconded by Councilperson Cleveland. All in Favor. MOTION CARRIED.

Supervisor Newvine asked for a motion to approve the minutes, from the June 1, 2021 Special Town board meeting on the Assessing Department. A motion was made by Councilperson Andrews, seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

FOOD PROGRAM CHECK PRESENTATION

Supervisor Newvine introduced Joan Shove and her sister Judy Hitchman to the board with a presentation for the Support Our Seniors (SOS) Program and the Hometown Assistance Program (HAP) Program. The sisters presented Chairwoman of the programs, Councilperson Karen Simmons, with a check for \$841.05 to further the cause. The sisters reported the funds presented were raised through a long running rummage and bake sale held at 1591 County Route 22 in the Town of Fowler and thanked all those who shopped or donated to the sale, for their support. Town of Fowler board members thanked Joan and Judy for their hard work and generous donation. Chairwoman Simmons reported the check will be distributed equally to both the SOS and the HAP Programs.

Supervisor Newvine reported there was some housekeeping that needed to be done stemming from the Special Meeting that was held on June 1, 2021 on the assessing department. He reported Town Attorney Henry Leader had since prepared a Resolution that allows Sherry Geer to be appointed as an interim Assessor for the Town and solidifies the vacancy within the assessing department, and the appointment will be re-presented to the board this evening using the resolution prepared by the Town Attorney.

Supervisor Newvine asked for a motion to accept the letter confirming a vacancy within the assessing department received from Sherry Geer. A motion was made by Councilperson Cleveland seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

Supervisor Newvine asked for a motion to appoint Sherry Geer to a 3- month term as assessor. A motion was made by Councilperson Andrews seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

RESOLUTION

RESOLUTION #12 OF 2021

Appointment of Sherry Geer to 3- month term as assessor.

Supervisor Newvine submitted Resolution #12 of 2021, a Resolution to allow the board to appoint Sherry Geer to a 3-month term as assessor to the board for adoption.

A motion was made by Councilperson Bishop seconded by Councilperson Simmons to adopt Resolution #12 of 2021, All in Favor. MOTION CARRIED.

AYES: 5 NEWVINE, SIMMONS, BISHOP, ANDREWS, CLEVELAND

NAYS: 0

Supervisor Newvine asked for a motion to appoint Phyllis Shaw as Assessor Chair. A motion was made by Councilperson Simmons seconded by Councilperson Cleveland. All in Favor. MOTION CARRIED.

RESIGNATION

Supervisor Newvine read aloud a resignation letter from Jacob Cunningham, Heavy Equipment Operator with the Highway Department dated May 25, 2021, and asked for a motion to accept the resignation letter. A motion was made by Councilperson Andrews seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

RESOLUTION

RESOLUTION #11 OF 2021

OSHA Hazard Compliance Program

Supervisor Newvine submitted Resolution #11 of 2021, a Resolution to ensure the Town of Fowler is in compliance with the OSHA Hazard Communication Standard to the board for adoption. Supervisor Newvine reported he had met with Risk Manager Jody Wenzel on May 20th, accompanied by Hwy Superintendent Durham and Town Clerk Gale for an inspection of the Town's Facilities, and an OSHA Hazard Compliance Program was found to be needed.

A motion was made by Councilperson Andrews seconded by Councilperson Cleveland to adopt Resolution #11 of 2021, All in Favor. MOTION CARRIED.

AYES: 5 NEWVINE, SIMMONS, BISHOP, ANDREWS, CLEVELAND

NAYS: 0

Town Department Reports

Bookkeeper

Bookkeeper Barbara Finnie:

- Presented cash balance month ending May 31, 2021 reports and budget balance reports, to the board for their review.
- Reported the expenditures for the General Fund were down in May, coming in at 41% spent where it should be adding that the reason for the spending being up to this point was due to additional expenditures for the HAP and SOS programs which are part of the Town fund, and they have had additional revenues coming in this month.
- Reported the Highway Fund is 25% spent with a lot of bills in the month of May.
- Reported the revenue received for the General Fund to date is 65% and 74% received for the Highway Fund and is coming in faster than it is being spent.
- Reported there is a drive thru Johnson & Johnson vaccine clinic from 9 am to 2pm this Thursday at the Tractor Supply in Gouverneur.

Supervisor Newvine thanked Bookkeeper Finnie for her report.

Assessors

Assessor Chair Phyllis Shaw reported:

- The assessors have been finalizing the tax roll.
- They had 2 people come to grieve their taxes on May 25th and prior to grievance they had granted a few stipulations to tax-payers with a grievance.
- They are in need of a new printer.

Supervisor Newvine reported the equalization rate had come in again at 11.8 and had stayed the same which was good. Assessor Geer reported there have been a couple of years that it has stayed the same.

Supervisor Newvine thanked the assessors for their report.

Historian

Historian Karen Simmons reported:

- She had a visitor to the historian's office last Thursday, who was looking for a picture he had previously seen in the office before and after a while they were able to locate the photo.

Animal Control

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

- 2 dogs were in the dog kennel this month. 1 dog was picked up on the Mansion Ground Road, and its owner was located. The dog was in the kennel less than a ½ hour.
- The 2nd dog was picked up from a lady who reported a dog being thrown out of a moving vehicle. The owner of the dog was located and reported the dog was stolen from his truck. The police were called by the owner of the dog, and it was an awful mess, but everyone got their dogs back.

Beaver Control

Councilperson Karen Simmons reported for Moyer's Wildlife Control:

- He is working on the Country Club Road and has reported the culvert is bad there and it is hindering his ability to remove the beaver dam there. Councilperson Simmons asked Hwy. Superintendent Durham to give Dan a call to discuss the culvert and suggested he may need to meet Dan there to show him what he is talking about. Highway Superintendent Durham reported he knew the culvert was bad there, but Dan needed to take care of the dam as the water is close to being over the road.

Code Enforcement:

Code Enforcement Officer Glen Besaw reported:

- He had issued 38 Building Permits so far this year.
- He has been investigating the illegal dumping of the roof shingles on the Byrns Road. He has taken some samples and compared the shingles to roof jobs being done in the Town of Fowler and Town of Gouverneur, and he does not believe they came from there.
- He has spoken to the Sheriff Department and the DEC and neither have leads on who dumped the shingles on the Byrns Road. He stated the Town is going to have to clean it up themselves.

Supervisor Newvine complimented the new building permit structure and reported \$1,221.26 of the \$1,666.66 collected for the month in money taken in by the Town Clerk was from building permit fees. He reported the new building permit application was more professional in appearance and complimented CEO Besaw and Town Clerk Gale for their efforts.

Town Clerk

Town Clerk Tami Gale reported:

- DEC commissions for the month were \$17.40, with total DEC sales being \$315.00, she had issued 4 certified marriage transcripts, 2 marriage licenses, 1 Certified Death Certificate, licensed 39 dogs, handled 17 building permits, 5 Genealogical Services requests, and had sold 1 bi-centennial Book.
- She is finished collecting taxes for the year, and everything has been turned in to the Treasurer Office.
- Taxes ended up being 95.25% collected for the year, which was an increase in percentage collected for the last 2 years.
- Work continues for the plow truck bond. The certificate of no referendum was signed and sealed and taken to the Attorney, and a public notice will be placed in the Tribune this week.
- Bottle and Can money in the amounts of \$112.15 was received on May 26, and \$98.60 was received on June 9th and turned in to the bookkeeper.
- She has cancelled the last 2 numbers as instructed by Advanced Business Systems from the Spectrum bill. Every department now will be using the 287-0045 number with their extension.
- There is a drive-thru Johnson & Johnson Vaccine Clinic June 15, 2021 at the Canton Human Services Building.

Supervisor Newvine thanked Town Clerk Gale for her report.

Highway Department

Highway Superintendent Randy Durham:

- Discussed the parking lot bids and asked the board if they had made any decisions to move forward with the parking lot project. Supervisor Newvine reported the goal was to use the ARPA funding for the parking lot and right now the Town is not sure when the funding is coming in. Bookkeeper Barbara Finnie added there can be a 30-day extension added to the distribution of the ARPA funds, and the Town may not know until July when the APRA funds are coming in, reporting that next year's ARPA funding is still in question. After further discussion, the board decided to hold off for now moving forward with the parking lot bid.
- Asked the board for their final permission to send the roller, declared as access equipment, to BOCES as the donation was approved by BOCES at their regular meeting held on June 3, 2021.

DONATION OF EXCESS EQUIPMENT

Supervisor Newvine read aloud the thank you letter received by the St. Lawrence-Lewis BOCES Board of Education for the generous donation by the Town of Fowler for the 1999 Impact Steel 2 drum roller with an estimated value of \$3,000.

- Reported he had signed the yearly executed Temporary Access License Agreement between the Town of Fowler and Edelweiss Holdings, LLC concerning the bus turn around on the Sands Road.

SHARED SERVICES

- Reported BOCES will be loaning the Town a "minnie" for the summer, which will be used for work on the pavilion.

HIGHWAY WORKER NEEDED

- Reported the newly hired seasonal highway department employee does not wish to move to a full-time position, and he would like to place an ad in the paper for a full time Highway Department laborer to replace Jacob Cunningham who had recently resigned.
- Asked the board how they felt about hiring someone who does not live in the Town of Fowler. It was the consensus of the board they would rather hire a resident within the Town of Fowler and preference is to be given to Town of Fowler residents.
- CHIPS was estimated in the budget at \$130,000, and we will actually be receiving \$296,000.

ROAD CRACK SEALER QUOTE

- Reported he had obtained a quote for road crack sealing. He discussed they will bring in their own crew with no assistance from the Town required other than a list of the roads to be crack sealed.
- Reported the quote states that 800 gallons a day can be applied at a cost of \$14,500 a day. He reported the Doane Road, California Road and Hull Road were the roads most in need.
- The severity of the road cracks determines how much will get done. He reported you usually set a budget of how much money to spend instead of number of roads for this reason.

After further discussion, it was the consensus of the board for Highway Superintendent Durham to find out more information on the procedure.

EQUIPMENT

- Reported there was \$100,000 in the equipment fund and they had not made any new equipment purchases this year.
- Reported he would like to buy one more 2-stage plow system, at a cost of between \$7,000 and \$10,000. He reported they had purchased 1 last year and people have been requesting them to be used on their roads because they do such a good job. It was the consensus of the board to approve the equipment purchase.
- Reported he borrows the Town of Gouverneur's little roller all of the time and he would like to purchase one of his own.
- Reported he had obtained a quote from Monroe Tractor in the amount of \$39,534.00 for a roller.
- Councilperson Andrews asked if Bookkeeper Barbara Finnie had any comments on the purchase and if the account had the money to make the purchase. Hwy. Superintendent Durham stated the money was budgeted to purchase any equipment that was needed, not in particular for any one set piece of equipment. Bookkeeper Finnie replied that since it was not earmarked for any set piece of equipment, there is enough money in the account for the purchase and there would be money left in the account with making the purchase. Highway Superintendent Durham reported he hopes to be able to pay off the new plow truck with the left-over money in the equipment fund and the extra money received in CHIPS.

Supervisor Newvine asked the board their pleasure on purchasing the roller. It was the consensus of the board to approve the purchase of the roller.

DISCUSSION ON THE BEACH

- Sylvia Lake beach will be open this year June 30th through August 30th.
- The raft needs a piece fixed on the side where the lines hook to it, and “NO Diving needs to be stenciled on it, and re-stenciled along the dock area.
- The purchase of new steps and a handrail were suggested by Hwy. Superintendent Durham.
- There are 6 life- guards hired and 3 more have applied.
- Supervisor Newvine reported he had received a call from Casey Canell of the Gouverneur Rec Center regarding an edict of the State regarding COVID-19 he had read and concerns if they would be able to bring the rec center kids with the beach open to everyone and wondered if it would be possible for the rec center to have the beach on one day by themselves.
- Supervisor Newvine reported he had discussed with Casey that it would not be possible for the Rec Center to have the beach to themselves for a day and he would not tell Town of Fowler taxpayers they couldn’t use the beach for a day. All Councilpersons agreed. Supervisor Newvine reported he told Casey the Town of Fowler pays the Village of Gouverneur \$1200.00 yearly for their Rec Program and they pay the Town of Fowler nothing to use the beach. It was discussed the Village of Gouverneur had a board meeting the following day and Casey may mention it to Village officials.
- Town Clerk Gale reported the head lifeguard would be in to discuss her job duties on Thursday, and it would be a different year with 5 of the 6 lifeguards being new and 1 returning with 1 year experience. Supervisor Newvine stated it will be a learning experience.

PAVILION DISCUSSION

- Councilperson Andrews asked when the pavilion would be available to rent to the public. Supervisor Newvine reported the pavilion won’t be rented out to the public until it is completed, but people are using it now.
- Maintenance worker Jack Woodward stated the power needs to get put in. He has been having trouble with obtaining an ADA compliant toilet and Mike Cappellino is assisting him with that this week.
- It was discussed that insulating the table side ceiling of the pavilion will happen when the cost of building supplies come down. It wasn’t included in the original plans but has been suggested due to birds wanting to nest in the open area and the mess it causes.
- Mike Cappellino reported Highway Superintendent Durham has offered to do the digging for the power and he would like to get the water lines in too. Supervisor Newvine reported he would call Link Electric and get the project going.
- Mike Cappellino reported the siding had come in, but it was missing the corner pieces and they would arrive tomorrow.
- Anyone wanting to use the pavilion will be need to contact Councilperson Scott Cleveland at (315) 778-5358 for scheduling.
- Supervisor Newvine will contact the person who has offered to donate picnic tables for the pavilion.
- Mike Cappellino suggested that the bathroom door really needs to be installed before the pavilion is scheduled for use, to prevent any damages to water lines and sewer lines that are exposed until the bathroom is finished.

- Code Enforcement Officer Besaw reported the Pavilion occupancy will be as many as can fit under it as long as there are no closed in sides and it remains open.

Councilmembers

Councilperson Scott Cleveland:

- Reported since the last board meeting, he had taken 2 and ½ days of webinars covering the budget process, the American Rescue Act and learning more about the Grant Writing process.
- The webinars were given by the Association of Towns Tug Hill Commission and included speakers from the Office of the State Comptroller.

Councilperson Lynn Bishop:

- Commended Dan Fifield on how great the cemeteries all looked and the great job he is doing with the mowing.
- Reported to Hwy. Superintendent Durham that a road sign on the Sullivan and Gulf Road is bent over.
- Commended the highway department for doing a good job driving

Councilperson Jeff Andrews:

- Asked if the month was up for the excavator rental. Hwy. Superintendent Durham reported it had been returned.
- Asked Hwy. Superintendent Durham if he has heard anything on getting the plow truck bodies sprayed. Hwy. Superintendent Durham reported he had not and would get together with him on it.

Councilperson Karen Simmons:

- Made Hwy. Superintendent Durham aware of a tree that was growing up through a plow at the Highway Department.
- Asked about the bill for \$2,100 for a hammer from Anderson Equipment. Hwy. Superintendent Durham reported it was purchased to replace the hammer on the rental excavator because they had worn it out. He reported a regular month rental typically uses 40 hours on the equipment and the highway department had used it for 140 hours.
- Asked if the highway department had picked up the deer carcass on the Sylvia Lake Road. Hwy. Superintendent Durham stated it had not been reported and he would take a look for it.
- Asked if the flag could be raised yet. Supervisor Newvine stated he thought it still was an executive order for being lowered to half mast, but he will check into it.
- Reported the Fullerville Cemetery has been very busy this month.
- She had picked up cornerstones in Carthage on Friday for a plot that was sold.
- There will be a SOS Program delivery on June 25th. There are 81 households right now to receive this delivery.
- The HAP Program is still going pretty well. The groceries are low right now and she needs to do some shopping to restock the shelves. She has been contemplating slacking off for the summer and starting it back up in the fall. Supervisor Newvine suggested the Town could get in touch with Dave Spilman Jr. again to see if they could pick up some more food for the HAP Program. Hwy. Superintendent Durham stated he had also put in for another grant with the Elk's Club. Councilperson Simmons stated she guessed we will continue doing it through the summer.

- Asked Hwy. Superintendent Durham about a bill that was in the vouchers this month for grass seed for Kilkarney Court. Hwy. Superintendent Durham stated it was for the new piece of lawn they made last year when they shortened where the plow turn around was.

Supervisor Ricky W. Newvine:

- Supervisor Newvine reported BOCES had sent the Shared Services Agreement that is done yearly for him to sign.
- Commended maintenance worker Byron Woodward on the Town of Fowler ramp and rear entryway.
- Reported he will call Fuller Insurance and check on the liability of the Town regarding the lawn being used for a party tent to be set up for a gathering of 150 people.
- Reported the Solar Law has been sent to the County for review.
- Reported the Community College Chargebacks were \$21,000 this year, and the Town Clerk had done a great job verifying that they lived in the Town.
- Reminded the Councilmembers of the Zoom meeting on June 21 on the Hazard Mitigation Plan at 6:00 PM. He reported the Town needed to have a plan in place in case there is an emergency, and if there is any FEMA money available the Town would not receive any money without this plan in place.
- Reported he had emailed Legislator Bill Sheridan concerning the Emeryville Bridge and the possibility of the Town using some of the ARPA money towards it. Supervisor Newvine stated he didn't feel too confident as they are now estimating the cost of that bridge to be between \$400,000 and \$500,000. He reported the 6 panels on it are \$13,000 for each panel. He said they want to extend the bridge 10 feet on each end to make a 60- foot bridge. He reported they are looking at it, but whether they will do it or not we don't know.
- Reported there is a vulgar sign on the River Road that the Town has received several complaints about, and he didn't know if the Town had the authority to make them take the sign down, but he would like to respectfully ask that person to take it down.
- Reported on the tremendous display of flags and photos of graduates at BOCES that he had discussed at the last board meeting. He reported he has since found out the person who had originally started that display was Town Justice, Tim Knowlton.

Public Comment

- Byron Woodward stated the pigeons are quite bad at the salt and sand barn and asked the board if they had thought about installing a sound device that helps to keep the birds away. Supervisor Newvine asked Highway Superintendent Durham to look into the cost of one.
- Asked if the ladder they were considering for the beach was stationary or if it would be something to be taken in and out for the season. Supervisor Newvine thought it would be a weighted ladder.
- Mike Cappellino asked Hwy. Superintendent Durham if the cost of the parking lot paving had gone up since the bid was received from Barrett Paving. Hwy. Superintendent Durham reported it was a certain price if they did the whole job. He reported it was done this way to get a stabilized bid as opposed to one that fluctuates every month.

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

The bills audited for the General and Highway Fund were # 173 to # 221 with a total of \$37,060.42.

The next regular scheduled board meeting will be held on July 12, 2021, at 6:00PM.

With no further business, on a motion of Councilperson Cleveland, seconded by Councilperson Simmons, the meeting was adjourned at 7:08PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk