

Minutes - December 11, 2012 - 7 PM

The Regular Meeting for the Town of Fowler was held on the above date with all members present. Also present was Town Clerk Sherrie Williams, Code Enforcement Officer Rick Whitford, Justice Paul Lamson, Highway Superintendent Gary Williams, Frank Wujcik, Samantha Carr, Paula Simmons, Legislator Alex MacKinnon, Joanne Orford, Mike Macaulay, Tim Prashaw, Neil & Tammy Hooley & Dave Spilman.

Supervisor Cappellino called the meeting to order then proceeded with the opening prayer & the pledge of allegiance.

A motion was made by Councilperson Rick Newvine to approve the November 13, 2012 meeting minutes with 2 corrections & seconded by Councilperson Randy Durham. Roll call vote showed Michael Cappellino; Yes, Rick Newvine; Yes, Natalie Spilman; Yes, Randy Durham; Yes, Karen Simmons; Yes. All in Favor. MOTION CARRIED.

Frank Wujcik presented an article to the board stating that Amish families are interested in moving into the area & he wanted to make the board aware of it. Previously in other areas there have been highway safety issues, environmental issues, & code issues with the Amish families. He suggested that the board consider putting in place some pro-active measures before the Amish move to this area so there will be no issues for the Town in the future.

After discussion, A motion was made by Councilperson Rick Newvine to move the Town Board Meetings to the first Tuesday of every month starting in 2013 & seconded by Councilperson Randy Durham. Roll call vote showed Michael Cappellino; Yes, Rick Newvine; Yes, Randy Durham; Yes, Karen Simmons; Yes, Natalie

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Spilman; Yes. All in Favor. MOTION CARRIED.

Supervisor Michael Cappellino reported that he had Resolution No. 13 of 2012 Approving the Town Audit done by Pinto.Mucenski.Hooper Van House & Co. for the Year Ending 2011 including the Justice Department, Town Clerk Department, & Bookkeeping Department for the Board to consider. After discussion, a motion was made by Councilperson Karen Simmons to pass Resolution No. 13 of 2012 approving the Town Audit & seconded by Councilperson Natalie Spilman. Roll call vote showed Michael Cappellino; Yes, Rick Newvine; Yes, Randy Durham; Yes, Karen Simmons; Yes, Natalie Spilman; Yes. All in Favor. MOTION CARRIED.

Supervisor Cappellino reported that he received a letter from Max Tessmer resigning from being a Planning Board Member effective immediately. A motion was made by Councilperson Karen Simmons accepting Max Tessmer's resignation from being a Planning Board Member & seconded by Councilperson Rick Newvine. Roll call vote showed Michael Cappellino; Yes, Rick Newvine; Yes, Karen Simmons; Yes, Randy Durham; Yes, Natalie Spilman; Yes. All in Favor. MOTION CARRIED.

Councilperson Karen Simmons reported that she had the Beaver Patrol Report from Tim Prashaw. Three beavers were killed & grates were cleaned & checked.

Councilperson Karen Simmons reported that Neil & Tammy Hooley have handled 4 complaints & the issues were taken care of. Janet Collier of Ag & Markets performed a training session for her,

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Neil Hooley, & Tammy Hooley which was very informative. Ms. Collier also performed an inspection of the dog pound. A piece of metal mesh needs to put on the inside window of the pound & the heat is on inside the pound. It was discussed that the dog law will be altered & be ready for the February meeting. Supervisor Cappellino will contact the Town lawyer on the issue.

Code Enforcement Officer Rick Whitford reported that he has issued 5 permits for the month & permits for the whole year are up to 97.

Highway Report - Superintendent Gary Williams reported that the highway department has been cutting brush & patching holes in the roads. He reported that there is \$377 in the bottle money that has been collected for 2 years & asked the board to match that amount for safety clothing for the Highway men. Consensus of the board was to match \$300 toward the safety clothing for the Highway men.

Legislator Alex MacKinnon reported that the County has sent out a summons from the County against the Town of Fowler & Hampshire Paper Company to determine ownership of the Emeryville bridge. The Supreme Court Judge will determine the ruling of ownership of the bridge. He thinks the best option is for the County to accept ownership of the bridge. He reported that the bridge will be repaired soon. Councilperson Rick Newvine asked Alex for a holiday schedule of the transfer station's hours.

Councilperson Randy Durham asked about implementing a mileage policy & one will be made up.

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Supervisor Cappellino reported that he received a letter from Tripp's concerning 2 furnaces in the highway department that have issues from incorrect installation & he will get a price from Tripp's on the repair.

Supervisor Cappellino reported that he received a quote from Tom Manley for a lap top of \$857.99.

Supervisor Cappellino reported that there is no news on the results of the grant application yet.

Supervisor Michael Cappellino reported that the next Board Meeting will be on January 8, 2013 at 7 PM in the Fowler Town Hall. There will also be a work session on December 18, 2012 at 7:00 PM concerning several issues.

The bills audited for the General Fund were #252 - #278 \$83,988.33 & Highway Fund #246 - #259 - \$44,516.36

A motion was made by Councilperson Rick Newvine to adjourn the meeting at 8:25 PM & seconded by Councilperson Randy Durham. Roll call vote showed Michael Cappellino; Yes, Rick Newvine; Yes, Natalie Spilman; Yes, Karen Simmons; Yes, Randy Durham; Yes. All in Favor. MOTION CARRIED.

Michael Cappellino; Supervisor Sherrie Williams; Town Clerk

Rick Newvine; Councilperson Randy Durham; Councilperson

Natalie Spilman, Councilperson

Resolution No. 13 of 2012  
December 11, 2012

Resolution to approve Town Audit done by  
Pinto.Mucenski.Hooper Van House & Co. for the Year Ending  
2011

**Whereas,** The Town of Fowler Board approved the Town Audit including Justice Department, Town Clerk Department, & Bookkeeping Department performed by Pinto.Mucenski.Hooper Van House & Co. Certified Public Accountants. P.C. for the year ending December 31, 2011.

Adopted by the following vote:

Supervisor Michael Cappellino Yes

Councilperson Rick Newvine Yes

Councilperson Karen Simmons Yes

Councilperson Randy Durham Yes

Councilperson Natalie Spilman Yes

MOTION CARRIED