

Town of Fowler Regular Board Meeting Minutes for October 1, 2019 at 7:00 PM

The Regular scheduled board meeting for the Town of Fowler was held on the above date with all Board members present. Also present were Town Clerk Tami Gale, Deputy Town Clerk Debra Tupper, Bookkeeper Barbara Finnie, Code Enforcement Officer Glen Besaw, Highway Superintendent Randy Durham, Planning Board Members Daniel Kingsley and Larry Streeter, Board of Ethics Committee Members Vicky Cappellino and Lillith Griffith, Pavilion Committee member Richard Clement, and Rachel Hunter of the Gouverneur Tribune Press.

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

Supervisor Cappellino asked that a moment of silence be held to remember and honor retired highway department laborer Roger Rice.

A motion was made by Councilperson Newvine, seconded by Councilperson Simmons to approve the minutes of the Regular Town Board Meeting held on September 3, 2019 at 7PM. All in Favor. MOTION CARRIED.

Town Department Reports

Code Enforcement

Code Enforcement Officer Glen Besaw reported:

- That he had followed up on a complaint and is seeking input from the Town attorney on the matter before taking any action on it.
- He had attended a Risk Mapping, Assessment, and Planning (Risk MAP) Discovery meeting held by the Federal Emergency Management Agency (FEMA) in partnership with the New York State Department of Environmental Conservation (NYSDEC) on September 18, 2019 at the Gouverneur Community Center.
- That once all of the information is collected, a digital flood map will be created for North Country Watersheds.
- That he had processed 8 building permits for the month.
- That he and the planning board needed to get together with the County to decide on the shoreline districts. The district map is necessary due to the passing of Local Law #1 of 2019. Town Clerk Gale stated that Stephen Gale had taken the Land Use Law to the County last week for review by Matilda Larson of the St. Lawrence County Planning Office. After discussion, it was decided that the Planning board and Code Enforcement Officer Besaw will meet to decide what bodies of water in the Town will be considered as shoreline districts with assistance from the County, and then present it to the Town board for their approval.

- He feels the Town of Potsdam's Solar Law is very well put together and he has a copy of it, and he will get the Law copied off for the board to review for possible adoption.

Councilperson Simmons reported to CEO Besaw that she had received a complaint about a person suspected to be living in a construction trailer on the Little York Road with no running water or septic system and questioned if there was any violation of codes in this situation. After a lengthy discussion, CEO Besaw stated that he can not take any action until he has a written complaint on file. When a signed complaint is received by his office, he will need to discuss the issue with Town Attorney Henry Leader.

Town Clerk

Town Clerk Tami Gale reported:

- She had taken in a gross of \$3111.00 in DEC sales and \$171.56 in commissions for the month, had issued 1 certified marriage transcript, collected \$40.00 in kennel fees, collected \$26.00 in miscellaneous dog fees, issued 10 Certified Death Certificates, licensed 37 dogs, handled 9 building permits, and collected \$4.25 in photocopies.
- She had deposited \$161.25 into the Playground fund from a \$ 93.60 scrap metal check and \$67.65 in bottle and can donations.
- That the Town Clerk office will be closed October 15th for both the Deputy Clerk and the Town Clerk to attend the local government conference being held at SUNY Potsdam.
- That her computer is in bad shape. Tom Manley of Pinnacle Technologies has suggested that it be replaced as soon as possible, as it could stop working at any time. He found a crack in the hard drive.
- That she had a quote of \$1,179.00 from Pinnacle Technologies of NNY and asked for the board's approval to purchase the new computer. After discussion, it was the consensus of the board to order the computer.
- That there is an issue with the Pepsi machine. After discussion, Highway Superintendent Durham stated that he would call Pepsi- Cola and have it looked at.
- Thanked Councilperson Simmons for her assistance in organizing paperwork for the CDBG grant 2014 and 2015 close out audit.

Bookkeeper

Bookkeeper Barbara Finnie reported:

- That the Town has received the \$100,000 that the highway department has been anticipating.
- There will need to be a budget amendment to reflect the \$100,000 received for the general fund at the November 7, 2019 board meeting.
- That the highway budget is at 67% spent, and typically by this time it is 75% spent.

- 70% of the revenue has been received and the Town is still waiting on one more sales tax check that should offset some expenditures.
- That she anticipates that the Town will have extra money from this years' budget to add to the fund balance that will assist with next years' budget.
- Discussed the process involved to over-ride the 2% tax-cap or stay within the tax cap.
- After a lengthy discussion on the 2% tax-cap, it was decided that the Town would wait until the Monday October 7th budget work session to see if the board could trim 21% from the tentative budget that they were presented with at this evenings board meeting before making their decision to over-ride the 2% tax-cap or stay within the tax-cap.

A motion was made by Councilperson Newvine seconded by Councilperson Bishop to change the October 7, 2019 4:00PM budget work session to a Special Meeting so the board could make their decision on adopting the tax-cap at the meeting if necessary. All in Favor. MOTION CARRIED.

Assessors

Assessors were not in attendance.

Historian

Historian Karen Simmons reported:

- That she had worked on 2 genealogy requests, and that she had received another request earlier in the day to begin research on.
- She had 2 visitors to the Historian Office who recently have moved into the Town of Fowler researching information on the Fowler School.
- Councilperson Newvine and Councilperson Simmons reported that they had responded to the website submission that was received on the Town of Fowler web site on the Puffer family. Councilperson Newvine stated that he had placed a call to former Town of Fowler Supervisor Dave Spilman who had a considerable amount of knowledge and information to share.

Dog Control

Dog Control Officer Dan Moyer reported:

- He had caught the dog that had been running loose near the Fullerville Cemetery. The dog was claimed by his owner after having spent 2 nights in the pound and receiving a rabies shot and getting licensed.
- He had picked up a dog on the Emeryville Road, the owner was located and the dog picked up after getting licensed.

- He had looked into a report of a new resident in the Town owning pit bulls and requested that they get the animals licensed, and made them aware of the Towns leash law, and asked that the animals be kept confined.
- Councilperson Simmons reported that the Town maintenance worker has been doing work in the dog kennel. The floor and 2 of the cages have been freshly painted.

Beaver Control

Dan Moyer of Moyer's Wildlife Control reported:

- That he had been called by Highway Superintendent Durham to 4 beaver activity sites.
- He had taken 2 beavers off the Country Club Road, 2 beavers off the Emeryville Road, 3 beavers off the Stone Road, and 4 beavers off the Shantyville Road.
- Highway Superintendent Durham reported that something continues to knock the grate over in front of the culvert on the Shantyville Road.

Highway Department

Highway Superintendent Randy Durham reported:

- That he was asked to check with the Towns insurance carrier on the cost of insuring the new plow truck. The liability insurance will have no increase and it will cost the Town \$800.00 a year for \$230,000 in coverage of physical damages to the truck.
- The new plow truck is still in line at Viking waiting to get into the shop. Once it gets into the shop it should be ready within one week.
- Supervisor Cappellino asked Highway Superintendent Durham for the contact person at Viking. He would like to make sure that the new plow truck will be received by the Town before snow flies.
- That the '98 truck has the new engine in and is being worked on.
- That there will be a bill for some of the work being performed on the truck as he is having some parts replaced while it is already torn apart.
- The sander is posted on the auction site, it will close on October 21, 2019. Anyone with interest may contact him for a link to the auction site.
- That he will be off from October 29, 2019 thru November 1, 2019. He has spoken to Supervisor Cappellino and Highway Department liaison Councilperson Andrews concerning the matter and that they will be taking care of concerns for him while he is away.

Councilmembers

Councilperson Karen Simmons

- Asked Highway Superintendent Durham if he had located the tree in the Fullerville Cemetery that a call had been received about. Highway Superintendent Durham stated the tree was actually located in the Gulf Cemetery and that he had plans to cut it down.
- Complimented the tree removal from the Town Hall parking lot by the highway department.
- Reported that Tonya Nichols of Pitter Patter Daycare would like permission to hold the Trunk or Treat event again this year on Sunday October 27, 2019 from 12:00 Noon to 2:00PM in the Fowler Town Hall Parking lot.

After discussion, it was the consensus of the board to give permission for the 2nd annual Trunk or Treat event to be held at the Town Parking lot again this year, and a \$50.00 donation would be given as well to assist with prizes for the children.

- Bookkeeper Finnie directed Town Clerk Tami Gale to prepare a voucher and she would get a check prepared from the Playground fund for the donation.

Councilperson Jeff Andrews

- Asked Highway Superintendent Durham when the highway department was going to be going off the Monday thru Thursday 10- hour shift work week. Highway Superintendent Durham stated that by mid-October they would start back to the 7AM to 3:30PM 5 day work week.
- Asked Highway Superintendent Durham if he had an update on the new equipment. Highway Superintendent Durham reported that the trailer has been ordered but has not arrived yet.
- Asked Historian Karen Simmons if she had heard anything back on the Tri-County marker signs. Historian Simmons stated she had been in touch with Senator Patty Ritchie's office, who couldn't help in the matter but did give her contact information for a couple of places that might be able to assist her. She reported that she had spoken to Legislator Bill Sheridan concerning the marker, and she has not given up on trying to have the marker recognized. Historian Simmons stated that the biggest problem is that it is not on any historical list in New York State. Historian Simmons stated that she would contact the Silas Wright Museum in Canton to see if they have any suggestions to help her have the site listed as a Historical Site.
- Asked Councilperson Simmons how the progress is coming on the "Welcome to Fowler signs." Councilperson Simmons reported that she had discussed the signs needed

improvements with maintenance worker Byron Woodward and he is going to be starting them next week.

Councilperson Lynn Bishop

- Reported that his concerns were answered previously in the meeting.

Councilperson Ricky Newvine

- Reported that he had looked over the St. Lawrence County Department of Highways Three Year County Snow and Ice Agreement that the Town of Fowler currently has with the County and he feels that there is no “out” option for the Town stated in the agreement, however the County has many different ways that they can end the agreement. Councilperson Bishop agreed with Councilperson Newvine on the matter. Councilperson Andrews asked how it was that other Towns stop plowing for the County.
- Stated that only at the end of a contract year is when a township can decide to get out of the agreements with the County.
- Stated that he had checked with the Towns insurance carrier regarding the additional insurance that is required as a part of the contract, and it does not cost the Town any extra money for the required additional insurance.
- Suggested that the Town re-negotiate the Snow and Ice Agreement when it is up again, and posed the question what would happen if someone gets hurt here on their (County) roads, due to the fact that their roads themselves are in bad condition. Highway Superintendent Durham interjected using the Russell-Turnpike Road as an example of a County road that is in bad condition. The Town of Fowler and the Towns insurance is still held liable, and he feels that if the (County) roads are bad themselves then the County and the County’s insurance carrier should be held liable. Supervisor Cappellino agreed with Councilperson Newvine and stated that it is something that needs to be kept in mind for the next contract.
- Reported that the mowing contract has ended, but it was approved by consensus of the Town board to extend the mowing contract at the same cost with Dan Fifield, as the grass continues to need to be mowed.
- Reported that he had been to the beach to check on the list of items that had been requested to be taken care of by the head lifeguard and stated that the tire with the cement in it is still there. He reported that he will need a cart to move it, it is so heavy. Supervisor Cappellino stated that the tire with the cement in it is part of what stabilizes the raft in place in the water. He stated he wasn’t sure how it ended up where it did, but he suggests that they take it back out and put it in the water where the raft will be located.

Supervisor Cappellino

- Asked Highway Superintendent Durham how the work the County is doing on the Russell-Turnpike Rd was coming along. Highway Superintendent Durham stated that the County had replaced some culverts and had mowed areas, but stated that the road is still rough.
- Supervisor Cappellino, as well as all 4 of the board members recommended that Highway Superintendent Durham get back in contact with Don Chambers to discuss the condition of the road and getting it in suitable shape for the pending plow season.
- Highway Superintendent Durham stated he would go back to the Russell-Turnpike Rd and re-evaluate it the next day and get in touch with Don Chambers.
- Reported that the Pavilion was rebid and bids were asked to come in for the December board meeting. The bids were asked to come back with two options, one option is bid as designed as specified in the original bid, the second option is to bid only concrete slab, roof and gable ends enclosed with stub outs.
- Reported that this bid included a bond be secured by the bidder.
- Thanked Councilperson Simmons and Town Clerk Tami Gale for their efforts in organizing the paperwork for the State close-out audit for the 2014 & 2015 CDBG grants that was completed in September with Denise Cannon and Annette Bowman.
- Reported that all had gone well and the Town is waiting to hear the results of the audit.
- Thanked Highway Superintendent Durham for removing the Elm tree from the parking lot.

Public Comment

- Tax-payer Richard Clement complimented the highway department and Highway Superintendent Durham on the new blacktop leading to the handicap accessible ramp at the Town Hall.
- Councilperson Simmons reminded everyone to vote at the General Election on November 5th, 2019.
- Code Enforcement Officer Glen Besaw asked what should be done with the old printer taking up space in his office. After discussion, it was the consensus of the board that Dan Moyer Dog Control Officer for the Town of Fowler could have the printer for dog control use.
- Councilperson Rick Newvine asked if the board was going to set a date for the Public Hearing for the budget adoption. Supervisor Cappellino suggested setting the Public Hearing for November 7, 2019 at 7:00PM. It was discussed that the Public Hearing will be advertised in the Gouverneur Tribune Press.

The bills audited for the General and Highway Fund were #368 -#414, with a total of \$38,330.60.

There will be a Special Meeting on October 7, 2019 at 4PM at the Fowler Town Hall to discuss the Tentative 2020 budget.

The next regular scheduled board meeting and Public Hearing on the 2020 Budget will be Thursday November 7, 2019 at 7 PM.

A motion was made by Councilperson Newvine, seconded by Councilperson Simmons to adjourn the meeting at 8:06PM. All in Favor. MOTION CARRIED.

Tami Gale; Town Clerk

