

## **Town of Fowler December 12, 2022 Regular Scheduled Board Meeting Minutes 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 Kathleen Besaw, Code Enforcement Officer Glen Besaw, Planning Board Members Stephen Gale and Leo Knight, Code of Ethics Committee Member Vivian Goodman, John and Deb Walsh, Richard Clement, Larry Allen, Lorraine Lambert, and Rachel Hunter, Editor of the Gouverneur Tribune Press.

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 members, our healthcare workers, and people who have passed since the last meeting: Patricia Hawes and Lucky Lutz .

Supervisor Newvine asked for a motion to approve the minutes from the November 7, 2022, Town Board Meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Bishop to approve the minutes. All in Favor. MOTION CARRIED.

### **YEARS OF SERVICE RECOGNITION**

Supervisor Newvine presented Town of Fowler past highway employee Larry Allen with a plaque to thank him for 22 years of service to the Town of Fowler.

### **Rescind “Duct Work & Air Condition Bid**

Supervisor Newvine asked for a motion to rescind the “Duct Work & Air Condition Bid, awarded at the November 7, 2022 board meeting in the amount of \$21,473.12 to M&M Heating & A/C, LLC. Supervisor Newvine reported the bid included a new furnace, which was not the consensus of the board to replace the furnace. After some discussion, a motion was made by Councilperson Andrews, seconded by Councilperson Cleveland to rescind the bid, and rebid it in the up-coming year. All in Favor. MOTION CARRIED.

### **YEAR END TRANSFER MEETING**

Supervisor Newvine discussed the need to set a year- end transfer meeting date for budget amendments, budget transfers and to pay any bills received. It was discussed that some oaths will be taken at the transfer meeting. After some discussion, the meeting was scheduled to be held on December 28, 2022 at 3:30PM.

### **2023 MUNICIPAL INSURANCE PROPOSAL DISCUSSION & AWARD**

Supervisor Newvine reported he had met with Adam Fuller of Fuller Insurance Agency, Inc. to go over quotes from the following insurer's: Trident Public Risk, Glatfelter Public Practice, and New York Municipal Insurance Reciprocal “NY MIR” to discuss insurance premiums for the year 2023. Supervisor Newvine discussed the differences between the insurers, as well as the 25% increase in the policy by Trident, who the Town has been with for 19 years, after a claim had been submitted. Supervisor Newvine reported Adam Fuller had recommended Glatfelter Public Practice as being the best fit for the Town of Fowler's insurance needs.

**TRIDENT**

**\$35,373.30**

**GLATFELTER**

**\$30,996.23**

**NYMIR**

**\$31,813.94**

After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Andrews to award the 2023 insurance policy to Glatfelter for a cost of \$30,996.23. Supervisor Newvine reported he will sign the necessary paperwork when it is received.

## **RESOLUTION**

### ***RESOLUTION #21 OF 2022***

#### ***Liberty Utilities (St. Law Gas Franchise Agreement)***

Supervisor Newvine submitted Resolution #21 of 2022, a Resolution renewing the franchise agreement between Liberty Utilities (St. Lawrence Gas Corp.) and the Town of Fowler.

A motion was made by Councilperson Cleveland seconded by Councilperson Bishop to adopt a resolution allowing Supervisor Newvine to sign two amended agreements, renewing the franchise agreement between Liberty Utilities (St. Lawrence Gas Corp, and the Town of Fowler. All in Favor. MOTION CARRIED.

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

**NAYS: 0**

### **3-YEAR FIRE PROTECTION AGREEMENT WITH GOUVERNEUR FIRE COMPANY, INC.**

Supervisor Newvine asked for a motion to sign the 3-Year Fire Agreement with Gouverneur Fire Company. Supervisor Newvine reported the agreement in the **year 2023 is \$46,657.00**, in the **year 2024 is \$47,421.00**, and in the **year 2025 is \$48,185.00**. A motion was made by Councilperson Bishop seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

Supervisor Newvine stated the Gouverneur Fire Company does a great job and he didn't know what the Town would do without them.

### **STAIR LIFT AGREEMENT WITH ACCESSIBILITY SOLUTIONS, INC.**

Supervisor Newvine reported there had been a recent problem with the stair lift not working, that required a service call for new batteries to be installed. Supervisor Newvine reported the repair service recommended a yearly service agreement be put into place at a cost of \$150.00. The service would examine the lift, clean, and lubricate the transmission, gears, and track and make any adjustments as needed. After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Cleveland to allow Supervisor Newvine to sign the stair lift contract agreement with Accessibility Solutions. All in Favor. MOTION CARRIED.

## **TOWN DEPARTMENT REPORTS**

### **Town Justice**

Town Justice Tim Knowlton reported:

- He has attended several magistrate meetings in Canton.
- Centralized arraignments are being put on the back burner for a while.
- Discussed the high population of drug offenders in the County jail and a new program, known as the MAT Program, to aid in the care of inmates with drug related issues. He reported presently 74% of County jail inmates are there due to drug related offenses.
- There is a new law in effect when an order of protection is issued against someone, their firearms must now be surrendered.
- The court has received new computers, and they were installed by Court Clerk Ashley and himself with the assistance of court technical assistants, instead of paying Advanced Business Systems \$140.00 an hour for the service.
- There is still no official word on the J-CAP Grant that was applied for. He hopes to hear in the month of December if the grant has been approved.

### **Bookkeeper**

Bookkeeper Barbara Finnie:

- Provided Town of Fowler Cash Balance month ending November 30, 2022, and Budget Balances month ending November 30, 2022 reports to the board for their review.
- Reported 94.92% of the General Fund has been spent and 138.86% of revenue has been received.
- Reported 120.75% of the Highway Fund has been spent and 146.32% of revenue has been received.

- Reported everything is proceeding well with one month left in the year.

## **Assessors**

Assessor Chair Kathleen Besaw reported:

- It has been business as usual.
- Assessors Tim Thomas and Bob Theriault have both had their first training classes and have both passed.
- She will take her last training course in February and then will be fully certified as an assessor.
- They have been working on the valuations from the years building permits and have completed the valuations.
- They have now hit the 900 mark on data collection cards which puts them at a little over 50%.

## **SENIOR EXEMPTION RESOLUTION DISCUSSION**

Assessor Besaw reported she had been discussing the need for a new Senior Exemption Resolution with Supervisor Newvine. She had discussed the impact of raising the limit of the Senior Exemption with the Real Property office in Canton, and what kind of impact it would be if we raised our limit. She reported she had learned it wouldn't have any impact really at all to raise the limit, as the County hasn't changed their ceiling which is \$17,699.99. She reported the Town of Fowler's limit is at \$15,000.00, so anybody who makes \$15,000.00 and under, gets a 50% break on their county taxes. Assessor Besaw reported there would not be much of an impact here. Supervisor Newvine stated if the school ever adopted the resolution, it would be a big impact. Assessor Besaw agreed stating it would be huge, but they haven't, and she didn't think they are going to. She reported she thinks the Town of Fowler should keep the Senior Exemption right where it is, stating we are right in the middle of the road, there are people that are below us, and counties that are above us, but most of the people above us are there because they get a break on their school taxes.

Supervisor Newvine stated he had discussed with Councilperson Simmons and Bookkeeper Finnie prior to the meeting, that it is nice to see an assessor here almost every day, he reported Assessor Besaw has done a great job with that department and has done very well.

## **Historian**

Historian Karen Simmons reported:

- It has been quiet in the historian's office right now.
- She has been working with a gentleman concerning a cemetery lot in the Fullerville Cemetery.

## **Animal Control**

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

- Two dogs had been picked up in the last month, one was picked up on the Hull Road and one was picked up in front of the town hall. Both animals had been returned to their owners.
- He had to re-visit the owner of the dog on the Hull Road, to make him aware of the leash law in the Town of Fowler as the dog had been found a second time running loose on the Smith Road.

## **Beaver Control**

Councilperson Karen Simmons reported for Moyer's Wildlife Control who was not in attendance:

- There have been no beaver concerns for the month.

## **Code Enforcement**

Code Enforcement Officer Glen Besaw reported:

- He received guidance from Town Attorney Leader on the dock issues at Sylvia Lake. He reported in the absence of any other authority taking control of dock construction, the Town of Fowler can put this item into the Land Use Law.
- He would contact Planning Board Chair Steve Gale and start working on it.
- Reported the only other thing he had was the letter he had told Supervisor Newvine about.

Supervisor Newvine asked Town Clerk Gale if she had copies of the two letters received from the DEC regarding the flood plain violations. Town Clerk Gale reported they are filed. Supervisor Newvine reported the letter that CEO Besaw is referring to is the violation letters received from the DEC. He would like to give all of the information to Town Attorney Leader regarding the matter. Supervisor Newvine reported he felt they had done all that they can do, the DEC is trying to make us, adhere to flood plain elevation that was determined in 1986, and he felt the two places with the violations are not in it. Supervisor Newvine reported he had advised the representative the last time that he spoke to her, that he would be giving all the information over to the Town Attorney, and if we had to go into litigation, that is what we will do.

- On the house on CR 22 that has been discussed at the last several board meetings. He has found the owner has passed away and the daughter doesn't want anything to do with the property. He reported there is really nobody to talk to about having it demolished. He reported they could go through the courts and say that it is a public nuisance and a health hazard. CEO Besaw reported he could give it to Town Attorney Henry Leader and start the proceedings to have the house demolished by the Town, like was done at the Davis property.

Supervisor Newvine asked the board if that is what they would like to do concerning the property. After some discussion, it was the consensus of the board to have CEO Besaw start the proceedings through the Town Attorney.

- He has been closing building permits out and trying to track people down and the Code Enforcement Office is in pretty good shape.

## **Town Clerk**

Town Clerk Tami Gale reported:

- The gross DEC sales for the month were \$255.00 with the Towns commission being \$11.19, she had processed 4 death certificates, 2 Certified Marriage Transcripts, licensed 28 dogs, handled 6 building permits, and had taken in \$3.00 in photocopies.
- Oaths of Office will be given to any one needing to take one at the December 28<sup>th</sup> Transfer meeting after the appointments are approved, at the January 9<sup>th</sup> board meeting, or they can take it with her at the office anytime, within 30 days of taking their office.
- She had received a scrap metal check in the amount of \$603.00 from NorthStar Auto & Salvage for over 9 tons of scrap metal.
- Bottle & Can money was received in the amount of \$164.10.
- Any bills or mileage reimbursement needs to be turned in by the 27<sup>th</sup> of December to be paid at the December 28 Transfer Meeting.

## **EXECUTIVE SESSION**

Supervisor Newvine asked for a motion to enter executive session to discuss some wages and the status of employees in the highway department.

## **NO EXECUTIVE SESSION**

Highway Superintendent Durham reported he did not think they need to enter executive session if they do not want to use a name for the one employee, as everyone will know who they are discussing. Highway Superintendent Durham reported he had one man who he feels deserves a \$1.00 an hour raise. He reported

the individual has plowed a lot of invisible snow and is ready to start plowing, he has received many compliments on his mowing, and feels he deserves the raise. Supervisor Newvine agreed, stating he thinks he is right, and everyone knows who it is. He is always there, and he deserves it. Councilperson Simmons asked Hwy. Superintendent Durham what wage he would be making by going up \$1.00. Hwy. Superintendent Durham reported he would be making \$18.50 an hour with the raise. It was the consensus of the board to approve the raise.

## **Highway Department**

Highway Superintendent Randy Durham reported:

- They have a new hire in the highway department. Scott Fenlong, who will start work on December 14, 2022. He has a Class A license, has experience plowing with the State, and was highly recommended by a board member as well as someone currently employed by the State.
- The furnace in his office needs maintenance. Town Clerk Gale reported the maintenance contract is through M&M Heating.
- Christmas breakfast has been set up for December 21<sup>st</sup> at Bob's Market for anyone that works for the Town of Fowler. It was the consensus of the board to approve the breakfast.

## **Councilmembers**

### **Councilperson Karen Simmons:**

- The HAP Program was visited by 28 people in November.
- They had delivered 95 care packages to senior citizens with the SOS Program for Thanksgiving and will be delivering 94 for Christmas.
- Thanked the Andrews family for the \$200.00 check donation for the food programs.
- Thanked the anonymous donor for the check received in the amount of \$1,000 for the food programs.
- Thanked the Jennings family for the \$100.00 check that was received for the food programs.

Supervisor Newvine thanked Councilperson Simmons for all her hard work.

### **Councilperson Jeff Andrews:**

- Reported he didn't know if there would be any food boxes at the school this month. He reported it is up in the air and if he hears anything he will let us know.

### **Councilperson Lynn Bishop:**

- Asked highway worker John Walsh, attending the meeting, if his grandson has ever ridden with him, as he is one of the best drivers over there, to give him pointers.

Hwy. Superintendent Durham replied he would train his own people thank you. He has his own training program, he has been out driving, but we haven't had any snow.

### **Councilperson Scott Cleveland:**

- Asked to have a plow turn around sign installed by the Jones Road/Weldon Road as a reminder for drivers to use caution. Hwy. Superintendent Durham reported they have been using that spot as a plow turn around for 30 years, but he will check with the Town of Gouverneur, as they use it too, and he would need to place 2 signs. He reported he is out of money for the year and will get the signs in January.
- Reported he had a complaint from a taxpayer on the River Road concerning the stone on the sides of the road after the plow had gone through. Hwy. Superintendent Durham reported he had talked to the taxpayer and will take care of it in the spring. Supervisor Newvine reported he had talked to the taxpayer also.

**Supervisor Ricky W. Newvine:**

- Asked the board for consensus allowing him to sign the FEMA paperwork from Hwy. Superintendent Durham to apply for between \$7,000 and \$8,000 as recovery money from the last snow storm.
- Reported the school is looking at a 30-million-dollar expansion project. He reported the good sign is that 97% of the project will be funded from State Aid.
- Reported BOCES open house is tomorrow.
- Discussed he had received a document from Gouverneur Rescue that they have 100% coverage.
- The bill from the Town Attorney for the year is down.
- Discussed the memo he received on chargebacks, the County charges the Town back for elections, and this year the election cost was \$30,861.25, the Community College chargebacks were \$28,000, and the cost to send out tax bills was \$15,000.
- Reported he had received a card from Fran Chevier thanking the Town for her SOS Care Package.
- Reported there is a young lady in our township that has done very well for herself athletically, that doesn't seem to get much recognition. He stated Randi Griffith is completing Nationwide and representing the whole Country and we haven't done anything to recognize her. He asked that the board members think of a way that the Town of Fowler could recognize her, as she truly deserves it for her outstanding accomplishments.
- Wished everyone a Merry Christmas.

**Public Comment**

- Steve Gale stated he thought there was guidance from the DEC and the US Core of Engineers for docks in closed bodies of water. CEO Besaw reported he had talked with both places and Sylvia Lake is not considered as a body of water that is governed by either.
- Rachel Hunter asked if anyone had responded to the loose pig that she kept hearing about that was walking near the Time Out Lounge. Hwy. Superintendent Durham stated they had found the pig's owner.

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

The bills audited for the General and Highway Fund were #449 to #497 with a total of \$126,389.87.

There will be a work session on December 19<sup>th</sup>, at 3:00PM to go over town policies.

The year-end transfer meeting will be held on December, 28, 2022 at 3:30PM.

The January Organizational Town Board Meeting will be held on January 9<sup>th</sup>, 2023 at 6:00PM.

With no further business, on a motion of Councilperson Andrews, seconded by Councilperson Cleveland, the meeting was adjourned at 6:36 PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk