

Town of Fowler Regular Board Meeting Minutes for April 2nd, 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, Assessor Chair Sherry Geer, Assessor Andrew Miller, Assessor Phyllis Shaw, Highway Superintendent Randy Durham, Code Enforcement Officer Glen Besaw, Dog Control Officer Dan Moyer, Planning Board Chairman Stephen Gale, Planning Board Members Daniel Kingsley and Larry Streeter, Board of Ethics Committee Members Lillith Griffith and Vicky Cappellino, Lisa Durham, Albert Wallace, Barbara Sullivan, Daniel Fifield, Corey Fifield, 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.

A motion was made by Councilperson Newvine, seconded by Councilperson Simmons to approve the minutes of the March 5th, 2019 regular scheduled Board meeting. All in Favor. MOTION CARRIED.

Supervisor Cappellino handed the three sealed mowing bids to Council members to open and read aloud. All of the stated bids contained non-collusive bidding certificates. The mowing bids' received were read as follows:

- **Councilperson Newvine reported that Daniel Fifield's bid was for \$9800.00.**
- **Councilperson Simmons reported that Mo Nation's bid was for \$9750.00**
- **Councilperson Andrews reported that MARW's bid was for \$9775.**

Supervisor Cappellino stated that Mo Nation had provided the low bid by \$25.00, and asked the Board's pleasure. Councilperson Bishop stated that Daniel Fifield had provided a good service with the mowing contract last year. Councilperson Simmons agreed. Councilperson Newvine stated that he was fine with Dan Fifield. After more discussion, a motion was made by Councilperson Bishop, seconded by Councilperson Simmons to award the 2019 mowing contract to Daniel Fifield. Supervisor Cappellino stated that he would like it to go on the record that Dan Fifield's bid was chosen over two lower bids taking into consideration the "Best Value", Local Law #2 of 2015.

Supervisor Cappellino reported that St. Lawrence County Legislature William Sheridan was not able to attend the meeting to give an update.

Town Department Reports

Bookkeeper

Bookkeeper Barbara Finnie discussed the Town's cash balances for the month ending March 2019. Bookkeeper Finnie reported that purchases for this month had been high, in part due to the weather. Bookkeeper Finnie reported that 48% of the General Fund had been spent this year, but that she did not feel that the Town was in trouble. Highway Superintendent Durham stated that he would have all of the sand put up before Easter and then he would sit down with the Bookkeeper and discuss where the Highway Budget was at.

Historian

Historian Karen Simmons reported that she had a visitor from Virginia stop by the Town Hall to discuss genealogy and as it turned out they were traced to her own family tree. Historian Simmons reported that she has been working on scrapbooks and thanked Lillith Griffith for her helping hand with the project. Historian Simmons wanted to thank Byron Gale for his recent donation to the Town of Fowler of a book on mining that was co-authored by Bill deLorraine, who lives in Balmat.

Dog Control

Animal Control Officer Dan Moyer reported that he has been working on a few complaints. He stated that the dog that was in the shelter had not been claimed but has been adopted out.

Beaver Control

Dan Moyer reported for Moyer's Wildlife Control that he would submit his liability insurance and beaver permit to the Town Clerk's Office and come in to sign the Beaver Contract for 2019. Supervisor Cappellino asked Highway Superintendent Durham if there had been any culverts plugged by beavers. Highway Superintendent Durham replied that there had been 1 beaver on the Shantyville Rd. Supervisor Cappellino reminded Dan Moyer that he has to have his paperwork turned in before he can begin beaver control for the Town.

Code Enforcement

Code Enforcement Officer Glen Besaw reported that he had issued 6 building permits this year. He has had 2 complaints both of which have been resolved. Code Enforcement Officer Besaw asked Supervisor Cappellino if he has heard anything from Town Attorney Leader on the Land

Use Laws. Supervisor Cappellino stated that he has not heard anything from the Town Attorney regarding the Land Use Laws. Councilperson Newvine asked Code Enforcement Officer Besaw if he would research what the Town would need to do to begin the Pavilion Project. Supervisor Cappellino asked if the playground committee had determined a location for the pavilion. Councilperson Newvine stated that it was going to be installed between the playground and the truck area.

Town Clerk

Town Clerk Tami Gale reported that the Town of Fowler taxes are 84.75% collected. She reported that the clerk fees for the month consisted of 1 certified marriage transcript, licensing of 39 dogs, the handling of 3 building permits, DEC sales of \$75.00 with a \$4.14 commission, \$13.75 in copying fees, \$40.00 in old dog pound fees, and the sale of a \$5.00 Town of Fowler Bicentennial Book. Town Clerk Gale stated that there had been a \$150.00 deposit made to the Playground Fund from the monies received from the Towns scrap metal bin. Town Clerk Gale reported that she had been gathering papers for the DEC regarding a spill that had occurred in 1993. The DEC is looking for a paper trail showing that the clean- up from the spill had been completed. Town Clerk Gale stated that Barkleys Safe and Lock will be coming to do some work at the Town Hall next week. The work will be performed on the Town Clerk door as well as the Justice door. Town Clerk Gale suggested that the Town could talk to Barkleys while they were here to inquire about a buzzer for the Town Hall doors, as it has been hard to hear when people enter the building. Town Clerk Gale reported that both she and Deputy Town Clerk Debra Tupper had participated in an on-line training class for EDRS (Electronic Death Registry System). She stated that the Town is now set up in the Health Commerce System.

Assessors

Assessor Chair Sherry Geer reported on the dates that the Assessors will be sitting with the tax roll. The dates were reported as:

- **Saturday May 4th, 2019 from 9:00 AM to 1:00 PM.**
- **Thursday May 9th, 2019 from 4:00 PM to 8:00 PM.**
- **Thursday May 16th, 2019 from 4:00 PM to 8:00 PM.**
- **Saturday May 18th, 2019 from 9:00 AM to 1:00 PM.**

Assessor Chair Geer stated that if the above dates and times were not available for individuals who want to come in and speak with the assessors, that she will make individual appointments

to accommodate them. Assessor Geer stated that grievance day is May 28th, 2019 this year, which is a day after Memorial Day.

Highway Department

Highway Superintendent Randy Durham reported on the TS90 tractor. He stated that the news doesn't get any better regarding the tractor. He reported that he can't get parts for it, and can't find a tractor that the highway department equipment will fit on. Highway Superintendent Durham stated it is getting to be a dead issue and feels that it is time to make a decision on what to do with the tractor. Councilperson Andrews stated that he felt that the Town needed to purchase their own sweeper. Highway Superintendent Durham stated that he had done the research on purchasing a sweeper, and the one he likes is a tow behind at a cost of \$20,000. Highway Superintendent Durham then said that he thought that at this time they should hold off for now because his next bit of news to share was that the Town had lost \$25,431.50 in expected revenues from Emergency Weather Reimbursement Program funding that was recently taken away. Councilperson Newvine stated that the Town had never added that revenue into the 2019 budget. Bookkeeper Finnie agreed with Councilperson Newvine on the matter, stating that she would double-check the budget, but she stated that it wasn't a "given", that the money was not available at budgeting time so it was not factored in. Highway Superintendent Durham stated that he would sit down with Bookkeeper Finnie later in the month and determine what monies had been spent so far this year. He stated that the Town had used an extra 1000 yards of sand, had used 200 more tons of salt, and the payroll has helped strain the highway budget. He stated it was used to keep the roads clean. He hopes to have the numbers by mid -April of the amount of money that this winter had cost the Town.

Highway Superintendent Durham reported that the Town is still collecting scrap metal and bottles and cans with the proceeds going to the Playground Fund. He stated that the short iron scrap metal had just been redeemed for \$150.00 to further the cause. He stated that he has been advertising this on Facebook.

Highway Superintendent Durham stated that the highway department workers will be getting certified on a new State Law known as (DIG) on May 28th, 2019. The certification is required for any person that does any kind of excavation work.

Councilmembers

Councilperson Karen Simmons reported that the Playground Committee has been busy planning Fowler Family Day. She stated that to date the Bounce house and DJ Equipment have been donated for the event, and committee members have been collecting the t-shirt

advertisements. Councilperson Simmons stated that the Playground Committee Meetings are held every other Thursday at 2:00 PM at the Town Hall and anyone interested are welcome to join. She reminded everyone that Family Day is being held on July 13th, 2019 from 9:00 AM to 3:00 PM.

Councilperson Rick Newvine reported that the Town has had some requests by taxpayers for available grants. He stated that it doesn't look like there is much grant money available. He stated that there is a new grant being offered by Affordable Housing Corporation but it comes in the middle of April, and the grant is for smaller amounts than what the Town has applied for previously. Councilperson Newvine questioned if the Town would want to look into the Affordable Housing Corporation, or call the St. Lawrence Housing Council to look into any grants that may be available thru them. Supervisor Cappellino stated that he would call Annette at the Housing Council and look into available grants.

Councilperson Newvine reported that he had spoken to Emily Bush, and she has agreed to be the Head lifeguard at Sylvia Lake Beach again this year.

Councilperson Newvine reported that he is waiting to hear back from a fencing supplier to get information on the price and availability of the fencing needed to get started on the ball diamond project.

Councilperson Newvine thanked Highway Superintendent Durham for replacing the Dublin Avenue sign that was knocked down.

Councilperson Newvine reported that he has had some complaints on the condition of the Byrns Road.

Councilperson Newvine spoke about the budget, and the items that were removed from it by the Governor. He stated that the Town would still be receiving the AIM Funding. He stated the amount the Town of Fowler will receive is \$8500.00, which will be paid by the County. Councilperson Newvine stated that we are going to lose the Emergency Reimbursement "recovery" money, but thanks to Bookkeeper Barbara Finnie it was never put into the 2019 budget. Councilperson Simmons questioned how the County could pay for the AIM Funding when they state that they are broke all the time. Councilperson Newvine replied that it is going to be paid by the County thru a new internet tax. Supervisor Cappellino questioned when the internet tax would go into effect. It was not clear to anyone when the new internet tax would go into effect. Councilperson Newvine stated that he had spoken with Senator Patty Ritchie's office earlier concerning the plastic bag tax as well as the pay raises that are pending for the Governor and others.

Councilperson Jeff Andrews asked Highway Superintendent Durham when the Town was going to take possession of the new truck. Highway Superintendent Durham stated that the truck was not up here yet, but he would give Councilperson Andrews a call when it gets to Cives and he could help him build it. Supervisor Cappellino asked Highway Superintendent Durham if they had any kind of a date. Highway Superintendent Durham stated that it was originally going to be here in April.

Councilperson Andrews asked if the internet work had been completed at the Town Hall. Supervisor Cappellino stated that he had spoken to Tom Manley of Pinnacle Technologies and Tom had advised that there is going to be a transition period involving Spectrum. The technology area is all being moved and re-built in the cellar. Supervisor Cappellino reported that within 60 to 90 days everything will be transitioned to the new network.

Councilperson Lynn Bishop asked Highway Superintendent Durham what the plans were this year for brooming the roads. He questioned if what was being broomed was going to be left on tax-payers properties. Highway Superintendent Durham stated that he would broom on a wet day, so the particles would not spread all over. He stated that he has to clean up his yard, and everyone else would need to clean up theirs. Highway Superintendent Durham stated that what Councilperson Bishop is asking him to do regarding brooming is an extra week of work. Highway Superintendent Durham stated that when the Highway Department had twelve guys, that kind of work could be done, and reminded Councilperson Bishop that he only has six guys.

Councilperson Bishop asked Supervisor Cappellino if there was still a line in the budget for tar gravel, and if it was decided how much was going to be put up this year. Supervisor Cappellino stated that it was included in the highway fund line in the budget and they had not discussed the matter.

Highway Superintendent Durham stated that the Town needed to forget the tar gravel. Highway Superintendent Durham stated that no Town uses tar gravel because it costs so much. He stated that it costs more than "hot mix." A discussion ensued regarding the roads, the shoulders of the roads, the different products to use on the roads, as well as the amount of miles that can be done by using the different products. Councilperson Bishop stated that we aren't in the other Towns. Highway Superintendent Durham stated that he was right, we are in the Town of Fowler and he was the Highway Superintendent, and he had 1,102 bosses that want their roads nice.

Councilperson Bishop discussed the Town of Fowler's loader. He stated that it comes equipped to fit attachments and suggested that the Town rent a broom attachment for it to do the roads.

Highway Superintendent Durham stated that he needed the loader to load, and he has a bobcat to broom the roads.

Supervisor Michael Cappellino reported that he had received a letter from Upstate University Hospital asking to use the Fowler Facilities for their mobile mammography program. The tentative date is June 19, 2019. Supervisor Cappellino asked the Board what their thoughts were. After discussion, it was the consensus of the board that the program would be a good idea. Supervisor Cappellino stated that he would get in touch with Upstate University and share the boards' approval on the matter.

Public Commentary

Supervisor Cappellino opened the floor up for public commentary. Barbara Sullivan addressed the Board concerning an issue of water in her driveway. Ms. Sullivan stated that she had made the highway department aware of a few concerns she had before the Sullivan Road was blacktopped. She stated that she had suggested the road be angled toward the river as she is not only concerned about her driveway, she is also concerned about her well. She stated that her suggestion was not acted on, and consequently the water is running down the hill, into her driveway tearing up her driveway and her yard. Ms. Sullivan questioned when the repairs were going to be done. Highway Superintendent Durham reported that it was still too frozen to take care of when Highway Department employee Nelson Bice stopped to check on it.

Councilperson Bishop and Councilperson Andrews offered a few ideas. Supervisor Cappellino asked Ms. Sullivan if the Town could put a turn-around beyond her driveway. Ms. Sullivan did not wish to have a new turn-around in her yard. A discussion ensued on the driveway that has been used as a turn-around for the Towns' trucks since 1961. Supervisor Cappellino responded to Ms. Sullivan that if Highway Superintendent Durham told her he was going to fix the problem, that he would do it as soon as weather conditions allow. Highway Superintendent Durham stated that the Town takes care of the issues caused from them using the turn-around every year and they will do it again this year.

Dog Control Officer Dan Moyer asked how late into the year last year did the winner of the mowing BID mow for the Town. Dan Fifield, the winner of last years' mowing contract stated he mowed into October. Dan Moyer stated that the BID reads until September 30th, 2019, and if we were to have exceptional circumstances that caused the need for continued mowing, that the MO Nation bid potentially could have been raised by hundreds of dollars. Deputy Clerk Debra Tupper stated that in her opinion it would have not mattered. She stated that every year the Town receives less and less mowing BIDS, because they already know who is going to be awarded the contract. She stated that others should be given a chance at the contract.

Councilperson Bishop stated that Dan Fifield has proven to do good quality work and he does not have to chase him around to make sure that the proper mowing gets done. Councilperson Simmons stated that she did not know why the Town puts the Mowing BID out every year. Deputy Clerk Debra Tupper stated that she didn't know why they did either if the board already knows who they want to award the Mowing Bid to, because it makes others feel that the awarding of the BID is un-fair.

At 7:48 PM a motion was made by Councilperson Andrews seconded by Councilperson Newvine to go into Executive Session to discuss contractual issues with the Teamsters. All in Favor. MOTION CARRIED.

At 8:16 PM a motion was made by Councilperson Andrews seconded by Councilperson Simmons to end the Executive Session. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Newvine seconded by Councilperson Bishop to approve Resolution # 7 of 2019 to Audit the Bookkeeper and Town Clerk books for the year of 2018. Town Clerk Tami Gale stated that she has not located the Town Clerk book with January 1st thru April 10th, 2018 entries. Town Clerk Gale stated that she did not realize that all of 2018 was not in the present Town Clerk book until shortly before the meeting. Town Clerk Gale will locate the book and present it at the next Town Board meeting for January 1st thru April 10th to be audited at that time. All in Favor. MOTION CARRIED.

Roll Call on the Vote:

Supervisor Cappellino : Aye

Councilperson Andrews: Aye

Councilperson Simmons: Aye

Councilperson Newvine: Aye

Councilperson Bishop: Aye

The bills audited for the General and Highway Fund were # 104 - # 153, with a total of \$66,311.84.

The next regularly scheduled board meeting will be on Tuesday May 7th, 2019 at 7 PM.

A motion was made by Councilperson Newvine, seconded by Councilperson Simmons to adjourn the meeting at 8:24PM. All in Favor. MOTION CARRIED.

Tami Gale; Town Clerk