

Town of Fowler August 9, 2021, 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, Assessor Chair Phyllis Shaw, Assessor Sherry Geer, Town Justice Tim Knowlton, Planning Board & Ethics Committee Member Vicky Cappellino, Ethics Committee member Marcia Cleveland, Leo Knight, Ron and Vivian Goodman, and Rachel Hunter, Editor of the Gouverneur Tribune Press. 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 to extend sympathy to the families of Richard Fuller and Jack Cornell, who have recently passed.

Supervisor Newvine asked for a motion to approve the minutes, from the July 14, 2021, Town board meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

Supervisor Newvine asked for a motion to approve the minutes, from the July 28, 2021, Special Highway Town board meeting. A motion was made by Councilperson Andrews, seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

OPEN & AWARD EXCESS EQUIPMENT INVITATION TO BID

Supervisor Newvine asked if there had been any bids received for the items declared as surplus equipment & no longer of use to the Town at the July 14 Town board meeting. Town Clerk Gale reported there had been one bid received. Councilperson Simmons opened the bid and reported it was from Nelson Bice of 238 Fullerville Road. Councilperson Simmons read the bid result as follows:

<u>ITEM #</u>	<u>BID</u>
1. 1 Stihl 250 Chain Saw	Bid of \$60.00
2. 1 Stihl 039 Chain Saw	Bid of \$60.00
3. 2 Stihl Pro Series Weed Eaters	Bid of \$60.00 (Total)
4. 1 Stihl AT75 Weed Eater	Bid of \$60.00
5. 1 Demo Cut Off Saw	Bid of \$60.00

Councilperson Simmons reported the Non-Collusive Bidding Certificate was included and the bid sheet read that the bidder offers \$300,00 for all items. Supervisor Newvine asked the board if they wanted to accept the bid. Hwy. Superintendent Durham interjected, as long as everyone was aware that the bidder is a highway department laborer.

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

SET DATE FOR THE OCTOBER TOWN BOARD MEETING

Supervisor Newvine discussed the need to set a date for the October Town Board Meeting as the 2nd Monday in October falls on Columbus Day. After some discussion, it was the consensus of the board, the October Board Meeting would be held on Tuesday, October 12th.

HOUSEKEEPING

Supervisor Newvine reported there was some housekeeping that needed to be done stemming from an erroneous social media post on the Town of Fowler Highway Department Facebook Page that had inadvertently advertised the Town Clerk's position. Supervisor Newvine stated the Town Clerk had fielded a

ton of calls. He stated that her job had never been in jeopardy, she does a great job and if the erroneous post had caused the Town Clerk any consternation, they would like to apologize for that.

Town Clerk Gale stated she had a couple of things to say about the incident if it was an appropriate time in the meeting to do so. Town Clerk Gale stated it could have been avoided if a policy had been in place and people should read what they post on a site that is affiliated with a municipality. Town Clerk Gale reported she was not notified about the job that was posted, within the highway department even though it was erroneously advertised and had to find out that there was even a job posted by someone in person applying for her job. Town Clerk Gale stated everyone sitting at the tables are all elected officials, she didn't find the incident funny or appreciate the grief that it had caused. Town Clerk Gale reported that the misinformation was fed to however many followers that the highway department Facebook page has and found the incident to be disgusting. Hwy. Superintendent Durham stated that it being advertised as the Town Clerk position was something that Facebook added after to the post and as soon as he was informed of the error, the post was taken down and an apology posted. Town Clerk Gale asked for a plan to be put in place that she is going to be notified about what she needs to be notified about to do her job. Supervisor Newvine stated that they would do that.

Town Department Reports

Town Justice

Town Justice Tim Knowlton Reported:

- Everything in the court is going very well and Court Clerk Irma Ashley keeps everything in order.
- He and Court Clerk Ashley have begun their required 12 hours of training to be completed annually.
- Court attendance has been small with many people just not showing up for their court dates.
- The court is back to having live arraignments.
- He has concerns with the rise in COVID cases and the implications for the court.

Bookkeeper

Bookkeeper Barbara Finnie was not in attendance and provided the board with purchase orders, abstracts, and checks prior to the Board meeting as well as the monthly cash balance report for month ending July 31, 2021.

- Supervisor Newvine reported that sales tax money received by the Town is up by \$40,000 compared to August of 2020, and it is up \$29,000 from the last quarter. He reported the sales tax is really booming and we will have to make sure the Town continues to receive its fair share.
- Supervisor Newvine reported the Highway Fund is 67% spent, however the CHIPS money will be coming in to recover part of that according to Bookkeeper Finnie. Hwy. Superintendent Durham reported the Highway Department has received about \$140,000 over, as to what was budgeted to be received from the State.
- Supervisor Newvine reported the General Fund to be 57% spent.
- Supervisor Newvine reported the ARPA Funding money has been received in the amount of \$108,000 and is very, very particular on what it can be spent on, and he is hoping the guidelines will loosen up as to what it can be spent on.

Assessors

Assessor Phyllis Shaw reported:

- It is a quiet time of year in the assessor office.
- They continue to work on Data Collection.
- She would like to get an early jump on checking on the completed work done on the building permits for the year and will begin that process soon.

- She has her home for sale and will notify the board if any progress is made, as she is looking to move closer to Gouverneur.
- Assessor Geer reported they have decided not to replace the printer in their office, and instead share in the cost of ink using the code enforcement office printer.

Supervisor Newvine reported he had attended a supervisor's meeting where he had met Bruce Green from the County and he had found the information he had shared to be very interesting. He had learned the County has a Data Collector that the Town of Fowler could use if they needed to.

Historian

Historian Karen Simmons reported:

- She had spoken to the Antwerp historian and asked if she would be interested in attending a ceremony for the Tri-County marker that she hopes to have set up for September. She tried to call the Lewis County historian to extend an invitation to the ceremony and has not made contact yet. It was discussed that an invitation would also be extended to Rachel Hunter, Editor of the Gouverneur Tribune Press, to attend the ceremony.

Animal Control

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

- There had been 1 complaint of two dogs running loose on the Hull Road this month. The owner was located, and the matter closed.
- The Town of Fowler free rabies clinic is being held this Thursday, August 12th from 6:00 to 8:00 PM, and anyone wanting to attend must have an appointment. Town Clerk Gale has reported there are 68 animals signed up so far. Anyone needing assistance signing up for the clinic can call either Public Health or the Town Clerk's office until 4:00PM on Wednesday the 11th.

Beaver Control

Councilperson Karen Simmons reported for Moyer's Wildlife Control:

- She has been informed by Hwy. Superintendent Durham the beaver have been active on the Shantyville Road, and the two had some doubt whether Dan had been going there and had determined that he had at least been there once.
- She had called Dan to report beaver activity on the Stone Road which had been called in by Hwy. Superintendent Durham earlier in the day.
- There has been an issue with a neighbor of the Town Hall digging out a sluice pipe by the bridge that becomes continually plugged by beaver activities on County Route 22. Supervisor Newvine reported he had contacted the neighbor and asked him to refrain from unplugging the pipe so Dan could install a trap to try to catch the beaver.
- Supervisor Newvine asked if anyone had contacted the County concerning the beaver on County Route 22. It was discussed that Hwy. Superintendent Durham and Councilperson Simmons both had. Supervisor Newvine will check with the County to determine if our beaver control officer can work this beaver site being on private property on a County Road, or if the County can send someone to resolve the issue.

Code Enforcement:

Supervisor Newvine reported for Code Enforcement Officer Besaw who is on vacation:

- He presently has 2 jobs going from open building permits. The individuals have been sending him pictures to show what he needed to see and he will be returning from vacation on the 10th of August.

Town Clerk

Town Clerk Tami Gale reported:

- DEC sales for the month were \$365.00, with commission from the sales being \$20.15, she had issued, 2 marriage licenses, licensed 40 dogs, handled 8 building permits, and had collected \$30.00 in dog Kennel fees.
- She had received \$132.40 in bottle & can donations, and \$255.15 from 5,440 pounds of scrap metal.
- On July 29th she had received a donation to the food programs of \$100.00.
- She had received a call from the Fowler Baptist Church this afternoon, who wanted to learn more about the food programs and were going to share the information with their board of trustees, and the Town may receive some money to support the food programs.
- She had received a \$50.00 check in the mail today for the food programs sent in by Robert & Diane Jennings who have donated on a few other occasions.

CONTINUED HOUSEKEEPING DISCUSSION

- Town Clerk Gale asked the board for a solution to the lack of communication concerning the erroneous job posting as well as other notifications that she doesn't receive when these decisions are being made via text messages between the board and the Highway Superintendent, instead of being discussed at board meetings, reporting the erroneous post was made 4 days prior to a regular scheduled Town board meeting where it could have been discussed. Supervisor Newvine stated we will take care of that.
- Town Clerk Gale stated how silly it looks when she is the one that people come to, to pick up an application, it is advertised that people come to her office to pick up applications, and she isn't even being made aware that there is a job posted.

Supervisor Newvine stated he thought Town Clerk Gale was right, that she must be notified first on any position, and mainly they will be for the highway department.

Councilperson Bishop asked for clarification on the incident in question. Hwy. Superintendent Durham stated it was on Facebook. He reported he had put it under the Town of Fowler Highway Department saying that the highway department is looking for a worker. Hwy. Superintendent Durham reported Facebook had changed it, stating they had put a little bullet on the bottom of the post that made it the Town Clerk position. Town Clerk Gale stated, in her opinion, there should be a policy regarding social media posting, citing ethics concerns. Hwy. Superintendent Durham stated I didn't do it on purpose, and I apologize to you for once and I'll apologize to you again, but I didn't know about it until you told me.

Highway Department

Highway Superintendent Randy Durham:

- Asked the board for permission to keep summer temporary highway department laborer Tom Peck employed until October 31, 2021, unless the Town has a new hire before then. He reported he is willing to stay on at the hourly rate of pay that he is getting paid presently. Councilperson Simmons asked what his hourly pay is and confirmed that Hwy Superintendent Durham was asking to keep him until October 31. Hwy. Superintendent Durham reported Tom Peck's rate of pay is \$16.00/hour and October 31 would be his last day as he begins working for UPS on November 1. It was the consensus of the board to agree to keep Tom Peck on as temporary laborer for the highway department until October 31 at \$16.00/hour.

- Reported he had a new ad to put out to advertise for a highway department worker, giving preference to Class B operator with no restrictions, diesel mechanic abilities, and Town of Fowler residents. Supervisor Newvine asked Hwy. Superintendent Durham if he was giving the ad to Town Clerk Gale. Hwy. Superintendent Durham reported he already had. Town Clerk Gale reported she had edited it and would send it to the Tribune the following day.
- Reported they had 1 mile of the River Road already prepared to go for a paving project next year and asked the board their thoughts on what other roads they would like to see paved and offered a few suggestions. He stated there is a piece of road between the State Barn and the post office, which will require a lot of work to be done and a lot of ditching would need to be done, along with some illegal activity involving residential septic systems. If the road gets done, any septic that is not legally installed would need to be disconnected and replaced, and he thought the Town may want to give the residents a year in advance notice and do it the following year. It was the consensus of the board to give the residents of this area the advance notice as to what to expect for the following year. Hwy. Supt Durham reported the work would begin after next year's paving is completed.
- Reported there was a large culvert that needed to be replaced on the Country Club Road. He anticipated the road being closed for at least a week while the work is completed. After further discussion, Supervisor Newvine asked Hwy. Superintendent Durham to write up a recommendation for the board members on the work that he would like to see be done.
- Reported the County has some excess mowers', and he is going to look at them to see if it is anything for the highway department.

Councilmembers

Councilperson Lynn Bishop:

- Reported the paving on the Byrns Road looked excellent. He added there was a small section near Forrest Fuller's home that may need some stone added, to build up a 3 to 4 inch drop off area on the shoulder. Hwy. Superintendent Durham reported he would look at it.

Councilperson Karen Simmons:

- Asked Hwy. Superintendent Durham if he had a chance to look at the condition of the road in the Fullerville Cemetery. Hwy. Superintendent Durham reported he had taken care of where the road had washed out a little as reported to him by Councilperson Simmons earlier in the day. Councilperson Simmons thanked Hwy. Superintendent Durham for taking care of it.
- Reported there will be another SOS(Support Our Seniors) delivery on Friday, August 27th.
- Reported Joan Shove is doing another garage sale to benefit the two food programs. She reported the garage sale is open now until Labor Day from 9am to 4pm. If anyone has anything they are trying to get rid of, she will take it to try to sell.
- She had spoken with Judy Brown who notified her that she will be dropping off some more food items.
- Reported the Town is still accepting food items and or money donations to benefit the food programs in the Town of Fowler.

Councilperson Scott Cleveland:

- Apologized for missing the July 28th Special Hwy. Department meeting. He had mistaken the time of the meeting for 6:00 PM instead of 4:00PM.
- Reported that communication seems to be an issue lately within the Town, and stated, we are a small Town and are a small board and everyone at the tables are all elected officials.
- Reported he had looked at the policies and agrees with the Town Clerk, the Town does not have a policy on hiring and that several of the policies needed updating. He stated the Town Clerk should be the center of all communication coming in and going out, it just makes sense that she could then disseminate to all of us what is going on. Councilperson Simmons interjected that we were always going to sit down and do a policy, but we never did get to it. He asked if that was something the board wanted to look into having a hiring policy so that everything is right in order from how it is going to be put out to the public for notification and would cover everything from emergency contact to all of the information that is required to have on hand in the office. After some discussion, Supervisor Newvine asked Councilperson Cleveland to draw up a hiring policy for the Town of Fowler, stating he knew he was familiar with that kind of stuff.
- Discussed his take on pay raises, saying that if someone has all the qualifications that we are looking for, and if somebody is already a full-time highway worker, and are doing a good job, he didn't see an issue with a raise being given after 6 weeks as an incentive. He thinks the structuring of pay raises should be included in a hiring policy for the Town.

PAVILION REPORT

- Discussed he had spoken with maintenance worker Byron Woodward, and the septic is the only thing that is holding things up right now with the pavilion. He stated they needed to get the plans for the septic. Supervisor Newvine stated CEO Besaw was going to call Dave Blevins, but he would give him a call tomorrow.
- Reported the overhead door hopefully will be coming in any day.
- Reported he had received the new baby/infant swing for the playground, and he would install the swing after the board meeting concluded. He reported he had received a few requests for a baby/infant swing to be added in speaking with parents and adults who bring their families to the playground.
- He is hoping to add some more toddler equipment to the playground after the pavilion is completed depending on how much money is left in the account.

Councilperson Jeff Andrews:

- Asked Hwy. Superintendent Durham if the road crack sealing had been completed yet. Hwy. Superintendent reported they had not come back to finish it yet.
- Thanked Hwy. Superintendent Durham and the highway workers & the Town board, and all who signed the sympathy cards he received in honor of his mother-in-law and for the generous donation in her memory.
- Reported the union contract has been settled and the only thing that needs to be done now is for it to be signed.

Supervisor Ricky W. Newvine:

- Read aloud thank you cards received from the family of Jan Smith and Friends 4 Pound Paws for the donation in her memory.
- Thanked Nelson Bice for the great job he did on the steps at the beach.
- Reported that the raft at the beach may likely need to be replaced next year. It is in rough shape, and he is looking into where to buy a replacement.
- Reported we needed new steps leading into the water at the beach and he is going to contact Northland Associates to see if they would be interested in pouring a new set that a railing could be attached to. Councilperson Bishop suggested maybe Drew Rumble could be called as he has experience with cement work.
- Reported Carter Todd had been hired as a new lifeguard and he has been doing a good job filling in and reported Claire Knowlton has done a great job with the scheduling at the beach.
- Reported he had been advised by Gouverneur Mayor, Ron McDougal, that the County is going to give \$27,500 to the Black Lake Association to help with their milfoil mitigation program. He reported there is the same milfoil problem at Sylvia Lake and the Town of Fowler had recently given a donation of \$100.00 to contribute to the Milfoil Management Fund. He reported he had contacted Legislator Bill Sheridan to inquire if the same assistance from the County may be possible for Sylvia Lake, and he had received some good news from Legislator Bill Sheridan on the matter. Legislator Sheridan is going to propose a resolution at the next County meeting to seek monetary assistance for milfoil mitigation at Sylvia Lake.
- Reported he had been in touch with Jane Dodds to pass along the good news regarding the possibility of the County contributing to the milfoil mitigation cause and requested Jane to forward the Sylvia Lake history of their battle with the milfoil for the past 20 years to the County for their consideration. He also gave Jane updated information for the Sylvia Lake newsletter regarding the correct name of the Town of Fowler dog warden as well as asked her to delete the Town Justice as being a point of contact for a dog concern.
- Reported the sign on the River Road had been taken down and thanked the homeowner for removing it as well as Rachel Hunter for her recent editorial in the Tribune Press on the topic.
- Reported he had emailed Legislator Sheridan about the Emeryville bridge, after receiving information from Councilperson Simmons that she had spoken to one of the Legislators, who advised her if the Town reached out, that there might be some movement with the bridge. He is hopeful to hear from Legislator Sheridan soon.
- Asked if all of the Councilpersons had received the email sent by Town Clerk Gale for a webinar that is being held on the 19th of August featuring a new composite material that is being used on bridges, making the installation costs considerably less, and reported he was going to attend the webinar to see if it is something the County might be able to use to complete more projects.
- Reported the Workers Compensation, provided through the County, is going up, stating that last year it was \$29,178.00 and this year it is going to be \$30,009.00.

Public Comment

- Councilperson Simmons mentioned Stephen Gale had donated a pack basket as a raffle to benefit the food programs and tickets are \$2 each or 3 for \$5.00, and the Town had added a t-shirt to go with the basket raffle.

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

The bills audited for the General and Highway Fund were #222 to #254 with a total of \$389,268.61.

The next regular scheduled board meeting will be held on September 13, 2021, at 6:00PM.

With no further business, on a motion of Councilperson Andrews, seconded by Councilpersons' Simmons and Cleveland, the meeting was adjourned at 6:41 PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk