

Town of Fowler September 12, 2022, Minutes of Regular Scheduled Board Meeting 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, Town Justice Timothy Knowlton, Code Enforcement Officer Glen Besaw, Assessor Chair Kathleen Besaw, Assessors Robert Theriault and Timothy Thomas, Dog Control Officer Dan Moyer, Maintenance Worker Byron Woodward, Donald Fuller, Wayne Hayden, Christine Pike, Bob Buddenhagen, Bob Ordway, Director of Gouverneur Rescue Mark Deavers, John & Debra Walsh, and Rachel Hunter, Editor of the Gouverneur Tribune Press. There were no attendees by phone.

Supervisor Newvine called the meeting to order at 6:00 PM then proceeded with the pledge of allegiance and led a moment of silence to honor our military men and women, all healthcare workers, and for the family of Charlie Reynolds.

Supervisor Newvine asked for a motion to approve the minutes from the August 8th, 2022, regular scheduled board meeting. A motion was made by Councilperson Cleveland seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

MARK DEAVERS, DIRECTOR OF GOUVERNEUR RESCUE

Supervisor Newvine introduced Mark Deavers, director of Gouverneur Rescue to meeting attendees. Director Deavers reported there had been 1560 total responses year to date, with the volume of calls being significantly increased. He reported in 2019, pre COVID-19, Gouverneur Rescue's total responses had been 1044.

Director Deavers reported on the good news, stating Gouverneur Rescue has received an educational grant in the amount of \$230,000, a \$10,000 grant from SUNY to enhance their critical care transport program, and had just received verbal notification that they will receive \$50,000 in appropriations from the office of Assemblyman Blankenbush.

Director Deavers reported 80% of the patient population requiring their service is funded by government insurance, which is well under the cost of providing services, at around 30% of the cost. Supervisor Newvine asked Director Deavers what percentage of the 1500 calls received to date had come from the Town of Fowler. Director Deavers reported it is up a little, he didn't have the exact numbers, and reported he would provide them to the board next week.

Supervisor Newvine asked director Deavers if he was there to ask for an increase to the yearly rescue agreement with the Town of Fowler. Director Deavers asked the board to consider a 20% increase to the rescue agreement in the 2023 budget process.

Councilperson Cleveland asked director Deavers if he could supply the board with a budget showing the breakdown of money coming in and expenses going out. Director Deavers reported he would provide the information to the board before the next budget workshop.

OPENING OF PROPANE FORCED AIR FURNACE WITH AIR CONDITION COMBINATION BID

***Prior to opening the bids, Supervisor Newvine asked to discuss the furnace that is being replaced. He reported he had learned the furnace is less than 10 years old, and stated the reason for wanting to replace it, is for efficiency as well as unsatisfactory duct work conditions throughout the building. Maintenance worker

Byron Woodward stated the present furnace is not efficient at all, saying there is nothing wrong with the furnace, however there is one office that is 100 degrees in the winter, and one office that is freezing in the winter. Supervisor Newvine reported it was discovered there was a heat run that was never hooked up in one office. Byron stated the present furnace burns a lot more fuel than a newer one does today. ***

Supervisor Newvine reported there were two bids received by 4:00 PM, Monday September 12, 2022, and each bid contained a Non-Collusive Bidding Certificate. Supervisor Newvine had Councilpersons Andrews and Simmons read the bids aloud.

BID RESULTS

<u>BIDDER</u>	<u>TOTAL</u>
M&M Heating & A/C, LLC	\$21,473.12
Cornerstone Services	\$49,870.00 (Straight Wage)
	\$62,970.00 (Prevailing Wage)

Supervisor Newvine recused himself from making any decisions on the bid, reporting one of the bidders is his brother-in-law. Supervisor Newvine asked the board if they would like to accept, table, or award the bid. After some discussion, a motion was made by Councilperson Simmons, seconded by Councilperson Andrews to accept both bids and table the bid for further discussion. All in Favor. MOTION CARRIED.

RESOLUTIONS

RESOLUTION # 12 of 2022

USDA Loan Resolution for 2024 Mack Plow Truck

A motion was made by Councilperson Andrews seconded by Councilperson Cleveland to adopt a resolution to allow the board to approve a bond for a USDA truck loan in the amount of \$224,704.00, and a grant of \$39,653.00. All in Favor. MOTION CARRIED.

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

NAYS: 0

RESOLUTION # 13 of 2022

Legal Services Agreement for 2024 Mack Plow Truck Bonding

A motion was made by Councilperson Bishop seconded by Councilperson Cleveland to adopt a resolution to allow Supervisor Newvine to sign three legal services agreements for 2024 Mack Plow Truck Bonding. All in Favor. MOTION CARRIED.

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

NAYS: 0

RESOLUTION # 14 of 2022

Speed Reduction on Island Branch Road

A motion was made by Councilperson Andrews seconded by Councilperson Simmons to adopt a resolution to allow a request to establish a speed reduction on the Island Branch Road. All in Favor. MOTION CARRIED.

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

NAYS: 0

RESOLUTION # 15 of 2022**Speed Reduction on River Road**

A motion was made by Councilperson Cleveland seconded by Councilperson Bishop to adopt a resolution to allow a request to establish a speed reduction on the River Road. All in Favor. MOTION CARRIED.

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

NAYS: 0

REQUEST TO SUBMIT AMENDMENT TO LOCAL LAW 1 OF 2021

Supervisor Newvine asked for a motion to allow him to submit an amendment to Local Law 1 of 2021 to include a new chapter on the “Community Choice Aggregation Program” to Town Attorney Henry Leader for preparation. After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

MEETING DATE CHANGE

Supervisor Newvine reported the regular scheduled October 13th board meeting needed to be changed as the Town Clerk needs to submit the tentative budget to the town board by October 5th. After some discussion, it was the consensus of the board to change the October town board meeting to October 3rd.

SET DATE FOR 2ND BUDGET WORKSHOP IN PREPARATION OF THE 2023 TENTATIVE BUDGET

Supervisor Newvine discussed the 1st budget workshop is being held on Monday, September 19th to discuss revenue in preparation of the 2023 budget and a 2nd budget workshop needed to be scheduled for discussion on expenditures in preparation of the 2023 budget. It was the consensus of the board to set the date for the 2nd budget workshop to be held on September 28th at 3:00PM.

HAILESBORO CEMETERY ASSOCIATION BUDGET REQUEST

Supervisor Newvine introduced Bob Ordway, president of the Hailesboro Cemetery Association with a 2023 budget request for consideration. Mr. Ordway thanked the Town of Fowler for everything the Town of Fowler does for the association. Mr. Ordway asked the board to increase the yearly Hailesboro Cemetery Agreement from \$5,000 to \$12,000 for the next two years to enable the cemetery to get ahead of a severe tree problem. He reported there are three 100' trees that will need to be removed using a crane to work around the existing stones and monuments. He reported the extra \$7,000 a year for 2 years would enable the cemetery to continue removing trees that are a threat to damaging the cemetery, and to the power lines in Hailesboro. After further discussion, Supervisor Newvine asked for a copy of the written proposal to be considered during budget preparations.

Town Department Reports**Justice Department**

Town Justice Tim Knowlton reported:

- He has completed his annual 12 hours of training for the year and Court Clerk Irma Ashley has completed her annual 6 hours of training.
- He would like to apply for a 2022 Justice Court Assistance Program (JCAP) Grant to update the camera system in the court for enhanced security purposes.
- He explained there currently is no security system for the court, no metal detectors, and no security officers present, unless he requests security from the Sheriff's department in advance of court proceedings.

- He has obtained two quotes for a new camera system, and a quote for a new computer desk with hutch, bookcase, and lateral file cabinet as items to purchase with an approved JCAP grant to improve the operation of the Justice Court.
- He needed a resolution to be approved tonight to be included with the JCAP application. Supervisor Newvine asked the town clerk if he needed a motion, or a resolution from the board to allow him to apply for the grant. Justice Knowlton interjected; stating his grant paperwork reads the Office of Court Administration will not accept the court's application without a resolution. Town Clerk Gale reported this is the first time seeing the JCAP Court Grant information, which was received before the meeting, and stated it would be Resolution 16 of 2022. Supervisor Newvine asked the board for a motion to approve Resolution 16 of 2022.

RESOLUTION # 16 of 2022

2022 Justice Court Assistance Program (JCAP) Grant

A motion was made by Councilperson Cleveland seconded by Councilperson Bishop to adopt a resolution to authorize Town Justice Timothy Knowlton to apply for a Court Assistance Program Grant. All in Favor. MOTION CARRIED.

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

NAYS: 0

Bookkeeper

Bookkeeper Barbara Finnie:

- Provided Town of Fowler Cash Balance Reports for Month Ending August 31, 2022, and Budget Balances for Month Ending August 31, 2022, to the board members for their review.
- Reported the General Fund budget is 68.51% spent and has received 103.17 % of revenues.
- The Highway Fund is 106.71% spent and has received 114.11% of revenues, and both the general fund and highway fund are looking good as we go into budgeting season.
- Reported the highway fund has \$300,000 in revenue left to come in.
- Reported tax-payer dollars are being used to purchase new equipment and to keep equipment up and running.
- Reported she had budget requests for all the department heads to complete and return by the 21st of September.
- Asked the board if they want her to keep splitting the bottle & can money and scrap metal money in half between the Playground/Pavilion fund and the SOS/HAP program fund. After some discussion, the board decided to have bookkeeper Finnie continue splitting the revenue in half between the two funds until January 1, 2023, when she can deposit the total revenue received from bottles & cans and scrap metal into one fund for 6 consecutive months and the other fund for 6 consecutive months.

AUGUST 8, 2022, BUDGET TRANSFER DISCUSSION

Councilperson Simmons stated she noticed on the cash balance report for month ending August 31, 2022 the SOS/HAP Program fund is in the red and discussed Bookkeeper Finnie hadn't attended the August 8th town board meeting, where Supervisor Newvine asked for a motion to approve a \$3,000 budget transfer from the pavilion/playground fund to the SOS/HAP Program fund that was approved by the town board.

Supervisor Newvine reported the board had also discussed using some of the ARPA (American Rescue Plan Act) money to deposit \$10,000 in both the Pavilion/Playground Fund and the SOS/HAP Program fund at a future date.

Supervisor Newvine reported the money had not been transferred from the Playground/Pavilion fund to the SOS/HAP Program fund, and Bookkeeper Finnie suggested the correct way to get the SOS/HAP Program fund out of the red is to rescind the motion for the \$3,000 budget transfer that was made at the August 8, 2022, town board meeting transferring \$3,000 from the Playground/Pavilion fund to the SOS/HAP Program fund, and make a new motion to fund both programs with \$10,000 each using ARPA (American Rescue Plan Act) funds.

Bookkeeper Finnie reported she estimated the expenditures from the SOS/HAP Program fund through the end of September and believes the fund would be approximately \$2,500 in the red. Bookkeeper Finnie recommended doing a transfer of funds using ARPA money, to both the Pavilion /Playground fund and the SOS/HAP fund and go from there, leaving the \$3,000 in the Pavilion/Playground Fund.

Supervisor Newvine stated the pavilion is going to need the \$10,000 to complete it. Councilperson Cleveland stated he had new equipment purchases he wanted to make for the playground. Councilperson Simmons stated the Playground/Pavilion Fund already has \$8,000 in it from money raised during Family Day.

RESCIND BUDGET TRANSFER

Supervisor Newvine asked for a motion to rescind the motion to transfer \$3,000 from the Playground/Pavilion Fund to the SOS/HAP Food Program that was approved at the August 8, 2022, town board meeting. A motion was made by Councilperson Simmons seconded by Councilperson Cleveland to rescind the motion to transfer \$3,000 from the Playground/Pavilion Fund to the SOS/HAP Program Fund. All in Favor. MOTION CARRIED.

ARPA (AMERICAN RESCUE PLAN ACT) FUNDS

Supervisor Newvine asked for a motion to transfer \$10,000 in ARPA money to both the Playground/Pavilion fund and the SOS/HAP Program fund, A motion was made by Councilperson Simmons seconded by Councilperson Cleveland. All in Favor. MOTION CARRIED.

Assessors

Assessor Chair Kathleen Besaw reported:

- The assessors have been receiving a lot of calls due to people receiving their school taxes. She stated many people don't know how to read their school tax bill, and think their taxes went up due to their assessment being raised. She reported this is not true. The Town of Fowler taxes paid to the school went up by \$12.00 per thousand, and the assessors don't have any control of that. She reported some Town of Fowler residents pay school taxes to the Harrisville school district, and their taxes went up by \$31.00 per thousand, reporting the school tax rate went up, and that is why everyone's school taxes went up.
- New York State recently passed a law that raised the income rate for the senior citizen exemption and for the disability exemption. She reported it is up to individual towns to determine where they want to keep the income limit regarding the exemptions. Presently, the income to qualify for the senior citizen exemption is \$17,999 / year and the income limit is \$15,000 / year to qualify for the disability exemption. Supervisor Newvine asked how we compare to the other towns around us. Assessor Chair Besaw reported she only had information for the Town of Fowler. Supervisor Newvine reported he would look into how many citizens would benefit from the income ceiling being raised for both exemptions.

- The County has hired an assistant with the Real Property Office in Canton to assist the Town of Fowler so the data cards that have been sitting in Canton for months will be getting worked on.

Historian

Historian Karen Simmons reported:

- There is nothing going on in the historian's office right now.

Animal Control

Dog Control Officer Dan Moyer reported:

- He had a complaint of a dog chasing a bicyclist on the Little York Road, and a complaint of a dog chasing a woman on the Smith Road.
- 2 dogs that were found running at large near the boxing club, had been picked up by a Fowler citizen before he took custody of them. Both dogs spent over a week in the kennel before being adopted to Friends 4 Pound Paws as no one had claimed them.
- There is another dog in the kennel now, that was picked up from the California Rd. He reported the individual who found the dog has requested to adopt the animal if no one claims it.
- He has issued some summons answerable to the Town of Fowler court for unlicensed dogs.

Councilperson Simmons reported the rabies clinic was held in August and there were 71 dogs and 19 cats vaccinated at the clinic. She reported the rabies clinic had taken in \$250.00 in donations, in which she gave \$100.00 to Eric Putman of Roput Veterinary Clinic, and she gave \$75.00 each to both the SOS/HAP Program and the Playground/Pavilion fund. She thanked Supervisor Newvine, Town Clerk Tami Gale, Deputy Town Clerk Kimberly Reed, Leo Knight, Roger Refici, and Steve Gale for their help with the rabies clinic.

Supervisor Newvine thought it would be a good idea to have new signs posted that say, "employee entrance only," to keep visitors away from the dog kennel. After some discussion, Supervisor Newvine stated he would discuss with Town Attorney Leader to determine the areas where it would be acceptable for signs to be placed.

Beaver Control

Dan Moyer of Moyer's Wildlife Control reported:

- He is working on beaver control on the River Road, where the beaver have the water backed up to the top of the culvert.
- He has cleaned out culverts on the Swiss Hill Road.

Code Enforcement

Code Enforcement Officer Besaw reported:

- It has been business as usual. He has been chasing people around trying to get information from them.
- There is a situation at Sylvia Lake that involves the building of docks. Our Local Law states a permit must be issued to build a dock. He reported there are no specifications on docks because they fall under DEC regulation, and people think they can build whatever they want.
- He would like to make an appointment with the DEC Permitting office in Watertown to get a print out of exactly what the DEC specifications are regarding docks, to make the State responsible, instead of the local municipality and make everyone go through the DEC.
- He reported he would check with the Town Attorney to see if it would require any action to modify our Local Law.

Town Clerk

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were \$2,938.00 with the Town of Fowler's Commission being \$128.29. She had issued 4 marriage licenses, licensed 64 dogs, handled 5 building permit applications, issued 5 death certificates, had collected \$5.00 from the sale of a Bicentennial book, taken in \$3.00 in replacement tags for a licensed dog, and taken in \$1.50 in copies.
- Bottle & Can money collected for the month was \$183.90.
- Pepsi Machine money collected was \$178.00.
- The town hall will be closed in observation of Columbus Day on Monday, October 10th.

Highway Department

Highway Superintendent Randy Durham reported:

- Asked Town Clerk Gale if she was scheduling a group sexual harassment training this year. Town Clerk Gale reported the training is all being done online.
- The highway department have been working on road shoulders and crack filling the roads. He reported a pallet of crack filler is approximately \$2,000 and reported it would take 4 pallets to crack seal the Chub Lake Road.

Councilmembers

Councilperson Cleveland:

- Pavilion rentals have been going well. Everyone who has rented the pavilion has had their deposits returned.
- The ceiling at the pavilion still needs to be finished.
- Discussed dates to rent the pavilion needed to be established. After some discussion, the pavilion rental dates were established as May 1st to November 1st.
- He has picked out some new equipment to order for the playground to include a climbing wall, spring animal & spring vehicle ride for smaller children, and a 2 person see saw. He reported the New York State manual on playground requirements needed to be followed. He has had many compliments from playground users on the cleanliness and overall niceness of the playground.
- Reported on the Northern New York Community Foundation Cemetery Grant. He reported it is too late this year to try for the grant, but he has created an account for the Town of Fowler to be able to apply in the future. The grant requires a detailed plan of what the money would be used for, and he stated, it may cover some of the expense of tree removal for the Hailesbro cemetery in the future.

Councilperson Lynn Bishop:

- Reported there is a sign down on the Sylvia Lake Road, just before the turn to the beach.

Councilperson Jeff Andrews:

- Asked when the tax auction was going to be that includes the Davis property across the road. After some discussion, it was reported that the bidding process started September 10th and closes September 24.
- Reported the next school food delivery is scheduled to be held on Tuesday, September 27th at 10:00 AM.

- Asked if the pick-up trucks should start being put in the barns due to recent thefts that have been occurring in the area. Hwy. Superintendent Durham reported he parks the pick-ups in view of the cameras.

Councilperson Karen Simmons:

- Reported 33 people used the HAP Program on Thursdays in the month of August.
- Reported 25 boxes of food from the school will be delivered to the Town Hall on Tuesday, September 27th.
- Thanked David & Shelley Fackler for the four totes of food they purchased and donated to the HAP Program this month.
- 93 SOS Program care packages had been delivered in September and the next SOS Program delivery will be in November.

Supervisor Ricky W. Newvine:

- Reported the beach had received it's second inspection for the year and all was fine. The beach is now closed for the season.
- Thanked the highway department for picking up the raft and Town Clerk Gale for her work, and reported the lifeguards were very good this year, stating there were two inspections at the beach and no issues had been found.
- Discussed he has received a request from a taxpayer for the granting of an easement to enable her to have power installed to her property and is checking with Town Attorney Henry Leader on the matter.
- Discussed FEMA and the flood plain site in Hailesboro.

Public Comment

There was no public comment.

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

The bills audited for the General and Highway Fund were # 316 to # 366, with a total of \$58,868.18.

The next regular scheduled board meeting will be held on October 3rd, 2022, at 6:00PM.

There will be a budget workshop held on Wednesday, September 28, 2022, at 3:00PM.

With no further business, on a motion of Councilperson Andrews, seconded by Councilperson Cleveland, the September 12th, 2022, Regular Town Board meeting was adjourned at 7:16PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk