

Town of Fowler May 12th, 2025 Regular scheduled Meeting and Public Hearing for Consideration of Cable Television Franchise Agreement between Spectrum Northeast, LLC and the Town of Fowler 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 Kathy Besaw, Maintenance Worker Byron Woodward, Planning Board member John Walsh, Ethics Committee Member Vivian Goodman, Laurina Greenhill, Debbie Walsh, and Vernon Davison.

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 to remember those who have been lost since the last board meeting: Nancy Cappellino, Stan Orford, and Gordon Simmons.

Supervisor Newvine asked for a motion to approve the minutes from April 14, 2025 regular scheduled board meeting. A motion was made by Councilperson Simmons seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

Open Public Hearing for Cable Television Franchise Agreement

AT 6:01 PM Supervisor Newvine asked for a motion to open the public hearing for the consideration of approving a Cable Television Franchise Agreement between Spectrum Northeast, LLC and the Town of Fowler. Supervisor Newvine reported that there are copies of the proposed franchise agreement available for anyone who would like a copy. A motion was made by Councilperson Cleveland seconded by Councilperson Knight and CARRIED.

Vivian Goodman asked if the agreement would extend to those living outside the current area of coverage for cable television. It was discussed there were no current plans to include extended areas of coverage that the town is aware of at this time. It was discussed that the agreement is a fifteen-year agreement.

Discussion on Invitation to Advertise Road Paving for 2025

Hwy. Superintendent Durham reported the County is completing much of the Town of Fowler's paving this year, which will begin in the next few weeks, and the invitation to bid paving for 2025 is only for the Country Club Rd, which is a FEMA project due to the damage caused by Hurricane Debbie. The area the paving bid invitation covers is approximately 2.0 miles, 18' wide X 1.5" top compacted to 1 inch of type 6 top, starting at SH 58 and ending across the double culverts. Hwy. Superintendent Durham discussed that the highway department would not be able to grind the Country Club Rd until late June or early July, and the County wasn't able to come back to pave the road at that time, thus the need to put the paving of this road out to bid.

Supervisor Newvine asked for a motion to advertise the invitation to bid. A motion was made by Councilperson Knight seconded by Councilperson Simmons and CARRIED.

AED QUOTE

Supervisor Newvine discussed the quote received from Cardio Partners to replace the AED for the beach at a cost of \$2,206.71. It was discussed the current AED is being phased out and replacement parts will no longer be available. The new AED is good for a full five years.

Supervisor Newvine asked for a motion to approve the purchase of the new AED for the beach. A motion was made by Councilperson Cleveland seconded by Councilperson Bishop and CARRIED.

Closing Public Hearing for Cable Television Franchise Agreement

Supervisor Newvine asked if there were any questions from the public before the proposed resolution for the Cable Television Franchise Agreement between Spectrum Northeast, LLC and the Town of Fowler was considered for passage.

At 6:05 PM, after receiving no further questions, Supervisor Newvine asked for a motion to close the public hearing for consideration of approving a Cable Television Franchise Agreement between Spectrum Northeast, LLC and the Town of Fowler. A motion was made by Councilperson Simmons seconded by Councilperson Bishop and **CARRIED**.

RESOLUTIONS

RESOLUTION #13 of 2025

Cable Television Franchise Agreement between Spectrum Northeast and the Town of Fowler

Supervisor Newvine asked for a motion to adopt Resolution #13 of 2025. A motion was made by Councilperson Simmons seconded by Councilperson Bishop to adopt Resolution #13 of 2025. All in Favor. MOTION CARRIED.

AYES: 5 NEWVINE, SIMMONS, BISHOP, CLEVELAND, KNIGHT
NAYS: 0

RESOLUTION #14 of 2025

Holding Harmless Agreement between the Town of Hermon and the Town of Fowler for Shared Services

Supervisor Newvine asked for a motion to adopt Resolution #14 of 2025. A motion was made by Councilperson Knight seconded by Councilperson Cleveland to adopt Resolution #14 of 2025. All in Favor. MOTION CARRIED.

AYES: 5 NEWVINE, SIMMONS, BISHOP, CLEVELAND, KNIGHT
NAYS: 0

Town Department Reports

Justice Department

Town Justice Tim Knowlton was not in attendance.

Bookkeeper

Bookkeeper Barbara Finnie:

- Reported she had provided Town of Fowler Cash Balance and Budget Balance Reports for Month Ending April 30, 2025 to the board members for their review.
- Reported the general fund was 27.11% spent, with 44.24% of revenue received and the highway fund was 35.80% spent with 63.96% of revenue received.
- Reported the expenditures are under the threshold and most of the town revenue comes in during the first few months of the year.
- The first quarter sales tax check was received in the amount of \$194,029.00 and the second quarter sales tax check was received in the amount of \$177,033.00. The May sales tax is up \$17,000 from last year, which helps the fund balance.

Assessors

Assessor Kathy Besaw reported:

- Grievance month has started, and the assessors have sat with the roll to receive complaints twice already and will be available this Saturday.
- They have helped taxpayers with exemptions and have had 1 grievance filed thus far.
- A State representative from Real Property was in the Town of Fowler last week completing appraisals on 50 parcels. They were completed on random parcels, with 5 being commercial, and the remainder being residential. One of the commercial properties appraised was the zinc mine, which will be turned over to a unit at the State to complete, for a properly qualified unit to perform the appraisal. She reported that this appraisal is different than what she will need to complete a re-assessment of the mine. At that time, she would like representatives of the mine to be involved, as a lot of the re-assessment is based on profit and loss and what the value of the vein is for the next several years. She stated to keep in mind that everyone pays the same taxes at the same rate, and that is how it has to be.
- The appraisals are completed by the State on a 3- year cycle to compare what our assessed values are to what our sales are, and that is how the level of assessment (equalization rate) is determined.
- The State representative commented that the roll is topsy-turvy and asked if we would be going to 100% assessment. Assessor Besaw reported that we were not going to a 100% assessment.

Historian

Historian Karen Simmons reported:

- Thanked Maintenance Worker Byron Woodward who made a plaque for the Korean Conflict and she can now go to Bradley's Military and have the names engraved on it.
- She is working on genealogy for the Whalen family.

Animal Control

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

- Complaints were received for unlicensed dogs on CR 22 and CR 24. The owner of the dogs on CR 22 is working on obtaining the necessary immunizations to license his dogs.
- There was a complaint of a missing dog on the Doane Rd, which was later found.

Beaver Control

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

- Beaver had been removed from the Swiss Hill Rd, Stone Rd, and the Chub Lake Rd.
- He continues to work on Shantyville Rd, and reported one of his beaver traps had been stolen from the site.
- He has been continuing to provide beaver control on CR 22. Supervisor Newvine asked if he had captured any beaver on CR 22. Councilperson Simmons was not sure if he had.
- It was discussed that Moyer's Wildlife control be asked to take photos of the beaver when they are caught and send them to the board.

Code Enforcement

Code Enforcement Officer Besaw was not in attendance.

Town Clerk

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were \$55.00 with the Town of Fowler's Commission being \$3.04. She had issued 3 certified marriage transcripts, 3 genealogical services requests, issued 3 death certificates, had licensed 20 dogs, handled 6 building permit applications, and had taken in \$1.50 in photocopies.
- Taxes are now 89.81% collected.
- Tax collection will end on June 2nd.
- Advertisements will be in the paper Friday for lifeguards and the road paving bid.

Maintenance Worker Bryon Woodward reported:

- He had painted the front entrance steps to the town hall with yellow paint to better demarcate the steps for safety concerns.
- Suggested a "watch your step" sign be added to the front entrance/exit door for further precautions.
- He will be turning the water on this week at the pavilion.
- He will be starting on the sidewalk soon.
- Discussed he hoped that the contractor repairing the salt barn is aware of the septic system's location for the dog kennel. Hwy. Superintendent Durham stated he is aware of it, but it is the only way to get in and out of there.
- Councilperson Simmons asked if Byron could add an emblem to a head stone in the Gulf cemetery.

Highway Superintendent

Highway Superintendent Randy Durham:

- Asked to send one of his highway department workers to highway school in his place the first week of June if paving has started. It was the consensus of the board to approve the request.
- He has updated SAM for the year.
- The Sylvia Lake Rd is scheduled to be paved in the next two weeks.
- The new 2026 MACK truck is starting to be built tomorrow.
- Reported he sent two loads of bottles and cans to Star Lake for processing and will look into why we haven't received a check yet.
- Reported he will look into the last scrap metal pick up as a check hasn't been received yet.
- Asked the board permission to send Matt Filiatrault to obtain his Class A license. It was the consensus of the board to approve the request.

Councilmembers

Councilperson Leo Knight Jr.:

- Asked Hwy. Superintendent Durham to have the highway department workers re-sweep the town hall to remove the sand and stones from the grass near the playground area.
- Asked Hwy. Superintendent Durham why he had asked Empire State Mines for more money for their road during the Empire State Mine business update presentation. Hwy. Superintendent Durham stated that he thought it would be a good thing as their big trucks wear the road out quicky, and they have helped out before. He reported he had spent a lot of money paving that road last year. Councilperson Bishop agreed with Hwy. Superintendent Durham, stating the big trucks are heavy and do a lot of damage to the road. It was discussed that Empire State Mine pays a lot of money in taxes.
- Discussed the repairs needed to the town building that was hit by a highway vehicle.
- Asked Hwy. Superintendent Durham when the damage occurred and if the damage had been reported to him when it happened. It was discussed the damage had been reported to him by the driver and that it had occurred during a snow storm in December, 2024.

Supervisor Newvine asked Hwy. Superintendent Durham if something like that happens if he writes the driver up. Hwy. Superintendent Durham stated he did not write the driver up due to it occurring during a blinding snow storm, and it depends on the situation.

- Asked Hwy. Superintendent Durham if he had reported the damage to the board. It was discussed that maintenance worker Byron Woodward was notified.

Councilperson Bishop asked Hwy. Superintendent Durham what vehicle had hit the building. It was reported it was the small plow truck that had backed into the building.

Supervisor Newvine asked if any damage had been done to the vehicle. It was reported that the vehicle did not receive any damage.

Councilperson Bishop stated that the board should be notified when something like this occurs.

Councilperson Karen Simmons:

- In the month of April, the HAP Program was visited 35 times.
- Thanked Mike & Missy Tersmette for their grocery donation.
- Thanked Rob Saidel for the donation of potatoes to the HAP Program.
- The next SOS care package delivery to 110 senior citizens will be around June 20th.
- The next family day meeting will be held on Thursday, May 15th.

Councilperson Lynn Bishop:

- Thanked the town board for thinking of his mother and for the gift of flowers during her recent illness.
- Reported he had checked the cemetery, and they all looked great for Mother's Day.
- Reminded Hwy. Superintendent Durham to make sure the garbage is emptied from the cemeteries for Memorial Day.
- Suggested the highway department could stockpile some tar-gravel.
- Asked Hwy. Superintendent Durham about the ripped-out culvert near CR 22 and Little York Rd, that was pulled out by a landowner and if it was in the town right-of-way. Hwy. Superintendent Durham reported he is aware of the ripped-out culvert and is watching to see what the landowner's intentions are.

Councilperson Scott Cleveland:

- Thanked the board members and everyone that had reached out after the passing of Macia's father Bob Dier.
- The basketball court is scheduled to be re-paved in June.
- The area will need to have some top soil and be re-seeded when the paving is completed.
- He would like to get a quote to install a 3- or 4-foot fence along the property line to keep the basketballs from the neighboring property.
- Notified the board that he will be retiring this summer from the town board, he is unsure of a specific date yet but wanted to let everyone know.
- Reported he would still like to continue working on the playground as he enjoys it.

Supervisor Ricky W. Newvine:

- Asked Hwy. Superintendent Durham if the bump in the Country Club Rd near Barbarito's will go away with the new paving. Hwy. Superintendent Durham reported that it would.
- Asked Hwy. Superintendent Durham to look at the guardrail coming back into Hailesboro to check its placement.

- Reported the orange snow fence is still not set up around the sand pile at the salt barn and asked if the contractor had been working on the repairs to the salt barn. After some discussion Supervisor Newvine stated he would give the contractor a call.
- Read aloud a thank you note that was received from Connie Bishop thanking the board for thinking of her during her recent illness.
- Reported he had called the County with concerns shared at the last board meeting by Lisa Hull, and he had spoken to Lisa to make her aware that the County will be paving her road this year, and they have also filed for the ownership of the nuisance property she discussed during the public comment period of the April 14, 2025 board meeting.
- Reported the Empire State Mine business update meeting was very good, and he received a thank you after the meeting from Clara Cummings. He spoke to Senator Walczyk's Office to share the business update for Empire State Mine and is hopeful that the State will help.
- Reported FEMA is moving slowly, but we are anticipated to receive \$313,500.00 which is good news.
- He had discussed the burned-out property on Little York Rd with County Attorney Steve Button and learned that there is more to be done before the Town could move forward with its demolition and clean up.
- He has placed a call to the Town Attorney Leader for further discussion on the matter.

Public Comment

- Debbie Walsh asked for a swing to be lowered at the playground.

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 #145 to #195, with a total of \$205,070.08.

The next regular scheduled board meeting will be held on June 9, 2025, at 6:00PM.

With no further business, on a motion of Councilperson Knight, seconded by Councilperson Simmons, the May 12th, 2025, Regular Town Board meeting was adjourned at 6:43 PM. **CARRIED UNANIMOUSLY.**

Tami Gale; Town Clerk