

## **Town of Fowler April 8<sup>th</sup>, 2024, Minutes of Regular Scheduled Board Meeting at 6PM.**

The Town of Fowler Regular scheduled Town Board meeting was held on the above date with four Board members present, and Councilperson Bishop attending by phone. Also present were Town Clerk Tami Gale, Town Justice Tim Knowlton, Highway Superintendent Randy Durham, Bookkeeper Barbara Finnie, Assessor Chair Kathleen Besaw, Code Enforcement Officer Glen Besaw, Ethics Committee Member Vivian Goodman & Planning Board Chair Stephen Gale, Laurina Greenhill, Ricky Woodrow, Byron Woodward, John and Deb Walsh, 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 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: Jamie and Shirley Absalon, Mary Tessmer, Mary House, Earl Peck, Nancy MacKinnon, and Shelley Prashaw, sister of Code Enforcement Officer Glen Besaw.

Supervisor Newvine asked for a motion to approve the minutes from the March 11, 2024 regular scheduled board meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

### **SIGNING OF 2024 MOWING CONTRACT**

Supervisor Newvine asked for a motion to allow him to sign the updated 2024 mowing contract between the Town and Tina Fifield which was approved with changes made to section #3 and Schedule A of the contract. The mowing contract amount for the year of 2024 is \$13,250, to be paid in 5 monthly installments of \$ 2,650.00, to include the additional extension added in 2024 to the Fullerville Cemetery.

A motion was made by Councilperson Knight seconded by Councilperson Simmons allowing Supervisor Newvine to sign the updated 2024 Mowing Contract. All in Favor. MOTION CARRIED.

### **OPENING AND DISCUSSION OF OVERHEAD DOOR BIDS RECEIVED**

Supervisor Newvine discussed that one (1) bid had been received for the replacement overhead doors at the highway department town barn and handed the sealed bid to Councilperson Leo Knight Jr. to read aloud.

**Bidder info: Kelly Sales Corporation**

**Option #1 Power Supply to the Motor Operators included. Total \$ 22,400.00**

**Option #2 Power Supply to the Motor Operators not included. Total \$19,495.00**

After some discussion, a motion was made by Councilperson Cleveland seconded by Councilperson Knight to accept the bid and reserve which option to award to Kelly Sales Corporation after obtaining a quote from Link Electric on the cost of the Power Supply to the doors. All in Favor. MOTION CARRIED.

### **DISCUSSION ON THE REMEDIATION OF THE DELAPIDATED PROPERTY AT 1530 CR 22**

Supervisor Newvine reported he had checked with County Attorney Stephen Button and the cost of the clean up of this property would be able to be added to the owner's property taxes. It was discussed that Assessor Chair Kathy Besaw is researching this process with the Real Property Office in Canton.

Supervisor Newvine asked CEO Besaw if he had found anyone who could check the dilapidated property for asbestos and lead. CEO Besaw reported that he had asked the Dept of Labor, who has jurisdiction, if there was another way to comply with this. He is awaiting an answer and will let Supervisor Newvine know what he learns. Supervisor Newvine reported they are looking into removing the remaining debris of the knocked down structure as neighbors are concerned of potential damage being caused to their home from blowing debris. Supervisor Newvine reported he has inquired about a price to clean it up from Greg Gonyea and that we are still in the middle of it and will proceed with a resolution to clean the debris up when CEO Besaw receives more information, and it can be approved for removal.

## **Town Department Reports**

### **Justice Department**

Town Justice Tim Knowlton reported:

- The month of March had not been busy. There were 16 violations and arrests.
- The court has been very packed due to appearances for all of the arrests in January and February.
- He has recently joined the scholarship committee of the County Magistrates, and reported they are giving out two \$500.00 scholarships, that they are trying to promote.
- Matt Shivers and Judge Hobbs, representing the 4<sup>th</sup> Judicial District, will be attending the next magistrates meeting, which he anticipates will be well attended.
- Asked the board to approve mileage for civil court mediator Diana Dufresne, who provides State mandated mediation service for civil cases in the Town of Fowler and is no longer being funded through Catholic Charities. It was discussed that several other justices are asking for approval for the same, as Ms. Dufresne travels from Massena and has had a very high success rate for agreements between parties in civil, small claims and eviction cases. After some discussion, it was the consensus of the board to approve the mileage reimbursement for the remainder of the year and have the court include the request in next year's budget.

### **Bookkeeper**

Bookkeeper Barbara Finnie:

- Reported she had provided Town of Fowler Cash Balance Reports for Month Ending February 29, 2024 to the board members for their review.
- Reported the general fund was 15.72% spent, with 42.18% of revenue received and the highway fund was 7.09% spent with 62.28% of revenue received.
- Will send in a report for ARPA funds at the end of the month. Supervisor Newvine reported that the Town of Fowler is getting an estimate for a generator for Kilkarney Court to be purchased and installed using the ARPA funds.

### **Assessors**

Assessor Chair Kathleen Besaw reported:

- The tax roll officially closed out on March 1<sup>st</sup>.
- The new tentative 2024 tax roll should be here by the end of the month and the change of assessment letters are going to be mailed to taxpayers next week, which will set the tone for grievance day in May.

- Copies of the 2024 tax roll will be available in the assessor's office and the town clerk's office for the public to view.
- She had received correspondence from the Town attorney that he has asked that the Fowler Hydro lawsuit be dismissed as Fowler Hydro had not met the orders set by the judge.
- Supervisor Newvine asked Assessor Chair Besaw what she had learned about the Property Tax Exemption for EMS Services. It was discussed that the new legislation is included in the State budget that has yet to be passed, it could be adopted by Local Law if the Town desires to do so once the State budget is adopted. Supervisor Newvine reported he would check with Town Attorney Henry Leader to see if the Town could amend an existing Local Law providing for a firefighter's exemption to include the newly proposed EMS Services Exemption.

### **Historian**

Historian Karen Simmons reported:

- She had traveled to the Silas Wright Museum in Canton to obtain some information about individuals from the Town of Fowler who served in the Korean Conflict. She reported her next step is to get all of the names she had found together to take to Bradley's Military in Evans Mills to have the new plaque made honoring those individuals.

### **Animal Control**

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

- The dog that has spent 9 and ½ weeks in the Fowler dog kennel had finally been adopted earlier in the day.
- She thanked Councilperson Scott Cleveland for finding the dog a new home.
- A dog had been picked up for running at large, who had been previously picked up for the same violation and was claimed by its owner.
- A complaint had been received earlier in the day about another dog at the County Route 22 residence that the dog adopted from the kennel after 9 and ½ weeks had come from. The Dog Control Officer reported he was going to go speak to the owner of the dog today.
- The heat has been turned off in the dog kennel, the windows have been opened to air it out, and it was cleaned today.
- The toilet in the kennel is still not working.

Supervisor Newvine asked maintenance worker Woodward what needed to be done to get the dog kennel toilet in working order. It was discussed he would keep an eye on it, and potentially a new leech field will need to be installed. It was discussed that heavy plow trucks may need to stop driving over that part of the road.

### **Beaver Control**

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

- He is working on the upper and lower Stone Road, and the Shantyville Road.

### **Code Enforcement**

Code Enforcement Officer Besaw reported:

- He received 2 complaints last month. One complaint was referred to the Sheriff's Office and involved vehicles being left on the road.
- The second complaint concerned a property at 663 County Route 22.

- He reported the property to have drug paraphernalia, a mass of garbage, and a leech field that has failed, and he is going to condemn the property and post the building so that it cannot be occupied.
- It was discussed the persons responsible for the conditions at this property are all incarcerated and the owner of the property prior to their incarceration had been trying to get them off of the property.
- He reported neither he nor DEC Officer Attwood, who had accompanied him on a check of this property wanted to ticket the owner of the property.
- He asked the board to consider passing a resolution for an order to allow the Town to clean up the property and levy the cost of the cleanup onto the property tax bill.
- He reported the owner of the property is potentially selling it on a land contract to a different party, and in speaking with Town Attorney Henry Leader had been advised to give them the option of getting that property cleaned up as opposed to the Town having to clean it up and levy it on to their taxes. He reported he would be contacting all interested parties.

Taxpayer and neighboring property owner Ricky Woodrow had several complaints to add, He stated the drinking well at this residence is 50' from the leech field which isn't legal to begin with and discussed the pile of garbage and tires located behind this residence. He reminded everyone this is the same property that had to be cleaned up on another occasion, and stated this has been going on for 30 years at this property and stated he believes the owner of the property is responsible for the cleanup of her property.

Councilperson Simmons agreed that she felt the owner of the property is responsible for the cleanup of the property not the Town.

CEO Besaw reported the occupant of the property is responsible under State law. Supervisor Newvine reported that we will continue to follow the law as CEO Besaw has been doing, and give them the option, and if they can't then we will get it cleaned up.

- Asked if the board would like to have him work on a local law to address open burning. It was the consensus of the board for CEO Besaw to move forward with a proposed law. CEO Besaw reported that he would have something prepared for the next meeting.
- He will be attending Code Enforcement Officer training in Syracuse next week.

### **Town Clerk**

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were \$20.00 with the Town of Fowler's Commission being \$1.11. She licensed 18 dogs, collected \$90.00 in dog kennel fees, collected \$101.00 for miscellaneous dog control fees, and handled 6 building permit applications.
- Her 2024 Tax-Collectors Warrant had been renewed.
- Taxes are now 83.81% collected.
- 2<sup>nd</sup> Notices will be mailed this week to taxpayers who haven't paid anything at all. There is a total of #141 2<sup>nd</sup> notices to be mailed out this year.
- She had received a scrap Metal check in the amount of \$234.80 for just over 2 tons of scrap.
- She and Deputy Town Clerk Debra Tupper had both renewed their notary license.
- She had signed Assessor Chair Kathy Besaw, Planning Board Chair Stephen Gale and Herself up to attend the government training being held on May 1<sup>st</sup>.

## **Highway Department**

Highway Superintendent Randy Durham reported:

### **FUEL MANAGEMENT SYSTEM PROPOSAL**

- He had provided the board with a proposal prepared by Bach Environmental, Inc. for the installation of a fuel management system for the highway department at a cost of \$25,000. Hwy. Superintendent Durham reported he would be able to monitor fuel usage from his desk and all the drivers would have their own key with their own code. It was discussed that the system is very similar to the one the Village of Gouverneur has.

After some discussion a motion was made by Councilperson Cleveland seconded by Councilperson Knight to approve the proposed fuel management system purchase.

### **HWY. DEPARTMENT FURNACE DISCUSSION**

- Reported that one of the furnaces in the highway department had stopped working. At first, he was told that it needed to be replaced. He contacted three (3) businesses for quotes and as of meeting time had received one (1) quote from Randy Aldrich Plumbing and Heating for \$17,994.75 to replace the furnace. Hwy. Superintendent Durham reported now, he has been told by Chad Jenkins that the furnace can be repaired, and he talked it over with Supervisor Newvine and they are now looking to get a quote to repair the furnace.

After some discussion, it was the consensus of the board to table the quote received at this evening's meeting for a new furnace and to have Hwy. Superintendent Durham get a quote to repair the existing furnace.

### **SUMMER HELP**

- Reported he would like to hire summer help this year. He is looking to hire someone from May 15th through September 15<sup>th</sup>. They would be used to cover vacations, and safety work getting through the paving season. Councilperson Simmons asked if he was hiring someone from one of the programs. Hwy. Superintendent Durham stated he had someone in mind who has a CDL license. He reported it was Bill Finnie, who is a mechanic also, who he was interested in hiring for the summer help this year.
- Asked the board's thoughts on renaming the Town of Fowler's new roads. He discussed right now they are both named Balmat-Fowler Rd. The section of road that has the Pump House Road sign on it he suggested renaming as "Lake Rd" , and the Pump House Road sign would be moved further down the road where it starts. The other section of the new road he suggested renaming as "Church Street". It was the consensus of the board to agree to Hwy. Superintendent Durham's name choices for the new roads. Supervisor Newvine asked Hwy. Superintendent Durham if the road swap with the County was a done deal. Hwy. Superintendent Durham stated that they are still working on it.
- Asked the board to request the bulldozer for spring break next year when they do their "shared services agreement with BOCES reporting he had to rent one this year and it was expensive.
- Discussed he had been approached by Tina Davis, who has a new redemption center in Star Lake, with an offer to pick up the town's bottles & cans at a payout of 6 cents per can and send the Town of Fowler their check in the mail. It was the consensus of the board to approve the change.

## Councilmembers

### **Councilperson Leo Knight Jr.:**

- Reported he has had a few concerns brought to his attention, some of which he and Hwy. Superintendent Durham had already discussed, and asked Hwy. Superintendent Durham if he puts out signs when the highway workers are sweeping the roads. Hwy. Superintendent Durham stated he never has, he uses 2 vehicles, a pickup truck with its lights on which makes for really mobile signage and a safety vehicle.
- Asked Hwy. Superintendent Durham about cleaning roadsides at a certain place. Hwy. Superintendent Durham reported, the shoulders needed to be cut down anyways, so he made a decision. Councilperson Knight stated he will have to do other people's too if he does that. Hwy. Superintendent Durham agreed that he would if the situation was going to dictate it, and stated he tries to get along with everyone, and understands what he is saying.
- Someone had noticed the plow trucks appeared to be overloaded during the last snow storm. Hwy. Superintendent Durham stated that yes, the trucks are loaded up, time is money, and it takes a long time to do the beats before people see the plows come through again. Supervisor Newvine asked if it is better to take an extra trip and save the truck, and if any springs had been broken. Hwy. Superintendent Durham replied they hadn't replaced any springs this year and it is a no-win situation.

### **Councilperson Cleveland:**

- He is still working on the playground.
- Thanked everyone who shared his photos of Brozr on facebook, as it was a share of a share that got him finally adopted after 9 and ½ weeks of being kenneled.
- Presented photos of Brozr in his new house with his new family.

Supervisor Newvine stated it was a win-win with two board members working together.

### **Councilperson Karen Simmons:**

- Reported that the HAP Program had 22 visits in the month of March.
- Thanked Dave and Shelley Fackler for donating a huge load of groceries for the HAP Program.
- Thanked Fowler Baptist Church and Stepping Stone Ministry for donating 19 cases of boneless, BBQ, chicken wings to the HAP and the SOS Program.
- The next Fowler Family Day meeting is Thursday, April 11<sup>th</sup> at 3:00 PM.

### **Councilperson Lynn Bishop:**

- Thanked Stephen and Tami Gale, Karen Simmons, and the Town of Fowler board for what they had done for him and his mom.

### **Supervisor Ricky W. Newvine:**

- Reported he had received a bill for the annual membership to Advocate Drum, a Fort Drum Regional Liaison Organization that helps to promote Ft. Drum.
- Read aloud a thank you card to the Town of Fowler from Connie and Lynn Bishop.
- Discussed he would like to purchase a new 8x8 raft for Sylvia Lake beach, reporting the estimated cost to be \$3,000. It was discussed that the new raft comes with a ladder, anchor, and weighs considerably less than the original raft that needs replacing. Bookkeeper Finnie reported that ARPA funds could be used for the purchase of the raft. It was the consensus of the board to approve the purchase. Supervisor Newvine reported he would finalize the details.

## Public Comment

- Rachel Hunter asked when Sylvia Lake beach was anticipated to open this year. Supervisor Newvine reported it would likely be the last week in June.
- Debra Walsh reported that the end of the Sylvia Lake Road is in poor condition. She also reported the sign for the East Rd is dangling and asked if the sign could be moved as it is continuously hit by tractor trailers using the road to turn around when they have missed their turn. Hwy. Superintendent Durham reported he would look at the sign and would fix the pot holes when he gets a new pallet of hot mix.
- Byron Woodward asked if the Town of Fowler had a leash law. Councilperson Simmons reported we do. Byron asked if the same person's dog is picked up repeatedly for this offense, if they are being ticketed and receiving fines. Councilperson Simmons reported the dog that has been in Mr. Woodward's yard has been in the kennel a couple of times and has had to pay the kennel fees. Mr. Woodward asked again if the town is fining the dog's owners for the animals running at large. Councilperson Simmons stated she thought this dog's owner had received one ticket, not recently though. Supervisor Newvine directed Councilperson Simmons to make sure that Dog Control Officer Dan Moyer starts writing tickets for this offense.

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

The bills audited for the General and Highway Fund were #101 to #145, with a total of \$62,199.43.

The next regular scheduled board meeting will be held on May 13th, 2024, at 6:00PM.

With no further business, on a motion of Councilperson Simmons, seconded by Councilperson Cleveland, the April 8<sup>th</sup>, 2024, Regular Town Board meeting was adjourned at 6:56 PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk