

## **Town of Fowler Regular Board Meeting Minutes for September 3, 2019 at 7PM**

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 Phyllis Shaw, Code Enforcement Officer Glen Besaw, Planning Board Members Daniel Kingsley, Stephen Gale and Larry Streeter, Board of Ethics Committee Member Vicky Cappellino, Pavilion Committee member Richard Clement, Mark Deavers from the Gouverneur Rescue Squad, 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 Regular Town Board Meeting held on August 6, 2019 at 7PM. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Simmons, seconded by Councilperson Andrews to approve the minutes of the Highway Road Work & Surplus Equipment Meeting August 19, 2019 at 4:00 PM. All in Favor. MOTION CARRIED.

Supervisor Cappellino presented two sealed bids that were received for the Pavilion project to Councilmembers Karen Simmons and Jeff Andrews to open and read aloud. Both bids contained non-collusive bidding certificates.

- **Continental Construction :** Proposed to furnish labor, materials, equipment, and standard insurance for the base bid of a sum of \$106,568. Add Electrical for \$8,345. Add Plumbing for \$7,881. The price excludes septic tank and leach field.
- **Whitton Construction LLC:** Proposed to furnish labor and materials, equipment, insurance (unless otherwise stated) to perform the scope of work for a sum of \$85,000. The price does not include sales tax, electrical service, water service, sewer and septic tanks, building permits and bonds.

After discussion, it was the consensus of the board to reject both bids. A motion was made by Councilperson Newvine seconded by Councilperson Simmons to Rebid the Pavilion to allow more time for bids to come in. All in Favor. MOTION CARRIED.

Supervisor Cappellino presented two sealed bids that were received for Surplus Highway Equipment to Councilmembers to open and read aloud. Both bids contained non-collusive bidding certificates.

- **Allen Martin bid on the 1999 New Holland TS90 Tractor for a price of \$2,003.**
- **Allen Martin bid on the 2004 Tiger MDL TM 72-inch Side Mower for a price of \$1,003.**

After discussion, a motion was made by Councilperson Newvine, seconded by Councilperson Bishop to sell the two items of surplus highway equipment to the only bidder Mr. Allen Martin for a total of \$3,006. All in Favor. MOTION CARRIED.

Supervisor Cappellino reported that the board needed to set a date for the November 2019 board meeting, as the Fuel Bids will be coming in at the November meeting. The meeting date is being moved from its usual date to a later date due to the General Election being held on November 5, 2019. After discussion, it was the consensus of the board to hold the meeting on Thursday, November 7, 2019.

## **Town Department Reports**

### **Bookkeeper**

- Bookkeeper Barbara Finnie distributed budget requests to department heads as well as year to date totals of expenditures for 2019 individual department budget accounts.
- Bookkeeper Finnie stated that the Town needed to schedule a budget workshop to discuss revenues. After discussion, the budget workshop was scheduled to be held on September 19, 2019 at 5PM. Town Clerk Tami Gale will advertise the workshop in the official Town newspaper and on the Town of Fowler website.
- Bookkeeper Finnie requested that all budget requests be turned in to her between September 13<sup>th</sup> and the 20<sup>th</sup> as she needed to prepare the Tentative Budget and file it with Town Clerk by September 30<sup>th</sup>.
- The Town Clerk will present the tentative budget to the town board at the October 1<sup>st</sup>, 2019 regular town board meeting.
- Reported that in the month of August the Pavilion fund had earned interest in the amount of \$90.00 and the Playground fund had earned interest in the amount of \$23.00 since being transferred to the CLASS account.
- Reported that 89% of the general budget has been spent and 64% of the Highway budget has been spent in 2019.
- Reported that the budget looked pretty good as we enter into the budgeting process for 2020.

### **Dog Control**

Dog Control Officer Dan Moyer was not in attendance.

Councilperson Karen Simmons reported for Dan Moyer:

- There was a complaint on the Farm to Market Road involving two dogs. The complaint has been resolved with both dogs receiving rabies shots and getting licensed.

- A dog had been picked up on County Route 24 and spent 1 night in the kennel before the owner of the dog was located and the dog returned to its owner.
- There is a male yellow lab that has been running loose in Fullerville that has not been caught or its owner located. It is going to be advertised on face-book to try to locate an owner.

### **Rabies Clinic Report**

- Councilperson Simmons reported that 103 animals had received vaccinations during the Town of Fowler rabies clinic. She reported that 75 dogs, 24 cats, and 4 ferrets had received shots.
- The Town took in \$135.00 in donations at the clinic. Councilperson Simmons reported that she had donated \$75.00 to Linda Storie of Gracious Friends Animal Sanctuary as they have been adopting the dogs in the kennel that the Town of Fowler could not locate the owners of.
- Councilperson Simmons presented the remaining \$60.00 in donations to Town Clerk Tami Gale to deposit into the Playground Fund.
- Councilperson Simmons reported that 24 dogs had been licensed at the rabies clinic, 12 license renewals and 12 new dog licenses.
- Councilperson Simmons thanked Supervisor Cappellino, Deputy Town Clerk Debra Tupper, Town Clerk Tami Gale, and volunteer JoAnn Whitford for their help at the rabies clinic.

### **Beaver Control**

Dan Moyer of Moyer's Wildlife Control was not in attendance.

Councilperson Karen Simmons reported for Moyer's Wildlife Control:

- That Hwy. Superintendent Durham had reported to Dan Moyer that there was beaver activity on the Country Club Rd earlier in the day and Dan is working on a pipe that is half plugged.
- Dan has also been called to the Shantyville and Stone Roads for beaver activity.

### **Code Enforcement**

Code Enforcement Officer Glen Besaw reported:

- He had completed a lot of inspections for the month.
- He had issued 15 building permits.
- He had received 1 complaint that was referred to the Sheriff office.
- Reported that he had received his new printer.

- He had attended a meeting in Potsdam concerning adopting a solar development law. He learned a lot from the meeting and brought back a copy of the Town of Potsdam's law. Councilperson Newvine stated that he had a copy of the Town of Orleans Solar law that he would give to Code Enforcement Officer Besaw to review as well.
- Recommended that the Town may need to pursue amending Local Law #1 of 2019 sooner rather than later with a Solar Development Law.
- The legal matter that is in court is still pending and is scheduled for a court date on November 17<sup>th</sup>, 2019.
- He had issued 2 special use permits in the Town. One for a daycare and one for a salon.

## **Town Clerk**

Town Clerk Tami Gale reported:

- She had completed 3 Genealogical Services requests, taken in \$89.79 in DEC Commissions for the month, had issued 3 marriage licenses, collected \$10.00 in kennel fees, issued 4 Certified Death Certificates, licensed 71 dogs, sold 2 bicentennial books, handled 15 building permits, and collected \$1.75 in photocopies.
- She had deposited \$80.00 into the Playground fund last month. The Town had received a \$50.00 check from the Rod & Gun Club, and \$30.00 in t-shirt sales during the rabies clinic.
- She had deposited \$63.15 from bottles and cans, and \$117.15 from a scrap metal check into the Playground fund for this month.
- Asked Highway Superintendent Durham if he was going to remove the Surplus Highway Equipment and the Highway Equipment that was traded in from the Town Insurance policy or if she needed to. Highway Superintendent Durham confirmed that he is taking care of it.
- The AED at the beach needs to be brought back to the Town Hall to be registered and tested monthly.
- She had spoken with Head Lifeguard Emily Bush when she returned the beach keys and beach supplies to the Town, and Emily had a few suggestions for the beach:
  1. Suggested creating a Face-book page for the Sylvia Lake Beach in 2020.
  2. Asked to have 3 items removed from the beach building: the black umbrella to be thrown out, the old spine board is not in compliance with regulations and is asked to be thrown out ( it was replaced in 2018 with a compliant spine board), and the old cement tire she asked to have thrown out.
  3. Suggested that the Town put in stairs next year leading into the water with at least 4 steps. She suggested that concrete ones that could be left in the water would be ideal so they would not need to be stored in the building and removed every year.

## **Beach Report**

Councilperson Newvine reported:

- That the Sylvia Lake Beach is now closed for the 2019 season.
- He had sent in the paperwork to receive the \$1,000 grant for the beach.
- He had not received the paperwork from the County to reimburse some of the beach payroll. Bookkeeper Finnie will prepare the necessary forms pertaining to beach payroll to have ready for Councilperson Newvine when it is received.
- That there are pieces of metal protruding from some old cement pads possibly from an old grilling area that are presenting a hazard and need to be removed. There is also an old pipe that runs above the ground that appears to need removal. After discussion, it was decided that Highway Superintendent Durham would have the highway department take care of the concerns at the beach.
- Supervisor Cappellino stated that there is a concrete bench at the beach that is in need of repair. He and Highway Superintendent will take a closer look at its condition this week and decide to repair it or remove it.

## **Justice Department**

Town Justice Ryan Young was not in attendance.

## **Assessor Department**

Assessor Chair Sherry Geer reported:

- That it has been quiet in the assessor office.
- That the assessors will be going out checking on the completed building permits soon and wanted to make the public aware of the undertaking.
- Data collection is going slow right now. Phyllis will be taking a class in October that will complete her certification.
- That she was made aware last week of the need of the assessor office to learn more about future solar projects and exemptions and pilots.

## **Town Historian**

Town Historian Karen Simmons reported that:

- She would like to see the welcome to Fowler signs get stained by maintenance worker Byron Woodward with the same product that he had used on the Town Hall railings at the rear entrance of the building.
- That new solar lights could be installed on the welcome to Fowler signs to enhance their appearance.

- She had received a pamphlet in the mail that had prices and examples of signs that might be suitable for the Tri-County Marker that Connie Bishop had inquired about at the August Town board meeting.
- She had called Senator Patty Ritchie’s office and inquired about any grants from the office to assist the Town with expenses of installation of a monument sign for the Tri-County marker. She had received a suggestion from Councilperson Newvine that if there were no assistance available through the Senators office that we should try to contact the other 2 counties to propose they share in the cost of a monument sign.
- That she had a price of \$1,025 for such a sign, plus \$30.00 shipping for the sign, \$114.00 for the post, and \$25.00 shipping for the post. In total the estimate would likely be \$1200.00 to \$1300.00 to install a new monument sign.
- That she would wait to hear back from Senator Patty Ritchie’s office before reaching out to Lewis and Jefferson County officials regarding the sign.
- It was the consensus of the board that the project is deserving of the sign marker as it is the only place where 3 counties come together like that in New York State.
- Discussed adding the Tri-County Marker to the mowing contract in 2020 as the area is in need of grooming and sprucing up.
- Thanked Richard Tupper for the donation of a commemorative ice bucket from the ice-storm of 1998 that he donated to the Historians Office.

## Highway Department

Highway Superintendent Randy Durham reported:

- That he would like to put 2 of the 3 pieces of the surplus highway equipment that did not sell on an auction site for sale. The other piece of equipment is of no value and he will put into the scrap metal bin. It was the consensus of the board to approve the recommendation.
- That he had obtained 2 quotes for a new tractor, broom, and sickle mower as was discussed at the Special Highway meeting held on August 19, 2019.

	<u>John Deere</u>	<u>Walldroff Equipment</u>
Sickle Mower	\$5,195.00	\$3,885.08
Tractor	\$48,120.31	\$31,135.50
Broom	\$12,840.38	\$7988.70
<b>Total</b>	<b>\$66,155.69</b>	<b>\$43,009.28</b>

- Councilperson Newvine asked Highway Superintendent Durham if the highway department had the money in the budget for the purchase.
- Councilperson Andrews stated that it was not a bad price.

- Supervisor Cappellino asked if the Town had just sold a New Holland tractor for nothing. Highway Superintendent Durham stated the 99 New Holland was sold as surplus for \$3,006.00
- Bookkeeper Finnie stated that the cost could be divided between the Highway fund and the General fund as it will be used for general purposes too.

After further discussion, a motion was made by Councilperson Andrews seconded by Councilperson Newvine to purchase the new tractor and attachments for \$43, 009.28 from Walldroff Equipment. All in Favor. MOTION CARRIED.

- That he had attended the new plow truck meeting on August 10, 2019 and the plow truck should be ready in 4 to 5 weeks. He was unable to contact them earlier in the day for an update.
- Asked the board if they wanted him to have Austin Fayette begin working on the welcome to Fowler signs. Councilperson Newvine asked if because of his age, it was a project that he could do alone. After discussion, it was decided that Maintenance employee Byron Woodward and Austin Fayette could work on the sign job together.

### **Councilmembers**

#### **Councilperson Jeff Andrews**

- Asked Highway Superintendent Durham if the tree in the parking lot was going to be removed before winter. Highway Superintendent Durham stated that he would look into it.

#### **Councilperson Lynn Bishop**

- Councilperson Bishop requested that Highway Superintendent Durham have a representative from Walldroff Equipment schedule a training session with the highway department employees to train them on the new equipment.

#### **Councilperson Ricky Newvine**

- Asked Town Clerk Tami Gale if she had called to have the portable bathrooms removed from the ball field and the beach. Town Clerk Gale will call H Brothers on Wednesday to have them removed. The playground portable bathroom will remain thru October.

#### **Councilperson Karen Simmons**

- Reported that she had picked up the 4 corner stones for Fullerville Cemetery that will be installed by Dan Fifiel's workers this week. The corner stones have been on order for almost a year.
- Complimented maintenance employee Byron Woodward on the work that he has completed around the Town Hall.
- Asked if everyone had signed the thank you card to be sent to Jim Tyler of Northland Associates for all of the work he performed that went above and beyond the contract for the beach.
- That she and Town Clerk Tami Gale had reviewed the Town of Fowler web-site and had sent up-dates to Shari Barnhart for the site.

#### **Supervisor Cappellino**

- Reminded everyone that there will be a local government conference held at SUNY Potsdam on October 15, 2019. Anyone who has not already signed up can get in touch with Town Clerk Tami Gale for pre-registration. The cost will increase for anyone not signed up by October 4, 2019.
- Asked Highway Superintendent Durham and Bookkeeper Finnie if there was a way to keep track on how the soda machine is doing in reference to expenditure and revenue.
- Bookkeeper Finnie stated that she has made up a special account that shows the report of revenue and expenditures. Bookkeeper Finnie will provide it at the next Town board meeting.
- Reported that Town attorney Henry Leader had sent correspondence that Local Law #1 of 2019 Land Use Laws and Regulations for the Town of Fowler is on file as of August 12, 2019 with the Department of State.
- He had received a notice from Howard Land and Forestry Consultants that stated that they were going to be doing some logging on the Pierce Living Trust property located on the Sullivan Road. The Town received the notice as the area to be logged borders Town of Fowler property. Supervisor Cappellino stated that he had gone to the area and had taken a look and the lines are all marked. Supervisor Cappellino wanted to make everyone aware that it is going to be taking place.

### **Public Comment**

- Mark Deavers of the Gouverneur Rescue Squad gave an update. He reported that there had been 1,232 total calls to date, 252 were hospital to hospital calls leaving the remaining 981 calls to be 911 calls, and that 66 of the 911 calls had been in the Town of Fowler, which was up a little from the previous year. He reported that the Rescue Squad struggles a bit with Medicare reimbursement being only 80% of the actual cost of the call.
- He reported that Gouverneur Rescue has not asked for any increase in the contract with the Town of Fowler in 4 years and asked that the Town keep the Rescue Squad in their minds as the budget process approaches.
- Councilperson Newvine asked Mark Deavers what he had in mind for an increase. Mr. Deavers stated he would love to see 4 to 5 %, but realizes that the Town has tax caps, and many other issues to worry about.
- Councilperson Newvine and Supervisor Cappellino suggested that Mr. Deavers submit a formal request. Bookkeeper Finnie stated that she will figure the increase into the tentative budget at 5% and it can be looked at and modified during the budgeting process at the expenditure budget workshop.
- Councilperson Newvine stated that the Resque Squad provides a valuable service to the Town of Fowler.
- Planning Board Chair Stephen Gale addressed the board concerning the need for the creation of a new district map that shows the new shore line districts that were created in the Land Use Law and Regulations for the Town of Fowler Local Law #1 of 2019.



- Code Enforcement Officer Besaw stated that the Planning Board is going to need the new district map to make their decisions.
- Supervisor Cappellino asked Planning Board Chair Stephen Gale to look into the cost of and arrange for the creation of the new district map.
- Sherry Geer suggested that the Town ask Legislator Bill Sheridan to help look into any assistance that might be available for the Tri-County marker sign.
- Highway Superintendent Durham asked if the \$3,006.00 surplus equipment money could be put into the playground fund instead of the general fund. Bookkeeper Finnie stated that once the money is actually received by the Town, the board could decide to put the money into the playground fund by passing a resolution.

The bills audited for the General and Highway Fund were #322 -#367, with a total of \$32,736.28.

The next regularly scheduled board meeting will be on Tuesday, October 1, 2019 at 7 PM.

A motion was made by Councilperson Andrews, seconded by Councilperson Bishop to adjourn the meeting at 8:35PM. All in Favor. MOTION CARRIED.

Tami Gale; Town Clerk