

## **Town of Fowler Board Meeting and Public Hearing Minutes for December 5, 2017 at 7PM**

The Regular Board Meeting and a Public Hearing for the Town of Fowler was held on the above date with all Board Members present, except for Councilperson Newvine. Also present were Deputy Town Clerk Tami Gale, Highway Superintendent Randy Durham, Assessor Sherry Geer, Assessor Elect Andy Miller, CEO Glen Besaw, Rachel Hunter from the Tribune Press, Lisa Durham, John Walsh, Alex MacKinnon, Debbie Tupper, Richard Clement, Lillith Griffith, Jeff Andrews, and Michelle Durham from the St. Lawrence County Housing Council. The purpose of the Public Hearing was to fulfill the 2<sup>nd</sup> of two required Public Hearings regarding the Town of Fowler Housing Rehabilitation Program (CDBG Grant #343HR345-15).

Supervisor Cappellino called the meeting to order at 7:00 PM then proceeded with the opening prayer and the pledge of allegiance.

A motion was made by Councilperson Simmons and seconded by Councilperson Bishop to approve the November 9, 2017 meeting minutes. All in Favor. MOTION CARRIED.

Supervisor Cappellino asked for a motion to open the Public Hearing regarding the CDBG Grant. A motion was made by Councilperson Simmons and seconded by Councilperson Bishop. All in Favor. MOTION CARRIED. Supervisor Cappellino opened the Public Hearing at 7:08 PM.

Michelle Durham from St. Lawrence County Housing Council explained that the \$500,000 Town of Fowler Housing Rehabilitation grant was wrapping up and that the funds would be expended by the deadline of December 11, 2017. This grant was awarded to the Town of Fowler, and a Grant Agreement was signed, effective December 11, 2015. Ms. Durham stated that the Town used the grant for mobile home replacements and existing home rehabilitations in the Town. Ms. Durham stated that the final draw was happening on December 6, 2017. Supervisor Cappellino asked Ms. Durham if the APR was in the works. Ms. Durham stated

that although she has not received a copy of it yet, that the APR would reflect everything and that it was due by January 12, 2018.

Ms. Durham stated that any comments, including complaints, would be accepted until December 19, 2017 and that they should be directed to Supervisor Cappellino.

A motion was made by Councilperson Simmons at 7:10 PM and seconded by Councilperson Bishop to close the Public Hearing. All in Favor. MOTION CARRIED.

Michael Gillette from Fuller Insurance was in attendance to discuss the Town of Fowler's Property Insurance. Mr. Gillette discussed updating coverage on everything and handed out the insurance proposal for the Town of Fowler for 2018. The Proposal included a Property Insurance Policy Outline, Commercial General Liability Policy Outline, General Liability Schedule of Exposures, Commercial Automobile Policy Outline, Equipment Floater Limits, Driver Schedule, Bond Outline, Public Officials & Employment Practices Liability, Excess Liability, and included a Premium Comparison.

Highway Superintendent Randy Durham asked Mr. Gillette if the Town was all set with the signed Waiver and Release of Liability for the Edelweiss Holdings property where the new snowplow turnaround will be on the Sands Road. Mr. Gillette advised that the Town should name Edelweiss Holdings in the Town contract as an additional insured, otherwise Fuller Insurance would not need to cover them, stating that this was specific to this contact only.

Mr. Gillette stated that the Town coverage would remain the same in the 2018 Proposal, and asked Supervisor Cappellino if the Town had adopted its own Prior Notice Ordinance. Supervisor Cappellino stated that the Town in fact had done so. Mr. Gillette then asked for Town Clerk Kelly Harmer to send him confirmation of said ordinance. Mr. Gillette asked Supervisor Cappellino if the driver schedule was up to date, and Supervisor Cappellino stated that it was.

Mr. Gillette stated that the Bond Outline had \$2,000,000 in all Liability Coverage. The policy had increased by 4% mainly due to the added insurance on the playground. He stated that the General Liability cost was down as well as the

budget was down. The policy is \$1700 more than last year due to the Town having more property, equipment, vehicles, and bonds.

Councilperson Bishop asked about the deductible cost. Mr. Gillette stated that the deductible is \$500.00. Mr. Gillette discussed the Property Insurance Policy Outline and the blanket budget being \$1,343,943.00.

Councilperson Bishop asked if the trucks were covered separately under the vehicle insurance. After discussion, it was decided that Highway Superintendent Durham and Mr. Gillette would set a date and time that they could get together to measure, take photos, and confirm the square footage of the Highway Department to do an appraisal report with new figures.

Mr. Gillette handed paperwork to Supervisor Cappellino to sign for the 2018 Insurance Policy, Supervisor Cappellino signed and returned the policy to Mr. Gillette with the understanding that the policy is “fluid,” and can change throughout the year.

Alex MacKinnon addressed the board concerning a study of the utilization of hydro water plants and the power that they could produce to supplement the power that the Village of Gouverneur, hydro power is producing. He told the board that the owner of the Emeryville plant is very interested in exploring this opportunity to benefit the village as well as their power plant. Mr. MacKinnon stated that he is going to be contacting the other four plants along the Oswegatchie River to see if they have any interest in obtaining an expert to conduct the study. Mr. MacKinnon stated that he was on the steering committee for the study and thought that the Town of Fowler, knowing of the Emeryville Plants interest, might be interested in taking part in this study as well.

Currently, the Town of Gouverneur and the Village of Gouverneur are each paying \$12,500, to cover ½ of the \$50,000 grant to complete the study. If interested in joining the study, the Town of Fowler could be included and would pay \$5,000, while both the Village of Gouverneur and the Town of Gouverneur would pay \$10,000 each to cover ½ of the \$50,000 grant to complete the study. Supervisor Cappellino has a copy of the draft of the RFP. If the Town of Fowler is interested

then they would need to commit to this study before the RFP is sent in, in January 2018.

Supervisor Cappellino thanked Mr. MacKinnon for the information, and stated that it would be at the January 2, 2018 Regular Board meeting before the Town could determine if they would like to be included in the study.

Councilperson Simmons stated that the Village and the Town of Gouverneur would benefit way more than the Town of Fowler and that she does not think the Town should take part in the study. Councilperson Bishop agreed with Councilperson Simmons.

Mr. MacKinnon thanked the Board for their time and stated that he would advise the steering committee at their next meeting that the Town of Fowler was discussing the matter and would have a decision at the next board meeting on January 2, 2018.

Supervisor Cappellino addressed the board concerning the fuel bids received at the November 9, 2017 board meeting. Superintendent Durham asked to give data pertaining to fuel usage to the public. Highway Superintendent Durham stated that diesel fuel consumption was between 15,000 and 20,000 gallons, and regular fuel consumption was between 3,000 and 4,000. Highway Superintendent Durham stated that MX deliveries were made very regular, and that the Highway Department can't run out of diesel. John Walsh stated that the Highway Department had to call Tripp Fuels several times a couple years ago to deliver.

Supervisor Cappellino stated that he had done some calculations too. Tripp Fuels bid was cheaper on Heating Fuel for the Town Barn, and Heating Fuel for the Town Hall, while MX Fuels was cheaper on Over the Road Premium Grade Diesel Fuel and Regular Grade Gasoline. Andrew Miller asked if the bids could be separated and awarded individually. After some discussion, Supervisor Cappellino called for a vote. Councilperson Simmons stated she was leaning toward Tripp Fuels, and Councilperson Bishop suggested that the fuel bid should be split. After more discussion, a motion was made by Councilperson Bishop and seconded by Councilperson Simmons to split the Fuel Bid. All in Favor. MOTION CARRIED.

Highway Superintendent Randy Durham reported on the Highway Department. He stated that John Walsh had 80 hours of vacation time and two Roving Holidays owed to him for the year 2017, and that he would not be returning to work until 2018. He asked the Board to pay him for his vacation time. After discussion, it was the consensus of the board to pay John Walsh for the time he had coming to him.

Highway Superintendent Durham asked that the board approve, and the Town pay for the annual Highway Department Christmas breakfast, date to be determined, to be held at Tripps in December. The breakfast would also include all paid Town of Fowler employees. After discussion, it was the consensus of the Board to approve the breakfast.

Highway Superintendent Durham stated that the plow trucks are in the Town Barn, and that one truck needs an inspection. He stated that December was going to be a month of meetings. He has a meeting with Don Chambers and Andy Willard on Friday December 9, 2017 at 9 AM. There would be discussion on the Island Branch bridge transfer point and the need to get it fixed.

Highway Superintendent Durham stated that the paperwork was done for the grant for River Drive, and he expected it to be approved in June. The Town should anticipate a cost of \$2,000. He then asked the board for permission to apply for another grant, to buy an excavator. The grant would be for \$50,000, with the Town paying the remainder of the balance at delivery, in the amount of \$60,000. He stated that the grant would take 1 and ½ years, and the new excavator would be smaller than what the Town has now. Councilperson Bishop asked Highway Superintendent Durham who the grant was through. Highway Durham stated that it was through Senator P. Ritchie's office. Councilperson Bishop stated that he would need to abstain from the decision as he works for the State. After discussion, it was the consensus of Councilperson Simmons and Supervisor Cappellino that the grant could be applied for.

Highway Superintendent Durham stated that the loader is "shot". He stated that it gets used every day in some way. He would like to put the loader out to bid. Supervisor Cappellino asked how old the loader is. Highway Superintendent

Durham stated that the loader is 14 years old. Supervisor Cappellino stated that it would not hurt to get some prices. Highway Superintendent Durham thought that they could get \$30,000 for the loader, and that he would get some quotes from CAT.

Highway Superintendent Durham reported that 7.43 miles of road are ready to be paved next year in the Town of Fowler. He added that he may have gone overboard. He listed 2018 roads to be paved as follows: Sullivan Road, Fullerville Road, Dashner Road, Stone Road, Orebed Road, and Upper California Road. He then stated that roads to be paved in 2019 are as follows: River Road, Emeryville Road, and the Battle Hill Road.

CEO Glen Besaw reported that 4 building permits had been received and approved, and that there had been no complaints. Mr. Besaw stated that he had met with Dave Blevins in regard to the issue of continuous water pooling in the Town Hall basement. He stated that the water is likely due to the basement being 3 ft. lower than the driveway. Mr. Besaw stated that there are a couple of ideas that were recommended to help remedy the situation. CEO Besaw stated that the Town of Fowler has no local law that states that the Town needs a Planning Board. Councilperson Simmons stated that she felt the Planning Board should meet every 3 to 6 months.

Assessor Chair Sherry Geer reported that she has been busy getting the Assessor Office organized and ready for the two new elected assessors. Tami Gale reported that the Data Collection was going slow for the month of November, and that she was getting back at it in December.

Town Historian Karen Simmons reported that everything was the same with the Historian Office. She stated that Supervisor Cappellino had been helping her with cemetery details.

Councilperson Simmons reported for Dog Control Officer Dan Moyer. She stated that Dan had met with a representative from Jefferson County USDA Ag and Markets Inspector in regard to Dog Control paperwork for the Town of Fowler. Councilperson Simmons stated that all paperwork was found to be in good order.

Councilperson Simmons reported that there had been an incident on the River Road on Saturday the 3<sup>rd</sup> of December involving 2 dogs and 2 people.

Councilperson Simmons reported for Dan Moyer on Beaver Control. She stated that Dan is still checking the Swiss Hill Road for beaver activity. Highway Superintendent Durham stated that there has been no activity there since the new culverts were put in.

Deputy Town Clerk Tami Gale reported for Town Clerk Kelly Harmer that she had issued 26 Dog Licenses for the month, had been busy assisting with the issuance of building permits, notary duties, and working on the completion of the Town of Fowler 2018 Newsletter. The Town Clerk would also like to wish everyone a Safe and Happy Holiday and New Year.

Councilperson Bishop asked Highway Superintendent Durham if the Highway employees from Gouverneur had come to give a class to the Town of Fowler Highway employees on operating the new boom mower. Councilperson Bishop stated that Highway employee Larry Allen was doing a good job mowing, and reminded Highway Superintendent Durham that they still needed "Mowing Ahead" signs for safety concerns. Councilperson Bishop asked Highway Superintendent Durham if he had received the bill from Viking. Mr. Durham stated that he had not. Councilperson Bishop asked Mr. Durham if the sander had come calibrated. Mr. Durham stated that it was done by Viking.

Councilperson Simmons stated that she had been helping Town Clerk Kelly Harmer with the 2018 Town of Fowler Newsletter. Councilperson Simmons reported that the Town does not need a Board of Appeals, due to the Town of Fowler not having any zoning laws. Town Clerk Harmer and herself had obtained this information by contacting the County Planning Office in Canton.

Councilperson Simmons stated that the Planning Board needs to have 5 or 7 members on the board. The Planning Board currently has 4 members, and she suggested that CEO Besaw be appointed to this board at the January Organizational Meeting for the Town of Fowler on January 2, 2018.

Councilperson Simmons wanted to remind all the newly elected people that they need to attend the January 2, 2018 Organizational Meeting to complete their Oath of Office.

Ron Blair stated that he and his wife had purchased the former Fowler School and wanted to share with the Town of Fowler their plans for the building. Mr. Blair stated that he is going to use it as a 55 and older housing community. He and his wife intend to live in one part of the building, and they will have 9 other units besides theirs, without changing the structure.

Supervisor Cappellino asked Mr. Blair how he was able to make it a 55 and older housing only. Randy Durham stated that Mr. Blair and his wife, being private citizens can do so legally.

Mr. Blair stated that the heat is going in the building. The primary heat source was “shot” as it had been left to freeze and break. He stated that he had been 5 days working on the “waterworks”. Mr. Blair stated that there would be 1 or 2-person units, with no children. Mr. Blair opened his floor plan for the building and let all in attendance view the plans. The attendees at the meeting were impressed with the plans.

Supervisor Cappellino asked the Board to accept the resignation of Jeff Andrews from the Planning Board. Mr. Andrews submitted his resignation due to his recent election to the Fowler Town Board. A motion was made by Councilperson Bishop to accept the resignation from Jeff Andrews from the Planning Board, and seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

Supervisor Cappellino provided dates for training to board member elect Jeff Andrews if he was interested.

A motion was made by Councilperson Simmons to sign the yearly agreements for the Town of Fowler, and seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

Supervisor Cappellino asked the Board to determine a date and time for the Town of Fowler Year End Budget Transfer Meeting. After discussion, it was decided that

the meeting will be held on December 28, 2017 at 9 AM at the Fowler Town Hall. This meeting is open to the Public and will be advertised in the Tribune Press.

Supervisor Cappellino announced that the Official name of the falls located on the Fullerville Road is Fullerville Falls.

The bills audited for the General and Highway Fund were #431-#463, with a total of \$13,291.41.

The next regularly scheduled board meeting will be on Tuesday, January 2, 2018 at 7 PM.

A motion was made by Councilperson Simmons and seconded by Councilperson Bishop to adjourn the meeting at 9:12 PM. All in Favor. MOTION CARRIED.

Tami Gale; Deputy Town Clerk