

## **Town of Fowler February 12<sup>th</sup>, 2024, Justice Audit & Town Clerk Audit and Regular Scheduled Board Meeting at 6PM.**

The Town of Fowler Justice Audit & Town Clerk Audit and Regular scheduled Town Board meeting was held on the above date with 4 Board members present. Councilperson Bishop attended via teleconference. Also present were Town Clerk Tami Gale, Town Justice Tim Knowlton, Code Enforcement Officer Glen Besaw, Assessor Chair Kathleen Besaw, Highway Superintendent Randy Durham, Planning Board Chair Steve Gale and John and Deb Walsh.

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, thankfully reporting there were no deaths of town residents since the last board meeting.

Supervisor Newvine asked for a motion to approve the minutes from the January 8, 2024 Organizational Town board meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Knight. All in Favor. MOTION CARRIED.

### **2024 AGREEMENTS**

Supervisor Newvine presented three Agreements that are executed yearly to the Town board for their consideration, and asked for a motion giving him permission to sign the following:

1. **CEMETERY AGREEMENT** (HAILESBORO CEMETERY ASSOCIATION) IN THE AMOUNT OF \$5,000. A motion was made by Councilperson Simmons seconded by Councilperson Cleveland and carried.
2. **READING ROOM AGREEMENT** IN THE AMOUNT OF \$1,400. A motion was made by Councilperson Simmons seconded by Councilperson Cleveland and carried.
3. **RECREATION CENTER AGREEMENT** IN THE AMOUNT OF \$1,200. A motion was made by Councilperson Knight seconded by Councilperson Simmons and carried.

### **RESOLUTIONS**

#### ***RESOLUTION #8 of 2024***

#### ***Support for the continued operation of the New York Correctional Facilities in St. Lawrence County***

Supervisor Newvine submitted Resolution # 8 of 2024, a Resolution in support for the continued operation of the New York Correctional Facilities in St. Lawrence County, in response to Governor Kathy Hochul's release of her proposed 2024-2025 Executive Budget on January 23, 2024, which included legislation to close up to five (5) State correctional facilities.

A motion was made by Councilperson Knight seconded by Councilperson Simmons to adopt resolution # 8 of 2024. All in Favor. MOTION CARRIED.

**AYES: 5 NEWVINE, SIMMONS, BISHOP, CLEVELAND, KNIGHT**

**NAYS: 0**

### **JUSTICE COURT AUDIT & TOWN CLERK AUDIT OF 2023 BOOKS**

Supervisor Newvine noted the 2023 books and records of Town Justice Timothy Knowlton, and Town Clerk Tami Gale were presented to the board for review this evening and remained open for public inspection during the regular board meeting. The audit conducted by the town board members was completed at the end of the board meeting.

**RESOLUTION # 9 of 2024**

**Justice Audit & Town Clerk Audit of the 2023 Books**

A motion was made by Councilperson Cleveland seconded by Councilperson Knight to adopt a resolution to allow the Town Board to audit the Justice Department 2023 books & the Town Clerk 2023 books. All in Favor. MOTION CARRIED.

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

The 2023 books and records of Town Justice Timothy Knowlton and Town Clerk Tami Gale were presented for review. The board examined the records and dockets and verified that the records of criminal actions stated the names of the sworn witnesses as well as residence information. The records were duly examined and, it was determined that the fines therein collected have been turned over to the proper officials of the Town of Fowler as required by law. The Town Clerk's records, including the deposits of all funds, were determined to be in order. **\*\*Special Note: Councilperson Bishop, who attended the meeting via teleconference, audited the 2023 books and records of Town Justice Timothy Knowlton and Town Clerk Tami Gale on Thursday, February 15<sup>th</sup>, 2024.\*\***

**RESCIND RESOLUTION #18 OF 2023 (LOCAL LAW No. 3 OF 2023) LAND USE LAW & REGULATIONS**

Supervisor Newvine reported that under the direction of the Clerk of the New York State Department of State, Local Law No. 3 of 2023 Land Use Laws & Regulations needed to be re-passed, as it was passed in the year of 2023, (December 27, 2023) and received by their office in the year of 2024. It was reported that all of the information in the 62 -page law remains the same. The only difference is the new date of adoption. A motion was made by Councilperson Simmons seconded by Councilperson Cleveland and carried.

**RESOLUTION #10 of 2024**

Supervisor Newvine submitted Resolution #10 of 2024, a Resolution enacting Local Law No. 1 of 2024 – Land Use Law and Regulations for the Town of Fowler, a Local Law addressing dock regulations, as well as, pursuant to the recommendation of the County, consolidating all the amendments to the Land Use Law, Repealing Local Law No. 1 for the Year 1996, Local Law No. 1 for the Year 2019, Local Law No. 1 for the Year 2020, Local Law No. 3 for the Year 2021, and Local Law No. 4 for the Year 2021, and providing for a new comprehensive Land Use Law and Regulation for the Town of Fowler, for adoption.

A motion was made by Councilperson Simmons seconded by Councilperson Cleveland to adopt Resolution #10 of 2024, enacting Local Law No. 1 of 2024. All in Favor. MOTION CARRIED.

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

**BEAVER CONTRACT**

Supervisor Newvine discussed the Town of Fowler Beaver Contract is in effect from March 1<sup>st</sup> to December 31<sup>st</sup> and reported Dan Moyer of Moyer's Wildlife Control had requested no changes in the contract as he had received an increase by \$25.00 per beaver site last year to offset the current gas prices. Supervisor Newvine asked for a motion to award the beaver contract to Moyer's Wildlife Control for 2024. He will continue to be paid \$300.00 per site. After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Knight to award the beaver control contract to Moyer's Wildlife Control for the year 2024. All in Favor. MOTION CARRIED.

## Town Department Reports

### **Justice Department**

Town Justice Timothy Knowlton reported:

- It had been a busy January, with 6 penal law cases, 31 vehicle and traffic cases, 2 civil cases, and a couple of evictions that went to mediation and have been taken care of.
- There were no DWI arrests, no aggravated unlicensed operation arrests.
- He has been called in for quite a few arraignments, largely due to criminal possession of controlled substance arrests of individuals in the Town of Fowler.
- He was supposed to have a couple of preliminary hearings, for individuals he has remanded to jail for qualifying offenses. He reported the hearing must be conducted within 144 hours of being remanded to jail. He reported the DA's office had decided not to do that and had released the individuals from jail.

### **Bookkeeper**

Supervisor Newvine reported for Bookkeeper Barbara Finnie who was not in attendance:

- Everything is going well.
- There are no reports provided this evening for Town of Fowler Cash Balance month ending January 31, 2024, Budget Balance month ending December, 2023 & Budget Balance month ending January 31, 2024 as she is still working on the 2023-year end reports, and she will provide them to the board at the March 11, 2024 meeting.

### **Assessors**

Assessor Chair Kathleen Besaw reported:

- They have been cleaning up all of the valuations that need to be done for the end of the year.
- The assessment closes on March 1<sup>st</sup> and everything that is recorded will be the basis for the 2024 school taxes and the 2025 County taxes.
- The town has received a new equalization rate. It has gone from 8.8% down to 8.0%. She reported that when she became an assessor over four years ago, the equalization rate was at 12%.
- She had met with Bruce Green, Director of the Real Property Department after the board had discussed what a revaluation entails and has learned she can do a revaluation for the Town of Fowler and reported if that is what it takes to get a revaluation done in this town, she is willing to do it.
- She reported that there is usually a contract drawn up between the assessor and the town, and a general charge for the assessor is between \$10,000 and \$12,000 considerably less than what it would cost to have an outside company performing it.
- She completed a reassessment of all the board members' properties, so that they could see what the impact of a reassessment may be like.
- She reported some of them would go up, some of them would go down, and some would stay the same, like it would be throughout the Town of Fowler.

Supervisor Newvine asked when the process would begin if it were the consensus of the board to move forward with a reevaluation of the town. Assessor Besaw reported it would be 2026 and the tax base would not come into effect until the year of 2027, as it is always a year behind.

- She reported that 1,016 data cards out of 1,764 properties requiring data cards in the Town of Fowler have been completed.

Supervisor Newvine asked if the data cards needed to be done before a revaluation can be done. Assessor Besaw reported that was correct.

- She reported that a referendum was not required to have a revaluation done. The only people who need to vote on conducting a revaluation are the board members.

Supervisor Newvine stated it wouldn't be discussed this evening, and thanked Assessor Besaw for all her work.

### **Historian**

Historian Karen Simmons reported:

- She is still looking for names of people from the Town of Fowler who served in the Korean Conflict with plans on having the plaque designed by this year's Family Day.
- She will be taking a trip to the Silas Wright museum in Canton in search of more information.

### **Animal Control**

Councilperson Karen Simmons reported for Dog Control Officer Dan Moyer who was not in attendance:

- There has been a lot going on with dog control in the Town of Fowler.
- There is 1 dog in the kennel whose owner is incarcerated, and they are trying to figure out what can be done with the animal.
- 1 dog had been picked up from the kennel after the dog was licensed by its's owner and fees were paid for.
- Thanked Councilperson Cleveland for his work in feeding, watering, and cleaning up the dog in the kennel prior to the meeting. It was discussed that due to someone doing damage to the lock on the kennel over the weekend, it could not be accessed by Dog Control Officer Dan Moyer.
- Maintenance worker Byron Woodward replaced the damaged lock. It was discussed that Court Clerk Ashley would be asked to view the video recordings on Tuesday.
- A complaint was received from an individual on the River Road that dogs were coming onto their property constantly.

### **Code Enforcement**

Code Enforcement Officer Glen Besaw reported:

- At the end of the month and when snow is not a factor, he is going to start issuing orders to remedy instead of stopping to ask people to clean up their properties. He reported issuing orders to remedy will allow the violators 30 days to comply and then he will issue a ticket answerable in the Town of Fowler Court if they do not, as he has found that people just don't comply otherwise.
- He has not been able to find any Code Enforcement Officer online training available on the State website. He reported the training that serves the Town of Fowler the best is going to be held in Syracuse in the month of April. He stated he thought the cost was \$400.00 this year plus the cost of the hotel, and asked the board if they were ok with him registering for this training. It was the consensus of the board that Code Enforcement Officer Besaw register for the training.
- Reported he is still waiting for the flood maps to come out.
- Asked Supervisor Newvine if he has heard anything from the DEC regarding the flood plain violations. Supervisor Newvine replied he hadn't heard anything new on the matter.
- He still has a few permits to close out before he completes the year end report. It was discussed he had until April 1<sup>st</sup> to complete the report.

## **Town Clerk**

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were \$380.00 with the Town of Fowler Commission being \$4.18. She had issued 1 certified marriage transcript, issued 15 death certificates, licensed 32 dogs, collected \$20.00 in dog kennel fees, collected \$60.00 for rabies shots for dogs that were in the kennel, handled one building permit, and had taken in \$19.25 in photocopies.
- Bottle & Can money was received in the amount of \$80.10.
- Scrap Metal Check was received in the amount of \$331.00 for 3.41 tons of scrap metal.
- Received the \$1,200 check for the 1998 Plow Truck BID.
- Reported January was a very busy month of collecting taxes. They are 73.62% collected, with the Town of Fowler being paid \$749,789.00 for the town's share of the 2024 Town and County Tax Warrant, and the Treasurer's Office being sent a check in the amount of \$880,000.00 in money that has been collected over the Town of Fowler's share of the 2024 Town and County Tax Warrant.
- Thanked both Deputy Town Clerk's Kim Reed and Debra Tupper for their work in January.
- Asked if the court could have their own cash drawer, with \$100.00 that is there permanently to make change for people with, as the court attendees coming to my office for change are cleaning me out of my smaller bills on hand. She reported she wasn't sure why they didn't have this already as court fines must be paid by cash, money orders or credit cards and checks are not accepted. It was the consensus of the board to approve the court to maintain a \$100.00 change drawer.
- Reported the NYS Tug Hill Commission is offering training at the 33<sup>rd</sup> Annual Local Government Conference on Thursday, May 2, 2024 7:30 am to 4:15 pm at the Turning Stone Conference Center if anyone is interested in attending the conference, I will get you signed up. I would need to sign you up by April 1<sup>st</sup> for the best savings.

## **Highway Department**

Highway Superintendent Randy Durham reported:

- He had provided board members with a copy of the Town of Fowler's policy for mailboxes on highway rights-of-way.
- The Town of Fowler does not replace mailboxes; however, the highway department laborers do get sent out to try to fix mailboxes that have been damaged during road maintenance.
- He will be attending advocacy day in Albany and will be leaving on the 5<sup>th</sup> and returning on the 6<sup>th</sup>.
- Asked for permission to write a letter to Don Chambers – St. Lawrence County Superintendent of Highways, to have the County do the Town of Fowler paving again as it saved a lot of money last year.

Supervisor Newvine asked if we wanted to use the County again, recalling a few issues. Hwy. Superintendent Durham stated the only issue was they were slow in getting to the Town of Fowler, stating that it had saved a lot of money.

- He will have an appointment with Don Chambers – St. Lawrence County Superintendent of Highways, to discuss a proposed road swap, which would trade the Balmat- Fowler Rd, for a segment of road at the end of CR 22 by the Emeryville Rd bridge.
- Hwy. Superintendent Durham reported he felt this is a good idea.
- He is almost done finalizing the paving that he would like to do for the year. Supervisor Newvine asked Hwy. Superintendent Durham to provide the board with an approximate cost of the paving he would like to see done.

- The new plow truck has been out 3 times and is performing well.

## **Planning Board**

Chair Stephen Gale reported:

- There will be a Planning Board meeting on February 13<sup>th</sup> at 5:00 pm to conduct a property division on the Sullivan Road.
- They are looking for a new member to join the Planning Board to replace Councilperson Leo Knight Jr. who must resign from the position due to becoming a Town Council member.

## **RESIGNATION**

Supervisor Newvine read aloud a letter of resignation from Leo Knight Jr. as planning board member, due to it being a possible conflict of interest since being elected as a council member.

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

## **PAVILION RENTAL DISCUSSION**

Supervisor Newvine reported that a taxpayer had asked if they could bring a rented water slide for use while renting the pavilion. Supervisor Newvine called the town's insurance company to look into the matter and had received guidance that he shared with board members prior to the meeting; and asked their thoughts. Councilperson Cleveland agreed with the guidance of the insurance company, that the best practice is not to allow such items on town property. He reported he felt it was not a good idea, stating several reasons: for instance, it would need a water source that would need to be provided by the Town of Fowler. He stated when you rent the pavilion, that is all you rent. The playground, and the lawn aren't being rented, just the pavilion, so if other children show up to use the playground and see there is a waterslide who is going to tell them they can't use it, and if they do use it without permission of the person renting the pavilion, who is going to be liable. Supervisor Newvine reported he had asked the taxpayer to check with the waterslide provider to see if they have an insurance policy and could name the Town of Fowler as an additional insured, then he would not have a problem with it. Councilperson Simmons, Bishop and Knight agreed with Councilperson Cleveland and were not in favor of allowing such items on town property.

Councilperson Simmons discussed she felt the basketball hoops located near the dog kennel needed to be taken down, as she feels their location is resulting in issues at the dog kennel and she is concerned for the safety of persons, other than workers, being in that area during the highway department work hours.

It was discussed that there is going to be a new basketball area paved, and a new basketball hoop installed closer to the playground/pavilion area this summer.

Councilperson Cleveland discussed he is in the process of pricing the new equipment.

## **RECOGNITION**

Supervisor Newvine reported that the Town of Fowler had inadvertently overlooked a recognition at the May 8<sup>th</sup>, 2023 board meeting where John Walsh was recognized for his 18 years of dedicated service to the Town of Fowler, and presented Debra Walsh, wife of John Walsh, with flowers to show the Town's appreciation to her as well, as has been customarily done in the past for spouses, and extended an apology for the oversight.

## **Councilmembers**

**Councilperson Cleveland:**

- Suggested the town have maintenance worker Byron Woodward install some ice guards on the roof of the pavilion.

- Is contacting the company that the new spring ride toys for the playground were purchased from to complain about their product, and see if there is a fix to the problem, he has found 2 of the 3 new spring ride toys to have.

**Councilperson Leo Knight Jr. :**

- Asked the board their thoughts of getting four new overhead doors for the bays in the highway department. It was discussed Hwy. Superintendent Durham would obtain some quotes.
- Discussed the highway department does not have a jump pack to jump start a non-starting vehicle if the occasion required it. It was the consensus of the board to have Hwy. Superintendent Durham acquire one.

**Councilperson Karen Simmons:**

- Thanked everyone who contributed to the chicken BBQ held on Saturday, February 10, 2024.
- The BBQ was sold out and to date \$1,589.00 has been collected between donations and the cost of the meal, and an additional check in the amount of \$20.00 is being mailed to the Town.
- It was discussed that next year the amount of chicken needs to be increased as there were many people who wanted to participate in the event.
- In the month of January there were 19 visits to the HAP Program.
- The food programs had received a \$100.00 donation from Stepping Stone church and a \$500.00 donation from the Fowler Mission Circle.
- The next delivery for the SOS Program will be made by the last Friday in March. There are 99 households who are receiving the deliveries.
- Congratulated Steve and Tami Gale, on their anniversary, who were married at the Fowler Town Hall 30 years ago today.

**Councilperson Lynn Bishop:**

- Had no further questions or comments.

**Supervisor Ricky W. Newvine:**

- He has received notification that the Town of Fowler will be receiving an increase in the grant for the REC Program, going from \$3,000 to \$4,000.
- Discussed if the plans to try to have music at the pavilion comes to fruition, that he had spoken to Bill Farr, and he would be willing to perform using the pass the hat payment method.
- Discussed the need to set up a meeting for Fowler Family Day. It was decided that Thursday, February 29<sup>th</sup> would be the first meeting for anyone who would like to attend.

**There was no Public Comment.**

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

The bills audited for the General and Highway Fund were # 12 to # 56 with a total of \$44,252.86.

The next regular scheduled board meeting will be held on March 11th, 2024, at 6:00PM.

With no further business, on a motion of Councilperson Cleveland, seconded by Councilperson Simmons, the February Audit & Regular Town Board meeting was adjourned at 6:55PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk