

## **Town of Fowler Meeting Minutes for May 1, 2018 at 7 PM**

The Regular Meeting for the Town of Fowler was held on the above date with all Board Members present. Also present were Town Clerk Kelly Harmer, Highway Superintendent Randy Durham, Assessor Phyllis Shaw, Newly Appointed Court Clerk Irma Ashley, Dog Control Officer Dan Moyer, CEO Glen Besaw, Vicky Cappellino, Tami Gale, Steven Gale, Dan Fifield, Lillith Griffith, Vernon Fuller, Linda Hill, St. Lawrence County Legislator Joel Lapierre, Erin Gates, Marty Gates, Sharon Gates, Cody Fuller, Nick Fuller, Lisa Durham and Rachel Hunter from the Gouverneur Tribune Press.

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

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to approve the minutes of the April 3, 2018 meeting after a correction is made to add Dan Moyer to the list of people attending the minutes and change the mowing bid from Dan Fifield to \$9,800 instead of \$9,850. All in Favor.

MOTION CARRIED.

A motion was made by Councilperson Newvine and seconded by Councilperson Andrews to accept the minutes of the Emergency Meeting held on April 11, 2018. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to accept the minutes of the Emergency Meeting held on April 28, 2018. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Newvine and seconded by Councilperson Andrews to appoint Irma Ashley as our new Court Clerk. All in Favor. MOTION CARRIED. Supervisor Cappellino gave Ms. Ashley her Oath of Office. Supervisor Cappellino stated that Donna Brown would stay on as a fill-in Court Clerk.

Dog Control Officer Dan Moyer stated that he had been working on contacting the people on the delinquent dog report that Councilperson Simmons had given him. Mr. Moyer stated that he issued 3 tickets to Fowler residents who were

delinquent in licensing their dogs. He reported that there had been an issue with a dog running at large on the River Road. He spoke with the owner and they licensed their dogs. Mr. Moyer also stated that the complainant did not have her dogs licensed so Mr. Moyer will have her get her dogs licensed as well.

Mr. Moyer reported on the Beaver Control stating that he had gotten 5 beavers on the Chub Lake Road. Supervisor Cappellino stated that he had a contract ready for Mr. Moyer to sign. After reading the contract, Mr. Moyer stated that the part about replacing the tube parts should come off. The Board agreed. The contract will be revised, and Mr. Moyer will come to the Town Hall and sign it.

CEO Glen Besaw stated that he had issued 6 permits and hadn't received any complaints. Mr. Besaw stated that he had been driving around and noticed there were a few buildings that look a little dangerous that he will be looking into. Councilperson Simmons told Mr. Besaw that there had been someone dumping garbage on the Sylvia Lake Road. Mr. Besaw said that he will go and check it out. He stated that there was garbage being dumped down by ZCA and the pump house. Councilperson Andrews asked Mr. Besaw if he addressed an issue with garbage and rats at a house on County Route 22. Mr. Besaw stated that he hadn't yet, but he will be addressing that issue soon. Councilperson Bishop asked Mr. Besaw if he had noticed a sewer smell near Tripp's Fuels and asked if he knew where it was coming from. CEO Besaw stated that he hadn't smelled anything but will check it out. Mr. Besaw stated that if anybody does see any concerns that should be addressed, please let him know.

Town Clerk Kelly Harmer reported that she collected 89.11% of the tax warrant which equals about \$1.8 million. She issued 40 dog licenses, a marriage license, 2 marriage transcripts, 3 death certificates and \$105 in hunting and fishing licenses.

Assessor Phyllis Shaw stated that the Assessors would be sitting with the Tax Roll on May 2 from 4-8 PM, May 5 from 9-1 PM, May 16 from 4-8 PM, and May 19 from 9-1 PM. Grievance day will be May 22, 2018 from 4-8 PM. Ms. Shaw stated that her and Assessor Andrew Miller attended Orientation last week. Data Collector Tami Gale is still working on getting data from State Highway 58. When she is finished she will start on the Popple Hill, Glasby and Gulf Road.

Highway Superintendent Randy Durham reported that the CHIPS money finally came in. The Town of Fowler Apportionment for CHIPS would be \$134,751.90, \$30,756.99 for PAVE NY, and \$25,431.51 for Extreme Winter Recovery. The total would be \$190,940.40. Mr. Durham thanked the County for pounding in the guiderail posts on the Bay Road by the Twining residence. He stated that the County charged the Town \$1,000 for doing it but took the charges off in shared services. Mr. Durham stated that the Highway Department has a shadow from BOCES that will be here a few hours a day, 4 days a week until the end of May. Mr. Durham reported that he received an email from the state saying that the Town of Fowler has been approved for a \$100,000 grant that will go toward the purchase of a new loader. Mr. Durham stated that the Town's portion for the Loader would be about \$5,000. Supervisor Cappellino commended Mr. Durham for doing a great job.

After some discussion, a motion was made by Councilperson Newvine and seconded by Councilperson Bishop to apply for a speed reduction on the Country Club Road to extend it from 193 Country Club Road to the Smith Road intersection. The current limit stops at 193 Country Club Road. All in Favor.  
MOTION CARRIED.

Highway Superintendent Durham asked the Board for permission to put the following roads out to bid- Sullivan Road, Fullerville Road, Dashner Road, Stone Road, Orebed Road, California Road, and the Sand Road. He stated that these roads were all ready to be done except for one culvert that needs to be replaced. Councilperson Andrews stated that there were residents from the Emeryville Road that would like to talk about the condition of their road. Resident Sharon Gates stated that the Emeryville Road was so bad that cars were falling apart and that the patch they are using is just a waste of money. Erin Gates spoke up and said the road was unacceptable and horrendous. She had to miss a day of work and her children had to miss school when the road was flooded because the bus couldn't get through. She stated that with the bridge closed it is their only way out. She said that if her and her husband had known that the bridge would not be replaced they would never have built their house there. Supervisor Cappellino said that the Board was going to go into Executive Session later that evening

concerning negotiations with the County over the Emeryville Bridge. Vern Fuller, from the Emeryville Road, stated that the UPS delivery man will only come up that road once a week because packages are getting damaged on the truck from the condition of the road. He also stated that his daughter received a concussion while on the school bus from the bus hitting a bump in the road. Highway Superintendent Durham stated that the road had not been done in 13 years. His plans were to cut shoulders, replace culverts this year and grind it up next spring. After much discussion, a motion was made by Councilperson Bishop and seconded by Councilperson Newvine to do the Emeryville Road this year and put all the roads including the Emeryville Road out to bid to come in at the June 7, 2018 meeting. All in Favor. MOTION CARRIED.

Highway Superintendent Durham asked the Board if he could hire summer help this year. It was the consensus of the Board to hire summer help. Councilperson Andrews asked Mr. Durham if the 2012 truck was being fixed. Mr. Durham said that it was at Route 11 trucking and that it was going to cost \$10,000 to fix it. Mr. Durham stated that the 1991 truck needs a new engine block, so they are going to take it out of the 1993. Even though it is a 1991 it is worth fixing because the cost to replace it would be \$250,000.

Councilperson Newvine informed the Board of the need to have a meeting to designate the necessary signage and steps of security to prevent any further theft of scrap or any other Town property. Supervisor Cappellino will call NCC systems to have a camera installed to monitor the scrap bin and surrounding area. Councilperson Newvine advised the Board and attendees that he failed to follow procedure setting up the 2 emergency executive session meetings held last month. The media (Tribune Press) was notified by telephone but he failed to also inform Town Clerk Harmer, so she could properly post that information not only in the Town Hall, but also on the Town website. The Committee on Open Government was notified of this failure, acknowledged the error but felt a reasonable effort had been made. Councilperson Newvine will adhere to policy in the future. Councilperson Newvine was asked by Supervisor Cappellino to formulate a fee schedule for any F.O.I.L requests but found that a policy is already in place and Town Clerk Harmer has been correctly following the proper

procedure. Minutes of any meeting are free to any Town resident while any other FOIL request costs .25 cents per page. Any necessary postage is the responsibility of the requestor.

Mr. Newvine thanked the Town for the donation made to the Indian River Booster Club in honor of his brother-in-law who recently passed.

Mr. Newvine also stated that the ballfield looked good. He stated that a softball team has been using it. He stated that the porta-potties would need to be there by May 15. Mr. Newvine reported that the Sylvia Lake Beach would be opening at the end of June and that last years Supervising Lifeguard was interested in working again this year. Mr. Newvine stated that we would need to find a few more lifeguards.

Supervisor Cappellino discussed replacing all three exterior doors in the Town Hall with the Town Board. The consensus of the Board was to ask Jack Woodward, Dick Cutway or Andrew Miller if any of them were interested in doing the job.

Supervisor Cappellino stated that Councilperson Simmons and himself will meet with Bob Buddenhagen, from the Hailesboro Cemetery Association, to discuss cemetery issues.

Mr. Cappellino stated that the Town Board had received the energy audit from Smart Watt. It showed that switching everything over to LED would be a great savings over a period of time. It was the consensus of the Board to have Link Electric install the new LED lights for the Town Hall and the Town Barn for \$1,500, which would be for labor only.

Supervisor Cappellino stated that Councilperson Andrews would now be the new liaison for the Highway Department and Councilperson Bishop would be the liaison for the Mowing of the Cemeteries and Town properties. Mr. Cappellino also stated that the Union contract would soon be up again, and he asked the Board who would be interested in setting in on the negotiations. Councilperson Andrews said he would be interested. Supervisor Cappellino stated that he would also participate.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to advertise for bids for the work that needs to be done in the basement to come in at the June 7, 2018 meeting. All in Favor. MOTION CARRIED.

St. Lawrence County Legislator Joel LaPierre stated that the County has not forgotten about the Emeryville Bridge. He stated that 2 bridges that were on the list to be done in a few years got moved up because the one in Russell had a piece of beam fall off into the water and another bridge in Waddington had a broken sewer and water line running across it. Mr. LaPierre said he is just one vote and there are bridges with more traffic that need repairing, so it is difficult to bring up. He stated that Supervisor Cappellino is still trying to get the bridge replaced. Mr. LaPierre said on a brighter note that the sales tax is in for 2018 and it is just a little more than anticipated. He is hoping that after the next 3 quarters come in like the 1<sup>st</sup> quarter the County will not have to borrow money again this year. Mr. LaPierre commended the County Administrator and Department Heads for their great work. The County is continuing to cut costs and the Health insurance has been revamped. Mr. LaPierre stated that hopefully they will get the finances and fund balance back up and then they would look at bridges again. Resident Vern Fuller thanked Mr. LaPierre for everything that he does. He also asked Mr. LaPierre if there was any talk on taking the bridge out. Mr. Lapierre said that there has been no talk about that. Mr. LaPierre stated that Bill Sheridan from Hammond will be running for St. Lawrence County Legislator.

Resident Linda Hill got up and introduced herself to the Board. She stated that she has lived here for over 28 years and she is very concerned about her Town. Recently there was an incident that occurred on Town property that Mrs. Hill was a witness to. She wanted the Board to know that if they had a question about that or anything else to come to her or call her at (315)287-0616. She stated not to question her husband on the matter because she was the one that witnessed it, not him.

Councilperson Newvine congratulated Gouverneur Tribune Press reporter Rachel Hunter for receiving the Citizen of the Year Award from the Gouverneur Elks Club.

Councilperson Simmons reported that the plans for the 3<sup>rd</sup> annual Fowler Family Day's is coming along good. She stated that there are raffle tickets available for chances at a Dewalt Air Compressor, Wilson Bickford painting, \$300 cash, \$200 cash and \$100 cash. They are \$2/ticket or 3 tickets for \$5. If you are interested in purchasing a ticket, you can get them from Kelly Harmer, Karen Simmons, Debbie Tupper, Tami Gale, Rick Newvine and Randy Durham. The drawing will be held at the Fowler Family Day on July 14 from 9 am–3 pm. There will be kid's games, raffle tables, chicken barbeque, old gasoline engines, classic cars, vendors and much more.

Supervisor Cappellino commended Councilperson Newvine for all the donations from Newvine's Auto Parts, not only to Fowler Family Days but to many other organizations and events.

A motion was made by Councilperson Newvine and seconded by Councilperson Andrews to go into Executive Session at 8:15 PM to discuss litigation. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Newvine and seconded by Councilperson Bishop to return from Executive Session at 8:41 PM. All in Favor. MOTION CARRIED. Supervisor Cappellino stated that they had discussed litigation with the County and a ditching issue with a resident.

It was the consensus of the Board to conservatively dig the ditch from the property line of Russ Young's to the culvert located on Art Besaw's property.

The bills audited for the General and Highway fund were #132- #175, with a total of \$57,078.53.

Supervisor Cappellino stated that he received a letter from the Hailesboro Cemetery Association thanking the Board for the generous donation.

The next regularly scheduled board meeting will be on June 7, 2018 at 7 PM.

A motion was made by Councilperson Newvine and seconded by Councilperson Bishop to adjourn the meeting at 8:45 PM. All in Favor. MOTION CARRIED.

Kelly Harmer; Town Clerk