

Town of Fowler June 13th, 2022, Minutes of Regular Scheduled Board Meeting at 6PM.

The Town of Fowler Regular scheduled Town Board meeting was held on the above date with all Board members present. Also present were Town Clerk Tami Gale, Town Justice Tim Knowlton, Highway Superintendent Randy Durham, Code Enforcement Officer Glen Besaw, Assessor Chair Kathleen Besaw, Assessor Robert Theriault, Ethics Committee Member Vivian Goodman, Ethic's Committee & Planning Board Member Vicky Cappellino, Data Collector Mike Cappellino, Planning Board Members Stephen Gale, & Leo Knight, Timothy Thomas, Joan & Rodney Shove.

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 for the families of Rory O'Neill, Alvin Stiles, and Robert LaRock, all Town of Fowler citizens who have recently passed, and in honor and recognition of Michael Gillette, who served as the Town of Fowler's Insurance liaison, and who did a lot for the Town for many years, and will be greatly missed.

Supervisor Newvine asked for a motion to approve the minutes from the May 9th, 2022, regular scheduled board meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

Supervisor Newvine asked for a motion to approve the minutes from the May 24th, 2022, Emergency Meeting for discussion on Highway Equipment purchases. A motion was made by Councilperson Andrews, seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

FOOD PROGRAM CHECK PRESENTATION

Councilperson Karen Simmons introduced Joan & Rodney Shove to the board with a presentation for the Support Our Seniors (SOS) Program and the Hometown Assistance Program (HAP) Program. The couple presented Chairwoman Simmons, with a check for \$911.35 to further the cause. The couple reported the funds presented this evening were raised through a long running rummage and bake sale held at 1591 County Route 22 in the Town of Fowler throughout the month of May and thanked all those who shopped or donated to the sale, for their support. Town of Fowler board members thanked Rodney & Joan for their hard work and generous donation. Chairwoman Simmons reported the check will be distributed equally to both the SOS and the HAP Programs.

OPENING OF BIDS RECEIVED FOR ROAD WORK 2022 - 2ND TIME ADVERTISED

Supervisor Newvine reported that 2 bids had been received for the 2nd advertised quote for road work to be done in 2022.

Councilperson Cleveland read out loud the bid received from JE Sheehan for Road Work 2022. The bid was received by 4:00PM on Monday, June 13th, 2022, and included a NON-COLLUSIVE BID Certificate.

Councilperson Simmons read out loud the bid received from Barrett Paving for Road Work 2022. The bid was received by 4:00PM on Monday, June 13th, 2022, and included a NON-COLLUSIVE BID Certificate.

BID ROADWORK RESULTS 2022, 2ND TIME ADVERTISED

<u>BIDDER</u>	<u>River Rd</u>	<u>Country Club Rd</u>	<u>Mobilization</u>	<u>Project Total</u>
Barrett Paving	\$259,756.00	\$91,416.00	\$3,080.00	\$354,252.00
Sheehan	\$442,842.00	\$152,935.00		\$595,777.00

Supervisor Newvine asked Hwy. Superintendent Durham how much money was set aside in the budget for paving this year. Hwy. Superintendent Durham reported over \$300,000 was in the budget for paving. He reported he had discussed the feasibility of the Town providing 10 to 15 trucks for the paving project which could save money from the bid project total.

Councilperson Andrews asked about the alternative paving plan by Dwain Rayburn that Hwy. Superintendent Durham had brought to their attention at the May 24, 2022, Emergency Meeting. Hwy. Superintendent Durham reported he was not impressed by the paving job that Dwain Rayburn had completed for a nearby town.

Supervisor Newvine asked the board their thoughts on awarding the 2022 roadwork bid. After further discussion, a motion was made by Councilperson Bishop seconded by Councilperson Andrews to award Barrett Paving the 2022 roadwork bid. All in Favor. MOTION CARRIED.

RESIGNATION

Supervisor Newvine read aloud a letter of resignation received on May 13th, 2022, from Thomas Peck resigning from the Town of Fowler Highway Department as summer laborer effective May 13, 2022.

Supervisor Newvine asked for a motion to accept the resignation. A motion was made by Councilperson Bishop seconded by Councilperson Andrews to accept Thomas Peck's resignation with regret. All in Favor. MOTION CARRIED.

ASSESSOR APPOINTMENT

Supervisor Newvine reported he had received a letter of interest from Timothy Thomas to apply for the 3rd tax-assessor position that is vacant within the Town. Supervisor Newvine reported Assessor Chair Kathleen Besaw had met with Mr. Thomas prior to the meeting to discuss the responsibilities of the position. After some discussion, a motion was made by Councilperson Bishop seconded by Councilperson Simmons to appoint Timothy Thomas to fill the vacant tax-assessor position until December 31, 2022. All in Favor. MOTION CARRIED. Town Justice Timothy Knowlton administered the Oath of Office to newly appointed tax-assessor Thomas, and congratulations were extended by those in attendance.

Town Department Reports

Justice Department

Town Justice Tim Knowlton reported:

- Court could not be held last week in the Town of Fowler as he had been summoned to serve on jury duty.

- He had attended a Magistrates meeting in the Town of Canton. The topic covered was centralized arraignments. He reported the County is leaning in this direction, and it is to come at no cost to the Town.
- Centralized arraignments would put an end to justices being called in to perform an arraignment, and instead the person charged would be held in a facility, incarcerated until the next arraignment session is given. He reported typically there is an arraignment held every morning at 9:00AM and again at 5:00PM.
- He reported the justices will all take turns being the arraigning justice for a period of one week. When it is his turn to serve as the arraigning justice, he would do so in the Town of Canton, for a period of 1 week, then the next on call justice takes over and so on. He will call twice a day to be sure there are arraignments to be done and will be paid \$250.00 a day. He has been told this is going to be at no expense to the Town. Supervisor Newvine questioned if it will be a chargeback to the Town. Justice Knowlton reported he has requested more information and will provide it to the board as he receives it.

Bookkeeper

Bookkeeper Barbara Finnie reported:

- She had provided Town of Fowler Cash Balance Reports for Month Ending May 31, 2022, and Budget Balances for Month Ending May 31, 2022, to the board members for their review.
- The General Fund is right on track being 43.79% spent and having received 67.76% of revenues.
- The Highway Fund is 54.38% spent and has received 105.00% of revenues.
- The pavilion/playground fund is at \$3,264.06 at the end of May. As of meeting day, the pavilion/playground fund is at \$2,752.40 as she had added in the revenue received and the bills received so far for the Month of June.
- The SOS/HAP fund is at \$1,887.93 at the end of May. As of meeting day, the HAP/SOS fund is at \$677.65 as she had added in the revenue received and the bills received so far for the month of June.
- Verified the scrap metal checks received for the next few months will be put into the family day line in the budget.

MILEAGE RATE INCREASE EFFECTIVE JULY 1, 2022

Bookkeeper Finnie reported the IRS mileage rate is increasing by 4 cents per mile effective July 1, 2022, from .58.5 cents a mile to .62.5 cents a mile, and reported the organizational meeting held in January recorded a motion to follow the IRS mileage rate and asked the board their thoughts on a new motion to record the change.

A motion was made by Councilperson Cleveland seconded by Councilperson Bishop to follow the IRS mileage rate and increase the mileage reimbursement paid per mile from .58.5 cents per mile to .62.5 cents per mile. All in Favor. MOTION CARRIED.

Assessors

Assessor Chair Kathleen Besaw reported:

- They had made it through grievance day. She reported she had done 82 assessments and had 3 grievances filed. Of the 3 complaints they were able to quickly resolve them. She reported she did

lower the assessments, even though the assessments were good, and found it interesting there were only 3 grievances considering the brand-new houses that were assessed and the prices that were put on them.

- She has turned in 21 new data collection cards and 15 up-dated data cards since the last board meeting.

Historian

Historian Karen Simmons reported:

- There isn't anything going on in the Historian's office right now.

Animal Control

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

- There were 2 dog complaints this last month which were taken care of.
- He received a call about a horse running at large on the Sylvia Lake Road which was resolved.
- The dog kennel had passed inspection from Ag & Markets and the only job left for maintenance worker Byron Woodward is to remove the outside fencing.

Beaver Control

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

- She had received a call from Hwy. Superintendent Durham concerning beaver activity on the County Club Road, by Barbarito's residence.
- Dan has been working on beaver activity on the Stone Road, Shantyville Road, and he will head to the Country Club Road to check on the beaver activity.

Code Enforcement

Code Enforcement Officer Besaw reported:

- He had received a letter from FEMA concerning the Town of Fowler not complying with FEMA regulations in regard to the flood plain and asked the board how it should be handled. It was discussed the work they are asking the local townships to perform is work that FEMA should be completing themselves. Supervisor Newvine advised CEO Besaw that he would look into it further and advise him how to handle it.
- Reported renovation work that is done to 50% of an existing building requires a building permit, and our fee schedule is missing the cost per square foot for this. After some discussion, CEO Besaw was advised to add a square foot cost he felt was fair.

Town Clerk

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were 392.00 with the Town of Fowler's Commission being \$21.64. She had licensed 40 dogs, collected \$10.00 in kennel fees, handled 11 building permit applications, and had collected \$20.00 from photo copies.
- Taxes are finished being collected for the year, with 93.22% of the tax warrant being collected. The final check was mailed to the Treasurer's Office with the balance due to the County and a final check was made to Supervisor Newvine for monies collected over the balance owed to the County.
- Bottle & Can money was received in the amounts of \$107.95 and \$64.50.
- A Scrap Metal Check was received for 2 scrap metal picks ups of 2.45 tons @ \$195.00 a ton, and 1.86 tons @ \$195.00 a ton, with a total of \$840.45.
- The Town Hall will open a little late Friday, June 24, 2022 as the election supplies for the primary being held on Tuesday, June 28, 2022, needed to be picked up. The Town Clerk's office will be closed for business on Tuesday, June 28, 2022.
- Sample Ballots are available if anyone needs to look at one.

Highway Department

Highway Superintendent Randy Durham Reported:

- He had received the yearly Access License Agreement between Edelweiss Holdings LLC and the Town of Fowler for the bus turn around on the Sand Road. A motion was made by Councilperson Andrews seconded by Councilperson Cleveland for Hwy. Superintendent Durham to sign the yearly agreement. All in Favor. MOTION CARRIED.
- Drivers trying to obtain their CDL license can no longer be trained by the highway department and need to go to schools which will cost between \$5,000 - \$7,000.
- It was discussed that JCC offers the classes, and the County is working on putting together a school for County employees only. Supervisor Newvine reported he would be attending a GDAC meeting and would inquire about it with a representative of the IDA.

Supervisor Newvine asked if the "welcome to Fowler" signs could be trimmed of overgrown brush and weeds. Hwy. Superintendent Durham reported he would take care of it.

Councilmembers

Councilperson Karen Simmons:

- Reported there were 44 people who benefited from the HAP Program in the month of May.
- 15 free food boxes were obtained from the school and were included with the Hap Program food items.
- SOS packages are going to be delivered on July 1st with 93 households receiving the packages.

Councilperson Lynn Bishop:

- Asked Hwy. Superintendent Durham when the Skid Steer was going to arrive. Hwy. Superintendent Durham replied it is supposed to be here this week.
- Reported he had checked all the Town's cemeteries and there are a lot of headstones that could be looked at for needed repairs. Councilperson Cleveland stated he would check with an acquaintance

regarding the process. Supervisor Newvine suggested maybe some ARAP money could be used for the cemetery repairs.

Councilperson Jeff Andrews:

- Asked Hwy. Superintendent Durham if the roller rental was still on site and the cost of the rental. Hwy. superintendent Durham reported the rental cost was \$1,400 and it had been returned.
- Confirmed the excavator purchase order was in this evening's bills and confirmed it was on site. Councilperson Bishop asked how the highway department workers liked the new excavator. Hwy. Superintendent Durham reported the men like it and it is doing good work.

Councilperson Cleveland:

- Reported he had pressure washed the pavilion floor, picnic tables and the contents inside the pavilion on Saturday and had re-checked the area before tonight's meeting and bird feces was already back. He reported he has asked maintenance worker Byron Woodward to price the boarding needed to enclose the ceiling in the pavilion as enclosing only the soffits didn't deter the birds.
- Reported he had maintenance worker Byron Woodward fix the light that shines on the pavilion flag pole and he had found someone had taken it all apart and he put it all back together. He also found that a few screws had been removed from one of the picnic tables and he replaced them, and the tables had been moved and a heavy bench knocked over. It was discussed the video from the security camera should be viewed, and that other playgrounds had similar occurrences.
- Reported he is working on getting some quotes for a fence to be installed at the playground.

Supervisor Ricky W. Newvine:

- Reported the highway department workers had done a great job on the roads while Hwy. Superintendent Durham was away at highway school.
- The \$46,000 insurance check had been received for the clean up of the plow truck fire.
- It had been determined the Town had no damage on the Battle Hill Road stemming from an incident reported last month by an insurance company.
- He had spoken to a representative from DANC concerning grant availability. There is only \$800,000 available for the entire County, and at this time DANC is too busy to take the Town of Fowler on and reported we will wait for other grant availabilities.
- Thanked Councilpersons Andrews and Cleveland for their weekend work. Councilperson Andrews helped with the beach buoys and new rope line.
- Reported the beach is set to open on June 22, and thanked Town Clerk Gale for having the lifeguards ready to go.
- Family Day planning is going well, and we think it is going to be very big this year with new vendors signed up for a total of 13 at this time.
- Thanked the family day committee members, and new members Janice Refici & Vivian Goodman for their great work on the event.

Bookkeeper Finnie reported she has been working on the food permit and it will be completed this week.

- Reported he had signed a letter requested from the DEC that the Town of Fowler has no objection to Empire State Mines, LLC's application for the modification of their mine adding a new haul road to be constructed. The proposal is subject to the State Environmental Quality Review Act (SEQR), and the DEC will be acting as the lead agency for the review. It was discussed that CEO Besaw had reviewed and okayed the project as well.
- Reported he had a shared services agreement from the Department of Transportation, New York State, to be signed stating there were a few items that needed to be filled in such as cost value, and he will finish completing it tomorrow, and asked the board's permission for him to sign it when it is completed. It was the consensus of the board giving permission for the agreement to be signed when completed.
- Reported he had received our copy of the St. Lawrence -Lewis BOCES Intermunicipal Cooperation Agreement that was signed on May 23, 2022.
- St. Lawrence County Risk Manager Jody Wenzel had okayed the corrections that were made from this year's annual survey.
- He had received a letter from St. Lawrence County Risk Manager Jody Wenzel reporting John Walsh had been medically cleared to return to light duty. It was discussed Highway Superintendent Durham notified Mr. Wenzel that the highway department has no light duty. Supervisor Newvine reported he had contacted John Walsh on the matter.
- The Teamsters Insurance Audit had gone well, and they were very happy with their findings.
- Reported he had received a letter from the IRS stating they are working on our account and was not able to reach them today to determine what it was in reference to.

Public Comment

- there was no public comment

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

The bills audited for the General and Highway Fund were #171 to #219, with a total of \$ 157,251.54.

There will be a work session held on June 20th at 3:00PM to go over the Town of Fowler workplace violence policy.

The next regular scheduled board meeting will be held on July 11th, 2022, at 6:00PM.

With no further business, on a motion of Councilperson Andrews, seconded by Councilperson Simmons, the June 13th, 2022, Regular Town Board meeting was adjourned at 6:51PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk