

## **Town of Fowler March 3, 2020 Regular Scheduled Town Board Meeting at 7PM.**

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, Deputy Town Clerk Debra Tupper, Assessor Chair Sherry Geer, Assessor Phyllis Shaw, Assessor Kathleen Besaw, Dog Control Officer Dan Moyer, Planning Board Members Stephen Gale, Daniel Kingsley, and Larry Streeter, Code Enforcement Officer Glen Besaw, Highway Superintendent Randy Durham, Pavilion Committee member Richard Clement, Mary Benware, Vicky Cappellino, Michael Cappellino, Linda Hill, Jeff Hill, Lura Hill, Malcolm Hill, Heidii Hill, Lisa Durham, Scott and Marcia Cleveland, Paul Lamson and Rachel Hunter from the Gouverneur Tribune Press.

Supervisor Newvine called the meeting to order at 7PM then proceeded with the pledge of allegiance and a moment of silence to honor military men and women.

Supervisor Newvine reminded attendees that the meeting was a business meeting and will be conducted as such and respectfully asked that the attendees save any comments for the Public Comment portion of the board meeting.

A motion was made by Councilperson Simmons seconded by Councilperson Bishop to approve the minutes from the February 4, 2020 Town Board meeting. All in Favor. MOTION CARRIED.

At 7:01PM Supervisor Newvine announced that the next order of business was going to be honoring Jeff Hill who is retiring after 16 years with the Highway Department with a small Retirement Ceremony.

Supervisor Newvine congratulated Jeff Hill for 16 good years with the Town and presented Jeff an engraved watch, and presented Linda Hill Jeff's wife, and Lura Hill Jeff's mother with flowers. Jeff thanked the Town for the gift and recognition and thanked former Highway Superintendent Jeff Weaver for hiring him 16 years ago. Cake and punch was served to all in attendance.

At 7:15PM Supervisor Newvine resumed the Town board meeting.

### **RESOLUTIONS**

#### ***RESOLUTION # 5 of 2020***

##### ***Hold Harmless St. Lawrence County Agreement***

A motion was made by Councilperson Simmons seconded by Councilperson Andrews to adopt Resolution #5 of 2020, a holding harmless the County of St. Lawrence County for providing service for the year 2020. All in Favor. MOTION CARRIED.

**AYES: 4 NEWVINE, SIMMONS, ANDREWS, BISHOP**

**NAYS: 0**

#### ***RESOLUTION # 6 of 2020***

##### ***2020-2023 County Snow & Ice Removal Agreement***

A motion was made by Councilperson Andrews seconded by Councilperson Simmons to adopt a resolution to allow the Town Supervisor, Highway Superintendent, and the Town Clerk to sign the 2020-2023 County Snow & Ice Removal Agreement on behalf of the Town of Fowler. All in Favor. MOTION CARRIED.

**AYES: 4 NEWVINE, SIMMONS, ANDREWS, BISHOP**

**NAYS: 0**

## **RESOLUTION #7 OF 2020**

### **MUNICIPAY BANKING RESOLUTION TOWN CLERK ACCOUNT**

A motion was made by Councilperson Simmons seconded by Councilperson Bishop to adopt Resolution #7 of 2020, a Municipay banking resolution for the Town Clerk Account to enable the acceptance of credit and debit cards to be used to pay for Town Clerk related expenses. All in Favor. MOTION CARRIED.

AYES: 4 Newvine, Simmons, Andrews, Bishop

Nays: 0

## **RESOLUTION #8 OF 2020**

### **MUNICIPAY BANKING RESOLUTION DEC ACCOUNT**

A motion was made by Councilperson Simmons seconded by Councilperson Andrews to adopt Resolution #8 of 2020, a Municipay banking resolution for the DEC Account to enable the acceptance of credit and debit cards to be used to pay for DEC related expenses. All in Favor. MOTION CARRIED.

AYES: 4 Newvine, Simmons, Andrews, Bishop

Nays: 0

## **RESOLUTION # 9 OF 2020**

### **MUNICIPAY BANKIN RESOLUTION TAX COLLECTION ACCOUNT**

A motion was made by Councilperson Andrews seconded by Councilperson Simmons to adopt Resolution #9 of 2020, a Municipay banking resolution for the Tax Collection Account to enable the acceptance of credit and debit cards to be used to pay for Tax Collection. All in Favor. MOTION CARRIED.

AYES: 4 Newvine, Simmons, Andrews, Bishop

Nays: 0

## **BEAVER CONTRACT**

Supervisor Newvine and Dan Moyer signed the Beaver Contract that was approved and awarded at the February 4, 2020 Town board meeting.

## **STATUS OF THE DEVELOPMENT CODE**

Supervisor Newvine reported that the County has completed and returned the Town of Fowler Development Code from review by the County Planning Board and that they have recommended several changes. Planning board chairman Stephen Gale stated that he liked the recommendations as it keeps the Town protected and in good standing within DEC codes.

Supervisor Newvine reported that he had given the recommendations from the County to Town attorney Henry Leader to make amendments to the Local Law. Since the Law has been previously passed by the Town of Fowler, the recommendations will be amendments to Local Law 1 of 2019 and does not need to be a new Law.

Councilperson Simmons asked to have a correction added into the amendment that would change the number of people needed to serve on the Board of Appeals from 5 members to 3 members.

Supervisor Newvine reported that he would contact Attorney Leader to add the change.

## **MERITS OF THE PARKING LAW**

Supervisor Newvine discussed the merits of adopting the proposed parking law that was prepared by Town Attorney Henry Leader. Supervisor Newvine stated it was extremely expensive and asked Highway Superintendent Durham his thoughts on the matter. Highway Superintendent Durham agreed stating that there is a State Law that gives plow trucks the right of the highway when it is storming. After discussion, it was the consensus of the board that it is not necessary to adopt a parking law at this time.

## **BOARD MEETING DATE CHANGES**

Supervisor Newvine discussed changing the regular scheduled Town board meeting dates with the board. After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Andrews to change the regular scheduled Town board meeting dates to the 2<sup>nd</sup> Monday of each month effective beginning in May 2020 at 7:00PM. All in Favor. MOTION CARRIED.

Supervisor Newvine wanted to remind everyone that the April Town board meeting had previously been changed from April 7, 2020 to April 14, 2020.

## **PAVILION UPDATE**

Pavilion Committee chairman Michael Cappellino gave an update on the progress of the pavilion project. He reported that he had taken the pavilion drawing to North County Barns in Philadelphia and would have a proposal by the next pavilion committee meeting being held on March 10, 2020. The price is for an open pavilion 30' by 50' with gable ends and roof. North County Barns stated that they could have the pavilion in place by Family Day on July 11, 2020 if the pad was in place. Supervisor Newvine wanted to commend Debra Tupper for coming up with the idea to check into this option, and thanked Michael Cappellino for the update.

## **Town Department Reports**

### **Justice Department**

Town Justice Ryan Young was not in attendance and gave his court report to Supervisor Newvine prior to the Board meeting.

### **Bookkeeper**

Bookkeeper Barbara Finnie reported:

- December 2019 cash balances have been finalized.
- Revenue was over 100%, more than what we had expected, which was good.
- The general fund was at 102% spent, a little over what had been budgeted, so we used a little fund balance there.
- The highway fund was 96% spent, so that was good.
- The highway added to our fund balance.
- Provided revenue vs expenditure reports per departments to the board.
- That overall 2019 looks pretty good, and we are looking good going into the 2020 budget.

### **Assessors**

Assessor Chair Sherry Geer reported:

- That all 3 assessors were attending the board meeting this evening.
- It has been pretty quiet. Kathy Besaw will be attending training this month.
- They have been working on getting the tax roll done.
- That she and Phyllis Shaw are signed up for the Tug Hill government conference later in the month.

### **Historian**

Historian Karen Simmons :

- Thanked Joe Laurenza from the Gouverneur Museum for donating the book titled Centennial Souvenir History of Gouverneur 1905 to the Fowler Historians office.
- The Town of Fowler has a section of a barn quilt to do with mining displayed at TAUNY in Canton. She reported that she had prepared a little information accompanied by photos pertaining to mining to be placed with the barn square. She was assisted in the project by Mike Tressmette of Fowler.

- She reported that eventually there will be a published book with the Towns squares and their story with pictures and such.

## **Animal Control**

Dog Control Officer Dan Moyer reported:

- It has been fairly quiet.
- He had a couple of complaints concerning dogs running at large.
- One dog had spent the weekend in the pound. The owner was located and provided his license and rabies information and was returned.
- A previous dog issue has been taken care of as far as the license is concerned, however he and Councilperson Simmons have received calls pertaining to the same dog, with no one coming forward to sign new complaints.

## **Code Enforcement**

Code Enforcement Officer Glen Besaw reported:

- Building permits have been slow with expectations that they will pick back up in the spring.
- He received 1 complaint and it turned out that it could have been life-threatening. The board was previously provided paperwork on the complaint.
- He had spoken to protective services and that has all been taken care of. The building will likely need to be posted.
- That a case involving the Town of Fowler involving an illegally built building which he had issued tickets for code violations on, had been dismissed in the interest of justice because the prosecuting party, being the Town of Fowler had no representation.
- That he had called the attorneys office prior to the court date to see what time he should be there and he was told not to go.
- He would like the boards' suggestion on how to proceed with the next code enforcement case if he does everything that is asked of him and tickets for code violations aren't prosecuted.

Councilperson Simmons asked if anyone had asked attorney Leader why he wasn't there. Supervisor Newvine stated he would make a call tomorrow and find out why he wasn't there.

- The new code goes into effect on May 15, 2020. The only way he can get access to it is by going to the publishing company and purchasing a license to print it from a pdf file, or buy the books outright for \$880.00.
- He will be attending training the first week of April and he should learn more about purchasing the license to print from the pdf file at the training.

## **Town Clerk**

Town Clerk Tami Gale reported:

- She had licensed 21 dogs, handled 1 building permit, sold 2 bicentennial books, and had taken in \$0.00 in DEC licenses.
- That 74.25% of Town & County Land Taxes have been collected.
- She had made a deposit into the Pavilion Fund of: \$153.60 in scrap metal, \$93.25 in bottle and can money, and \$67.00 from t-shirt and hat sales.
- She is now accepting credit-debit card payments at the Town Clerk office for land taxes, DEC purchases, and town clerk purchases.

- That Aflac is conducting a presentation at the Town Hall for employees of the Town who may be interested in signing up for coverage on March 18, 2020 at noon, and lunch will be provided.
- She had completed and sent her tax warrant renewal to Treasurer's office in Canton.
- Paperwork is continuing on the close out of the CDBG grants from 2014 and 2015.
- Reminded anyone who wanted to attend the government conference that has not signed up yet to let her know by Thursday to get the discounted price.
- Nelson Bice has been appointed as Deputy Highway Superintendent and took his oath of office on February 28, 2020.

## **Highway Department**

Highway Superintendent Randy Durham reported:

- The dry-hydrant on the Little York Road has been tested and is working very well. Tommy Conklin, chief of the Gouverneur Fire Department will test the dry-hydrant on County Route 24 and contact Supervisor Newvine with his findings.
- The 98' truck has been returned to service for the Town and is holding its own.
- The highway department has been cutting trees on the Byrns Road when not plowing.

Supervisor Newvine asked how the new secondary plow is working. Highway Superintendent Durham reported that he had put it on the County Route 24 run the other day and it seemed to get more stuff off the road. Supervisor Newvine congratulated Councilperson Lynn Bishop, Councilperson Jeff Andrews and Highway Superintendent Durham for collaborating and working together on obtaining the new plow stemming from a suggestion introduced by Councilperson Lynn Bishop.

Supervisor Newvine asked if Viking had given the men any training on the new plow. Highway Superintendent Durham reported that they had gone to Harrisville and had about 5 minutes of instruction. They also spoke to operators who have experience with the plow and were given advice on its operations on back roads. Supervisor Newvine recommended Councilperson Bishop would be a valuable source of knowledge having much experience with the plow.

- That he would like to include the little parking area at Kilkarney Court Drive that the Town uses as a turn-around for plowing, in the highway paving bid this year. He recommended paving ½ of it and turning the rest into a grassy area.

## **Councilmembers**

### **Councilperson Andrews:**

- Wanted to tell the Highway Superintendent what a good job he did on the roads with the snow storms that occurred in January and the first part of February.
- Asked if the Town has heard anything from the County about the property across from the Town Hall being scheduled to be cleaned up. Supervisor Newvine reported that he would try to get in touch with County attorney Steven Button this week.
- Asked the board if they should look into doing something about the Town Hall parking lot this year.

Supervisor Newvine asked Highway Superintendent Durham his thoughts on the matter. Highway Superintendent Durham stated that the parking lot would not come out of the highway budget, but he could get bids on anything the board wanted. After further discussion, Supervisor Newvine directed Highway Superintendent Durham to get a quote on the parking lot.

### **Councilperson Bishop:**

- Made a suggestion if they are going to be considering doing the parking lot, to think it through and make sure we know where all utilities are under the blacktop.

### **Councilperson Simmons:**

- Reminded everyone that mileage and reimbursements needed to be turned in this month.
- Reported that the 1<sup>st</sup> Family Day meeting had been held on February 20, 2020.
- Asked the Planning Board if they would take part in family day this year having a booth and putting the new district map on display and be available for any questions relating to it.
- The next family day meeting is scheduled to be held on Thursday March 5, 2020.

### **Supervisor Newvine:**

- Discussed with Fire Chief Tommy Conklin concerning having someone attend Town of Fowler board meetings to give updates. Fire Chief Conklin will try to have someone in attendance at least on a quarterly basis.
- Stated that he had noticed a septic odor in the air while entering the Town Hall this evening. It was discussed by several meeting attendees including the Code Enforcement officer that the septic smell is present frequently and it comes from the neighboring property.
- He had spoken to Legislator Bill Sheridan and St. Lawrence County Highway Superintendent Don Chambers is looking at the Emeryville bridge, but not very hard. They think that the bridge should be elongated to make the embutment material stronger at a cost of \$700,000.
- The light on the Smith Road is up and looks good. He thanked Mike Cappellino for giving him the point of contact for getting the light installed.
- Reported that he and Bookkeeper Barbara Finnie had attended a Census meeting in Canton. It was discussed that it is very important for taxpayers to complete the census forms when they receive them in the mail as it is revenue for the Town.
- **Public Comment:**
- Glen Besaw asked if the Town should look into a device to detect carbon monoxide in homes, so that he could go and test if a homeowner suspects they may have a problem. It was the consensus of the board for Glen to get a quote for such a device.
- Michael Cappellino thanked the board for writing a letter of support for the Rod & Gun Club. He reported that the club had made it into the northern tier trap league and invited anyone who is interested in shooting trap on Thursday nights to come and check it out.

A motion was made by Councilperson Andrews seconded by Councilperson Simmons to audit the bills.

The bills audited for the General and Highway Fund were # 54 - # 98, with a total of \$46,593.25.

The next regularly scheduled board meeting will be on Tuesday, April 14, 2020 at 7 PM.

The meeting was adjourned at 8:24PM.

Tami Gale; Town Clerk