

## **Town of Fowler September 13, 2021, Regular Scheduled Board Meeting Minutes at 6PM.**

The Town of Fowler Regular scheduled Town Board meeting was held on the above date with all Board members present, and Councilperson Bishop attending the meeting by phone. Also, present were Town Clerk Tami Gale, Highway Superintendent Randy Durham, Assessor Chair Phyllis Shaw, Assessor Sherry Geer, Town Justice Tim Knowlton, Pavilion Committee Member Richard Clement, Planning Board Chair Stephen Gale, Leo Knight, Vivian Goodman, and Rachel Hunter, Editor of the Gouverneur Tribune Press.

Supervisor Newvine called the meeting to order at 6:00 PM then proceeded with the pledge of allegiance.

Supervisor Newvine led a moment of silence to honor our military men and women, and all healthcare workers.

Supervisor Newvine asked for a motion to approve the minutes, from the August 9, 2021, Town board meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

### **RE-DISCUSS DATE FOR THE OCTOBER TOWN BOARD MEETING**

Supervisor Newvine discussed the need to change the date of the October board meeting that was set for October 12<sup>th</sup>, as the tentative budget needs to be submitted to the Town board by October 5<sup>th</sup>. After some discussion it was the consensus of the board to change the October Meeting date to October 4<sup>th</sup>, 2021, at 6:00PM.

### **SET DATE FOR 2022 BUDGET WORKSHOP**

Supervisor Newvine discussed the need to set a date to hold a budget workshop. After some discussion, it was decided that a budget workshop to discuss revenue only would be held on Wednesday September 22, 2021, at 5:00 PM. Town Clerk Gale asked bookkeeper Finnie if the workshop needed to be advertised. Bookkeeper Finnie replied, the piece that Rachel Hunter, editor of the Gouverneur Tribune Press puts in the paper would be sufficient.

### **RESOLUTIONS**

#### **RESOLUTION #15 OF 2021**

#### ***Appointment of Sherry Geer to her 2<sup>nd</sup>, 3- month term as assessor.***

Supervisor Newvine submitted Resolution #15 of 2021, a Resolution to allow the board to appoint Sherry Geer to a 2<sup>nd</sup> 3-month term as assessor to the board for adoption.

A motion was made by Councilperson Cleveland seconded by Councilperson Simmons to adopt Resolution #15 of 2021, All in Favor. MOTION CARRIED.

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

**NAYS: 0**

Justice Tim Knowlton administered the oath of office to Sherry Geer using a newly acquired bible that was donated to the Town by Councilperson Karen Simmons.

#### **RESOLUTION #16 OF 2021**

#### ***Computer System & Network Acceptable Use Policy.***

Supervisor Newvine submitted Resolution #16 of 2021, a Resolution, adopting a policy pertaining to the use and security of its computer systems and use of the internet by its employees, to the board for adoption.

Councilperson Cleveland had a few questions about the policy asking if the policy would pertain to employees' personal phones. Town Clerk Gale reported it was recommended by Town of Fowler webmaster Shari

Barnhart to have the Facebook page be a bulletin only page, which would restrict all comments from followers of the page. Town Clerk Gale asked Bookkeeper Finnie if the Village had a Facebook page. Bookkeeper Finnie responded the police department does theirs and she didn't think anyone responds on it. After some discussion, Supervisor Newvine stated they could pass the resolution as it is and if it becomes a problem, it could be addressed at a later time.

A motion was made by Councilperson Andrews seconded by Councilperson Cleveland to adopt Resolution #16 of 2021, All in Favor. MOTION CARRIED.

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

**NAYS: 0**

### **RESOLUTION #17 OF 2021**

#### **Standard Work Day**

Supervisor Newvine submitted Resolution #17 of 2021, a Resolution reporting a standard work day for elected and appointed officials in the Town of Fowler for the New York State Retirement System based on their record of activities to the board for adoption. Supervisor Newvine reported the resolutions are done yearly as needed.

A motion was made by Councilperson Simmons seconded by Councilperson Andrews to adopt Resolution #17 of 2021, All in Favor. MOTION CARRIED.

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

**NAYS: 0**

#### **RESIGNATION LETTER**

Supervisor Newvine read aloud a letter received from Art Besaw resigning from the Planning Board, as he has moved out of the Town of Fowler. Supervisor Newvine thanked Art for the great work he has done on the planning board and for the number of years he has given to the position. A motion was made by Councilperson Andrews seconded by Councilperson Simmons to accept the resignation letter with regret. All in Favor. MOTION CARRIED.

#### **PAVILION REPORT**

##### **Councilperson Scott Cleveland reported:**

- He had been at the pavilion over the weekend and had met a representative from Kelly Sales Corporation and learned the overhead door will be getting installed on Wednesday, September 17<sup>th</sup>.
- He has the water heater and the sink for the pavilion with him this evening that he is dropping off for maintenance worker Byron Woodward to install.
- He reported Byron believes he will have the pavilion work completed relatively soon possibly within a couple of weeks, if not by the end of the month.

#### **Town Department Reports**

##### **Town Justice**

##### **Town Justice Tim Knowlton Reported:**

- Things are going well in the court and Court Clerk Ashley has everything running very smoothly.
- He and Court Clerk Ashley are continuing to attend their yearly required training.
- He had an opportunity to speak with Sargent Woodcock of the NYS Trooper barracks in Gouverneur, and he was very gracious and offered his assistance if it is needed by the court.
- There have been fewer people attending court in person and conducting court business by mail.

## **Bookkeeper**

### **Bookkeeper Barbara Finnie:**

- Presented cash balance month ending August 31, 2021, reports, and budget balance reports, to the board for their review.
- Reported the balances looked pretty good with the general fund being 65.88% spent and the highway fund being a little overspent at 71.69.
- Reported that revenue has been coming in very well and the general fund is at 132.10% received.
- Reported it looks as though our fund balances are going to be looking good as the budget process begins and it is going to be an easy budget year for some reason.

## **Assessors**

### **Assessor Sherry Geer reported for Assessor Chair Shaw who was late arriving to the meeting:**

- The assessors continue to drive around and check on completed building permits for the year. Supervisor Newvine thanked Assessor Geer for her research on a request that he had received from Assemblyman Ken Blankenbush's office concerning land on the Firefalls Road.

## **Historian**

### **Historian Karen Simmons reported:**

- She is meeting with an individual who is researching the Absalon family this week.
- She is preparing to have the Tri-County marker installed next week and has invited the historians of the Towns of Antwerp and Lewis County to take part in the ceremony, and reported she will ask Rachel Hunter, editor of the Tribune Press, to attend the ceremony and take a photo.

## **Animal Control**

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

- He had picked up 2 dogs in the last few weeks, each stayed a night in the kennel, the owners were located, the dogs were licensed & vaccinated and released to their owners the next day.
- The rabies clinic was held on August 12<sup>th</sup>. She reported 57 dogs and 20 cats were licensed and everything went very smoothly. She thanked Town Clerk Tami Gale, Deputy Town Clerk Kim Reed, Councilperson Scott Cleveland, Supervisor Rick Newvine and Leo Knight for their help.
- Reported there had been \$248.00 collected in donations the night of the rabies clinic.
- Reported she was giving the Town Clerk \$200.00 this evening from the rabies clinic donations and directed \$100.00 to be divided between the SOS & HAP programs and \$100.00 to go to the Pavilion account. She reported she would deliver the remaining \$48.00 to Dr. Putman of Roput Veterinary Clinic.

## **Beaver Control**

### **Councilperson Karen Simmons reported for Moyer's Wildlife Control:**

- He had taken 1 beaver on the Stone Road, and there is no activity there right now.
- He is still working on the River Road.
- There has not been any activity on the Little York Road.
- He reported the culverts on the Shantyville Road have been cleaned out as of last night. Hwy. Superintendent Durham interjected that the culverts are not cleaned out. After further discussion on the matter, Councilperson Simmons discussed that maybe Dan Moyer and Hwy. Superintendent Durham should get together themselves instead of relaying the beaver information through her, to

make certain they are talking about the same problem area. Hwy. Superintendent Durham stated it was not his job to chase him. Councilperson Simmons reported it is Hwy. Superintendent Durham's job to tell Dan what needed to be done, and maybe they are talking about two different locations. Hwy. Superintendent Durham stated there are 2 culverts within 100' and they are talking about the same spot, reporting the culvert has not been unplugged in 2 weeks.

Supervisor Newvine reported he had spoken to Dan today concerning the culvert and Dan reported the beaver dam to be located up the creek on private property and he has to wait for the beaver to come onto Town property to trap it. Hwy. Superintendent Durham then stated maybe that is true, but he still needs to clean the culverts out, and he did not have the time to chase him. Councilperson Andrews asked if Hwy. Superintendent Durham could clean out the front of the culvert to get the water moving. Hwy Superintendent Durham reported Dan is getting paid to keep the culverts cleaned out, and he has been in trouble with the board before for doing this work. Supervisor Newvine agreed and asked Hwy. Superintendent Durham to meet him at the culvert the following day to look at it and they would call Dan.

#### **Code Enforcement:**

##### **Supervisor Newvine reported for Code Enforcement Officer Besaw who was not in attendance:**

- Things have been quiet.
- He will be writing a few tickets to individuals for violating the code and building without obtaining permits.

#### **Town Clerk**

##### **Town Clerk Tami Gale reported:**

- DEC sales for the month were up, with hunting licenses going on sale August 2<sup>nd</sup>. The gross DEC sales for the month were \$2606.00 with the Towns commission being \$143.77, she had issued, 1 marriage license, licensed 44 dogs, handled 6 building permits, sold 5 bi-centennial books, sold 1 cemetery lot, sold 1 culvert, and had collected \$6.00 in miscellaneous dog fees.
- She had received \$67.50 in bottle & can donations, \$790 in scrap metal from the Island Branch Road bridge, and had taken in \$20.00 from t-shirt sales for the playground fund.
- There had been many monetary and grocery donations to the food programs this month.
- Advanced Business Systems had set up the new deputy clerk computer today, and the key fob installation will hopefully take place tomorrow coordinating with Barkley's Safe and Lock.
- Advanced Business Systems are going to send a quote for some repairs needing to be performed to outlets in 2 offices that supply internet connections. It was the consensus of the board to approve Town Clerk Gale to sign a quote for the repairs with a max limit being set at \$1500.00 to complete the work.
- Bookkeeper Finnie asked Town Clerk Gale if the program to work remotely had been set up by Advanced Business Systems. Town Clerk Gale reported she will check with them on the progress.

#### **Highway Department**

##### **Highway Superintendent Randy Durham reported:**

- The new roller was picked up today.
- The new 2022 Mack Plow truck has been delayed. When it comes in, it will need to go to Viking.
- The delay may cause some budgeting problems due to the grant, and he has been working with Bookkeeper Finnie on it.
- He has decided not to buy the used mower from the County as they wanted \$8,000 for it and a new one is only \$20,000.

- He has spoken with Mike Gillette from Fuller Insurance and is going to set a date for Sexual Harassment training to be done all at once for the highway workers at the Town barn with Fuller Insurance, instead of them individually taking the training, provided by the Town, by computer, and has invited everyone to join the required yearly training at the Town barn, stating, it is one more box that the Town Clerk doesn't have to check off.

Supervisor Newvine asked Hwy. Superintendent Durham what day the training was. Hwy. Superintendent Durham reported it would be in a few weeks, he has to set it up.

#### **Discussion on New Employee pay for the Highway Department**

- Hwy. Superintendent Durham reported that he has interviewed 3 people interested in working for the highway department, and when it comes to the salary, it is just not enough. Supervisor Newvine asked Hwy. Superintendent Durham what the starting salary is, and what he was telling the applicants. Hwy. Superintendent Durham reported we really don't have a basic starting salary, and it depends on if they have a CDL license or not. He stated he was yelled at recently for giving an employee \$16.00 an hour, who had his CDL license. Supervisor Newvine reported that he had received a call from the mother-in-law of one of the applicants who had recently applied, who stated he was offered \$14.00 an hour. Hwy. Superintendent Durham stated he has not offered anybody anything and that is wrong. He stated if it is who he thought it was, he would call him back. Hwy. Superintendent Durham reported as far as offering anyone any money, there was 1 applicant, who he had discussed with the board, to offer \$18.00 an hour, and he was the only applicant they had ever talked to about salary. Hwy. Superintendent Durham stated whatever salary we decide to start paying someone has to be approved by the board. Supervisor Newvine stated he would think a new hire would have to be started off at \$16.00 an hour. Board members discussed that McDonalds pay \$15.00 an hour and Dunkin Donuts pay \$17.50 an hour. Hwy. Superintendent Durham stated it all depends on their skills, and as they learn things, they should be able to get paid more money. Supervisor Newvine stated that is what the new hiring policy will do. Hwy. Superintendent Durham stated there is a limit on what new hires in the highway department can make as set by the Union Contract. Supervisor Newvine suggested that Hwy. Superintendent Durham could promote to the interested applicant he presently has, the benefits of living close by, and the retirement opportunity that comes with employment by the Town. Hwy. Superintendent Durham stated he thinks he knows who Supervisor Newvine is talking about and he has been waiting for him to call. He reported he would get in touch with him.
- Councilperson Bishop stated he thinks the list of qualifications asked for in the recent highway position ads have been too many for the amount of pay.

### **Councilmembers**

#### **Councilperson Lynn Bishop:**

- Asked Hwy. Superintendent Durham when he is doing the roadside mowing, if he has thought about adding the mowing of the area behind the Town Barn that has trees growing in it, the lot on the Sullivan Road, and the old ballfield to his list. Hwy. Superintendent Durham stated he is having trouble just keeping up with the roadside mowing this year with all of the rain. Councilperson Bishop reported the training we took on updating our hazard mitigation plan stipulates 2 of these areas would be designated as places to be used in the event of an emergency, and he feels they should be kept mowed. Supervisor Newvine asked Hwy. Superintendent Durham to take a look at it. Hwy.

Superintendent Durham reported he would get them mowed, and stated he thought the roadsides were more important to get done first.

- Reported he had noticed there was an awful washout on the Shantyville Road as you come into the Sylvia Lake Road, while he was checking the Town roads. Councilperson Bishop suggested he try using hot mix to fix the washout. Hwy. Superintendent Durham reported he would be using some hot mix within the next few days and in the past if there is extra, he puts it there, and he would apply some hot mix to it again.
- Reported there was a stretch of washouts on the Sylvia Lake Road. Hwy. Superintendent Durham reported he would look at it.
- Reported he had seen a couple of the highway trucks at Spillman's Garage and asked if they were there for inspections. Hwy. Superintendent Durham reported he was correct.

**Councilperson Scott Cleveland:**

- Reported work is continuing to be done on the pavilion, as he mentioned previously in the meeting, while giving his pavilion report.
- Reported he is still working on a new hiring policy for the Town.

Councilperson Simmons reported that she had a taxpayer offer to donate another child/infant swing for the playground, and asked Councilperson Cleveland if that was something he thought could be used.

Councilperson Cleveland stated they already have a handicap swing, an infant swing, and 2 regular swings and there really isn't room for one right now, but he would take a look at the swing, and if it meets the safety regulations, it could be stored until there is more space for it to be used. He reported he is waiting to see what is left for money in the budget upon completion of the pavilion, to determine what we can purchase for new playground equipment.

**Councilperson Jeff Andrews:**

- Asked Hwy. Superintendent Durham if he was set this week for the trucks to be undercoated, reporting it would take 2 days. Hwy. Superintendent Durham stated they were all set. Councilperson Simmons asked who was doing the undercoating on the trucks. Councilperson Andrews reported a company out of Rochester that do the undercoating on the Gouverneur Central School buses every year. Councilperson Andrews reported the Town's trucks will be taken down to the school facilities and sprayed there. Councilperson Simmons asked the cost of the undercoating. Councilperson Andrews stated this was set up last year, but he thought it would be around \$160 per truck, he wasn't positive on the price. Hwy. Superintendent Durham and Councilperson Andrews agreed that the cost was cheap for the preventative benefits of salt being kept off the truck frames.
- Reported he had seen a purchase order in this evenings bills for crack sealing and asked if he was done with crack sealing now. Hwy. Superintendent Durham reported they were done with crack sealing.

**Councilperson Karen Simmons:**

- Reported the garage sale operated by Joan Shove and her sister Judy Hitchman, on County Route 22 had raised \$390.85 to benefit the Town of Fowler food programs. She reported they had discussed they will likely do it again next year. Councilperson Simmons reported she had thanked the pair for their efforts.

- Reported 86 SOS Program care packages had been delivered to senior citizens in the Town of Fowler on August 27<sup>th</sup>. The next delivery is tentatively scheduled for the 19<sup>th</sup> of November prior to Thanksgiving.
- Reported Mr. Mrs. Cartwright had donated \$100.00 to the food programs, and grocery donations were received from Scott & Marcia Cleveland, and Lynn Bishop.
- Thanked Councilperson Andrews for his assistance unloading food for the programs at the Town Hall.
- Thanked Rick Newvine for picking up and delivering the food items donated by Dave Spilman Jr.
- Thanked the anonymous donor for the new cart on wheels, that is being used to transport and stock the grocery items.

**Supervisor Ricky W. Newvine:**

- Thanked legislator Bill Sheridan for his work in securing financial assistance for the Milfoil mitigation program at Sylvia Lake. He reported next year \$15,000 will be allocated to the cause from the County.
- Thanked Richard & Debbie Tupper for their donation of a transport wheel chair to the Town of Fowler.
- Reported he had received a Census notification that the Town of Fowler had lost 2.72% of people over 10 years, which equates to 60 people.
- Reported Sylvia Lake beach is now closed for the year and had 731 visitors.
- Reported a 2<sup>nd</sup> inspection was made prior to the beach closing and a few issues were found that were corrected at the time.
- Reported there was a need for new steps to be installed leading into the water next year. Hwy. Superintendent Durham reported the mini excavator could be used to assist in the installation of the new steps.
- Asked if there had been any advertisement for a planning board member, or if anyone was interested in the position. It was discussed that Rodney or Richard Clement, or Leo Knight would be good candidates.
- Reported he had received a letter from the Association of Towns and the cost will be \$899.00 for their services in 2022.
- Read aloud a thank you letter from Wayne & Sally Hayden for the SOS care package.
- Read aloud a budget request received from the Hailesboro Cemetery Association requesting a \$5,000 grant for 2022.

**Public Comment**

- Stephen Gale asked Supervisor Newvine if he had heard anything from Town Attorney Henry Leader on the proposed Solar Law. Supervisor Newvine reported he would call Town Attorney Leader.
- Richard Clement reported the Byrns Road on the County Route 22 end is nice and smooth, but when you turn and go up towards County Route 24, the whole road is bumpy. He suggested maybe not letting Hansen Aggregates do the paving again, as something isn't quite right with the paving or the rolling. Hwy. Superintendent Durham stated it is in the plan to top it. Dick Clement was happy to hear it was being topped, stating he was not aware of that.
- Tim Knowlton reported he would need a list of the cemeteries for BOCES to begin work on the new signs. Councilperson Simmons reported she would get him a list of the Town cemeteries.

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

The bills audited for the General and Highway Fund were #255 to #260 and #314 to #353 with a total of \$74,283.45.

Supervisor Newvine reminded everyone there will be a work session on the budget on September 22, 2021 at 5:00PM.

The next regular scheduled board meeting will be held on October 4, 2021, at 6:00PM.

With no further business, on a motion of Councilperson Andrews, seconded by Councilperson Simmons, the meeting was adjourned at 6:48 PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk