

## **Town of Fowler November 7, 2022 Regular Scheduled Board Meeting & Public Hearings on the Proposed 2023 Town Budget and Proposed Local Law #1 of 2022 Minutes 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, Highway Superintendent Randy Durham, Bookkeeper Barbara Finnie, Assessor Chair Kathleen Besaw, Code Enforcement Officer Glen Besaw, Paul Lamson, John and Deb Walsh, Richard Clement, 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 people who have been lost; Earl Parker, Nancy Williams, and Kathy Phillips, the sister of Code Enforcement Officer Glen Besaw.

Supervisor Newvine asked attendees to remain standing to honor Bradley Blackburn, Staff Sgt. Joshua A. Hayes, and Pfc. Jacob V. Lundermo, whose heroic actions helped Jon Kelley, who was injured in the explosion at Tripp Fuels.

Supervisor Newvine asked for a motion to approve the minutes from the October 3, 2022, Town Board Meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Simmons to approve the minutes. All in Favor. MOTION CARRIED.

Supervisor Newvine asked for a motion to approve the minutes from the November 4, 2022 Emergency Town Board Meeting. A motion was made by Councilperson Andrews, seconded by Councilperson Bishop to approve the minutes. All in Favor. MOTION CARRIED.

Supervisor Newvine reported the emergency meeting was held, as the Town had lost an employee of the highway department and reported the board had met to discuss and decide how to handle the loss of the employee, as well as what the board might want to do to improve conditions over there.

### **RESIGNATION**

Supervisor Newvine read aloud a letter of resignation from Larry Allen, an employee of the highway department.

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

Supervisor Newvine reported Larry had made a request to be paid his vacation time and the board has agreed to pay the request, as Larry is beyond his anniversary date. Bookkeeper Finnie advised it would be paid in a lump sum and asked Highway Superintendent Durham how many hours of vacation he was owed. After some discussion, it was determined Larry Allen should be paid for 120 hours of vacation time.

Supervisor Newvine asked for a motion to pay Larry Allen his vacation time owed in a full one-time payment for the 120 hours of vacation time. A motion was made by Councilperson Bishop seconded by Councilperson Simmons. All in Favor. MOTION CARRIED.

It was discussed Larry was a very good employee of the Town for 18 years, he will be missed, and the board wishes him well.

Supervisor Newvine reported Councilperson Bishop has suggested the town present Larry Allen with a plaque for his 18 years of service and asked the board their thoughts on the proposal. It was the consensus of the board to purchase the plaque for Larry and Councilperson Simmons would get it ordered.

## **“DUCT WORK & AIR CONDITION” BID**

Supervisor Newvine reported there were no bids received for the new duct work and air condition units for the Town Hall.

### **DISCUSSION ON TABLED PROPANE FURNACE & AIR CONDITION UNIT BID FROM SEPTEMBER 12, 2022 TOWN BOARD MEETING**

Supervisor Newvine reported that the bids received from the September 12, 2022 Town Board Meeting can still be considered. He reported there is a new owner of M&M Heating & A/C, LLC, who had submitted a bid of \$21,473.12, and that the bid is exactly what the town was asking for, as it included the ductwork and the air condition units that were advertised in the “DUCTWORK & AIR CONDITION BID.

Supervisor Newvine reported he had spoken to the new owner earlier in the day and he will honor the bid that was submitted at the September 12, 2022 board meeting for the specified work.

#### **ACCEPTED AND TABLED BID RESULTS OF SEPTEMBER 12, 2022**

<u>BIDDER</u>	<u>TOTAL</u>
M&M Heating & A/C, LLC	<b>\$21,473.12</b>
Cornerstone Services	<b>\$49,870.00 (Straight Wage)</b>
	<b>\$62,970.00 (Prevailing Wage)</b>

After some discussion, and because there were no bids received for the re-bid “Duct Work & Air Condition BID, a motion was made by Councilperson Bishop seconded by Councilperson Cleveland to award the BID to the new owner of M&M Heating & A/C, LLC in the amount of \$21,473.12. All in Favor. MOTION CARRIED

#### **OPEN PUBLIC HEARING ON PROPOSED 2023 BUDGET**

At 6:04pm Supervisor Newvine asked for a motion to open the Public Hearing on the proposed 2023 Town budget. A motion was made by Councilperson Simmons seconded by Councilperson Bishop to open the Public Hearing on the Proposed 2023 Town budget. All in Favor. MOTION CARRIED.

Supervisor Newvine reported the Public Hearing on the proposed 2023 Budget would be left open for as long as anyone needs for questions or clarification and stated there were copies of the proposed budget available for the public to view. Supervisor Newvine reported all employees will see a 2% pay raise in 2023 except for the assessors and the code enforcement officer, as they had asked for a larger increase and the board thought they had done a good job and deserved more. Supervisor Newvine reported there was some confusion and some people thought that when you do this budget, that 2% was all you could get. Supervisor Newvine stated he might have said that, but he didn’t mean it.

Supervisor Newvine stated the board would ask any department head who might want a raise...no matter what that raise amount might be, to ask for it, stating you might get half, you might get none. Supervisor Newvine stated the board looks at several things to determine a request for a raise; is a department running very well; are things being done; do these people deserve a raise; and then they look at adjoining towns and what rate of pay they have for the similar position. Supervisor Newvine reported that is what was used as criteria for this budget and barring any time their finances might fall apart, maybe they would have to be at 2%, but for right now we are in very good shape and Bookkeeper Finnie has done a very good job with the budget. Supervisor Newvine reported they will move on with other business and if anyone had any questions, they would revisit the budget later in the meeting to answer any questions.

Councilperson Scott Cleveland asked to make a comment on the budget. He stated when the board decides who gets their percentages or raises, there are other factors that the board have to look into as well. Councilperson Cleveland stated people need to remember that we had 2 assessors resign, we had another

assessor run for the job and quit before he began, and people aren't knocking the doors down to be assessors. He reported there is a lot of work involved in it, and they aren't making as much money as assessors are in adjoining towns, as the pay is spread out among 3 assessors here, and the other towns have one assessor. Councilperson Cleveland stated that all of these things need to be taken into consideration as well. They had asked for way more of a raise than what the board gave them, but you have to use a little common sense to try to retain people as well.

## **OPEN PUBLIC HEARING ON PROPOSED LOCAL LAW 1 OF 2022**

At 6:08pm Supervisor Newvine asked for a motion to open the Public Hearing on proposed Local Law # 1 of 2022, repealing Local Law #1 for the year 2021 and providing for a Community Choice Aggregation (Energy) Program.

Supervisor Newvine reported the proposed law means that should we get solar power, or power within the community, by adopting the proposed local law, every taxpayer could see a reduction in their electrical bill of 5% to 10%. Supervisor Newvine reported he has a copy of the proposed Local Law if anyone wanted to read it and asked if there were any questions. With no questions being asked Supervisor Newvine reported they will move on with other business and if anyone had any questions, they would revisit Local Law 1 of 2022 later in the meeting.

### **DECLARING OF SURPLUS EQUIPMENT**

Supervisor Newvine read aloud a list of equipment the Town of Fowler had put together to be considered as surplus and no longer of use to the Town:

1. 2 -Surge Protectors
2. 4- Extension Cords (multi plug)
3. 5- extension Cords (single plug)
4. 1 -2-wire phone plug
5. 3- Keyboards (2- with mouse), (1 without mouse)
6. 1- Pair of computer speakers (not working)
7. 2- Computer Monitors (non-working)
8. 2-V-Tech Phones
9. 1-Radio Shack Phone
10. 4-Verizon flip phones (3G-stop working 12/31/2022)
11. 6-X-BLUE Business Phones

Supervisor Newvine asked for a motion to declare the items as surplus. Councilperson Simmons asked if the items would be advertised for sale. Supervisor Newvine replied they could advertise the items for sale or throw them away, as most of the items are junk and not in working order. Supervisor Newvine stated the Town of Gouverneur had asked for the X-Blue business phones, and he reported the board had unofficially agreed to give the phones to the Town of Gouverneur, for all that they do for us with the food pantry. After some discussion, a motion was made by Councilperson Simmons seconded by Councilperson Bishop to declare the aforementioned items as surplus equipment. All in Favor. MOTION CARRIED.

### **LETTERS OF RECOGNITION**

Supervisor Newvine read aloud a letter of recognition to the Commander of the 10th Mountain Division Major General Gregory Anderson recognizing the valor of two 10<sup>th</sup> Mountain Division soldiers Staff Sgt. Joshua A. Hayes, and Pfc. Jacob V. Lundermo, for their heroic actions on October 18, 2022.

Commander 10<sup>th</sup> Mountain Division

Major General Gregory Anderson  
10000 10<sup>th</sup> Mountain Division Drive  
Fort Drum, NY 13602

Date: November 7, 2022

On October 18, 2022, two 10<sup>th</sup> Mountain Division soldiers, Staff Sgt. Joshua A Hayes, and Pfc. Jacob V. Lundermo showed the people in the Town of Fowler what a great asset Fort Drum is to the North Country. An explosion of a fuel truck at Tripp Fuel's caused serious injuries to Jon Kelley, a Fowler resident and employee of the fuel depot. The actions of these two veterans and a neighbor, Bradley Blackburn kept this incident from becoming a full-blown disaster.

Their military training showed immediately. With no concern for their own safety, they led people from an adjacent restaurant to safety and directed any potential threat of subsequent explosion to a safe distance from the incident area. They then proceeded to administer care to the victim until health care professionals arrived.

There is no doubt in the minds of this Town Board or any witness thereof that these three prevented any ensuing damage or physical harm by their heroic efforts.

We, the Town Board of Fowler will at our next meeting recognize the valor of these individuals and hope the Department of the Army will do the same for these two exemplary soldiers.

Fowler Town Board

Supervisor Newvine read aloud a letter of recognition to Town of Fowler resident Bradley Blackburn, for his heroic actions on October 18, 2022.

Mr. Bradley R. Blackburn  
1455 County Route 22  
Gouverneur, NY 13642

November 7, 2022

Brad,

The Fowler Town Board would like to officially recognize and thank you for your actions on October 18, 2022, at Tripp Fuels.

Your calm and professional reaction to this unfortunate accident kept the effects of the explosion and aftermath to a minimum. Jon's injuries while very serious, could have been much worse and many others could have also been hurt.

When life deals us these unexpected circumstances like it did on October 18, we all hope we could be that guy who steps up and becomes a hero. Thank you for being that guy!

The Fowler Town Board

Supervisor Newvine asked for a motion to send the two signed letters of recognition. A motion was made by Councilperson Cleveland seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

## **CLOSING THE PUBLIC HEARING ON PROPOSED LOCAL LAW 1 OF 2022**

Supervisor Newvine asked if there were any questions on proposed Local Law #1 of 2022, a law repealing Local Law No.1 for the year 2021 and providing for a Community Aggregation (Energy) Program.

With no questions received at 6:13PM a motion was made by Councilperson Andrews seconded by Councilperson Simmons to close the public hearing on proposed Local Law #1 of 2022. All in Favor. MOTION CARRIED.

## **RESOLUTIONS**

### **RESOLUTION #18 OF 2022**

#### **Adopting Local Law No.1 of 2022**

Supervisor Newvine submitted Resolution #18 of 2022, a Resolution enacting Local Law No. 1 of 2022, a law repealing Local Law No. 1 for the year 2021 and providing for a Community Aggregation (Energy) Program to the board for adoption.

A motion was made by Councilperson Cleveland seconded by Councilperson Bishop to adopt Resolution #18 of 2022, All in Favor. MOTION CARRIED.

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

**NAYS: 0**

### **RESOLUTION #19 OF 2022**

#### **Legal Services Agreement with Bond Counsel Hawkins Delafield & Wood LLP for 2024 Mack Granite Plow Truck Bonding**

Supervisor Newvine submitted Resolution #19 of 2022, a Resolution to allow Supervisor Newvine to sign three legal services agreements with bond counsel for the services necessary to accomplish the acquisition of a 2024 Mack Plow Truck, to the board for adoption. The Town will pay fees and disbursements to the Attorney for professional services rendered in accordance herewith. The maximum fee and disbursements shall be \$4,750.00.

A motion was made by Councilperson Andrews seconded by Councilperson Cleveland to adopt Resolution #19 of 2022, All in Favor. MOTION CARRIED.

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

**NAYS: 0**

## **TOWN DEPARTMENT REPORTS**

### **Town Justice**

Town Justice Tim Knowlton was not in attendance.

### **Bookkeeper**

Bookkeeper Barbara Finnie:

- Provided Town of Fowler Cash Balance month ending October 31, 2022, and Budget Balances month ending October 31, 2022 to the board for their review.
- Reported 84.25% of the General Fund has been spent and 109.92% of revenue has been received.
- Reported 115.12% of the Highway Fund has been spent and 139.97% of revenue has been received.
- Reported only 8.65% of the fire district has been spent, as the fire department contract hasn't been paid yet, and 78.93% revenues have been received.
- Reported 70.74% of the lighting district has been spent and 102.61% of revenue has been received.
- Reported the Town is expecting another sales tax check.

Supervisor Newvine thanked Bookkeeper Finnie for all her work on the budget.

## **Assessors**

Assessor Chair Kathleen Besaw:

- Reported she had called the Real Property Office in Canton to find out some more information on the senior exemption. She reported the Town of Fowler's cap of \$15,000 set for the senior exemption, is right in the middle, there are towns that are lower and some that are higher and if the town wanted to increase the cap set for the senior exemption, the balance would need to be made up somewhere else and would be placed upon the other taxpayers. Assessor Chair Besaw reported the Town tax is the smaller share of property tax.
- Reported the larger share of property tax is the County tax that is set by the County and has a cap of \$17,699. She reported she has had to send a letter to a resident of Fowler notifying her that she is no longer eligible for the exemption as she had made \$101.00 over the set cap.

Supervisor Newvine asked Assessor Chair Besaw if she thought the Town should raise the amount of the Senior Exemption. Assessor Chair Besaw stated the Town tax is such a low rate, if you make under \$15,000 it cuts it by 50%. Assessor Chair Besaw reported it isn't too late to change the Senior Exemption if they wanted to do so, she was just letting them no.

- Reported she had taken the time to count the number of data collection cards that have been completed and determined 811 data collection cards have been completed out of 1,759 parcels that needed data collection. She reported the data collection is about 40% completed, however, cards are supposed to be reviewed every 5 years and a lot of the cards are dated the year 2017 and will need to be done again.

Supervisor Newvine stated that was great progress and it's only been a couple of months. Assessor Chair Besaw reported she couldn't take credit for the amount of data cards that are done, as over 700 data cards of the 811 data cards completed had previously been done, and she and assessor Thomas have completed just over 100 data collection cards.

## **Historian**

Historian Karen Simmons reported:

- There has not been too much going on in the historian's office.
- Thanked Highway Superintendent Durham for installing the cemetery signs that were made by BOCES and reported they looked good.

## **Animal Control**

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

- There was a complaint of a dog on the Smith Road not having any shelter. Dog Control Officer Dan Moyer spoke to the dog's owner, and determined there was shelter for the animal, but the owner is going to try to get something better for the winter to shelter the animal.
- There were 2 dogs that went missing on the Emeryville Road that were later found.
- There are 2 dogs on the Little York Road that are unlicensed and DCO Moyer had visited their owner to make them aware their dogs needed to be licensed in the Town of Fowler.

## Beaver Control

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

- He is currently working on beaver control on the Shantyville Rd, Country Club Rd, Chub Lake Rd, and the River Rd. Hwy. Superintendent Durham reported that some of the sites on the roads mentioned have been submitted for payment and are taken care of.

## Code Enforcement

Code Enforcement Officer Glen Besaw:

- Reported they are right back to where they started on the house located on County Route 22, that has been discussed at several board meetings as being a hazard. CEO Besaw reported the owner has passed away, his daughter does not want it, and now it is back up for taxes.
- He didn't think there is anything the Town can do about it until someone takes possession of it unless the board wants him to declare it a public nuisance. CEO Besaw stated if the board thinks it is a public nuisance they can go through the court and demolish it, like the Town had done across the road from the Town Hall. It was discussed the Town would be responsible for the cost of having the highway department demolish it.

Councilperson Bishop asked CEO Besaw who would be responsible if a little kid was to get inside the residence in question and get hurt. CEO Besaw replied he had no idea, he thought it would be a civil suit, as the owner has passed away and the owner's daughter does not want anything to do with the property and reported to him it is being let go for unpaid taxes. CEO Besaw agreed with Councilperson Bishop that someone could be hurt if they entered the residence, stating there is a good chance they could go through the floor.

Councilperson Bishop reported there are kids that go down by this house all of the time, and kids will be kids, and he would hate to see anyone get hurt.

Supervisor Newvine asked CEO Besaw to contact Town Attorney Henry Leader to determine who is responsible for the property.

- Discussed a potential need to add dock regulations, to the Town's Local Land Use Law, to protect property owner's rights and to prevent situations like someone from building a dock 60' out into the lake to irritate a neighbor who they are having a dispute with.
- Reported he has talked to the Army Corps of Engineers and has learned they don't have anything to do with regulating where people build their docks, how big their dock is, or what they are made of.
- Reported he had contacted the DEC and they told him if it is not considered wetlands, they don't have any jurisdiction either, unless it is a public boat launch or the materials that are put in the lake.
- Reported he had contacted Town Attorney Henry Leader, who advised, absent of any authority to control the regulation, he thinks the Town could legislate some regulations. CEO Besaw stated he believes this action needs to be taken due to the number of disputes that are occurring at Sylvia Lake.

Supervisor Newvine asked CEO Besaw to get in touch with the planning board.

- Reported he had found out that the NY Canal Association has regulations for docks that closely resemble the Town of Fowler's rivers and lakes, and it would be worth looking at to propose the regulation for adoption into the Town of Fowler Land Use Law, stating then if something did come up, it could go to through the variance process. CEO Besaw reported he has received between 40 and 50 calls from disputes at the lake and individuals going back and forth, and he doesn't have any place to send them. CEO Besaw reported Town Attorney Henry Leader is going to check and see if the town has the authority to do this. CEO Besaw reported he had checked with the Department of State, and they advised how the wording should be if it were adopted as a Local Law.

Town of Fowler resident Paul Lamson stated in performing his work, he had noticed there are a lot of towns, with lakes similar to Sylvia Lake, which are very regulated with Local Laws, and thought the Town could look at

these towns' regulations, rather than the NY Canal Association's regulations. He suggested to look at other areas such as the Albany, or Utica area, to see the long lists of regulations they have for docks.

Supervisor Newvine reported he had checked with the towns of Morriston and Oswegatchie and they are in the same situation not knowing who has the authority when it comes to docks.

Supervisor Newvine asked CEO Besaw if the garbage complaint had been resolved. CEO Besaw reported no one had fessed up to it yet.

### **Town Clerk**

Town Clerk Tami Gale reported:

- The gross DEC sales for the month were \$1,095.00 with the Towns commission being \$60.39, she had sold 1 marriage license ,collected \$10.00 in kennel fees, licensed 29 dogs, handled 5 building permits, sold 1 bi-centennial book at \$5.00, and had taken in \$3.25 in photocopies.
- She had received a scrap metal check in the amount of \$349.35 from NorthStar Auto & Salvage.
- She had received \$201.00 in cash from the Pepsi machine located at the highway department.
- She had taken in \$30.00 from the sale of a t-shirt and a donation to the playground.
- A new flag was ordered for the pavilion as well as janitorial supplies that were taken care of by maintenance worker Byron Woodward.
- Newsletters for the year 2023 have been completed and sent to Coughlin for printing, and if anyone needs any forms ordered, the turn around time will be at least 2 weeks and she will need an example of the form to be ordered to send to the new printing company.
- The Town Clerk's office will be closed November 8<sup>th</sup> and November 11<sup>th</sup> for the general election and Veterans Day and thanked any veteran in attendance for their service.
- She has generator keys to give to maintenance worker Byron Woodward and Hwy. Superintendent Randy Durham.

### ***CLOSING THE PUBLIC HEARING ON THE PROPOSED 2022 BUDGET***

Supervisor Newvine asked if there were any questions on the proposed 2023 Town budget.

With no questions received, at 6:29PM, a motion was made by Councilperson Simmons seconded by Councilperson Cleveland to close the public hearing on the proposed 2023 budget. All in Favor. MOTION CARRIED.

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

**NAYS: 0**

### ***RESOLUTION #20 OF 2022***

#### ***Adopting the Town of Fowler Budget for Fiscal Year 2023.***

Supervisor Newvine submitted Resolution #20 of 2022, a Resolution, approving and adopting the operating budget for the Town of Fowler for Fiscal Year 2023 to the board for adoption. A motion was made by Councilperson Andrews seconded by Councilperson Bishop. All in favor. MOTION CARRIED.

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

**NAYS: 0**



## Highway Department

Highway Superintendent Randy Durham:

Reported the Town of Fowler needs to declare its seasonal roads, as is done every November. A motion was made by Councilperson Andrews seconded by Councilperson Cleveland to declare the following roads as seasonal roads from December 1, 2022, to April 1, 2023. All in Favor. MOTION CARRIED.

### SEASONAL ROADS DECLARED

**Stone Road from bus turn around to Orebed Road.**

**Sibley Road from bus turn around to State Land.**

**Fire Falls Road from Luke Gates home to Town of Fowler Line.**

**Lamb Road from Country Club Road to Town of Fowler Line.**

**Shantyville Road from the Besaw Farm to the plow turn around on Byrns Road end. (Corral)**

## Update on Jon Kelley injured in the Tripp Fuel Truck explosion

Supervisor Newvine asked Councilperson Simmons to give an update on resident Jon Kelley's condition.

Councilperson Simmons reported she had spoken to Natalie Kelley, wife of Jon Kelley, and had learned he may be coming home on November 17<sup>th</sup>. She reported it is going to be a long road, with a lot of rehabilitation and physical therapy needed. He has had a hip replacement, a rod put in from his hip to his knee, he has a broken heel, and has had a lot of skin grafting done. Natalie relayed that Jon has been very positive throughout it all, considering what he has been through.

Supervisor Newvine reported he and the board had initiated donation jugs, to assist Jon as he recovers from his accident, be placed at the Fowler Town Hall, Newvine's Napa, and Bob's Market, with the following message:

**On October 18, 2022, Jon Kelley Town of Fowler resident, former town employee, was injured in a workplace accident. Please help Jon and his family recover from this untimely loss of income.**

Councilperson Simmons stated Natalie Kelley was very thankful to the town for their support.

Councilperson Simmons reported there will also be a spaghetti dinner benefit for Jon on Saturday November 19<sup>th</sup> from 4-6PM at the Gouverneur Elks Club, the cost is \$12.00 per dinner, is takeout or free delivery only and that all money will benefit Jon's recovery.

## Councilmembers

### **Councilperson Scott Cleveland:**

- Reported he didn't have anything further to add other than to remind everyone there is a public comment period in every meeting that is held and stated this is the time for people to speak up if they are not pleased with something that the board is doing and encouraged them to do so.

### **Councilperson Lynn Bishop:**

- Asked Hwy. Superintendent Durham how many of the plow trucks are ready to use. Hwy. Superintendent Durham reported he has 1 truck ready to plow, with all of them ready to sand, and the sanders are what take all the time to get the plows ready to use.
- Asked Hwy. Superintendent Durham if he could mow the pin yard and knock down some of the brush. Hwy. Superintendent Durham reported his mower is put up for the winter and it already has problems and is going to be rebuilt before spring. Supervisor Newvine asked Hwy. Superintendent Durham if he was still looking at another mower to purchase. Hwy. Superintendent Durham replied he would love

to look at a new mower, but it depends if the town receives the \$42,000 grant from the USDA and reported he would still use the current mower as well. He reported if they do get the USDA grant, maybe they could buy a nice little bat wing mower or something.

**Councilperson Jeff Andrews:**

- Reported there will be another school food box distribution on Wednesday, November 23<sup>rd</sup> the day before Thanksgiving.
- Asked Hwy. Superintendent Durham if he was going to start advertising for another highway department employee, since Larry has put his notice in. Hwy. Superintendent Durham replied they hadn't discussed that yet, and they needed to wait until Larry was gone. Hwy. Superintendent Durham replied he would not steal an employee from another town. Supervisor Newvine asked Hwy. Superintendent Durham if he was going to wait for the dust to settle and then decide what they want to do about hiring a new employee for the highway department. Hwy. Superintendent Durham stated he thinks that is the way they should do it as they still have 6 employees.

**Councilperson Karen Simmons:**

- Reported 31 people in the month of October had visited the HAP food program.
- Reported all 25 boxes from the last school food box distribution had been given out, she reported there were 29 people who wanted the boxes, and she had 25 boxes to give out.
- Reported the next SOS food program delivery for Thanksgiving will be made the week of November 14<sup>th</sup>, and there are 95 senior citizens who they will be delivered to.
- Reminded everyone to get out and vote tomorrow. She reported the only local people on the ballot this time is Robert Theriault, who is running for assessor. She reported there is a blank on the ballot for a one-year unexpired term as assessor, which is currently being filled by appointed assessor Tim Thomas, and voters can write his name in, but they don't have to. Supervisor Newvine asked what was allowed now regarding spelling of the names, for candidates who are being written in on the ballot, he thought three variations were allowed. It was discussed that Tim Thomas goes by Timothy Thomas.

**Supervisor Ricky W. Newvine:**

- Asked Assessor Chair Besaw what she had found out regarding Fowler Hydro, LLC C/O Hydroland, Inc. v. Board of Assessment Review and/or Assessor of the Town of Fowler, et al. Assessor Chair Besaw reported it pertains to a grievance which they will continue to file every year, as they refuse to provide an appraisal of the properties in dispute to establish that the full value claimed by it are accurate and that the assessed values are inaccurate.
- He had spoken to a representative of NCC Systems to address the issue with the court alarm.
- He had received a complaint about an individual doing burn outs on the Island Branch Road, and the person making the complaint was concerned about the damage being caused to the road. He reported Hwy. Superintendent Durham had kind of handled it, but he advised the individual to share his recording with the State Police.
- Reported he had received the towns copy of the fully executed Emergency Shared Services Agreement with NYSDOT for a 4-year period.
- Asked Hwy. Superintendent Durham if he had a chance to look at the Hull Road yet. Hwy. Superintendent Durham reported it was all taken care of and the next time is not going to be free, to the individual who caused the issue, reporting, it is very expensive to have his crew called out to do

this kind of work and this is the 2<sup>nd</sup> time that this individual has needed the town to push something back.

- Reported he had given the board members a copy of the Sylvia Lake Association – Milfoil Mitigation Project Action Survey, and asked to have their opinions, as it needs to be returned by December 1<sup>st</sup>.
- Reported the board needed to set a date to hold a work session to review all town policies, including the workplace violence prevention policy and to look at the sluice pipe policy. He stated the more he thought about the sluice policy, maybe they don't want to sell to everybody in this town. After some discussion, a work session was set to be held on Monday, December 19<sup>th</sup> at 3:00PM.
- He has had one meeting with the County concerning the snow removal contract that was not very productive. He reported the thing that they would like to get rid of from the contract, is the tier, and if they did, the town would be paid an extra \$500 a mile. He reported he would like to see the contract have an escalator, and no de-escalator, and if the price goes down then it would be money in the towns budget. He reported he is hopeful to get a good contract.

### **Public Comment**

- Deb Walsh complimented the work that was done by the highway department removing trees and preparing the road for future paving. She stated it is amazing how well everyone worked and how nice it looks now.
- Deb Walsh stated she has had a lot of people giving her comments on Terrell Ferrer, as they know he is her grandson, on how well he has been doing on the road sides. Hwy. Superintendent Durham stated that people are telling him too as well, and he has shared that with Terrell. Supervisor Newvine stated that is good to hear, and they like to hear that.
- Hwy. Superintendent Durham reported he had voted early as he is going to be out of town, and recommended for others to do so, as it is very easy.

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

The bills audited for the General and Highway Fund were #400 to #448 with a total of \$34,610.87.

The next regular scheduled board meeting will be held on December 12, 2022 at 6:00PM.

Supervisor Newvine gave a reminder for everyone to get out and vote tomorrow November 8<sup>th</sup> stating it is a huge election.

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

Tami Gale; Town Clerk