

Town of Fowler February 4th, 2020 Justice Audit, Town Clerk Audit and Regular Scheduled Board Meeting at 7PM.

The Town of Fowler Justice Audit, Town Clerk Audit and Regular scheduled Town Board meeting was held on the above date with all Board members present. Also present were Town Clerk Tami Gale, Assessor Chair Sherry Geer, Assessor Phyllis Shaw, Dog Control Officer Dan Moyer, Planning Board Members Stephen Gale and Larry Streeter, Code Enforcement Officer Glen Besaw, Highway Superintendent Randy Durham, Legislator William Sheridan, Pavilion Committee member Richard Clement, Lisa Durham, Scott and Marcia Cleveland and Rachel Hunter from the Gouverneur Tribune Press.

Supervisor Newvine called the meeting to order at 7PM then proceeded with the opening prayer 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 January 7th, 2020 Board meeting with one correction. The June Town Board meeting date is going to be held on June 4th. It was erroneously stated that it was being changed to June 6th at the January 7, 2020 board meeting. The date had already been changed when the Board meeting schedule was prepared. All in Favor. MOTION CARRIED.

RESOLUTIONS

RESOLUTION # 3 of 2020

Procurement Policy

A motion was made by Councilperson Bishop seconded by Councilperson Andrews to adopt Resolution #3 of 2020, a procurement policy for the Town of Fowler, its officers, agents, and employees required by Section 104-b of the New York State General Municipal Law to apply to the purchasing of all goods and services which are not required by law to be publicly bid. All in Favor. MOTION CARRIED.

AYES: 4 NEWVINE, SIMMONS, ANDREWS, BISHOP

NAYS: 0

RESOLUTION # 4 of 2020

Justice Audit, Town Clerk Audit of the 2019 Books

A motion was made by Councilperson Simmons seconded by Councilperson Andrews to adopt a resolution to allow the Town Board to audit the Justice Department 2019 books & the Town Clerk 2019 books. All in Favor. MOTION CARRIED.

AYES: 4 NEWVINE, SIMMONS, ANDREWS, BISHOP

NAYS: 0

The books and records of Town Justice Ryan Young and Town Clerk Tami Gale were presented for review. The board examined the records and dockets and verified that the records of criminal actions stated the names of the sworn witnesses as well as residence information. The records were duly examined and, it was determined that the fines therein collected have been turned over to the proper officials of the Town of Fowler as required by law. The Town Clerk's records including the deposits of all funds were determined to be in order.

AGREEMENTS

Supervisor Newvine presented three Agreements that are executed yearly to the Town board for their consideration, and asked for a motion giving him permission to sign the following agreements:

1. CEMETERY AGREEMENT (HAILESBORO CEMETERY ASSOCIATION) \$5,000.
2. READING ROOM AGREEMENT \$1,400.
3. RECREATION CENTER AGREEMENT \$1,200.

Supervisor Newvine reported the Hailesboro Cemetery Association would like to receive their check earlier than what is written in the agreement to be able to advertise jobs necessary to be bid on at the cemetery. The board agreed to have the agreement date changed for next year and will mail the check early this year.

After discussion, a motion was made by Councilperson Andrews seconded by Councilperson Bishop giving permission to Supervisor Newvine to sign all three agreements. All in Favor. MOTION CARRIED.

Supervisor Newvine announced Legislator William Sheridan's arrival to the board meeting and gave him the floor for an update at the County level.

LEGISLATOR WILLIAM SHERIDAN WITH COUNTY UPDATE

REPORTED ON SALES TAX:

- County is still undecided as to what is going to happen with sales tax. (Legislator Sheridan passed out a document listing 9 potential options prepared by the County regarding sales tax and reported that more options have since been added to the potential list that have been added after this handout was printed.
- That there is a 6.5 billion- dollar deficit in the State Budget reported by Governor Cuomo that is going to cause the County to take a hit.
- The County does not want to be in a situation where they need to borrow money to make payroll as had happened in the past.
- Discussed that 90% of actions the County take are mandated.
- In order to keep the Towns "whole," that the City of Ogdensburg would be taking a 1.9 million-dollar hit.

REPORTED ON THE EMERYVILLE BRIDGE:

- He had been "searching around" to see if there is any support for the Emeryville bridge, he will continue working on trying to get the bridge in and will keep the Town of Fowler abreast of what is going on.

REPORTED ON SECOND AMENDMENT SANCTUARY:

- That there was a request made at the St. Lawrence County Legislators meeting held on February 3, 2020 asking the legislators to protect their constitutional rights by becoming a Second Amendment sanctuary.
- Legislator Sheridan stated that it is unseen whether the County will pass a resolution or not on the issue.

Supervisor Newvine thanked Legislator Sheridan for his report to the Town of Fowler.

Supervisor Newvine addressed a proposed parking law Town Attorney Henry Leader had prepared for the Town of Fowler and asked Highway Superintendent Durham if the recent parking concern had been resolved. Highway Superintendent Durham stated that he had spoken to the individual involved in the concern and it had been resolved. Upon further discussion, it was the consensus of the board to take no action at this time in adopting a parking law since the concern had been resolved and to revisit the need for a parking law if more issues arise in the future.

Supervisor Newvine addressed the councilmembers on his need to change the April 2020 board meeting date as he will be out of Town. After discussion it was the consensus of the board to change the meeting date from

April 7, 2020 to April 14, 2020. Further discussion was held on changing all regular scheduled Town Meeting Dates to the second week of the month instead of the first week to allow more time for statements to be received by the Town Clerk for bill paying purposes. After discussion, it was the consensus of the board to take no action at this time, partake in some research and re address the proposed meeting date change at the March Board meeting.

Supervisor Newvine addressed the Councilmembers concerning several pieces of obsolete furniture being retained at the Town Hall. After discussion, it was the consensus of the Town board to declare the items as Surplus goods and have the pieces looked at by an antique dealer to determine a value for their sale. Councilperson Simmons will take the lead on having the items appraised and the subject will be re-addressed at a future board meeting.

BEAVER CONTRACT

Supervisor Newvine discussed the Town of Fowler Beaver Contract is in effect from March 1st to December 31st and asked the board their thoughts on filling the contract. After discussion, a motion was made by Councilperson Andrews seconded by Councilperson Simmons to award the March 1st to December 31st 2020 Beaver Contract to Moyers Wildlife Control. All in Favor. MOTION CARRIED. Town Clerk Gale reminded Dan Moyer of Moyers Wildlife Control that proof of liability insurance and an up to date license would need to be provided to her office.

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 was not in attendance and provided the board with purchase orders and checks prior to the Board meeting.

Assessors

Assessor Chair Sherry Geer reported:

- That the State is still mailing worksheets out to some tax-payers' to fill out and return and if anyone has any questions or needs assistance to give the assessor office a call.
- Data Collection is being performed at a slower rate during the season and continues to be worked on.
- Councilperson Simmons asked how newly elected Assessor Kathleen Besaw is doing. Assessor Chair Geer stated that Assessor Besaw is scheduled for two weeks of training in March to include Fundamentals in Assessing, and that she will be working on completing a self -study in Data Collecting. The orientation training for Assessor Besaw will take place in April.

Historian

Historian Karen Simmons reported:

- She had been working on researching the Willard Glazier family for a gentleman from Amsterdam and is close to sending him the information that she has gathered from the Historians office.
- She is still researching to find names of Town of Fowler residents who served in the Korean War, and if anyone has any names of people who have served to give her office a call.
- She and Supervisor Newvine had looked over the surplus dishes and cabinet in the Town Hall kitchen.

Animal Control

Dog Control Officer Dan Moyer reported:

- He had received a few complaints and issued 2 tickets for unlicensed dogs and issued 2 tickets for dogs running at large. In the same case there was sufficient evidence to bring the matter before Justice Young, where the dog was considered to be a dangerous dog by New York State law.
- The “dangerous dog is required to be on a leash at all times, supervised outside by someone not under the age of 21 at all times, and is not allowed to run free. The dog is required by New York State law to be neutered, microchipped, licensed, and to receive a current rabies shot. The dog will be marked by Ag & Markets on its license as a dangerous dog.

Code Enforcement

Code Enforcement Officer Glen Besaw reported:

- He had received 7 building permits in the month of January.
- The case in the Town for illegal building was resolved by being settled in court. He has issued the certificate of occupancy for the building.
- He has received a few complaints from electrical inspectors involving contractors that aren’t calling them to complete the electrical inspections prior to covering the electrical work that has been done. CEO Besaw stated that he would reiterate to all contractors the importance of having the electrical inspections completed properly or by New York State law or the Town will need to take action on the matter.

Supervisor Newvine stated that there are no excuses for this and directed CEO Besaw to take action if it happens again. Make an example that this will not be tolerated.

Town Clerk

Town Clerk Tami Gale reported:

- 70.53% of land taxes have been collected, and she had paid Supervisor Newvine the Town of Fowler’s share of the County taxes.
- She had taken in a gross of \$162.00 in DEC sales and \$8.94 in commissions for the month, had issued 1 certified marriage transcript, issued 3 Certified Death Certificates, licensed 46 dogs, sold 2 Bicentennial books, and handled 6 building permits.
- That both Karen Simmons and Lillith Griffith, who serve on the ethics committee, had taken their oath of office on the 28th. All oaths have now been taken except for Deputy Highway Superintendent.
- She had taken a webinar class on the Adoptee bill of rights.
- That there will be a Pavilion Committee meeting on February 11, 2019 at 4:00PM.
- The Town Hall is scheduled to be used several times this month.
- That she had taken a webinar class with Municipay to learn more about credit/debit cards as a payment option for residents to be able to pay their land taxes, DEC licenses and Town Clerk licenses.

The only cost to the Town would be for a card reader priced at \$185.00. There would be a service fee added to the transaction, which is calculated at the time of the transaction that would be incurred by the credit/debit card user, as a processing fee payable to Municipay.

After further discussion it was the consensus of the board for Town Clerk Gale to begin the paperwork for the credit /debit card processing and banking resolutions would be presented for adoption at the next Town board meeting.

- That Glen Besaw has offered to donate one of his original creations for a raffle prize for the 5th annual Fowler Family Day event, and if anyone else has an item that they would like to donate to give the Town Clerk office a call (315) 287-0045 Ext 101.

Highway Department

Highway Superintendent Randy Durham reported:

- That he needed permission from the board for Supervisor Newvine, as well as himself, to sign the 3 Year County Snow & Ice Agreement. Town Clerk Gale asked Highway Superintendent Durham if the agreement required a resolution. Highway Superintendent Durham stated that he thought he just needed the boards' permission to sign the agreement. After some discussion it was the consensus of the board to sign the agreement and make available to the board members who had not seen the agreement prior to this evenings meeting, copies for their review. *It was discovered after the consensus that a resolution was required for this agreement to be signed, and a resolution to sign the agreement as well as copies of the agreement will be provided to all board members at the March 3, 2020 Town board meeting.*
- On the 2- stage plow that was discussed at the January 7, 2020 board meeting. He had received a price of \$3,000 from Justin at Viking to purchase the 2 -stage plow. The price includes Viking taking back the plow frame that came with the new plow truck and putting the proper frame on it to hold the 2 -stage 1- way plow behind it.

Supervisor Newvine asked if Highway Superintendent Durham was asking for the boards' approval. Highway Superintendent Durham stated that the cost is just information being reported on what was discussed last month and since it was only \$3,000 Councilperson Andrews and he had discussed going ahead and ordering the 2 -stage plow. Supervisor Newvine asked the remainder of the board if they were OK with the purchase. Councilperson Andrews asked everyone if they were OK with the price. After further discussion, it was the consensus of the board to make the purchase.

- That he had looked into the cost of hot mix for road shoulders and determined it would be an added 20% cost to build a 22' road which is 18' with 2' shoulders on both sides. Highway Superintendent Durham stated that he thought River Road would be a perfect place to start.

After further discussion, it was the consensus of the board to try the hot mix on the River Road shoulders to see if it alleviates safety concerns and to see how it holds up. Councilperson Bishop maintains that he himself would still like tar/gravel shoulders but is willing to see how it goes on the River Road.

- That on March 4, 2020 he will be traveling to Albany with other Highway Superintendents to speak with Senator Patty Ritchie and constituents concerning the road budget.

Councilmembers

Councilperson Lynn Bishop:

- Discussed his concerns earlier in the meeting.

Councilperson Jeff Andrews:

- Asked Highway Superintendent Durham about a bill that was included in the vouchers for approval at this evenings meeting. Highway Superintendent Durham replied that the bill was for chains for tires on the plow truck.

- Asked Highway Superintendent Durham if the extra plows and one -ways at the highway department should be declared as excess and listed for sale. Highway Superintendent Durham stated that they get used for spare parts in an emergency when they are needed.
- Asked Highway Superintendent Durham the status of the 98' truck at Spilman's Garage. Highway Superintendent reported that it has not moved since he had asked about its status last month. Supervisor Newvine stated that he would make a call concerning the matter.

Councilperson Karen Simmons:

- Introduced Marcia & Scott Cleveland to everyone at the board meeting.
- Reported that Family Day is being held on July 11, 2020 this year.
- Discussed that the meetings for the 5th annual Fowler Family Day are set to begin in February and asked if the meetings would remain in the afternoon or be moved to an evening hour so that interested parties could attend. Supervisor Newvine suggested that they could be alternated so that more people could attend.
- Set the date with the boards input for February 20, 2020 to be the first Family Day meeting at 2:00 PM, and everybody and anybody is welcome.
- Reported that she has already spoken to Wilson Bickford who has again pledged to donate a painting and has spoken to other community members who seem to be very enthused for the annual event.

Supervisor Ricky W. Newvine:

- Reported that he had attended a DANC meeting in Watertown that was very informational and that he had brought back a pamphlet for board members to view. He learned that DANC administers grant money if the Town decides to do another grant.
- Reported he had spoken to Niagra Mohawk regarding a request by a tax-payer for a streetlight on the corner of the Smith and Country Club Road and reported that it is being worked on and should be in place within 2 weeks.
- Thanked Highway Superintendent Durham for taking care of a complaint regarding a confusing road sign on the River Road.
- Reported that he had spoken with Tommy Conklin regarding the need for testing of the dry hydrant on the Little York Road and it is expected to be completed this week.
- Asked Planning board chair Stephen Gale if he had any news to report on selling Methane Gas generated by dumps. Planning board chair Gale stated he had no new information to share on the matter.
- Reported that he had a meeting with the donor for the Pavilion and she is getting a little bit anxious to see the project get going. He reported he had spoken to the Department of Labor and may have a way of cutting the cost. He will discuss it further with the Pavilion Committee at the next Pavilion Committee meeting.
- Reported that there had been an incident at the Town Hall involving a fall from a visitor to the Town Hall exiting out the front door. He has spoken to maintenance worker Byron Woodward concerning the matter and they are trying to come up with a fix to the step- down concern. Supervisor Newvine stated that he will have the step down painted bright yellow until a more permanent solution is determined.

- Reported that Maintenance worker Byron Woodward had done a great job with the rear entrance ramp making it much safer for patrons to visit the Town Hall.
- Reported that the Town board was contacted by Michael Cappellino asking for a letter of support for the Rod & Gun Club as they are applying for a grant. Supervisor Newvine contacted the individual board members by phone for approval and it was the consensus of the board to sign and send a letter of support for the club.

MOWING CONTRACT

Supervisor Newvine addressed the mowing contract with board and asked how they wished to award it this year. It was discussed that the mowing contract did not need to be put out to bid. Councilperson Simmons stated that she would like it to be awarded to Dan Fifield again this year as he does a great job. After discussion, it was the consensus of the board to award the 2020 mowing bid to Dan Fifield.

Public Comment

- Randy Durham reported that the tree service that has been cutting tree limbs have left lots of branches and tree debris in the Town right of ways and peoples yards and asked the board if he should pick the debris up. Supervisor Newvine stated that he would call his contact at Niagra Mohawk to see if he could get a number to the tree service that was hired by them to discuss the debris that was left throughout the Town.
- Dan Moyer made a suggestion regarding the front step safety concern at the Town Hall. CEO Besaw quoted facts and figures on landings. After further discussion, it was the consensus of the board to direct Byron Woodward to erect a sign that states Emergency Exit Only for the front door to encourage patrons to use the rear handicap assessable entrance.
- Councilperson Simmons stated that there is a new bulletin board in the hall for community events.

Executive Session

At 8:14PM, a motion was made by Councilperson Simmons seconded by Councilperson Andrews to enter into executive session. Highway Superintendent Randy Durham was invited by the board to attend the executive session. All in Favor. MOTION CARRIED.

At 8:22PM, a motion was made by Councilperson Simmons seconded by Councilperson Bishop to end the executive session. All in Favor. MOTION CARRIED.

Supervisor Newvine reported that the purpose of the executive session was to discuss issues in the highway department involving the health of an employee who is out, and how to handle his case moving forward.

A motion was made by Councilperson Simmons seconded by Councilperson Andrews to audit the bills. The bills audited for the General and Highway Fund were # 9 to # 53, with a total of \$ 37,166.62.

The next regular scheduled board meeting will be held on March 3, 2020 at 7:00PM.

A motion was made by Councilperson Simmons, seconded by Councilperson Andrews to adjourn the meeting at 8:28PM. All in Favor. MOTION CARRIED.

Tami Gale; Town Clerk

