

## **Town of Fowler February 8<sup>th</sup>, 2021 Justice Audit, Town Clerk & Bookkeeper Audit and Regular Scheduled Board Meeting at 6PM.**

The Town of Fowler Justice Audit, Town Clerk & Bookkeeper 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, Town Justice Tim Knowlton, Bookkeeper Barbara Finnie, Dog Control Officer Dan Moyer, Code Enforcement Officer Glen Besaw, Assessor Kathleen Besaw, Highway Superintendent Randy Durham, Pavilion Committee member Richard Clement, Leo Knight, and attending via teleconference were Councilperson Bishop, Assessor Chair Sherry Geer, Assessor Phyllis Shaw, 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 and led a moment of silence to honor our military men and women, all healthcare workers, and a special note this evening for one of our highway workers who lost his sister over the weekend.

Supervisor Newvine asked for a motion to approve the minutes from the January 11, 2021 Organizational Town board meeting. A motion was made by Councilperson Simmons, seconded by Councilperson Cleveland. All in Favor. MOTION CARRIED.

### **2021 AGREEMENTS**

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

1. CEMETERY AGREEMENT (HAILESBORO CEMETERY ASSOCIATION) \$5,000.
2. READING ROOM AGREEMENT \$1,400.
3. RECREATION CENTER AGREEMENT \$1,200.
4. TO SPEND TOWN HIGHWAY FUNDS.

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

Supervisor Newvine reported he had received from New York State a Shared Services Agreement Between the Department of Transportation and the Town of Fowler for the Board's consideration. He reported that the Town currently has one in place that is about to run out and stated the Town had not worked with them in a few years, but he felt the Town would benefit from having this agreement in place.

After some discussion, a motion was made by Councilperson Bishop seconded by Councilperson Andrews giving Supervisor Newvine permission to sign the DOT Shared Services Agreement. All in Favor. MOTION CARRIED. Supervisor Newvine will provide copies of the executed agreement to the Town Clerk and Highway Superintendent when he receives his returned copy.

Supervisor Newvine noted the 2020 books and records of Town Justices' Ryan Young and Travis Dann, Bookkeeper Barbara Finnie and Town Clerk Tami Gale were presented to the board for review this evening and will be audited at the end of the board meeting, the audit to be performed will be Resolution #4 of 2021.

## **RESOLUTION**

### ***RESOLUTION # 5 of 2021***

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

A motion was made by Councilperson Andrews seconded by Councilperson Cleveland to adopt Resolution #5 of 2021, a holding harmless the County of St. Lawrence County for providing service for the year 2021. All in Favor. MOTION CARRIED.

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

NAYS: 0

## **BEAVER CONTRACT**

Supervisor Newvine discussed the Town of Fowler Beaver Contract is in effect from March 1<sup>st</sup> to December 31<sup>st</sup> and asked the board their thoughts on awarding the contract. Councilperson Simmons reported that she had spoken to Dan Moyer of Moyer's Wildlife Control to see if he was interested in being awarded the contract again this year and had learned he was. She reported that he has asked for an increase in pay per site clean-up which amounts to a \$25.00 increase per sight, going from \$250.00 per site to \$275.00 per site. After some discussion, it was the consensus of the board to award the March 1<sup>st</sup> to December 31<sup>st</sup> 2021 Beaver Contract to Moyers Wildlife Control with the pay increase to be amended in the 2021 contract. Town Clerk Gale reminded Moyers Wildlife Control that proof of liability insurance would need to be provided, and the mandatory Sexual harassment training needed to be done.

## **SCHEDULE PUBLIC HEARING FOR PROPOSED LOCAL LAW 1 & 2 of 2021**

Supervisor Newvine discussed the need to set a date to hold a public hearing for proposed Local Law 1 of 2021 and Proposed Local Law 2 of 2021. Supervisor Newvine explained proposed Local Law 1 of 2021 as a law providing for a Community Choice Aggregation (Energy) Program that would allow the Town to determine how we distribute power distribution within our Town and proposed Local Law 2 of 2021 as a law that would permit the Town to opt out of Tax Exemption provided by New York State Real Property Tax Law 487. Supervisor Newvine explained that if the Town does not have this law, and someone were to begin a solar project, the Town would not receive any money in taxes.

After some discussion, a motion was made by Councilperson Cleveland seconded by Councilperson Simmons to schedule a public hearing for the two proposed Local Laws to be held on March 8<sup>th</sup>, 2021.

## **APPOINTMENT**

Supervisor Newvine discussed appointing Marcia Cleveland to fill the vacant seat on the Ethics Committee. A motion was made by Councilperson Simmons seconded by Councilperson Andrews to appoint Marcia to the Ethics Committee. All in Favor. MOTION CARRIED. Supervisor Newvine reported she will need to take her Oath of Office.

## **RECOGNITION OF LILITH GRIFFITH'S RESIGNATION**

Supervisor Newvine addressed the failure of the board to adequately recognize Lillith Griffith, former Chairperson of the Ethics Committee, when accepting her resignation at the January 11, 2021 Town Board Meeting. Supervisor Newvine stated the board deeply regrets their failure to recognize Lillith, and all that she has done for the Town. Supervisor Newvine wanted to make a special note of the oversight and stated Lillith has always been a great Town person who has helped out the Town in any way that she could over the years.

### **Town Department Reports**

#### **Justice Department**

Town Justice Tim Knowlton reported:

- Starting on February 16<sup>th</sup>, the court will start doing virtual court using (TEAMS).
- Until COVID-19 is over, the court will be sending out court notices telling people what time to be on-line and everything is done via the computer.
- He has been training with Justice Stan Young and reported the virtual court process to be a smooth operation.
- Kyle Plantz from the Village of Gouverneur is going to work with him and familiarize him with navigating the new system.

Supervisor Newvine asked Justice Knowlton if he had everything he needed for court. Justice Knowlton reported he would like to purchase a camera that would clip on to the Court Clerks computer. Supervisor Newvine stated that the court had a budget to use to purchase the camera.

- He thought there was a new lap- top on order and Court Clerk Irma Ashley would be checking on its status with Tom Manley of Pinnacle Technologies.

Councilperson Simmons asked Justice Knowlton how Animal Control should be handling tickets that need to be issued pertaining to dogs. Justice Knowlton stated he would look into the process and let her know.

#### **Bookkeeper**

Bookkeeper Barbara Finnie reported:

- She had provided Town of Fowler Cash Balance Reports for Month Ending December 31, 2020 and January 31, 2021 to the board members.
- December is all closed out for the year.
- Fund balances had come in pretty good with the General Fund Balance increased by \$28,651, the Highway Fund Balance increased by \$113,642, the street light district increased by \$4,792, and the fire district went down \$2,070.70.
- The Town had received the 1<sup>st</sup> quarter sales tax, which was down \$26,954 from the last quarter, and down \$1,936.57 from the 1<sup>st</sup> quarter of 2020, which was anticipated due to the pandemic.

## **Assessors**

Assessor Chair Sherry Geer reported:

- A reminder to Fowler taxpayers that if they receive the Basic Star Credit and they will be turning 65 years of age this year that they can still apply for the Enhanced Star Exemption, even if they will turn 65 after March 1<sup>st</sup>.
- The State will be mailing worksheets out soon to taxpayers, and if anyone needs assistance in filling them out, they are welcome to call the Assessor's Office for help.

## **Historian**

Historian Karen Simmons reported:

- She has been working on a genealogy research on the Wight family, after she had received a request from a resident of Utah for the information.

## **Animal Control**

Councilperson Karen Simmons reported for Dan Moyer who arrived later in the meeting:

- He had picked up a male yellow lab in Balmat on Saturday.
- The dog is in the kennel and its owners have not been located. The dog will need to be in the kennel for 12 days before it can be adopted out in the event the dog's owner cannot be found.

## **Code Enforcement:**

Code Enforcement Officer Glen Besaw reported:

- He has closed out all of the building permits from last year excluding a few hold over's that have not had all of the work finished.
- He is now ready to file his yearly report.
- He has issued 1 stop work order, which is being ignored and is following up on the matter tomorrow.

## **Town Clerk**

Town Clerk Tami Gale reported:

- 76.27% 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 \$595.00 in DEC sales with \$16.05 being the Town's commissions, licensed 33 dogs, and had taken in .55 cents in copies.
- Reminded everyone that the Town does not pay sales tax, and to be sure they are checking their receipts if making Town purchases that they are not being charged for sales tax.

## **Highway Department**

Highway Superintendent Randy Durham reported:

- He had spoken with the USDA regarding the new Plow Truck, and it looks very good that the Town will be getting the \$30,000 grant & \$190,000 USDA Loan.

Supervisor Newvine complimented Highway Superintendent Durham on his work with the USDA pursuing the purchase of a new plow truck.

- On the Shared Services Agreement between the Towns of Fowler, Edwards, Russell, and Hermon, stating the agreement has been put in place in the event COVID-19 strikes one of the highway departments, the other Towns will send their trucks in to clear the roads of the effected Town. He stated that the Village & Town of Gouverneur also want to enter into the agreement.

Supervisor Newvine asked Highway Superintendent Durham to contact the Village & Town of Gouverneur to complete the paperwork necessary to add them to the agreement.

- The printer in his office had been replaced and asked the board if he could take the old printer home. It was the consensus of the board that he could.
- Asked the board if his wife Lisa Durham could drive him around in the Town pick-up truck with the plow on it to check the roads while he is recovering from surgery next month. After some discussion, it was the consensus of the board that would not be permitted, and the Deputy Highway Superintendent could perform the duties of checking the Town roads while he is recovering.

## **Councilmembers**

### **Councilperson Cleveland:**

- Thanked Hwy. Superintendent Randy Durham for his invite to do a ride a long in a Town plow truck. He reported he had ridden along on a plow route with heavy equipment operator Larry Allen, complimented the job that Larry had done, and stated he had learned a lot.

### **Councilperson Lynn Bishop:**

- Stated in his opinion, the Deputy Hwy. Superintendent should always be the one to check the roads in the Hwy. Superintendents absence.
- Asked Hwy. Superintendent Durham if it was our highway workers who were pushing back the high banks at intersections on the State roads like the Farm to Market road intersection. Hwy. Superintendent Durham replied that his workers have been knocking back the high banks so they and everyone else could see oncoming traffic. Councilperson Bishop commented that the banks look good.
- Commended the highway department on taking good care of the roads and stated all of the workers are doing a great job plowing.

### **Councilperson Jeff Andrews:**

- Asked Highway Superintendent Durham what the status was of Truck 12. Hwy. Superintendent Durham reported his confidence in the truck is not very high. It gets fixed and runs well for a trip or

two then goes back to breaking down again. Hwy. Superintendent Durham reported that he would like to sell it this year after the new plow truck arrives and reported other Towns who had similar break downs on the same trucks had gotten rid of them as well.

- Asked about the proposed re- establishing of an ice -skating rink discussed at the last board meeting that was postponed for a year. Specifically asking if it was going to be a lot of money to re-establish a rink. Supervisor Newvine stated he thinks it will be a considerable investment. He had spoken to Don Seaman, who was the Town maintenance person when a skating rink was operational in the past, and Don thought the lights not working is the least of the concerns. The pump doesn't last more than ½ an hour and the well goes dry, and you have to wait till the next day to recover more water. Supervisor Newvine stated conceivably we may have to deepen or install a new well for the ice-skating rink. Supervisor Newvine stated the inquiry to the board concerning the rink was made by an individual who it turns out wanted to use it personally not for the purpose of taking a group of kids. Supervisor Newvine reported that if there is an interest put forward for more than personal use then he thinks the Town should look into it. Supervisor Newvine stated he did not have a problem looking into it if someone wanted to re-visit the proposal for a rink next year.
- He was asked by a taxpayer if the Town still has a tire drop off in the spring. Supervisor Newvine confirmed it was through the County not the Town. Hwy. Superintendent Durham reported that he had spoken to Senator Patty Ritchie concerning the tire drop off, and he was told since there is one done in Gouverneur, that it was not feasible to have one in Fowler too.

#### **Councilperson Karen Simmons:**

- Asked Bookkeeper Finnie to clarify if \$689.77 was currently available in the SOS Fund. Bookkeeper Finnie reported that amount was available as of January 31, 2021.
- Asked Bookkeeper Finnie if the Town had money in the budget to purchase food items for the Hometown Assistance Program. Bookkeeper Finnie suggested it would be okay to start there and the Town could make a separate line with contingent funds when the time comes.
- Thanked Glenn Besaw for picking up the new food racks for the Town and thanked Byron Woodward for putting them together.

#### **HOMETOWN ASSISTANCE FOOD PROGRAM UPDATE**

- Reported that she and Supervisor Newvine had picked up a 2<sup>nd</sup> load of donated grocery items from Dave Spilman Jr. and Kinney Drugs, and the program seems to be doing very well.
- Reported the Town is accepting food items to be dropped off, as long as the items are not expired.
- Reported the Town would like to hold the program mainly on Thursdays from 1:00 PM to 4:00PM, the day she is already scheduled to be at the Town Hall for the Historian's Office.
- Reported anyone is welcome to call her at home for assistance at 315-287-4753.

#### **Supervisor Ricky W. Newvine:**

- Reported he had spoken to Carol Besaw, owner of Bob's Market and made her aware of the Hometown Assistance Program, and she has pledged in the future as items are available, she would donate to the program.

- Called County attorney Steve Button about the Davis Property across from the Town Hall and is awaiting a return call.
- Thanked Town Clerk Gale for her help with the distribution of food items to townspeople coming in to take part in the Hometown Assistance Program.
- Asked if the board members had a chance to view the latest bridge report.
- Asked Code Enforcement Officer Besaw and Assessor Geer if they had any knowledge of the BAS Survey.
- Reported the Public Employer Health Emergency Plan for the Town of Fowler that he has been working on has been approved by the Highway Department. Supervisor Newvine reported the plan needed to be posted at the Town Hall and he is providing the Town webmaster with the information to post the plan on the Town website.
- Reported the Town of Fowler roads were in excellent condition as he drove home in the last snowstorm and stated the highway department was doing a good job.

### **Public Comment**

- Richard Clement agreed with Councilperson Bishop about the snowbank coming from CR 22 driving onto SH 58 is dangerous as you have pull to way out into the road to see if any traffic is oncoming. Hwy Superintendent Durham stated if people see dangerous snowbanks to call and he would send the loader out.
- Hwy Superintendent Durham wanted to remind all citizens using personal snow removal vehicles that it is dangerous, as well as against the State Uniform Traffic Law to push snow into the roadway and leave it there, stating the offender could be given a ticket and would be liable for any damages occurring from their actions.
- Leo Knight complimented the road conditions leading to the mines stating they have been sanded very well.
- Tim Knowlton stated he had contacted a solar company and they showed no interest in his farm. He learned you needed to be near 3 phase power.

### **RESOLUTION**

#### ***RESOLUTION # 4 of 2021***

#### ***Justice Audit, Bookkeeper & Town Clerk Audit of the 2020 Books***

A motion was made by Councilperson Andrews seconded by Councilperson Cleveland to adopt a resolution to allow the Town Board to audit the Justice Department 2020 books, the Bookkeepers 2020 books & the Town Clerk 2020 books. All in Favor. MOTION CARRIED.

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

NAYS: 0

The 2020 books and records of Town Justices' Ryan Young and Travis Dann, Bookkeeper Barbara Finnie, 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 Bookkeeper's & Town Clerk's records including the deposits of all funds were determined to be in order.

The bills audited for the General and Highway Fund were # 11 to # 52 with a total of \$38,213.70.

The next regular scheduled board meeting & Public Hearing for proposed Local Law #1 and 2 of 2021 will be held on March 8, 2021 at 6:00PM.

With no further business, on a motion of Councilperson Andrews, seconded by Councilperson Cleveland, the February Audit & Regular Town Board meeting was adjourned at 6:55PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk