

## **Town of Fowler April 11<sup>th</sup>, 2022, Minutes of Regular Scheduled Board Meeting 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, Town Justice Tim Knowlton, Highway Superintendent Randy Durham, Assessor Chair Kathleen Besaw, Pavilion Committee member Richard Clement, Ethics Committee Members Vivian Goodman & Vicky Cappellino, Maintenance worker Byron Woodward, Mike Cappellino, John Walsh, Terrell Ferrer, Rachel Hunter, Editor of the Gouverneur Tribune Press, and attending via teleconference was Code Enforcement Officer Glen Besaw.

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, and all healthcare workers.

Supervisor Newvine asked for a motion to approve the minutes from the March 14, 2022, regular scheduled board meeting. A motion was made by Councilperson Cleveland, seconded by Councilperson Andrews. All in Favor. MOTION CARRIED.

### **Invitation to Quote Road Work for 2022**

Highway Superintendent Randy Durham reported that he had prepared the invitation to quote road work for 2022. The roads to be quoted in 2022 are as follows:

**River Road**                    **Approximately 1.05 miles. 18' wide X 3" over a profiled road with type 3 Binder. Also, 1.05 miles X 18' wide 1.5" type 6 top compacted to 1" starting at Town of Fowler line and ending at River Road new pavement from 2019. New road is to be Fanned to marked area at Bay Road bridge.**

**Country Club Road**   **Approximately 340 Feet. 20 FT wide X 3" over a profiled road with type 3 binder. Also, about 340 feet X 20' wide X 2" type 6 top compacted to 1.5" starting at State Highway 58. Road will then change to the width of 18ft and depth remaining at 3 inches for 241ft to the new pavement at the Railroad Tracks. This portion will be 1.5 inch of type 6 compacted to 1 inch. Once across the tracks approximately 548ft X 18' wide X 3" over a profiled road with type 3 binder. Also, about 548ft X 18' wide X 1.5 type 6 top compacted to 1". There is a very large Fan at the State Highway 58 end, and an additional two Fans located at Dublin Avenue and Main Street Hailesboro.**

Highway Superintendent Durham requested the board's permission to put the invitation to quote Road Work 2022 out to bid.

Hwy. Superintendent Durham reported they were going to build the road a little heavier by the State Barn, due to the heavy trucks traveling the road.

**Supervisor Newvine** wondered if the State would provide some money toward the road. Hwy. Superintendent Durham reported he didn't think so but could ask.

**Councilperson Andrews** asked if the Country Club Road was ready to be paved. Hwy. Superintendent Durham reported it wasn't, but it will be. Councilperson Andrews asked about the residents who may be additionally affected by the roadwork to be done on the Country Club Road. Hwy. Superintendent Durham reported if the Town destroys it then the Town is responsible to fix it, which Councilperson Bishop had found out for the Town.

**Supervisor Newvine** asked if he had any idea of the price of asphalt yet. Hwy. Superintendent Durham reported the cost is higher than it was last year and has been encouraged to bid earlier rather than later as they predict the cost of asphalt will only be going up.

**Councilperson Bishop** asked Hwy. Superintendent Durham why he was going with type 6 rather than type 7. Hwy. Superintendent Durham stated type 6 is what is used on Town of Fowler roads stating type 7 is very fine.

Supervisor Newvine asked for a motion to advertise the roadwork to be done in 2022. A motion was made by Councilperson Bishop seconded by Councilperson Cleveland to approve putting the invitation to quote road work for 2022 out to bid to be awarded at the May 9, 2022, regular scheduled board meeting. All in Favor. MOTION CARRIED.

### **SIGNING OF 2022 MOWING CONTRACT**

Supervisor Newvine asked for a motion to allow him to sign the updated 2022 mowing contract between the Town and Tina Fifield which was approved with changes to be made to it at the March 14, 2022, town board meeting. A motion was made by Councilperson Simmons seconded by Councilperson Bishop allowing Supervisor Newvine to sign the updated 2022 Mowing Contract. All in Favor. MOTION CARRIED.

### **DISCUSSION ON ASSESSOR DEPARTMENT & DATA COLLECTION**

Supervisor Newvine confirmed with Assessor Chair Besaw that they have not been able to find anyone interested in becoming the 3<sup>rd</sup> assessor.

Supervisor Newvine reported he had received a letter of interest from Michael Cappellino to be considered for the job of data collector for the Town of Fowler and asked the board their thoughts.

**Councilperson Cleveland** stated it has got to get done.

**Councilperson Simmons** asked if the job needed to be advertised.

**Assessor Chair Besaw** reported the job was paid by the parcel, and it wasn't a job that people would be clamoring for. She reported the pay is \$20.00 a card, it takes about 3 ½ hours to complete a card, and if Mike wants to do this job, they would be foolish not to let him do it.

**Supervisor Newvine** stated it is Assessor Chair Besaw's department, and he would not disagree with her.

**Councilperson Andrews** stated they had let this go on long enough and felt the data collection should get done.

**Councilperson Bishop** asked Assessor Chair Besaw if data collection was a job that the 2 assessors in office could do.

**Assessor Chair Besaw** reported they are doing the data collection cards as they have time. She is working on 10 parcels currently, and it is going to take her time. She reported that even with the 3<sup>rd</sup> assessor they can't do it by themselves. She reported there are seventeen hundred parcels to complete.

**Supervisor Newvine** asked Assessor Chair Besaw if she knew how many parcels have had data collection cards completed.

**Assessor Chair Besaw** reported a couple hundred data collection cards had been done.

**Supervisor Newvine** asked if that was all retired Data Collector Devon Korn completed was a couple hundred cards. It was discussed by other board members present that Devon Korn was thought to have completed 300 to 400 data collection cards.

**Tami Gale**, also a past Data Collector, reported when she was doing data collection, she believed upwards of 750 to 800 data collection cards had been completed.

**Assessor Chair Besaw** stated they had to remember, every time there is a change to a parcel, the data card has got to be updated.

**Councilperson Simmons** stated so nobody's been keeping the cards up as they go along.

**Assessor Chair Besaw** stated they are updated in spurts, but there is only so much that can be done, this isn't a full-time job.

**Councilperson Simmons** requested a data collection report to be handed in each month.

**Assessor Chair Besaw** agreed with Councilperson Simmons a report each month would be good for accountability.

### **APPOINTMENT**

After further discussion, a motion was made by Councilperson Andrews seconded by Councilperson Simmons to appoint Michael Cappellino as Data Collector for the Town of Fowler to be paid \$20.00 for each completed and approved card, and mileage at a rate of .58.5 cents a mile. All in Favor. MOTION CARRIED.

Supervisor Newvine welcomed Michael Cappellino aboard.

### **Town Department Reports**

#### **Justice Department**

Town Justice Tim Knowlton reported:

- Court has been slow.
- Due to in-correct court dates being put on traffic tickets 8 out of 10 tickets had to be dismissed. Supervisor Newvine asked if the tickets with the in-correct court dates could be re-written and re-issued. Justice Knowlton stated traffic tickets get dismissed, but if it were a misdemeanor, the in-correct date could be overlooked.
- Reported he had his first arraignment since January 1<sup>st</sup>, stating that is how slow the court has been.
- Court Clerk Irma Ashley has been doing a lot of spring cleaning of the court records and scoffing licenses (suspending licenses) of people who either haven't paid their fines or have not showed up for court.
- He and Court Clerk Ashley will be starting their annual 12 hours of required training.

#### **Bookkeeper**

Bookkeeper Barbara Finnie:

- Reported she had provided Town of Fowler Cash Balance Reports for Month Ending March 31, 2022, to the board members for their review, and she is still working on the accounting report for March which she will provide to the board by the end of the week.
- Reported the Pavilion Fund to have \$1,768.86, and the SOS/HAP Fund to have \$4,428.21.

Councilperson Simmons asked if it was discussed to have the money received from scrap metal and bottles & cans be put solely into the pavilion fund for a while in preparation for family day. Bookkeeper Finnie reported she would begin the request as of April 1, 2022.

#### **Assessors**

Assessor Chair Kathleen Besaw reported:

- The Tentative tax roll for 2022 has been turned in and all changes that needed to be made have been added along with all of the re-assessments that needed to be done.
- The Final tax roll should be here by the end of April.
- They are getting ready for Grievance in May, the dates are set, and Town Clerk Gale has been given the necessary paperwork to advertise the information in the paper.
- Assessor Robert Theriault has been doing really well and is attending some training in Canton tomorrow, and both he and Assessor Chair Besaw will be attending training on April 19<sup>th</sup> at the Local Government Conference.

### **Historian**

Historian Karen Simmons reported:

- Nothing has been going on right now in the Historians Office.

### **Animal Control**

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

- He had received a complaint of dogs on the Sibley Road and left a doorknocker, but as of meeting time Councilperson Simmons was not aware of the status of the complaint.
- There have been few dog issues.

Asked Maintenance worker Byron Woodward if the dog kennel is ready to be used and if all the necessary repairs were completed. Byron Woodward reported the inside of the kennel is all set, and some work remains to be done on the outside fence and gate.

### **Beaver Control**

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

- Dan Moyer has been working on beaver issues on the Byrns Road, Chub Lake Road, as well as the Shantyville Road, and has reported taking 13 to 14 beavers from the Shantyville Road.

### **Code Enforcement**

Code Enforcement Officer Besaw reported by phone:

- He had attended Code Enforcement Training in Syracuse last week.
- There were changes made to the Executive Code, Title 1203, which may require Towns to make changes to their local laws. He is going to ask Town attorney Henry Leader to look over the changes to determine if the Town of Fowler will require any updates to existing laws.

Supervisor Newvine asked CEO Besaw if there was anything new on the flood plain. CEO Besaw reported everyone is waiting for further instructions on how to proceed with the new requirements of the flood plain stating there are some things that can be done now, but there won't be any major changes until 2024 when the new flood maps come out.

- Reported the additional \$50.00 fee that was added in 2021 to the cost of a building permit for people who start working without obtaining a building permit is not deterring individuals from working without a permit. He reported there are things that we can do if the board wants to make sure building

permits are obtained before any work is started, that will include him issuing a stop work order and issuing a ticket. CEO Besaw reported it is up to the board, and if they want this done, he has no problem doing it, to get them to comply with the Town's local law.

Supervisor Newvine reported he is in favor of CEO Besaw using his authority to issue tickets and to post stop work orders. Councilperson Cleveland stated in the "special circumstances," scenario that CEO Besaw had discussed, the person with the "special circumstances" should be sending pictures to Glen before they start any work for the day and send another picture showing what they had completed at the end of the day.

Councilperson Bishop suggested the building permit requirements and expectations be advertised in the paper as a reminder. Supervisor Newvine asked Town Clerk Gale to place an ad in the Tribune Press.

### **Town Clerk**

Town Clerk Tami Gale reported:

- DEC Gross sales for the month were 30.00 with the Town of Fowler's Commission being \$1.66. She had licensed 38 dogs, prepared 1 Certified Marriage Transcript, completed 1 Genealogical Services request, handled 3 building permit applications, sold 1 bicentennial book, and collected \$5.00 for photo copies.
- Barkley's Safe & Lock will be at the Town Hall tomorrow to fix the front door fob control, reinstall the key fob system on the new deputy clerk computer, and to repair a filing cabinet with a compromised lock in her office.
- She will be attending the Local Government Conference on Tuesday the 19<sup>th</sup> to receive 5 ½ hours of annual training.
- 2<sup>nd</sup> notices for taxes are printed and readied to be mailed next week to tax payers who haven't paid anything at all. There are 146 notices to send this year and last year 82 of the 2<sup>nd</sup> notices were mailed.
- Taxes are 84.13 % collected and the last installments are due by May 31, 2022.
- Reported she had received \$135.50 in bottle & can donations.
- Asked Supervisor Newvine when he would like the porta potties ordered for the ballfield and the playground. It was discussed to order the porta potties for May 1<sup>st</sup>.
- Reported she had "no smoking" and "no vaping" signs that Councilperson Bishop had inquired about at the last meeting to install at the pavilion. Reported she believed it was covered under section 2 of the Terms and Conditions requirements on the pavilion application, but the additional signs are a good idea.

Supervisor Newvine suggested the board should hold a work session to finalize the content of the pavilion application and discuss having a grand opening for the pavilion prior to the family day event in July.

### **Highway Department**

Highway Superintendent Randy Durham:

- Welcomed Councilperson Bishop back.
- Discussed there is a problem with trash on the town roads. He discussed a recent trash dumping incident on the Sullivan Road in which they had obtained the name of the person whose trash was dumped. He reported they did clean it up, however he felt the Town should come up with a policy where illegal dumping of trash is strictly enforced and would result automatically in a ticket being issued.

- Reported Truck 2000 has had all the parts removed that they want to salvage. The Town of Gouverneur had taken the box last week, and the rest of the truck will be cut up for scrap.
- Introduced Terrell Ferrer to the board and attendees, reporting Terrell had come to work for the Town as summer help through a Federal Program last summer and reported Terrell had earned his CDL license today.
- Asked the board for permission to hire Terrell Ferrer as part time help until John Walsh returns to work.

Supervisor Newvine asked what rate of pay he will receive. Hwy. Superintendent Durham stated he felt he should start at CDL pay and he didn't want to put that figure out, stating the board could ask him tomorrow, and he would tell them. He reported we have numbers but did not want to put it out in the public, as people get upset when they know the numbers. Supervisor Newvine stated it is public information. Hwy. Superintendent Durham replied it is, if they really want to come back and ask for it. Councilperson Lynn Bishop requested that he be made aware of the pay rate. Town Clerk Gale asked Hwy. Superintendent Durham to notify her of his start date and rate of pay, as she needs to send this information to the County Human Resource Department for all employees.

- Reported he would like to rent an excavator for 1 month or possibly 2 months, and provided the following rental costs (verbally):

Monroe Tractor \$3,500/month (if they can find them one)

Tracey Equipment \$4,395/month

Anderson Equipment was even higher

John Deere had nothing available

- Reported the DIG Safely training that was supposed to take place on the 7<sup>th</sup>, was postponed as the instructor was ill.

## Maintenance

Maintenance Worker Byron Woodward reported:

- They dug up the side yard and discovered the pipe had either separated or had broken. They were able to get a 2-inch pipe installed from the sump pump that hooks into the gutters and goes straight out.
- He reported the water is still coming in, but it is being pumped all the way out. He reported on the other end, on the other side of the road, the pipe is 16 to 20 inches of which 5 inches are showing and it is filled in. It was discussed when the rental excavator arrives, the highway department could dig that area out.
- Reported if the pipe coming out of the road gets plugged up anymore, we are going to be in a real problem.

Supervisor Newvine asked Hwy. Superintendent Durham when he expected the excavator. Hwy. Superintendent Durham replied in a week or two.

- Suggested the board consider a new furnace for the Town Hall in the next budget.

### Councilmembers

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

- Reported in the month of March 43 people had benefited from the HAP program. There were 29 visitors in the month of February.
- On Friday, she, Supervisor Newvine, and Judy Brown delivered SOS Program care packages to 88 senior citizens, which is up 4 packages from the last delivery.
- Thanked Roger Refici, Mike Macaulay, Randy Durham, Rick Newvine, and Jeff Andrews, for their assistance in the food programs.
- Reported they are doing a good little business here with the food programs.

Councilperson Andrews added a thank you should also be extended to the Kiwanis Club of Gouverneur, club president Charity Zawatski and Carrie Schermerhorn.

- Thanked the St. James students for the novelties they made to add to the SOS Program Easter packages.
- Reported the employee plaques were picked up for Art Besaw, Sherry Geer and Phyllis Shaw and needed to be presented. Supervisor Newvine suggested they could be presented at the next board meeting.

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

- Thanked everybody on the board for putting up with him the last couple of years through COVID, stating he appreciated everyone for working with him.
- Stated to Hwy. Superintendent Durham the road mowing is looking good and the brush is getting pushed back good, but he wished they would have picked the garbage up first.
- Liked the idea that he had the buffer truck out the other day. Hwy. Superintendent Durham reported the buffer truck had a trainee in it with a skilled driver.
- Reported there were tires to be picked up on the Gulf Road that could be a source of damage to the mower if not removed.
- Asked Hwy. Superintendent Durham if they were going to clean up the dirt on the roadsides with the skid steer or grader, and what the status of the skid steer was. Hwy. Superintendent Durham reported they are supposed to receive it in May, the arrival date keeps being pushed back.
- Requested a driveway sign to be installed on the Battle Hill Road for safety concerns. It was discussed this part of the road is on the Town of Hermon side, but that a sign would be installed due to there being a hazard.

#### **Councilperson Jeff Andrews:**

- Asked about an invoice from Kelly Sales and Service in tonight's vouchers to be paid, and what the repair was for. Hwy. Superintendent Durham reported it was for a broken cable.
- Asked the status of obtaining new cameras. Supervisor Newvine stated Justice Knowlton was looking into a court grant. Justice Tim Knowlton reported the grants won't be available until late summer.
- Asked if there were plans for any further work to be done at the Betty Davis property across from the Town Hall.

### **Councilperson Cleveland:**

- Reported he has measured the playground to better determine the amount of material needed to replace the wood chips that are worn out. He reported he will get ahold of Seaway Timbre tomorrow for a price.
- Reported the King's wanted him to thank Hwy. Superintendent Durham for the prompt repair of damages to their lawn from a Town plow truck, reporting they were happy with the fix.
- Asked when the board would like to schedule the work session to discuss the pavilion application. After some discussion, a date was set for a work session to be held on Wednesday, April 27<sup>th</sup> at 3:00 PM.

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

- Reported the cost of the fuel spill cleanup from the plow truck accident was \$44,000, and they are hoping the insurance company will cover it.
- Thanked Hwy. Superintendent Durham and the highway crew for cleaning the front of the Town Hall.
- Reported there are free masks, home COVID-19 test kits, and sanitizer available to town residents that were supplied by the County.
- Thanked Dan Fifield for the tree removal at the Fullerville Cemetery.
- Reported Family Day tickets for the big raffle items are printed and will start being distributed in a week or so.
- Asked Michael Cappellino if he had determined if the Rod & Gun Club are available to have their food stand at the Family Day event. Mr. Cappellino reported he will have a better idea of their availability after the next meeting.
- Reported he had spoken to Drew Rumble about pouring some new steps to have easier and safer access to the water for senior citizens visiting the beach.
- Reported he hopes to purchase new buoys and ropes for the beach.
- Reported he had received a certificate of membership from the Association of Towns.
- Reported he had received correspondence from Town Attorney Henry Leader that Time Warner withdrew their complaint concerning their assessment of the special franchise.

### **Community Correspondence**

Supervisor Newvine read aloud a card of thanks received from Karen Hubbard, for the Town of Fowler lending her a wheel chair in her time of need.

Supervisor Newvine read aloud a note of thanks from the Hailesboro Cemetery Association for the generous donation to the Hailesboro Cemetery that will assist with tree removal, marker replacements, as well as the maintenance and upkeep of the cemetery.

### **Public Comment**

- Vivian Goodman stated the dirt surrounding the sluice pipe on County Route 24 is up next to the black top. Hwy. Superintendent Durham reported he had spoken to the County once and will call them again.
- Justice Tim Knowlton suggested inquiring with BOCES for assistance with the removal and replacement of the wood chips at the playground.



- Justice Tim Knowlton reported he had received a phone call from a Fowler resident looking to obtain some form of civic duty for his children to perform, as they need to perform community service for a scholarship. Justice Knowlton asked if the board could think of any duties to incorporate that some of the kids could do for service projects. Supervisor Newvine wondered if they could pick up the sides of the roads. Supervisor Newvine asked Justice Knowlton to pass the word around that we would be interested in civic duty projects and to coordinate with Councilperson Cleveland for help with the playground chip restoration.
- Justice Tim Knowlton reported he is canceling his regular scheduled court date on May 17<sup>th</sup>, due to being out of Town.
- Richard Clement asked if the chips for the playground are going to be contracted out, or if the Town was doing it. It was discussed the Town is responsible.
- Councilperson Simmons thanked Lynn Bishop and the Bishop family for the food donation to the HAP program.

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

The bills audited for the General and Highway Fund were #83 to #125, with a total of \$ 109,173.27.

The next regular scheduled board meeting will be held on May 9th, 2022, at 6:00PM.

With no further business, on a motion of Councilperson Simmons, seconded by Councilperson Bishop, the April 11<sup>th</sup>, 2022, Regular Town Board meeting was adjourned at 6:57PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk