

## **Town of Fowler May 24, 2022, Emergency Meeting Minutes to Discuss Highway Department Equipment Purchases at 3:00 PM.**

The Town of Fowler Emergency Town Board meeting to discuss highway department equipment purchases was held on the above date with all board members present. Also present were Town Clerk Tami Gale, Highway Superintendent Randy Durham, and attending the meeting via teleconference was Rachel Hunter, Editor of the Gouverneur Tribune Press.

Supervisor Newvine called the meeting to order at 3:00 PM stating the reason for the emergency meeting is because there is equipment the town wants to purchase and if they were to wait until the next regular scheduled board meeting on June 13<sup>th</sup>, it might be too late, the equipment might be gone.

Supervisor Newvine gave Highway Superintendent Durham the floor asking him to tell the board what he would like to do stating then they would let him know if he could do it.

Hwy. Superintendent Durham reported the town had discussed the equipment they wanted to purchase a year ago: an excavator, a crack sealer, and a new bobcat. He reported at that time the only equipment purchase made was the bobcat, as it wasn't feasible for the other purchases with the lack of funds. He reported now, the town had received all the insurance money from the burned-up plow truck, and the town has excess funds.

### **EXCAVATOR PURCHASE DISCUSSION**

Hwy. Superintendent Durham discussed they are presently renting a brand-new excavator for 2 months. It has been used in Hailesboro, is being used presently for work on the Dashner Rd, and is going to be used all over town. Hwy. Superintendent Durham reported the town has been made an offer to purchase the (rental) 2022 Case excavator at a price of \$118,573.00 from Monroe Tractor to include a 5-year warranty. A quote on the excavator cost was provided to the board dated 9/10/2021, for their review.

Councilperson Simmons asked if that price was for the one, they were renting right now. Hwy. Superintendent Durham reported it was.

Supervisor Newvine asked when the current 2-month rental runs out. Highway Superintendent Durham reported it runs out in 2 months, but they can still sell it to someone else while they are renting it to us, which he had learned from account representative Mark Roberts of Monroe Tractor. Supervisor Newvine asked if we would have to pay any of the rental cost if we were to purchase the excavator. Hwy. Superintendent Durham reported no rental fees would be charged if they were to purchase the excavator.

Councilperson Andrews asked if the excavator was brand new. Highway Superintendent Durham stated it was brand new out of the box and put together for them to rent.

### **CRACK SEALER PURCHASE DISCUSSION**

Highway Superintendent Durham reported the 2<sup>nd</sup> item he would like to purchase is a crack sealer. He reported they have a chance to purchase a used crack sealer from CYNCON, that has 127 hours of use on it. He reported they had been made an offer to purchase the 2017 crack sealer at a price of \$46,992.00. A quote was provided to the board dated May 23,2022 for their review.

Councilperson Andrews asked what the difference in cost was compared to purchasing a new crack sealer. It was discussed the used one is about \$5,000 less than a new one, roughly 10% less. It was further discussed the time it is taking to receive a new equipment purchase, and it could be up to 6 months.

Supervisor Newvine asked about the availability of the product the crack sealer uses. Highway Superintendent Durham reported he had contacted SUIT-KOTE and would be able to order a pallet of the material needed to crack seal the roads.

Supervisor Newvine asked the board their thoughts on the equipment purchases discussed. Councilperson Andrews stated he felt they are both pieces of equipment that he feels they will use but was a little concerned about spending the money. He added they do have the money and if everyone was else was comfortable spending the money he would agree to the purchases. Councilperson Bishop agreed with Councilperson Andrews stating it was a heck of a deal on the excavator. Councilperson Bishop asked if the excavator came with the bucket. Hwy. Superintendent Durham reported it did, and everything was there to purchase more attachments for it.

Supervisor Newvine noted the reason that they could purchase it without bidding was because it was a NY STATE OGS/SOURCEWELL CONTRACT.

Councilperson Cleveland asked if it was the insurance money received for the burned-up plow truck that is being used to pay for the equipment purchases being discussed. Hwy. Superintendent Durham reported yes.

Councilperson Cleveland asked what the plan is to replace the burned-up plow truck. Hwy. Superintendent Durham replied they can't order a truck this year, they might be able to order a truck next year. Supervisor Newvine stated there is money in the highway equipment budget to be used towards a new plow truck. Hwy. Superintendent Durham reported he typically saves money out of his equipment budget for a few years to be able to pay off a new truck when it arrives as has been done previously. Councilperson Cleveland stated as long as we had a plan to be able to buy the next plow truck, he was good with the purchases. Councilperson Bishop stated he likes there to be at least 3 years between the purchase of plow trucks, so they don't all break down at the same time.

Hwy. Superintendent Durham stated if he were to ever get 6 plow drivers in the winter, he could go to a shift that only runs 3 plow trucks, stating he has never had 6 plow drivers in the winter since he has been highway superintendent.

Councilperson Simmons stated she didn't know much about equipment, but it sounds like a good deal, at a good price, and if it's something that will be used at a good price, and we have the money for it, then she thought now is the time to get it.

Hwy. Superintendent Durham reported he had discussed the purchases with Bookkeeper Finnie, and she had authorized \$200,000 towards this equipment.

#### **APPROVAL TO PURCHASE 2022 CASE EXCAVATOR**

Supervisor Newvine asked for a motion to allow Hwy. Superintendent Durham to sign for the purchase of a 2022 CASE Excavator for \$118,573.00 on 5/25/2022. A motion was made by Councilperson Andrews seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

## **APPROVAL TO SIGN LETTER OF INTENT TO PURCHASE CRACK SEALER**

Supervisor Newvine asked for a motion to allow Hwy. Superintendent Durham to sign a letter of intent to purchase the crack sealer from CYNCON at a cost of \$46,992.00. A motion was made by Councilperson Simmons seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

## **BREIFING ON ALTERNATIVE PAVING PLAN**

Highway Superintendent Durham discussed the plan all year has been to pave 1.05 miles of the River Rd, and to pave the Country Club Rd. He discussed the 1<sup>st</sup> road work bid results received for 2022 was at a cost of \$331,000 and that hopefully on June 13<sup>th</sup> the 2<sup>nd</sup> road work bid results will come in lower, but if not, he has an alternative plan.

Hwy. Superintendent Durham provided documentation to the board of an alternative paving plan for 2022, for their review. He discussed he could have done it today for \$221,000, using everyone else's trucks. Supervisor Newvine asked if the \$221,000 was a total of completing both roads. Hwy. Superintendent Durham stated it was for both roads and no matter how the paving gets done, or who does the paving, he feels both roads should get done.

He reported there was extra money in CHIPS this year, and \$120,000 was not figured into the fund. He stated the revenue they planned was \$174,000 and they received \$299,000. Councilperson Andrews stated if you are using everyone else's trucks, who will be the paver. Hwy. Superintendent Durham stated his name is Dwain Rayburn, and the math was a bit wrong on the documentation that was provided, it would be \$22,500 for 3 days of paving, not \$21,000 as is stated on the documentation provided to the board. Hwy. Superintendent Durham stated the problem would be using everyone else's trucks and that we would probably have to rent some more trucks, and if a truck breaks down full of asphalt, we will still need to pay for it, it wouldn't be covered under insurance.

Councilperson Andrews asked where Dwain Rayburn is from. Hwy. Superintendent Durham stated he is the one who works for Gouverneur. Supervisor Newvine stated he used to work at Barrett Paving, and left to form his own outfit, and he is said to be very good. Hwy. Superintendent Durham stated that this plan is an alternative plan that can be discussed at the next board meeting if they decide not to accept any of the 2nd time advertised road work 2022 bid results to be received at the June 13<sup>th</sup> regular scheduled board meeting and would be an alternative route.

### **Supervisor Newvine reported:**

- He had received a call from Progressive Insurance Company providing a claim number to the town for any damages caused by an accident that occurred on the Battle Hill Rd. that may have damaged a pole. It was discussed Supervisor Newvine would return the call as no town officials were aware of any accident occurring on the road.
- He had a request from a taxpayer to use the old basketball court by the dog kennel, for pickle ball. Supervisor Newvine advised the taxpayer the old basketball court is in pretty rough condition and suggested the court in Hailesboro by the ballfield is in better shape to be used for pickle ball. It was discussed the board may look into repairing the asphalt to the old basketball court located by the dog kennel in the future.

- He had received a complaint about the condition of the Gulf Cemetery. It was discussed by Councilperson Bishop and Supervisor Newvine that the cemetery was in need of cleaning up and mowing. Councilperson Bishop reported he had talked with Dan Fifield, and the cemetery will be cleaned up and mowed tomorrow.
- Supervisor Newvine was asked about the possibility of repairing the broken head stones in the Gulf Cemetery. Councilperson Cleveland reported he will check into the process of obtaining grants for cemeteries with an acquaintance.
- Supervisor Newvine asked Councilperson Bishop to take a look at the conditions of head stones in all of the cemeteries in the Town of Fowler. Councilperson Bishop reported he would take a look at all 9 of the cemeteries and come up with a list of needed headstone repairs.
- He has contacted Michelle Capone of DANC to discuss the possibility of grant money being available to apply for housing rehabilitation for the Town of Fowler.

#### **COMMENTARY**

- Town Clerk Gale reported several people have been in to compliment the playground and the work Councilperson Cleveland and his wife Marcia had performed to it.
- Councilperson Cleveland reported he is waiting for a price on board to do something with the ceiling of the pavilion to prevent the birds from making such a mess in there. Maintenance worker Byron Woodward is getting pricing.

With no further business, on a motion of Councilperson Andrews, seconded by Councilperson Bishop, the May 24<sup>th</sup>, 2022, Emergency Meeting to discuss highway equipment purchases, was adjourned at 3:22PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk