

Town of Fowler February 5th, 2019 Justice Audit and Regular Scheduled Board Meeting at 7PM

The Town of Fowler Justice Audit and Regular scheduled Town Board meeting was held on the above date with all Board members present, excluding Councilperson Bishop. Also present were Town Clerk Tami Gale, Deputy Town Clerk Debbie Tupper, Bookkeeper Barbara Finnie, Assessor Chair Sherry Geer, Assessor Phyllis Shaw, Dog Control Officer Dan Moyer, Planning Board Member Dan Kingsley, Board of Ethics Member Vicky Cappellino, Code Enforcement Officer Glen Besaw, Planning Board Member Stephen Gale, Highway Superintendent Randy Durham, Lisa Durham, and Rachel Hunter from the Gouverneur Tribune Press.

Supervisor Cappellino called the meeting to order at 7PM then proceeded with the opening prayer and the pledge of allegiance.

A motion was made by Councilperson Simmons, seconded by Councilperson Newvine to approve the minutes from the January 8th, 2019 Board meeting. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Newvine, seconded by Councilperson Andrews to approve the minutes from the January 11, 2019 Special Meeting. All in Favor. MOTION CARRIED.

Supervisor Cappellino introduced Justice Ryan Young, and Court Clerk Irma Ashley. Court Clerk Ashley presented the board with court documents from the year of 2018 that were broken down by each individual month for the board to view. Bookkeeper Finnie commented that it was good to see that Justice Young and Court Clerk Ashley had both signed the documents, stating that it is better reconciling and less appropriation. Councilperson Simmons stated that there was a lot of paperwork for 1 month. Supervisor Cappellino stated that the documents were very well organized. Supervisor Cappellino asked if the board had any questions. Councilperson Newvine stated that the documents looked good. After discussion, a motion was made by Councilperson Newvine, seconded by Councilperson Simmons to adopt Resolution # 4 of 2019, Justice Audit of the books for 2018. All in Favor. MOTION CARRIED

Ayes	4	Cappellino, Newvine, Simmons, Andrews
Nays	0	
Absent	1	Bishop

A motion was made by Councilperson Newvine and seconded by Councilperson Andrews to adopt Resolution # 5 of 2019 which is the Holding Harmless Agreement with St. Lawrence County. Councilperson Newvine stated that this was with stipulation for them to reciprocate. All in Favor. MOTION CARRIED

Ayes **4 Cappellino, Newvine, Simmons, Andrews**
Nays **0**
Absent **1 Bishop**

A motion was made by Councilperson Newvine, seconded by Councilperson Simmons to adopt Resolution No. 6 of 2018 for Standard Work Day Reporting for Appointed and Elected Officials for retirement purposes. All in Favor. MOTION CARRIED

Ayes **4 Cappellino, Newvine, Simmons, Andrews**
Nays **0**
Absent **1 Bishop**

Supervisor Cappellino stated that the Town needed to put into writing an agreement between health officer William Twining and the Town of Fowler. Supervisor Cappellino stated that Bookkeeper Finnie had brought a sample copy of a similar agreement for the Town of Fowler to review as an example. After some discussion, a motion was made by Councilperson Newvine, seconded by Councilperson Simmons, for Supervisor Cappellino to draft and have signed a health officer agreement between William Twining and the Town of Fowler. All in Favor. MOTION CARRIED.

Supervisor Cappellino stated that the Town needed to make a motion for him to sign the yearly Rec Center Agreement with the Village of Gouverneur. A motion was made by Councilperson Newvine, seconded by Councilperson Andrews to allow Supervisor Cappellino to sign the Rec Center Agreement. All in Favor. MOTION CARRIED.

Supervisor Cappellino stated that the Town Clerk would draft the Library Agreement and the BOCES Agreement to be discussed at the March Town board meeting.

Supervisor Cappellino read aloud the resignation of Ed Siebels from the Planning Board Chair position. After some discussion, a motion was made by Councilperson Simmons, seconded by Councilperson Newvine to accept the letter of resignation. All in Favor. MOTION CARRIED.

Councilperson Simmons stated that Roger Refici was interested in filling a position on the Planning board. After some discussion, a motion was made by Councilperson Simmons, seconded by Councilperson Newvine to appoint Roger Refici to the Planning Board. All in Favor. MOTION CARRIED.

Councilperson Simmons stated that the Town is still needing positions filled on the Planning Board of Appeals. Councilperson Andrews stated that he would check on an individual whom he felt was interested in the position.

Town Department Reports

Assessors

Assessor Chair Sherry Geer reported that assessor Phyllis Shaw had completed another phase of training last week and she is getting closer to becoming fully certified. Assessor Chair Geer reminded the townspeople to call her with any questions or concerns and provided her cell phone number **315 286-0298**, and the assessor office number of **315-287-9792**.

Councilperson Simmons announced that she had spoken with assessor Andrew Miller and he has decided not to run for re-election. Assessor Chair Geer responded that she was not aware of this decision. Assessor Chair Geer stated that if there was an interest in the assessor position that petitions needed to be turned in by April 1st. Assessor Chair Geer stated that the assessor position requires dedicated commitment to the necessary training.

Historian

Historian Karen Simmons reported that Town of Fowler resident Dave Martin had donated a plate to the Historian office that had belonged to his mother Mary Martin. Historian Simmons described the plate to have J A Deans written on it, which was a store located in Hailesboro in the 1900's. Historian Simmons stated that no one seems to know exactly where the J A Deans store was located in Hailesboro. She has not been able to find any information on it so far. Historian Simmons asked anyone with information or knowledge of the old J A Deans store to get in touch with her, she is very interested to learn more about the store. Historian Simmons reminded everyone that she is in the Historian's Office every Thursday from 1pm to 4pm and is available other days and times by appointment. Supervisor Cappellino commented that the Historian's Office has a wealth of information on the Town.

Dog Control

Dog Control Officer Dan Moyer reported that he had a call of a dog on the Emeryville Road that was going on the neighbors' property. He has made 2 visits and has not caught the dog on said property and stated therefore no tickets have been issued. Dog Control Officer Moyer reported that he has spoken to the owner of a dog running loose in Balmat for a second time.

Dog Control Officer Moyer reported that he had received a call of 2 labs running loose, and they were still at large. After some discussion it was thought that the 2 labs may belong to Code Enforcement Officer Glen Besaw.

Beaver Control

Dan Moyer Reported for Moyers Wildlife Control that it had been quiet and he was not aware of any new beaver issues. Highway Superintendent Durham asked the board to discuss creating a new beaver control plan. Supervisor Cappellino stated that discussion on a new beaver control plan could be done in executive session later in the meeting. Supervisor Cappellino stated that the main problem areas are the Stone Road and the Shantyville Road.

Code Enforcement

Code Enforcement Officer Besaw reported that his office had been quiet. He has been doing the necessary inspections on existing permits. Code Enforcement Officer Besaw reported about a change in the handling of building permits in 2019. He stated that all building permits would be going thru him first to determine what is necessary to be recorded on the building permit as well as the total amount owed to the Town Clerk's Office for the building permit, before the building permit is given to the Town Clerk for payment. Code Enforcement Officer Besaw stated that he would be attending a meeting with Supervisor Cappellino and Town Attorney Henry Leader on 2/6/2019 regarding a new Land Use Policy.

Town Clerk

Town Clerk Tami Gale reported that she had licensed 36 dogs for the month, collected \$10.00 of a \$30.00, 2 year-old kennel fee owed to the Town, sold 1 bicentennial book, sold \$50.00 in DEC licenses with a commission of \$2.76, and sold \$2.75 in photocopy fees. Town Clerk Gale reported that she had been busy collecting taxes and that 64.17% of the tax warrant has been collected. Town Clerk Gale reported that Deputy Town Clerks Debra Tupper and Kimberly Reed have been training in the Town Clerks office during the month of January and are doing a great job. Town Clerk Gale stated that there had been a few inquiries regarding if the Town of Fowler had any grants available at this time. Town Clerk Gale reminded anyone who has a change of address in the year to make sure her office, or the assessors' office is made aware of the change for tax billing purposes.

Highway Superintendent

Highway Superintendent Randy Durham thanked Councilperson Jeff Andrews for checking on the highway department during the recent weather occurrences. Highway Superintendent Durham reported that with the Government shut-down, the USDA is not funded right now, so \$33,000 of the grant is not in play presently to pay for the new plow truck. Highway Superintendent Durham stated that the loan went up 2%, and that it can be signed as soon as the shut-down ends.

Highway Superintendent Durham reported that the board needed to approve and sign the Agreement to spend Town Highway Funds. The agreement states that moneys levied and collected for the repair and improvements of highways, shall be expended as follows; the sum of \$288,000 may be expended for general repairs upon 2.7 miles of Town highways. Improvements in 2019 will set aside \$150,000 for 2 miles of road commencing at the Town of Fowler/Gouverneur line (River Rd.) and leading to the Island Branch Rd, and \$100,000 for .7 miles of Town highways commencing at the corner of North Woods Rd. and Battle Hill Rd. and leading to the dead end. Councilperson Newvine asked if the AIM Funding had been restored. Bookkeeper Finnie stated no, it had not been restored. After some discussion, a motion was made by Councilperson Newvine, seconded by Councilperson Andrews to approve the Agreement to spend Town Highway Funds. All in Favor. MOTION CARRIED.

Highway Superintendent Durham reported on the Highway Department's 1999 New Holland tractor. He stated that Harry Turnbull of Country Line Repair had recently taken a look at and performed some work on the tractor. He estimated that it would cost \$13,828.65 to repair the engine. Councilperson Newvine asked Highway Superintendent Durham if the motor was bad. Highway Superintendent Durham stated that Mr. Turnbull had determined a whole list of everything that is wrong with it. Highway Superintendent Durham stated that Mr. Turnbull had spoken to Supervisor Cappellino concerning the tractor, and that he had recommended putting the tractor out for bid at an auction where he felt the Town could get about 50% of its worth. Councilperson Newvine asked Highway Superintendent Durham if he thought the Town needed to replace the tractor. Highway Superintendent Durham stated that he felt the Town could replace it with a tow behind sweeper instead. Councilperson Newvine asked Highway Superintendent Durham if the Town needed that tractor to run the generator for the building. Highway Superintendent Durham stated that the Town uses the other tractor for that. Sherry Geer stated that she had heard that the tractor only had 1 quart of oil in a 5 gallon tank. Highway Superintendent Durham stated that the tractor had blown a hose and left much of the oil in the field where it was being used. Councilperson Andrews stated that it is not good to be low on oil. Supervisor Cappellino stated that the Town could put \$13,000 into the engine repairs needed, and still may need to replace the transmission. Supervisor Cappellino stated that Mr. Turnbull also found that the transmission had almost no transmission fluid in it, so it would be hard to determine what damage was done to it. Councilperson Newvine stated that the Town should get rid of it. Councilperson Andrews asked if the mower to the 1999 New Holland tractor would fit on the new tractor. After some more discussion, it was the consensus of the board to have Highway Superintendent Durham put both the 1999 New Holland tractor and the mower attachment out to bid at an auction.

Bookkeeper

Bookkeeper Barbara Finnie provided the board with the Towns December 2018 financial report. She stated that it is now closed out. Bookkeeper Finnie stated that the Town needed to work on building the Highway Fund Balance back up again as it used some of the fund balance monies in 2017 and 2018 for road work, so going into 2019 there is not much and we

don't want to raise taxes. Highway Superintendent Durham stated you can look around and see where the money is.

Bookkeeper Finnie provided the board with copies of the previous years' Fund Balance Policy. Bookkeeper Finnie reported that the Town Fund Balance Policy needed to be reviewed annually. Bookkeeper Finnie stated that the Town should keep at least \$500,000 in the General Fund. After discussion, a motion was made by Councilperson Newvine, seconded by Councilperson Simmons to keep the Fund Balance Policy as it is written. It will be kept at \$450,000 - \$550,000 for 2019. All in Favor. MOTION CARRIED.

Councilmembers

Councilperson Andrews asked Highway Superintendent Durham if anyone had come to go through the new loader with the highway department workers yet. Highway Superintendent Durham stated that they were scheduled for the training last week, but it was postponed due to the weather. Councilperson Andrews asked Highway Superintendent Durham if there was enough sand put up. Highway Superintendent Durham stated that he had enough sand put up at least thru February, and that all of the surrounding Towns were in the same shape with the weather that we have had. Highway Superintendent Durham stated that there is 1,000 yards of sand in the barn, he plans on using what is there, and if he sees that it is low he will address it. Councilperson Andrews asked Supervisor Cappellino if the wiring that is being done by Tom Manley had been completed yet. Supervisor Cappellino stated that the wiring was going to be started on Thursday.

Councilperson Newvine provided the board with paperwork showing what the new Chrysler Dealership is going to look like. He stated that the dealership is expected to hire between 10 – 12 people and will have a new carwash. Councilperson Newvine handed the Town Clerk 3 months of minutes from the GADC meetings to make copies to share with all Town board members.

Councilperson Simmons reported that Town Clerk Tami Gale had ordered 100 more copies of the 2019 Fowler Newsletter to give to townspeople. Councilperson Simmons reminded everyone that the 1st Fowler Family Day Meeting of 2019 is going to be held on 2/21/2019 at 2PM at the Fowler Town Hall. She asked that anyone who would like to get involved with the planning to join us at the meeting, stating that Fowler Family Day is a lot of fun and a lot of work.

Supervisor Cappellino reminded everyone that the 30th Local Government Conference will be held on 3/28/2019, and stated that if you are interested in attending, the application should be in to the Town Clerk's office before March 8th, 2019.

Supervisor Cappellino stated that there was 1 applicant for the Town of Fowler Maintenance position that was advertised. Supervisor Cappellino stated that Town of Fowler resident Byron Woodward Jr. had applied for the position and that he was a capable candidate to fill the position. Councilperson Newvine asked if the board was going to set the wages. Supervisor

Cappellino stated that the wage for the position could be set in Executive Session later in the meeting. A motion was made by Councilperson Newvine, seconded by Councilperson Simmons to appoint Mr. Woodward to fill the Maintenance position. All in Favor. MOTION CARRIED.

Supervisor Cappellino reported that the Town had received a notice from the County regarding the speed reduction request for the Island Branch Road. The notice stated that the study had to be done on dry roads, not done during winter conditions on the roads, and that the process of the study would take place in the spring.

Supervisor Cappellino stated that he has an appointment with Town attorney Henry Leader to discuss subdivisions and local land use laws on 2/6/2019. He will be attending the meeting with Code Enforcement Officer Glen Besaw and Planning Board member Stephen Gale.

Supervisor Cappellino reported that he had received a letter from National Grid concerning the conversion of street lights to LED lights. The cost to the Town is \$234.88 up front. The cost includes the conversion of 64 street lights at a savings of \$1280.00/ year, a savings of approximately 17.2%. After discussion, it was the consensus of the board, excluding Councilperson Bishop, who was not present, to go ahead with the LED street light conversion.

Supervisor Cappellino stated that there are 3 lights that need to be replaced in the sand barn. He stated that all the other lights in the barn are LED lights. After some discussion it was the consensus of the board, excluding Councilperson Bishop, who was not present, to have Link Electric replace the 3 lights in the sand barn with LED lights.

Public Comment

Stephen Gale asked about the sub-division and land use policy meeting with Henry Leader and what it entails. Supervisor Cappellino stated that it pertained to developing a district for Sylvia Lake, and riverfront properties because of the close proximities of camps, they can't always conform to the existing land use policy. Supervisor Cappellino stated that the land use policy is approximately 80 pages that they will be taking a look at.

Debra Tupper asked about the Resolution for the Standard Work Day, and what it was for. Bookkeeper Barbara Finnie explained that it is for elected and appointed officials, and that we had to set a standard work day for retirement purposes.

Code Enforcement Officer Glen Besaw stated that he thought it might be a good idea for the Town to update regulations in the land use law in regards to solar projects. He stated that it should be put into the land use policy to have solar projects put land back into the condition that it was in before the solar project began. Supervisor Cappellino asked Glen Besaw if he had a copy of the regulations and the decommissioning of solar panels from the meeting he had attended that he was referring to. Glen Besaw stated he could probably put his hands on it. Councilperson Newvine stated to Supervisor Cappellino that they could ask Town attorney Henry Leader about the solar panel issue at the meeting on 2/6/2019.

Rachel Hunter from the Gouverneur Tribune Press applauded the Town of Fowler for obtaining a recorder to use at the Town board meetings, and asked the board to consider putting the audio files on our Town of Fowler website beside the minutes in the spirit of transparency.

Sherry Geer stated that she is bothered by the 1999 New Holland tractor only having 1 quart of oil in it, when it holds 5 gallons. She asked about the maintenance of the equipment of the highway department. Councilperson Newvine stated that it had a broken hose. Highway Superintendent Durham stated that the tractor should have been shut off when it first started clanking. Highway Superintendent Durham stated that there are maintenance checklists in the trucks.

At 8:12 PM a motion was made by Councilperson Andrews, seconded by Councilperson Newvine to go into Executive Session. All in Favor. MOTION CARRIED. Sherry Geer asked what the purpose of the Executive Session was for. Supervisor Cappellino stated that he would announce the purpose when they returned from the session.

At 8:40PM a motion was made by Councilperson Simmons, seconded by Councilperson Andrews to close the Executive Session. All in Favor. MOTION CARRIED. Supervisor Cappellino stated the purpose of the Executive Session was to discuss a personnel matter which was resolved.

The bills audited for the General and Highway Fund were # 13 - # 57, with a total of \$168,487.79.

The next regular scheduled board meeting will be on March 5, 2019 at 7PM at the Fowler Town Hall.

With no further business, on a motion of Councilperson Newvine, seconded by Councilperson Andrews, the meeting was adjourned at 8:42PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk

