

## **Town of Fowler Meeting and Public Hearing Minutes for November 9, 2017 at 7 PM**

The Regular Meeting and a Public Hearing for the Town of Fowler was held on the above date with all Board Members present. Also present were Town Clerk Kelly Harmer, Highway Superintendent Randy Durham, Assessor Sherry Geer, CEO Glen Besaw, Rachel Hunter from the Tribune Press, Richard Clement, Wanda Fayette, Debbie Tupper, Jeff Andrews, Tami Gale, Stephen Gale, Vicky Cappellino, Andy Miller, Dave Spilman, and Michelle Durham from the St. Lawrence County Housing Council. The purpose of the Public Hearing was to approve the 2018 Proposed Budget.

Supervisor Cappellino called the meeting to order at 7:00 PM then proceeded with the opening prayer and the pledge of allegiance.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to approve the October 3, 2017 meeting minutes. All in Favor. MOTION CARRIED.

Supervisor Cappellino opened the Public Hearing at 7:02 PM.

Dave Spilman handed a paper to the Board members that listed the salaries of the Highway Superintendent, Town Clerk and the Deputy Town clerk for the last 4 years. He questioned the increase in the wages over the last 3 years. He stated that it was nothing against the people holding those positions he just wanted some justification. In the past, those positions did not get a raise until they have finished their term. Supervisor Cappellino stated that the reason for the raises for the Town Clerk and Highway Superintendent was to compensate them for not getting health insurance as it was taken away in 2014. Town Clerk Kelly Harmer stated that she didn't ask for a raise and that she would much rather have the insurance than a raise, but it was not an option. She stated the raise put her in a higher tax bracket which will make the insurance premiums costlier.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to close the public hearing at 7:12 PM and to adopt the 2018 budget. Simmons- yes; Newvine- yes; Cappellino- yes; Bishop- no. MOTION CARRIED.

Michelle Durham, from the St. Lawrence County Housing Council, gave a report on the 2015 CDBG grant. There has been \$412,356 of funds expended, \$87,644 funding committed, leaving a balance of \$0. There have been 6 units completed which include 3 mobile homes and 3 straight rehab projects, and 2 units under contract which include 1 mobile home and 1 straight rehab. These projects should be completed within the next 2 weeks. Ms. Durham stated that the Town will need to hold a Public Hearing next month to close out the 2015 CDBG grant.

Supervisor Cappellino asked for a motion to go into executive session to discuss a personal matter. A motion was made by Councilperson Simmons and seconded by Councilperson Bishop to go into executive session at 7:22 PM. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Newvine and seconded by Councilperson Bishop to close the executive session at 7:38 PM. All in Favor. MOTION CARRIED.

The Fuel bids were opened.

### **Tripp Fuels, LLC**

Low Sulfer Diesel- \$2.09 escalating

Regular Grade Gasoline- \$1.94 escalating

No.2 Heating fuel for Town Barn- \$1.98 escalating

No.2 Fuel Oil for Town Hall- \$1.98 escalating

A non-collusive bidding certificate was attached.

### **MX Fuels – per OPIS Syracuse, NY as of 11/8/2017**

Low Sulfer Diesel- \$2.0547

Regular Grade Gasoline- \$1.8671

No.2 Heating fuel for Town Barn- \$2.11385

No.2 Fuel Oil for Town Hall- \$2.0048

A non-collusive bidding certificate was attached.

A motion was made by Councilperson Newvine and seconded by Councilperson Bishop to accept both of the fuel bids and take time to figure out which will be cheaper. All in Favor. MOTION CARRIED.

Highway Superintendent Randy Durham stated that he would like to thank the Town of Hermon Highway Department for the use of their excavator and help assisting the Town with repairing the big sink hole on the Fullerville Road. He stated that he would also like to thank Harmer Construction for opening their doors for us and getting us the material we needed to fix the roads. Councilperson Bishop asked Mr. Durham the status on the 2000 Truck. Mr. Durham stated that the frame was getting a sleeve put on it at Whitesboro's in Watertown. Mr. Durham stated that the Swiss Hill Road was still closed as they are trying to put more culverts in. Supervisor Cappellino asked if he had repaired the sink hole on the Fullerville Road. Councilperson Newvine stated that he had heard that the Highway workers didn't feel that it was safe to be working in the sink hole. Mr. Durham stated that the hole has been repaired and that it wasn't safe to get into. He stated that he was the one in the hole. Councilperson Newvine asked if Mr. Durham was going to have the Highway employees from Gouverneur come and show our guys how to use the new boom mower. Mr. Durham said he will be getting ahold of them for some training. Councilperson Bishop asked if any of the plow trucks were ready to plow. Mr. Durham said that one truck is at Route 11 Trucking getting repaired, one at Whitesboro getting repaired and 3 are in the barn ready to go but the plows are not on them yet.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to have Supervisor Cappellino sign a waiver for a release of Liability for Edelweiss Holdings who owns the land where the new snowplow turnaround will be put in on the Sands Road. All in Favor. MOTION CARRIED.

A motion was made to pass Resolution NO. 7 of 2017, to allow Mr. Durham to apply for a speed reduction on the Hull Road with the County. Bishop- abstain, Cappellino- yes, Newvine- yes, Simmons- yes. MOTION CARRIED

A motion was made to pass Resolution NO. 8 of 2017, to allow Mr. Durham to apply for a speed reduction on the Doane Road with the County. Bishop- abstain, Cappellino- yes, Newvine- yes, Simmons- yes. MOTION CARRIED

Town Clerk Kelly Harmer reported that she licensed 20 dogs, issued 6 death certificates, one marriage transcript, and \$2,800.00 in hunting and fishing licenses. She stated that the Town had received a thank you card for the flowers, from the family of Elaine Boney.

CEO Glen Besaw reported issuing 8 permits for the month of October. He also gave a verbal stop work order for someone working without worker's compensation or insurance. Supervisor Cappellino read a letter from Mr. Besaw asking to be reimbursed for all the hours he spent closing the 2016 building permits. The Board decided to ponder the idea until next board meeting.

Assessor Sherry Geer stated that she wanted to have Attorney Leader draw a local law to change the exemption for a Cold War Veteran to be indefinite instead of it ending in 2024. She stated that she would get with Mr. Leader on this matter. Ms. Geer stated that Tami Gale has been doing a great job with the Data Collection. Ms. Gale stated that she had about 300 parcels done.

Historian Karen Simmons wanted to remind everybody that there are still Fowler Family Day t-shirts available to purchase. The 2016 shirts are now \$5 each and the 2017 shirts are \$10 each. Ms. Simmons congratulated Andrew Miller, Sherry Geer, Jeff Andrews, Lynn Bishop and Rick Newvine on their election wins. She stated that she had met with Ryan Young, newly elected Justice, at Court last week. She said that Mr. Young will observe Judge Phillips for a couple of weeks. He will be going to Albany for school in December.

Dan Moyer reported on the Beaver Control. He stated that he had gotten 4 beavers on the Swiss Hill Road. He said that there was an issue there with stuff getting stuck on the I- beams in the culvert. They were unable to put a grate in

there because it was an 8-foot culvert. Mr. Durham replaced the culvert and Mr. Moyer stated that he was going to keep an eye on it. He also reported getting some beavers on the Shantytown Road and two on the Country Club Road.

Mr. Moyer, Dog Control Officer, reported issuing a ticket for a dog at large for a resident on the Island Branch Road. The dog was hit by a car and then the driver hit a tree and a mailbox. Mr. Moyer stated that Janet Collier from the Department of Ag and Markets came and inspected the Dog Pound on Tuesday, November 7. She found an issue with the dog food being expired. She wanted it to be taken out and suggested replacing it with canned food. She also stated that the dog dishes in the window weren't covered and were dusty and dirty. She will be back on November 30<sup>th</sup> to check over the paperwork. Mr. Moyer stated that he had been to court over the Dangerous Dog in Hailesboro but the defendant and Attorney Leader never showed up.

There was some discussion about closing our kennel down for the winter to save on heating costs. Councilperson Simmons stated that we discussed doing that last year and came to the conclusion that it was cheaper to keep our kennel open than to contract out to Dan Moyer's kennel or Friends 4 Pound Paws.

Councilperson Bishop asked CEO Glen Besaw if he had contacted Dave Blevins about the issue in the basement. Mr. Besaw said that Mr. Blevins will be here tomorrow. Mr. Bishop also asked Mr. Durham the status on Highway employee John Walsh. Mr. Durham said that he was hoping to return to work in December.

Councilperson Newvine stated that he had called Bob, the gentleman that helped install our Playground, to see if we should take the swings down. Bob said that it wasn't necessary because the chains are galvanized. Councilperson Newvine gave his condolences to Bookkeeper Barb Finnie and said he was sorry he did not make it to her Grandma, Elaine Boney's services. Mr. Newvine also wanted to mention that Mary Martin had passed away. He thanked everyone for voting for him. Mr. Newvine stated that he had talked to Mr. Hadfield about the garbage issue by the Fullerville Falls. Mr. Hadfield said that he was happy with the sign that was put in.

Councilperson Simmons stated that Johnny Lafaver had cleaned up the cemetery and that it looked a lot better. She said next year we will just have to be more conscientious with checking the cemeteries after they have been mowed. Ms. Simmons stated that her and Kelly had started putting the stuff together for the newsletter. Councilperson Simmons stated that she had called the Association of Towns concerning the newly elected officers serving on the Planning Board, Board of Appeals and Ethics Board but had not received a call back. Bookkeeper Finnie stated that Mr. Andrews will have to resign from the Planning Board and the Board of Appeals because he will be a Councilperson starting in January.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to go into Executive Session at 8:50 PM to discuss litigation. A motion was made by Councilperson Newvine and seconded by Councilperson Bishop to return from Executive Session at 9:08 PM.

The bills audited for the General and Highway Fund were #388- #430, with a total of \$239,653.77.

The next regularly scheduled board meeting will be on Tuesday, December 5, 2017 at 7 PM.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to adjourn the meeting at 9:09 PM. All in Favor. MOTION CARRIED.

Kelly Harmer; Town Clerk