

Town of Fowler Meeting Minutes for November 5th 2015

The Regular Meeting for the Town of Fowler and the Public Hearing for the Best Value Policy was held on the above date with all the Board Members present. Also present were Justice Paul Lamson, Highway Superintendent Mike Sweeney, Code Enforcement Officer Rick Whitford, Bookkeeper Gary Higgins, CDBG Representatives Michelle Durham and Brad Charlton, Deputy Town Clerk Tami Gale, Barb Finnie, Joel LaPierre, Laurina Greenhill, Stephen Gale, Mike Macaulay, Dustin Fayette, Wanda Fayette, Debbie Tupper, Vicky Cappellino, Randy Durham, Lisa Durham, Kathy Moses, Andrew Miller, Lillith Griffith, and Shelly Dodds.

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

After discussion of needing to make a correction to the October 6th, 2015 meeting minutes, a motion was made by councilperson Newvine and seconded by Councilperson Simmons to approve the minutes from the October 6th meeting. All in Favor. MOTION CARRIED. Another motion was made by Councilperson Newvine and seconded by Councilperson Simmons to approve the minutes from the Special Meeting on October 19th, 2015, and the Special Meeting on October 29th, 2015. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Simmons and seconded by Councilperson Newvine to open the Public Hearing for Local Law #2. The Best Value Policy provides the Town with criteria for awarding contracts using Best Value Standards. All in Favor. MOTION CARRIED. Supervisor Cappellino opened the Public Hearing at 7:04PM for the Best Value Policy.

Kathy Moses asked the board how is the Best Value Policy different than what it has now. Supervisor Cappellino stated that the Town currently does not have one, and the purpose of the Public Hearing is to put one in place.

Michelle Durham from CDBG reported that there is no release of funds as of yet. The list and assessments are being worked on and reviewed by Rehab Specialist Brad Charlton. She stated that letters will be sent out in regards to application

status next week. She stated that they have submitted another rehab grant application for the Town of Fowler in the amount of \$500,000 for the next round of competitive funding. The first round of grant funding was \$400,000.

Debbie Tupper asked Michelle Durham what residents need to do if they were already approved for the grant. Michelle answered that residents who are approved do not need to do anything.

Councilperson Newvine asked Michelle when the money is expected to be released, as well as when we could expect the work to begin. Michelle stated that they are in the process of reviewing now with the new Rehab Specialist. She stated that 14 residents have been approved, and that paperwork, as well as an Environmental Review is what is holding the progress up. She stated that she estimated that the review would take 2 weeks.

Councilperson Spilman stated that she had heard rumors and is under the impression that CDBG isn't organized, and she is concerned that this process is being dragged out with a lot of money at stake.

Councilperson Simmons stated that she thought that the Town had 2 years to use the grant money, and questioned when the 2 years would be up. Michelle Durham answered that we are still considered to be in the set-up stage and that the 2 year time period had not started yet.

Councilperson Simmons asked the question who from CDBG is going to be working with Code Enforcement Officer Rick Whitford. Michelle stated that Rehab Specialist Brad Charlton would be.

Councilperson Newvine asked what letterhead is going to be on the letters sent to the approved residents, and Michelle stated that it would be from CDBG.

Councilperson Spilman commented that she is concerned that some people in the Town may need new furnaces, and that time is getting short for these residents. Michelle Durham stated that CDBG has a list of 18 contractors.

Councilperson Spilman asked Michelle when she projects the release of funds. Michelle answered 3-4 weeks, and that they have been delayed by the state.

Councilperson Spilman stated that the release was going to be in September, then October, and asked Michelle how many other grants CDBG are in charge of right now.

Kathy Moses asked if there were enough contractors to cover the work in Fowler. Michelle Durham replied yes, that the contractors are County-wide and are not all local. Michelle stated that she believed that they will be able to draw more contractors to the area.

Councilperson Spilman asked Michelle Durham if CDBG had enough staff to handle the grants, and who will be giving the reports to the Town of Fowler. Michelle Durham replied that either herself or Brad Charlton would be .

Councilperson Bishop asked Michelle what had happened to Peter Devine. Councilperson Spilman stated that there was a lot of responsibilities for Brad Charlton to keep up on. Michelle Durham stated that Brad Charlton came with a resume and that he would have close communications with Code Enforcement Officer Rick Whitford.

Randy Durham stated that he had worked with Brad Charlton, and that Brad was on the ball and on top of things.

Supervisor Cappellino stated that it was the consensus of the board that Peter Devine did a great job and that they were sorry to see him leave CDBG.

Supervisor Cappellino requested that the board make an amendment to the October 19th meeting minutes in regards to the Board choosing the 2nd lowest bid for the Fowler Town Hall and Town Barn Renovations. The reason for the acceptance of the 2nd lowest bid was that the Board did not feel the 1st lowest bid included the prevailing wage in the bid. The contractor with the 1st lowest bid agreed that this was true. A motion was made by Councilperson Spilman and seconded by Councilperson Simmons to make an amendment to the October 19th meeting minutes. All in Favor. MOTION CARRIED.

Fuel bids were received from two suppliers, MX Fuels and Tripp Fuels. They were opened by Councilperson Simmons and Councilperson Spilman. The prices will

move up or down based on the weekly NY State OGS price postings for St. Lawrence County less the discounts indicated. MX Fuels Bid on Item #1 Over the road, low sulfur, Premium Grade Diesel Fuel is New York State OGS Posting less \$0.0300 per gallon, on Item #2 Regular Grade Gasoline the Bid price per gallon is New York State OGS Posting less \$0.0300 per gallon, on Item #3 No.2 Heating Fuel for the Town Barn the Bid price per gallon is New York State OGS posting less \$0.0050 a gallon for both Fuel oil and Kerosene, and Item #4 No. 2 Heating Fuel oil for the Town Hall is New York State OGS posting less \$0.0050. Tripp Fuels Bid Item #1 Over the road, low sulfur, Premium Grade Diesel Fuel – the Bid price per gallon is \$1.85 escalating and de-escalating price based on the market price on the day of delivery, Item #2 Regular grade Gasoline – the Bid price per gallon is \$1.76 escalating and de-escalating price based on the market price on the day of delivery, Item #3 No. 2 Heating fuel for the Town Barn – the Bid price per gallon is \$1.79 escalating and de-escalating price based on the market price on the day of delivery, and on Item#4 No. 2 Heating Fuel Oil for the Town Hall – the Bid price per gallon is \$1.79 escalating and de-escalating price based on the market price on the day of delivery. A motion was made by Councilperson Spilman, and seconded by Councilperson Bishop to accept the MX Fuel bid. All in Favor. MOTION CARRIED.

Debbie Tupper asked the Board to clarify if the fuel bids were for 2 years. The board clarified that yes they were.

Legislator Joel LaPierre reported that the Emeryville Bridge by Debbie Tupper's should be open in 2 weeks. The Bay Bridge will be replaced next year. The temporary bridge by the power plant would be pulled as soon as the Emeryville Bridge is completed. Legislator LaPierre stated that the budget passed below the tax cap and it is a budget that they can work with.

Councilperson Newvine asked Legislator LaPierre how the legislature could have a negative fund balance. Legislator LaPierre responded that sales tax is down due to lower gasoline prices as well as the Canadian dollar. Supervisor Cappellino asked Legislator LaPierre if the Sherriff's department is going to remain staffed, Legislator LaPierre replied yes. Councilman Bishop asked Legislator LaPierre if the

Highway Department was being cut back, Legislator LaPierre replied no- that they had added a new shift.

Councilperson Spilman commented to Legislator LaPierre on the flexible hours for every department. She stated that she is for it if it is working, but she doesn't feel it is working. Legislator LaPierre reported that \$4.5 million had been cut from the budget.

Councilperson Simmons reported for Dog Control Officer Dan Moyer who was not present. Two dogs were in the kennel and picked up by their owner on Monday. There have been calls from a person on County Route 24, about dogs, and that Dan has been busy. Councilperson Newvine stated that the board needed to let Dan Moyer know that he needs to attend the Town Meetings. Councilperson Simmons stated that Dan Moyer has been doing a good job.

Andrew Miller asked the board if no one claims responsibility for a dog, known to belong to them, if the Town could charge the money owed to the Town, to their taxes. Supervisor Cappellino stated that the Town would need to prove ownership. Justice Lamson and Councilperson Spilman stated that the Town could not tax them. Justice Lamson stated that they would have to be taken to court with an attorney. It would be very costly to the Town and that dog situations are frustrating.

Code Enforcement Officer Rick Whitford reported that he had 8 building permits in October, and 2 so far for November. The septic that was in violation is now ½ done, and is now waiting on the grant money for which they were approved. The flickering lights in the front of the Town Hall will be addressed. There have been 80 Building Permits issued to date. The yearly average is between 80 and 100.

Deputy Town Clerk Tami Gale reported for Town Clerk Kelly Harmer that the office had been busy selling Hunting and Fishing License in the amount of \$2775.00. There were 3 marriage transcripts, 17 death certificates, and 16 dog licenses.

Councilperson Simmons reported for Beaver Control Officer Paul Cappellino that he has been busy cleaning grates and had shot 2 beavers this month.

Historian Karen Simmons reported that she had been working on a request from a woman who was looking for her great – great grandfather who lived in the Town of Fowler in the 1850's.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to close the Public Hearing on the Best Value Policy, Local law #2 at 8:15PM. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Newvine and seconded by Councilperson Bishop to enact Local Law #2. All in Favor. MOTION CARRIED.

Highway Superintendent Mike Sweeney reported that the crew has been busy cleaning the trucks and getting them ready for the snow. They have removed 4 fallen trees from the roads, have been filling in pot holes, and picking up excess materials that the state had left over from road work.

Councilperson Newvine stated that the turn- around by Dr. Twinings looks good. The time card machine in the Town Barn is broken, and that Highway Superintendent Sweeney has ordered a new one.

Councilperson Newvine asked Highway Superintendent Mike Sweeney where the detour was to by-pass the rail road track work being done on State Route 812. Highway Superintendent Mike Sweeney reported the detour was the 2nd turn on to County Route 24.

Councilperson Newvine asked Highway Superintendent Mike Sweeney how many applications had been received for the part time Highway position that was recently advertised. Highway Superintendent Mike Sweeney reported that he has received a total of 5 applications. Supervisor Cappellino asked if there were any qualified applicants with snow plow experience and CDL License. Highway Superintendent Mike Sweeney reported that there was 1 applicant, Randy Sawyer that was qualified with the experience. Councilperson Newvine asked if the qualified applicant lives in the Town of Fowler, but that part time help did not need to.

Highway Superintendent Mike Sweeney asked about the pay scale for the part time plow operator, stating that many of the applicants are asking this question and he would like to know what to tell them. Highway Superintendent Sweeney suggested that the part time help be put on a 40 hour week for the temporary position as they likely would not want to sit by the phone on a call in basis. Councilperson Newvine suggested that the Town check with the union to see if the 40 hour temporary position with a start date and an end date would still be considered part time.

Supervisor Cappellino asked Highway Superintendent Sweeney if he had taken the check to Barrett Paving to pay for the Chub Lake Road, and stated that the GSI paperwork needs to be in by next week.

Councilman Bishop asked Highway Superintendent Sweeney about the water problem at a residence on the Emeryville Road. Highway Superintendent Sweeney responded that he has tried to follow up with the homeowner on several occasions and has not yet been able to find anyone home at the residence.

Councilperson Bishop stated he would like to see a section of guard rails put in place on the Chub Lake Road. Supervisor Cappellino stated that the county would need to evaluate the whole road. The County has advised that they would do the evaluation, but it is likely that they would end up putting guard rails down the whole road, that would be costly.

Justice Paul Lamson asked if there was any cost involved to complete a study by the County. Justice Lamson suggested that if there is no cost involved, then let the County do the study.

Supervisor Cappellino stated that he would call Andy Willard at the County and look into this.

Andrew Miller asked when was the last time that there were any guard rails on the Chub Lake Road.

Kathy Moses thanked everyone for their continued support of the Back Pack Program.

Debbie Tupper stated that the Town use to run 3 trucks with 6 highway employees. Last winter there was the same number of highway employees. There are 6 employees presently including Highway Superintendent Mike Sweeney.

Justice Paul Lamson stated that the Town is budgeted for 6 highway employees so the Town might as well hire pending the union approval on a seasonal 40/hour employee.

Dustin Fayette asked the Board if they have given any thought about Daytime and Nighttime shifts for plowing to relieve overtime.

Justice Paul Lamson, speaking as a taxpayer, stated that he was bothered by the ethics of a candidate in this years' election. There were no names mentioned, but Justice Lamson stated that he felt there were "dirty politics" and that this person should consider not taking office if he gets elected.

Stephen Gale asked the Board what they thought about the recent work done on the Rt. 58 Rail Road crossing. Councilperson Newvine stated that he had called CSX, and that the recent fix was temporary and it would be finished in the summer. Supervisor Cappellino stated that he would call CSX and report to them that there have been 2 accidents at the Rt. 58 Rail Road Crossing since it has been temporarily repaired.

Councilperson Spilman reported that she has set up a meeting with the union for November 17th 2015 at 3:30PM. Councilperson Spilman also stated that there have been a lot of recent break ins in the Hailesboro and Fowler areas and suggested everyone lock their doors.

Councilperson Spilman stated that she would like to get going on the Fowler Newsletter. Councilperson Spilman stated that she is going to meet with Highway Superintendent Mike Sweeney to help him with the computer in the Town Barn.

Councilperson Newvine asked about a meeting with John Davies about insurance for the highway employees. Supervisor Cappellino is going to call Mr. Davies to set up a date for a meeting.

Justice Paul Lamson stated he is getting a quote for the camera to be moved to the Town Clerk's office so that the clerk can see people entering the Town Hall.

Councilperson Simmons asked about a meeting to be advertised to accept the 2016 Budget.

Supervisor Cappellino stated that there needs to be a Public Hearing on the 2016 Budget and suggested Thursday November 12th at 6PM. The Public Hearing will be opened for 30 minutes and followed by a Special Board Meeting to vote on the final 2016 Budget. The Public Hearing will be advertised in the Watertown Times.

Supervisor Cappellino asked Highway Superintendent Mike Sweeney if the snow plows are all ready to go. Highway Superintendent Sweeney replied that yes they were.

Supervisor Cappellino asked Code Enforcement Officer Rick Whitford about key-less locks being installed. Supervisor Cappellino wants the Town Clerk to have control of the door.

Councilperson Simmons asked Supervisor Cappellino if the bonding of the contractor that is going to do the renovations to the Town Hall had been straightened out. It was not included in the Bid. Supervisor Cappellino stated that the bonding would be added to the cost of the project.

A motion was made by Councilperson Simmons and seconded by Councilperson Bishop to accept Randy Durham's letter to the board that he did not wish to be the Chairperson of the Ethics Board in 2016. All in Favor. MOTION CARRIED.

Bookkeeper Gary Higgins stated that Hollow Dam had challenged and won their assessment. The Town of Fowler's portion to be paid back totaled \$33,259.69. This amount was paid so that it would not become a chargeback from the county that would affect tax payers who pay their taxes by escrow accounts.

Debbie Tupper asked the Board how this had happened. Councilperson Spilman stated that the assessors need to be on top of properties, and that the assessors over assessed.

The bills audited for the General and Highway Fund were # 367-# 403, with a total of \$ 329,036.36.

The next scheduled meeting will be held on Thursday November 12th 2015 at 6PM.

A motion was made by Councilperson Newvine and seconded by Councilperson Simmons to adjourn the meeting at 8:52PM. All in Favor. MOTION CARRIED.

Michael Cappellino; Supervisor Natalie Spilman; Councilperson

Lynn Bishop; Councilperson Rick Newvine; Councilperson

Karen Simmons; Councilperson Tami Gale; Deputy Town Clerk