

Town of Fowler March 11th, 2024, Regular Scheduled Board Meeting & Public Hearing on Local Law No. 2 of 2024 - Prior Notice Law Meeting Minutes at 6:00 PM

The Town of Fowler Regular scheduled Town Board meeting was held on the above date with four Board members present, and Councilperson Bishop attending by phone. Also present were Town Clerk Tami Gale, Highway Superintendent Randy Durham, Assessor Chair Kathy Besaw, Code Enforcement Officer Glen Besaw, Mark Deavers of Gouverneur Rescue Squad, Laurina Greenhill, John and Deb Walsh, Richard Clement, Brian & Julieanne Koerick, and Rachel Hunter, Editor of the Gouverneur Tribune Press.

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, all healthcare workers, and to include Alex MacKinnon and Bill Siebels in our thoughts and prayers as they recover from injuries sustained in a recent accident. Deputy Supervisor Karen Simmons asked for Keith Newvine also to be included in our thoughts and prayers, as he too recovers from injuries sustained in a recent accident.

Supervisor Newvine asked for a motion to approve the minutes from the February 12, 2024, regular scheduled board meeting. A motion was made by Councilperson Simmons, seconded by Councilperson Cleveland. All in Favor. MOTION CARRIED.

PUBLIC HEARING

AT 6:05 PM Supervisor Newvine asked for a motion to open the public hearing for the proposed adoption of Local Law No. 2 of 2024 – Notice of Highway Defects Law. Supervisor Newvine reported it is a law that was requested by the Town of Fowler’s insurance company, that provides for written notification of defects and obstructions on town highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of Fowler. Supervisor Newvine reported that there are copies of the proposed law available for anyone who would like a copy. A motion was made by Councilperson Simmons seconded by Councilperson Cleveland and CARRIED.

PRESENTATION BY MARK DEAVERS, OF GOUVERNEUR RESCUE

Supervisor Newvine introduced Mark Deavers, of Gouverneur Rescue to the meeting attendees. Mr. Deavers provided a handout from NYSAC – New York State Association of Counties – discussing the problems local (EMS) providers are facing across the state and some recommendations for the board’s review.

RECOMMENDED AND FULLY SUPPORTED BY NYSAC ARE THE FOLLOWING PROPOSALS AND LEGISLATION:

- **Special Taxing Districts & EMS Being Deemed an Essential Service.**
- **Property Tax Exemption for EMS Services.**
- **Authorization of Reimbursement for Treatment in Place and Transportation to Alternative Destinations.**
- **Income Tax and Property Tax Credits.**
- **Income Tax Credit Increase.**
- **Targeted Medicaid Rate Increase for EMS Providers.**
- **Thruway Permits for EMS Vehicles.**

Supervisor Newwine thanked Mr. Deavers for the updates and information, reporting the board members would discuss the proposed recommendations further.

DISCUSSION ON 2024 MOWING CONTRACT

Supervisor Newwine stated that Tina & Dan Fifield were awarded the contract for the 2023 mowing season in the amount of \$13,000 paid in five monthly installments at \$2,600 monthly and had expressed that they would ask for the same amount for the mowing contract for 2024. Supervisor Newwine asked the board for their thoughts on awarding the contract for the 2024 season, reporting the town doesn't have to put this contract out for bid. Councilperson Simmons asked if the amount of the contract should be increased this year due to the added section required to be mowed at the Fullerville Cemetery. Supervisor Newwine asked Councilperson Bishop if he was aware of the location of the added section at the Fullerville Cemetery. Councilperson Bishop reported that he was aware of the location. Supervisor Newwine asked Councilperson Bishop if he would obtain a quote for the added section from Tina and Dan Fifield. Councilperson Bishop stated that he knew Dan Fifield had some health issues last year but there were a few times he was not pleased with the conditions at the cemeteries. Councilperson Bishop reported he would call the Fifield's the following day and discuss a fee for the added section as well as to discuss his expectations for the condition of the cemeteries. Town Clerk Gale asked that the description of the added section be provided for her to add to Schedule A in the mowing contract. Brian Koerick reported he was at the meeting tonight to listen and learn about the mowing agreement with the town. He reported he was interested in putting a bid in if Tina and Dan were not going to come back this year.

APPOINTMENT

Supervisor Newwine asked for a motion to appoint John Walsh as a member of the planning board filling the unexpired term of Leo Knight Jr. A motion was made by Councilperson Simmons seconded by Councilperson Knight and CARRIED. Board members congratulated John on becoming a planning board member.

Town Department Reports

Justice Department

Town Justice Tim Knowlton was not in attendance.

Bookkeeper

Bookkeeper Barbara Finnie:

- Reported she had provided Town of Fowler Cash Balance Reports for Month Ending December 31, 2023, Month Ending January 31, 2024, and Fund Balances from 12/31/2021, 12/31/2022, and 12/31/2023 to the board members for their review.

BUDGET BALANCES

December 31, 2023

- Reported the general fund was 102.59% spent and had received 155.29% in revenue and the highway fund was 87.40% spent and had received 106.67% in revenue, stating both funds had done well for the end of the year.

January 31, 2023 (BUDGET BALANCES CONTINUED)

- Reported the general fund was 8.36% spent and had received 2.42% in revenue and the highway fund was 2.86% spent and had received 0.19% in revenue.

Assessors

Assessor Chair Kathy Besaw reported:

- The 2023 assessment year was closed out on March 1st.
- Everyone had renewed the exemptions that needed to be renewed and anything the assessors had valued as of March 1st will be on the school tax bill in 2024 and on the County tax bill in 2025.
- Anything they value from now until next March 1st will not show up until 2025 on the school tax bill and 2026 on the County tax bill, they are always 1 year behind.
- She is meeting with Town Attorney Henry Leader on Wednesday to review the hydro proposition that has been in litigation for several years.
- She has been made aware two of the major hydro properties are in foreclosure and she is unsure what the implications are for the town.

Historian

Historian Karen Simmons reported:

- She has been working on a couple of genealogies.

Animal Control

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

- A dog had been picked up in Hailesboro and had been adopted.
- Two dogs were picked up near the mines, the owner was located after 3 days, and licensed and claimed the animals.
- Rachel Hunter, Editor of the Gouverneur Tribune Press is going to advertise the dog that has been in the kennel for nearly a month and a half, so that he might find a new owner.
- She had received a call from DCO Moyer prior to the meeting reporting there was no water at the dog kennel.
- Maintenance worker Byron Woodward is in the process of troubleshooting the problem.

Beaver Control

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

- He has had no calls concerning beaver activity as of meeting time.

Code Enforcement

Code Enforcement Officer Besaw:

- Reported he has scheduled his yearly code enforcement training and will be attending the seminar in Syracuse.
- Discussed the need for a new local law that he feels needs to be added for him to be able to handle issues (in-house), using Town Law, rather than handling them by State law, as it limits what he can do.
- Reported that he has received many calls on illegal burning, and junk law violations that will be addressed in a new local law.

Town Clerk

Town Clerk Tami Gale:

- DEC Gross sales for the month was \$5.00 with the Town of Fowler Commission being \$.28. She had issued 1 certified marriage transcript, licensed 30 dogs, processed 1 building permit, sold 2 bicentennial books, and had collected \$2.00 for photo copies.
- Reported \$175.00 was received from the Pepsi machine at the highway department.
- Reported she had completed her tax renewal warrant with the County Treasurer's Office and taxes are 76.44% collected. The amount left to be collected is \$579,226.54.
- Asked the board their pleasure on setting the fee for 2nd notices for taxpayers who haven't paid any tax at all this year. After some discussion, it was the consensus of the board to set the 2nd notice fee at \$2.00.
- Reported the 2024 Free Rabies Clinic Schedule is out and copies are available if anyone would like one.

Highway Department

Highway Superintendent Randy Durham reported:

- He wanted to discuss the condition of the overhead doors in the yellow highway department building and asked maintenance worker Byron Woodward to describe his concerns.

Maintenance Worker Byron Woodward:

- Reported that all three (3) overhead doors in the building are shot, and no longer close completely to the ground.
- This condition allows pigeons to live in the barn and defecate on the equipment.
- He reported that he and the Hwy. Superintendent had obtained a quote to replace the doors at a cost of \$21,930.00 from Kelly Sales Corporation.

Supervisor Newwine asked about the power supply to the motor operators for the overhead doors not being included in the quote provided to the board this evening. Hwy. Superintendent Durham stated that it was not included in the cost and the town would need to have an electrician run the power, which would be at an additional cost.

Supervisor Newwine asked if the cost of the overhead doors would come out of the general fund as it is for building maintenance. Bookkeeper Finnie reported that it would come out of the general fund, and not the highway fund.

Councilperson Cleveland asked if the overhead doors were put out to bid. Hwy. Superintendent Durham reported that only one quote had been obtained as all of the previous work for the overhead doors had been completed by the same vendor, and the project had not been put out for bid.

Councilperson Cleveland stated per the town's procurement policy anything over \$20,000 needed to be put out to bid.

Bookkeeper Finnie stated that up to \$20,000 for the General Fund and up to \$35,000 for the Highway Fund are the amounts that could be spent per the procurement policy before needing to be put out for bid.

After further discussion, a motion was made by Councilperson Cleveland and seconded by Councilperson Knight to put the replacement overhead doors out for bid. All in Favor. MOTION CARRIED.

Highway Superintendent Randy Durham continued:

- Discussed the fuel pump at the highway department is not measuring correctly and needs to be either fixed or replaced. He reported there is only one company around here who can do this job.
- He reported the cost to fix the existing, many years old pump would be \$2,000, and to have the system replaced would be in the range somewhere between \$25,000 and \$30,000 to replace it with an updated system where all of the vehicles will have a key and the actual usage of the fuel would be computerized for record keeping purposes, and asked the board what direction they would like to go in.

Supervisor Newvine suggested that Hwy. Superintendent Durham obtain a quote with a detailed description of what the key system consists of and does. Councilperson Bishop asked if the new system would measure both gas and diesel. Hwy. Superintendent Durham reported it would measure both. Councilperson Simmons asked where this company is located. Hwy. Superintendent Durham reported it is located in Alex Bay. After further discussion it was the consensus of the board, they would discuss the purchase further at the April 8 board meeting after they had received a quote with a detailed description of the system.

Town of Fowler proposed Road Swap with St. Lawrence County

- Hwy. Superintendent Durham provided road swap documentation to the board for their review.
- Hwy. Superintendent Durham discussed a segment of Town road by the power dam located at the end of CR 22 and located at the end of the boat launch sits on a river bank which is beginning to show signs of sloughing and needs to have flex rail installed all the way down through it along with it requiring to have fill installed.
- He reported that the County is willing to take that on and take it over as is, and swap the Town of Fowler that segment of road for .13 miles of the Balmat-Fowler Road (State Route 58 to Little York Rd), which the Town currently and historically has maintained and a .18 mile segment of Balmat - Fowler Road (State Route 812 to a section of road leading to Pumphouse Rd) which the Town currently and historically has maintained.
- Hwy. Superintendent Durham reported that St. Lawrence County will assist the Town in completing all paperwork required to add segments to LHI reporting and complete road name changes as needed.

Supervisor Newvine made it clear that it is not Pumphouse Rd that is a part of the swap. Hwy. Superintendent Durham reported that was correct it is not Pumphouse Road, and the .18-mile section will be re-named and the sign stating Pumphouse Road should be moved down to Pumphouse Road where it starts.

After some discussion, it was the consensus of the board to have Hwy. Superintendent Durham pursue the road swap with St. Lawrence County.

- Reported he had gone to Albany last week with 700 others to ask for the restoration of CHIPS funds that were taken away.
- Attempts to discuss road maintenance of the Battle Hill Road with the Town of Hermon are at a standstill with the current situation of the Hermon town board.
- The cost to complete the remainder of the Sylvia Lake Road to the mines would be \$185,000.
- The rest of the Sylvia Lake Road (from the mines to California Road) is going to cost \$126,000.

CLOSE PUBLIC HEARING

At 6:42 pm Supervisor Newvine asked for a motion to close the public hearing for proposed Local Law No. 2 of 2024. A motion was made by Councilperson Cleveland seconded by Councilperson Knight to close the public hearing on proposed Local Law No. 2 of 2024 – Notice of Highway Defects.

RESOLUTION

RESOLUTION #11 of 2024

Notice of Highway Defects

A motion was made by Councilperson Simmons seconded by Councilperson Cleveland to adopt Resolution #11 of 2024, a resolution providing for written notification of defects and obstructions on town highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of Fowler . All in Favor. MOTION CARRIED.

AYES: 5 *NEWVINE, SIMMONS, BISHOP, CLEVELAND, KNIGHT*

NAYS: 0

Councilmembers

Councilperson Lynn Bishop:

- Reported there has been an individual burning a variety of garbage on the corner of CR 22 and Little York Rd and asked CEO Besaw if there were any regulations governing the burning of garbage. It was discussed that the DEC regulates burning, however there are restrictions on what items are allowed to be burned. Supervisor Newvine discussed that CEO Besaw is in the process of coming up with a Local Law that would include him being able to ticket for burning related violations.

Councilperson Cleveland:

- He is going to be providing figures for the new basketball hoops for the new basketball court for the next meeting.
- He is contacting the company the new spring ride toys were purchased from and is possibly going to replace them with new models.

Councilperson Leo Knight Jr:

- Had no further questions or comments.

Councilperson Karen Simmons:

- In the month of February, the HAP Program was visited 23 times.
- A donation of \$150.00 had been received for the food programs from Robert and Diane Jennings.
- Food donations for the HAP program had been received from: Tim and Cherie Thomas, Connie Elen, Sue Spilman, and the First Presbyterian Church of Gouverneur.
- SOS care packages for senior citizens in the Town of Fowler will be delivered on March 29th and there are 100 care packages to be delivered.
- The next meeting for Family Day will be held this Thursday, March 14th at 3:00 pm at the Town Hall.
- Family Day is being held on July 20th 2024.

Supervisor Ricky W. Newvine:

- Asked CEO Besaw if he has heard anything from the individual that was interested in developing hydro power on the Stone Road. CEO Besaw reported he has not heard from him.
- Reported he had completed paperwork on the boundary annex, reporting there were no changes.

- Stated the town's worker's compensation report had been received from the County and reported the town's liability insurance is \$137,000.
- Discussed the Town is obtaining a price for the cost of installing a generator at Kilkarney Court and would like to use ARPA funds for the purchase as it is for senior citizen housing. It was discussed that several grants for the purchase of a generator have previously been denied.
- Reported that a thank you letter had been received from the family of Joan Kingsley.
- Notifications had been received from Senators' Mark Walczyk and Dan Stec that they had received the Fowler Town Councils' resolution in support for continuing correctional facility operations in St. Lawrence County.
- Reported the Town of Fowler had received a renewal policy for town insurance.
- Reported he is working on penning a letter to send to our legislators regarding the new regulations governing animal shelters, and to try to get some assistance.

Maintenance

- Maintenance worker Byron Woodward reported he needed to purchase a new air conditioner unit for the town hall and asked about purchasing a second unit for the dog kennel.
- Reported he will be renting a lift soon, to do the peaks of the buildings this summer.
- Reported he will be moving a door in the yellow highway department barn.
- If anyone has any maintenance work for him to let him know.

Public Comment

- Debra Walsh asked about garbage being left by the road on State Highway 812. CEO Besaw reported he would take care of it the next day as he had a similar complaint to handle.
- Debra Walsh asked the Town of Fowler to send a letter to notify taxpayers of the Towns mailbox replacement policy. It was discussed that it would be put into the newsletter next year.

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

The bills audited for the General and Highway Fund were #57 to #100, with a total of \$33,308.23.

The next regular scheduled board meeting will be held on April 8th, 2024, at 6:00PM.

The presidential primary is on April 2, 2024 with the polls open from 6am to 9pm.

With no further business, on a motion of Councilperson Cleveland, seconded by Councilperson Knight, the March Regular Town Board meeting was adjourned at 6:55 PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk