

Town of Fowler September 9, 2024, Minutes of Regular Scheduled Board Meeting at 6PM.

The Town of Fowler Regular scheduled Town Board meeting was held on the above date with all board members present. Also present were Town Clerk Tami Gale, Town Justice Tim Knowlton, Highway Superintendent Randy Durham, Planning Board Member John Walsh, Code Enforcement Officer Glen Besaw, Assessor Chair Kathy Besaw, Maintenance Worker Byron Woodward, Deb Walsh, Richard Clement, Bob Horton, and Laurina Greenhill.

Supervisor Newwine 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, and all healthcare workers.

Supervisor Newwine was pleased to report that no one from the Town of Fowler had to be included in remembrance this month.

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

SET DATE FOR OCTOBER BOARD MEETING

Supervisor Newwine reported a date needed to be set for the October board meeting as the 2nd Monday in October falls on the Columbus Day holiday. It was discussed that the Town Clerk needs to submit the preliminary/tentative budget to the town board by October 5th. After some discussion, it was the consensus of the board to schedule the October town board meeting to be held on Thursday, October 3rd, 2024 at 6:00 PM.

SET DATE FOR 1st BUDGET WORKSHOP

Supervisor Newwine reported a date needed to be set to hold the 1st budget workshop in preparation of the 2025 preliminary/tentative budget. After some discussion, it was the consensus of the board to set the 1st budget workshop for Wednesday, September 25th at 4:00PM at the Fowler Town Hall.

DISCUSSION ON HEATING SYSTEM FOR THE TOWN BARN

Supervisor Newwine reported he had presented the board with a quote from E.N.I. MECHANICAL, INC. for the installation of a new heating system for the shop and office area in the Town Barn. Supervisor Newwine asked Bookkeeper Finnie if there was money in the budget for a new heating system. Bookkeeper Finnie reported that there was fund balance that could be used, as well as ARPA money that could be used. After some discussion it was the consensus of the board that they would take the time to look over the quote and discuss the purchase at the October 3, 2024 board meeting.

DISCUSSION ON ARPA FUNDS AND PLANS FOR SPENDING

Bookkeeper Finnie reported there was \$42,968.00 remaining in ARPA funds, which included earned interest. It was discussed the interest that the ARPA fund earns did not need to be spent and could be added into the general fund. It was discussed with the purchase of the heating system and money set aside for Sylvia Lake; the ARPA funds would be spent. Hwy. Superintendent Durham made it known to the board members that presently the town barn has no heat.

Town Department Reports

Justice Department

Town Justice Tim Knowlton reported:

- Court was slow in the month of August with not many tickets coming in.
- 16 tickets were written, for a total of 13 defendants, and no criminal cases.
- Court Clerk Ashley has 6 classes, and he has 2 classes remaining to take to complete their yearly training.

Bookkeeper

Bookkeeper Barbara Finnie reported:

- She had provided Town of Fowler Cash Balance Reports for Month Ending August, 2024, and Budget Balances for August, 2024 to board members for their review.
- 79.32% of the General Fund has been spent with 105.97% of revenues received.
- 41.28% of the Highway Fund has been spent with 81.76% of revenues received.

Supervisor Newwine asked if the CHIPS money was what we were waiting for in revenue for the Highway Department. Bookkeeper Finnie reported that the CHIPS money hadn't been received yet.

- She had provided department heads with their budget request paperwork before the start of the meeting and asked to have the requests returned to her by the 20th.

Assessors

Assessor Chair Kathy Besaw reported:

- She has learned the lawsuit paperwork that she was served last month by Fowler Hydro, is regarding the company seeking refunds for taxes that they have paid catching up on the last 3 years of taxes owed.
- She called the Treasurer Department and learned that they are not owed any refunds from the Town as the taxes they paid were at the agreed upon lower rate, however the Town of Fowler is going to be charged \$12,000 in chargebacks as the County made sure that our tax warrant was 100% for the 3 years that Fowler Hydro didn't pay their taxes.
- She had received a FOIL request from another assessment specialist, representing a taxpayer in the town. She discussed the FOIL request with Bruce Green, Director of the Real Property Department, who agreed this is the wave of the future, when individuals aren't happy with their assessments.

Supervisor Newwine asked Assessor Chair Besaw if the taxpayer's assessment was out of whack.

Assessor Chair Besaw reported that she stands by the assessment. Supervisor Newwine asked who makes the final decision in such a dispute. Assessor Chair Besaw reported that a grievance would be filed. It first would be turned down by the assessors, next it would be looked at by the BAR (Board of Assessment Review), and then it would go to and be decided in small claims court.

Councilperson Bishop expressed his concerns with this new trend. Assessor Chair Besaw stated the town has an 8% (LOA), which is the state's measure of a municipality's level of assessment. This is the ratio of total assessed value (AV) to the municipality's total market value (MV). Assessor Chair Besaw stated that a re-valuation is coming, like it or not, as we are going to be forced into it.

Historian

Historian Karen Simmons reported:

- She is caught up on all of the genealogy searches that she has been working on.

Animal Control

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

- DCO Moyer had received 2 complaints; one on the Fullerville Rd and one on County Route 22. He spoke to the animal's owners.
- A dog had been picked up running at large and spent 1 night in the kennel before being picked up by its owner.

Beaver Control

Councilperson Karen Simmons reported for Moyer's Wildlife Control:

- Beaver control is being completed on the lower Stone Rd.

Code Enforcement

Code Enforcement Officer Glen Besaw reported:

- He had received 2 complaints. One was a building complaint and the other was a burning complaint.
- He has completed the final inspection for a new home on Sylvia lake.
- He has received several calls from people inquiring about building permits for potential new homes possibly being built in the spring.

Town Clerk

Town Clerk Tami Gale reported:

- Reimbursements were received from the Town of Edwards, Clare and Richville for shared expenses for court clerk, assessor, and code enforcement officer, with the reimbursement from the Town of Rossie expected to be received this month.
- DEC Gross sales for the month were \$1,912.00 with the Town of Fowler's Commission being \$105.50. She had licensed 48 dogs, issued 3 death certificates, 3 marriage licenses, handled 3 building permit applications, collected \$45.00 in kennel fees, and had collected .50 cents for photocopies.
- \$381.56 had been collected in coins from the Pepsi machine at the highway department.
- She has signed several people up for the Local Government Conference being held on October 15th at SUNY Potsdam. If anyone else is interested in going they can contact her to be signed up.

Highway Department

Highway Superintendent Randy Durham reported:

- The amount of the new USDA truck loan will be \$288,000.
- The shared service for paving is now completed.
- Summer highway help, Hunter Aldridge will be done working on September 17th.
- Asked the board to keep the other summer highway helper on for a few more weeks. It was the consensus of the board to approve the request.
- Reported Jacob Cunningham will be re-hired as a Class A driver starting on October 2nd.
- Discussed guard rail replacement options and costs. After some discussion it was decided this topic will be re-addressed at the next board meeting.
- Re-paving will begin on September 23rd. It was discussed Battle Hill Rd, and the Country Club will be getting re-paving work done.

Supervisor Newwine asked about a purchase order that was in this evening's bills paying for striping of the roads that were paved and has not been completed yet. It was discussed to hold the check until the work has been completed.

Councilperson Simmons asked if the shoulders were going to be put on the newly paved roads this year. Hwy. Superintendent Durham reported that the shoulders would be done this year, and the material to do them is already put up and paid for.

Supervisor Newwine asked when the highway department was going back to five 8-hour work days. Hwy. Superintendent Durham stated that they would go back to the five 8-hour work days when the weather changes in late October or early November.

Supervisor Newwine expressed that there are still a lot of roads down from the flooding and asked if more work could get done to fix them if they were back on five 8-hour work days. Hwy. Superintendent Durham stated that we go through this every year, and to let him run his shift and he will make sure that the work gets done. Supervisor Newwine stated the taxpayers are seeing the roads and ditches that are messed up and asking why we aren't working more days a week. Hwy. Superintendent Durham stated he thinks that the highway department is doing fine and have come along way since the flooding that occurred on August 9th. He sets a goal for the week, and if that goal is not met by Thursday, then they will work on Friday. Hwy. Superintendent Durham stated the highway department workers really don't want to work anymore hours than they are working. Supervisor Newwine stated that call is Hwy. Superintendent Durhams to make not theirs. Hwy. Superintendent Durham stated he has to preserve his workforce year-round. The highway department lost 4 workers last year due to not being paid enough, and now that problem is fixed. Hwy. Superintendent Durham stated he had been to the highest supervisory schools in the world, all kinds of leadership schools, and preserving the force is the hardest thing to do. Hwy. Superintendent Durham directed any taxpayer that has an issue with the roads to call him, as he is elected to take care of the highway, and he is easy to get ahold of.

Councilmembers

Councilperson Karen Simmons:

- Reported the rabies clinic was held on August 15th. There were 140 animals vaccinated against the disease to include: 90 dogs, 46 cats and 4 ferrets.
- Reported \$465.00 in donations was received at the free rabies clinic in which she gave \$150.00 to the veterinarian and his assistant, \$100.00 to Court Clerk Irma Ashley who had lost her home in a housefire, and \$200.00 was given to the HAP Program.
- In the month of August, the HAP food program was visited 49 times.
- The next SOS delivery will be made to senior citizens on September 20th, which is up to 103 deliveries.
- Thanked the Presbyterian church for their donations to the SOS program.
- Reported as of September 1st Dan Fifield is retiring from digging graves for cemeteries in the town. He is still going to be available to do the bases for headstones. She reported she has been in contact with Cris Pike, who is associated with the Hailesboro Cemetery, who may have a few names of people who may be interested in taking over, but if anyone knows of someone who may be interested in digging graves in the town, to get in touch with her.
- Reported the garbage cans at the Hailesboro ball field are full.

Councilperson Cleveland:

- Discussed he has talked to a paving company to fix the court at the playground. He is waiting on an estimate to level the court which is expected to be between \$5,000 - \$6,000.

Councilperson Lynn Bishop:

- Discussed the mowing contract will end on October 1st and asked if it will be extended on a weekly basis. Supervisor Newwine stated that we will extend the mowing contract as is done yearly, until the weather dictates that mowing is no longer necessary.

Councilperson Leo Knight:

- Asked Hwy. Superintendent Durham if there is enough safety equipment for all of the highway workers. Hwy. Superintendent Durham reported he does have enough safety equipment; it is purchased upon hiring and replaced as needed, to include a vest, hard hat, and gloves. Hwy. Superintendent Durham reported the highway workers purchase their own shirts.

Supervisor Newwine asked if the board needed to look at disciplinary actions for safety violations. Hwy. Superintendent Durham reported they have had their safety class, and he believes it is already in the policy.

Councilperson Bishop asked if there is someone designated to be charge of safety in the highway department. Hwy. Superintendent Durham reported that Jackie McEathron is in charge of safety right now for the highway department, and she is taking good care of it. It was discussed that safety in the highway department has been stepped up since his visit from the Department of Labor.

Supervisor Ricky W. Newwine:

- Reported he is in the process of getting a price on a portable speaker system for the town grounds.
- Reported there had been some questions regarding the dates for obtaining an application to rent the pavilion and asked what the stop date was for renting the pavilion.

Councilperson Cleveland stated that the end date for renting the pavilion had been changed to September 1st in the year of 2023. It was discussed the individual who had wanted to rent the pavilion for September 14th did not return his call. It was also discussed a sign should be posted that any garbage that is generated by pavilion users is their responsibility.

- Reported the beach is now closed for the season and advised maintenance worker Byron Woodward that there may be some work to do on the foundation of the beach change house due to the high water from the flooding.

Maintenance Worker

Maintenance worker Byron Woodward reported:

- He had installed the new heater in the dog kennel.
- He has cleaned the floor in the kennel a few times in advance of applying the new mandated flooring.
- Asked when the air conditioning units should be removed, and when the water should be shut off at the pavilion.

Public Comment

- There was no public comment.

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

The bills audited for the General and Highway Fund were #333 to #380, with a total of \$369,163.59.

The next regularly scheduled board meeting will be held on Thursday, October 3, 2024, at 6:00PM.

With no further business, on a motion of Councilperson Bishop, seconded by Councilperson Simmons, the September 9th, 2024, Regular Town Board meeting was adjourned at 6:42PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk