

Town of Fowler Organizational Meeting and Public Hearing Minutes on the Adoption of a Shoreline District Map & Proposed Amendments to Local Law 1 of 2019 held on January 7, 2020 at 7:00 PM.

The Organizational Meeting for the Town of Fowler and Public Hearing on the proposed adoption of a Development District Map & proposed amendments to Local Law 1 of 2019 was held on January 7, 2020 at 7:00 PM with all board members present. Also present were Town Clerk Tami Gale, Deputy Town Clerk Debra Tupper, Town Attorney Henry Leader, Assessor Chair Sherry Geer, Assessor Phyllis Shaw, Bookkeeper Barbara Finnie, Code Enforcement Officer Glen Besaw, Highway Superintendent Randy Durham, Planning Board Members Stephen Gale, and Larry Streeter, Pavilion Committee member Richard Clement, Laurina Greenhill, Lisa Durham, and Rachel Hunter of the Gouverneur Tribune Press.

Supervisor Newvine called the meeting to order at 7PM and reminded attendees that the meeting was a business meeting and will be conducted as such and respectfully asked that the attendees save any comments for the Public Comment portion of the board meeting.

Supervisor Newvine proceeded with the pledge of allegiance and a moment of silence in honor of military men and women.

A motion was made by Councilperson Simmons, seconded by Councilperson Andrews to approve the minutes of the Regular Town Board Meeting held on December 3, 2019 at 7PM. All in Favor. MOTION CARRIED.

A motion was made by Councilperson Simmons, seconded by Councilperson Andrews to approve the minutes of the Transfer Meeting held on December 30, 2019 at 3:00 PM. All in Favor. MOTION CARRIED.

Supervisor Newvine read aloud the recommended appointments for 2020 and asked for a motion to approve the appointments. Councilperson Bishop asked if the Highway Superintendent was going to appoint a deputy as it was not decided as of this evenings meeting. Supervisor Newvine reported that the Highway Superintendent was close to making a decision and would be announcing the appointment at a later date. A motion was made by Councilperson Andrews, seconded by Councilperson Bishop to approve the appointments. All in Favor. MOTION CARRIED.

Supervisor Newvine read aloud the Town of Fowler Salary Schedule for the year 2020 and asked for a motion to approve the Salary Schedule. A motion was made by Councilperson Bishop seconded by Councilperson Simmons to approve the Salary Schedule. All in Favor. MOTION CARRIED.

Supervisor Newvine read aloud the Town board meeting dates for the year 2020. A motion was made by Councilperson Simmons seconded by Councilperson Bishop to approve the Town board meeting dates. All in Favor. MOTION CARRIED.

Supervisor Newvine read aloud the 2020 Town Board Committees that required department heads. After some discussion, a motion was made by Councilperson Andrews seconded by Councilperson Bishop to approve the board members as department heads. All in Favor. MOTION CARRIED.

Supervisor Ricky W. Newvine	- Sylvia Lake Beach, Hailesboro Ballpark, Solar panels
Councilperson Jeff Andrews	- Liason to Highway Department
Councilperson Karen Simmons	- Animal Control, Cemeteries, Town Hall Use
Councilperson Lynn Bishop	- Mowing
Audit Committee	- Supervisor Newvine, Councilpersons: Bishop & Simmons

RESOLUTION

RESOLUTION # 1 of 2020

PREPAID VOUCHERS

A motion was made by Councilperson Simmons seconded by Councilperson Andrews to adopt Resolution #1 of 2020, a resolution to authorize the payment in advance of audits of claims for public utility services, postage, freight, express charges, and health insurance premiums. All in Favor. MOTION CARRIED.

AYES: 4 NEWVINE, SIMMONS, ANDREWS, BISHOP

NAYS: 0

PROCUREMENT POLICY FOR THE TOWN OF FOWLER

Supervisor Newvine discussed a resolution to adopt the Town of Fowler Procurement Policy. No Motion was made and/or seconded and will be re-addressed at the February 4, 2020 Town Board Meeting.

PUBLIC HEARING

At 7:10 PM Supervisor Newvine asked for a motion to open the Public Hearing on the proposed adoption of a Shoreline District Map & proposed amendments to Local Law #1 of 2019. A motion was made by Councilperson Andrews seconded by Councilperson Bishop. All in Favor. MOTION CARRIED.

Supervisor Newvine reported that Town Attorney Henry Leader was in attendance to answer any questions concerning the proposed adoption of a Shoreline District Map and the proposed amendments to Local Law #1 of 2019. Attorney Leader reported that the only changes to Local Law #1 of 2019 is the inclusion of mining and mineral extraction and for the addition of the shoreline district to include agricultural use. Attorney Leader explained that while the County was very helpful with the structure of and had assisted the Town of Fowler with getting Local Law #1 of 2019 Land Use Laws and Regulations to where it is, the Local Law was never officially submitted to the St. Lawrence County Planning Board for their review prior to its adoption. Attorney Leader stated that assuming that the Local Law is repassed this evening with the aforementioned changes, it would be re-submitted to the Department of State. Supervisor Newvine stated that just so everyone is aware, the County felt that the Local Law had not been properly submitted to the County Planning Board, and this left the Town open to an article 78, meaning that someone could say that it was not a legal document.

Supervisor Newvine then asked CEO Glen Besaw and the Planning Board members present, if they had any concerns with the changes. Planning Board Chairman Stephen Gale questioned if the changes to the mining and mineral extraction covered both the water and the agricultural districts, which is a recommendation by Matilda Larsen of the St. Lawrence County Planning Board. Planning Board Chairman Gale reported that the St. Lawrence County Planning Board has requested the amended Land Use Law and Regulations prepared by Town Attorney Henry Leader be submitted to them for their review and approval before its adoption.

After discussion, it was decided that Attorney Leader would make the necessary changes to Local Law #1 of 2019 and it would be forwarded to the County Planning Board for their review and approval. Once it has been approved by the St. Lawrence County Planning board, the Town would not need to hold another Public Hearing before its adoption at a future Town board meeting.

CEO Besaw asked Attorney Leader when he would be able to enforce this Law. Attorney Leader reported that he could enforce the Law now, even with the article 78.

SHORELINE DISTRICT MAP

Supervisor Newvine unveiled the proposed shoreline district map that was created by the St. Lawrence County Planning Board, the Town of Fowler Planning Board and Code Enforcement Officer Glen Besaw. Supervisor Newvine handed the maps out for meeting attendees to review. Planning Board Chairman Stephen Gale explained the map shows how much minimum water frontage, set back distances, and the minimum acreage that is required for new construction. Supervisor Newvine stated that he wanted to make sure everyone knows that this proposed shoreline district has nothing to do with assessments. Supervisor Newvine encouraged any questions on the proposed shoreline district map to be asked before the Public Hearing was closed.

Supervisor Newvine stated that the Public Hearing would be kept open for another half hour and the organizational board meeting would continue.

Supervisor Newvine reported that the board needed to approve mileage reimbursement rates for 2020. After discussion, it was the consensus of the board to align with what the state rate is and the mileage was approved for .57.5 for the year 2020.

Town Board Vacancy

Supervisor Newvine addressed the vacant seat that is left on the Town board as he is now serving as Town Supervisor, and asked the board members their thoughts. Councilperson Bishop stated that he would like the Councilperson seat left vacant until the next election. Councilperson Simmons agreed that she would like to leave it empty until January. After some discussion, a motion was made by Councilperson Andrews seconded by Councilperson Bishop to leave the Councilperson seat empty until after the November 2020 election. All in Favor. MOTION CARRIED.

Town Department Reports

Justice Department

Town Justice Ryan Young was not in attendance and gave his court report to Supervisor Newvine before the Town board meeting.

Bookkeeper

Bookkeeper Barbara Finnie reported:

- That there were several December 2019 bills included in this evenings board meeting to be paid. She is working on getting the final numbers in for 2019.
- She will not be able to attend the February 4, 2020 Town Board Meeting.
- Reimbursements paid to employees of the Town **do not** include reimbursement for the sales tax, as the Town of Fowler is tax- exempt.
- That the highway department workers could have Highway Superintendent Durham use the Town credit card to purchase their boots, using the Town tax-exempt ID. The boot allowance reimbursement will not include any sales tax.
- The Town does not reimburse tax on meals.

Assessors

Assessor Chair Sherry Geer reported:

- That the Senior Exemptions have been mailed out by her office. There weren't many to mail this year as the State had taken over.
- If anyone has any questions about their tax bills give her office a call.

Historian

Historian Karen Simmons reported:

- She has been working on a genealogy request.
- It has been fairly quiet in the historians' office.

Dog Control

Dog Control Officer Dan Moyer was not in attendance.

Councilperson Karen Simmons reported for Dan Moyer:

- There has been a case where there have been a few signed complaints on the same dog.
- There has been a complaint on a dog in Balmat.

Code Enforcement

Code Enforcement Officer Glen Besaw reported:

- It has been quiet.
- All the permits for 2019 have not been closed out yet due to his code enforcement computer being down for a week for an upgrade.
- Asked the board for permission to attend a different training venue this year for some new training opportunities that would benefit the Town of Fowler. It was the consensus of the board to approve the request.

- The year- end report will be completed by the first week in February for the Department of State.

Town Clerk

Town Clerk Tami Gale reported:

- On the Summary of money handled by the Town Clerk of Fowler January 1, 2019 to December 31, 2019.
- There had been 78 building permits issued, 12 deaths, 8 marriages, and 454 dogs licensed in 2019 in the Town.
- She had started collecting taxes on January 2, 2020 and all is going well with 2.56% of the taxes collected.
- Asked the board for permission to have her office painted, shelving to be installed, and her cash drawers to be moved to make room for the new scanner/copier that will be installed. It was the consensus of the board to approve the requests. Bookkeeper Finnie stated that the improvements will be placed under buildings for budget purposes.
- Reported that her office is now open on Tuesday evenings until 6PM for extended hours.

Highway Department

Highway Superintendent Randy Durham reported:

- That Highway Department worker Jeff Hill is retiring on March 20, 2020. His last day of reporting for work is Thursday January 9, 2020. The highway department will be having pizza for Jeff on his last day if any of the board members would like to attend.
- He has hired a new Highway Department worker Jacob Cunningham, who lives on the Firefalls Road in the Town of Fowler.
- That he has encountered a problem with someone parking a cattle trailer on the Smith road, that is making it hard for the plow trucks to clear snow from the road, and asked Supervisor Newvine if there were any local laws in the Town to prevent this situation from occurring.
- That he wanted to address this with the board to collect their feelings on the possibility of the Town needing to adopt a local law to deal with this issue. Supervisor Newvine suggested that the board could do some research on the matter and in the meantime Highway Superintendent Durham should ask the individual to avoid parking the trailer in the road. Supervisor Newvine then asked Town Attorney Henry Leader to draft a local law or recommendation that would address the issue of street parking in the Town for the board to review.
- That he gets up to check the roads at 1:30AM. He re-checks the roads at 3:00AM . If anyone sees weather conditions that are questionable give him a call, it is hard to be everywhere at once and everyone could help by giving him a call with a concern as it is happening.
- That the highway department is using 4 plows and it takes 3 hours to do a beat.

Closing the Public Hearing

At 7:45PM Supervisor Newvine asked for a motion to close the Public Hearing. A motion was made by Councilperson Simmons seconded by Councilperson Bishop to close the Public Hearing. All in Favor. MOTION CARRIED.

RESOLUTION

RESOLUTION # 2 of 2020

ADOPTION OF A SHORLINE DISTRICT DEVELOPMENT MAP FOR INCLUSION IN THE LAND USE LAW AND REGULATIONS FOR THE TOWN OF FOWLER

A motion was made by Councilperson Simmons seconded by Councilperson Bishop to adopt Resolution #2 of 2020, a resolution to adopt a Shoreline District Development Map for inclusion in the Land Use Law and Regulations for the Town of Fowler. All in Favor. MOTION CARRIED.

AYES: 4 NEWVINE, SIMMONS, ANDREWS, BISHOP

NAYS: 0

COUNCILPERSONS

Councilperson Bishop:

- Asked the board if the mileage reimbursement was scheduled to be turned in every 3 months. Supervisor Newvine stated that the Town has a policy in place that every 3 months mileage reimbursements are required to be turned in for payment. Mileage needs to be documented by date, where mileage starts and where it ends. All mileage is started from the Town Hall.
- Asked Highway Superintendent Durham the status of the truck that is at Spilmans Garage. Highway Superintendent Durham reported that it has been worked on for 6 months and still has no power. They recently got a part off of the 93 truck to use on it.
- Asked Highway Superintendent Durham if Jacob Cunningham held a class 1 or class 3 license. Highway Superintendent Durham stated he has a class 1 license and has been in the plow truck already. Highway Superintendent Durham stated that he will not plow by himself until he certifies him.
- Stated that Dennis Travis is a good employee, as are all of the highway workers in the highway department.
- Asked Highway Superintendent Durham if he had looked over the paperwork on the 2 stage plow and widener. Councilperson Bishop stated that he liked the 2 stage plow. Highway Superintendent Durham stated that he had.
- Thanked Attorney Leader for attending the board meeting and answering a few questions concerning the County's decision to repair a snow mobile bridge in another Town, as Legislator William Sheridan has not been in regular attendance at Fowler Town Board meetings to update the Town on County happenings.

Councilperson Andrews:

- Asked Highway Superintendent Durham how the new 2020 Plow Truck was running. Highway Superintendent Durham reported that it is running well.

- Asked Highway Superintendent Durham what day the car went off the Farm to Market Road. Highway Superintendent Durham stated it had happened on January 6, 2020.
- Asked if everything was going well with Dennis Travis's return to work from a medical leave. Highway Superintendent Durham stated that he was doing very well.
- Asked about the small storage building outback and if the Town was suppose to be advertising it as excess. Councilperson Simmons reported that the Town decided to fix the roof on it and keep it for Town storage.
- Asked Attorney Leader about the County spending money on the bridge for snowmobiling purposes. Attorney Leader stated that it is his belief that the County could have done a lot better for the Town of Fowler.

Councilperson Simmons:

- Asked Highway Superintendent Durham if Dennis Travis was back to work. Highway Superintendent Durham stated that he is back to full duty. He stated that there is no slot for restricted duty. It is either full duty or no duty.
- Reported that she and Town Clerk Gale are gathering up past Town Policies to put a complete folder together to give to all department heads. The policies are in need of updating.

Supervisor Newvine:

- Reminded tax-payers with any questions on their tax bills to call the Town Assessors Office, where Sherry, Phyllis, and Kathy are very knowledgeable and willing to help answer any questions the tax payers have.
- Reported that he was told that the dishes in the china cabinet upstairs in the kitchen may be of some value. He stated that Donnie Seaman had told him that the dishes originally belonged to the church. Supervisor Newvine stated the Town should contact the church to see if they would like the dishes returned to them. Councilperson Simmons stated that the Town had given a few boxes of the dishes to the church, and that they had no use for the remainder of the dishes.
- Asked Highway Superintendent Durham if there had been an issue on the Farm to Market Road. Highway Superintendent Durham stated that he had heard a rumor that a car had flipped on its top. He stated that the road had not been plowed yet and it was not the plows fault. He reminded all drivers to use caution near plow trucks, as they travel near the yellow line.
- Asked Highway Superintendent Durham if the 98 truck being down was a hardship for the highway department. Highway Superintendent Durham stated that it is not as the 2000 truck is still running well.
- Stated that the reason for looking at a widener, is that the board has heard from several tax-payers that the shoulders on the roads are dangerous, in fact, the shoulders in front of his own house are dangerous. Supervisor Newvine stated that the Town has done a great job on getting the Town roads in shape and feels it is time to spend some money on doing the shoulders properly.

- Reported that when the Town borrows equipment from other towns, the shoulders are coming out 2 ft in one place and 18 inches in another place.
- Asked Highway Superintendent Durham to get a price on doing the shoulders of 1 road properly, and we can make an informed decision on renting a machine to do it, if the Town could not afford to purchase a widener.
- Spoke to Tom Conklin from the Gouverneur Fire Department and was told the dry hydrant on County Route 24 had been fixed. Highway Superintendent Durham stated that he had fixed the one on the Doane Road. The dry hydrant that is in concern at present is the one on Little York Road as there is no other water supply on this road.
- Highway Superintendent Durham stated that he would dig the dry hydrant on the Little York Road out on January 8, 2020 and let him know if he encounters any problems with it.
- He was approached by someone today asking about the Towns wood lot on the Sullivan Road.
- Reported that he had been in contact with M&M Heating and A/C, LLC and they are scheduled to clean the 3 Town furnaces next week.
- Reported that the next Family Day meeting will be held in February the date has not been set at meeting time.
- Reported that a Pavilion meeting needs to be scheduled and contact will be made with Pavilion Committee head Michael Cappellino to set a date.
- Reported that he was approached by an individual concerning a garage / camp located near the Town of Fowler beach that may pose a liability for the Town.
- Reported that he needed permission from the board to sign the Rescue Squad Contract. After discussion, it was the consensus of the board for the contract to be signed.
- Reported that the Town had received correspondence that the Town needed to audit the Unified Justice Court books and send in a report on the audits findings by March 1, 2020. After discussion, it was announced that the audit will be completed at the February 4, 2020 Town board meeting along with the Bookkeeper and Town Clerk Books.
- Reported that the Town received a notification via certified mail that the Town of Gouverneur has applied for a FERC license.

PUBLIC COMMENT

- Planning Board Chairman Stephen Gale stated that the State is giving money to municipalities for the mining of methane at old dumps. He stated that a source to find out more information on the mining of methane would be NYSERTA.
- Supervisor Newvine shared a compliment that was passed on to him concerning the Town of Fowler roads being the best plowed roads in St. Lawrence County on New Years Day.
- CEO Besaw asked if the Town of Fowler was going to be looking into any further grants or monies to aid Town residents with septic issues. Supervisor Newvine reported that he feels that would be a good idea and he would do some research on the matter.
- Town Clerk Gale reported that the USDA has low interest loans and grants. After discussion, it was decided that CEO Besaw would look into grants that might be available to the Town.
- Tax-payer Laurina Greenhill commented that it was nice to see the structure of this evenings board meeting.

The next regular scheduled board meeting will be on February 4, 2020 at 7:00PM at the Fowler Town Hall.

A motion was made by Councilperson Andrews seconded by Councilperson Simmons to audit the bills. All in Favor. MOTION CARRIED.

The bills audited for the General and Highway Fund were December 2019 remaining bills # 538 to # 544 , with a total of \$6,719.54 and January 2020 bills # 1 to # 14 , with a total of 39,635.24.

With no further business, on a motion of Councilperson Andrews, seconded by Councilperson Bishop, the Organizational meeting was adjourned at 8:07PM. CARRIED UNANIMOUSLY.

Tami Gale; Town Clerk