

Regular Meeting of the Mooers Town Board was held on Tuesday June 12,2012 at the Mooers Office Complex.

Present: Those present for the Meeting were Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb, Councilman Eugene Bushey, Councilman Gerald LaValley and Deputy Town Clerk Carol Payne. Absent were Highway Superintendent Eugene (Dick) Boulerice, who was attending training classes and Town Clerk/Tax Collector Shirley A Gadway who had to have medical test done.

In Attendance: Attending the Meeting were: DCO-- Todd Forette (for part of the meeting), CEO- Jess Dixon, Librarian--Jackie Madison, Library Board Members--Susan and Katie Evans, Residents--Harry Gonyo, Susan Miller, Larry Begor, Arthur and Norma Menard, Gloria Lafountain, Ann Hobson, Edith Morelock, Leon Rabideau, Perrin Knapp and Sharon Duchaine and Fire Chief Raymond Phair.

Meeting: Meeting was called to order at 7:00PM by Supervisor Ross, whereby he asked Deputy Town Clerk to lead them in the recital of the "Pledge of Allegiance" which she did.

Minutes: Supervisor Ross asked if everyone had a chance to read the Minutes of May 08,2012 and all said they had. They were asked if there were any omissions or corrections of which there was neither. Councilman Robinson made a motion the Minutes be accepted as written and Councilman Bushey seconded the motion. The result of a Roll call was 5 AYES (Supervisor Ross, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES, thus Supervisor Ross declared Minutes of May 08,2012 accepted as written.

Library: Supervisor Cory Ross has been in touch with one of the Town Lawyers (Joseph Lavorando) about the Mooers Free Library. Mr. Lavorando suggest that it isn't cost efficient to repair the standing Library. The Library is not handicap accessible and it would cost more to bring the building up to code then it would cost to build a new library. His recommendations to Supervisor Ross is [since the building is too small and doesn't accommodate the needs of the residents {not handicap accessible}, it is situated on an undersized lot and the Septic System is not on Town property], the Town should declare this property a surplus property. Councilman LaValley made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THE PROPERTY (LOT SIZE 52' FRONT AND 98' DEPTH) OF THE EXISTING TOWN LIBRARY LOCATED AT 2430 ROUTE 11 IN THE TOWN OF MOOERS WITH PROPERTY ID#30.20-2-14 ASSESSED VALUE \$52,000.00 SHALL BE DECLARED SURPLUS PROPERTY OF THE TOWN OF MOOERS

Councilman Robinson seconded the motion and the result of a Roll Call was 5 AYES (Supervisor Ross, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Therefore Supervisor Ross declared **Resolution #19-2012** is adopted.

If the Library and it's property's sold a new home for the Library must be found. Highway Superintendent Boulerice said he has put together a price list to build a new library at a cost of around \$50,000.00. If the existing building gets sold the money received could help pay for the new building. Librarian Jackie Madison said she has received a grant in the amount of \$10,800.00 which could also be applied to the building project. Councilman Robinson asked if the Library would stay open until the new building is finished and no answer was given **(Amended on 7/10/12 by Supervisor Ross saying he believes he responded)** . Sue Miller asked if the building would go out for bid and she received no response **(Amended on 7/10/12 by Supervisor Ross saying he believes he responded)**. CEO Jess Dixon said the easement for the septic at the existing library is on Brad Vassar's property. Another question asked is if the New Library would be closed in by fall, no response given. Councilman Barcomb made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT A NEW LIBRARY BE BUILT AND THE OLD LIBRARY PUT UP FOR SALE

Councilman Bushey seconded the motion and the result of a Roll Call was 5 AYES (Supervisor Ross, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Thus, Supervisor Ross declared **Resolution #21-2012** is adopted.

Railroad Track: In 2006 John Caron donated the railroad bed located in the Town of Mooers to the Town which the deed states (TO HAVE AND TO HOLD the premises herein granted unto the party of the second part {The Town of Mooers} and the heirs, successors, executors and assigns of the party of the Second Part forever) (**Amended on 7/10/12 by Supervisor Ross stating "Forever" doesn't mean the Town can't dispose of Forever**). In 2009 Northeastern Central School showed interest in turning the railroad bed into a bike trail between Mooers and Champlain. The Town hasn't received any correspondence since then from the schools. As of the June 12, 2012 meeting the Town Board decided to deem this property as surplus property as the Town has no use for it and neither does the Highway Department. Someone is interested in purchasing this land. Councilman Robinson made a comment that possibly the buyer might want the gravel off the railroad bed. This matter was tabled until the July 2012 meeting.

NYS Insurance Fund: Quotes for insurance for the Town of Mooers have been received. The General is + 10%, the Highway is + 89% and the DCO is + 1% for an increase from \$27,402.02 to \$34,873.72 a difference of + \$7,471.70. The Fire Department Quote is from \$23,389.15 to \$89,097.36 an increase of + \$65,708.21. The Insurance will be submitting a new bill.

Dog Control Officer: DCO, Todd Forette, told the Board he doesn't want to be DCO any longer, so the Town is looking for a replacement. An ad was placed in the Press-Republican, looking to hire a DCO, and ran for 2 days June 9th and June 10th. Applications have been received and candidates will be interviewed. DCO, Todd Forette, says he will be moving to Canton at the end of the summer. The Telephone bill from Verizon with regards to Mr. Forette's cell phone he owes \$333.33 which he must take care of as these calls are over the minutes issued under contract. Todd said he didn't make all those calls but they are on his phone and they must be taken care of.

Real Property: The Town received a memo from the Real Property Office showing the 2012 State Equalization Rate and Status. The Town of Mooers is at 100% with no change from previous year.

Clinton County Youth Bureau: The Town of Mooers received two (2) memos from the CCYB and they are as follows: (1) Memo Dated 05/23/2012 the Recreation and Service showing the funding the Town of Mooers will receive. It is as follows Recreation == \$427.00 and Service == \$383.00. (2) Memo dated 06/06/2012 states that by 2013 all bats used at the Pony Baseball Level must be "BBCOR.50" (Batted Ball Coefficient of Restitution bats) single piece wooden bats for safety concerns.

Coffee Brewer: The Board was asked if the Town could purchase a B140 Keurig Coffee Single-Cup Brewer from W.B. Mason for the office at a price of \$79.99. A motion was made by Councilman Barcomb and seconded by Councilman Bushey for the Secretary to order this coffee pot for the office. A Roll Call was taken with 5 AYES and 0 NOES, thus Supervisor Ross said the Coffee Brewer could be purchased for the office.

Court Books: As per Section 2019-a of the Uniform Justice Court all Towns and Village justices must provide their court records and/or dockets to their respective town and/or village board to audit them. At the June 12, 2012 Town Board meeting these books were examined and the following **Resolution #22-2012** was adopted "**BE IT HEREBY RESOLVED THAT THE MOOERS TOWN BOARD HAS EXAMINED AND AUDITED THE MOOERS TOWN COURT RECORDS AND/OR DOCKETS FINDING THEM TO BE IN ORDER AND THESE RECORDS ARE HEREBY ACCEPTED BY THE MOOERS TOWN BOARD**"

Councilman Robinson made a motion to adopt resolution #22-2019 and Councilman Barcomb seconded the motion and the result of a Roll Call was 5 AYEAS (Supervisor Ross, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Therefore Supervisor Ross declared **Resolution #22-2012** is adopted.

ALSO

As per Section 2019-a of the Uniform Justice Court requires that the Town and Village Justices annually provide the Court records and dockets to their respective town and village auditing boards. At the June 12, 2012 Town Board the Court Records and Dockets were audited and Councilman LaValley made a motion the following **Resolution #23-2012** be adopted "**BE IT HEREBY RESOLVED THAT, AS PER SECTION 2019-A OF THE UNIFORM JUSTICE COURT ACT, THE TOWN OF MOOERS JUSTICES SHALL ANNUALLY PROVIDE TO THE TOWN BOARD THEIR COURT RECORDS AND/OR DOCKETS FOR AN AUDIT WHEREBY RESULTS SHALL BE NOTED IN THE MINUTES OF SAID TOWN BOARD MINUTES**

Councilman LaValley made a motion and Councilman Bushey seconded the motion that **Resolution #23-2012** be adopted and the result of a Roll Call was 5 AYES (Supervisor Ross, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Therefore Supervisor Ross declared **Resolution #23-2012** is adopted.

Monette's Furniture Store: Gary Provoncha talked about Monette's store going out of business. The store is located on a corner property 52' by 212', which is too small to much of anything with and is at the mercy of the neighbor.

Code Enforcement Officer: Supervisor Ross requested purchasing a magnetic sign (Mooer's Code Enforcement Officer) for Jess Dixon's vehicle and he also request business cards be printed up. Report from CEO included the following **BUILDING PERMITS:** 5/16-2012--Michael Deneault==install free standing sign (must be in accord with NYS Code and be placed at stake designated by CEO)----5/17/2012--Eugene R Boulerice==erect 17' X 18' room on 6" poured footers to be used for spa (inspections required and must adhere to NYS Building Codes)----5/21/2012--Benjamin Thomas==install 2 decks for residence only (Final inspection required for Certificate of Occupancy)----5/24/2012--Harold Johnson Jr.==install 24 X 52 pool w/deck 8' x 10'(requires pool alarm, electrical inspection, ladder & gate latched Certificate of Occupancy issued after final inspection) 5/24/2012--Matthew Kalvaitis==erect solar array 60'L x 15'W x 10'H (must have certificate of inspection and installation must be in accordance w/NYS building Code for solar array)----5/24/2012--Gilles Poissant==10 x 12 addition to shed for storage (must adhere to building codes and if electrical installed a inspection certificate is required)----5/25--Kasey Nolette==install a 14 x 68 mobile home on a concrete slab (must adhere to Town Zoning Laws and NYS Bldg. codes)----5/31/2012--Brian DeCoste==Build house 60 x 34 with attached garage (must adhere to NYS bldg. & Fire Codes)----5/31--Lawrence A Dominic==Building a 12 x 14 addition for wood boiler and wood storage (needs frost protected slab and must adhere to bldg codes and have an inspection prior to certificate of occupancy)----5/31--Daylord Trombly== installation of a handicap ramp for a residence 22' long----1nd 5/31--Chester Wysko==change of use of 20' x 50' bldg from machine shop to warehouse for paint & autobody supplies (use variance unanimously approved by Mooers Zoning Board on 5/29/12 (Must comply with state regulations regarding any hazardous materials).**CERTIFICATES OF OCCUPANCY ISSUED:** 5/15--Chad R Seguin==build a 53 x 32 home & a 32 x 32 attached garage (an electrical inspection is due before a C of O can be issued)----5/30--Jessica Martin==install, replace & repair windows and roof and storm door, and deck 4' x 5' with stairs (C of O will be issued when project is completed)----6/7--Jason Bushey==install 20' x 48" pool w/stairs and platform 3' x 3' (needs permission from land owner to install pool, needs electrical inspection and final inspection for C of O. Also must adhere to NYS codes and Mooer's Zoning law [C of O issued])----5/11--Kyle Snide==building a 30 x 54 stick built home (an Electrical Inspection Certificate is required before a C of O can be issued {all certificates received and approved, in compliance})----5/16--Bob LaBarge==Build a 26 x 38 stick built home (Electrical Inspection Certificate needed, 2nd permit issued and 3rd and final extension issued without new application [in addition, owner certifies NO SUBATANCIAL CHANGES]) **VIOLATIONS SUMMARY:** 5/21--Jason Bushey== installing a pool without a permit (complies & corrected 5/21)----6/1--Steven Allen Guay==Violation-Mooers Zoning Law Bldg. Permit required (comply by 6/8--no response)----6/4--Jay Jennett property owned by Ronald R Trombly==Violation in Town of Mooers Zoning Law & NYS Code (no response)----6/5--Tina Sargeant==Violations in Town of Mooers Zoning Laws & NYS Code (Comply by 6/15 corrected date 6/5).

At 713 Rt. 22 property owned by Ronald Trombly had a barrel for a septic tank. CC Health Dept. are involved. Mr. Trombly will not submit a B/P/A. CEO will be condemning the bldg. because of safety issues (molds, electrical problem, etc.)

The old Drown's Funeral Home (now owned by Tina Sargeant) has been condemned. Notice was sent to Ms. Sargeant and she has not responded by phone or mail, so CEO submitted an appearance ticket.

CEO Jess Dixon request putting a notice on the bulletin board at the office and also putting an article in the Press Republican notifying home owners that a Building Permit is required to install a swimming pool. Mr. Dixon has requested he has access to a color printer. Councilman Barcomb made a motion and Councilman Bushey seconded it that it be looked into as to where and what the cost of a color printer would be. Also before Jess Dixon can be a certified Code Enforcement Officer (as per New York State Requirements) he must take and complete 6 required courses within 1 year of his employment as CEO for the Town of Mooers. If he doesn't take and complete these 6 courses within a 1 year period he can no longer be CEO for the Town of Mooers. A motion was made by Councilman Barcomb that Jess Dixon take the required 6 courses and become a Certified CEO within the time allotted by New York State Requirements. Councilman Robinson seconded the motion and the result of a Roll Call was 5 AYES (unanimous).

NCC Systems Inc.: The Town of Mooers received the Central Office Monitoring Contract from NCC. The sum of \$18.00 per month, payable annually for (3) years in advance for the rental, monitoring and servicing of the communication software and equipment for the term of this agreement commencing on the first day of the month next succeeding the date hereof, and continuing monthly thereafter, all payments due on the first of the month. A motion was made by Councilman Barcomb and seconded by Councilman Bushey to accept the contract with NCC. A Roll Call was taken with 5 AYES (Supervisor Ross, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Therefore Supervisor Ross declared **Resolution #24-2012** is adopted.

The quote for the low temp sensor was dropped off. The Total bill was \$219.75 with credit for the \$65.00 for mileage (as they were in the area already) for a balance due of \$154.75.

Fire Department: Fire Chief, Raymond Phair, didn't have the May report with him but, he will bring one to the Office. He told the Board that they had 12 calls. The Board was told that 5 firemen will need new suits to fight fires (a safety issue). The cost would be \$8,700.00. Chief Phair told the Board that the firemen's uniforms have a 10 year shelf life and the 5 uniforms that need replacing (to make it a safer place for these firemen who are trying to rescue people and/or animals from houses, buildings and/or vehicles) will be handed down to firemen who aren't in the most dangerous places during a fire. The Board decided to table this until September or October.

Leon Rabideau: Leon Rabideau told the Board that he wants to retire and has a gravel & Sand Pit he would like to sell. He said there is 22 acres phase 40 acres with 82 acres on Emery Road 750,000 use of gravel - road sand meets DEC standards. Leon told the Board he is asking between \$100,000 and \$200,000 and is giving the Town first chance to buy the pits if they are interested. This subject was tabled until a later time.

Mooers Forks Recreation Park: Highway Superintendent Boulerville took pictures of the land donated in the memory of Charles Trombly. One of the pictures shows a large stone that has the plaque purchased by the town honoring Charles & June Trombly for their donating this land for a Rec. Park. Dick took pictures of the building erected on the land for handicap accessible restrooms and storage rooms to house the sports equipment. A few pictures were taken showing the playground (swings, sandbox and sports fields). Again everyone thanks the Tromblys for their generous donation to make a safe place for children to play.

Mandatory D.O.T Training: The Town received a Urgent Compliance Notice from DOT Training. It is mandatory that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive an additional 60 minutes of training on controlled substance abuse. Without this training there is the risk of failing a D.O.T Audit.

Vouchers: The audited vouchers to be paid off the abstracted vouchers on June 12,2012 are as follows:

General-Townwide-----	(Vouchers 125 - 150)-----	\$ 32,146.95
Highway - Townwide-----	(Vouchers 090 - 110)-----	\$ 87,840.64
Mooers Fire Protection-----	(Vouchers 651 - 654)-----	\$ 1,933.31
Mooers Forks Lighting-----	(Voucher 146)-----	\$ 327.94
Mooers Lighting-----	(Voucher 146)-----	<u>\$ 554.69</u>

Total of abstracted vouchers paid-----\$ 122,803.53

Adjourn: Councilman Barcomb made a motion the Meeting be adjourned and Councilman Bushey seconded the motion. The result of a Roll Call taken was 5 AYES (Unanimous) and 0 NOES. Therefore Supervisor Ross declared Meeting adjourned at 08:10PM.

Respectfully Submitted

SHIRLEY A GADWAY, TOWN CLERK