

Minutes of the Regular Monthly Meeting of the Town Board of the Town of Mooers held August 11, 2015 at the Mooers Office Complex commencing at 7:00 PM

Present: Jeff Menard, Supervisor
Steve Barcomb, Councilperson
Gerald LaValley, Councilperson
Donald Perras, Councilperson
Mary Myatt, Councilperson

Recording Secretary: Brandi B. Lloyd, Town Clerk

Others Present: Kaleigh Mills, Dog Control Officer

Absent: none

Meeting: Supervisor Jeff Menard called the Meeting to Order at 7:00PM, then he asked Mrs. Brandi Lloyd to lead them in the "Pledge of Allegiance," which she did.

Town Business 1: Supervisor Menard said that before continuing with the meeting, Mr. Eric Mills with Invenergy had a PowerPoint presentation to share with the Board regarding the possibility of windmills in the Town of Mooers. Also in attendance from Invenergy was Mr. Jon LaBarre. Following the presentation, Mr. Mills took questions and said that the information presented and more could be found at www.bullrunwind.com.

Minutes: All the Board Members were asked if they had read their copies of the July 14, 2015 Minutes. They all replied yes. Supervisor Jeff Menard then asked if there were any omissions or corrections, there were none from the Town Board. Councilperson Barcomb then made a motion to accept the July 14, 2015 Minutes as written and Councilperson Perras seconded the Motion. The result of a Roll Call was 5 AYES and 0 NOES, therefore Supervisor Menard declared Minutes accepted as written.

Highway: Highway Supervisor Eugene Boulerice reported that 1.5 miles of road has been paved. He said the paver purchased recently from the County is working great. He added that the purchase price of the paver was reduced to \$10,000.00.

Library: Mrs. Jackie Madison said the library had been awarded a construction grant in the amount of \$19,881.00. She said an additional \$2,500.00 had also been received. Mrs. Madison reported that the library may close, temporarily, at some point. She said she will share more details if that is the case. Mrs. Madison said a few patrons of the library were present and wished to speak. The first lady said a letter had gone out to some residents of Mooers asking them to make just a \$10.00 donation to the library. She added that \$80.00 has been received to date and that the letter was mailed out August 8th. Mrs. Koreena Van Nortwick, in attendance, read a letter her daughter wrote about what the library means to her. Mrs. Van Nortwick asked who is to be maintaining the library. She added that she has removed trees and brush from the property and now has it piled in her yard. Supervisor Menard asked Highway Supervisor Eugene Boulerice if he could remove the trees and brush from the property. He agreed to do so. Mrs. Van Nortwick also mentioned that the stairs were in need of repair. She also inquired as to when the new library would be completed. Mrs. Evans asked if the property around the new library could be cleaned up prior to their BBQ being held on August 22nd. Mrs. Van Nortwick then spoke about the excellent work Mrs. Madison does at the library. She suggested the Town look into getting more help. Supervisor Menard explained that they are limited by the available funds in the budget and that the Town is in the process of turning the library over to the Library Board. He suggested that the Library Board try to get the word out that volunteers are desperately needed. Mrs. Evans said the current members of the Library Board, though some are inactive, are; Mrs. Sue Evans, Mr. Eugene Bushey, Mr. Frye, Mrs. Frye, Mrs. Jennifer McIntyre, and Mrs. Patricia Gaudreau.

Dog Control: Mrs. Kaleigh Mills submitted the report for July. The July report showed 20 calls for the month and currently four dogs in the shelter.

Beautification Committee: Supervisor Menard asked if anyone from the Beautification Committee would like to address the board. Mrs. Scarlet Sample said she was told the referendum to set-up a reserve fund for the beautification Committee would be on the ballot this November. She asked if the Committee could have an explanation on the Town website as to why the reserve fund was being presented to the residents of Mooers as a referendum. Supervisor Menard said they could.

Youth Program: Supervisor Menard asked if anyone from the Youth Program would like to address the board. No person was present wishing to address the board at this time.

Town Historian: Supervisor Menard asked if anyone from the Town Historian would like to address the board. No person was present wishing to address the board at this time.

Fire Department: Mr. Dan Dumas, Fire Chief, handed in the April report. The June report contained the following: Station #1 had 7 calls, Town had 6 calls and Mutual Aid had 1 call. ---Incident types were Power Lines=1---Good Intent=1---Air Supply=1---Other=2 (Medical Assist=4). Mutual aid to west Other=1 (Dannemora). Mutual Aid from none. Vehicle 251(Pumper) used 1 time, vehicle 252(Brush Truck) used 1 time, vehicle 257(Heavy Rescue) used 5 times, and vehicle 25-AIR(Air Truck) used 1 time. Mr. Dumas added that they are making preparations for the upcoming Labor Day celebration. He said it will be held on Sunday, September 6th with the parade starting at noon.

EMS: Supervisor Menard asked if anyone from EMS would like to address the board. No person was present wishing to address the board at this time. A report was not submitted by EMS.

Code Enforcement Officer: Supervisor Menard asked if anyone from the Office of Code Enforcement would like to address the board. No person was present wishing to address the board at this time. Supervisor Menard read from the report that had been submitted by Mr. Jess Dixon. The July report showed a total of eight building permits issued, one violation, 44 calls answered, and one appearance ticket settled in court resulting in a \$250.00 fine issued for property maintenance violation.

Old Business:

Old Business 1: Supervisor Menard gave an update on the cemeteries. He said an ad was placed in the paper looking for individuals to mow Union Cemetery and Riverside Old and New Cemeteries. He said 21 applications were received. Supervisor Menard said he would like to approve the hiring of two or three individuals to start mowing. He said Gordon DeLong and Kodi DeLong are interested in mowing Riverside Cemetery. He mentioned that the grass at the Riverside Old has gotten quite long. He said he having the prisoners mow the Riverside Old Cemetery was not going to work out. The Board agreed they would like to look over the applications before making a decision.

Old Business 2: Supervisor Menard said he would like the Board to consider making a decision on whether or not to go ahead with the Feasibility Study now and pay \$15,000.00 or wait for the grant decisions. Councilperson Lavalley said he would prefer to wait for the grant money. Supervisor Menard said the Town will get reimbursed. Councilperson Myatt asked if Mr. Murnane had reviewed the contract. Supervisor Menard said he had and that Mr. Murnane said it was a standard contract. Councilperson Myatt asked if the Town could afford paying the \$15,000.00. Supervisor Menard said there is enough money. Councilperson Perras said he thinks it's a good idea to move forward with the study. There was some discussion. Supervisor Menard said he would like the Board to vote. Therefore Councilperson Perras made a motion to forward with the Feasibility Study and pay Bernier & Carr \$15,000.00. The motion was seconded by Councilperson Barcomb. The result of a Roll Call was 4 AYES (Supervisor Menard, Councilperson Myatt, and Councilperson Perras) and 1 NOE (Councilperson LaValley), therefore Supervisor Menard declared the motion carried.

Old Business 3: Councilperson Perras said Missile Base Road still needs to be renamed. He said Atlas brand missiles were housed at the base. He suggested renaming the road "Atlas Lane." There was some discussion. Therefore Councilperson Perras made a motion to change the name of Missile Base Road to Atlas Lane. The motion was seconded by Supervisor Menard. The result of a Roll Call was 5 AYES and 0 NOES, therefore Supervisor Menard declared the motion carried.

Old Business 4: Supervisor Menard said the Town had received just one quote to repair the bathrooms at the Recreational Park. He said they need at least two, maybe three bids and that the work needs to be completed by September 19th. Councilperson Myatt said she would ask Mr. Cory Supernaw if he would like to submit a bid. Supervisor Menard said the Board may have to have a special meeting to discuss the issue and make a decision.

New Business:

Town Business 2: Supervisor Menard said the Town needs to decide on a new agreement with the Fire Department. He said Mrs. Rena Bosley suggested handling the bills quarterly with the Fire Department paying half of the actual bills. He said the Fire Department and the Town have always split the bills. Mr. Dumas said the Fire Department is fine with whatever is easier. There was some discussion. The Board agreed to split the actual amounts of the electric bill and the fuel bill with the Fire department, asking the Fire Department to pay quarterly. The amount will be provided to the Fire Department by Mrs. Bosley.

Town Business 3: Supervisor Menard said there continue to be issues with the cars parking on the sidewalk around the old Monette's building. He said he spoke to the State Police about the issue. The State Police said a ticket could be issued to anyone parking on the sidewalk even if a sign was not posted to not do so. Supervisor Menard said the State will provide "no parking" signs to be posted. He added, in the mean time, that he will tell the store owner if a car is parked on the sidewalk again, it will be ticketed.

Town Business 4: Supervisor Menard said the Highway Department, when doing tarmac work on the roads, a truck blew a tire. He added that the truck was near a car when the tire blew causing some damage to the car. Supervisor Menard explained that the Town's insurance company has refused to pay he claim. He said claims such as these are considered under the risk a driver take by being on the roads and the driver's insurance then handles any claim. Supervisor Menard said he spoke with the mother of the driver of the car and that the mother was quite upset with the situation. He explained the Town's insurance company did agree to pay the deductible the driver must initially pay. Supervisor Menard said the mother of the driver of the car would still like the Town to pay for all repairs, not just the deductible. Councilperson Lavalley said this type of claim will not cause a insurance rate increase to the driver of the car. There was some discussion. The Board agreed that paying more than the deductible would be setting a bad precedent. They agreed to pay just the deductible.

Town Business 5: Supervisor Menard explained that in a Special Board Meeting, held December 31, 2013, the Board passed a motion to establish a Reserve Fund for the Beautification Committee in the amount of \$10,000.00 for the Committee to save towards a larger project. He added that as per Mr. Murnane, the Reserve Fund needs to be approved by the residents of the Town of Mooers by permissive referendum on the ballot in November. Supervisor Menard said, similarly, at the same meeting the Board passed a motion to establish a Reserve Fund for the Community Center/ Library in the amount of \$10,000.00 for the interior of the Community Center/ Library; therefore Supervisor Menard made a motion that the following resolution be adopted:

SECTION 1. That there be and hereby is established a capital reserve fund in the amount of \$10,000.00 for the Memorial Park Project of the Beautification Committee of the Town of Mooers.

SECTION 2. Such fund is to be known as the "Memorial Park Project of the Town of Mooers."

SECTION 3. That the maximum amount toward said improvement is the sum of \$10,000.00.

SECTION 4. That out of the surplus moneys of said Town now on hand for the year 2015 and not otherwise appropriated, the sum of \$10,000.00 be and the same hereby is appropriated for the "Memorial Park Project of the Town of Mooers Reserve Fund of the Town of Mooers," and the Supervisor of the Town of Mooers is hereby authorized, empowered and directed to transfer from surplus funds of said Town the sum of \$10,000.00 to the fund.

SECTION 5. Such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 6. The moneys in the fund shall be deposited in a separate bank account in Community Bank, N.A.

SECTION 7. The Supervisor, in his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 8. No expenditure shall be made from the fund except by authorization of the Town Board of the Town of Mooers pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York.

SECTION 9. FURTHER RESOLVED, that this Resolution is subject to a permissive referendum, as permitted by law.

The motion was seconded by Councilperson Barcomb. The result of a Roll Call was 5 AYES (Supervisor Menard, Councilperson Myatt, Councilperson Barcomb, Councilperson Lavalley, and Councilperson Perras) and 0 NOES, therefore Supervisor Menard declared **Resolution #23-2015** adopted.

ALSO

Therefore Supervisor Menard made a motion that the following resolution be adopted:

SECTION 1. That there be and hereby is established a capital reserve fund in the amount of \$10,000.00 for the Interior of the Community Center/ Library of the Town of Mooers.

SECTION 2. Such fund is to be known as the "Community Center/ Library of the Town of Mooers."

SECTION 3. That the maximum amount toward said improvement is the sum of \$10,000.00.

SECTION 4. That out of the surplus moneys of said Town now on hand for the year 2015 and not otherwise appropriated, the sum of \$10,000.00 be and the same hereby is appropriated for the "Community Center/ Library of the Town of Mooers Reserve Fund," and the Supervisor of the Town of Mooers is hereby authorized, empowered and directed to transfer from surplus funds of said Town the sum of \$10,000.00 to the fund.

SECTION 5. Such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 6. The moneys in the fund shall be deposited in a separate bank account in Community Bank, N.A.

SECTION 7. The Supervisor, in his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 8. No expenditure shall be made from the fund except by authorization of the Town Board of the Town of Mooers pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York.

SECTION 9. FURTHER RESOLVED, that this Resolution is subject to a permissive referendum, as permitted by law.

The motion was seconded by Councilperson Barcomb. The result of a Roll Call was 5 AYES (Supervisor Menard, Councilperson Myatt, Councilperson Barcomb, Councilperson Lavalley, and Councilperson Perras) and 0 NOES, therefore Supervisor Menard declared **Resolution #24-2015** adopted.

Supervisor Menard asked if anyone would like to address the Town Board.

Public Comment 1: Mrs. Margaret Snide said she would like to address the Board regarding the Dog Control Officer. She said she was told there was not a Leash Law in the Town of Mooers, but she said disagreed and handed the members of the Board copies of the Leash Law. Mr. Kaleigh Mills, Dog Control Officer, said her hours are Monday through Friday from 9am-7pm. She added if someone has an issue they can contact the Police. Mrs. Mills said she is often, after hours, contacted by the police for various matters. Mrs. Snide explained the issue with a dog not staying on the owner's property causing neighboring dogs to bark at all hours and that it has happened on more than one occasion. There was some discussion. Supervisor Menard said he was familiar with the issue and that the owner of the dog will be moving as the house the owner currently lives in has been condemned. He added that the Dog Control Officer position is not a 24/7 job. He confirmed that the dog causing the issues will be leaving Town soon.

Public Comment 2: Mrs. Van Nortwick asked if anything could be abandoned cats. She said she has seen a woman going into the condemned red brick building in Town to feed the cats. Supervisor Menard said he would asks Mr. Dixon to take a look.

Public Comment 3: Mrs. Carol Payne said the Town has a sidewalk law and that Supervisor Menard could look into it concerning the issue with parking on the sidewalks.

Public Comment 4: Mrs. Van Nortwick requested an Itemized Financial Statement for the Town of Mooers. Supervisor Menard advised her to speak with Mrs. Bosley.

Voucher: The Audited Vouchers to be paid off the Abstracted Vouchers on August 11, 2015 are as follows:

General - Townwide -----(Vouchers 1036 - 1056)-----	\$ 21,298.05
Highway - Townwide -----(Voucher 699 - 726)-----	92,035.57
Mooers Forks Lights----- (Voucher 1053)-----	337.03
Mooers Lights -----(Voucher 1053)-----	570.80
Trust & Agency -----(Voucher 134 - 136)-----	<u>10,899.87</u>
Total of Abstracted Vouchers Paid-----	<u>\$125,141.32</u>

Adjourn: Supervisor Menard made a motion for the meeting be adjourned. Councilperson Perras seconded the motion. All in favor. Thus, Supervisor Jeff Menard declared the motion carried. Meeting adjourned at 8:36PM.

Respectfully Submitted,

BRANDI B. LLOYD, TOWN CLERK/TAX COLLECTOR