

Minutes of the Regular Monthly Meeting of the Town Board of the Town of Mooers held October 14, 2014 at the Mooers Office Complex commencing at 7:00P.M.

Present: Jeff Menard, Supervisor
Gerald LaValley, Councilperson
Mary Myatt, Councilperson
Cory Ross, Councilperson

Recording Secretary: Brandi B. Lloyd, Town Clerk
Others Present: Kaleigh LaBombard, Dog Control Office
Eugene Boulерice, Highway Supervisor
Jacqueline Madison, Librarian
Jess Dixon, Code Enforcer

Absent: Steve Barcomb, Councilperson

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.

Minutes: All the Board Members were asked if they had read their copies of the September 9, 2014 Minutes. They all replied yes. Supervisor Jeff Menard then asked if there were any omissions or corrections, there were none. Councilperson Ross then made a motion to accept the September 9, 2014 Minutes and Councilperson Myatt seconded the Motion. The result of a Roll Call was 4 AYES and 0 NOES, therefore Supervisor Jeff Menard declared Minutes accepted as written.

Highway: Highway Supervisor Eugene Boulерice reported that the Highway Department is done paving and are staring with the winter sand. He added that they are done with the clean-up of the building.

Library: Mrs. Jacqueline Madison reported that the library had received \$200.00 from the 2014 Summer Reading Program. She added that the septic system was pumped out. She said the Library Board had sent a check to S&B Construction for \$65,700.00. Mrs. Madison explained that she had submitted a grant, based on the \$10,000.00 the Town had allocated for the inside work of the library, for an LED sign. She added that she was told to consult with the Town's Zoning Law pertaining to any regulations for an LED sign. Mr. Jess Dixon, Code Enforcement Officer, said there are some regulations, but it is minimal and he said he will get a copy to her. Mrs. Madison said she has also applied for a grant for two 3-D printers, one to be used at the library and another to possibly loan out. She said the Library Board is currently working on revising the policies of the library and welcomes any input from the Town Board. Mrs. Madison announced that Memorial Tiles are available to purchase for \$100.00 each, which includes up to three lines of wording. Mrs. Madison reported that she had recently attended training as New York State will now be auditing public libraries. She added that the training will help to make sure all financial records are in order. Supervisor Menard asked Mrs. Madison the amount still due to S&B Construction. Mrs. Madison said around \$13,000.00 is still due. Supervisor Menard said he, Councilperson Myatt, and Mr. Murnane met with the Library Board a few weeks ago. He said that there had been a misunderstanding all along regarding the library funds of \$80,000.00. He said they assumed all funds could go towards the building, but learned some had to be reserved to go towards computers for the library and other inside items. He added this left the library about \$13,000.00 short of paying the entire invoice from S&B Construction. Supervisor Menard said he explained the situation to Mr. Buskey, of S&B Construction, and he was OK waiting for final payment. Supervisor Menard said he told Mr. Buskey that Mrs. Madison is working on other grants for funding. Supervisor Menard then welcomed any suggestions for fundraising ideas to help pay the bill.

Dog Control: DCO Kaleigh LaBombard handed in the itemized report for September 2014 which showed the following: 4 dogs coming in to the shelter, one dog came from Chazy, and three dogs from the Town of Mooers and none for Altona, there were a total of 20 reports/ complaints received and there are currently 6 dogs in the shelter. Ms. LaBombard said she interviewed with and was hired by the Town of Champlain and Rouses Point to be their Dog Control Officer. She said dogs from Champlain and Rouses Point will be housed in her barn, not in the Town of Mooers shelter.

Beautification Committee: Supervisor Menard asked if anyone from the beautification committee would like to address the board. No person was present from the beautification committee wishing to address the board at this time.

Youth Program: Supervisor Menard asked if anyone from the youth program would like to address the board. No person was present from the youth program 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. Chris Bulriss, Fire Chief, handed in the September report. The September report contained the following: Station #1 had 5 calls, Station #2 had 0 calls, Town had 4 calls and Mutual Aid had 1 call. Total of 64 calls to date. ----Incident types were House=1----MVA= 2----Auto Alarm=1----Electrical=1----Other(EMS Assist)=1. Mutual aid to Lyon Mountain=1. Mutual Aid from Hemmingford=1. Vehicle 251(Pumper) used 3 times, vehicle 252(Brush Truck) used 1 time, vehicle 253(Squad) used 0 times, vehicle 254(Pumper) used 1 time, vehicle 257(Heavy Rescue) used 4 times, vehicle 258(Tanker) used 1 time, vehicle 259(Pumper) used 0 times, and vehicle 25-AIR(Air Truck) used 1 time. Mr. Bulriss said they meet with Supervisor Menard and Councilperson Lavalley to discuss a new contract. He added that they still had to sort out some things with the finances.

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.

Court: The Justice Fund report for September showed total receipts of \$19,625.51 with \$12,290.00 going to the State, \$510.00 to the County, and \$6825.51 to the Town of Mooers.

Code Enforcement Officer: Mr. Jess Dixon handed in his report for the month of September showing zero violations, three appearance tickets went to court and were dismissed, and a total of 21 calls.

Old Business: Supervisor Menard gave an update on the clean-up of the collapsed building. He said the two gasoline tanks had been removed and the pile of contaminated sand had been hauled out by Cassella. He added that the wells will be installed on October 23rd to monitor the ground to see if there is any more gas in the ground. He said they will be checked in one week and, if the levels are low, it will be done. Mr. Steve Bulriss, in attendance, asked, since Mr. Murnane was present, if Mr. Bedard had been paid. Supervisor Menard said it is now in the court's hand. Mr. Murnane said that Mr. Bedard's lawyer has filed a lawsuit against the Town, that the Town has answered, and there has been no further action to date. He added that he has filed for some discovery demands and is still waiting for responses.

New Business

Town Business 1: Councilperson Lavalley said Mrs. Brandi Lloyd cannot be the Deputy Supervisor due to a conflict of interest. He added that the position should have been filled within five days after being vacated, according to New York State law. Councilperson Lavalley said he would like to nominate Councilperson Mary Myatt for the position. Mrs. Lloyd explained that, when the Town was audited by the State Comptroller, it was brought to their attention that it is a conflict of interest for the Town Clerk to be the Deputy Supervisor. She added that it is a conflict because she writes a check at the end of the month for monies collected to the Town Supervisor. Councilperson Lavalley made a motion to appoint Councilperson Mary Myatt as Deputy Supervisor. The motion was seconded by Councilperson Ross. The result of a Roll Call was 4 AYES (Councilperson Lavalley, Councilperson Myatt, Supervisor Menard, Councilperson Ross) and 0 NOES. Motion carried.

Town Business 2: Supervisor Menard said he invited residents of Mooers Forks to attend the meeting tonight to discuss the issue of snow being piled on their lawns. He added that he had received letters and e-mails complaining about this issue and that he'd like to try and find a solution before it starts to snow. Supervisor Menard explained that Rabideau Brothers has been contracted with the Town to handle snow removal of the sidewalks in Mooers Forks. Supervisor Menard asked if anyone from Mooers Forks in attendance would like to speak. A gentleman in attendance said he doesn't want any snow on his lawn, that nobody ever asked him if it would be OK to do so. He suggested trucking the snow away or just leaving it on the sidewalks. A lady in attendance said she has flooding issues in the spring due to the snow on her lawn. She asked if it could be hauled to a nearby parking lot. Supervisor Menard asked if it is fair to extend the extra expense of hauling it away to the taxpayers. Mr. Jack Dragoon, in attendance, said it should not be an issue with money the Town has saved by the Highway Department taking care of the snow removal in the Town of Mooers. Highway Supervisor Eugene Boulerice said snow was hauled away once. He added that the letter he received from Mr. Wayne Dragoon said that he agrees it is a savings having the Town handle snow removal. Highway Supervisor Eugene Boulerice said Mr. Wayne Dragoon also expressed in the letter that the issue of snow removal be put to rest. He said Mr. Jack Dragoon is the one that keeps bringing it up. There was some discussion.

Mr. Rudy Miller, in attendance suggested the Town look into having the Highway Department take care of the snow removal Mooers Forks as well. Councilperson Lavalley said he has quit a bit of snow at his house, sometimes all the way up to his porch, and he either removes it himself or he pays someone to remove it. It was asked why the snow was not removed towards the end of last year on part of Blackman Corners Road. Mr. Larry Rabideau, in attendance, said he had to stop clearing that area because he was being harassed. He added that he is willing to haul the snow away, but it will be an extra expense. Councilperson Myatt asked if it was the homeowner's responsibility. Supervisor Menard said it was not. Mrs. Joyce Roberts, in attendance, said people don't want to pay more taxes. There was some discussion about hauling the snow away and the complications of having a loader on the main street. Supervisor Menard asked the Board if they had any suggestions. Councilperson Ross suggested removing the sidewalks and replacing them with grass. There was discussion as to the exact areas that are currently being cleared by Rabideau Brothers. Mr. Perras asked if the small tractor that is kept at the ballpark could handle a snow blower. Highway Supervisor Eugene Boulerice said it should. Mr. Cardin, in attendance, asked where, if using a snow blower, the snow would go since people do not want it on their lawns. Mr. Steve Bulriss, in attendance, suggested handling it like Plattsburgh does. He added that in Plattsburgh the homeowner is responsible for the sidewalk on their property. Mrs. Myrtle Hawksby, in attendance, asked if the Town could afford another bill. There was some discussion. Councilperson Lavalley asked, while on the topic of snow removal, who was being hired to do the job in Mooers. Supervisor Menard said Mr. Gowette, but Mr. Bruce Bulriss said no this year because he is going to be in Florida for a month. Supervisor Menard said an ad would have to go in the paper to hire someone else. Councilperson Myatt suggested the Town look into all options before making a decision on the snow removal issue in Mooers Forks. Supervisor Menard asked Mr. Larry Rabideau to come up with a cost estimate to have the snow hauled away.

Town Business 3: Supervisor Menard said he had received a call from two farmers wanting to know if they could spread a particular fertilizer, Fertilimer, on their fields. Supervisor Menard said it is a lime enhanced soil conditioner produced by Casella Organics in Chateaugay, NY. He added that they need the Board's approval to use it. Mr. Dixon said, as far as Codes, it is not permissible if it is derived from biosolids. There was some discussion. Mr. Dixon asked what kind of company is Casella Organics. He added, knowing what type of business they are would help in knowing what the contents of the fertilizer is actually. Mr. Murnane said he would suggest finding out the DEC's opinion on this type of fertilizer. Mr. Dixon said there may be a specific permit that would cover it, but added these sort of things are tricky. Supervisor Menard read the ingredients.

Town Business 4: Supervisor Menard said he met with Ms. Liz Tedford of Tedford Consulting regarding grants. He said Ms. Tedford discussed a \$30,000.00 grant that will pay for the pre-planning activities associated with a potential municipal water/wastewater project. He added that the grant would cover the costs of a study to determine the needs, costs, and potential for public water/wastewater service in Mooers. Supervisor Menard said the Town would only be out Ms. Tedford's fee of \$65.00, for an estimated eight hours, to prepare the Request for Proposals (RFP). Supervisor Menard said this is the first step. Councilperson Myatt added that this is something the Town has wanted. Mr. Dixon said it is a stepping stone and one that can't be skipped. Therefore Councilperson Lavalley made a motion to proceed with Tedford Consulting regarding a grant to determine the feasibility of public water/wastewater service in Mooers. The motion was seconded by Councilperson Ross. The result of a Roll Call was 4 AYES (Councilperson Lavalley, Councilperson Myatt, Supervisor Menard, Councilperson Ross) and 0 NOES. Motion carried.

Town Business 5: Supervisor Menard ask the Board if they had all received a copy of the 2015 Tentative Budget. All members present said they had received a copy. Supervisor Menard said the Public Hearing will be held on Tuesday, October 28th at 6:00pm. Supervisor Menard said he would like to increase the Library Budget form \$10,000.00 to \$13,000.0. He added that it has not been increased in years. Therefore Councilperson Ross made a motion that the Library Budget for 2015 be increased to \$13,000.00. The motion was seconded by Councilperson Myatt. The result of a Roll Call was 4 AYES (Councilperson Lavalley, Councilperson Myatt, Supervisor Menard, Councilperson Ross) and 0 NOES. Motion carried.

Town Business 6: North Country Life Flight, Inc. is a not-for-profit, tax-exempt corporation which is responsible for all aspects of patient care by providing medical equipment, training medical personnel and administering the medical portion utilizing the New York State Police helicopter based in Saranac Lake and private fixed-wing aviation resources; and The New York State Police aviation resources do not provide a medically trained team or medical equipment for patient transports; and The people of Clinton, Essex, Franklin, Hamilton and St. Lawrence Counties receive a vital emergency medical service which is free of charge to critically ill and seriously injured patients, and, therefore municipal

governments are asked to pledge monies for this worthwhile program; therefore Supervisor Menard made a motion that the following be adopted:

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD OF THE TOWN OF MOOERS HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A CONTRACT WITH NORTH COUNTRY LIFE FLIGHT, INC. FOR THE PURPOSE OF OPERATING THE MEDICAL COMPONENT OF THE MEDEVAC PROGRAM, WHICH WILL SERVE ITS RESIDENTS AND VISITORS, AND PAYING THE AMOUNT OF \$200.00 WHICH REPRESENTS THE TOWN'S SHARE FOR 2015; AND BE IT FURTHER RESOLVED: THAT THE SUM OF \$200.00 IS HEREBY APPROPRIATED TO ACCOUNT NO. A4989.4 FOR PAYMENT TO THE NORTH COUNTRY LIFE FLIGHT, INC.

Councilperson Ross seconded the motion and result of a Roll Call was 4 AYES (Councilperson Ross, Councilperson Lavalley, Councilperson Myatt, Supervisor Menard) and 0 NOES, therefore Supervisor Jeff Menard declared **Resolution #029-2014** adopted.

Town Business 7: Supervisor Menard said before Public Comment he would like to get something off his chest. Supervisor Menard said a few weeks ago the Board members decided to go out on their own and write a letter chastising him for the clean-up of the building and saying the Town would not pay for the work done by Mr. Bedard. Mr. Dixon wrote the letter and all four Board members signed the letter and had their signatures notarized. Supervisor Menard said he feels Mr. Dixon is more interested in playing games than doing his job. He said he will not support Mr. Dixon as Code Enforcement Officer. Supervisor Menard made a motion to relieve Mr. Dixon of his duties. The motion was not seconded. Supervisor Menard asked Mr. Murnane if he would like to add anything regarding the letter. Mr. Murnane said he would discuss the letter in executive session.

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

Public Comment 1: Mrs. Joyce Roberts, in attendance said she is terribly disappointed. She said she thought there was another good Christian and another supposedly good Christian and that the Board should work together. She added that she did not understand why Mr. Dixon called a special meeting. Supervisor Menard gave each Board member a copy of the procedure to follow for an executive session. He read a portion of the information handed out. Mr. Dixon said all he can do is request the Board go into executive session, that he did not call for it himself. Supervisor Menard said he, himself, should not have had the Board go into executive session. There was some discussion. Mrs. Simpson, in attendance, asked about the balcony falling off. Mr. Dixon said a letter has been sent to the owner. Mr. Jack Dragoon asked how a building in Mooers Forks can be in the condition it is, but his building in Mooers gets condemned. Mr. Dragoon told the Board that lawsuits are coming. A lady in attendance asked why the Board was not responding. Councilperson Myatt said the Supervisor is to address any questions. A gentleman in attendance suggested having Calvin Castine come and video the meeting so everyone could see what happens.

Voucher: The Audited Vouchers to be paid off the Abstracted Vouchers on October 14, 2014 are as follows:

General - Townwide -----(Vouchers 741 - 767)-----	\$ 25,833.73
Highway - Townwide -----(Vouchers 448 - 475)-----	257,645.20
Mooers Fire Protection -----(Vouchers 765, 768 - 779)-----	3,371.74
Mooers Forks Lights -----(Voucher 765)-----	375.14
Mooers Lights -----(Voucher 765)-----	643.77
Trust & Agency -----(Vouchers 104 - 106)-----	<u>10,372.57</u>

Total of Abstracted Vouchers Paid-----\$298,242.15

Adjourn: Councilperson Ross made a motion for the meeting be adjourned. Supervisor Menard seconded the motion and the result was 4 AYES (Supervisor Jeff Menard, Councilperson Mary Myatt, Councilperson Gerald LaValley and Councilperson Cory Ross) and 0 NOES. Thus, Supervisor Jeff Menard declared motion carried. Meeting adjourned at 8:03PM.

Respectfully Submitted,

BRANDI B. LLOYD, TOWN CLERK/TAX COLLECTOR