

**Minutes of the Regular Monthly Meeting of the Town Board of the Town of Mooers held October 8, 2013 at the Mooers Office Complex commencing at 7:00P.M.**

**Present:** Cory Ross, Supervisor  
Earl Robinson, Councilman  
Steve Barcomb, Councilman  
Eugene Bushey, Councilman  
Gerald LaValley, Councilman

**Recording Secretary:** Brandi Lloyd, Town Clerk  
**Others Present:** Kaleigh LaBombard, Dog Control Officer  
Eugene Boulerville, Highway Supervisor  
Jess Dixon, Code Enforcement Officer  
Jim Coffey, attorney

**Absent:** Jaclyn Madison, Librarian

**Meeting:** Supervisor Cory Ross called the Meeting to Order at 7:00PM, then he asked 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 10, 2013 Minutes. They all replied yes. Supervisor Cory Ross then asked if there were any omissions or corrections, there were none. Councilman Earl Robinson then made a motion to accept the September 10, 2013 Minutes as written and Councilman Steve Barcomb seconded the Motion. The result of a Roll Call was 5 AYES and 0 NOES, therefore Supervisor Cory Ross declared Minutes accepted as written.

**Highway:** Highway Supervisor Eugene Boulerville reported that paving on Maple Street and Depot Street has been completed. Mr. Boulerville said he would like \$40,000.00 taken from the reserve fund and put into the highway improvements fund to allow for work that needs to be done on a couple other roads. He also reported that the highway department is in the process of bringing in the sand needed for the winter.

**Fire Department:** Mr. Raymond Phair, Fire Chief, handed in the September report. Mr. Phair added that the Fire Department had been awarded the DEC grant that they applied for in August. The September report contained the following: Station #1 had 15 calls, Station #2 had 3 calls, Town had 11 calls and Mutual Aid had 4 calls. -----Incident types were House=1----Trailer=1----MVA=3----Chimney=1--- -Electrical=1----Other=4 (1 Chipper, 3 CO2). Mutual aid to Champlain=1-----Ellenburg Depot=2----West Chazy=1. Mutual Aid from NONE. Vehicle 251(Pumper) used 8 times, vehicle 252(Brush Truck) used 4 times, vehicle 253(Squad) used 3 times, vehicle 254(Pumper) used 4 times, vehicle 257(Heavy Rescue) used 9 times, vehicle 258(Tanker) used 6 times, vehicle 259(Pumper) used 3 times, and vehicle 25-AIR(Air Truck) used 5 times. Gallons of diesel fuel used and gallons of gasoline used not reported.

**Dog Control:** DCO Kaleigh LaBombard reported that she currently has four dogs in the shelter. In addition to the itemized report for September 2013, Ms. LaBombard announced that the fundraiser, held on October 6, 2013, went very well. She said \$860.00 was raised and that Corner Stone Store is donating \$200.00. Ms. LaBombard said she now has \$6,000.00 to purchase a moveable building. She said that she is looking into purchasing the materials needed to build the structure rather than purchasing a pre-fabricated building. The cost of purchasing a 12'x28' building would be \$5,300.00, but a larger, 16'x44' building could be built and not cost much more. Ms. LaBombard said Lowes has sent her a quote for \$7,000.00 for materials needed to build a 16'x44' building and that they are working on ways to bring the cost down. She added that she is waiting for a quote from Samples and Curtis Lumber. Ms. LaBombard handed in the itemized report for September 2013 which showed the following: four dogs came in from Altona, seven dogs came in from the Town of Mooers, no dogs came in from Chazy, one warning letter mailed, and a total of 39 reports/ complaints were received.

**Code Enforcement Officer:** Mr. Jess Dixon handed in the Building Permit report for the month of September 2013. Mr. Dixon reported that last month there were a total of seven building permits issued, a total of 46 calls, two certificates of compliance, and four violations issued. Mr. Dixon added that he had attended code training school in Albany last month. He said that during training he learned of books containing "standards" for Code Enforcers. He said that many of the codes redirect you to laws and requirements and that having these books would be helpful. Mr. Dixon said that he would not have to purchase all of the books, just those specifically containing information pertinent to the Town of

Mooers. Councilman Robinson asked if the Fire Department might have these books. Mr. Phair answered that, no, the Fire Department does not have the books.

**Library:** Mrs. Jaclyn Madison was not in attendance. Mrs. Evans reported that the writing workshop, open to the public, went well and that it would conclude tomorrow, October 9th from 11am-1pm.

**Letter from New York State Verified Court System:** Supervisor Ross read the letter received from the New York State Verified Court System. He explained that this is an annual audit of the court documents; therefore Councilman Bushey made a motion that the following resolution be 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**

The motion was seconded by Supervisor Ross. The result of a Roll Call was 5 AYES (Supervisor Cory Ross, Councilman Robinson, Councilman Barcomb, Councilman Lavalley, and Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #038-2013** 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 October 8, 2013 Town Board meeting, Town Board the Court Records and Dockets were audited; therefore Supervisor Ross made a motion that the following resolution 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**

The motion was seconded by Councilman Barcomb. The result of a Roll Call was 5 AYES (Supervisor Cory Ross, Councilman Robinson, Councilman Barcomb, Councilman Lavalley, and Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #039-2013** adopted.

**Morrisonville- Schuyler Falls Volunteer Ambulance Service:** Supervisor Ross read a letter received from Morrisonville- Schuyler Falls Volunteer Ambulance Service Inc. The letter explains that Morrisonville- Schuyler Falls Volunteer Ambulance Service Inc. is applying for an expansion of existing service area. Supervisor Ross explained that they are asking for an endorsement from the Town of Mooers.

**Champlain EMS Contract Increase:** Supervisor Ross explained that, while working on the budget, Champlain EMS is requesting a budget of \$84,000.00 for the upcoming year, which is a \$16,000.00 increase for the last year. They would like to allocate the additional funds for their reserve account. Mr. Phair, fire chief, suggested that the Town look into this increase as Champlain EMS has not been providing services as well as they have in the past. Supervisor Ross added that the Board will discuss the matter further at the budget meeting and possibly look into finding a different provider. He also said the Town needs to start receiving monthly reports form Champlain EMS.

**Board of Elections:** Supervisor Ross read a letter received from the Board of Elections. The letter outlines the costs of the upcoming election. The charge for 2014 will be \$9332.00, which is a 10% increase from 2012.

**Health Insurance for Employees:** Supervisor Ross discussed that he had a meeting with the representative for the Town's health care insurance company. He said that the insurance program that the Town had previously no longer exists. The representative put a new plan together for the Town, keeping co-pays and coverage the same. Supervisor Ross said that the cost of health insurance to the Town went down for \$106,747.20 to \$92,551.92, which is a 13.3% savings.

**Youth Commission Committee:** Supervisor Ross said that the soccer tournament was held a few weeks ago and that it went well and that the family has always done a phenomenal job with it. He added that the Town had spoke with the family and that Frank Dumas addressed the Board at the meeting in September. Supervisor Ross said that he would like to have more members join the committee. He

explained that the committee, when it originated in 2002, consisted of five members of the community. He added that, currently, just Shelly Brooks remains as an active member. Supervisor Ross explained that having an active committee again would provide opportunities for others wanting to host an event or a tournament for a different sport. He added that the soccer tournament, ran by the family, will continue, unchanged, as it has been a success. Mrs. Myrtle Hawksby asked if re-forming the committee would mean that the youth commission committee and the soccer tournament merge. She asked if it would remain two separate groups and that each would be able to do as they wish with the money raised. She added that those running the soccer tournament currently give money to seniors from Mooers. Supervisor confirmed that the soccer tournament is a memorial tournament and that funds raised during any other event, like a baseball tournament, would be kept separate. Mr. Jess Dixon added that years ago, the committee helped coordinate the use of and scheduling of the fields for the various sporting events, games and practices. Mr. Rudy Miller added that the Mooers Youth Commission is through the Town and the Booster Club is a separate group. He added that whatever is done as the Youth Commission must be done through the books and with vouchers. Mr. Miller said that the Booster Club does not have to report to the State in the same fashion. He suggested that if anything other than the soccer tournament is held, it be done through the Booster Club, you would not have to file all of the paperwork with the State that you would have to file if ran through the Youth Commission. Mr. Miller said that is why the Booster Club was started in the first place. Supervisor Ross said in researching the Mooers Youth Commission it is not very clear how it started. Mr. Miller said it started because to run the tournaments, those running the tournament would have get vouchers at the monthly Board meetings to proceed. He added that it is difficult to run tournaments in the fashion that they do if they have to be slowed down once a month to get vouchers for what needs to be purchased the next month. Therefore, Mr. Miller added, that's why the Booster Club was established. He said they could buy what was needed for the tournament with Booster Club money and it did not have to involve the Town whatsoever and not have to go through all of the politics of the Town. Supervisor Ross confirmed that changes were not being made to the current establishment of the Mooers Youth Commission, only the addition of members; therefore Councilman Barcomb made a motion that the following resolution be adopted:

**BE IT HEREBY RESOLVED THAT THE FOLLOWING PERSONS BE APPOINTED TO THE MOOERS YOUTH COMMISSION TO SERVE THE BALANCE OF THEIR THREE (3) YEAR TERMS, EXPIRING DECEMBER 31, 2015**

**Jim Armstrong**

**Tammy Gonyo**

**Brandi Lloyd**

The motion was seconded by Supervisor Ross. The result of a Roll Call was 5 AYES (Supervisor Cory Ross, Councilman Robinson, Councilman Barcomb, Councilman Lavalley, and Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #040-2013** adopted.

**Beautification Committee:** Supervisor Ross explained that the Beautification was understanding that by not spending money they were budgeted to receive, it had been accumulating. He added that the Beautification Committee would like to be able to save and accumulate monies to fund a large project in town like a gazebo. Mrs. Crystal Bulriss said some projects that the committee is considering are a Veteran's Memorial, gazebo, town clock, as well as working on the area around the river. She added that the Beautification Committee is responsible for the flags, decorations and flowers seen throughout the Town. Supervisor Ross said the Town of Mooers could change the Beautification Committee from a budget fund to a reserve fund. He added that, after the Town Budget has been set, an amount to start the Beautification Committee reserve fund with could be determined. Therefore Councilman Robinson made a motion to start a reserve fund for the Beautification Committee. The motion was seconded by Councilman Barcomb. All in favor. Motion carried.

**Police Report for Mooers Forks Recreational Park Vandalism:** Supervisor Ross advised that the Recreational Park in Mooers Forks had been vandalized. He said that this is not the first incident. He added that when it happened previously, the mess would be cleaned up and damage repaired by Mr. Leon Duprey. Supervisor Ross explained that Mr. Duprey contacted the State Police to report the incident on September 16, 2013. He said that Mr. Duprey told the police that the bathrooms had been spray painted and that Mr. Duprey wanted to report the incident before he cleaned it up. Supervisor Ross said he would like to try and find out who is responsible for the vandalism and try and prevent more from happening in the future. Mr. Dixon suggested possibly locking the doors and giving keys to

coaches or other individuals that use the park. Ms. LaBombard suggested a trail cam as a possibility, similar to those used for hunting purposes.

**Town Board Resignation:** Councilman Earl Robinson handed each member of the Town Board a copy of his resignation letter and read it aloud. Therefore Supervisor Ross made a motion that the following resolution be adopted:

**BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ACCEPTS THE RESIGNATION OF EARL ROBINSON AS A MEMBER OF THE TOWN BOARD**

The motion was seconded by Councilman Bushey. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Barcomb, Councilman Lavalley, and Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #043-2013** adopted.

**Town Justice:** Supervisor Ross explained that since Mr. Jeff Menard resigned August 31, 2013 as Town Justice, the Town Court has been operating with just one justice. He added that it is within the best interests of the Town of Mooers and of justice to have two Town Justices; therefore Councilman Barcomb made a motion that the following resolution be adopted:

**BE IT HEREBY RESOLVED, that Mr. Robinson commence the necessary training so that he can be certified as a Town Justice; and be it further RESOLVED, that compensation for his position be commenced upon this appointment; and RESOLVED, that this resolution shall take effect immediately**

The motion was seconded by Supervisor Ross. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Barcomb, Councilman Lavalley, and Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #044-2013** adopted.

**Assessor for the Town of Mooers:** Supervisor Ross Real Property changed their schedule as to what Assessor would be servicing what Town, and that the Real Property Office gave the Town of Mooers the option to appoint Miranda Major as Assessor thru September 30, 2019; therefore Supervisor Ross made a motion that the following resolution be adopted:

**BE IT HEREBY RESOLVED THE TOWN OF MOOERS APPOINT MIRANDA MAJOR AS ASSESSOR FOR THE TOWN OF MOOERS WITH APPOINTMENT ENDING ON SEPTEMBER 30, 2019**

The motion was seconded by Councilman Lavalley. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Barcomb, Councilman Lavalley, and Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #041-2013** adopted.

**Town Business 1:** The need has arisen where money in the Budget for the accounts listed have exceeded the original appropriation. The funds to cover the difference be made available as listed, as per the secretary to the supervisor; therefore Supervisor Ross made a motion that the following be adopted:

**BE IT HEREBY RESOLVED THAT THE FOLLOWING FUNDS BE MOVED IN THE BUDGET JOURNAL TO THE DESIGNATED ACCOUNTS**

**\$3,000 FROM BUILDING CONTRACTUAL A1620.4  
TO BUILDING PERSONAL SERVICE A1620.1**

**\$5,000 FROM MOOERS FIRE PROTECTION FUEL OIL SF1-1620.4  
TO MOOERS FIRE PROTECTION MACHINERY SF1-5130.4**

**\$18,000 FROM HWY MACHINERY EQUIPMENT DA5130.2  
TO HWY GENERAL REPAIRS DIESEL & GAS DA51110.46**

**\$8,000 FROM HWY IMPROVEMENTS PERSONAL SERVICES DA5112.1  
TO HWY GENERAL REPAIRS PERSONAL SERVICES DA5110.1**

**DA5112.2 HIGHWAY IMPROVEMENTS NEEDS TO BE AMENDED FROM**

**\$170,000 TO \$210,000 TO ALLOW FOR MORE PAVING OF ROADS**

**A3010.4 PUBLIC SAFETY – CONTRACTUAL NEEDS TO BE AMENDED  
FROM \$500 TO \$4,000 TO ALLOW FOR THE PAYMENT OF SCHOOL FOR CEO**

**A9050.8 EMPLOYEE BENEFITS – UNEMPLOYMENT NEEDS TO BE  
AMMENDED FROM \$5,000 TO \$15,000 TO COVER UNEMPLOYMENT PAYMENTS**

**A3510.4 DOG CONTROL CONT. NEEDS TO BE AMENDED  
TO INCLUDE THE DONATIONS FROM LAST YEAR IN THE AMOUNT OF \$4,393.25**

The motion was seconded by Councilman Bushey. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Barcomb, Councilman Lavalley, and Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #042-2013** adopted.

**Town Business 2:** Motion was made by Supervisor Ross to approve payment of vouchers 160- 177, 271- 306. The motion was seconded by Councilman Bushey. All in favor. Motion carried.

**Vouchers:** The Audited Vouchers to be paid off the Abstracted Vouchers on October 8, 2013 are as follows:

General - Townwide-----	(Vouchers 271 - 298 )-----	\$ 25,040.97
Highway - Townwide-----	(Voucher 160 - 177 )-----	99,117.50
Mooers Fire Protection -----	(Voucher 272, 295, 299 - 306)-----	10,006.10
Mooers Forks Lights-----	(Voucher 272)-----	375.39
Mooers Lights -----	(Voucher 272)-----	<u>644.27</u>
<b>Total of Abstracted Vouchers Paid-----</b>		<b>\$135,184.23</b>

**Town Business 2:** Supervisor Ross said that the Town Board needs to decide on a time for a Public hearing to discuss the Budget for 2014. After discussion, Supervisor Ross announced that the Public Hearing would be held on Wednesday, October 23, 2013 at 6:00pm.

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

**Public Comment 1:** Mr. Favreau requested a copy of the grant for the library. Supervisor Ross said that Mrs. Madison has a copy of the grant as well the Town Office.

**Public Comment 2:** Mr. Stanley Alger asked if there is anything that could be done with the poor condition of the Orr Road. He said that work was done on property located on Orr Road and that the road was left in an impassable condition. Mr. Alger further explained that he is not requesting that the road be paved or made passable for vehicles, because that has not been the case for years. He would just like to road to be accessible by tractor. Mr. Boulerice confirmed that a logging company has been doing work in the area and that he was under the impression that the work had yet to be completed. Mr. Alger added that there are several large pieces of wood or logs left in the road. Mr. Boulerice explained that Orr Road has been declared "abandoned by use" for some time and is therefore not maintained by the Town. He said that the Town could possibly go down the road with a grader or bulldozer to help make it somewhat passable. Councilman Barcomb questioned why the Town should be responsible to fix the damage the logging company had caused. Mr. Dixon added that if Orr Road is not a Town road, then the logging company should pay for any remedy. Mr. Coffey that, in the Town of Plattsburgh, if a company, such as a logging company, will be working in an area for a period of time they are required to post a bond. He explained that the bond posted by the company then covers the cost of repair if needed. Mr. Coffey added that a private company should be responsible for damage.

**Public Comment 3:** Mr. Jack Dragoon asked Mr. Boulerice about how much money had been spent on the library site. Mr. Boulerice said about 65 loads of sand had been brought in and approximately one and a half weeks of man hours. Mr. Dragoon asked if the Town had the deed to the property. Supervisor Ross said that the Town is the process of finalizing the deed with Mr. and Mrs. Evans. Mr. Favreau added that work is being done on a property that the Town does not have the deed to. Mr. Coffey said that the Town does have the deed to the property. He went on to explain that, in regards to the Barlow property being purchased by the Town, that he is working on making sure all judgments are clear. He said the judgments are now being handled by a large firm in Long Island, making it difficult to get an answer. Mr. Coffey said that title insurance cannot be purchased until all judgments are cleared.

**Public Comment 4:** Mrs. Sue Miller asked that, with the resignation of Earl Robinson from the Board, what is the protocol to fill the position. She asked if the Board would be letting people know of the available spot. She added that people from either party should have the opportunity.

**Executive Session 1:** Supervisor Ross announced that the Town Board needed to go into executive session to discuss the appointment of an employee. Councilman Barcomb made a motion that the Town Board go into executive session. Councilman Bushey seconded the motion. All in favor. Motion carried. The Town Board went into executive session at 7:48pm.

**Executive Session 2:** Councilman Bushey made a motion to come out of executive session. Councilman Barcomb seconded the motion. All in favor. Motion carried. The Town Board came out of executive session at 8:07pm. Supervisor Ross announced that no action was taken by the Town Board while in executive session.

**Adjourn:** Supervisor Ross made a motion for the meeting be adjourned. Councilman seconded the motion and the result was 4 AYES (Supervisor Cory Ross, Councilman Eugene Bushey, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES. Thus, Supervisor Cory Ross declared motion carried. Meeting adjourned at 8:07 PM.

Respectfully Submitted,

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BRANDI B. LLOYD, TOWN CLERK/TAX COLLECTOR