

Minutes of the Regular Monthly Meeting of the Town Board of the Town of Mooers held February 12, 2013 at the Mooers Office Complex commencing at 7:00P.M.

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

Recording Secretary: Rena Bosley, Town Clerk

Others Present: Kaleigh LaBombard, Dog Control Officer
Carol Payne, Secretary to the Supervisor
Jackie Madison, Librarian
Jess Dixon, Code Enforcement Officer

Absent: Eugene Bushey, Councilman

Meeting: Supervisor Cory Ross called the Meeting to Order at 7:00PM, then he asked Rena Bosley 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 January 8, 2013 Minutes. They all replied yes. Supervisor Cory Ross then asked if there were any omissions or corrections, there were none. Councilman Steve Barcomb then made a motion to accept the January 8, 2013 Minutes as written and Councilman Earl Robinson seconded the Motion. The result of a Roll Call was 4 AYES and 0 NOES, therefore Supervisor Cory Ross declared Minutes accepted as written.

Highway: Highway Supervisor Eugene Boulerice was absent because of a meeting in Syracuse but he had handed in the report for total cost of the State Road upkeep for the month of January 2013 as being \$34,472.45.

Fire Department: Raymond Phair, Fire Chief was absent but had handed in the January report. January's report contained the following: Station #1 had 10 calls, Station #2 had 1 call, Town had 9 calls and Mutual Aid had 1 call-----Incident types were House=2-----Trees on wires=1-----Wires Down=3-----Co2=1-----Tree Down=3. Mutual aid to Chazy=1. We had mutual aid from Altona=1-----Champlain=1-----Churubusco=1-----Rouses-Point=1-----Ellenburg Depot=1-----Hemmingford=1. Vehicle 251(Pumper) used 5 times, vehicle 252(Brush Truck) used 4 times, vehicle 254(Pumper) used 1 time, vehicle 257(Heavy Rescue) used 6 times, vehicle 258(Tanker) used 2 times, vehicle 259(Pumper) used 1 time and vehicle 25-AIR(Air Truck) used 2 times. 74.9 gallons of diesel fuel was used and 35.9 gallons of gasoline was used.

Library: Jackie Madison was speaking to Paul St Pierre from NYSERDA in Albany who was telling her that there are monies available for green construction. They just need to have a project write-up and design to look at. She also applied for a 50k grant from "For the Glory of Books" that gives money for construction so this could be a tremendous help to finish the building. Jess said he would give her his phone and email contact information for her to direct communication from NYSERDA to him.

Dog Control: DCO Kaleigh LaBombard handed in the itemized report for January 2013 which showed the following: 01/04/13 Dog brought from Altona for holding, had 10 puppies, 2 still born, 1 died - 01/06/13 Rachel from Mooers lost her male Beagle - 01/08/13 Call came in for Chazy about dog near the cemetery with a red collar; call came in from Sue Miller about a dog at her house, thought it was neighbors, called Mr. Lafountain...not his, when I got there it was gone - 01/11/13 call from Sue Miller again stating dog was back, drove there and down Lazy days road and North Star road, no dog - 01/12/13 Call asking where to get license in Chazy; call from Mrs. Miller again, sees dog in back yard and thinks it went down camp road, I said I would be by tomorrow because it was getting dark - 01/17/13 Found a white male German Shepherd at DS Specialties and picked him up - 01/22/13 Health Department called about an owner getting bit by their own dog in Chazy at residence of Arrena Basto - 01/23/13 Called on Delinquent Dog reports to get dogs licenses updated; Left note on door of Arrena Basto asking them to update the Health Dept., no response - 01/24/13 call from Sheriffs Dept about an abandoned dog, owner came and picked it up - 01/26/13 Mrs. Miller saw the dog again, not sure where it's coming from and cannot catch it, I was in Plattsburgh and looked for the dog when I got home - 01/28/13 went to residence of Arrena Basto, no one home, did not respond, Health department dismissed case - 01/29/13 Call from Police in Ellenburg, no answer from DCO in Ellenburg, picked up abandoned dog and adopted on January 31 - 01/31/13 Call from West Chazy about two Rottweiler's that run out into road when people walk by, warning letter mailed on February 5 after I finally found address - 02/01/13 Mrs. Miller called again and Supervisor Cory Ross and I went and looked for twenty minutes, no dog, on way home picked up dog sitting in yard unleashed and no one was home. Currently there are 6 adult dogs and 7 puppies in the shelter.

Code Enforcement Officer: End of Year roll out has 72 permits which brought in \$1,186,990 in assessed value reported to the assessor. There were 29 violations. The Old Funeral home building has been sold and is no longer condemned. They are working on the building week by week and it is going in the right direction. He found out that FEMA money is available if you have zones of Disaster in place. If we get some of the leg work done it will help our citizens with monies in case anything ever happens. In the next two weeks we should be meeting to see how to get the word out to help us find problem areas. Monett's building is still for sale. He had a couple of walk-throughs. The senior housing will be doing some construction in the coming year. The biggest issue with permits last year was swimming pools, not many people knew you needed one. He is looking to find out what monies are available for the Cemetery on Mill Street and if any was put aside, how much for possibly fixing the fence. He also wanted to know if there was a fund that had been made for the future planning of a veterans memorial. He does not know how to find this stuff. Requested to have resolution #14-2011 overturned because of the fact that people cannot do anything with an undersized lot. He wanted to know why this was established in the first place. Supervisor Cory Ross asked Jim Coffey the new Town Attorney for his advice and he said that he would look it over and get back to us at next month's meeting. Jess also wanted to know about the process for amending the zoning laws and if there was to be a public hearing on it. He was going to have to speak to the town attorney on this. A lot of towns have environmental and planning committees and he would like to see us jump on board with this practice.

Town Attorney: The Town of Mooers requires the services of an attorney to assist the officers and officials of the Town with various legal issues and attend Town meetings and the attorney previously providing said services was unavailable to attend Town Meetings and the Town Board, after contacting various candidates for the position have selected James J. Coffey, Esq. to be the attorney for the Town; therefore Gerald LaValley made a motion that the following resolution be adopted:

**BE IT RESOLVED, THE SUPERVISOR OF THE TOWN IS HEREBY
AUTHORIZED TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO
HIRE MR. COFFEY.**

The motion was seconded by Steve Barcomb. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #013-013** adopted.

Fire Station 2: It was brought to the attention of the Town that the furnace had gone out at Fire Station 2 and was caught just before things got really bad. Leon Menard suggested that the Town purchase a light with a watch eye that will turn on when the temperature gets low. The furnace had run out of fuel and it was around 35°. They are on an automatic delivery and but communications were crossed somehow. If the pump would have froze it would have been a big expense. Earl Robinson suggested Adirondack Alarm. That is what the VFW uses. If anyone driving by sees the light they can call the Town. It has also been brought to the attention of the board that the water filtration system needs a new ultraviolet bulb. It gets replaced once a year and is due. Councilman Steve Barcomb made a motion to purchase the new bulb and it was seconded by Councilman Earl Robinson. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES, therefore Supervisor Cory Ross declared motion passed.

Tony Roberts and Alan Lapier pay: Tony Roberts was not paid last year for being on the Zoning Board. He never turned in his application. The same for Alan Lapier who was a coach last year. Money has to back moved back into the account to cover their pay. Councilman Gerald LaValley made a motion to move the money back to cover their pay and it was seconded by Earl Robinson. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES, therefore Supervisor Cory Ross declared the motion passed.

Mooers Railroad Bed Property: Larry Brooks had called Supervisor Ross asking if he could chip the scrub wood on the land he is to purchase from the Town while he was already chipping some on his adjoining property. The attorney said to wait and pass a resolution for selling the land, putting a legal notice in the paper stating to whom and for how much said property is being sold. People then have 20 days to petition the Town. So after some discussion a motion was made by Councilman Earl Robinson that the following Resolution be adopted:

**BE IT RESOLVED, THAT SUBJECT TO A PERMISSIVE REFERENDUM
PURSUANT TO TOWN LAW § 64, CORY S. ROSS, AS SUPERVISOR OF
THE TOWN, AND FOR AND ON ITS BEHALF, IS AUTHORIZED TO SELL
THE DESCRIBED PREMISES TO LARRY BROOKS FOR THE SUM OF
\$5,000.00;**

AND BE IT FURTHER RESOLVED, CORY S. ROSS, AS SUPERVISOR OF THE TOWN, IS HEREBY AUTHORIZED TO EXECUTE ALL DOCUMENTS THAT MAY BE REQUIRED TO EFFECTUATE THE SALE AND TRANSFER OF ALL RIGHT, TITLE AND INTEREST OF THE TOWN IS SAID PROPERTY.

The motion was seconded by Gerald LaValley. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #013-014** adopted.

Clinton County Treasurer: Town received letter from Clinton County showing the monies paid to the Town for the year of 2012, which also includes the 2012 surplus sales tax payment on 1/17/13. Balance of land tax installments (\$240,488.58) paid on 2/13/12, balance of land tax installments (\$2,050.02) paid on 2/15/12, mail fee (\$384.00) paid on 5/14/12, mortgage tax (\$15,754.29) paid on 4/27/12, mortgage tax (16,735.17) paid on 11/19/12, snow removal (97,628.50) paid on 1/12/12, snow removal (\$97,628.50) paid on 4/20/12, sales tax payments/2012 surplus (\$39,895.82) paid on 1/17/12. All in all totaling \$510,564.88. The summary for 2012 Sales Tax is as follows: Sales tax credit to 2012 Taxes = \$463,361.00 - Balance of 2009/2010 Short Fall = \$3,363.99 - Equaling Sales Tax = \$466,724.99 - Actual 2012 Sales Tax Received = \$506,620.81 - leaving 2012 Surplus Check to be issued on 1/17/12 = \$39,895.82.

Judy Reinhart: Asked the Town Board for permission to have a car wash to raise funds for her Relay for Life team. The Fire Department had ok'd it but said she'd better ask the Town as well. After letting her know that the Town needed to check with insurance and that they would have to notify Leon Menard so he could shut down supply to the water softener, it should be fine. Councilman Earl Robinson made a motion to let them have their carwash and it was seconded by Councilman Steve Barcomb. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES, therefore Supervisor Cory Ross declared the motion passed.

Court Clerk: It was brought to the Town Board's attention that the court clerk's printer is under contract with Lockrow's and the Town has been sent a notice that contract price would be going up substantially over the next couple of years. Maybe we should look into another company like Symquest Inc. The Town will be looking into this.

NYSEG: Discussion was made on whether the Town should use Direct Energy or stay with NYSEG. They decided that it was cheaper to stay with NYSEG.

Mike Willette: The beavers are flooding the Orr Rd again and Mr. Willette's property across the road. This is the fifth time he has asked about it. He says that New York State has eminent domain when it comes to beavers destroying roads. If it were School Street or the Garrard Road he thinks the Town would be right on it. His 8 acres are getting ruined. Highway Superintendant, Dickie Boulerice is out of town but he left a map with the property highlighted. We'll have to wait until Dickie gets back.

Library: There was a meeting the night before. They are still waiting on new information on the previously discussed properties from the church and on Maple Street. Some of the property looks like it might be wet so they will have to wait until the weather dries things up. Talked to Dean Lashway, the surveyor, about the land across from L&M and the right of way is wider than they thought. Leon Menard offered to blow out the well at one of the properties to see if it is useable after a year. There is the possibility of flat rock on Maple Street. Things do need to move along though because of the deadline for the grant that was already issued.

Moving Funds: Need a motion to move funds in the Budget Journal:

Debit	SL1-599	\$7,047.98	Appropriated-Fund-Balance
Credit	SL1-5182.4	\$7,047.98	Mooers Forks Lighting
Debit	SL2-599	\$3,314.18	Appropriated-Fund-Balance
Credit	SL2-5182.4	\$3,314.18	Mooers Lighting

A motion was made by Councilman Steve Barcomb and seconded by Councilman Earl Robinson to move funds. The result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES, therefore Supervisor Cory Ross declared the motion passed.

Vouchers: The Audited Vouchers to be paid off the Abstracted Vouchers on February 12, 2013 are as follows:

General - Townwide-----	(Vouchers 19 - 43)-----	\$ 17,468.37
Highway - Townwide-----	(Voucher 11 - 31)-----	46,833.97
Mooers Fire Protection -----	(Voucher 610-627)-----	15,053.71
Ellenburg Fire Protection-----	(Voucher 20)-----	1,000.00
Ellenburg Fire District 21-----	(Voucher 21)-----	272.57
Mooers Forks Lights-----	(Voucher 41)-----	463.88
Mooers Lights -----	(Voucher 41)-----	<u>813.01</u>

Total of Abstracted Vouchers Paid-----\$80,939.51

Adjourn: After Supervisor Cory Ross asked if there were any more new or old business Councilman Steve Barcomb made a motion the meeting be adjourned. Councilman Earl Robinson seconded the motion and the result of a Roll Call was 4 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman LaValley) and 0 NOES. Thus, Supervisor Cory Ross declared motion carried. Meeting adjourned at 8:03 PM.

Respectfully Submitted,

 RENA M BOSLEY, TOWN CLERK/TAX COLLECTOR