

**Minutes of the Regular Monthly Meeting of the Town Board of the Town of Mooers held  
August 9, 2016 at the Mooers Office Complex commencing at 7:00 PM**

**Present:**                               **Jeff Menard, Supervisor**  
  **Eugene ("Dickie") Boulerice, Councilperson**  
  **Gerald LaValley, Councilperson**  
  **Mary Myatt, Councilperson**  
  **Donald Perras, Councilperson**

**Recording Secretary:**               **Jessica K. Bulriss, Town Clerk**

**Others Present:**                       **Kris Gilmore, Highway Superintendent**  
  **Jess Dixon, Code Enforcement Officer**  
  **Myrtle Hawksby, Beautification Committee**  
  **Crystal Bulriss, Town Court**

**Absent:**                                   **none**

**Meeting:**                               Supervisor Jeff Menard called the Meeting to Order at 7:00PM, he then asked Mrs. Jessica Bulriss 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 July 12, 2016 Minutes. They all replied yes. Supervisor Jeff Menard then asked if there were any omissions or corrections, there were none. Councilperson Myatt then made a motion to accept the July 12, 2016 Minutes as written. The motion was seconded by Councilperson Perras. The result of the Roll Call was 5 AYES (Councilperson Perras, Councilperson Boulerice, Supervisor Menard, Councilperson Myatt, Councilperson LaValley) 0 NOES, therefore Supervisor Menard declared the motion carried and the Minutes accepted as written.

**Highway:**                               Highway Superintendent Kris Gilmore stated they are getting ready to pave White Rd., and were awarded the freight liner military truck for \$4,500.00.

Supervisor Menard stated that there is an issue on the Barcomb. Rd. A resident has plugged the natural drain and it is affecting three other property owners on the west side of the road. Supervisor Menard stated that he and Superintendent Gilmore went to look at the problem. He also stated that he has contacted Brian Pike at the DEC regarding the issue and he will get back to him regarding what can be done legally. Supervisor Menard stated that the town could dig a ditch to divert the water away from the pasture. CEO Dixon stated that he had a previous issue on State Route 11 and the Health Department wrote the residents a letter stating that you cannot do anything on your property that affects another person's property. He is trying to locate that file. Supervisor Menard said that is why he contacted the DEC, because eventually the water is going to back up and flood the road and the other resident's yard. CEO Dixon said that if the Army Corps of Engineers are contacted that they will deal with it whether it is private property or not. Supervisor Menard stated that they are waiting on the Department of Health and the Department of Environmental Conservation for documentation stating that it is illegal so that we can unplug the drain. CEO Dixon asked if it was within the right of way of the town. Supervisor Menard replied that it is just out of the right of way. Councilperson Boulerice stated that the resident plugs it just far enough so that it doesn't affect the road. He also stated that he has been dealing with this for twenty years. Councilperson Perras asked if it affected other households in the area. Supervisor Menard replied that it does. Councilperson Boulerice stated that they had received permission from the town board and cleaned the ditch out previously. He also said that if we do it again the resident should sign something stating that this will be the last time. Councilperson Perras asked if we can go out of our jurisdiction to do something like that. Councilperson Boulerice stated that we can as long as it is approved by the town board. He also stated that it has gotten to the point where the resident is threatening. CEO Dixon asked if the board would like him to contact the Army Corp of Engineers. Supervisor Menard replied that he would. There was more discussion regarding the drainage issue.

**Library:**                               Mr. Art Menard, present, stated that he has good news, they have the money from the state for the interior of the library, and S&B has started working on the interior. He said that it will not be enough to finish everything, but will get a good chunk of it done. He also stated that

there are specific questions regarding the lighting and other issues. Mr. Menard stated that Mr. James Moser will be coming in to give them more direction. He stated that a good portion should be completed by next month. Mr. Menard stated that they would like to have a flag raising on September 11th as a symbolic gesture. He asked if they could get an idea of the layout of the parking lot before that happens. He asked the Town Board for their input. Supervisor Menard stated that maybe Councilperson Boulerville, Superintendent Gilmore, and himself could go together and take a look at the parking lot. Supervisor Menard also said that he would like to get the DeLong boys to cut the grass. Mr. Menard stated that they would also like to get the well tested, but currently there is no pump in the well. Mr. Menard stated that by the end of this month that they would like to get their big fundraiser off the ground.

Mr. Menard then introduced the new librarian, Mrs. Tracey Ducharme. Mrs. Ducharme stated that they have just finished their first summer reading program and it was a huge success. She stated that the kids were required to read 5,000 pages and they read over 11,000. She said the kids had a lot of fun and the parents were happy to have programs for the kids. Mrs. Ducharme stated that she has an upcoming event with author Susan Moore. Ms. Moore will be present with her dog Pepper. Mrs. Ducharme stated that a representative will be present from the Clinton County Nutritional Program to do a presentation on nutrition. She said the representative will be giving out \$10 vouchers for the farmer's market in Plattsburgh to each adult present.

Mr. Menard stated that the Bull Run Wind Company has provided the library with all the information regarding the project.

Supervisor Menard stated that last month we received one bid on the old library from Mr. Brad Vassar, which the town rejected. He also stated that he has received another bid from Mr. Justin Sample for \$16,000. Supervisor Menard asked the Board if they would like to continue to accept bids. Councilperson Perras stated that we are not on a strict timeline. Councilperson LaValley asked if we had to reach a certain amount. Supervisor Menard replied that is up to the Town Board, we can put a minimum. Councilperson LaValley stated that the current bid is double the last bid. Mrs. Tracey Ducharme asked if there was a time frame on the bids. Supervisor Menard stated that we did not set a time limit, but I think we are going to need to. Mr. Art Menard asked if it would be possible to have an understanding that if someone does purchase the old library they could stay until the new one is finished. Supervisor Menard stated that he explained that they would be looking at the end of the year. Supervisor Menard then asked the Board if they would like to set a deadline. Councilperson LaValley stated the end of the month. Councilperson Boulerville asked if we should put it in the paper. Councilperson Perras asked when is the next Town Board meeting. Supervisor Menard replied September 13th. Councilperson Perras stated that we should give them to September 10th, no later. Councilperson Perras made a motion to accept bids on the sale of the old library until September 10, 2016. Councilperson Boulerville stated that they will each know what the other is bidding. Mr. Justin Sample, present, stated that he was under the impression that the bids had to be in by tonight. CEO Dixon asked if they were sealed bids. Supervisor Menard replied yes, we just opened that one. CEO Dixon said that we should put it in the paper one last time with September 10, 2016 as a deadline and that's it, because the bids aren't sealed any more. Supervisor Menard stated that they could put in another bid. CEO Dixon said that way nothing can come back on us. Supervisor Menard said one way or another September 10, 2016 is the deadline and then we will make a decision at the board meeting. Mr. Sample asked if he should submit another bid. Supervisor Menard replied that he should. Councilperson Myatt asked if we have figured out the issue with the Leach field. Supervisor Menard replied that they have not. Mrs. Myrtle Hawksby, present, asked if Mr. Brad Vassar would have to bid again since his bid was denied. Supervisor Menard replied that he would. Councilperson Perras made a motion to deny the bid of \$16,000 for the old library made by Mr. Sample. The motion was seconded by Councilperson LaValley. The result of the Roll Call was 4 AYES (Councilperson LaValley, Councilperson Myatt, Supervisor Menard, Councilperson Perras) and 1 NOE (Councilperson Boulerville). Therefore Supervisor Menard declared the motion passed.

Mr. Sample asked if there was a time that he could go inside the old library building. Supervisor Menard replied yes and Mrs. Ducharme stated the hours of operation. Supervisor Menard stated that in the mean time we should have something back from the lawyer and he would let Mr. Sample know. Councilperson Perras made a motion to put a September 10 deadline to accept bids for the old library. The motion was seconded by Supervisor Menard. The result of the Roll Call was 4 AYES (Councilperson Perras, Supervisor Menard, Councilperson Myatt, Councilperson LaValley) and 1 NOE (Councilperson Boulerville). Therefore Supervisor Menard declared the motion carried.

**Dog Control:** Supervisor Menard asked if anyone from Dog Control would like to address the board. No person was present wishing to address the board at this time. Supervisor Menard read the report for the month of July submitted by Mrs. Kaleigh Mills. The report show twenty calls/complaints. There are 7 dogs currently in the shelter. Supervisor Menard also stated that Global Fitness will be having a fundraiser on September 24, 2016 and all proceeds will be donated to the shelter. The report also stated that some of the dogs currently in the shelter are on the waiting list to be transferred to the North Country SPCA in Elizabethtown and the Elmore SPCA in Peru.

**Tax Assessor:** Supervisor Menard asked if anyone from the Assessor's Office would like to address the board. No person was present wishing to address the board at this time. Supervisor Menard stated that he received a letter from Real Property. The letter stated that we are at 100% equalization rate.

**Beautification:** Mrs. Myrtle Hawksby, present, stated that the Beautification Committee has nothing to present at this time. Mrs. Hawksby asked if there was a Certificate of Appreciation for the lady who waters our flowers.

**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. Supervisor Menard stated that he spoke with Mr. Tyson Dumas and he would like to construct a walking path around the Mooers Rec. Park. Mr. Dumas would like permission from the Town Board and would like the Highway Department to pave the path once it is done. Councilperson Boulerice asked if Rouses Point has a small paver because ours paves ten feet. There was more discussion regarding the walking path. Councilperson Boulerice made a motion to approve the walking path. The motion was seconded by Councilperson Myatt. The result of the Roll Call was 5 AYES (Councilperson Boulerice, Supervisor Menard, Councilperson Myatt, Councilperson LaValley, Councilperson Perras) and 0 NOES. Therefore Supervisor Menard declared the motion carried.

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

**Fire Department:** Supervisor Menard asked if anyone from the Fire Department would like to address the board. No person was present wishing to address the board at this time. Supervisor Menard read the report for the months of June and July submitted by Dan Dumas Fire Chief. There were ten calls for the month of June one trailer fire, one barn fire, two motor vehicle, one brush fire, one good intent, and two medical assist. There were twelve calls for the month of July one house fire, one business fire, one vehicle fire, two motor vehicle accidents, two power lines, two auto alarms, and three medical assists.

**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. Supervisor Menard read the reports submitted for the months of June and July. In the month of June they received twenty one calls and travelled a total of 335.6 miles. In the month of July they received twenty six calls and travelled a total of 523.3 miles. The year to date total is 150 calls.

**Court:** Supervisor Menard asked if anyone from the Court would like to address the board. No person was present wishing to address the board at this time. Supervisor Menard read the Justice Fund Report for the month of July, 2016. The report showed total receipts of \$13,196.53 with \$8,951.00 going to the State, \$144.00 going to the County, and \$4,101.53 going to the Town of Mooers.

**Code Enforcement Officer:** Mr. Jess Dixon read the report for the month of July. The report showed two Certificate of Occupancies, four building permits, and a total of twenty two calls. Mr. Dixon informed the Town Board that violations have gone out and they are now in court. He stated that Hon. Earl Robinson has issued fines of \$10.00 per day and it does not seem to be working. Mr. Dixon said that we will have to move forward with the nuisance abatement law. He asked the Town Board for permission to contact Mr. Tom Murnane, the town lawyer as to how to handle the situation. Mr. Dixon informed the board that it would involve the offender appearing before the town board.

Mr. Dixon stated that he will be meeting with Mr. James Moser to finalize the lighting plans for the new library. He also said that he has received an updated list from NYCERTA regarding an 80% reimbursement when certain items are installed. Mr. Dixon stated that the landscaping can be completed after the cable has been buried and the waterline has been installed.

Mr. Dixon requested that a committee be formed to work with the windmill and solar energy companies. He also requested that a Chairman be appointed and a per diem rate be established. He stated that the solar company would like the Town of Mooers to take lead agency, which he thinks is a good idea to expedite the process, but might be quite complicated. Mr. Dixon suggested asking the solar company to pay for the town to hire an engineer. There was more discussion regarding the formation of a committee.

Mr. Dixon stated that he has worked with Friend of the North Country previously and will write the requested letter giving them permission to expand into the Town of Mooers. Councilperson Myatt asked how we form a committee? Do we ask for volunteers? Supervisor Menard replied yes. Supervisor Menard stated that he received a letter from Mr. Eric Gustafson regarding the Bull Run Wind Energy Project. Supervisor Menard stated that he represents the Town of Altona and would also like to represent The Town of Mooers. Councilperson Boulerice made a motion to have Eric J. Gustafson Esq. represent the Town of Mooers regarding The Bull Run Wind Energy Project. The motion was seconded by Councilperson Perras. The result of the Roll Call was 5 AYES (Councilperson Perras, Councilperson Boulerice, Supervisor Menard, Councilperson Myatt, Councilperson LaValley) and 0 NOES. Therefore Supervisor Menard declared the motion carried. Mr. Dixon asked if he needed a motion to speak to Mr. Tom Murnane regarding the nuisance abatement law. Supervisor Menard stated that they made a motion a few months ago to clean up the town.

#### **Old Business:**

**Old Business 1:** Supervisor Menard stated that he received a letter from Eric Miller at Bull Run Wind Energy requesting a response to the studies they have conducted by August 16, 2016. Supervisor Menard stated that the letter must indicate whether or not town would like them to conduct more studies. Councilperson Boulerice asked if we should have Eric Gustafson look at it first. Councilperson Boulerice made a motion to give the ok on the letter as long as Mr. Gustafson also gives the ok. The motion was seconded by Supervisor Menard. The result of the Roll Call was 5 AYES (Councilperson Perras, Councilperson Boulerice, Supervisor Menard, Councilperson Myatt, Councilperson LaValley) and 0 NOES. Therefore Supervisor Menard declared the motion carried. Supervisor Menard stated that he received a post card from Bull Run Wind Energy inviting everyone to attend a picnic on August 26, 2016 from 5-8 pm.

**Old Business 2:** Supervisor Menard stated that we need to work on the contract for the highway employees. He asked if Councilperson LaValley and Councilperson Boulerice would be willing to meet with Mrs. Rena Bosley to work on the contract.

**Old Business 3:** Supervisor Menard stated that he spoke with Corey from Bernier and Carr and he asked if they could do more testing. He also said the next day he was informed that the town only has \$11,000 available to do the study. Supervisor Menard stated that he instructed Bernier and Carr not to do any more testing. Supervisor Menard said the \$11,000 will cover their portion and the town will be responsible for the remaining \$4,000. There was more discussion regarding the water sampling.

**New Business:** none

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

**Public Comment 1:** Mrs. Beverly Perras asked if the town had looked into putting sidewalks on Hemmingford Road. Superintendent Gilmore stated that he had, but was unsure of the right of way. Councilperson Boulerice stated that right of way in the country is 33 feet, but in the villages it varies. Councilperson Boulerice also said that Hemmingford Road is a county road. Code Enforcement Officer Jess Dixon stated that right of way is 45 feet from the center line on a county road. Councilperson Boulerice suggested getting in touch with Mr. Al Rascoe for clarification. Councilperson Boulerice stated that the town would have to apply for a permit. There was more discussion regarding the sidewalks.

Councilperson Perras stated that he would like to see the speed limit reduced to 35 and a no passing sign put up on Hemmingford Road. Councilperson Boulerice suggested contacting the county and requesting a sign.

**Public Comment 2:** Ms. Koreena Vannortwick asked who she should call to remove a dead animal that has been hit by a vehicle. Supervisor Menard stated that if it is a state road she should call the DOT in Champlain.

**Voucher:** The Audited Vouchers to be paid off the Abstracted Vouchers on June 14, 2016 as follows:

General - Townwide -----(Vouchers 173-199)-----	\$20,809.16
Highway - Townwide -----(Voucher 139-156)-----	\$13,964.58
Mooers Forks Lights----- (Voucher 167)-----	\$401.41
Mooers Lights -----(Voucher 197)-----	\$590.31
Trust & Agency -----(Voucher 23-25)-----	\$12,188.10
Riverside Cemetery----- (Voucher 11-13)-----	\$528.59
Union Cemetery----- (Voucher 12)-----	\$192.37
<b>Total of Abstracted Vouchers Paid-----</b>	<b>\$48,674.52</b>

**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 8:01 PM.

Respectfully Submitted,

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JESSICA K. BULRISS, TOWN CLERK/TAX COLLECTOR