

Regular meeting of the Mooers Town Board was held on Tuesday August 10, 2010 at the Mooers Office Complex.

Present: Present for the meeting were: Supervisor Rudolph Miller, Councilman Earl Robinson, Councilman Steve Bushey, Councilman Eugene Bushey, Councilman Gerald LaValley, Highway Superintendent Eugene (Dick) Boulerice and Town Clerk/Tax Collector Shirley A Gadway.

In Attendance: Attending the meeting were: Dog Control Officer Todd Forette, his wife Marsha and their son Todd Forette Jr. - Resident Lorrie Garrand and her daughter Christa Paola - Resident Victoria Lundin of the McDonald Road - Resident Marlon McDonald of Pepper Hill Road - Mike Willette of the Orr Road - and Area 1 Legislator Harry McManus.

Meeting: Supervisor Miller called the meeting to order at 7:13 PM, then he asked Town Clerk Shirley A Gadway to lead them in the recital of "The Pledge of Allegiance", which she did.

Minutes: Due to the fact the meeting started a little late and there were many people in attendance who wanted to address the Board the reading of the minutes were put off until the September Meeting. Supervisor Miller then asked who would like to address the Board first.

Christa Paola: Christa addressed the Board about a Fund Raiser they would like to have in the Town of Mooers. It is a 5K walk to benefit L. Garrand/Meningitis awareness. The Board told her when she gets an exact date to let them know. The only problem would be it wouldn't be able to be held at the same time as the Fall Soccer Tournament. Christa will get back to the Town with an exact date. Lorie Garrand then spoke saying they are required to have in place a \$300,000 insurance liability policy, but they only have enough funds for a \$100,000 policy. Legislator Harry McManus took her telephone number and said he'd check to see what he can do to help with the cost of the Insurance. He said there are programs out there for these purposes.

Victoria Lundin: Victoria Lundin, who lives on the McDonald Road, addressed the Board regarding the damage her property received during the latest flood. She said her husband just died and she lives alone and can't afford to have the damage corrected. She showed pictures of her driveway, which is completely washed away. Victoria said she got an estimate for the damages amounting to \$2,200.00. She said her insurance won't cover the damage because the damage was caused by a natural disaster (flood) and she doesn't have flood damage coverage because he doesn't live in a flood designated area. Legislator McManus said he will look to see if he can get her some emergency funding from the County. Victoria Lundin thanked the Board and said she'd appreciate any help she can get, as she can't even reach her residence by car.

Marlon McDonald: Marlon McDonald addressed the Board about the speed limit where his apartments and bottle redemption center is located. His property is at the top of the hill going west on Route 11 coming out of Mooers Forks. The Pepper Hill Road also connects with Route 11 on top of this hill. Marlon said when he gave his paperwork to the Zoning Board he had put down an incorrect distance for his property. He also said he has 6 or 7 big tractor trailers coming to his redemption center and if they try to come in by way of pepper hill Road they can't make the turn so, he'd like to have the speed limit changed. He was advised by the Board to resubmit his paperwork to the Zoning Board.

Mike Willette: Mr. Willette is a resident who lives on the Orr Road in the Town of Mooers. He told the Board that he is losing 6 to 7 acres of Alfalfa Land due to the flooding that takes place on his property. Mike said there is a problem with the 3 culverts that are in that area. In the past to help deter the flooding, gravel has been brought in. The problem now is the gravel keeps getting washed down the ditching and there is a build-up of the gravel. Highway Superintendent will take a look at the site and see what can be done.

Jeff Menard: Resident and member of the Mooers Fire Department told the Board that due to someone feeding cats at Mooers Office Complex the cat food is drawing skunks. He asked the Board to see what they could do to solve the skunk problem.

Area 1 Legislator: Harry McManus, Area 1 Legislator, attended the Board Meeting to address some of the happening taking place in the area. Some of the items he discussed were: 1) Sales Tax - Mr. McManus said the sales tax revenue is down \$315,000, but said the Town should keep

the budget the same as last year 2) Airport - Legislator McManus said the new flights to Boston are doing very well. He also said if you drive by it looks very busy, but what is happening is some people park their cars there for months at a time. He said they are working on a plan to charge for parking or build a parking garage. 3) Phizer - Harry told the Board they are still working very hard to see to it that the buildings won't be tore down or demolished. 4) Firemen: Fire Chief Raymond Phair gave the Chief's Fire Report for July to Town Clerk Shirley A Gadway who gave it to Supervisor Miller. The report showed Station #1 had 6 calls and Station #2 had 3 calls - Incident types were 1-barn, 2-vehicle accidents, 2-grass/brush and 1-air supply - mutual aid given was 1-Churubusco and 1-Beekmantown - Average response time was 2.2 minutes and Fuel used was 32 gallons of gas and 39 gallons of diesel.

Dog Control Officer: Dog Control Officer, Todd Forette, thanked the Board for appointing him as Dog Control Officer and he turned in his report for July which showed the following: On 7/23 went to previous DCO and picked up the Pit Bull and the Black Lab/mix and took to the new DCO Kennel - and received a phone call from Supervisor Mill about a husky/shepherd mix puppy on the Gilbert Road - On 7/24 picked up the stray husky/shepherd mix puppy - and received a call at 3:38 from Al Johnson about a dog chasing him while he was walking and also received a second call at 8:15 PM-responded and notified owner of dog D.LaValley and gave him a warning - On 7/25 received two call from Al Johnson about dog chasing him (responded at 6:10 PM saw owner of dog D.McCrea and gave him a copy of leash law. On 7/27 received call from S.Jennett that she let her dog on 8/25 and never came home, and also received call from H.Vigli that her dog was missing - On 7/30 called D.Turner W.Chazy re. his dog chasing C.Latremore and going on their deck, but later that day received another call about same dog (Visited D.Turner gave him a warning and a copy of the leash law. Also received call from A.Johnson about 2 dogs one in n road showing his teeth and the other on side of road barking. Also Received call from J.Aubrey's neighbor about Aubrey dog getting in garbage and scattering it (Gave her a copy of Leash Law).

It was discussed that there are times when the Dog Control Officer may not be available and it might be to the Town's advantage to appoint Deputy and/or deputies to assist the DCO in his absents. Councilman Robinson made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS APPOINT MARSHA FORETTE AND TODD FORETTE JR. OF 8 DAVISON ROAD, MOOERS FORKS NEW YORK AS DEPUTY DOG CONTROL OFFICERS FROM AUGUST 10,2010 TO DECEMBER 31,2010

Councilman Bushey seconded the motion and the result of a roll call was 5 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Thus Supervisor Miller declared **Resolution #33-2010** is adopted.

Also, it was also discussed that Resolution #13-2009 be amended, with the reason to amend is so the Town can still advertise that stray dogs can be adopted in due time and we will waive shelter fees for a designated time limit and still advertise for free. Councilman Barcomb made a motion that the following resolution be adopted

BE IT HEREBY RESOLVED THAT LINES 4 AND 5 OF RESOLUTION #13-2009 BE AMENDED TO READ 2) WAIVE THE SHELTER FEES IF THE DOG IS ADOPTED WITHIN THE FIRST FIVE DAYS IT BECOMES ELIGIBLE FOR ADOPTION

Councilman Robinson seconded the Motion and the result of a Roll Call was 5 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Thus, Supervisor Miller declared **Resolution #32-2010** is adopted.

Board of Assessment Review: The Board had a discussion about compensating the members of the Board of Assessment Review. Councilman Bushey made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT PERSONS APPOINTED TO SERVE ON THE BOARD OF ASSESSMENTS REVIEW BE SALARIED ONE HUNDRED DOLLARS (\$100.00) A YEAR(PAYABLE IN JULY) FOR THEIR SERVICES AND THEY WILL ALSO BE COMPENSATED FIFTY DOLLARS (\$50.00)

(PAID OFF A VOUCHER THEY SUBMIT) UPON COMPLETION AND VERIFICATION OF THEIR TRAINING ANNUALLY

Councilman Robinson seconded the motion and the result of a Roll Call was 5 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Therefore Supervisor Miller declared **Resolution #30-2010** is adopted.

Zoning Members: Councilman Robinson made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT PERSONS APPOINTED ON THE ZONING BOARD (MEMBERS AND ALTERNATES) BE SALARIED TWO HUNDRED DOLLARS (\$200.00) A YEAR ON PAYROLL (PAYABLE IN DECEMBER) FOR THEIR SERVICES AND THEY ALSO BE COMPENSATED FIFTY DOLLARS (\$50.00) (PAID OFF A VOUCHER SUBMITTED FOR PAYMENT) UPON COMPLETION AND VARICATION OF THEIR TRAINING ANNUALLY

Councilman LaValley seconded the motion and the result of a Roll Call was 5 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Thus Supervisor Miller declared **Resolution #31-2010** is adopted.

Special Use Permits: The Town received some literature about changes being made regarding permits. It specifies speed on highways (speed limits), impact on surrounding properties regarding fumes, odors, etc., and adequate drainage and erosion control.

County changes: The County is now allowing chemical bathrooms which is different than the Town Zoning Laws. Some of the Zoning laws will have to be revised. This will be continued.

Real Property: The County value put on property is +.12%. This is a very small change, so the County says the rates taxed should remain basically the same.

Snow & Ice Agreement: The Town received the snow & ice agreement for 2011, which showed an increase of about 4%. The amount the Town will receive is approximately \$185,000 +/-.

Board of Elections: Received a memo from the Board of Elections regarding their training sessions on the new voting machines. They said it is hard to find people to work the poles. Also in the letter they said if the Board Members would like to attend the training sessions they are welcome to.

CSEA: Supervisor Miller asked Councilman Robinson how the negotiating process was progressing with the union workers. Mr. Robinson said it is progressing. On his laptop he showed Supervisor Miller the terms and Supervisor Miller said how he'd like some of the wording to be changed so no problems will arise and all will understand the terms.

Methodist Church: The Board Members went and looked at the Methodist Church in Mooers Forks to see if it could be used by the Town rather than having it torn down. They want to see a survey to be sure on the boundaries. They think the building could possibly be used for the library.

Highway: Supervisor Miller asked Highway Superintendent Boulerville if he had any news for the Board. He commented about the damage done by the heavy rains. He said there were places on the Big Hill Road and the Lamberton Road that had washed out.

Vouchers: Audited vouchers to be paid off the abstracted vouchers on August 10,2010 were as follows:

General-townwide-----	(Vouchers 206-226)-----	\$ 20,346.30
Highway-townwide-----	(Vouchers 122-145)-----	16,479.67
Mooers Fire Protection-----	(Vouchers 663-671)-----	6,007.60
Mooers Forks Lighting-----	(Voucher 215)-----	353.29
Mooers Lighting-----	(Voucher 215)-----	607.50
Mooers Sidewalks-----	(Voucher 221)-----	<u>4,701.27</u>

_____ Total of Abstracted Vouchers Paid-----\$ 48,495.63

Adjourn: Councilman Barcomb made a motion the meeting be adjourned. Councilman Robinson seconded the motion and the result of a Roll Call was 5 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Supervisor declared meeting adjourned at 9:53.

Respectfully submitted

SHIRLEY A GADWAY, TOWN CLERK/TAX COLLECTOR