

Minutes of the Regular Monthly Meeting of the Town Board of the Town of Mooers held August 13, 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
Jackie Madison, Librarian
Eugene Boulerville, Highway Supervisor
Jim Coffey, attorney

Absent: Jess Dixon, Code Enforcement Officer

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 July 9, 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 July 9, 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 the department had begun the paving of the roads and were currently on Garrard Road.

Fire Department: Mr. Raymond Phair, Fire Chief, handed in the July report. In addition to the report, Mr. Phair said that the Fire Department has applied for a DEC grant as they have in the past. He explained that it is a Forestry Grant for equipment used to fight forest fires and that it is a matching grant up to \$1,000.00. He said they should know later in the year if they have been awarded the grant. Mr. Phair reminded everyone that the annual Labor Day Field Day is coming up and that raffle tickets are for sale. Mr. Phair reported that it has been a very active summer with six new members including four young men, one woman, and an middle-aged man. Mr. Phair asked the town if the Fire Department could purchase five sets of turnout gear. Mr. Phair said the Fire Department would like the gear by the end of the year. He also would like the town to purchase five pagers, at approximately \$475.00 each, and the Department would also purchase five pagers from their funds. Mr. Phair added that the pagers come with a five year warranty. It was asked where the pagers would be purchased from. Mr. Phair answered from Wells or Champlain Communications. Mr. Phair added that all the radios had been changed out and upgraded in the trucks as well as some of the portable radios. Supervisor Ross said the decision on the turnout gear and radios would be tabled to look into the amount of money in the budget. July's report contained the following: Station #1 had 11 calls, Station #2 had 2 calls, Town had 6 calls and Mutual Aid had 5 calls. Average response time was two minutes. -----Incident types were Trailer=1----MVA=2-----Air Supply=2-----Hay Fire=1-----Med Assist=2. Mutual aid to Altona=1-----Hemmingford=2-----Rouses Point=2. Mutual Aid from NONE. Vehicle 251(Pumper) used 4 times, vehicle 252(Brush Truck) used 1 time, vehicle 253(Squad) used 2 times, vehicle 254(Pumper) used 2 times, vehicle 257(Heavy Rescue) used 4 times, vehicle 258(Tanker) used 4 times, vehicle 259(Pumper) used 1 time, and vehicle 25-AIR(Air Truck) used 4 times. Gallons of diesel fuel used and gallons of gasoline used not reported.

Dog Control: DCO Kaleigh LaBombard reported that she currently has three dogs in the shelter, two from Altona and one from Mooers. Supervisor Ross mentioned that the gentleman from Mooers Forks called the town saying he had received an envelope from Ms. LaBombard, but it had been ripped and was empty. Supervisor Ross hand delivered a copy of the Town's laws regarding dogs. Ms. LaBombard handed in the itemized report for July 2013 which showed the following: 07/04/13 Beagle found on Miner Farm Road, Altona, owner contacted and picked dog up in Altona- 07/06/13 two beagles found in West Chazy, redeemed by owner July 8- 07/08/13 call from Chazy about a black lab tied up outside that then broke off chain on Fiske Road, drove around Fiske Road looking for dog. could not find, dog was later found- 07/09/13 call, black lab found at Lazy Dayz Campsite, called back to say owner came to get dog- 07/09/13 male German shepherd adopted- 07/10/13 call from Altona about possible dog abuse, referred to Elmore SPCA and Police- 07/10/13 call about a dog tied out in heat, referred to Police and

Elmore SPCA- 07/12/13 message left at 7am about dog in backyard on Davison Road, Mooers Forks, returned call at 9am and they said owner had come and picked up dog- 07/12/13 call about a dog running loose in neighborhood on Miner Farm Road, they did not know name of owner, said they would call back with the address of owner- 07/12/13 Palmer's Vet. Clinic called to ask if I knew of anyone interested in adopting a beagle, I told them I did not, but would post on facebook page- 07/12/13 call asking if I took in owner surrenders, referred to Humane Society- 07/13/13 call from Riverside Campsite complaining about dogs howling continuously, told her I needed the address- 07/15/13 call from Chazy, said he just purchased house and previous owner left a large colony of cats, referred to Humane Society and SPCA- 07/15/13 call from Riverside Campsite, yelling about why nothing had yet been done about howling dogs, reminded her I needed an address- 07/14/13 call from Chazy, possible dog abuse, dog being left out on chain, she said she would wait and see what happens, she doesn't want to cause any more trouble- 07/15/13 call from Riverside Campsite with address of where she believes the howling dogs is coming from, I told her I would send a letter out- 07/15/13 called the owners at the address given from Riverside Campsite, to let them know about the complaint and letter, owner says she owns four very small dogs and they are inside all night, she says she also hears the howling all night, but that it is coming from coyotes in the sand pit down the road- 07/15/13 called Chazy to see if they had the address of the owner of the dog that keeps getting loose on Miner Farm Road, she had an address, letter about the leash law sent to both the owner of the house and the tenant- 07/15/13 lady stopped in from Alton saying she was missing her pit bull, asked if I had picked one up, told her no and took down her information and alerted the Alton DCO- 07/16/13 call from Chazy at 6am saying she tied a stray dog to her porch, asked me to come get it, returned her call at 9am, she said she was leaving and did not want me to stop when she was not home, went to house at 11am, no one home and dog was gone, left a note- 07/18/13 call from Davison Road, Mooers Forks, small dog found, picked dog up and brought him to the shelter- 07/18/13 call from Chazy asking where they could get their dog licensed, gave directions to Chazy Town Hall- 07/18/13 call asking if could take cats, referred to SPCA- 07/18/13 call from Mooers asking when the next clinic would be in Mooers, referred to the Health Department- 07/18/2013 Call from Chazy, Fiske Road, at 8:14pm said she saw dog again, I drove down Fiske Road, no dog, stopped at her residence, no answer, left a note, called her the next morning to see if she had any idea where the dog may be from, she said it was my job to find out, told her I had tried to find the dog three times- 07/19/13 Altona DCO, Lionel Peryea, brought a black lab mix he had picked up on Dulley Road- 07/20/13 call at 4am from Fiske Road, Chazy said she saw the dog running down the road, got message at 9am, called her back and said if she sees dog in the middle of the night to call the state police and they will contact me on my personal number, I then called the state police to let them know of the situation- 07/20/13 call from Chazy, reporting a missing spaniel, if found please call- 07/21/13 call from Monty's Bay Campsite reporting a missing hound, please call if found- 07/24/13 call to thank me for everything I do for homeless dog through facebook, let me know her neighbor had given away the dog he was leaving outside all day, but noted he has since gotten a new puppy and she fears the same abuse may happen, told her if she feels there is abuse to call the state police- 07/26/13 Altona DCO officer brought a pit bull/ shepherd mix- 07/25/13 dog brought in earlier from Alton DCA adopted- 07/26/13 call from Altona DCO, owner of pit bull called and would like to redeem the dog, he gave them my number, they never called- 07/29/13 call from Chazy saying her neighbor's dog attacked her dog, called her back, her dog did not need vet attention. but she wants something done about the dog on her property, got the address and sent out a warning letter, also suggested she call the health department's rabies officer about the bite- 07/29/13 called the Sherriff's department to tell them about the dog attack and that a warning letter had gone out- call from Route 11, Mooers Forks about two dogs on the property the day before, he said if he sees the dogs again he will shoot them and wanted to know if that was legal, I told him that was a legal issue, I told him I would mail out a warning letter to the dogs' owner, he asked for a copy of the Town's laws regarding dogs, I told him I would mail him a copy- 07/30/13 Altona DCO brought a blue heeler- 07/30/13 mailed out delinquent dog reports.

Code Enforcement Officer: Mr. Jess Dixon was absent, but handed in the Building Permit report for the month of July 2013. The itemized report showed that there were a total of ten building permits issued, 18 calls and two complaints last month.

Library: Jackie Madison reported that the library sign had been vandalized. Supervisor Ross said it would be fixed. Mrs. Madison reported that the Summer Reading program averaged 12 students per week and that the last day is August 14th. Mrs. Madison then handed in to the Board the insurance invoice for the library from LaBarge Insurance Agency.

Letter from the Board of Elections: Supervisor Ross read a letter received by the Town from the Board of Elections stating that the Primary will be held Tuesday September 10, 2013 at the Town Office for the Town of Mooers Districts 1 and 2. The Hall at Cannons Corners will not be used for the Primary. Mr. Favreau said he had been informed that there would not be a Primary in the Town of Mooers this year.

Health Insurance: Supervisor Ross discussed that some part-time employees are interested in being a part of the Insurance Program through the Town. Supervisor Ross said an e-mail had been sent out to the person in charge of the health insurance for the Town. He said currently the Town pays 81% of the premiums and the employee pays the other 19%, based on a 40 hour a week, full-time position. He added that the premiums for a single are \$667.62 per month and are \$1288.56 per month for a family. He added that any employee interested in having health insurance would have to pay 100% of the premiums. The e-mail received from Excellus Blue Cross Blue Shield stated, "According to the groups eligibility policy only employees working 40 hours weekly are eligible for coverage. <Someone>... only working 25 hours, ...they would not be eligible for coverage. The group could lower their hours which would allow <someone working less than 40 hours> to be added in January. Just keep in mind, this would also allow anyone else working the same hours to be eligible for coverage." There was some discussion. Mrs. Carol Payne mentioned that the employee wanting insurance would have to work at least 30 hours per week. Mr. Boulerville added that this would be the employee paying the insurance themselves and that the Town would not be paying. Supervisor Ross tabled the matter for it to be looked into further.

Homes and Community Renewal: Supervisor Ross read and discussed the letter in regarding the Neighborhood Stabilization Program. He explained that the program encourages the renovation of homes and then the homes are rented or sold to low, moderate income households with mandated long-term affordability. Supervisor Ross added that the program is funded by Federal and State funds targeting communities most severely affected by the foreclosure and sub-prime crisis. Supervisor Ross said he would like to form a committee to look into this program more as it may be a great way to clean up abandon buildings in the Town of Mooers. There was some discussion. Mr. Larry Begor then asked if there were limits on how long a building could be abandoned before being turned over to the Town. Supervisor Ross said he would ask Mr. Dixon to look into that. Mr. Begor added that a building that has been vacant for many years could cause some serious problems or harm especially if it is in danger of collapsing. He asked if there might be something in the Zoning laws or the by-laws to address this. Supervisor Ross said he would have to look into the Zoning Law further, and that Mr. Dixon would know more about it. Councilman Robinson said the issue would be taken care of by a planning board. It was asked if dealing with abandon buildings may be a State or County decision. Supervisor Ross said he would talk to Mr. Dixon or Mr. Nedeau about the issue and that it may be a State or a County decision. There was more discussion. Supervisor Ross mentioned that it would be a good idea for the Town to start forming a planning board to address such issues. Attorney, Mr. Coffey, said he has not seen anything in the Town of Mooers Zoning Law that would cover abandon buildings. He mentioned that in the Town of Plattsburgh, if there is an abandoned building, the Town tells the owner to tear it down. If the owner does not want to tear it down, the Town of Plattsburgh tears it down and the cost is added onto the owner's taxes. He said the problem sometimes arises that, after tearing the building down, the owner does not pay the taxes. Mr. Coffey said the Town of Plattsburgh, in turn, ends up selling the property and making some of the money back that way. Supervisor Ross again said that, in addition to the Zoning Board, a planning board would be a good idea to help better the Town. Mr. Begor said that's what the Town should be doing, planning for the future of the Town of Mooers. There was more discussion about the possibility of a planning board. A question was asked if the cemetery on Route 11 would fall under the issue of an abandoned building as it is in need of repair. Supervisor Ross answered that there are currently people in charge of it, but they are not doing anything with the fence. He added that it is complicated because the those in charge of the cemetery simply do not have the funds to make the repairs. There was some discussion that members of the community, if notified, would be more than happy to donate their time to help make the repairs on the cemetery. Supervisor Ross said he would ask Mark Colgan, who is in charge of the cemetery, to see if something could be done about the rusty fence laying on the ground.

Letter from Casella Waste: Supervisor Ross read a letter for Casella Waste inviting the Town to take part in their Zero Sort Service at \$76.95 per month. Supervisor Ross said that the current bill with Casella Waste is less than that and suggests the Town continue with the garbage removal as is.

Youth Commission: Supervisor Ross said that Mr. Tyson Dumas, Youth Commission, called him concerning several requests that a portable restroom be set up at the school for the upcoming soccer season. Mr. Dumas said there are restroom facilities at the recreational park, but no access to one at the school field. After some discussion, a motion was made Councilman Bushey to approve renting a portable restroom for the soccer field located at the school. The motion was seconded by Supervisor Ross. All in favor. Motion carried. Supervisor Ross added that Mr. Dumas, in the future, thought it would be a good idea to possibly build a restroom facility on the school grounds and split the cost between the school and the Town. Supervisor Ross said it would be something to look into.

Highway 2: Supervisor Ross passed around information to the Board regarding the trailer to be used by the Highway Department to haul the skid-steer loader. He said it does not need to be purchased at this time. Councilman Robinson asked if it was from Plattsburgh. Mr. Boulerice answered, "yes." The issue was tabled for future discussion.

Highway 3: The Town of Mooers is responsible for snow removal of sidewalks within the Town of Mooers. The Highway Superintendent has discussed the need of attachments for the purpose of clearing Town sidewalks of snow. The Town of Mooers Highway Superintendent has brought information to the Town Board for a 60" snow blower with a 9.6 hydraulic motor package for the purchase price of \$3,440.00 and for a 60" snow v-blade for the purchase price of \$2,444.16; therefore Supervisor Ross made a motion that the following resolution be adopted:

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS PURCHASE FROM BOBCAT OF PLATTSBURGH, A 60" SNOW BLOWER WITH HYDRAULIC MOTOR PACKAGE FOR \$3,440.00 AND 60" SNOW V-BLADE FOR \$2,444.16 FOR THE TOTAL PURCHASE PRICE OF \$5,884.16

Councilman Bushey seconded the motion and result of a Roll Call was 4 AYES (Councilman Barcomb, Councilman Bushey, Councilman Lavalley, Supervisor Ross) and 1 NOE (Councilman Robinson), therefore Supervisor Cory Ross declared **Resolution #035-2013** 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 Councilman Robinson 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

\$1,000.00 from Supervisor- Contractual A1220.4 to Public Safety Admin- Contractual A3010.4

\$1,000.00 from Assessors- Contractual A1355.4 to Public Safety Admin-Contractual A3010.4

\$3,000.00 from Employee Benefits- Workman's Comp A9040.8 to Employee Benefits-Unemployment A9050.8

\$4,500.00 from County & State Transfer To A1789 DA5010.8 to Contractual-D & Gas Road Expense DA5110.46

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 #034-2013** adopted.

Fire Department 2: Supervisor Ross read a letter for the Mooers Volunteer Fire Department inviting the Town Board to join the Labor Day Parade on September 1, 2013 with the parade beginning at 11am. Supervisor Ross added that the Town Board usually has a float in the parade and will be participating again this year.

Town Business 2: Motion was made by Supervisor Ross to approve payment of vouchers 127- 138, 209- 241. The motion was seconded by Councilman Bushey. All in favor. Motion carried.

Vouchers: The Audited Vouchers to be paid off the Abstracted Vouchers on July 9, 2013 are as follows:

General - Townwide-----	(Vouchers 209 - 233)-----	\$ 21,928.22
Highway - Townwide-----	(Voucher 127 - 138)-----	12,062.73
Mooers Fire Protection -----	(Voucher 234 - 241)-----	1,943.39
Mooers Forks Lights-----	(Voucher 217)-----	521.46
Mooers Lights -----	(Voucher 217)-----	<u>923.66</u>
Total of Abstracted Vouchers Paid-----		\$37,379.46

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

Public Comment 1: Mrs. Shirley Gadway apologized for not being able to attend the last meeting to speak as planned, she explained she had a doctor's appointment. Mrs. Gadway said she has two questions. First she asked why there was a motion made June 12, 2012 that the Code Enforcement Officer had one year to complete the six courses and become certified if it was not going to be carried out. Supervisor Ross answered that Mr. Dixon did not start in the position as Code Enforcement Officer at the beginning of the year and, subsequently, the first class in the series of classes was booked when he attempted to sign up. Supervisor Ross said Mr. Dixon then missed the second class. He added that Mr. Dixon has recently started the courses and that all classes will be completed by this December. Mrs. Gadway asked why, if Mr. Dixon knew he had to complete the courses, why they were not done. Supervisor Ross said that the Town has money invested in Mr. Dixon and that he is doing the job, and doing a good job. Supervisor Ross added that he does not have a problem with it taking Mr. Dixon a little longer to complete than originally planned. He said it was not Mr. Dixon's fault that the first class in the first class in the series was missed. Supervisor Ross explained that Mr. Dixon spoke to those in charge and that he has received an extension from the state to complete course and become certified. Supervisor Ross said he was informed that this is a common practice as many towns can't afford to send their Code Enforcement Officers to all of the classes in one year. Secondly Mrs. Gadway congratulated Mrs. Madison on the grants she has gotten for the library and that she was sorry to hear that the library sign had been vandalized. Mrs. Gadway said the last time she had spoken to Supervisor Ross about the library, the plans were not yet completed. She then asked if the plans for the library were complete. Supervisor Ross explained that the Town is still working on purchasing the adjoining property. He said the plan at this point is to clear the land the Town has. He added that the plans have not be drawn up differently as of yet because the addition of the other property could change the shape of the building or the way it is laid out. He said in order to save money, plans have not been changed as the Town is waiting to see what happens with the other property. Mrs. Gadway said she does not understand why the work for the library never went out for bid. Supervisor Ross explained that there is nothing to bid on at this time. Mrs. Gadway asked if the building was going to be over \$50,000.00. He answered that the size and shape of the library could be completely different based on whether or not the Town is able to secure the other lot. Mrs. Gadway asked if the job would now be starting from scratch, as Suprenant's Construction had been given the contract to do the work on the library earlier. Supervisor Ross added that when it comes time, the Town will do the work that can be done and as soon as there is something to go out for bid on, the Town will. Mrs. Gadway said that Supervisor Ross had answered her question.

Public Comment 2: Mrs. Payne asked why the Town is using a Code Enforcement Officer that is not certified when there are several certified Code Enforcement Officers in Clinton County. She added that a list of certified individuals could be found on the website: www.dos.ny.gov. Supervisor Ross said that Mr. Dixon is in the process of becoming certified.

Public Comment 3: Mr. Phair, not acting as Fire Chief, asked if they Highway Department would be taking care of the sidewalks in the Town. Mr. Boulерice answered that the Highway Department is not doing the sidewalks, that nothing has changed. Mr. Boulерice said it would be hired out separately. Mr. Phair said that he was just curious because they have taken care of the sidewalks for twenty-five years or more. He said he doesn't want to put more money into equipment if it is not going to be used. Mr. Boulерice told Mr. Phair to talk to the Town Board about it. Supervisor Ross said the plan is, at this time, for the Town to do the plowing of the sidewalks and to have a part-timer do the work. He added it is more cost effective. Mr. Boulерice said he was asked by the Town to get prices on certain items, just as he has for past administrations.

Adjourn: Councilman Bushey made a motion for the meeting be adjourned. Councilman Barcomb seconded the motion and the result was 5 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Eugene Bushey, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES. Thus, Supervisor Cory Ross declared motion carried. Meeting adjourned at 7:34 PM.

Respectfully Submitted,

BRANDI B. LLOYD, TOWN CLERK/TAX COLLECTOR