

Regular Meeting of the Mooers Town Board was held on Tuesday December 13, 2011 at the Mooers Office Complex in Mooers.

Present: Those present for the Town Board Meeting were Supervisor Rudolph Miller, Councilman Earl Robinson, Councilman Steve Barcomb, Councilman Gerald LaValley, Highway Superintendent Eugene (Dick) Boulerville and Town Clerk/Tax Collector Shirley A Gadway.

In Attendance: Attending the Board Meeting were Dog Control Officer Todd Forette Sr., Fire Chief Raymond Phair, Resident Harry Gonyo, Resident Eric Evans, Library Board Members Katie and Susan Evans and Supervisor Candidate Elect Cory Ross.

Meeting: Supervisor Miller called the meeting to order at 7:00 PM, then he asked Town Clerk Shirley A Gadway to lead them in the recital of the "Pledge of Allegiance" which she did.

Minutes: The Councilmen were asked if they had read over the Minutes for November 07, 2011 and they all said yes. Supervisor Miller asked if there were any omissions or corrections and they unanimously agreed there were no changes to be made. Councilman LaValley made a motion the Minutes be accepted as written and Councilman Barcomb seconded the motion. The result of a Roll Call was 4 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb and Councilman LaValley) and 0 NOES with 1 Absentee (Eugene Bushey). Thus Supervisor Miller declared motion carried.

Library: Library Board Members Susan and Katie Evans spoke with the Town Board about if any progress was being made with the surveyor. Supervisor Miller said he had heard from the Dean Lashway Business who is handling this and they are suppose to get some answers this week. Rudy said he will call Mr. Lashway again. Katie said they haven't heard anything on the Grant as of yet. The cost for the Surveyor is suppose to be between \$1500. and \$1750.00. It was discussed about the double door elevator to be installed at the Library. Patrons will be able to get in the elevator on the basement floor and ride up to the main floor. The Bathrooms are also going to be updated. Supervisor Miller said the Town has received a letter thanking the Board for all their help.

CSEA Contract: There was some discussion regarding the CSEA Contract. There was a question about their jackets, as to what has to be returned and when. It also came up again about overtime. It was decided that if they get called out for a snow storm, etc. they get paid for 4 hours, so they will work for 4 hours (they don't get paid for sleeping). Councilman Barcomb made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ACCEPT THE CSEA CONTRACT AS WRITTEN AND THE CONTRACT BE SIGNED

Councilman Robinson seconded the motion and the result of a Roll Call was 4 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb and Councilman LaValley) and 0 NOES with 1 Absentee (Councilman Bushey). Thus Supervisor Miller declared **Resolution #53-2011** is adopted.

NYSIF: Received confirmation regarding accident claim #65228058-212 from NYSIF stating they received report on Crystal Bulriss Accident of 11/02/2011.

Flowers: Supervisor Miller told the Board Members that the Town sent a living garden to the Menard's because Francis Menard (Justice Jeffrey Menard's father) passed away.

Contract with Chazy: The Town of Chazy shares the services of out DCO and they submitted a contract for 2012. Councilman Barcomb made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS SHALL ENTER INTO A CONTRACT WITH THE TOWN OF CHAZY TO SHARE THE SERVICES OF DOG CONTROL OFFICER TODD A FORETTE AND ALSO SHARE THE MONETARY COMPENSATION FOR THE DOG CONTROL OFFICER WITH CHAZY

Councilman Robinson seconded the motion and the result of a Roll Call was 4 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb and Councilman LaValley) and 0 NOES with

1 Absentee (Councilman Bushey). Thus Supervisor Miller declared **Resolution #54-2011** is adopted.

Clinton County Landfill: The Town received a memo stating the fees were going up effective January 01,2012.County fee in Schuyler falls will go from \$60.09 to \$61.27/ton. Minimum scale fee will go from \$18.00 to \$20.00/ load with minimum load (660 lbs.). The fees for Mooers Transfer Station will go from 79.03/ to \$80.58/ton and minimum scale fee will go from \$18.00/load to \$20.00/load with minimum load (500 pounds).

NYS Dept. of Ag. & Mkts: The Town received an email from NYS Dept. of Ag. & Mkts. stating they will be working with municipalities and shelters located in the towns. If any violations at municipal shelters or any violations by the DCO the results could be in monetary penalties as authorized in AML sections 39 and 40.

NYS Workman Comp.: Received a letter relating to a hearing held 11/16/2011 about David Hough who had an accident on 08/07/1995 and the decision was to continue the case. Also Supervisor Miller advised the Board that Court Clerk Crystal Boulerice fell outside and sprained her wrist and got a sore knee. It has been reported to the Workman's Comp.

Road Speed Sign: Councilman Robinson mentioned there is a 20MPH sign on School Street but there is no sign installed on Maple Street returning the limit to 30 MPH. With there being no sign telling people how fast they can drive they can automatically drive 55 MPH the State Speed Limit.

AOT Meeting in NYC: Supervisor Miller told the Board Members that the AOT Meeting in NYC is from February 19 to February 22. At the next Board Meeting we need to know who will be going to the Meetings in NYC and will they be bringing a guest. They have to say if they will be going on the bus as the bus has a capacity of 46 riders and the cost will be \$100./person. It is first come first serve so reservations for the bus must be made ASAP. The bus will leave Schuyler Falls at 7 AM and it will leave NYC at 11 AM.

Mortgage Tax: A letter and check was received from Clinton County Treasurer for the Town of Mooers share of the Mortgage Tax in the amount of \$9,436.53.

Contract with County/Assessor: The Town of Mooers received a contract from Clinton County Real Property for assessment services. The town would pay the County \$12.50 per parcel. Councilman Robinson made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ENTER INTO A CONTRACT WITH CLINTON COUNTY REAL PROPERTY FOR ASSESSMENT SERVICES AS STATED IN THE CONTRACT FOR 2012

Councilman Barcomb seconded the motion and the result of a Roll Call was 4 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb and Councilman LaValley) and 0 NOES with 1 Absentee (Councilman Bushey). Therefore Supervisor Miller declared **Resolution #55-2011** adopted.

Move Money : _From time to time money must be moved from one account to another. Councilman Robinson made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE FOLLOWING MONEY (A TOTAL OF \$90,000.00) BE MOVED AS NOTED FROM A FUND TO DA FUND DA5130.2 IN BUDGET JOURNAL

BUDGET JOURNAL

DEBIT A599-----APPROPIATED FUND BALANCE

CREDIT A9901.9-----TRANSFERS TO OTHER FUNDS

and

DEBIT DA5031-----INTERFUND TRANSFERS

CREDIT DA5130.2-----MACHINERY EQUIPMENT

also

GENERAL JOURNAL:

DEBIT A9901.9-----TRANSFERS TO OTHER FUNDS

CREDIT A200-----CASH - CHECKING

and

DEBIT DA200-----CASH - CHECKING

CREDIT DA5031-----INTERFUND TRANSFERS

Councilman LaValley seconded the motion and the result of a Roll Call was 4 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb and Councilman LaValley) and 0 NOES with 1 Absentee (Eugene Bushey). Thus Supervisor Miller declared **Resolution #56-2011** is adopted.

Time Warner: The Town received a letter explaining that from time to time contracts much be renewed to continue service. The Town has a 15 year contract with Time Warner.

Highway department: Superintendent Dick Boulerice told the Board that the Ketch Basin at the garage has been cleaned at a cost of \$247.00. He said they are ready to install the new filtration system.

Mooers Fire Department: Fire Chief Raymond Phair handed in the Chief's Report for November 2011 which showed the following: Station #1 had 8 calls and Station #2 had 2 calls----Incident types were (2-vehicle fires), (1-motor vehicle accident), (1-control burn), (1-propane leak) and (1-unattended fire)----Mutual Aid was given to (1-Champlain) and (1-Hemmingford)----No mutual Aid was received----Fuel used was (19 gallons gasoline) and (52.5 gallons diesel).Mr. Phair said they are working on installing the Security System in the Mooers Office Complex and the Fire Station.

Heat system for fire houses: Supervisor Miller said he had been in contact with Leon Menard about the heating systems and Mr. Menard said he could replace the system at Station #2 with a larger one for \$4,200.00 plus \$200.00 for labor. He also said he could replace the burners at Station #1 for \$500.00 each installed plus freight. Supervisor Miller asked for the Board's decision and they all agreed.

Dog Control Officer: An agreement was made and signed between the Town of Mooers and DCO Todd Forette, SR. for the year 2012. He shall be paid an annual salary of \$10,800.00 and an annual payment of \$3200.00 for providing food, shelter and mileage. DCO Mr. Forette turned in his report for November 2011 which showed the following: On 11/02--Received call W. Chazy that Tara Dedicio dog W.Chazy chasing people (gave warning about leash law)----On 11/11 Got call from C.Knowingshield that Katie Evans dog had latched onto her mom (was reported to the Health Dept.)----On 11/15 received a call from Martini Barcomb that her dog was missing----On 11/19--Received call from Richard Gokey he's interested in adopting mixed Shepherd and got call from 481 N.Star Road that their dog was lost, and Received call from Jackey Stalling wanting to adopt Shepherd mix dog for her daughter----On 11/22--Got call from Jessica Younglove coming to look at dogs up for adoption----On 11/23 Took Pit Bull for Rabies vaccination and J.Younglove came and adopted the PitBull----On 11/24 Todd Jr. turned in paperwork and Marsha to turn in copy of rabies vaccinations----On 11/26--Received call from Kathy Buskey about neighbor's dog in her yard and chased her, and Todd called owner Buddy Babbie gave a verbal warning and gave him until 11/30 to license the dog----On 11/27--Received a call from Kathy Buskey neighbor's dog stuck in her fence (ticket issued to Buddy Babbie).

Adirondack Tobacco Free Network: The Town received their usual quarterly report showing how they would like the municipalities to help free Clinton County of Tobacco usage.

County surplus computers: The County has a total of 17 machines to get rid of this year. They are asking \$25.00 per GX520 w/monitors and \$10.00 per GX520 w/no monitors. The problem is bids had to be in by 12/07/2011.

Attorney General on Ethics Boards: Received a letter from the Office of the Attorney General inquiring if the Town of Mooers has an Ethics Board. As per General Municipal Law #806 requires that the local governing body of each county, city, village or town adopt a Code of Ethics. If Mooers doesn't have a Code of Ethics established they are available to assist the Town in such an effort.

Code Enforcement Officer: Code Enforcement Officer Robert West was first appointed by the Town Board to serve as CEO in January 1998 for the year 1998. Every January at the first meeting of the year all the appointments are made to aid the running of the Town. Supervisor Miller said the Town received an email from Personnel and they are saying the CEO can't be let go and replaced by someone else as per section 75 of the Civil Service Law as after being appointed for 5 years they consider the employee to be permanent. Supervisor Miller is contacting a lawyer to see what the Town can and cannot do. Also Bob West in a letter has called for a special meeting of the Zoning Board to address two issues:

1) Extension for the Rabideau's regarding the trailer on their property. (Supervisor Miller said this issue is in the lawyers hands so why bring it up before the Zoning Committee).

2) Tony Lamberton Camp---Mr. Lamberton has been faced with the fact that he never did a building permit to build this camp. Mr. West says there is water, a septic and electricity at this camp and it could be considered a dwelling, but on the other hand Tony says it's on his farm land and is only used as a camp during hunting season therefore he doesn't need a permit. 3) Also regarding Mr. Juhasz: It was discussed that Mr. West signed a permit giving Mr. Juhasz permission to turn the Old Post Office building into a 3-bedroom family dwelling, then he tried to rent the rooms out and the Town had to get a Lawyer to evict the tenant in that building. Lastly he now wants to have an apartment upstairs and turn the downstairs into a storage unit which is against the zoning laws because 1) it would be a change of usage and 2) the building is in a non-commercial zone and operating a storage facility is a commercial business which is against the zoning laws.

Zoning Board: Scarlett Sample has been a member of the Zoning Board Committee for the past 5 years. She is Chairman of the Committee. Her term ends January 01/2012 and the Board asked Supervisor Miller to ask for her resignation due to many conflicts with the zoning issues. If Rudy doesn't see her he will compose a letter to her asking for her resignation before the Town Board removes her from the Committee and replaces her with someone else.

Vouchers: The Audited vouchers to be paid off the Abstracted Vouchers on December 13,2011 are as follows: General -Townwide-----(Vouchers 264-289)-----\$ 22,897.95

Highway- townwide----- (Vouchers 216-238)-----\$ 67,464.49

Fire Protection----- (Vouchers 706-715)-----\$ 2,165.13

Mooers Forks Lighting--- (Voucher 272)-----\$ 396.75

Mooers Lighting----- (Voucher 272)-----\$ 686.25

Total of Abstracted Vouchers Paid-----\$ 93,610.57

Adjourn: A motion was made by Councilman LaValley to adjourn the Meeting and seconded by Councilman Barcomb. With all in favor Supervisor Miller declared Meeting Adjourned.

Respectfully Submitted'

SHIRLEY A GADWAY, TOWN CLERK/TAX COLLECTOR

