

The Mooers Town Board held the monthly meeting on Tuesday February 08,2011 at the Mooers Office Complex.

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

In Attendance: Those in attendance for the Meeting were: Dog Control Officer Todd Forette Sr., Deputy Dog Control Officer Marsha Forette, Residents Wayne, Chad and Corey Supernaw and Fire Chief Raymond Phair.

Meeting: The Meeting was called to order at 7:00 PM by Supervisor Miller, whereby he asked Susan Miller to lead them in the recital of the "Pledge of Allegiance", which she did.

Minutes: Minutes for the January 11,2011 Meeting were tabled until the March Meeting by a motion made by Councilman Bushey, seconded by Councilman Barcomb with a 5 AYES to 0 NOES vote.

Wayne Surpernaw (apartment issue): Wayne Supernaw appeared before the Board [on behalf of Lester Juhasz] regarding a building Lester wants to turn into an apartment building. Mr. Supernaw submitted some paperwork (from Lester) to Supervisor Miller. Rudy informed Mr. Supernaw that Scarlett Sample, of the Zoning Board, was out of Town but he would pass the letter onto Gary Provoncha a Zoning Board Member. Wayne was informed that it would probably be Spring before the apartment issue would be resolved.

Dog Control Reports: Dog Control Officer, Todd Forette Sr. turned in the January Report which showed the following: 01/02--Owner Kristen Burnell Altona dropped off dog at 164 Fiske St- W.Chazy 3 days prior never came back for dog---01/03--Rec'd call from State Police re. dog tied to door knob@17 Oliver Street owner M.Oliver---01/04---Rec'd call from State Police@8:30 to pick up dog caught on Northway/owner unknown---01/06---Rec'd call from James Aubin looking for lost puppy and Called Joe Mott about dog found on Northway---01/07---Brought 2 dogs for Rabies vaccination at Palmers Vet Clinic---01/08---Rec'd call from C.Payne re. dog running down Lamberton Rd. (owner Bernard St.John and responded at 1:00Pm owner had 2 other dog tied to dog houses in back yard [owner not home] and Received 3 calls people wanting to adopt Norwich Terrier---01/12---Rec'd call from Melissa Fountain looking for her dog [dog was taken in August 2010 and has been adopted out]---01/13---Rec'd call from 151 Atwood Rd. that dog left out all-the-time and whining [owner Jessica LaPort] dog picked up brought to Palmers adopted by Roger Baker on 01/14---01/15---Brought 2 dogs to Tri-Lake Humane Society (secondary shelter transfer)---01/17---went to 339 Lamberton Rd Bernard St. John's has 3 dogs gave until beginning of February to license dogs and went to residence on Rt.11 Mooers Forks where owner has many dogs that are well taken care of residence is clean owner Charles Breyette and went to 8655 Rt.22 West Chazy [owner Dan Boudregaud] dogs left outside all the time has 2 dogs no one home went back and 1 owner home 9Gave Warning)- ---01/22---Rec'd call to 6 Eagle Acres Rd re. dog having no shelter check out doggie door in garage owners Bill Pelton/Diana Gunn---01/24---called to Joe Wood Rd. picked up dog owned by Donald Allen, owner too ill to care for dog adopted by Melissa Fountain on 01/28/2011--- Got call from 2 Monty Rd. Mooers to pick up stray rec'd call from Ann McCadam 8461 Rt. 22 about missing dog which was found at 2 Monty Rd. Dog has valid rabies vacc.---01/29--- Rec'd call from Jackie at the Mooers Library to pick up stray Chocolate Lab hanging around.

Todd & Marsha also addressed the Board about the house on the Bush Road with approximately 75 dogs. The owner is suppose to stop by the Town Offices with the information on ALL the dogs.

Temporary Help: Supervisor Miller told the Board that The Town is in need of hiring of an On-Call-Temporary-Employee. He said he has been talking with Christiana Gilmore and she seems interested in the job. She is to be working on the revised zoning laws and the Town Handbook. A motion was made by Councilman Bushey that the Town hire Christiana Gilmore as a Temporary-On-Call-Employee and Councilman LaValley seconded the motion. The result of a Roll Call was 5 AYES and 0 NOES, thus Supervisor Miller declared motion carried.

Certificate of Insurance: Supervisor Miller received a letter from the Insurance informing the Town that they want a "Certificate of Insurance" from everyone that does business with the Town of Mooers. Supervisor Miller has checked with the Ski Team and has acquired all the waivers they had to have on hand, as requested by the insurance.

Playgrounds: Highway Superintendent Boulerice has been checking into protective surfaces for the playgrounds. He reported that it has been suggested that crushed rubber be used.

Cemeteries: The Insurance is questioning ownership for the walk for the cemeteries. Supervisor Miller said we have to check the benefit of the Town acquiring ownership. He said we should table this until after the AOT Meetings in NYC where inform can be sought about this subject. AT this time, the County shows ownership and can do a Quick Claim Deed and turn it back over to the Town. Supervisor Miller suggested the Town should check on all the cemetery properties before jumping to conclusions.

Equipment value: Supervisor Miller said he has received an E-Mail from "Andree" about the value of equipment owned by the Town. We'll look into this further at the next meeting.

New Radios: Highway Superintendent Boulerice has ordered the new radios for the highway workers. Supervisor Miller asked what happens to the old radios and Dick replied he doesn't know.

Mining Permits: Supervisor Miller asked Mr. Boulerice about the Pit and was told they have until May 22,2011 to get the paperwork done. Mr. Boulerice also told the Supervisor that the Dean would be doing the paperwork and it would cost approx. \$2,500.00.

Highway Report: Hgwy. Superintendent Boulerice handed out copies of the State Road report for January 2011. The report showed Labor cost was \$5,004.40 and Supplies cost was @8,088.10 for a total cost of \$33,092.50 for the month of January 2011. Mr. Boulerice also handed out papers for the Albany Meeting on C.H.I.P.S. Councilman Barcomb and Councilman Robinson filled out their papers and gave them back to Superintendent Boulerice.

AOT Meeting: Supervisor Miller told the Board Members they must be at the Town Hall in Plattsburgh prior to 6:30 AM on Sunday 02/20/2011 to load the bus going to the AOT Meeting in NYC. He told them they will have a 1/2 hour Lunch Break and the bus is suppose to arrive at the hotel in NYC at 1:00 PM. A copy of the agenda for the meetings was given to all.

Retirement Paperwork: The paperwork that was done at the end of 2010 wasn't done the way the Retirement system wanted the report to be. The Town did the report by averaging the days in 22 days, but now they want things done by 8 hour days. The reports have to be done over and they have to be posted again. Councilman Robinson made a motion that the Town accept the change and Councilman Bushey seconded the motion. 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 motion carried.

Public Hearing Local Law#1-2011: The Town received the proposed Local Law#1-2011 entitled "The Property Nuisance Abatement Law of The Town of Mooers" from the Attorneys Office, and now a Public Hearing must take place before the Board can vote on making it Local Law #1-2011. Councilman Barcomb made a motion that a Public Hearing be held on proposed Local Law #1-2011 on March 08,2011 at 6:45 PM at the Mooers Office Complex, and Councilman Bushey seconded the motion. 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 motion carried.

Property Tax Dollars: Supervisor Miller told the Board that Tax Collector Shirley A Gadway has almost paid the Town the amount of Tax Dollars (\$1,068,393.33) they are suppose to get. She said as soon as she receives the check from the County Treasurer the balance of \$47,298.00 will be given to the Town.

Old Voting Machines: A letter was received from the County regarding the old voting machines. In the letter it states that the Towns are allowed to keep them or turn them in as scrap metal. It says the Town has the Town of Mooers has 3 old ones and 3 new ones. The County has

extended the use of the machines to the schools. If the schools want to use the machines the County would give them 2 new ones and scrap the others. It was decided to table this until the March meeting. The Town still needs to get serial numbers off all machines and record their where about.

Time Warner Cable: The Town got an application for a 15 year contract with Time Warner. After some discussion Councilman Bushey made a motion the following resolution be adopted

**BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ENTER INTO A FIFTEEN (15) YEAR CONTRACT WITH TIME WARNER CABLE AFTER A PUBLICATION AND POSTING OF PUBLIC NOTICE IS HAD ON THE SUBJECT ON MARCH 08,2011 AT 6:30 PM AT THE MOOERS OFFICE COMPLEX**

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, therefore Supervisor Miller declared **Resolution #11-2011** is adopted.

Fire Department: Fire Chief Phair addressed the Board and told them about a couple of fires they attended, but said he would submit the monthly report at a later time. Chief Phair informed the Board that the new fire truck will not be delivered until June and also that Station #2 has a pumper truck down.

Insurance Requests: Supervisor Miller stated that the Insurance was a list of all volunteers that are used in the Town of Mooers, whereby he asked Fire Chief Phair to get a list together and submit it. Mr. Miller also told the Board that Section 41J of the New York State Retirement has been added and applied for.

Undersized lots: The subject related to undersized lots in the Town of Mooers was discussed as a problem has occurred with people trying to alter the use of these lots. After some discussion it was decided this was a zoning issue and Councilman Barcomb made a motion that a moratorium be put in place covering all undersized lots for any changes in use and/or also for any interior or exterior alterations of 50% of assessed value or area. 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 motion carried. It was also decided a Planning Committee will be formed ASAP including Hope Fountain, Gary Provoncha, Carol Payne, Kristy Gilmore, Todd Forette and anyone else who wishes to join. Supervisor Miller asked the Town Clerk to publish the March 08,2011 hearing at 7:00PM at the Mooers Office Complex and also to put a notice on the bulletin board.

Union: Highway Superintendent Boulerice let Councilman Robinson know that the highway workers would probably not be able to meet until at least March.

Move Money: At the February 08, 2011 Board Meeting is was discussed that money in the Budget Journal had to be moved to close out 2010. Councilman Bushey made a motion the following resolution be adopted

**BE IT HEREBY RESOLVED THAT FOLLOWING MONEY BE MOVED IN MTHE BUDGET JOURNAL TO END THE YEAR 2010**

**Debit---SL1 - 599-----\$ 6,723.32-----Appropriated fund bal./cking**

**Credit---SL1 - 5182.4-----\$ 6,723.32-----Mooers Forks Lighting**

**Debit---SL2 - 599-----\$ 2,024.24-----Appropriated fund bal./cking**

**Credit---SL2 - 5182.4-----\$ 2,024.24-----Mooers Lighting**

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 #12-2011** is adopted.

Vouchers: Audited vouchers to be paid off the abstracted vouchers on February 08,2011 were as follows:

General-Townwide-----	(Vouchers 024 to 048 )-----	\$ 17,962.14
Highway-Townwide-----	(Vouchers 017 to 036 )-----	54,535.51
Mooers Fire Protection-----	(Vouchers 607 to 615 )-----	8,458.49
Ellenburgh Fire Dept.-----	(Voucher 026)-----	1,000.00
Ellenburgh Distric 21-----	(Voucher 025)-----	226.00
Mooers Forks Lighting-----	(Voucher 028)-----	448.84
Mooers Lighting-----	(Voucher 028)-----	<u>789.18</u>
<b>Total of Abstracted Vouchers Paid-----</b>		<b>\$ 83,420.16</b>

Adjourn: Councilman Bushey made a motion to adjourn the meeting and Councilman Barcomb seconded the motion. 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 meeting adjourned at 10:00 PM.

Respectfully Submitted,

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SHIRLEY A GADWAY, TOWN CLERK