

Special Meeting on proposed 15 year contract with Time Warner was held at 6:30 PM, Special Meeting on proposed Local Law #1-2011 (The Property Nuisance Abatement Law) was held at 6:45 PM and the Regular Meeting of the Mooers Town Board were held on Tuesday March 08,2011 at the Mooers Office Complex.

Present: Those present for the Meetings were Supervisor Rudolph Miller, Councilman Earl Robinson, Councilman Steve Barcomb, Councilman Eugene Bushey, Councilman Gerald LaValley and Susan Miller to take the minutes. Absent were Highway Superintendent Eugene (Dick) Boulerice (who went to Albany for a CHIP Meeting) and Town Clerk/Tax Collector Shirley A Gadway .

In Attendance: Attending the meetings were Jackie (Town Librarian), Insurance Agent Andree LaBarge, Fire Chief Raymond Phair, Dog Control Officer Todd Forette, Deputy Dog Control Officer Marsha Forette, Town Residents Lynette Boyse, Ann Hobson, Elden Phanuaf, Frank Veivia, Delor Duquette, Lynn DeCoste, Susan Evans, Arthur and Norma Menard, Tracey Meyers, Gloria LaFountain, Sharon Duchaine and Madeline Matton.

Meeting: Supervisor Miller called the Meeting to order at 6:30 PM, thereby he asked Susan Miller to lead them in the "Pledge of Allegiance", which she did.

Hearing at 6:30 PM: A Public Hearing was held at 6:30 PM regarding the 15 year contract between The Town of Mooers and Time Warner. After explaining the terms of the contract to those in attendance and the floor opened for discussion, there was no opposition to the Town of Mooers signing this contract.

Hearing at 6:45 PM: The Public Hearing on Local Law #1-2011 entitled "Property Nuisance Abatement Law of the Town of Mooers. After Supervisor Miller explained what the law was there was no opposition from those attending the meeting.

Moratorium: Supervisor Miller explained lot sizes and rules concerning the size of lots to those attending the meeting. Their questions pertained to what they could and could not do with an undersized lot. Supervisor Miller said the regulations are in the Town of Mooers Zoning Laws and they are being stressed upon in the up-dated version which is being worked on at this time. Before a person buys property they should check to see what they can do with the property. The Board is NOT going to proceed with the moratorium at this time.

Regular Meeting: The regular Meeting will take place at this time.

Minutes: One change had to be made in the Minutes. The On-Call-Temporary-Employee's name is Christiana not Kristy. Councilman Bushey made a motion not to review previous minutes, so they'll be accepted as written with the one change. Councilman Barcomb 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.

Posting of Roads: Town Clerk Shirley A Gadway is sending a notice of road postings to be put in the paper, and once the signs are up she will contact the New York State Police with a listing of the roads posted.

No Cap on Property Tax: It was discussed that the Town needs some of the Property Tax money to maintain the Town, therefore we don't want a cap on Property Tax. Councilman Barcomb made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THERE BE NO CAP IMPOSED ON THE REAL PROPERTY TAX AS PROPOSED BY THE ASSOCIATION OF TOWNS IN THEIR RESOLUTION #3

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 #13-2011** is adopted.

Undersized Lots: After the Public Hearing and discussion on the issue Councilman Bushey made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT ON ANY AND ALL UNDERSIZED LOTS {AS SPECIFIED IN THE ZONING LAWS OF THE TOWN OF MOOERS} THE CODE ENFORCEMENT OFFICER SHALL REQUIRE A LAND SURVEY AND A LICENSED ENGINEER DESIGNERS PLAN (FOR THE COMPLETE PROJECT {TO INCLUDE WELL, SEPTIC , RENOVATIONS, ADDITIONS AND/OR DELETIONS AND/OR REDUCTIONS}) FOR ANY CHANGE OF USE AND/OR ALTERATIONS [INCLUDING ANY ADDITION] EXCEEDING 50% OF THE ASSESSED VALUE [DETERMINED BY COST OF ENTIRE PROJECT] AND/OR 50% OF THE SQUARE FOOTAGE OF EXISTING STRUCTURE

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 #14-2011** is adopted.

Local Law #1-2011: After there being a Public Hearing on this Local Law and discussion on it Councilman Barcomb made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ADOPT LOCAL LAW #1-2011 ENTITLED "THE PROPERTY NUISANCE ABATEMENT LAW OF THE TOWN OF MOOERS

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 #15-2011** is adopted.

Time Warner Contract: At 6:30PM this date a Public Hearing was held on this contract and there was no opposition from the audience. Councilman Bushey made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS IS GRANTED PERMISSION TO SIGN A FIFTEEN (15) YEAR CONTRACT WITH TIME WARNER CABLE AFTER A PUBLIC HEARING WAS 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 #16-2011** is adopted

Walker Cemetery: Supervisor Miller said no headway has been made on finding out who has the deed for the cemetery. Town Clerk Shirley Gadway has made some call, but nobody seems to be able to answer the question. She will continue to work on it and Councilman LaValley will go to the County Clerk to see what he can find out.

A.D.A. Laws: The American Disabilities Act Law states the new laws will take effect March 18,2011. There are changes that have to be made to accommodate the disabled. Ann Hobson addressed the Library concerns pertaining to the new laws. Insurance Agent Andree LaBarge suggested a contract between the Town and the Library Association might be in order. Councilman Barcomb made a motion that the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS RETAIN DEAN LASHWAY OF LASHWAY DEAN H LS PC TO SURVEY THE MOOERS FREE LIBRARY PROPERTY

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 #17-2011** is adopted.

LaBarge Insurance Agent: Insurance Agent, Andree LaBarge, addressed the Board about insurance issues and coverage such as (Increase amounts on borrowed and/or rented equipment to \$100,000.00) - (Delete the voting machines) - (Increase blanket coverage to \$6,000,000.00) - (Increase Library coverage to match the Librarian (Jackie) inventory cost)) and for the fire station (increase pollutant clean-up to \$100,000.00 and (check on terrorism coverage). Councilman LaValley made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ACCEPT THE INSURANCE COVERAGE AS PROPOSED BY INSURANCE AGENT ANDREE LABARGE

Councilman Robinson seconded the motion and 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 #18-2011** is adopted.

Fire Department: Handed in were two reports (January 2011 & February 2011 reports) which showed the following: **January 2011 Report** Station #1 had 7 calls and Station #2 had 2 calls - Incident types were (1-vehicle accident), (2-Chimney) and (1-Good Intent) - Mutual Aid was given to (1-Altona), (1-Rouses Point) and (1- Ellenburgh Depot) - Received Mutual Aid from (1-Champlain) - Fuel used was 18 gallons gas and 106.5 gallons diesel - Response time was 2.3 minutes. **February 2011 Report** Station #1 had 7 calls and Station #2 had 2 calls - Incident types were (1-storage shed), (1- Vehicle Accident), (1- Power Lines), (1-Good Intent) and (1-EMS Lift Assist) - Mutual Aid to (1-Champlain) - Mutual Aid From (2-Altona), (2-Champlain), (1-Churubusco), 91-Rouses Point), (2-Ellenburgh Depot), (1-Hemmingford, PQ) AND (1-West Chazy) - Fuel Used was 53.10 gallons Gas and 88.90 gallons Diesel - and average response time was 2.0 minutes.

Motion To Move: There is a need to move money in the Budget Journal, so Councilman Bushey made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE FOLLOWING MONEYS BE MOVED IN THE BUDGET JOURNAL

DEBIT---A1450.4-----\$ 3,500.00-----ELECTIONS - CONTRACTUAL

CREDIT---A1430.11----- 3,500.00-----PERSONNEL - OFFICE ASSISTANT

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, thus Supervisor Miller declared **Resolution #19-2011** is adopted.

Dog Control Officers Report: The Dog Control Report for February 2011 showed the following:

02/05/2011--checked on Clifford Leafloor of 799 Bush Rd. Mooers Forks (he has approx. 75 dogs on his property==referred him to the Town)--02/-7/2011-- checked out stray running around 9632 Rt. 9 Chazy and sent out delinquent report for Chazy and person to look at dog to adopt and took fox hound for rabies vacc. and chocolate lab was adopted by Kristina Mesec of 336 North Star Rd. Mooers Forks and picked up a toy poodle/Chihuahua and brought black pit bull to Palmers on 2/12/2011--
02/13/2011==first time kennel is empty since July 23,2010--02/14/2011== checked on dogs at Francis Menard Apt.#9 at 2324 Rt.11, Mooers==Apt. tenant Tracy Buck's apt. was a complete mess w/3 large dogs living there and never going outside (gave them until 02/22/2011 to clean up or Board of Health will be notified==F.Menard called said apt. was cleaned)--02/16/2011--picked up stray dog running on Little Rock & McCadam Rd. Chazy--02/19/2011--Rec'd call about 2 pit bulls in Chazy (belong to Melissa Fredricks Fiske Rd. Chazy)--02/20 Rec'd call from Pat Perkins re. Fredricks pit bulls--02/22/2011 Rec'd call about stray running at 28 Jubert's Way Altona (referred call to Altona/Leon Peryer) and got call about dog running around TOM== (owner Stephanie Bouvia, Hemmingford Rd. notified to keep dog in yard or ticket will be issued)--02/23/2011 Picked up stray going down middle of road at Boas Rd./Rt.11 intersection--02/24/2011 Owner (Robert Belangez of 42 Blackman Crn. Rd. Mooers Forks Apt. A) picked up stray dog found in road o2/22/2011--02/28/2011 Todd Forette Sr. adopted Toy poodle/Chihuahua.

EMS Reports: Received 2 reports from EMS **November 2010 report:** 462 transported 24, 461/463 transported 2, Champlain West transported 28, 461/463 loaded miles 67, 462 loaded miles was 467, Champlain West loaded miles was 534 and fuel used was 462/112.3 gallons of gas. **December 2010 Report:** 462 transported 32, 461/463 transported 0, Champlain West transported 32, 461/463 loaded miles was 0, 462 Loaded miles was 603.3, Champlain West loaded miles 603.3 and fuel used was 462 used 152.1 gallons of gas. Also Champlain/Mooers EMS has a new Captain and he is Cory Thompson.

Election Reimbursement by County for 2010: In addition to the \$600.00 per election district the Town received an addition check in the amount of \$1.068.00 to assist the town with the additional costs associated with running the 2010 election.

Highway Department: The cost of maintaining the State Roads in the month of February 2011 was Total labor = \$4,997.90 plus Total supplies \$ 30,293.30for a Total Cost of \$ 35,291.20. The Town received a letter from Clinton County Highway Department about their new rates for road stripping. the prices quoted were: \$365.00 per centerline mile

\$210.00 per edge line (sideline) mile

\$115.00 per hour for road layout

The traffic supervisor will be placing the entire order for paint materials by April 01,2011. Also

A Notice of posting of the Town Roads will be sent to the Press-Republican for printing (3 days).

Vouchers: The audited vouchers to be paid off the abstracted vouchers on March 08,2011 were as follows:

General - Townwide-----	(Vouchers 049 to 076)-----	\$ 22,735.62
Highway - Townwide-----	(Vouchers 037 to 052)-----	47,951.12
Mooers Fire Protection-----	(Vouchers616 to 625)-----	6,789.78
Mooers Forks Lighting-----	(Voucher 62)-----	376.27
Mooers Lighting-----	(Voucher 62)-----	<u>648.71</u>

Total of Abstracted Vouchers Paid-----\$ 78,501.50

Adjourn: Councilman Barcomb made a motion the Meeting be adjourned. 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 Meeting adjourned at 9:30 PM.

Respectfully submitted,

SHIRLEY A GADWAY, TOWN CLERK/TAX COLLECTOR