

The Special Meeting and Regular Meeting of the Mooers Town Board was held on May 10, 2011 at the Mooers Office Complex in Mooers.

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

In Attendance: Those attending the Meeting were: John Farley (Accessibility Consultant of North Country Center for Independence), Librarian (Jackie), Library Association Staff (Susan Evans, Lynn DeCoste, Sharon Duchaine, Katie Evans, Edie Morelock, Gloria Lafountain, and Mr. & Mrs. Arthur Menard), and Fire Chief Raymond Phair.

Special Meeting: Supervisor Miller called the Special Meeting to order at 6:00 PM, then he asked Susan Miller to lead them in the "Pledge of Allegiance" which she did.

John Farley: Mr. Farley was at the Meeting to offer suggestions and answer any questions regarding handicap accessibility for the Library, making the playgrounds handicap accessible and any other issues related to handicap accessibility. **LIBRARY:** Some of John Farley's ideas were 1) provide quotes and write up an action plan for the next 5 years showing ability to obtain equipment as it becomes available 2) suggested the building be checked for asbestos and lead 3) should notify United Way of our needs so if and when they receive equipment which we could receive for FREE or at an affordable price we would be notified as waivers end in March 2012 4) the bathroom meets handicap accessibility size wise but shelves and sink need to be moved also Children's section need a chair lift or elevator 5) both floors must be handicap accessible unless downstairs is not considered a public area 6) If the downstairs is used as a reading area and accommodations are made for youth upstairs this must be posted in the upstairs area 7) there must be 1 handicap accessible parking for every 25 spaces, and there should be a sign for van accessibility, also a van cannot unload or load on street side. Parking should be as close to the building as possible. There should also be a van parking space on Town Parking Areas 8) John Farley prefers the lift over the ramp maintenance wise as well as cost wise. 9) Mr. Farley was asked if the Town owns the Library but the Association runs it to whom does responsibility belong to. He believes the Town would be responsible. He said an ADA should be responsible for decisions on the Library with the Association. He said make sure an agreement is in place in writing. He said there has been an agreement between Champlain and Rouses Point to accommodate wheel chair needs for our area (affects 1 child at this time). 10) As for the playgrounds Mr. Farley suggested if you are not being bothered at this time leave it alone.

Mr. John Farley gave Supervisor Miller a number where he can be reached. He said when the Town has their comprehensive plan include pictures, reports and any quoted. Mr. Farley will be at the June 20, 2011 meeting at 9:30 in Plattsburgh to meet with ALL the Library personnel in the area. Also Katie Evans volunteered to help with the 5 year plan and left a number to reach her at.

Meeting: Supervisor Miller officially started the Regular Meeting at 7:00PM.

Minutes: There were 2 corrections to be made to the Minutes. Atlantic City had to be changed to Las Vegas and Flight Flight had to be corrected to Life Flight. Councilman Bushey made a motion the minutes be accepted as written with the two corrections made 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 minutes accepted as written.

Meeting for Local Law #2-2011: Before a Local Law can be adopted a public hearing must be had giving the public time to approve or oppose it. Councilman Barfcomb made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT A PUBLIC HEARING WILL TAKE PLACE AT THE MOOERS OFFICE COMPLEX ON MAY 10, 2011 AT 8:00PM AND THAT AN OPPORTUNITY TO BE HEARD THERETO

WILL BE GIVEN TO THOSE FAVORING ADOPTING LOCAL LAW #2-1011 AND ALSO TO THOSE OPPOSING IT

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. Therefore Supervisor Miller declared **Resolution #23-2011** is adopted.

Adopting Local Law #2-2011: An Advertisement in the Legal Section of the Press Republican appeared on April 30, 2011 that there would be a Public Hearing on May 10,2010 at 8:00PM. After everyone expressed their opinions at the Public Hearing Councilman Bushey made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS HEREBY ADOPTS LOCAL LAW #2-2011 ENTITLED "A LOCAL LAW REGULATING THE LICENSING AND CONTROL OF DOGS IN THE TOWN OF MOOERS

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 #24-2011** is adopted.

Purebred Puppies: Sometimes people who own Purebred Dogs with puppies under 1 year old that they are selling. These puppies are listed on the Purebred License but are un-named as once a registered purebred is named it must keep that name for life. Councilman Bushey made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS SHALL WAVE THE \$3.00 CLERICAL FEE CHARGED PER DOG (ON THE PUPPIES LESS THAN 1 YEAR OLD ONLY) THAT ARE LISTED ON THE PUREBRED LICENSE

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 #25-2011** is adopted.

Regular Meeting: At 8:15 the Regular Meeting resumed.

Examine Court Records and/or Dockets: Once a year the books of the Court System must be examined by the Town Board. At the May 10,2011 Board Meeting the Court books were examined and Councilman Robinson made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE MOOERS TOWN BOARD HAS EXAMINED AND AUDITED THE MOOERS TOWN COURT RECORDS AND/OR DOCKETS FINDING THEM TO BE IN ORDER AND THESE RECORDS ARE HEREBY ACCEPTED BY THE MOOERS TOWN BOARD

Councilman Barcomb 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. Therefore Supervisor Miller declared **Resolution #26-2011** is hereby adopted.

Accept Audit and/or Examination Justice Court Records and/or Court Dockets: Section 2019-a of the Uniform Justice Court requires that the Court Records and/or Dockets be examined, accepted and included in Minutes. At the May 10,2011 Meeting Councilman LaValley made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT, AS PER SECTION 2019-a OF THE UNIFORM JUSTICE COURT ACT, THE TOWN OF MOOERS JUSTICES SHALL ANNUALLY PROVIDE TO THE TOWN BOARD THEIR RECORDS AND/OR DOCKETS FOR AN AUDIT WHEREBY RESULTS SHALL BE NOTED IN THE MINUTES OF SAID TOWN BOARD MINUTES, THUS AFTER EXAMINATION OF RECORDS THE TOWN BOARD ACCEPTS THE RECORDS AND/OR DOCKETS AS DOCUMENTED

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. Therefore Supervisor Miller declared **Resolution #27-2011** is adopted.

Move Money: When the Budget was done the amount allotted for the Ambulance was \$68,000.00. It has come to the attention of the Town that the actual amount needed in the Ambulance account is \$68,472.76. Councilman Bushey made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE FOLLOWING BUDGET JOURNAL ADJUSTMENTS BE MADE FOR AM-MOOERS AMBULANCE DISTRICT

Debit----AM1001-----\$472.76-----Taxes Receivable

Credit----AM3410.4----- 472.76-----Ambulance Expenditures

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 #28-2011** is adopted.

Permit Requirements for Zoning and Clerical Changes: At the May 10,2011 meeting the Town Board reviewed the Zoning and Clerical Charges and the following were discussed and decided upon by the Board Members:

- 1) Dollar amounts for Residential===No Change
- 2) Use Variance Fees (Supervisor Miller thought too low)===Leave as Is
- 3) Application or Amendment fees===No Change
- 4) Record Search (\$50.00 for 1st hour then \$30.00 each hour after)===All Agreed
- 5) Signs (Signs 17 square feet or more charge \$25.00 and waive fee on anything 16 square feet or less on free standing signs ===All Agreed
- 6) Communication Towers Fee===No Change
- 7) Seasonal Camps (\$25.00 flat fee classify as residential===All Agreed
- 8) Pools (Remain at \$25.00)===All Agreed
- 9) Dog Kennel Permit (\$25.00 for 1st permit then \$5.00 renew permit===All Agreed
- 10) Inspections (failed or non requested such as violation @ \$50.00/hour)===All Agreed
- 11) Vans and/or cargo trailers for storage \$25.00 min.===All Agreed
- 12) If no permit has been issued (Cost is permit charge + Penalty Charge [Equal to Permit Charge = Amount Due]) ===All Agreed
- 13) Clerical Charge (\$20.00 on Zoning Book + \$10.00 shipping, \$20.00 fee for returned checks, photo copies 25 cents per sheet and faxes No Charge)===All Agreed

Councilman Robinson made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ADOPT THE ABOVE FEES RELATED TO ZONING FEES AND CLERICAL FEE CHANGES

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 **Resolution #29-2011** is adopted.

Dog Control Officer: Received the Dog Control Officer's report which showed: On 4/1 Brought Jack for Rabies vaccination and at 3:30 dog was adopted by Patricia Ayer/Chazy, Also received call from 1526 Miner Farm Rd. about dog barking and acting aggressive across road, checked out owner is James Wolfe West Chazy (gave copy of leash law===On 4/5 Received call to pick up dog in Road at 495 Fee Road (spoke with owner Christine Adams/Gilbert Road and gave warning===On 4/7 received call Bernice Forette 699 Rt. 22 Mooers re dog with hurt front leg on porch (picked up took to Palmers owner Joseph Ashline redeemed dog===On 4/9 Received call

dogs going down Miller Rd., Also received call from Mr. Fillion/Chazy about dog in his yard going after his son (Gave ticket to owner Matt Deno/Chazy)===On 4/10 Received call from 8 Eagles Acres/Chazy dog barking (issued ticket to Dana Dunn/Chazy)===On 4/11 Got complaint from 86 Miller Rd/Mooers neighbors dog in his yard around children (Gave owner Shawn Edwards copy leash law)===On 4/12 Complaint from 398 Clark St./Chazy neighbors dog aggressively going after daughter (Gave owner Pauline Barber copy Leash Law)===On 4/13 Got call from 86 Miller Rd. regarding Lee Sodens dog running in back yard (Gave Leash Law to Lee Soden/Miller Rd-Mooers)===On 4/15/Received call L.Fortsch Dana Dunn dog barking all night (gave tickets to Dana Dunn & Nicole Seymour)===On 4/18 got call to pick up stray lab mix at 94 Cannon Corners Rd.===On 4/20 Received call L. Fortsch 2 Dana Dunn dogs barking from 3PM to 8:15PM=== On 4/25 Two purebred Labs brought to shelter belonging to Eric Miller/Rouses Point=== On 4/28 Received call from Linda Stevens/Washington Ave. Chazy found her dog dead in yard. Stray dog seen in yard prior to finding dead dog, and received call from L. Fortsch about Dana Dunn's dogs barking and being off leash.

Todd and Marsha were shown a sign which they thought was Very Nice.

Fire Department: Received the Fire Department report for April 2011 which showed the following: Station #1 had 13 calls and Station #2 had 2 calls----Incident types were 1-Barn, 2-Vehicle accidents, 3 Grass/brush fires, 1-electrical, 1-powerlines, 1-auto alarms, 1-stove, 2-possible structure and 1-tree----Mutual Aid was given to 1-Burke----Received Mutual Aid from 2-Champlain and 1-Chazy----No fuel listed on report

News regarding the Mooers Dam is there will be no building and the Fire Department is just leaving the foundation. Fire Chief Raymond Phair said the new truck should arrive next month!!! The Pumper in Cannon Corners is broke again so our small truck has been placed up there and Ellenburgh is "On-Call" for us at that end of the district.

Highway Department: Highway Superintendent Boulerice said the Bush Rd., Scriver Rd., St. John's Rd. and Howard Rd sustained flood damage. He is going to apply to FEMA with the flooding issues. He reported The Town received the CHIP money (the same as last year). Dick said he is still waiting to hear on the SALT news and they are also waiting on their permit for the Quarry.

Rabideau property on St. John's Rd.: Received a letter from Rabideau's lawyers requesting more time be given to the Rabideau's to complete their home. As per the Zoning the Zoning has no authority to extend them more time. An option for them would be to let a Judge decide as he has the authority to grant the extension. The Rabideau's are no longer accepting phone calls from the Town.

LaBarge Agency: The Town received a letter regarding safety courses workers can take to help lower Workers Compensation. Towns can get together and share the expenses of having these safety courses.

Clinton County Office of Emergency Services: Received a fax explaining different agencies and ways to handle a disaster and where to seek help. It's best if communities join together.

Library: All the Town of Mooers Board received an invitation to attend the Annual Meeting on Wednesday May 18, 2011 at 6:00PM at the Library. Councilman Robinson and Councilman LaValley are planning on attending.

Uniforms: The Uniform slips from last month's meeting were re-submitted and signed by the Board Members.

Hand Book: Councilman Robinson has been studying a hank book out of Connecticut. He told the Board he thinks it will take a lawyer to fine tune the wording for our handbook.

Vouchers: The audited vouchers to be paid off the abstracted vouchers on May 10,2011 are:

General - Townwide------(Vouchers 97 - 124)-----\$ 52,187.38

Highway - Townwide------(Vouchers 83 - 108)----- 53,484.08

Mooers Fire Protection-----	(Vouchers 638 - 646)-----	25,731.36
Mooers Forks Lighting-----	(Voucher 108)-----	330.24
Mooers Lighting-----	(Voucher 108)-----	<u>560.37</u>
Total of Abstracted Vouchers Paid		\$132,293.43

Adjourn: After all discussions were completed Councilman Barcomb made a motion the meeting be adjourned. 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 Meeting adjourned at 9:30 PM.

Respectfully submitted,

SHIRLEY A GADWAY, TOWN CLERK/TAX COLLECTOR
TOWN OF MOOERS