

Regular meeting of the Mooers Town Board was held on Tuesday May 11, 2010 at the Mooers Office Complex.

Present: Present for the 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. Absent was Councilman Eugene Bushey.

In attendance: Attending the Meeting were: Residents James and Nancy Keith, Resident Henry Gauthier and Mooers Fire Chief Raymond Phair.

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

Minutes: Copies of the Minutes for the April 13, 2010 meeting were given to each of the Board Members prior to the meeting. Supervisor Miller asked the councilmen if they had read the minutes. Supervisor Miller then asked if there were any omissions or corrections, of which there was neither. Councilman LaValley made a motion that the Minutes be accepted as written and Councilman Barcomb seconded the motion. Result of a Roll Call was 4 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb and Councilman LaValley) and 0 NOES with 1 absentee (Councilman Eugene Bushey). Thus Supervisor Miller declared Minutes accepted as written.

Board of Assessment Review: Supervisor Miller brought to the Board's attention that Harry Gonyo has agreed to be a member of the Board of Assessment Review for a 5 year term. Councilman LaValley made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ACCEPT HARRY GONYO AS A MEMBER OF THE BOARD OF ASSESSMENT FOR A FIVE (5) YEAR TERM

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 #20-2010** is adopted.

Move Money: Supervisor Miller explained to the Board that money has to be moved from the prior year reserve to pay for the 2011 Highway Truck w/plow and sand box. Councilman LaValley made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT IN THE BUDGET JOURNAL 2010 THE FOLLOWING MONEY MOVES BE MADE:

DEBIT-----DA599-----\$115,744.00-----APPROPRIATED FUND BALANCE

CREDIT-----DA51302-----\$115,744.00-----MACHINERY & EQUIPMENT

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 declares **Resolution #21-2010** is adopted.

James Keith: James Keith, resident of the Town of Mooers, who purchased land on the Eddy Road asked if a culvert could be installed so he can enter a section of the property he purchased. Highway Superintendent Boulerville told Mr. Keith he would go and look at the site, then set up a time with Mr. Keith to discuss what has to be done.

Henry Gauthier: Mr. Gauthier was one of the residents affected by the Beaver problem. He told the Board now that some of the Beaver Dams are gone the water has gone down. He said there is another dam down lower on his property he wishes they could get rid of. Mr. Gauthier asked if the Town could help and get the water flow back to its natural place. He said the place has to be dredged (cleaned out) so that the water can flow naturally. Fire Chief Phair said he'd be willing to help if the Town would consider helping clean out the natural path. Highway Superintendent Boulerville will take a look to see what can be done.

Dam: The Town received correspondence from Dominic Fontana of the NYSDEC in which he's inquiring as to what repairs will be made on the dam. The Town notified DEC that steel plates will be bolted to the dam to prevent any further ice damage to it. At first they said the Town didn't need a permit, but now not sure if a permit is required. The Town won't have any machines in the water, but a stilt fence would have to be installed.

Mooers Fire Department: Fire Chief Phair went over the April 2010 report which showed: Station #1 had 12+ calls and Station #2 had 3 calls - There were 5 Town calls and 7 Mutual Aid Calls (1-Altona, 2-Champlain, 1-Ellenburgh Center, 1-Ellenburgh Depot and 2-West Chazy) - Incident types were: (1-house, 5-grass/brush, many power lines, 1-auto alarm, 3-air supply and 1-lift assist to EMS) - Received mutual aid from Altona - Average response time was 2 minutes and fuel used was 47.7 gallon/gasoline and 90.6 gallons/diesel. Fire Chief Phair talked about the possibility of getting another fire truck. Mr. Phair also talked about the possibility of getting a \$6,000.00 grant, which they'll be using to purchase 15 new Scott Air Packs. They won't make the purchase until they receive the grant money. Supervisor Miller asked the Board Members if they agreed with the Fire Department purchasing another fire truck and they agreed as long as they make sure the money is available before the purchase.

Library: The Town received an invitation on behalf of the Mooers Free Library Board of Trustees to attend the Annual Meeting of the Library on Thursday May 20, 2010 at 6:30 PM. The letter also states that Library Director, Edith Morelock, is resigning after 12 years of service and they are interviewing candidates to find a replacement for her.

EMS: Received March 2010 and April 2010 reports which showed the following: March 2010=(#462 transported 21 and #461/463 had 6 transports and Champlain West had 27 transports - #461/463 had 80 loaded miles and #462 had 399 loaded miles and Champlain West had 479 - Mutual Aid from #462 was 2 - and Fuel used was #462/124.6 gallons. April 2010= Transports by #462 was 22 and transports #461/463 was 5 and transports by Champlain West was 27 - Loaded Miles #461/463 was 99, and loaded miles #462 was 413 and loaded miles Champlain West was 512 - There was 1 Mutual Aid received from #462 - Fuel used by #462 was 148.5 gallons.

Dog Control Report: The Dog Control Officers report for the month of April showed: On 4/4 received 2 calls from Jim Gonyo/Rouses Point (1st. lost puppy and 2nd. found puppy), also Received call from Lori Miller/Chazy stating pit bulls chasing her down road and contacted owner who denied pit bulls were involved - On 4/6 received call from Eva LaPorte/West Chazy about dog running on her lawn /talked with Walter Parent who stated his dogs were on his property - On 4/9 received call dog running on Nephew Road/found no dog, also received call from 519 Fisk Rd./West Chazy//there is no 519 Fisk Rd. West Chazy, also called Peru regarding adoption for Shepherd Mix/not interested - On 4/9 & 10 called Mike Griffith/West Chazy about dog running/left 2 messages - On 4/14 Received call strange dog back yard/Altona - On 4/15 called to tell them to call Altona DCO - On 4/18 called R. Coupal regarding Shepherd Mix/ not interested and rec'd call L.Gladle/Mooers strange dog in yard/couldn't find dog - On 4/22 Ronda Owens/Chazy called re. pit-bull in back yard and when went to get dog/caller found owner - On 4/25 Nate Nedeau/Mooers found Bassett hound in back yard - On 4/26 went picked up bassett hound.

Zoning Board Action: Scott White of the Town of Mooers had to appear before the Zoning Board for non-compliance with zoning laws. After numerous attempts to correct the problem the Zoning Board ordered a Stop Business Operation effective 05/11/2010.

NBT: A luncheon was held to discuss cash management products & services & fraud protection on May 12, 2010 in Plattsburgh.

NYS Public Entities: The Town received 2 letters dated 4/14 & 4/15/2010 showing no Workers Compensation loss from 7/1/2--5 to 3/31/2010. In the second letter the Town of Mooers received congratulations on its safety awareness.

DEC: Received paperwork on Petroleum Bulk Storage. The 5 year fee for Facility Petroleum Bulk Storage is \$500.00.

Clinton County Health Department: The Town of Mooers received an invitation to attend a training session to improve & increase physical activity opportunities (walking - biking - etc.) within communities. The sessions are being held on June 23, 2010 in Plattsburgh and on September 23, 2010 in Rouses Point and there is no cost for attending.

Time Sheets: Received Highway Superintendent Boulerice and Secretary Carol Payne's time sheets for 3 month period. These are needed for employees participating in the Retirement System.

Highway Department: Highway Superintendent Boulerice handed out State Road report for March 2010 showing \$51.19 for labor and \$1490.00 for materials for a total of \$1541.19, also the April 2010 report showed \$503.73 for labor and \$3030.00 for materials for a total cost of \$3539.73. Mr. Boulerice also told the Board that minimum salt purchase is remaining 489T expected date of 5/1/2010. Prices for Blacktop has also been received. Prices from Plattsburgh Quarry for Type III Binder is \$37.83T or delivered price of \$42.58. The Quarry want the Town to go with a 2 year contract, but prices could change within that time frame. J.E Sheehan prices quoted was \$53.00T or \$58.00 delivered.

Community Service: The Town received a letter from Clinton County Probation Department and they wanted the Highway Department to allow their people on probation to work for the Highway Department. The issue of cost and safety was discussed then Councilman Robinson made a motion the following resolution be adopted

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS HIGHWAY DEPARTMENT, FOR MONETARY AND SAFETY REASONS, WILL NOT PARTICIPATE IN THE COMMUNITY SERVICE PROGRAM OR IN THE CLINTON COUNTY DEPARTMENT OF PROBATION ALTERNATIVES TO INCARCERATION PROGRAM

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). Thus Supervisor Miller declared **Resolution #22-2010** is adopted.

Court Docket and Records: Once a year the Court Records and Docket have to be examined and audited by the Town Board and a letter sent to the Director of Internal Audit of NYS Office of Court Administration. After the Board examined the books the following resolutions were made:

Councilman LaValley made a motion the following resolution to be known as resolution #23-2010 be adopted

BE IT HEREBY RESOLVED THAT, AS PER SECTION 2019-2 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 EXAMINATION AND AUDIT WHEREBY RESULTS SHALL BE NOTED IN THE MINUTES OF SAID TOWN BOARD MINUTES

Councilman Barcomb seconded the motion.

AND

Councilman Robinson made a motion that the following resolution to be known as resolution #24-2010 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 2 Roll Calls were taken with the same result 4 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb and Councilman LaValley) and 0 NOES with 1 Absentee (Councilman Bushey). Thus Supervisor Miller declared **Resolution # 23-2010** and **Resolution #24-2010** are adopted.

Dog Bite: The Town received a letter from Ellis Law, PC regarding a dog bite that occurred in West Chazy 4/21/2010. They request any information regarding the dog. Town Clerk Leo Oliver of Chazy attached a letter stating that no record of owners or dog in file.

Vouchers: Audited vouchers to be paid off the abstracted vouchers on May 11,2010 were as follows:

General Town-wide-----	(Vouchers115-140)-----	\$ 10,168.14
Highway Town-wide-----	(Vouchers 76-91)-----	191,761.59
Fire Protection-----	(Vouchers 637-645)-----	2,502.65
Mooers Forks Lighting-----	(Voucher 115)-----	337.54
Mooers Lighting-----	(Voucher 115)-----	<u>579.02</u>

Total of abstracted vouchers paid \$205,348.94

Adjourn: Motion to adjourn meeting made by Councilman Barcomb and seconded by Councilman Robinson. The result of a Roll Call taken was 4 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb and Councilman LaValley) and 0 NOES with 1 absentee (Councilman Bushey). Thus Supervisor Miller declared meeting adjourned at 8:50 PM.

Respectfully submitted,

SHIRLEY A GADWAY, TOWN CLERK/TAX COLLECTOR