

Regular meeting of the Mooers Town Board was held on Tuesday November 09, 2010 at the Mooers Office Complex.

Present: Those present for the meeting were Supervisor Rudolph Miller, Councilman Earl Robinson, Councilman Steve Barcomb, Councilman Eugene Bushey, Councilman Gerald LaValley, Highway Superintendent Eugene (Dick) Boulerice and Deputy Town Clerk Carol Payne.

In Attendance: Attending the meeting were Area 1 Legislator Harry McManus, Dog Control Officer and Deputy Todd Forrette Senior and Junior, Mooers Fire Chief Raymond Phair, Town Justice Jeff Menard and residents Katie Evans and Perron Knapp.

Meeting: Supervisor Miller called the meeting to order at 6:45 PM, then he asked Deputy Town Clerk, Carol Payne, to lead them in the recital of the "Pledge Of Allegiance", which she did.

Minutes: The Councilmen were asked by the Supervisor if they had reviewed the minutes of October 12th and 18th, which they had. Councilman Bushey made a motion that the Minutes of October 12th and 18th be accepted as written 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), thus Supervisor Miller declared minutes accepted as written.

Budget 2011: The Proposed Budget for 2011 was reviewed by the Town Board Members. After going over the budget figures Councilman Robinson made a motion that the following resolution be adopted

**BE IT HEREBY RESOLVED THAT THE PROPOSED BUDGET BE ADOPTED AS THE OFFICIAL BUDGET FOR 2011**

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 **resolution #43-2010** is adopted.

Special Meeting: A Special Meeting of the Mooers Town Board needs to be held. A motion was made by Councilman Robinson that a Special Meeting be held on Monday November 22, 2010 at 6:00 PM in the Mooers Office Complex for the following reasons: To discuss the possibility of granting a tax exemption to volunteer fire fighters and EMT personnel.

Harry McManus: Area 1 Legislator Harry McManus brought the Town Board up to date on the following topics: 1) Regarding the possible exemption for firefighters on their taxes, Harry said they could receive a refund on NYS Tax of \$200.00 but they must file a form with the assessor and their assessment must have a value of \$68,000. or more. They can't receive the 10% exemption on their taxes and the NYS Tax refund only one. Also if there are 2 people in the house hold they can't both receive the 10% exemption only one per household. 2) At the Plattsburgh Airport International the US Airline is bringing in 1500 per day verses the 450 that were coming in before they got US Airline. Also a parking garage will be built and a fee will be charged for parking. 3) He inquired as to how well the new voting machines worked out. He was told there were no flaws but we would like to have lights attached to the booths as it is hard to read the ballots in the booths. 4) The Faith Lambertson Meningitis Awareness Walk received \$1,000.00 that Laurie Garrand held.

Clinton County Real Property: Received two correspondence from Real Property Office, which are as follows: 1) On October 25, 2010 we received a 2011 Contract for Assessment Services which has to be signed by the Town Supervisor. In the Resolution it states that in consideration of the assessing services the Town agrees to pay the County annually \$12.50 (twelve dollars and fifty cents) for each parcel contained in the completed final assessment roll. As per Resolution #44-2010 the Town Board grants Supervisor Miller permission to sign this contract with the County. Councilman Robinson made a motion the following resolution be adopted

**BE IT HEREBY RESOLVED THAT THE SUPERVISOR HAS PERMISSION FROM THE MOOERS TOWN BOARD TO SIGN THE 2011 CONTRACT FOR ASSESSMENT SERVICES WITH CLINTON COUNTY REAL PROPERTY OFFICE**

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). Thus Supervisor Miller declared **Resolution #44-2010** is adopted.

2) In a Letter dated October 27, 2010 it states that the ACR (Aid for Cynical Reassessments Program) has been discontinued but it is replaced by CRM (State Relationship Manager). It states that the Town would continue to receive the \$5.00 per year as long as the criteria for a complete reappraisal is met. If the plan should change to a first and fifth year then the Town would receive only \$2.00 per parcel in the middle three years.

Justice Jeff Menard: Justice Menard brought to the Board's attention that the State wants the local courtrooms to improve on their security measures. Menard is suppose to look into the possibility of getting a \$30,000 grant thru JCAP [Justice Court Assistance Program] so the improvements needed (a restraint system to secure prisoners in a court room, a room to house prisoners in to keep them away from the general public and a place where the shackled prisoners can be restrained. The cutoff date was the end of October, but Justice Menard will look to see if the Town of Mooers might still be allowed to apply for the grant.

Mooers fire department: Received the October 2010 report from Fire Chief Raymond Phair and it showed Station #1 had 8 calls and Station #2 had 4 calls - The Incident types were 1-House, 4 Vehicle accident - 1-electrical - and 1-flooded basement - Mutual Aid was given to 1-West Chazy - Mutual Aid was received from 1-Altona, 1-Chazy, 1-Churubusco and 1-Ellenburgh Depot - Fuel used was 76.1 gallons of gas and 52.7 gallons of diesel.

Library: Katie Evans (a representative for the Public Library) told the Board she could show the Town how to go about getting grants. She also said the bathrooms would have to be redesigned.

Highway Department: Highway Superintendent Dick Boulerville told the Board that the Gravel Pit is being surveyed by Dean Lashway. A mining Permit must be done by the end of January 2011 to make it in compliance with ECL-2711.1. The Permit is in its process. Boulerville also told the Board that they must inspect where the fuel storage, the sand pile and the salt pile are stored to make sure there are no wet lands. In the event they are in wet lands a storage shed will have to be built. Supervisor Boulerville said it would be nice if all the boxes on the trucks were the same, this way you wouldn't have to purchase different size chains etc. It would also be more cost efficient. Councilman Bushey made a motion the following resolution be adopted

**BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS PURCHASE A 14' DUMP BODY/MATERIAL SPREADER (TENCO MODEL TCB-14-T-AH-S-LF) (STAINLESS STEEL) FROM ROUTE 11 TRUCK SALES & SERVICE, INC AT A COST OF \$39,737.00**

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 #45-2010** is adopted.

Beautification Committee: The Mooers Beautification Committee received a \$10,000 donation from the Mooers Wesleyan Methodist Church for the erection of a Veterans Memorial to honors all the Veterans in the Town of Mooers, however a problem has come to light. Some of the Parishioners say the money has to go back to the church. A lot of money was endowed to the Wesleyan Church by someone from Mooers, with the stipulation that the money stay in Mooers. The Church now has to prove they had the right to donate the money to the Beautification Committee, and nothing illegal was done. If the Town would have to return the money a way would have to be found as to how the Municipality could return the money. The lawyers are working on this now, in case the situation arises.

Uniform Contract: Two companies were contacted and they were asked to give the Town of Mooers a quote on uniforms. The two companies were Coyne and Unifirst. The figures were very close. They wanted a 5 year contract, but were willing to change that to a 3 year contract. Councilman Bushey made a motion the following resolution be adopted

**BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ENTER INTO A THREE (3) YEAR CONTACT WITH COYNE TEXTILE SERVICES (COMPANY THE TOWN NOW CONTRACTS WITH WHO HAVE GIVEN THE TOWN VERY GOOD SURVICE)**

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 #46-2010** is adopted.

2011 Highway Pickup: Highway Superintendent Boulerice said the Highway Department need another pickup. He said the Town could purchase a truck from the state by a contract bid. Councilman Robinson made a motion the following resolution be adopted

**BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS HAS PERMISSION TO PURCHASE FROM THE STATE BY CONTRACT BID A 1/2 TON 2011 PICKUP**

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 #47-2011** is adopted.

Champlain Ambulance: Champlain (EMS) West is asking that \$68,000.00 the same as last year be budgeted for 2011. Reports for September and October 2010 were turned in and they showed the following: 1)September 2010 showed 462 trans= 22 - 461/463 transported=0 - Champlain West transported 22 - 461/463 loaded miles= 0 - 462 loaded miles =403 - mutual aid from 462 = 2 and fuel used by 462 = 104.5 gallons. 2)October 2010 462 transported=29 - 461/463 transported=0 - 461/463 loaded miles=0 - 462 loaded miles=445 - mutual aid from 462=2 and fuel used by 462=154.3 gallons.

Health Insurance: Excellus EPO Option 11 is what most union contracts have so Town will have to maintain this level of insurance. The prices keep going up. Union negotiations will be coming up again January 01, 2011. This is tabled for now.

NYS Local Retirement: The Town received a quote from the Employees' Retirement System. If the Town pre-pays by December 15, 2010 the amount due would be \$43,681.00. The projective for 2011 is \$64,000.00.

Adirondack Tobacco Free Network: The Town received literature from the Tobacco Free Network and part of the discussion by the Town Board had to do with Parks Smoke Free. They all agreed there should be no smoking at the parks. This subject was tabled for now but will be discussed at a later date.

Franklin County SPCA: Received a thank you note from Franklin County SPCA for the \$50.00 donation in memory of Irene Gilmore.

New England Waste Service: The Town received a letter showing the increases which will take effect January 01, 2011. The changes are as noted: 1) Schuyler Falls Landfill = Minimum scale fee will go from \$16.00 per load to \$18.00 minimum load (600 lbs) and 2) Mooers Transfer Station = Current Transfer Station fee will go from \$77.76/ton to \$79.03/ton and Minimum scale fee will go from \$16.00 per load to \$18.00 per load.

Good Fellowship Club: A donation of \$500.00 was made to the Good Fellowship Club to cover some of their expenses for trips, meals and activities they participate in.

NYS Public Entities Safety Group 497: The Town received a letter showing Compensation losses from July 01, 2005 to September 30, 2010. It shows that the last claim paid was in July 2008, but it also shows that an accident claim by Raymond Phair was submitted. The amount reserved for payments to medical providers is \$9,000.00, but to date no medical payments have been made.

Dog Control Officer: The Dog Control Officer's report was presented to the Board and it showed the following: 10/1 (received call from 681 Stetson Rd. Chazy about dog traveling with Black dog/went to neighbor Cary LaBlanc issued a verbal warning and took Brindle Pitbull to be euthanized after found it to be not trustworthy. 10/2 Brought 2 shihitsu's to Malone to owner who redeemed them and 10/3 picked up stray dog in Ellenburgh and 10/5 picked up dog from

C.Covey that had belonged to neighbor who passed away and 10/10 Received call from E.Rabideau/Bush Rd. about stray Springer Spaniel/picked up and 10/12 Brought "Demon" for rabies vaccination and was adopted by K.Shinn/Plattsburgh and Black dog found on Stetson Rd./Chazy brought to shelter and 10/13 went to 204 Bush Rd/check see if dog picked up at 194 Bush Rd belongs to them//left card in mailbox and 10/21 picked up dog (at owner's request) as Johnson said dog bit someone and 10/22 responded to call at 630 Stetson Rd. Czy/dog running near railroad tracks/issued verbal warning and 10/22 Took Bobby for rabies vacc./dog adopted by V.Davies.

Code Enforcement Officer: Code Enforcement Officer Robert West is resigning from the Town of Chazy, but he still wants to continue working for the Town of Mooers as Code Officer.

Special Meeting Local Law#2-2010: Councilman LaValley made a motion that the following resolution be adopted

**BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS HOLD A PUBLIC HEARING ON PROPOSED LOCAL LAW #2-2010 ON NOVEMBER 22, 2010 AT 6:00 PM AT THE TOWN OF MOOERS OFFICE COMPLEX, and**

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. therefore Supervisor declared **Resolution #54-2010** is adopted.

AOT Meetings in New York City: The Town received literature on the Association of Towns Meeting for 2011. The meeting will take place from February 20 thru 23, 2011. Code Enforcement Officer Robert West and Town Justices Jeffrey Menard and David Kokes would like to attend the meetings in New York City in 2011. A complete Roll Call of who will be going will be taken at a later date.

Vouchers: Audited vouchers to be paid off the abstracted vouchers on November 09, 2010 were as follows:

General-townwide-----	(Vouchers 282-305)-----	\$ 24,590.09
Highway-townwide-----	(Vouchers 184-201)-----	20,680.98
Mooers Fire Protection-----	(Vouchers 688-695)-----	3,992.19
Mooers Forks Lighting-----	(Voucher 289)-----	364.37
Mooers Lighting-----	(Voucher 289)-----	<u>630.16</u>
<b>Total of Abstracted Vouchers Paid-----</b>		<b>\$ 50,257.79</b>

Adjourn: Councilman Bushey made a motion that the Meeting be adjourned and Councilman Barcomb seconded the motion. A Roll Call was taken with the following results 5 AYES (Supervisor Miller, Councilman Robinson, Councilman Barcomb, Councilman Bushey and Councilman LaValley) and 0 NOES. Thus, Supervisor Miller declared Meeting adjourned at 9:45 PM.

Respectfully Submitted

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CAROL PAYNE, DEPUTY TOWN CLERK