

Minutes of the Regular Monthly Meeting of the Town Board of the Town of Mooers held April 9, 2013 at the Mooers Office Complex commencing at 7:00P.M.

Present: Cory Ross, Supervisor
Earl Robinson, Councilman
Steve Barcomb, Councilman
Eugene Bushey, Councilman
Gerald LaValley, Councilman

Recording Secretary: Brandi Lloyd, Town Clerk
Others Present: Kaleigh LaBombard, Dog Control Officer
Jackie Madison, Librarian
Jess Dixon, Code Enforcement Officer
Eugene Boulerice, Highway Supervisor
Jim Coffey, attorney

Absent: none

Meeting: Supervisor Cory Ross called the Meeting to Order at 7:00PM, then he asked Brandi Lloyd to lead them in the "Pledge of Allegiance", which she did.

Minutes: All the Board Members were asked if they had read their copies of the March 12, 2013 Minutes. They all replied yes. Supervisor Cory Ross then asked if there were any omissions or corrections, there were one. Ms. Madison said there is \$40,000.00 in the library fund, not \$40,00 as noted. Councilman Steve Barcomb then made a motion to accept the March 12, 2013 Minutes as written and Councilman Gerald LaValley seconded the Motion. The result of a Roll Call was 5 AYES and 0 NOES, therefore Supervisor Cory Ross declared Minutes accepted as written.

Insurance Renewal: Mrs. Andree LaBarge of the LaBarge Agency, presented their Insurance Proposal for the Town of Mooers, coverage effective May 1, 2013 through Trident. Insurance total premium is \$34,452.20, which is a decrease of \$2,968.73 from last year. Mrs. LaBarge also presented their Insurance Proposal for the Mooers Volunteer Fire Department, through ESIP. Insurance total premium is \$16,350.60, which is an increase of \$1167.20 from last year.

Dog Control: DCO Kaleigh LaBombard asked the board if she should start collecting a small adoption fee. When she started she had 30 dogs and she is currently down to two dogs. After some brief discussion, Supervisor Ross tabled the matter until the next meeting. Ms. LaBombard handed in the itemized report for March 2013 which showed the following: 03/01/13 Dog, male beagle, adopted- 03/03/13 Treats and toys donated by Ace Hardware in Champlain- 03/06/13 Female pit bull found in Champlain, gave Joe Mott's phone number- 03/08/13 Neighbor's dog barking at 4am, not sure which neighbor on Nephew Rd. in Mooers- 03/07/13 Court for Clifford Leafloor, adjourned until April 18, 2013- 03/07/13 Karen Jennette and family donated \$100 for Mooers Dogs, gave to Rena to put in account- 03/12/13 Marsha Forette reported animal abuse at 1318 Miner Farm Rd. I reported it to State Troopers (Trooper Atwood)- 03/13/13 Ann Marie, drives bus in Champlain, reported dog at 123 Mandarine Drive not being taken care of, reported to Trooper Atwood- 03/14/13 Erving Gueirn lost a hunting dog on Scribber Road- 03/14/13 Lost dog on St. Johns Road in Champlain, gave Joe Mott's phone number- 03/15/13 Plattsburgh animal hospital called to see if I needed the death certificate of a dog of a Mooers resident died, I told them to mail it to the Town of Mooers- 03/15/13- Lee from Champlain saw a dog on Prospect street, gave them Joe Mott's phone number- 03/15/13 Stray dog on porch since 10pm in Champlain, gave Joe Mott's phone number- 03/18/13 Missing dog from Sciota/West Chazy area, sheep dog mix- 03/19/13 Steve Martin of Blackman's Corners called about neighbor's, Rusty Dupee's, dog, that it was barking disturbingly again- 03/20/13 Michelle Oumette of Perry's Mills called about neighbor's dog fought with her dog in the Town of Champlain, gave Joe Mott's number- 03/23/13 Nikki Barcomb called about the neighbor's dog chasing her, didn't know where the dog belonged, on Route 22- 03/26/13 Emma Perrt, lost male beagle in Town of Chazy- 03/25/13 Marie Miller, Turnpike Altona, dog dropped off on Turnpike, Lionel Peryea- 03/26/13 34 Academy Street, dog died of parvo, wondering if neighbor's dog can get parvo, advised they call a vet.- 03/25/13 Jacob Rivers, Fiske Road Chazy, found old male dog, dog was gone when he looked again- 03/26/13 Trooper Leonard, 870 Fiske Road, dog found on Fiske Road, I picked him up, belonged in Beekmantown- 03/29/13 Saranac, missing beagle- 03/29/13 Steve Martin, 336 Blackman Corners called, dog from 328 Blackman Corners on property again, ticket issued- 03/29/13 326 Blackman Corners Road, Martine Barcomb ticketed for breaking local leash law.

Code Enforcement Officer: Mr. Jess Dixon reported six permits and three complaints for the month of March. Mr. Dixon also discussed that he is looking into the problems associated with Meth Labs as some issues dealing with the aftermath of these labs falls under code enforcement. Some issues that could have to be addressed include whether or not the building needs to be condemned and when the building can be inhabited again after clean up. Mr. Dixon would also like to start having quarterly meetings for the Zoning Board of Appeals. This would, he says, help in addressing any issues in a timely manner. Mr. Dixon has requested information from the fire department to make sure all records are up to date. Some information he needs includes a building record or permit for the new pump house. Records need to be kept, he says, for safety purposes as well.

Highway: Highway Supervisor Eugene Boulerice handed in the report for total cost of the State Road upkeep for the month of March 2013 as being \$11029.78. Mr. Boulerice reported that CHIPS increased by 28% this year which equals \$39,763.61 increase in CHIPS money from the state.

Fire Department: Raymond Phair, Fire Chief, out of town. No report.

Library: Jackie Madison discussed that the library must respond to the grant by April 10, 2013 or it will be lost. Ms. Madison reported that when it is rainy out the toilet is not useable. Supervisor Ross said that would be looked into. Ms. Madison spoke with Mary Linda Todd, the construction program grant manager for New York State Libraries Cultural and Education Center, in regards to the grant for \$10,800.45. The library must have answers to their questions as to who the library has for a contractor and an idea of the plans for the building this week. Failure to do so will result in a loss of this grant money due to lack of compliance with the Libraries Cultural and Education Center's construction law. Councilman Earl Robinson spoke on the meeting the Library Committee had on April 8, 2013 to discuss an agreeable location for the new library. He reported that he and Highway Supervisor Eugene Boulerice visited two locations. The property on Maple Street, due to it being very rocky in spots and very wet in others, would not be a good location. Mr. Robinson and Mr. Boulerice also looked at the property on School Street that Mr. and Mrs. Doc Evans have offered to donate to the town. This property, in addition to being relatively dry, also has a well. The property will need a perk test. Mr. Robinson reported that the northwest corner would work well for the building with some ditch diversion. Mr. Robinson recommends that the library be moved to the School Street location; therefore Councilman Barcomb made a motion that the following resolution be adopted:

**BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS APPROVES PERSUING THE
LAND LOCATED ON SCHOOL STREET AS THE POSSIBLE LOCATION OF THE NEW LIBRARY**

The motion was seconded by Councilman Eugene Bushey. The result of a Roll Call was 5 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley, Councilman Eugene Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #016-2013** adopted.

Library 2: Supervisor Ross asked for a motion to vote on entering into a contract with Surprenant Construction to begin work on the library. Supervisor Ross added that Surprenant Construction agreed to not raise the quote given. Surprenant Construction said that as the price of concrete went up they would lower the charge for labor to keep the price of the quote as agreed upon last year. Councilman Steve Barcomb made a motion to enter into a contract with Surprenant Construction with a second from Councilman Eugene Bushey. All in favor. Motion carried.

Zoning Board 1: Todd Forette was never paid for the first six months of 2012 due to an oversight. Supervisor Ross discussed with the state comptroller's office how to handle this. It was determined that a check in the amount owed of \$100.00 be given to Todd Forette pending board approval. Councilman Gerald LaValley made a motion to approve paying Todd Forette \$100.00 with a second from Councilman Barcomb. All in favor. Motion carried.

Zoning Board 2: The Town Board received from Irving Breyette a letter of resignation from the Zoning Board Committee at the March 12, 2013 meeting. The Town Board received a letter of resignation as the Chair of the Zoning Board Committee from Gary Provencha in the mail in March 2013; therefore Supervisor Ross motioned to accept Irving Breyette's resignation from the Zoning Board Committee with a second from Councilman Bushey. All in favor. Motion Carried. Supervisor Ross motioned to accept Gary Provencha's resignation as Chair of the Zoning Board Committee with a second

from Councilman LaValley. All in favor. Motion carried. Therefore Supervisor Ross made a motion that the following resolution be adopted:

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ACCEPTS THE RESIGNATIONS OF GARY PROVENCHA AS CHAIR OF THE ZONING BOARD COMMITTEE AND IRVING BREYETTE FROM THE ZONING BOARD COMMITTEE

The motion was seconded by Councilman Gerald LaValley. The result of a Roll Call was 5 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley, Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #017-013** adopted.

Zoning Board 3: Due to the recent resignation of Irving Breyette for the Zoning Board Committee, Supervisor Ross discussed the need for a replacement to finish the appointment until 2017. Supervisor Ross suggested Orville Nedeau for the appointment; therefore Supervisor Ross made a motion that the following resolution be adopted:

BE IT HEREBY RESOLVED THAT ORVILLE NEDEAU BE APPOINTED FOR THE ZONING BOARD COMMITTEE UNTIL 2017

The motion was seconded by Councilman Earl Robinson. The result of a Roll Call was 5 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley, Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #018-2013** adopted.

Soccer Goals: Supervisor Ross discussed that two years ago a resolution was passed to replace the existing soccer goals as the Town could. Two goals were replaced last year and two more goals were delivered this week.

NCC Systems: NCC Systems conducted their annual fire inspection. They also installed a low temperature sensor at the fire station in Mooers.

Public Comment Policy: The Public Comment Policy was discussed as all board members had a copy to review. Supervisor Ross discussed that the policy puts in writing how the Town Board Meetings should be conducted; therefore Councilman Gerald LaValley made a motion that the following resolution be adopted:

BE IT HEREBY RESOLVED THAT THE TOWN OF MOOERS ACCEPTS THE PUBLIC COMMENT POLICY

The motion was seconded by Councilman Eugene Bushey. The result of a Roll Call was 5 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley, Councilman Bushey) and 0 NOES, therefore Supervisor Cory Ross declared **Resolution #019-2013** adopted.

Supervisor Ross asked if anyone would like to address the Town Board.

Library 3: There was discussion pertaining to the library and the manner of which contractors bid on the job or if it was ever made public. Supervisor Ross explained that a number of bids were accepted

last year when the project first got underway. The total amount of the project was approximately \$55,000.00 at the time of the bid. Jess Dixon explained that four contractors were contacted and that Wayne Surprenant was the only one to accept the job. The breakdown of the project includes the concrete work as well as the building itself, the labor, and the materials coming from Sample Lumber. Jim Coffey, attorney, requested that the information for the project be sent to him for review and future discussion. The time frame of the project was also brought up due to the grant money at stake. There was more discussion pertaining to putting the entire project up for bid or getting bids for the project in stages. Mr. Coffey, again, would like to take a closer look at the project and discuss it further at the next meeting. A town member advised that the board look carefully into the project and check with the lawyer in regards to opening it up for bids again.

Public Comment Policy 2: A town member asked if there were copies of the policy for the public to read. Others mentioned possibly posting it on the website.

Zoning Board 3: Jess Dixon asked if Gary Provencha had resigned from the Zoning Board Committee or just as the Chair of the Zoning Board Committee. Supervisor Ross answered that the letter presented by Mr. Provencha was just as chair. Mr. Dixon said if that was the case, at the next scheduled quarterly meeting, they would be prepared to appoint a chair.

Library 4: Councilman Robinson discussed that even though the Library Committee had planned on only meeting for eight weeks, the members of the committee met repeatedly. He thanked them for their continued commitment to meet, research, assist and said he really appreciates all of their hard work.

Insurance Renewal 2: Town member asked, in light of the insurance, if there would be a way to allot a certain amount of time to a topic. There was some discussion on the topic. There was another question as to whether or not the insurance quote goes out for bids. Mr. Coffey addressed this by explaining it is a professional service and typically does not go out for bid. There was some discussion on making sure that money is saved if possible on insurance quotes.

Zoning Laws: Town member asked about past zoning laws and what the procedure the local tax payer would have to follow to find out if the zoning law was actual valid or how to find out if proper legislation was followed. Town member also asked if the laws could or how they could be changed to fit today's needs. Scarlett Sample discussed how past zoning laws were handled properly and how everything went through the attorney. More discussion on zoning laws.

Vouchers: The Audited Vouchers to be paid off the Abstracted Vouchers on April 9, 2013 are as follows:

General - Townwide-----	(Vouchers 77 - 97)-----	\$ 14,575.27
Highway - Townwide-----	(Voucher 54 - 76)-----	26,629.93
Mooers Fire Protection -----	(Voucher 98-103)-----	4,125.83
Mooers Forks Lights-----	(Voucher 86)-----	399.57
Mooers Lights -----	(Voucher 86)-----	<u>690.60</u>
Total of Abstracted Vouchers Paid-----		\$46,421.20

Adjourn: Councilman Earl Robinson made a motion for the meeting be adjourned. Councilman Steve Barcomb seconded the motion and the result of a Roll Call was 5 AYES (Supervisor Cory Ross, Councilman Earl Robinson, Councilman Steve Barcomb and Councilman Gerald LaValley) and 0 NOES. Thus, Supervisor Cory Ross declared motion carried. Meeting adjourned at 8:28 PM.

Respectfully Submitted,

 BRANDI B. LLOYD, TOWN CLERK/TAX COLLECTOR