

Regular Town Board Meeting September 8th, 2020 6:00pm

The Town of Gouverneur Regular Town Board Meeting was held on September 08th, 2020 at 6:00pm at the Town of Gouverneur Office Building, 1227 USH 11 Gouverneur, NY 13642. Meeting was held in person by board members and public participation by teleconference.

Roll call attendance by Supervisor Spilman

Dave Spilman
Eldon Conklin
Jaimee McQuade
Curran Wade
Jay Bowhall
Marion Bowhall
Diane Kelley
Michael McQuade

Attendees by teleconference

Ronald McDougall
Rachel Hunter
Amber Ormasen
Dean Shelto

1. Meeting called to order by Supervisor Spilman at 6:00pm
Pledge of Allegiance was recited by all.
2. Approval of minutes-
Motion to approve August 11th regular board meeting minutes & public hearing minutes:
Motion: Jay Bowhall 2nd motion Curran Wade
Ayes: 5 Nays: 0
Minutes approved.
3. Public Participation- none.
4. Old Business
 - a. Community center- VFW no longer hosting the blood drives, there are 5 scheduled through the Red Cross at the Community Center at the following dates:
September 17th, October 13th, November 12th, December 15th, January 21st 2021
11:30AM- 4:30PM
Interested donors must register online through the Red Cross website.

Conklin states that he'd been approached from another Community Center board member to hold a meeting this month, if possible. Meeting set for September 16th, 2020 at 9:00AM- Community Center building.
 - b. None
 - c. Complete Streets- Leader's office has the paper work to review for joint resolution with the Village.

Regular Town Board Meeting
September 8th, 2020 6:00pm

5. None
6. Highway Superintendent
 - a. Report supplied
-6 water breaks through out the month of August.
 - b. Highway Contract negotiations to begin tomorrow at 12:30pm with the highway committee of David Spilman and Jay Bowhall.
7. DCO Report
 - a. Report supplied, two dogs in custody this month- 1 redeemed, 1 still holding.
8. Code Enforcement
 - a. Report supplied, 10 permits issued in August.
 - b. Housing grant- 3 more grant contracts signed. Contractors a bit behind schedule due to COVID shut down, Anticipated start date for 3 newly signed October, 2020.
 - c. 51 Scotch Settlement Road- McQuade has given professional opinion that property is a public nuisance and rodent infested due to garbage build up. Requests permission from the town to abate and clean the property.

Motion to authorize Code Enforcement officer to have property cleaned up by any means deemed necessary- Eldon Conklin 2nd motion- Curran Wade
Ayes: 5 Nays: 0

9. New Business
 - a. Justice Reports-
138 new cases and \$8101.50 taken in.
 - b. Supervisor Communication
 - i. Megan McDonald looking for a physical sponsor for a grant to do a movie.
Spilman states probably better than to sponsor from Community Center and will bring it up at the 16th meeting.
 - c. A letter from the USDA just notification of award for feasibility study.
 - d. Solar Pilot- We currently have 4 prospective solar projects.
Offer from the companies of \$4,250/mega watt with a 2% per year escalator clause.

Our offer for the pilot from the SLC IDA for the pilot breakdown:

50% School district
32.5% St Lawrence County
17.5% Town of Gouverneur-

Spilman reached out to Town of Norwood for their Solar Pilot they receive:

50% Norwood School District
30% St Lawrence County
20% Town of Norwood

Conklin states support for amount of \$4,250 but would like the formula the County has used to break down the payment. Feels we are being short changed.

Regular Town Board Meeting
September 8th, 2020 6:00pm

There is much discussion about being able sign the proposed resolution in support of a pilot agreement with out know the break down. Board rules in favor of signing resolutions as there is no break down specified in the resolutions and withholding them would delay construction of the projects.

Motion to adopt resolution 9A – ASA Gouverneur II Project – 1645 USH 11 Gouverneur, NY

Motion: Jaimee McQuade 2nd Motion: jay Bowhall

Roll Call Vote:

David Spilman: Yes

Jaimee McQuade: Yes

Eldon Conklin: Yes

Curran Wade: Yes

Jay Bowhall: Yes

Motion to adopt Resolution 9B - 126 Little Bow Road North – 126 Little Bow Road, Gouverneur NY

Motion by: Eldon Conklin 2nd motion: Curran Wade

Roll Call Vote:

David Spilman: Yes

Jaimee McQuade: Yes

Eldon Conklin: Yes

Curran Wade: Yes

Jay Bowhall: Yes

Motion to adopt Resolution 9C - 126 Little Bow Road South- 126 Little Bow Road, Gouverneur NY

Motion by: Jay Bowhall 2nd motion: Curran Wade

Roll Call Vote:

David Spilman: Yes

Jaimee McQuade: Yes

Eldon Conklin: Yes

Curran Wade: Yes

Jay Bowhall: Yes

Motion to adopt Resolution 9D – ASA Gouverneur I Project – 188 Welch Road, Richville NY

Roll Call Vote:

David Spilman: Yes

Jaimee McQuade: Yes

Eldon Conklin: Yes

Curran Wade: Yes

Jay Bowhall: Yes

Eldon Conklin requests that McQuade set up a meeting, via teleconference with the County to discuss the pilot breakdown.

- e. Sales Tax Plan- Conklin states that the Mayor of Ogdensburg has proposed this plan and has given each of us a copy.

Motion to support Ogdensburg's sales tax proposal- Eldon Conklin

Regular Town Board Meeting
September 8th, 2020 6:00pm

2nd: Jaimee McQuade

Ayes: 5 Nays: 0

- f. Office hours: As of September 14th, all Town of Gouverneur offices will be returning to regular hours.

Town of Gouverneur- 8am-4pm

Town Clerks- 9am-4pm

Town Court- 8am-4pm

- g. Budget workshop set for September 15th, 9:00am.
h. Water improvement amendment- no fee amendments to re-appropriate funds within the engineer's payments to be able to use CDBG funds.

Motion to authorize Spilman to sign the no-cost amendment for the East Side:

Jay Bowhall 2nd motion: Jaimee McQuade

Ayes: 5 Nays: 0

Motion to authorize Spilman to sign the no-cost amendment for the West Side:

Eldon Conklin 2nd motion: Jaimee McQuade

Ayes: 5 Nays: 0

- i. New Business from town board members-

Spilman states Alltech- installation of fire protection at the Friends 4 Pound Paws building will be Thursday, 9/10, the following week to do Town building.

- i. Councilman Bowhall- Wondering if we should make a policy or set something up that if you do go out of state to a COVID state and come back we should set something up so that there is no mix up. I thought last month we had said that we have to go by executive order and then we had the situation last week.

Spilman – Well, the situation at the court had changed, but we still went by the County Public Health guidelines.

Bowhall- I know but I almost think we should have shut down the court for another week or two weeks or whatever it was.

J. McQuade- What are the county.. it's confusing. Because I know, I know its confusing. What is their policy?

Spilman- Well I know with the two situations we've been involved with- the first one was one of our highway employees who went to pick up his kids- he was to call in and they'd give him guidance from there. He wasn't in OHIO for more than 24 hours so he didn't fall into that application that he had to quarantine for 14 days but his children coming in were coming from Kansas, so they did. So, either way he had to call public health, tell him he's back, they're here and they told him what to.

J. McQuade- and they told him what to do?

Spilman- They told him what to do. The second situation with the girl in court was she went on vacation to a state that was on the list, came back. We had talked at the previous meeting about the 14 days off. The Friday before she came back we lost our part time help at court. She was leaving, so that left us down to 1 person at the court, and they had a big court scheduled. So she came back to work Monday, which I didn't know she was coming back to work Monday, and I didn't know the girl was leaving so that threw us into a situation of the unknown, so we called public health and described the situation and they summed it up as can this department run with out this person? And with the court schedule, they

Regular Town Board Meeting
September 8th, 2020 6:00pm

couldn't. Because you couldn't have one person.. the protocol at the court right now is they go down, let 5 persons in at a time, bring them up, make them log in and do all the court proceedings, then they take them back down and call the next five and walk them back in. So. It was a catch 22, a perfect storm.

J. McQuade – I just, I guess I don't understand, because when I look at the Department of Health and their quarantine rules, no where does it say Oh unless your job really needs you, or do they say that? I don't know.

Spilman- if that department cant run with out them, that that dictates that employee an essential employee. An essential employee falls into a whole different protocol.

J. McQuade- I'm an essential employee and if I go out of state- I can't work for two weeks.

Jay Bowhall- You're done, yeah. My only thing is you've set us up for a whole can of worms now of any body else now that goes out of state. And it's going to, its going to be an issue if anyone goes out of state. If this goes on for another year or whatever.

Spilman- how its going to be here a while so if we want to set it stone now that's fine with me.

Bowhall- It's got to be.

McQuade- I thought it was? With the Governor. I thought it was in stone.

Spilman- but if we set policy does it get over ruled by the health department?

Bowhall- No. I mean I don't think so.

Spilman- well that's the gray area.

Conklin- She shouldn't have ever gone to work with out calling the public health first. She went to work like nothing ever happened.

Spilman- I agree there.

Conklin- I didn't know that. I didn't know until after the fact.

M. Bowhall- and she had every plan to do so.

Bowhall- And we sent out things in everyone's paycheck, right? That if you go somewhere you're supposed to quarantine?

J McQuade- and wasn't court closed for how many months? So why all of a sudden?

Spilman- The state told them to open up.

J McQuade- and now all those rules don't apply?

Spilman- It's the biggest gray area we'll ever have to deal with in our lives.

Bowhall- But I think it put a lot of peoples' health in danger and you know. I don't think it was the right call. I don't.

Spilman – who is the definitive authority in this? I mean is it us? Is it public health? Is it NYS DOH? I mean...

Bowhall – I think its Cuomo's executive order. You leave the state on your own, you got to quarantine. I mean I'm sorry, but I don't know. I just don't agree with letting her, I don't agree with letting anyone come back. If I go tomorrow, I don't expect to go to back to work. I expect to stay home. I just, I wouldn't go out of state. That's just disregard for everyone.

Spilman- I wouldn't either.

Regular Town Board Meeting
September 8th, 2020 6:00pm

Bowhall- So I feel that employee shouldn't have, if you have the time to be out of state, then they had the time to be off - knowing the consequences before they left. That's my problem with that whole situation. You know, essential or not, either cut the court in half or shut it down for another week, two weeks. I just think it set not a good precedent on it.

McQuade- I don't disagree with you.

Bowhall- I just set a huge precedent.

McQuade- Right on my computer, I have to log in everyday and if I am in, if I go to a state on that list, so what like Delaware now? If I go there today and come back I can't go to work for two weeks. Period. And I would think I'm pretty essential.

Wade- I don't disagree with either one of them. But I think each case is going to be different in some way. And that's going to be dictated by public health.

Spilman- And that's what we did.

M. Bowhall- But it's all about who you talk to at public health department too. I mean they told me something completely different about the highway employee. They told me when I called for him, that he had to quarantine because he could not.. it was impossible for him to separate from his children in his home. They are children they have needs. Needs that as a parent, as a stepparent he would have to meet. They told me that, and I told him that. Then I don't know if he went to you and you called or what happened; but they told you something different.

Spilman- well I called because I didn't the protocol about the situation and all I told him was that then he got back to Gouverneur, call the health department and they'll tell you what to do.

Wade- and if he does it, Whoopie. If he doesn't then what?

Spilman- well we can call the health department behind him and find out what they told him.

McQuade- And even when you have to do it – it's so wishy washy. There are all these recommendations, but can you even make you? It gets wish washy. Like masks as school, there is no law you have to wear them- it's a recommendation, right? But we wear them.

Wade- You'd be surprised that I call on every day, that do not.

McQuade- I'm not saying, I'm not here to say that anyone's right or wrong. A lot of it is interpretation. I think.. I don't know.

Spilman – well that's the situation at the court. I sat here and listened to the girl explain the regulations concerning a regular employee and an essential employee.

Bowhall- My only problem is that she knew before she left, you are not coming back to work. She knew before she was leaving. She knew she was to quarantine.

Spilman- well we all told her that

Conklin- I told her specifically my self that she had to call public health when she returned and go by their instructions. It becomes a mute subject if nothing happens but a big subject if something does.

M. Bowhall- I feel like we put a lot of people at risk.

Spilman- But on the other side of the coin, every miner up the road seven miles is essential, there's 100 people a day up there considered essential.

Regular Town Board Meeting
September 8th, 2020 6:00pm

Bowhall- I don't see how that is either. If one of them calls in sick they keep going.

Spilman- That's just the thing. The crazy part of all of this, what's the defining line of an essential employee.

M. Bowhall- But in the same sentence, the court's been, NYS shut down for months because it wasn't essential. The mines never shut down.

Bowhall- You're right.

McQuade- There's no rhyme or reason to it.

Spilman- But yeah, and they said we had to open back up August 1st or whatever it was.

M. Bowhall- the judges postpone court all the time.

Bowhall- I guess we just get a policy and that's what it is.

Spilman- ok, lets get it drafted and put it in their employee manuals then there's no question.

McQuade- is that different than what we did last month?

Spilman- I think we informed her last month, if you read the minutes- that she's required to call public health and there's a 14-day quarantine period for different states.

McQuade- yeah it was I thought it was agreed upon that she was to quarantine. I didn't know there was an option for her not to quarantine.

Bowhall- yeah it was.

Spilman – Well I didn't know the part time girl was leaving. I thought she was her quarantine until the end of September.

McQuade- That's where I'm confused. I didn't know it was contingent upon were down an employee, you don't have to quarantine.

Spilman- Well all of it goes by county health guidelines. Let's make an adjustment, just draft a policy concerning this.

Bowhall- If you choose to go, you choose two weeks when you get back too.

Conklin – Well it boils down to who's got the authority to deem essential or not essential.

McQuade- I think even if we did that, the county could still override us, so it seems.

Bowhall- So if you just make it Town policy.

M Bowhall- And I just feel like if she didn't want to come to work that day, she would have chosen to not be essential that day. What would they have done then, if her child were sick, if she was sick? But Because she wanted to come to work that day. She didn't want to take the time off that's all it came down to.

Spilman- Well, but that's an assumption too.

M Bowhall- She talked to me in July about it before she left.

Spilman- She was informed of the protocol before she left. So, what's our choice and what would like to do here? Develop a policy and put it in the employee manual?

Conklin- Well hold your breath. We're going to have a hard time enforcing because we set a precedence now.

Bowhall- Yeah.

Wade- As I said before every situation is going to be different.

Regular Town Board Meeting
September 8th, 2020 6:00pm

Bowhall- but if we set a policy we'll have to stick with it from here on out.

Wade- and when this is over

Conklin- and she's got a few more days now. Supposed to be over the 11th, will be her 14th day.

Bowhall- Then it will be another 14 days if someone else gets it.

Conklin- the public health should have said that that's an essential employee or it's not an essential employee. Not leaving it up to different people at different places.

M. McQuade- The Public health department isn't the one who makes up the essential/non essential list. The NYS something, something, ESD set the guidelines not the Health Department.

McQuade- Nurses and doctors and all that, they're all exposed and they still work. I guess. I don't know.

Spilman- lets get something on paper.

Conklin- I think we made the resolution last time, it just adhering to it now.

J. McQuade- yeah I supported it last time, I'd support it again.

Spilman- Like Curran said, every situation is unique.

10. Public Participation

R. McDougall- Water tower grant is moving alone.

Covid- Executive order was 6 months and ended the 7th, extended it until October 4th.

296 Covid Cases County Wide, 48,205 tests conducted.

11. Motion to pay the bills- Jaimee MCQuade 2nd Motion: Jay Bowhall

Ayes: 5 Nays: 0

Motion to adjourn the meeting: Curran Wade 2nd motion: Jaimee McQuade

Ayes: 5 Nays: 0

Meeting Closed. 7:33pm