

**Town of Lowville Regular Board Meeting
June 21, 2018
5533 Bostwick Street
Lowville, NY 13367**

Present: Supervisor Randall Schell, Councilwoman Ruth Larabee, Councilman Al Millard, Councilman Robert Mullin, Councilman Paul Virkler

Also Present: Superintendent of Highways/Special Districts Tabolt, Town Clerk/Tax Collector Klosner, DCO Nicholas Astafan Jr., Henry Avallone, Legislator Burns and Allen Matuszczak. Eric Virkler, Tim Petersen, and Joe Lawrence entered at 9:33. Attorney Meier entered at 10:05 and Mickey Dietrich entered at 10:15.

The meeting was called to order at 9:30 a.m. by Supervisor Schell who also led the Pledge of Allegiance.

MINUTES

Motion by Councilman Virkler, seconded by Councilwoman Larabee to approve the minutes of the May 24, 2018 regular board meeting. ADOPTED – VOTE – AYES – Larabee, Millard, Mullin, Schell, Virkler NAYES - 0

CORRESPONDENCE

- TAP workshop notice
- BCA letter regarding chlorine analyzer
- DOH notice of violation on CWD#1 – notice has to be mailed to customers.
- Slye Law office letter of engagement
- RACOG minutes
- Peak to Brew event
- Email notice – Equalization rate at 100%.

VOUCHERS

Motion by Councilwoman Larabee, seconded by Councilman Millard to approve that bills be paid as listed in the following amounts. ADOPTED – VOTE – AYES – Larabee, Millard, Mullin, Schell, Virkler NAYES – 0

General	166 to 191	\$10,553.19
Highway	56 to 67	\$ 3,415.35
Trust & Agency		\$ 2,172.48(05/30/2018)
		\$ 891.97(06/07/2018)
		\$16,976.65(06/19/2018)

SUPERVISOR'S REPORT

Receipts:	Town Clerk.....	\$1,846.21
	CEO.....	\$1,275.00(\$3,706.60 ytd)
	Court – Kiernan.....	\$4,685.00
	Tax Collector.....	\$2,674.44
	Lewis Co.-Snow & Ice.....	\$5,610.55

Lewis Co.-Mortgage Tax\$17,574.96
Town of Watson.....\$1,681.13(worker's comp Fire Dept.)

The Supervisor's activities report and financial report are in the Board Member's packets.

Motion by Councilwoman Laribee, seconded by Councilman Mullin to accept the Supervisor's receipts, activities report and financial report. ADOPTED – VOTE – AYES – Laribee, Mullin, Schell, Virkler NAYES – 0

DEPARTMENT REPORTS

DCO

- Monthly report is in the board member's packets and DCO Astafan reviewed it with the board. He has found more unlicensed dogs while on calls.

Highway/Special Districts Superintendent

- A fire hydrant has been purchased to replace the one that was leaking at the Sauters on Route 26. Found that the bolts on the old hydrant were deteriorating.

- CWD#1 Administrative Order – the chlorine analyzer needs to be in and operating by June 30th. Working with the engineers.

- Will be paving part of the East Road next Monday. Will be getting some help from the Town of Martinsburg.

- The contractor for the JCC waterline project on the East Road has requested one town employee to assist with installation of the line sometime in early to mid July 2018.

- The Gordon Road bridge had been red flagged which means further inspections and restrictions. Inspections were done and the engineer stated there has been no change so the red flag was lifted.

-CDW#1 Administrative Order – There was discussion on meeting with J. Billings, the water driller. He has checked over all the previous reports and feels there is no water in the Town of Lowville and wrote a letter stating this to Department of Health.

- Granular Activated Charcoal Test – The second quote for PILOT testing is not for potable water so will probably not be of use.

- Will be chip sealing Rice Road and Boshart Road.

- May want to do striping again but will check and see if CHIPS moneys can be used for this.

- Water Quality Report for the Town of Lowville is done. The report will be sent out along with the Village water quality report and the disinfection byproducts letter to water customers.

Town Clerk

- Town Clerk's monthly report for May 2018 is in the Board Member's packets and the daily log was passed for review.

- Packet has been sent to the DOH for the consolidation of the Town/Village Registration Districts.

- Sent a packet with the resolution, letter and forms to the Lewis County Highway Superintendent regarding the speed limit on Rice, Cemetery and East Roads.

- Spoke with Mickey Dietrich from RACOG on setting up our website. They are working on a couple of areas they had issues with and when that is taken care of they will be in touch with us to get started.

- Received letters from Blue Cross/Blue Shield on rate increases of possibly 1.5%.

- Minutes indexing has been brought up to date.

- Still need to set up violence in the workplace training.
- Town Clerk/Tax Collector Klosner gave her resignation letter to Supervisor Schell on June 8, 2018 effective July 31, 2018.

Tax Collector

- The May 2018 collection report is in the Board Member's packets.
- Finished collecting and have settled with the County Treasurer.
- Collected total taxes of \$65,548.43.
- Paid to Supervisor - \$2,674.44 in penalties, interest, second notice fees and returned parcels.
- Paid to Lewis Co. Treasurer - \$61,874.44 in May taxes payments.

Eric Virkler, from Lewis County Industrial Development Agency took the floor. He has sent a letter to Supervisor Schell and the Planning Board on the SEQRA positive declaration. The IDA would like the Planning Board to reconsider the positive declaration. If not they may withdraw their application. Joe Lawrence of the IDA board spoke also that the IDA would like to see a negative declaration with restrictions. Tim Petersen spoke that maybe a planned development zone would be better there. There was discussion on planned development zones and the SEQRA process. Attorney Meier stated to the IDA representatives that the Planning Board has jurisdiction over this matter not the Town Board.

Eric Virkler and Joe Lawrence left the meeting at 10:26 a.m.

Allen Matuszczak spoke on the SEQRA positive declaration. He feels most of the issues are unfounded.

Al Matuszczak and Tim Petersen left at 10:40 a.m.

Attorney

- Maple Ridge PILOT – There are two meetings today that Attorney Meier and Supervisor Schell will be attending.
- Local Law 1-2018 ZBA/Planning merger – Attorney Meier has drawn up “A Local Law Authorizing the Town Board of the Town of Lowville to establish a joint Zoning Board and a Joint Planning Board with the Village of Lowville.” This law was emailed to the board members and is in their packets.

Motion by Councilman Virkler, seconded by Councilman Millard to adopt Resolution No. 8-2018, “Setting a Public Hearing for Proposed Local Law No. 1-2018, A Local Law Authorizing the Town Board of the Town of Lowville to establish a Joint Zoning Board and a Joint Planning Board with the Village of Lowville.” ADOPTED – VOTE – AYES – Larabee, Millard, Mullin, Schell, Virkler NAYES – 0

WHEREAS, the Town Board of the Town of Lowville, and each and every member thereof was presented with copies of a proposed Local Law entitled “A Local Law Authorizing the Town Board of the Town of Lowville to Establish a Joint Zoning Board and a Joint Planning Board with the Village of Lowville,” and such copy of the proposed Local Law was placed upon the desks of the members of the Town Board at their regular meeting held on June 21, 2018; and

WHEREAS, Municipal Home Rule Law §10, paragraph 5 provides that the Town Board may not act upon such Local Law except after a public hearing held upon at least five days' notice;

NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Lowville that the public hearing for the above referenced proposed Local Law is set for the next regular meeting of the Town Board on July 19, 2018 at 10 a.m. at the Town Hall located at 5533 Bostwick Street, Lowville, New York 13367, and be it further

RESOLVED, that the Town Clerk is directed to publish notice of the public hearing in the official town newspaper and also post the notice of public hearing on the Town Clerk's bulletin board.

- A petition was received on May 24, 2018 from the IDA to expand Sewer District #3. There was discussion on the petition and the attorney will review it.

Zoning Officer Manning entered at 10:50 a.m.

CEO

- Report is in the Board Members's packets.

- There was discussion on the application fees for the JCC Project and the Commerce Park Project. The consensus was that the \$35 application fee and the \$50 zone change fee were reasonable and they should be billed.

Motion by Councilwoman Laribee, seconded by Councilman Mullin to charge application fees according to the fee schedule. ADOPTED – VOTE – AYES – Laribee, Millard, Mullin, Schell, Virkler NAYES – 0

- Supervisor Schell has received a resignation letter from Rick Nortz, Chairman of the Planning Board. Supervisor Schell sent him a letter of appreciation. The planning board will make the appointment of a new chairman.

- Vacancy on the Planning Board.

Motion by Councilman Mullin, seconded by Councilwoman Laribee to appoint alternate Rebecca Kelly to fill out the term of Rick Nortz until 12/31/2019. ADOPTED – VOTE – AYES – Laribee, Millard, Mullin, Schell, Virkler NAYES – 0

- Letter of Engagement from the Slye Law Office. They would like to assist the planning board with the SEQRA application if assistance is needed.

Motion by Councilman Mullin, seconded by Councilman Virkler to table the Slye Law Office Letter of Engagement until the next board meeting. ADOPTED – VOTE – AYES – Laribee, Millard, Mullin, Schell, Virkler NAYES – 0

Legislator Burns left the meeting at 11:02 a.m.

Justice

- JCAP grant – Supervisor and Superintendent will be meeting with the electrician on the enhanced lighting.

OLD BUSINESS

- Hospital Hill Project – nothing new.

- CWD #1 Administrative Order – Quarterly letter will need to be done.

- TAP grant – The village does not want to pursue a grant at this time.

RACOG

- Mickey Dietrich reported to the board on the monthly meeting held June 20, 2018.
- Ron Trottier was at the RACOG meeting to speak about the railway.
- The Black River depth mapping from Lowville to Castorland is completed and will be posted on the RACOG website.
- There will be no July or August meeting.
- Working with their IT person on website problems. Once fixed they will be working with Town of Lowville to get the website going.
- Working on a community resource map for all the RACOG communities.
- List of all upcoming trainings on file in the town clerk's office.

NEW BUSINESS

- Local Law #1-2018 the joint Planning/Zoning Board merger has already been taken care of.

Mickey Dietrich, Nicholas Astafan, and Henry Avallone left the meeting at 11:20 a.m.

Motion by Councilwoman Larabee, seconded by Councilman Millard to enter into Executive Session at 11:20 a.m. for a personnel matter concerning and individual. ADOPTED – VOTE – AYES – Larabee, Millard, Mullin, Schell, Virkler NAYES – 0

Motion by Council Mullin, seconded by Councilwomen Larabee to leave Executive Session at 11:50 a.m. ADOPTED – VOTE – AYES – Larabee, Millard, Mullin, Schell, Virkler NAYES – 0

Motion by Councilwoman Larabee, seconded by Councilman Mullin to appoint Deputy Aimee Murphy to the position of Town Clerk, Tax Collector, Registrar and Water Clerk effective August 1, 2018 to fill out the term of Town Clerk Klosner to December 31, 2019.

Henry Avallone reentered the meeting at 11:52 a.m.

Motion to adjourn the meeting at 11:53 a.m. by Councilman Millard, seconded by Councilman Mullin ADOPTED – VOTE – AYES – Larabee, Millard, Mullin, Schell, Virkler NAYES – 0

Respectfully submitted,

Gail A. Klosner, RMC
Town Clerk