

**Town of Lowville Regular Board Meeting  
September 20, 2018**

A regular meeting of the Town Board of the Town of Lowville, County of Lewis and the State of New York was held at the Town Hall, 5533 Bostwick Street, Lowville, NY on the 20<sup>th</sup> day of September 2018.

**Present:** Randall Schell, Supervisor  
Ruth Larabee, Councilwoman  
Allison Millard, Councilman  
Robert Mullin, Councilman  
Paul Virkler, Councilman  
Aimee Murphy, Town Clerk  
Mark Tabolt, Highway Superintendent/Special Districts Superintendent  
Nicholas Astafan, DCO

**Also Present:** Marguerite Wells, Mickey Dietrich, Henry Avallone, Arleigh Rice

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

Supervisor Schell gave the privilege of the floor to Arleigh Rice. Mr. Rice expressed his concerns about the loss of family farms, the advantages of windmills and his belief that Lewis County is not preparing adequately for the future of agriculture.

**MINUTES**

**Motion** by Councilman Millard, seconded by Councilwoman Larabee to approve the minutes of the August 16, 2018 regular board meeting.

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler      NAYS – 0

**CORRESPONDENCE**

- Dax Law firm letter (#3 Wind Farm) – requesting 3 waivers.
  - Dan O'Brien letter – Requesting that the transmission lines on his property be overhead instead of underground, included in the waivers from #3 Wind Farm.
- Marguerite Wells explained the requested waivers in more detail to the board. She indicated that public hearings on the requested waivers may be necessary. The board will consult with Attorney Meier before continuing.
- JCC water main testing – pressure test results
  - Farm Bureau invitation for Farm Tours
  - Workers Compensation bill from County
  - DOT – Granting reduced speed zones for Cemetery Road and a portion of the Rice Road.

**VOUCHERS**

**Motion** by Councilman Mullin, seconded by Councilman Virkler to approve that bills be paid as listed in the following amounts.

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ADOPTED - AYES – Laribee, Millard, Mullin, Schell, Virkler      NAYS - 0

General	261 to 294	\$18,798.33
Highway	95 to 104	\$45,972.48
Trust & Agency		\$13,299.76 (8/28/18)
		\$13,686.49 (9/20/18)

**SUPERVISOR’S REPORT**

Receipts:	Town Clerk.....	\$1,782.10
	CEO.....	1,412.80(\$5,505.40 ytd)
	Court – Judge Kiernan.....	6,025.00
	NYMIR rebate.....	283.10
	T/Montague W/C payment...	341.21
	Excellus Rebate (retirees).....	7,785.83

The Supervisor’s activities report and financial report are in the board member’s packets. Councilwoman Laribee asked to go into executive session later in the meeting to discuss a personnel issue addressed briefly in the Supervisor’s report.

**Motion** by Councilwoman Laribee seconded by Councilman Millard to accept the Supervisor’s receipts, activities and financial reports.

ADOPTED - AYES – Laribee, Millard, Mullin, Schell, Virkler      NAYS - 0

**DEPARTMENT REPORTS**

**Town Clerk**

- Town Clerk’s Monthly Report for August 2018 is in the Board Member’s packets and the daily log was passed for review.
- DEC Sporting Licenses went on sale August 1<sup>st</sup> and has been going well.
- Work on Town website continues with Mickey Dietrich. If there are any suggestions for website, please let me know.
- General Code – E-Code has been updated online.
- Unpaid water letters have been sent out and the unpaids list was passed to the board.
- There will be a BAS user group meeting at the Town of LeRay Clerk’s office on Tuesday October 2<sup>nd</sup>. Would like permission to close the office for the morning so that both Town Clerk Murphy and Deputy Monnat may attend.

**Motion** by Councilwoman Laribee, seconded by Councilman Mullin to allow the Town Clerk’s office to be closed the morning of October 2, 2018 to allow the Clerk and Deputy Clerk to attend a BAS User Group meeting at the Town of LeRay Clerk’s office.

ADOPTED - AYES – Laribee, Millard, Mullin, Schell, Virkler      NAYS - 0

-With the help of Assessor Gratch, the County created an updated map of tax parcels in Town of Lowville water districts. Will also be doing a sewer district map.

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-Spoke with Erin Gratch regarding exemptions for 2019. She has recommended no changes to current exemptions. Copies of the exemption chart are included in board members packets.

**Motion** by Councilman Millard, seconded by Councilman Virkler to adopt Resolution No. 11-2018 "Tax Exemptions to Remain the Same".

ADOPTED - AYES – Laribee, Millard, Mullin, Schell, Virkler      NAYS – 0

WHEREAS, the Lewis County Real Property Tax Services Office has requested to know whether there are any changes in the tax exemptions allowed by the Town, and

WHEREAS, the Town's assessing unit has recommended that there be no changes in the exemptions allowed then, therefore be it

RESOLVED, that the Town Board of the Town of Lowville adopts the present level of tax exemption for the Fiscal Year 2019 as recommended by the Town's Assessor.

-Benefit Assessments on CWD #1 and Wind Tower Fire Protection are completed. There are 398 units. Amount to be raised \$41,790.00.

-Reminder Local Government Conference at SUNY Potsdam October 9, 2018. Early registration is before September 28<sup>th</sup>.

**CEO**

- Monthly report for August in the board member's packets.

**DCO**

- Monthly report is included in board member's packets.

Continuing to look into updating the dog control agreement between the Town and Village of Lowville.

**RACOG**

Mickey Dietrich – Working on website. Encouraged the board members to visit the link to the website and give their input as to what they would like to see.

[www.lowville.racog.org](http://www.lowville.racog.org)

Mr. Dietrich also gave a brief update on what is happening with RACOG. Town of Denmark has been approved to join RACOG.

**Budget Officer/Bookkeeper**

The Tentative Budget was presented to the board.

**OLD BUSINESS**

- Hospital Hill Project – Grant money still held awaiting the start of the drainage project. Supervisor Schell will send bills to Lewis County and the Village of Lowville for their 1/3 share of the already accrued expenses for this project.

- Administrative Order CWD #1 – Installation of the Granular Activated Charcoal System is happening today. Should have test results for the next meeting.

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**NEW BUSINESS**

**Motion** by Councilman Mullin, seconded by Councilman Millard to adopt Resolution No. 12-2018 **“Setting the Public Hearing for the Water and Sewer Budgets for 2019.”**

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler      NAYS - 0

WHEREAS, it is necessary to hold a public hearing for Water and Sewer Budgets for 2019, and

WHEREAS, it is necessary for the public hearings to be advertised for at least five (5) days before the public hearing is held, then therefore

BE IT RESOLVED, that the public hearing be held on October 18, 2017 at the Regular Town Board meeting at 10:00 a.m.

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to adopt Resolution No. 13-2018 **“Setting the Public Hearing for Benefit Assessment Rolls for CWD#1.”**

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler      NAYS - 0

WHEREAS, it is necessary to hold a public hearing for the Benefit Assessment Rolls for CWD #1, and

WHEREAS, it is necessary for the public hearings to be advertised for at least ten (10) days before the public hearing is held, then therefore

BE IT RESOLVED, that the public hearing be held at the October 18<sup>th</sup>, 2018, Town Board meeting at 10:15 a.m.

**Motion** by Councilwoman Larabee, seconded by Councilman Millard to adopt Resolution No. 14-2018 **“Setting the Public Hearing for the Fire Protection District Assessment for Wind Towers.”**

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler      NAYS – 0

WHEREAS, it is necessary to hold a public hearing for the Benefit Assessment Rolls for the Wind Tower Fire Protection, and

WHEREAS, it is necessary for the public hearings to be advertised for at least ten (10) days before the public hearing is held, then therefore

BE IT RESOLVED, that the public hearings be held at the October 18th, 2018 Town Board meeting at 10:30 a.m.

**MOTION** By Councilwoman Larabee, seconded by Councilman Mullin to adopt Resolution No. 15 -2018 **“Water District Rate Increase and Adoption of Water and Sewer Rate Structure for 2019.”**

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ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler    NAYS – 0

WHEREAS, water rates for usage are set by the Town Board before there is actual usage by the users and,

WHEREAS, Consolidated Water District #1, Water District #3, Water District #5, Water District #6 and Water District #9 have expenditures that meet or exceed their revenues, therefore be it

RESOLVED, that the Town Board of the Town of Lowville shall increase the usage rate \$.50 per unit for Consolidated Water District #1, Water District #3, Water District #5, Water District #6 and Water District #9 for 2019, and

ALSO RESOLVED, that the other rates presented for water and sewer remain the same for the next billing cycle.

**Building Usage**

Current rate for Town/Village usage of the municipal building is 57/43. Supervisor Schell has discussed this with Deputy Mayor Beagle and has recommended that the percentage of building usage remains the same for the coming year. There was discussion about the belief that the joint areas have been used disproportionately.

**Motion** by Supervisor Schell, seconded by Councilman Virkler that the building usage percentage remain at the rate of 57/43 for the coming year.

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler    NAYS – 0

Supervisor Schell also stated that the heating system for the Town side of the building may need work. The system had issues, especially in the lobby area last winter and froze up a few times.

**BAR**

The term of BAR member Peter Cecconi is due to expire on 9/30/2018. After a brief discussion the following motion was presented.

**Motion** by Councilwoman Larabee, seconded by Councilman Virkler that Peter Cecconi be re-appointed to the Board of Assessment Review of the Town of Lowville. Term of office 10/01/2018 to 12/30/2023.

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler    NAYS – 0

Discussion regarding concerns brought to the board previously in the meeting by Arleigh Rice took place. Supervisor Schell will draft a letter to Senator Griffo, Congresswoman Stefanik, and Assemblyman Blankenbush expressing the Town Board's concerns.

**Highway Department**

Supervisor Schell gave a brief report on the projects the highway department has been working on, since Superintendent Tabolt was unable to attend the meeting due to the Installation of the Granular Activated Charcoal System. Chip Sealing was done on the

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Boshart Road and the Rice Road. The new snow plow truck has been ordered. When it comes in, the oldest truck will be put up for sale.

**Motion** by Councilwoman Larabee, seconded by Councilman Virkler to enter into executive session at 11:16 a.m. to discuss Maple Ridge confidential PILOT and a personnel issue.

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler                      NAYS – 0

**Motion** by Councilman Virkler, seconded by Councilman Mullin to exit executive session at 12:11 p.m.

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler                      NAYS – 0

**Motion** by Councilman Millard, seconded by Councilman Mullin to adjourn the meeting at 12:16 a.m.

ADOPTED - AYES – Larabee, Millard, Mullin, Schell, Virkler                      NAYS – 0

Respectfully submitted,

Aimee L. Murphy, RMC  
Town Clerk