

**Town of Lowville Regular Board Meeting  
November 15, 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 15<sup>th</sup> day of November 2018.

**Present:** Randall Schell, Supervisor  
Ruth Larabee, Councilwoman  
Allison Millard, Councilman  
Robert Mullin, Councilman  
Paul Virkler, Councilman  
Aimee Murphy, Town Clerk  
Raymond Meier, Town Attorney  
Scott Lawrence, Bookkeeper/Budget Officer  
Mark Tabolt, Highway Superintendent/Special Districts Superintendent  
Nicholas Astafan, DCO

**Also Present:** Mickey Dietrich, Marguerite Wells, Rachel Hillegas, Henry Avallone, Ron Burns, Arleigh Rice.

The meeting was called to order at 12:00 p.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 October 13, 2018 regular board meeting.

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

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to approve the minutes of the November 8, 2018 special board meeting.

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

**CORRESPONDENCE**

- NYMIR Webinar
- Deer River Wind Farm public meeting
- CREG Systems estimate: Update to fire alarm system
- Ag & Markets inspection of Humane Society: deficiencies found
- IDA Solar PILOT Policy: Developing a policy to cover entire county
- Volunteer Transportation Center: funding request
- Department of Public Service Public Hearing notification for Smart Path line
- Carthage Specialty Paperboard Inc, Bankruptcy Notice

Town of Lowville Regular Board Meeting  
October 18, 2018

**VOUCHERS**

**Motion** by Councilwoman Laribee, seconded by Councilman Millard to approve that bills be paid as listed in the following amounts.

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

General	#323 to#355	\$120,429.76
Highway	#119 to #130	\$ 5,633.75
Trust & Agency	(10/31/2018)	\$ 2,717.77
	(11/15/2018)	\$ 5,013.00

**SUPERVISOR’S REPORT**

Receipts:	Town Clerk.....	\$1,782.40
	CEO.....	537.60 (\$6,424.50 ytd)
	Court – Judge Kiernan.....	7,442.00
	Lewis County.....	21,424.22 (Mortgage Tax)
	V/Lowville.....	1,833.33 (Hospital Hill Reimburse)
	Lewis County.....	1,833.33 (Hospital Hill Reimburse)

The Supervisor’s activities report and financial report are in the board member’s packets.

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

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

**DEPARTMENT REPORTS**

**Attorney:** Number Three Wind – Local Law Waivers. A public hearing was held on November 8, 2018, where after public comment was heard, Marguerite Wells, of Invenergy was asked to speak with the non-participating adjacent land owner to determine his feelings regarding moving Turbine 6 closer to the property line instead of closer to the Willow Grove Road. Marguerite reported that she had spoken to the adjacent land owner and was told that he did not care if the turbine was closer to his property line. After discussion the following resolution was adopted.

**MOTION** by Councilman Mullin, seconded by Councilman Millard to adopt **Resolution No. 25-2018, “Waiver of Setback Requirements.”**

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

WHEREAS, Number Three Wind LLC has applied to the Town of Lowville for waivers from certain provisions of Chapter 100 of the Town of Lowville Code (“the Code”) Pursuant to Section 100-23 (A), and

WHEREAS, the application seeks waivers with regard to setbacks from roads and property lines, which is set forth in Chapter 100 of the Code, and

Town of Lowville Regular Board Meeting  
October 18, 2018

WHEREAS, a public hearing was held on November 8, 2018 where public comment was heard, and

WHEREAS, Number Three Wind LLC has spoken to the non-participating adjoining landowner and received permission to move the turbine closer to the property line instead of the road, it is hereby

RESOLVED, that the Town Board of the Town of Lowville will grant a waiver of the setback requirement from property line of parcel #177.00-01-4.000 for Turbine 5.

**Town Clerk**

- Clerk's Monthly Report in Board Members' Packets & Daily Log passed for review.
- Website up and looking good.
- DEC license sales slowing down.
- November water billing sent out and collection of payments has begun.
- Water re-levies have been sent to the County for addition to tax bills.
- New Photocopier has been ordered.
- Figured up new standard workday resolution for NYSLRS for Clerk and Deputy; resolution needed by the board.
- Will be attending workshop on Friday, 11/16/18, on Grant Writing by NYS Archives.

**Standard Work Day & Reporting Resolution**

**MOTION** By Councilwoman Larabee, seconded by Councilman Mullin to adopt **Resolution 26-2018, "Standard Work Day & Reporting Resolution."**

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

BE IT RESOLVED, the Town Board of the Town of Lowville hereby establishes the following as standard work days for the following elected/appointed officials – Aimee L. Murphy, Town Clerk/Tax Collector and Mariah Monnat, Deputy Town Clerk - and will report the officials to the New York State and Local Retirement System based on their record of activities maintained and submitted by these officials to the clerk of this body and that said resolution be posted on the Town's Official Website for at least 30 days according to state requirements.

\*Copy of said resolution/form RS 2417-A is incorporated at the end of these minute proceedings.

**CEO**

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

**Superintendent of Highways/ Special Districts Superintendent**

Supervisor Schell stated that Rural Water was here checking for leaks in CWD#1. There were two possible leaks, one by the jail, and one near Hillcrest. The Highway Department will be digging up the lines looking for the leaks. It was suggested that the Village install a master meter at Hillcrest, but the Village Board was against it.

Town of Lowville Regular Board Meeting  
October 18, 2018

Supervisor Tabolt entered at 12:23 p.m. and reported the Brookside sewer was having problems early this morning. A pump has stopped working, and the spare pump is also not working. May have to get a new pump or rebuild one or both.

The new seasonal employee, Brian Hanno, has been selected and will start work Monday, November 19<sup>th</sup>.

**DCO**

- Monthly report is included in board member's packets. DCO Astafan gave a brief synopsis on the month's happenings.

Discussion about cooperation with the Town of Martinsburg DCO. We will appoint their DCO as a deputy and vice versa to cover if one of the DCO's are unavailable for a call.

**Motion** by Councilman Millard seconded by Councilman Mullin to adopt **Resolution No. 27-2018 "Appointment of Deputy DCO"**

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

BE IT RESOLVED, that Bobbie Jo Marra is hereby appointed as Deputy Dog Control Officer for the term of 11/15/18 to 12/31/18.

**Budget Officer/Bookkeeper**

Accountant Scott Lawrence reviewed the third quarter financials with the board.

The Public Hearing for the Fire Protection Contract 2019 was declared open at 12:53 pm with Proof of Publication in the Journal & Republican being acknowledged. Notice of Public Hearing was also posted on the Town Clerk's bulletin board and the Town of Lowville website.

**Budget**

Discussion about the funding request by the Volunteer Transportation Center.

**Motion** by Councilwoman Larabee seconded by Councilman Virkler to adopt **Resolution No. 28-2018 "Adjustment to Preliminary Budget"**

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

WHEREAS the Town of Lowville has adopted it's Preliminary Budget for 2019, and

WHEREAS the Volunteer Transportation Center has requested funding that was not included in the Preliminary Budget, then therefore

BE IT RESOLVED that the Budget Officer be directed to move \$1,000.00 from the General Fund "Fund Balance" to "Other Contingency".

**Motion** by Councilman Mullin seconded by Councilwoman Larabee to adopt **Resolution No. 29-2018 "Adoption of the Town of Lowville Town Budget for 2019"**

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

Town of Lowville Regular Board Meeting  
October 18, 2018

WHEREAS, the Town Board of the Town of Lowville held a public hearing, on November 8, 2018 on the preliminary budget for fiscal year 2019, and

WHEREAS, the Town Board deems that it is in the public interest to adopt this budget; then, therefore be it

RESOLVED, that this Town Budget for 2019 be levied upon lots and parcels of lands listed in the assessment rolls at the time and in the manner provided by law for the levy of State, County and Town taxes and said budget will be attached to the proceedings of this meeting, and be it further

RESOLVED, that the Town Clerk shall prepare and certify duplicate copies of the newly adopted annual budget, and deliver two of such copies to the Supervisor of the Town, and that he shall present such copies to the Board of Legislators of the County of Lewis.

**RACOG**

Mickey Dietrich gave a brief report on RACOG. The Village of Croghan is interested in joining.

Website – The Town’s website has had 288 visits. Very good numbers for being up such a short time.

**OLD BUSINESS**

- Hospital Hill Project – Still on hold.

- Administrative Order CWD #1 - Report due 11/30/2018 – working with BC&A, need to list “cure”. Thinking that the GAC filters will be the remedy to go with. Two filters will cost between \$250,000 -\$300,000.

**NEW BUSINESS**

There were no comments pertaining to the Fire Protection Contract.

**Motion** by Councilwoman Laribee seconded by Councilman Millard to close the Public Hearing on the Fire Protection Contract 2019 at 1:15 p.m.

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

**Motion** by Councilman Mullin seconded by Councilman Millard permitting Supervisor Schell to sign the Fire Protection Contract for 2019.

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

**Holiday Luncheon**

There was brief discussion regarding the holiday luncheon. It was decided that the annual holiday luncheon will be held on December 20, 2018 at 12:30 p.m. at Doyle’s Pub. We will be ordering off the menu. Copies of the menu will be available from the Town Clerk.

**Executive Session**

**Motion** by Councilman Millard, seconded by Councilman Virkler to enter into executive session at 1:19 p.m. to discuss Maple Ridge confidential PILOT.

Town of Lowville Regular Board Meeting  
October 18, 2018

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

**Motion** by Councilman Virkler, seconded by Councilwoman Larabee to exit executive session at 1:33 p.m.

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

**Motion** by Councilman Millard, seconded by Councilman Mullin to adjourn the meeting at 1:35 p.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC  
Town Clerk