

**Town of Lowville Regular Board Meeting
April 18, 2019**

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 18th day of April 2019.

Present: Randall Schell, Supervisor
Ruth Larabee, Councilwoman - Absent
Allison Millard, Councilman
Robert Mullin, Councilman
Paul Virkler, Councilman
Aimee Murphy, Town Clerk
Thomas Widrick, Highway Superintendent/Special Districts Superintendent
Nicholas Astafan, DCO
Raymond Meier, Town Attorney – Entered at 9:57 a.m.

Also Present: Mickey Dietrich, Henry Avallone

The meeting was called to order at 9:31 a.m. by Supervisor Schell who also led the Pledge of Allegiance.

MINUTES

Motion by Councilman Mullin, seconded by Councilman Virkler to approve the minutes of the March 21, 2019 regular board meeting.
ADOPTED - AYES –Millard, Mullin, Schell, Virkler NAYS – 0 ABSENT - Larabee

CORRESPONDENCE

- Franchise Statement – stating what franchises are in the Town.
- Black River Watershed Conference – June 4, 2019
- BCA - #3 Wind: Kris Dimmick, previously retired, will be coming back Part-time and may be working on this project.

VOUCHERS

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

General – Abstract #4	Voucher # 116 to # 150	\$13,535.88
Highway - Abstract #3	Voucher # 31 to # 48	\$ 7,250.68
Trust & Agency	(03/29/2019)	\$ 1,673.40
	(04/18/2019)	\$17,343.30

SUPERVISOR’S REPORT

Receipts:	Town Clerk.....	\$2,049.38
	CEO.....	\$ 536.00 (\$1,500.00 ytd)

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Courts-Judge Kiernan.....	\$5,318.00
Tax Collector fees, Int.....	\$2,263.61
Village (ZBA/Planning costs).....	\$7,237.60
Al Millard.....	\$ 50.00 (reimburse for conf.)
Brian Hanno.....	\$ 606.92 (payroll overpayment)
Countryway Ins. Co.....	\$1,369.17 (guardrail reimburse)
Humane Society.....	\$ 10.00 (impound fee rebate)

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

Discussion regarding the leak in CWD#1. No action taken.

Motion by Councilman Virkler, seconded by Councilman Millard to accept the Supervisor's receipts, activities and financial reports.

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

Mickey Dietrich spoke with Supervisor Schell prior to the board meeting about road side signage around the township. Supervisor Schell asked Zoning Officer Katharine Perkins-Manning to join the meeting to discuss zoning for temporary signage. Zoning Officer Manning entered the meeting at 9:48 a.m. Kathy stated that temporary signs are allowed for up to thirty (30) days. She informed the board that there is no penalty provision in the law for violations. Also, if the signs are left on private property without the permission of the land owner, then the land owner has the right to remove the signs. Zoning Officer Manning left the meeting at 9:51 a.m.

RACOG: Mickey Dietrich gave a brief update on the happenings of RACOG. They will be getting an intern from Fort Drum in the near future.

Mickey Dietrich left the meeting at 10:07 a.m.

DEPARTMENT REPORTS

Attorney

- Maple Ridge PILOT: no updates
- Bond Resolution, WD#1: still being worked on, will be done for May meeting.
- #3 Wind PILOT: discussion; concerns with the IDA's request for Administrative Costs and the legalities of a Community Development fund. They will be having another meeting in 2-3 weeks.
- #3 Wind Road Use Agreement: Draft put together and sent to #3 Wind for review and suggestions, waiting for response.

Motion by Councilman Mullin, seconded by Councilman Virkler to allow Supervisor Schell to sign the proposed road use agreement upon final review and approval of the Supervisor and Attorney Meier.

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

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- Water District Contracts: Supervisor Schell and Attorney Meier reviewed the proposed Water District Contract with the Village of Lowville.

Motion by Councilman Mullin, seconded by Councilman Millard to allow Supervisor Schell to sign Water District Contracts with the Village of Lowville for Water service to the Town of Lowville.

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

- Supervisor Schell would like to draw up agreements for the Village of Lowville where the Village residents are being provided water from the Town’s water system, using the previously discussed contracts as a template.

Town Clerk

- Clerk’s Monthly Report in Board Members’ Packets & Daily Log passed for review.
- Attended Local Government Conference at JCC.
- Preparing for Spring Water Billing.
- Preparing for Dog Enumeration.
- Hosting Lewis County Town Clerk’s and Tax Collector’s Association meeting on 04/18/2019. Reviewing the EDRS program as the rest of Lewis County goes live same day.
- Distributed the Violence in the Workplace Employee Questionnaires. Need to set up training for this as well as for the Discrimination and Harassment Policy. Also need to set up the safety committee meeting.
- Deputy Clerk Monnat will be taking her Notary exam next Tuesday.
- A new Standard Workday Resolution needs to be passed for the offices of Town Clerk and Deputy Town Clerk

MOTION By Councilman Millard, seconded by Councilman Mullin to adopt **Resolution No. 4-2019 “Standard Work Day & Reporting Resolution.”**

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

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.

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Office of the New York State Comptroller
New York State and Local Retirement System
Employee's Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

Standard Work Day and Reporting Resolution
for Elected and Appointed Officials

RS 2417-A
(Rev. 01/15)

BE IT RESOLVED, that the _____ of _____, here by establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement Systems based on their record of activities:

Title	Standard Work Day (Hrs/Day) Min. & hrs Max. & hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yyyy-mm/dd/yyyy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
Town Clerk/Tax Collector	8:30	Alice Murphy	8842	40000000	<input type="checkbox"/>	01/01/19-12/31/20	2019	<input type="checkbox"/>
Town Clerk/Deputy	8:30	Michael Vincent	4989	26201560	<input type="checkbox"/>	01/01/19-12/31/20	2019	<input type="checkbox"/>
Appointed Officials								
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, _____, secretary/clerk of the governing board of the _____ of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the _____ day of _____, 20____, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the _____ on this _____ day of _____, 20____.

Affidavit of Posting: I, _____, being duly sworn, deposes and says that the posting of the Resolution began on _____ and continued for at least 30 days. That the Resolution was available to the public on the _____ date.

- Employer's website at www.mvcc.ny.gov
- Official sign board at Town Clerk's Office, 5500 Route 28, Lowville, NY 13354
- Main entrance secretary or clerk's office at 5500 Route 28, Lowville, NY 13357

Page 1 of _____ (for additional rows, attach q-RS2417-B form).

Tax Collector

- March collection report is in the board member's packet.
 - Paid to Supervisor.....\$ 2,263.61 4/08/2019
 - Paid to County Treasurer.....\$ 113,139.31 4/08/2019
 - Total taxes collected 3/1/19 thru 3/31/19: \$ 115,402.10

- 150 Second Notices mailed to property owners with unpaid taxes.

CEO

CEO monthly report in board members' packets.

Superintendent of Highways/ Special Districts Superintendent

- Request to declare the 1988 Mack surplus and list it on the Constableville Auction Hall's website.

Motion by Councilman Mullin, seconded by Councilman Virkler to adopt **Resolution 5-2019 "Declaration as Surplus and List for Sale of 1988 Mack Dump Truck"**.

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

WHEREAS, the 1988 Mack Dump Truck is no longer being used by the Town of Lowville Highway Department and is hereby declared surplus, and

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WHEREAS, the Constableville Auction Hall has expressed interest in helping the Town sell surplus equipment via auction, now therefore

BE IT RESOLVED, that said truck be listed with the Constableville Auction Hall for sale via auction.

- Superintendent Widrick stated that he would also like to list the following items for auction: 1 – Loader Tire that do not fit any equipment at the Town of Lowville, 1 – box of light fixtures and the old 2-way radio system.

Motion by Councilman Mullin, seconded by Councilman Virkler to adopt **Resolution 6-2019 “Declaration as Surplus and List for Sale Items from Highway Garage”**.

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

WHEREAS, the Town of Lowville Highway Department has items no longer of use to the Town of Lowville and wish to declare them as surplus items and

WHEREAS, the Constableville Auction Hall has expressed interest in helping the Town sell surplus equipment via auction,

BE IT RESOLVED, that the Town of Lowville declares the following items as surplus:

- 1 – Used Loader Tire
- 1 – Box of Light Fixtures
- 1 – 2-way Radio System

BE IT FURTHER RESOLVED, that the surplus items will be listed with the Constableville Auction Hall for sale via auction.

- Superintendent Widrick also requested that the Harder sander from the 1988 Mack be declared surplus and recommended selling it to the Town of New Bremen for \$500.00.

Motion by Councilman Millard, seconded by Councilman Mullin to adopt **Resolution 7-2019 “Declaring Used Sander as Surplus and Accepting Town of New Bremen Offer”**.

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

WHEREAS, the Town of Lowville owns a used Harder sander unit which has been used for parts, and

WHEREAS, the used sander unit would be sent for scrap, and

WHEREAS, the Town of New Bremen has offered the Town of Lowville \$500.00 for the used sander unit, then, therefore be it

RESOLVED, that the used sander unit be declared surplus, and also be it

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RESOLVED, to accept the \$500.00 offer from the Town of New Bremen.

- Guard rails on the East Road were fixed on 04/03/2019. The bill for the Town and County employees time billed to the insurance company. A check from the farmer's insurance company has been received.
- Loren Rowsam would like the Town to install a catch basin at his property on Clinton Street. Cost of a concrete catch basin would be \$2,036.50. Discussion took place regarding alternate options.

Motion by Councilman Mullin, seconded by Councilman Millard to assist Loren Rowsam with installation of a catch basin on his Clinton Street property provided that cost of all materials be paid by Mr. Rowsam.

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

- Public Health will be hosting a rabies clinic at the Town Highway garage on 05/20/2019 from 7:00 p.m. to 8:30 p.m.
- Received a proposal for leak detection from NYLD to come in an check for leaks on 04/23/19 to 04/24/19. Cost will be \$1,600.00 per day.

Motion by Councilman Mullin, seconded by Councilman Virkler to authorize NYLD to come in and check for leaks in the Town's water system.

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

- Dug for a potential water leak on Clinton Street, nothing found.
- Highway Department will begin 4-10 hour days on May 6th.
- Received quotes for new front springs on truck #15. Terry Groff was \$3,500-\$4,000. Whitesboro Spring & Plow shop was \$2,024.36. The truck will be going to Whitesboro Spring for the repair.
- Highway employee, Leo Walters will be retiring on 6/29/19. His last working day will be 5/14/19.
- Brian Hanno is taking his road test this afternoon.
- Researched the Buell Road: Abandoned in 1981, not a dedicated town road, so reverted back to the land owners when abandoned.
- Received quotes for master water meters for Brookside and East State Street that were mandated by the Village. The Brookside master meter has been stopped since last fall.
- Waters Road: Concern that it may not meet the 20' width provision in Town Code. Attorney Meier stated that as a "Road by Use" that it may not need to meet those specifications.

DCO

- Monthly report is included in board members' packets.
- Have been dealing with dogs at large since the weather is nicer.
- Request permission to attend DCO conference in Guilderland on 5/15-16, 2019. Towns of New Bremen and Denmark have already approved the request and are agreeable to sharing the cost.

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Motion by Councilman Mullin, seconded by Councilman Virkler to allow DCO Astafan to attend the DCO Conference.

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

- Enumeration begins 05/01/19.

Budget Officer/Bookkeeper

- Scott Lawrence will be at next meeting with 1st quarter financial reports.

Town Engineer

- BCA proposal, amendment to original contract \$97,500.00, for engineer work to comply with Administrative Order for CWD#1; filtration plans

Motion by Councilman Millard, seconded by Councilman Virkler to allow Supervisor Schell to sign the proposed contract amendment.

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

OLD BUSINESS

- Hospital Hill Project: Trying to get approval to move money for use on Ross Road drainage project.

- Administrative Order CWD #1: previously discussed in meeting

- Mill Creek: Waiting for water to go down.

- Ross Road Drainage: previously discussed in meeting

NEW BUSINESS

- Water District contracts: previously discussed in meeting

- CWD#1 Engineering Contract: previously discussed in meeting

Motion by Councilman Millard, seconded by Councilman Mullin to enter into executive session at 10:59 a.m. to discuss Teamsters Contract modification

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

Motion by Councilman Mullin, seconded by Councilman Virkler to leave executive session at 11:19 a.m.

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

Motion by Councilman Mullin, seconded by Councilman Millard to re-enter into executive session at 11:25 a.m. to discuss Teamsters Contract modification

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

Motion by Councilman Mullin, seconded by Councilman Millard to leave executive session at 11:34 a.m.

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

Motion by Councilman Millard, seconded by Councilman Mullin to adjourn the meeting at 11:35 a.m.

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Motion by Councilman Millard, seconded by Councilman Mullin to enter into executive session at 10:59 a.m. to discuss Teamsters Contract modification
ADOPTED - AYES –Millard, Mullin, Schell, Virkler NAYS – 0 ABSENT – Laribee

Motion by Councilman Mullin, seconded by Councilman Virkler to leave executive session at 11:19 a.m.
ADOPTED - AYES –Millard, Mullin, Schell, Virkler NAYS – 0 ABSENT – Laribee

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk

DRAFT