

**Town of Lowville Regular Board Meeting  
March 21, 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 21<sup>st</sup> day of March 2019.

**Present:** Randall Schell, Supervisor  
Ruth Larabee, Councilwoman  
Allison Millard, Councilman  
Robert Mullin, Councilman  
Paul Virkler, Councilman  
Aimee Murphy, Town Clerk  
Thomas Widrick, Highway Superintendent/Special Districts Superintendent  
Nicholas Astafan, DCO  
William Kiernan, Town Justice  
Raymond Meier, Town Attorney

**Also Present:** Mickey Dietrich, Cheyenne Steria, Henry Avallone, Lori Kunert, Steven Fuller.

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

**MINUTES**

**Motion** by Councilwoman Larabee, seconded by Councilman Mullin to approve the minutes of the February 21, 2019 regular board meeting.

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

**CORRESPONDENCE**

- Lewis County Youth Bureau Summer Rec funding availability – will be applying with the Village of Lowville.
- Downtown Redevelopment Services
- Volunteer Transportation Center thank you
- Constableville Auction Hall – similar to auctions international; would like the Town to consider them for auction services.
- Water District agreements from Village – to update 2004 agreements
- RACOG Agenda
- DOH WD#1 Requirements
- DOH MMV (Mobile Mammography Vehicle) Program letter
- Lewis County Tax Sale – 1 property in the Town of Lowville up for sale (Potocki property on Rte 12)

**VOUCHERS**

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

Town of Lowville Regular Board Meeting  
March 21, 2019

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

General – Abstract #3	Voucher # 80 to #115	\$ 20,318.58
Highway - Abstract #3	Voucher # 18 to #30	\$111,155.79
Trust & Agency	(02/27/2019)	\$ 1,715.57
	(03/08/2019)	\$ 544.64
	(03/21/2019)	\$ 17,067.30

**SUPERVISOR’S REPORT**

Receipts:	Town Clerk.....	\$ 1,369.70	
	CEO.....	\$ 441.50	(\$964 ytd)
	Courts-Judge Kiernan.....	\$ 5,361.00	
	Tax Collector.....	\$450,000.00	
	Tax Collector fees, Int.....	\$ 1,788.81	
	Lowville Heights PILOT.....	\$ 1,400.92	
	Lewis Apartments PILOT.....	\$ 1,146.28	
	Village Bldg costs.....	\$ 2,281.23	
	Victorian Lake PILOT.....	\$ 1,563.16	
	NYMIR Ins. Pmt.....	\$ 133.56	
	Lewis Co. Snow/Ice.....	\$ 5,766.66	

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

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

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

**RACOG:** Mickey Dietrich gave a brief update on the happenings of RACOG; next RACOG meeting will be April 16, 2019.

**IDA:** Cheyenne Steria – Center for Business (former Climax building) - gave an update on the plans for the building. They are looking for companies to lease space in the building. Currently, Ox Paper and NRG Group (cell tower company) are leasing warehouse space in the building. The IDA plans on moving their offices to this building as well as the Lewis County Chamber of Commerce. Expected move-in date for the IDA is mid-April.

There was discussion regarding zoning for the property. Currently the property is in a PD (Planned Development) zone. The IDA is looking for the Town Board to be more specific as to the types of business/industry that will be allowed to inhabit this space. No action taken at this time. Ms. Steria provided the board a draft copy of the IDA’s recommendation for Schedule A (Permitted Uses) Table and Schedule C (Dimensional Requirements for Multifamily Residential and Nonresidential Uses) Table for their consideration and review.

Town of Lowville Regular Board Meeting  
March 21, 2019

After inviting those present to tour the facilities after the meeting, Cheyenne Steria left the meeting.

**#3 Wind Farm:** Lori Kunert of Invenergy updated the board on the progress of the #3 Wind Farm. Edits to the Road Use Agreement are done; They are working on a PILOT; Plan on construction to begin December 2019 on tree cutting and access roads; Office hours for the Invenergy store-front have changed to Tuesday & Thursday 10 a.m. to 1 p.m. and Wednesday from 10 a.m. to 2 p.m.

Mickey Dietrich and Lori Kunert left the meeting.

**DEPARTMENT REPORTS**

**Attorney**

- Maple Ridge PILOT: Discussion regarding pole barn on the Burke property. No action taken.
- SEQR on GAC system: Assessment forms completed, Randy will sign after the Board meeting; this project is typed as an “unlisted action”.
- Bond Resolution: Has assistance from another attorney, will be ready shortly.
- #3 Wind PILOT: Attended meeting with Supervisor Schell.

**Town Clerk**

- Clerk’s Monthly Report in Board Members’ Packets & Daily Log passed for review.
- Received Annual Financial Report, Legal notice published in Journal this week.
- All vouchers for General Fund and Highway Fund for 2018 have been entered in Town Clerk’s computer software to assist in research.
- Records Management – Minutes Indexing up to date.

**Tax Collector**

- February collection report is in the board member’s packet.

Paid to Supervisor.....	\$ 1,788.81	3/07/2019
Paid to County Treasurer.....	\$ 178,463.38	3/07/2019
Total taxes collected 2/1/19 thru 2/28/19:	\$ 180,252.19	

**CEO**

CEO monthly report in board members’ packets.  
Supervisor Schell submitted a bill to the Village of Lowville for their share of the joint Zoning expenses for 08/01/2018 thru 02/28/2019.

**Superintendent of Highways/ Special Districts Superintendent**

- Plow truck is here and is working. Couple small things are going on but Utica Mack and Viking are aware and will take care of them. Viking voucher is in for payment this month to be paid.
- 2017 F150 bumper has been repaired.
- Advocacy Day in Albany seemed to be successful. It sounds like the winter recovery portion of CHIPS funding will be reinstated in the budget, however there will not be an increase.

Town of Lowville Regular Board Meeting  
March 21, 2019

- DBP sample results are back. They are still high but not as high as last quarter.
- Bickford Road was closed 4pm Friday 3/15/19 to 9am Saturday 3/1/19 due to high water.
- An individual is looking to buy some property on the Waters Road and was inquiring about getting water to the property. Rough estimates have been obtained for the cost of the materials (\$5,000). One is for a 1 ½ inch plastic service line to his house, the other is for a main extension which would be in 8 inch Ductile Iron (\$52,000).
- Brookside lift station wasn't working properly on Saturday 3/16/19. Pump 1 which was the pump that wasn't replaced in February, wasn't pumping. On Wednesday 3/20/19, P&T installed the other rebuilt pump in the lift station. Will be getting an estimate on the cost to repair this pump.
- Will be obtaining pricing for new meters with touch pads to be installed in the meter pits at Brookside and on East State St.
- Will be attending the Local Government conference at JCC on 3/28/19.
- The touch pad on meter pit pump station 1 has been repaired.

**DCO**

- Monthly report is included in board members' packets.
- 1 outstanding delinquent license and 1 unlicensed dog still pending.
- Enumeration: the current law allows for a \$5 fee for each unlicensed dog found during the enumeration which is turned over to the DCO as compensation for conducting the enumeration. DCO Astafan would like the Board to consider a change in the law to raise the fee from \$5 to \$10 to be split evenly between the town and the DCO.
- DCO Astafan would also like the Board to consider adding to the dog law addressing "fostering" of dogs for a short period of time with regard to the licensing section. Currently, if a resident is harboring a dog, they must obtain a license. After discussion on the necessity for an enumeration and when it should take place, the following motion was presented.

**Motion** by Councilman Mullin, seconded by Councilwoman Laribee to conduct a dog enumeration in the Town of Lowville, with start date of May 1, 2019. Advertisement of said enumeration to be made allowing residents the opportunity to license their dogs before it begins.

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

**Assessor**

Assessor Gratch has requested her office walls be repaired and painted.

**OLD BUSINESS**

- Hospital Hill Project: Still on hold.
- Administrative Order CWD #1: The Village of Lowville is also under an administrative order. The EPA is encouraging the Town and Village to work together to correct their deficiencies.
- Mill Creek: Still have an open offer to the County and the Village to assist when needed.
- Ross Road Drainage: Culvert that needs enlarging; Town, County and Village working together.

Town of Lowville Regular Board Meeting  
March 21, 2019

**NEW BUSINESS**

Water District contracts: Copies of the proposed contracts were passed for review earlier in the meeting. Attorney Meier will review these contracts before board approval is given to sign.

Water District Rate Review: Current rate schedule was reviewed and discussed. Supervisor Schell proposed a \$0.50 raise to all districts.

**MOTION** By Councilman Virkler, seconded by Councilman Millard to adopt Resolution No. 3-2019 **“Water District Rate Increase and Adoption of Water and Sewer Rate Structure for 2019.”**

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 #4, 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 #4, Water District #5, Water District #6 and Water District #9 for 2019, and be it further

RESOLVED, that this rate increase will be in effect for the fall billing cycle.

**Motion** by Supervisor Schell, seconded by Councilman Mullin to enter into executive session at 11:09 a.m. to discuss Teamsters Contract modification and #3 Wind Farm PILOT confidential negotiations.

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

**Motion** by Councilwoman Larabee, seconded by Councilman Virkler to leave executive session at 11:51 a.m.

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

**Motion** by Councilman Millard, seconded by Councilman Mullin to adjourn the meeting at 11:52 a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC  
Town Clerk