

**Town of Lowville Regular Board Meeting
April 16, 2020**

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 16th day of April 2020.

Due to the current state of emergency situation for New York State, the Town of Lowville will not be able to allow the public to be present at this meeting. This meeting is being held via video conference, where the public is able to join.

Present via Zoom:

Randall Schell, Supervisor
Ruth Larabee, Councilwoman
John D. Ross, Councilman
Robert Mullin, Councilman
Paul Virkler, Councilman
Aimee Murphy, Town Clerk
Thomas Widrick, Highway Superintendent/Special Districts Superintendent
Nicholas Astafan, DCO

Also Present via Zoom: Paul Denise, Village DPW; Mickey Dietrich, RACOG; Marguerite Wells, Invenergy; Timothy Widrick, Village of Lowville Trustee; Michael Fingar, US Light Energy and Susan Jornov, US Light Energy.

The meeting was called to order at 9:30 a.m. by Supervisor Schell.

MINUTES

Motion by Councilwoman Larabee, seconded by Councilman Mullin to approve the minutes of the March 24, 2020 regular board meeting.

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

VOUCHERS

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

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

General – Abstract #4	Voucher #104 to #127	\$ 40,133.08
Highway - Abstract #4	Voucher #29 to #34	\$103,187.19
Trust & Agency	(03/31/2020)	\$ 1,834.85
	(04/15/2020)	<u>\$ 6,146.60</u>
		\$151,301.72

SUPERVISOR’S REPORT

Receipts:	Town Clerk.....	\$ 1,259.84
	CEO.....	526.00
	Zoning.....	150.00
	Tax Collector.....	1,898.54

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Supervisor Schell reported that the work to replace the doors with handicap accessible doors will start in the next 6 to 8 weeks.

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

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

#3 Wind

Marguerite Wells gave a brief update on the progress of the project. Currently, they are making a plan with the DEC for grassland birds.

DEPARTMENT REPORTS

Attorney – Supervisor Schell reported on behalf of Attorney Meier.

- Maple Ridge PILOT: Still have not received the anticipated payment from Lewis County for the \$3,000.00 not included with the PILOT payment. Supervisor Schell will pursue further with the County.

- #3 PILOT: Nothing new. Host Community agreement is still pending.

- US Light Energy/Steria Zone change: A public hearing will be held at 11:00am today.

- Bickford Rd. Local Law: A public hearing will be held at 10:30am today.

Town Clerk

- Clerk's Monthly Report in Board Members' Packets & Daily Log was emailed to Board Members for review.

- Deputy Monnat and Clerk are still alternating days in the office. I am doing as much from home as possible. There is no admittance to the office building unless essential.

- Tim Munn @ Pixamation came and resurrected my email. Lost my address book, and am slowly building it back up. If you have not received my emails, please send me your email address, so that I can make sure I have corrected it.

Tax Collector

- Collection report from March 1 to March 31 is in the board member's packets.

Total taxes collected thru 3/31/2020:	\$ 91,297.48
Interest Collected.....	\$ 1,777.99
Bank Interest – March.....	\$ 0.55
Balance of February Interest.....	\$ 120.00
Total Collected	\$ 93,196.02

Paid to Treasurer: (4/9/2020).....	\$ 91,297.48
Paid to Supervisor (4/9/2020).....	\$ 1,777.99
Paid to Supervisor (4/10/2020).....	\$ 120.55
Total Disbursed	\$ 93,196.02

Notices of unpaid taxes were mailed out. Tax payments still trickling in, mostly by mail and drop box.

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CEO

CEO monthly report in board members' packets.

Superintendent of Highways/ Special Districts Superintendent

- Hydrants in Water District #1 are flushed.
- New John Deere Tractor with mower/broom is here. Voucher is in with the bills.
- Quote received from P&T Supply & Services to repair lift station on #4 Rd, SD#2 in the amount of \$4,381.59.
- Mel Zehr's last day is 4/17/2020.
- CHIPS, PAVENY and EWR are all in the governor's budget. Still planning on paving Water's Road. Quote received from Suit-Kote in the amount of \$102,452.02 plus cost of putting down shoulders.
- Nick Nortz from Nortz & Virkler has contacted Superintendent Widrick and requested payment for the cab and chassis of the new F350 Dually truck prior to receipt of the truck by the Town. Nortz & Virkler is paying interest to FORD on this truck while it is sitting at Viking Cives, waiting for the box to be installed. Due to the COVID19 pandemic, Viking is not working at full capacity, and it is not certain when it will be finished. Nick Nortz assured the Town that the warranty will not start until the day we take possession of the truck.

Motion by Councilman Ross, seconded by Councilwoman Larabee to adopt **Resolution 11-2020 "Authorizing Payment Prior To Audit for new F350 Dually"**.

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

Whereas, the Town of Lowville has ordered a new FORD F350 Dually truck from the Nortz & Virkler FORD dealership, and

Whereas, the dealership has requested payment for the cab and chassis, to avoid paying further interest to the manufacturer, and

Whereas, the F350 is awaiting installation of the dump box at Viking Cives, who is not working to full capacity due to the COVID19 pandemic, with no definite completion time, NOW THEREFORE BE IT

RESOLVED, that Highway Superintendent Widrick be authorized to submit a voucher for payment to Nortz & Virkler for the cost of the F350 cab and chassis in the amount of \$35,350.00, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized to pay for said vehicle in advance of audit.

Motion by Councilman Virkler, seconded by Councilman Ross to adopt **Resolution 12-2020, "Accepting Quote to Repair Sewer District #2 Lift Station."**

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

Whereas, the lift station in Sewer District #2 on the Number Four Road is in need of significant repairs, and Superintendent Widrick has received a quote from P&T Supply and Services for said repairs, NOW THEREFORE BE IT

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RESOLVED, that the Town Board accepts the quote of P&T Supply and Services in the amount of \$4,381.59 for repairs to the lift station and Superintendent Widrick is authorized to have P&T Supply and Services complete the repairs.

There has been interest from Amanda Kraeger, owner of Elements Day Spa & Salon, to purchase property on the Number Four Rd. to build on. She is wondering what the cost would be to extend the water and sewer lines to the property they are looking to purchase, which is located in Water District #9 and Sewer District #2. Superintendent Widrick has obtained quotes from New York Underground, Inc. To extend the sewer line, the cost for boring and pipe is \$4,010.00. To extend the water line as a 2" line, including boring is also \$4,010.00. To extend the water line as a 8" line, including boring and pipe is \$25,984.00.

Discussion followed. The larger size water line (8") would be more desirable for both the individual and for the possibility of further extension to other properties. There is a need to set a price to charge the individual to get water & sewer to the property. The interested party will use that figure to make her decision as to which property she may wish to purchase. Councilman Ross suggested charging \$15,000.00 for an 8" water line extension to the property owner.

Motion by Councilman Mullin, seconded by Councilman Ross, to adopt **Resolution 13-2020 "Setting the charge for extension of the water/sewer lines for WD#9 and SD#2 on the Number Four Road."** at a rate of \$15,000.00.

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

Whereas there is interest in extending the water and sewer lines on the Number Four Road in Water District #9 and Sewer District #2 and the costs associated with said extension
NOW THEREFORE BE IT

RESOLVED, that the Town of Lowville would charge \$15,000.00 for extension of the Water and Sewer lines on the Number Four Road.

Supervisor Schell asked Superintendent Widrick for an update on the Ross Road/Hospital hill project. The project is on hold until the ground is drier and the other departments are able to co-operate.

Gordon Road Bridge: Waiting for B&L to complete plans.

DCO

- Monthly report is included in board members' packets.
- DCO Astafan forwarded an updated activities report to the Board prior to the meeting. (Due to technical difficulties DCO Astafan was unable to participate with the video conference from this point further.)

ASSESSOR

Supervisor Schell reported that the Revaluation will be ratified by 05/01/2020. No direction by the state as to how to proceed with Grievance Day. Assessor Gratch informed him that they will do as many meetings as possible by phone. She also stated that the state is pushing for an increase in assessed value by up to 3% by next year.

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BUDGET OFFICER/BOOKKEEPER

Supervisor Schell stated that Accountant Scott Lawrence is working on the AUD.

OLD BUSINESS

- Administrative Order CWD #1 – Quarterly report was filed. Need to break ground on the project by 06/01/2020. Compared bills with May 2019 & May 2020, down by approximately 50%. The decrease is believed to be mainly due to the repair of the large leak under the Farney dooryard.

US Light Energy – Mike Fingar & Susan Jornov gave a brief update: Completed survey base map. Project on hold per the Governor’s executive order. Approval has been given by National Grid to hook into the substation on Waters Road, and a deposit has been made for updates to the substation.

NEW BUSINESS

The Public Hearing on Local Law #1-2020, “A Local Law Defining the use of “Agriculture Commerce” and Permitting Such Use in an Agriculture (AG) Zone Subject to a Zoning Permit”, was opened by Supervisor Schell at 10:31 a.m. Clerk Murphy provided proof of publication in the Lowville Journal & Republican. It was also published on the Town’s website. Clerk Murphy read the proposed law in full to the Board. Discussion among board members commenced. Councilwoman Larabee voiced her concerns about public access to the Public Hearing by “ZOOM”. She stated that she was not comfortable with making a decision without personal public appearance at the Public Hearing. Councilman Mullin suggested leaving the Public Hearing open until the next board meeting.

RACOG

Mickey Dietrich gave an update on RACOG.

The Tug Hill Commission is working on a new regional map.

Mickey has been spending most of his time working on remote meetings. He explained the purpose of the ZOOM meeting and how it records and auto-transcribes.

Comprehensive Plan – Councilman Mullin would like to be on the committee with the Village of Lowville and Supervisor Schell to work on updating the Comprehensive Plan. Supervisor Schell and Mayor Beagle are going to request funding from the County to help defray the costs associated with surveys, etc.

Mike Fingar – US Light – discussed the possibility of a Host Community Agreement & PILOT.

Discussed the potential of holding a special meeting with Attorney Meier to discuss the SEQR for the solar project.

Supervisor Schell opened the Public Hearing on the Application of Jeremy & Andrea Steria for a Change of Zone for parcel 213.00-01-46.000 located on Waters Road. Clerk Murphy provided proof of Publication in the Lowville Journal & Republican. Notice was also published on the Town’s website. The application seeks to change the present zones of “OC, R039B and R-30” to “Agriculture for Solar.”

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Councilman Mullin and Councilwoman Larabee would like to discuss the SEQR with Attorney Meier before making any decisions. Mike Fingar of US Light requested that the Public Hearing be closed. He feels that most public comments have already been heard, and that if anyone else has comment, they can address it at the Planning Board's public hearing. Discussion continued.

Motion by Councilman Mullin, seconded by Councilman Virkler to close the Public Hearing on the Application of Jeremy & Andrea Steria for a Change of Zone for parcel 213.00-01-46.000 located off the Waters Road.

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

Motion by Councilman Mullin, seconded by Councilman Virkler to close the Public Hearing for Local Law #1.

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

After a brief discussion as to how to proceed, the following motion was presented.

Motion by Supervisor Schell, seconded by Councilman Mullin to adopt **Resolution 14-2020 “A Local Law defining the use of “Agriculture Commerce” and permitting such use in an Agriculture (AG) Zone subject to a zoning permit.”**

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

WHEREAS, the Town Board of the Town of Lowville, held a public hearing at a Town Board meeting on April 16, 2020 at 10:30 a.m. for Local Law No. 1-2020; and

WHEREAS, there was no public comment made at the public hearing;

THEN THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lowville adopts Local Law No. 1-2020, known as “A Local Law defining the use of “Agriculture Commerce” and permitting such use in an Agriculture (AG) Zone subject to a zoning permit.”

Motion by Councilman Ross, seconded by Councilman Mullin to adjourn the meeting at 11:14a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk