

**Town of Lowville Regular Board Meeting
October 21, 2021**

DRAFT

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 21st day of October 2021.

This meeting was also broadcast via Zoom Video Conference.

Present: Randy Schell, Supervisor
Paul Virkler, Deputy Supervisor
John D. Ross, Councilman
Robert Mullin, Councilman
Helen Birchenough, Councilwoman
Raymond Meier, Town Attorney – entered at 10:00 a.m.
Aimee L. Murphy, Town Clerk
Thomas Widrick, Highway Superintendent/Special Districts Superintendent

Also Present: Chuck Terrillion, Village of Lowville Trustee;

Also Present via Zoom: Mickey Dietrich, Tug Hill Commission; Paul Denise, Village DPW Superintendent; Accountant Scott Lawrence entered at 10:20 a.m.

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

MINUTES

Motion by Councilman Mullin, seconded by Councilman Ross to approve the minutes of the September 16, 2021 regular board meeting.

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

CORRESPONDENCE

None

VOUCHERS

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

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

General – Abstract #10	Voucher #294 to #332	\$ 20,615.64
Highway - Abstract #10	Voucher #97 to #108	\$ 9,915.12
Capital Water – Abstract #10	Voucher #26 to #28	\$ 88,482.92
Trust & Agency	(09/30/21)	\$ 9,377.81
Trust & Agency	(10/21/21)	\$ 15,820.98
	Total	\$141,212.47

SUPERVISOR’S REPORT

Receipts:	Town Clerk	\$ 1,987.36
	Town Court	\$ 2,535.00
	CEO	\$ 1,267.06 (\$6,343.75 ytd)
	Zoning	\$ 207.50 (\$3,514.10 ytd)
	USDA Grant WD#1	\$225,637.70
	V/Lowville	\$ 5,987.84 (ZBA/Planning reimbursement)

Excellus \$ 4,504.46 (Retirees rebate)

Supervisor Schell's activities and financial reports are included in Board Members' Packets.

Mickey Dietrich spoke regarding a situation at his property on the Rice Rd., with run-off from the farmer's field across the road that may be affecting his well water. Mrs. Dietrich will be forwarding a letter to the Board.

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

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

DEPARTMENT REPORTS

HISTORIAN

Cemetery work completed at the East Road Cemetery. The Highway Department assisted with some work at the East State St. Cemetery next to the Elk's Club.

TOWN CLERK

- Clerk's Monthly Report is in the Board Members' Packets and Daily Log has been passed for review.
- Received notice of Broadband service survey from Public Service Commission. Posted on the Town Clerk's bulletin board and on the Town's website. Supervisor Schell encouraged everyone to participate.
- Attended Lewis County Town Clerk and Tax Collector's Association meeting. Also in attendance were Candy Akin of Lewis County Real Property and Eric Virkler, Lewis County Treasurer as well as representatives of the TCS software company. We reviewed previous year's collection issues and suggestions for future year's collection.
- Preparing Water/Sewer relevies to be sent to the County for January 2022 tax bills.
- Preparing for water billing on 11/01/2021.

PUBLIC HEARING

Supervisor Schell declared the Public Hearing for open at 10:00 a.m. Clerk Murphy provided proof of publication in the Lowville Journal & Republican and posting on the Town's website and Clerk's bulletin board. Copies of the Local Law were provided to the Board Members at the September board meeting. Supervisor Schell left the public hearing open for comments to be heard.

TOWN CLERK continued

- Hunting license sales have slowed down.

CEO

Monthly Report included in the Board Members' packets.

SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS

- Ridge Road culvert pipes have all been installed.
- Meter readings are completed
- 75% done with hydrant flushing
- The auction for the pressure tanks concluded, with a bid of \$750.00. Superintendent Widrick suggested that the Board accept the bid.

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution No. 38-2021, “Sale of Pressure Tanks”**.

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

WHEREAS, the Town of Lowville has declared 3 – Pressure Tanks as surplus and wish to sell them, and

WHEREAS, the Town has received a high bid of \$750.00 through the Constableville Auction Hall, then therefore, be it

RESOLVED, that the Town Board accept the bid through the Constableville Auction Hall.

- Superintendent Widrick would like the Board to consider hiring a winter wingman on a call-in basis instead of a full-time seasonal employee. The call-in employee would be paid \$20/hour during normal working hours and \$30/hour anytime outside normal working hours. Mr. Widrick presented the Board with figures based on last year’s full-time seasonal employee. The call-in employee would potentially save the town half the wages of a full-time employee. Following discussion, the following resolution was passed.

Motion by Councilman Ross, seconded by Councilwoman Birchenough to adopt **Resolution No. 39-2021, “Call-In Seasonal Employee”**.

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

Whereas, the Town of Lowville is in need of a seasonal employee for the winter plowing season, then therefore, be it,

RESOLVED, that Highway Superintendent Widrick is authorized to hire a seasonal employee, at a compensation rate of \$20.00 per hour between the hours of 6:30 a.m. and 3:00 p.m. and \$30.00 per hour between the hours of 3:00 p.m. and 6:30 a.m.

- Drive by meter reading system: Superintendent Widrick has previously requested use of the remainder of USDA water funds left from the GAC project to pay for a new drive by meter reading system. However, this would not completely cover the cost, and he would like permission to use ARPA funds to cover the balance. Discussion followed.

PUBLIC HEARING

Supervisor Schell declared the public hearing for the Budgets for Water District Nos. 1, 3, 4, 5, 6 & 9 and Sewer District Nos. 1, 2, 3, 4 & 5 for the fiscal year 2022 open at 10:19 a.m. Clerk Murphy provided proof of publication in the Lowville Journal & Republican and posting on the Town’s website and Clerk’s bulletin board. Copies of the Local Law were provided to the Board Members at the September board meeting. Supervisor Schell left the public hearing open for comments to be heard.

HIGHWAY continued

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution No. 40-2021, “Use of ARPA funds for Water Meter Reading System”**.

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

RESOLVED, that Highway Superintendent Widrick is authorized to use ARPA funds to cover the remaining balance of the new drive by water meter reading system not covered by USDA funds left over from GAC project.

PUBLIC HEARING

Supervisor Schell declared the public hearing for the Preliminary Budget for the Town of Lowville for the fiscal year 2022 open at 10:21 a.m. Clerk Murphy provided proof of publication in the Lowville Journal & Republican and posting on the Town’s website and Clerk’s bulletin board. Copies of the Local Law were provided to the Board Members at the September board meeting. Supervisor Schell left the public hearing open for comments to be heard.

HIGHWAY continued:

- Remote access quote from Kaman for CWD#1: Superintendent Widrick would like to purchase a remote access automation system for CWD#1. This system would allow for remote monitoring of the tank levels, chlorine levels and pump functions. There would not be any access to controls through this system. Any changes to the system would still need to be done manually at the water plant. Estimated costs to be \$15,567.32. This would include the installation and setup of the Appliance and services, 2- Android tablets with cover and screen protector, software installed, configuration and testing and remote access application for 2 devices. He suggested using ARPA funds to cover the cost. After discussion, the following motion was made.

Motion by Councilman Ross, seconded by Councilman Virkler to adopt **Resolution No. 41-2021, “Authorizing Expenditure of ARPA funds for Remote Access at CWD#1”.**

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

WHEREAS, the Town of Lowville wishes to purchase a remote access automation system for CWD#1 from Kaman Automation for an estimated cost of \$15,567.32, then therefore, be it

RESOLVED, that Superintendent Widrick is authorized to purchase said remote access automation system from Kaman Automation, and that the cost of the purchase be funded by ARPA funds.

- Gradall purchase: As per the equipment replacement plan, the Town’s Gradall is scheduled for replacement. Superintendent Widrick presented 4 – quotes to the Board for the purchase of a used Gradall for the Highway Department. After discussion with Attorney Meier, it was decided that this purchase needed to be bid out. Superintendent Widrick will create a “spec sheet” for any interested bidders.

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution No. 42-2021, “Advertise for Used Gradall”.**

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

RESOLVED, that Highway Superintendent Widrick is authorized to advertise for bids for 1 – Used Gradall in the Journal and Republican for 1 week. Bids to be received by 11/16/2021 at 4:00pm. Bid opening is set for November 18, 2021 at 10:00 a.m. at the Town Municipal Office Building.

- Garage door purchase: Superintendent Widrick stated that 4 overhead garage doors need replacement at the Highway Garage. He has obtained two quotes: DS-Doors for \$30,109.52 and Adirondack Garage Door for \$27,044.00. This would be for 4 overhead doors, openers and installation.

Motion by Councilman Mullin, seconded by Councilman Virkler to adopt **Resolution No. 43-2021, “Purchase of Garage Doors”**.

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

WHEREAS, the Overhead garage doors at the Town of Lowville Highway Department are in need of replacement and quotes were received from DA-Doors and Adirondack Garage Door; then therefore, be it

RESOLVED, that Highway Superintendent be authorized to replace 4 – Overhead Garage Doors with openers using the services of Adirondack Garage Door at a cost of \$27,044.00 to be taken from the Town-wide Highway fund balance.

- Report on CWD#1 Capital Project: Kaman Automation will install the communication software for the remote access. NCC still needs to fix one door handle that is not working properly.

LOCAL LAW #2-2021

Motion by Councilman Mullin, seconded by Councilman Ross to close the Public Hearing for Local Law #2-2021, “A Local Law Opting Out of the Enforcement and Administration of the New York State Uniform Building and Fire Code Pursuant to Section 381 of the New York State Executive Law”.

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

Motion by Councilman Virkler, seconded by Councilwoman Birchenough to adopt **Resolution No. 44-2021, Adopting Local Law #2-2021 “A Local Law Opting Out of the Enforcement and Administration of the New York State Uniform Building and Fire Code Pursuant to Section 381 of the New York State Executive Law”**.

ADOPTED - AYES – Birchenough, 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 October 21, 2021 at 10:00 a.m. for Local Law No. 2-2021; and

WHEREAS, no public comment was heard; then therefore, be it

RESOLVED, that the Town Board of the Town of Lowville adopts Local Law No. 2-2021 known as “A Local Law Opting Out of the Enforcement and Administration of the New York State Uniform Building and Fire Code Pursuant to Section 381 of the New York State Executive Law”.

**A copy of LL#2-2021 is attached at the end of these minutes.*

WATER & SEWER BUDGETS 2022

There was no public comment heard on the Water & Sewer Budgets for 2022.

Motion by Councilman Ross, seconded by Councilman Virkler to close the Public Hearing on the Water and Sewer Budgets for the year 2022 at 10:48 a.m..

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

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution # 45-2021, “Adoption of Water and Sewer Budgets for 2022.”**

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

WHEREAS, the Town Board of the Town of Lowville held a public hearing for the Water and Sewer Budgets for their fiscal year 2022, on October 21, 2021, and

WHEREAS, no public comment was heard, and

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

RESOLVED, that the Water and Sewer Budgets for 2022 be adopted, and be it further

RESOLVED, that these budgets be incorporated into the 2022 Annual Budget for the Town of Lowville.

Budget

Supervisor Schell and Accountant Scott Lawrence reviewed the Preliminary Budget with the Board. Discussion continued.

Motion by Councilman Mullin, seconded by Councilman Ross to close the public hearing on the Preliminary Budget for 2022 at 11:14 a.m.

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

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution #46-2021, “Adjustments to the 2022 Preliminary Budget.”**

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

WHEREAS the Town of Lowville has adopted its Preliminary Budget for 2022, and

WHEREAS the Town Board feels it necessary to make further adjustments to the Preliminary Budget, then therefore

BE IT RESOLVED that the Budget Officer be directed to make the following adjustments to the Town of Lowville 2022 Preliminary Budget:

General Fund, Town Wide	
Appropriated Fund Balance increase to	\$203,500.00
Garage – Capital Layout increase to	\$ 40,000.00
Highway Fund, Town Wide	
Appropriated Fund Balance increase to	\$105,000.00
Sale of Equipment increase to	\$ 50,000.00
Machinery – Equipment increase to	\$ 60,000.00
Highway Fund, Part Town	
Appropriated Fund Balance increase to	\$ 80,000.00

Motion by Councilwoman Birchenough, seconded by Councilman Mullin to adopt **Resolution #47-2021, “Adoption of the Town of Lowville Town Budget for 2022.”**

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

WHEREAS, the Town Board of the Town of Lowville held a public hearing, on October 21, 2021 on the preliminary budget for fiscal year 2022, where no public comment was heard, 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 2022 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.

DCO

- Monthly report is included in board members' packets.

ASSESSOR

Assessor Gratch has provided a Sales Analysis Report for the Board to review. This shows that the assessed value of the town has increased.

JUSTICE

The Court is ready to absorb the Village Court as of April 1, 2022.

RACOG

Mickey Dietrich gave a brief update on the happenings at the Tug Hill Commission. The next RACOG meeting will be after January 1, 2022.

The Town of New Bremen may decide to join RACOG. If so, there will be a meeting to approve this in November.

COMPREHENSIVE PLAN

Mickey Dietrich hopes to have the joint comprehensive plan completed in either November or December. Supervisor Schell thanked the Tug Hill Commission for assisting with the development of the comprehensive plan and for hosting the Zoom meetings.

BROOKSIDE PILOT

Discussion on increasing the Brookside PILOT for 2022.

Motion by Councilman Mullin, seconded by Councilman Virkler to increase the Brookside PILOT payment $\frac{3}{4}$ of 1% for 2022 as per Section C PILOT Amendments, Part 3 of the Brookside PILOT Agreement. Clerk Murphy will send written notification to Brookside of the increase.

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

OLD BUSINESS

HEALTH INSURANCE

Supervisor Schell has concerns about the proposed plan that was presented at last month's meeting. He would prefer to stay with the current plan and would like to review and adjust the employee premium rate to an exact contribution rate of approximately 25% instead of the current calculation.

Motion by Councilman Virkler, seconded by Councilwoman Birchenough to maintain the current health insurance plan.

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

Superintendent Widrick thanked the Town Board for the premium pay granted at the September board meeting.

With no further business the following motion was presented.

Motion by Councilman Ross, seconded by Councilman Mullin to adjourn the meeting at 11:36 a.m.
ADOPTED - AYES – Birchenough, Mullin, Ross, Schell, Virkler NAYS – 0

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk