

**Town of Lowville Regular Board Meeting  
May 19, 2022**

**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 19th day of May 2022.

**Present:** Robert Mullin, Supervisor  
Paul Virkler, Deputy Supervisor  
John D. Ross, Councilman  
Stephen Farney, Councilman  
Helen Birchenough, Councilwoman  
Raymond Meier, Town Attorney entered at 10:18 a.m.  
Aimee L. Murphy, Town Clerk  
Thomas Widrick, Highway Superintendent/Special Districts Superintendent

**Also Present:** Henry Avallone; Nicholas Astafan Jr., Dog Control Officer; Mickey Dietrich, Tug Hill Commission; Paul Denise entered at 9:47 a.m.; Scott Lawrence entered at 10:00 a.m.

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

**CORRESPONDENCE**

- Double Play: Summer Recreation Program – Budget for program has increased. They have added field trips back into the budget. Michael Young, recreation committee, has applied for grant funding to help offset the cost of the field trips. Adult swim has also been added, but not definite, the County may pay for this. Village of Lowville Mayor Joseph Beagle looked back at figures from previous years to see how many participants lived outside the Town and Village of Lowville. Supervisor Mullin would like to see the County contribute something so that the Town and Village residents aren't paying for all children who reside elsewhere.

**MINUTES**

**Motion** by Councilman Virkler, seconded by Councilwoman Birchenough to approve the minutes of the April 21, 2022 regular board meeting.

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

**VOUCHERS**

**Motion** by Councilman Ross, seconded by Councilman Farney to approve that bills be paid as listed in the following amounts.

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

General – Abstract #5	Voucher #145 to #183	\$106,093.40
Highway - Abstract #5	Voucher #38 to #49	\$ 6,877.11
Trust & Agency	(04/30/2022)	\$ 1,808.32
	(05/05/2022)	\$ 6,752.26
	Total	\$121,531.09

**SUPERVISOR'S RECEIPTS**

Receipts:	Town Clerk	\$ 1,889.45
	Tax Collector	\$ 1,377.48 (Interest & Penalties)
	Town Court	\$ 5,152.50
	Zoning	\$ 150.00 (ytd \$1,647.50)
	Lewis County	\$ 24,479.75 (Mortgage Tax)
	Liberty Mutual Insurance	\$ 21,527.16 (Truck #11 Repair)

**SUPERVISOR’S REPORT**

Supervisor Mullin’s activities report is included in Board Members’ Packets.

**Motion** by Councilman Ross, seconded by Councilwoman Birchenough to accept the Supervisor’s receipts and activities reports.

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

**DEPARTMENT REPORTS**

**TOWN CLERK**

- Clerk’s Monthly Report is in the Board Members’ Packets.
- Water billing sent out for May 1<sup>st</sup>, payments coming in steadily.
- Deputy Clerk Olmstead took her notary exam Tuesday, waiting for results.
- Deputy Clerk Olmstead is almost finished entering Village vital records in the BAS clerk program.

**TAX COLLECTOR**

- Tax Collection report is included in Board Members’ Packets.
- Tax Collection slowing down.

Tax Collected:	\$ 55,837.82
April Interest Collected:	\$ 1,295.05
Penalties Collected:	\$ 82.00
Bank Interest Collected:	\$ <u>0.43</u>
Total Collected:	\$ 57,215.30
Paid to Supervisor:	\$ 1,377.48
Paid to Lewis County:	\$ <u>55,837.82</u>
Total Disbursed:	\$ 57,215.30

**Motion** by Councilman Farney, seconded by Councilman Virkler to accept the Town Clerk and Tax Collector reports as presented.

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

**SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS**

- Cut shoulders on Ridge Rd, Bardo Rd., Gordon Rd. and Rice Rd.
- Railroad tracks have been removed from the Ridge Road in anticipation of paving. Weather permitting, paving will commence next week.
- Hydrant flushing has been completed.
- Brookside sewer pump failed, was repaired, and failed again. Currently working on repairs.
- The new garage doors have been installed. The old doors were listed for sale at auction with the following bids received:

Door #1	\$325.00
Door #2	\$400.00
Door #3	\$475.00
Door #4	\$550.00

**Motion** by Councilman Virkler, seconded by Councilman Ross to adopt **Resolution No. 23-2022, “Sale of Garage Doors”**.

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

WHEREAS the Town of Lowville has declared the four used garage doors as surplus and wish to sell them, and

WHEREAS the Town has received the following bids through the Constableville Auction Hall/Absolute Auctions & Realty: Door #1 \$325.00, Door #2 \$400.00, Door #3 \$475.00, Door #4 \$550.00, then therefore

BE IT RESOLVED, that the Town Board accept the bids through the Constableville Auction Hall/Absolute Auctions & Realty.

- The pipe has been delivered for the Willow Grove Rd.
- The State Department of Transportation (DOT) will be paving Rte. 177 this August. They would like to purchase water from the Town out of the hydrant on Rte. 12 across from the Community Church. Discussion regarding price and how it would affect the water system took place.

**Motion** by Councilwoman Birchenough, seconded by Councilman Virkler to sell water to the DOT at a rate of 1.5 cents per gallon.

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

- The Tug Hill Winery has requested a guiderail be installed on the Yancey Rd. Superintendent Widrick received a quote to install new guiderail at an approximate cost of \$24,000. There may be some used guiderails at the quarry that could be reused. Superintendent Widrick needs to inspect them and see if they are adequate.
- The East Rd. collapsed while Total Boring Solutions was boring under the road for the #3 Wind project. The road was temporarily closed while they laid the conduit, repaired and repaved that section of the road. Total boring Solutions paid for the repairs.

### **PUBLIC HEARING**

Supervisor Mullin declared the public hearing on Local Law #2-2022 “The Dangerous Dog Control Law” open at 10:03 a.m. with proof of publication being acknowledged. DCO Astafan gave a brief synopsis of the law and the reason for needing it. The public hearing was left open for comments to be heard.

### **DOG CONTROL OFFICER**

Dog Control Officer Astafan’s monthly report is in Board Members’ packets.

- There will be a rabies clinic next week at the Town of Lowville Highway garage. Approximately 26 people who have dogs with delinquent/expired rabies vaccinations have reported that they will be attending.
- The licensing and kennel permit issues with the Summit Ave. resident have been rectified. The resident claimed to be selling the dogs, however has not updated the Town Clerk that any are gone.

DCO Astafan left the meeting.

### **BOOKKEEPER/BUDGET OFFICER**

Accountant Scott Lawrence reviewed the financials through April 30, 2022 with the Board. He also explained ARPA reporting, and the difficulties the Town is having.

Councilwoman Birchenough inquired about using the \$150 allocated for adult recreation to help offset the cost of the Double Play summer recreation program, specifically the adult swim program. Supervisor Mullin will look into this.

Scott Lawrence left the meeting.

**ATTORNEY**

Comprehensive Plan – Attorney Meier inquired as to how the Town Board wishes to proceed with the proposed Comprehensive Plan. Supervisor Mullin stated that Councilwoman Birchenough and Zoning Officer Manning have edited the proposed Comprehensive Plan and that ZO Manning will be presenting it to the Planning Board and Zoning Board of Appeals for review. Councilwoman Birchenough explained to the Board what she and ZO Manning did and their recommendations. She will be forwarding a copy of the edited version to the Town Board members and other interested parties for review and suggestions. Comments from the Planning Board and ZBA are due by 06/09/2022.

**PUBLIC HEARING**

Since no public comment was voiced, the following motion was presented.

**Motion** by Councilman Farney, seconded by Paul Virkler to close the public hearing at 10:38 a.m. on Local Law #2-2022, Dangerous Dog Control Law.

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

**Motion** by Councilwoman Birchenough, seconded by Councilman Ross, to adopt **Resolution No. 24-2022, “Adopting LL#2-2022, The Dangerous Dog Control Law”**.

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

WHEREAS, the Town Board of the Town of Lowville, held a public hearing at a Town Board meeting on May 19, 2022 at 10:00 a.m. for Local Law No. 2-2022; 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. 2-2022 known as “The Dangerous Dog Control Law.

**RACOG**

Mickey Dietrich gave a brief update on the happenings at RACOG and the Tug Hill Commission. The next RACOG meeting will be in June 2022.

**OLD BUSINESS**

Water/Sewer rates: It was suggested that since the Village of Lowville will be increasing sewer rates 5%, that the Town should do the same. There was discussion on rates versus usage. After discussion the following motion was presented.

**Motion** by Councilwoman Birchenough, seconded by Councilman Ross, to adopt **Resolution No. 25-2022, “Setting a Public Hearing on Sewer Rate Increase”**.

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

WHEREAS, it is necessary to hold a public hearing for the increase of sewer rates, and

WHEREAS, it is necessary for the public hearing to be advertised for at least five (5) days before the public hearing is held, then therefore,

BE IT RESOLVED, that the public hearing be held on June 16, 2022, at the Regular Town Board meeting at 10:00 a.m.

The next meeting will be a regular board meeting on June 16, 2022 at 9:30 a.m.

With no further business the following motion was presented.

**Motion** by Councilman Farney, seconded by Councilman Ross to adjourn the meeting at 11:04 a.m.

ADOPTED – AYES – Birchenough, Farney, Mullin, Ross, Virkler      NAYS – 0

Respectfully submitted,

Aimee L. Murphy  
Town Clerk