

**Town of Lowville Regular Town Board Meeting
March 16, 2023**

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 March 2023.

Present: Robert Mullin, Supervisor
Paul Virkler, Deputy Supervisor
John D. Ross, Councilman
Helen Birchenough, Councilwoman
Stephen Farney, Councilman
Aimee Murphy, Town Clerk

Absent: Raymond Meier, Town Attorney

Also Present: Nicholas Astafan Jr, DCO; Jaylyn Heames, Snowbelt Housing; Chuck Terrillion, Village of Lowville Trustee; Paul Denise, Village of Lowville DPW Superintendent; Henry Avallone; Mickey Dietrich, RACOG;

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

MINUTES

Motion by Councilman Ross, seconded by Councilwoman Birchenough to approve the minutes of the February 16, 2023 regular meeting, the February 23, 2023 and March 7, 2023 special meetings.

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

CORRESPONDENCE

- Housing Project: Fact sheet Supervisor Mullin received at the County Board of Legislators meeting.
- NY Class: Update on the Recent Market Events

VOUCHERS

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

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

General – Abstract #3	Voucher #71 to #112	\$51,261.51
Highway – Abstract #3	Voucher #33 to #42	\$21,166.73
Child Support		\$ 165.06
	Total	\$72,593.30

SUPERVISOR’S REPORT

Receipts:	Town Clerk	\$ 1,573.13
	Town Court	\$ 4,939.00
	Zoning	\$ 0.00 (\$120 ytd)
	Tax Collector	\$ 2,714.67
	Charter Communications	\$ 9,490.01 (Franchise Fees)
	Village of Lowville	\$ 1,272.33 (Workers Comp. Refund)
	Village of Lowville	\$ 1,743.63 (Dog Control Expenses)
	Village of Lowville	\$ 1,228.17 (Lowville Heights PILOT)
	Village of Lowville	\$ 149.76 (CAT Grader Repairs)
	IDA	\$ 45,932.46 (Flat Rock Wind PILOT)
	Retiree Insurance	\$ 3,060.30
	NYMIR	\$ 15,867.90 (CWD#1 Pump Replacement)

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IDA	\$ 1,928.79 (Victorian Lake PILOT)
#3 Wind	\$ 225.00 (Bal. of Host Comm. Agmt)
Absolute Auctions	\$ 52,110.00 (Sale of Truck & Printer)

Supervisor Mullin's financial and activities reports are included in the Board Members' packets.

Supervisor Mullin updated the Board regarding complaints about blasting at the GraRok (former MJL Crushing) quarry. According to NYS Department of Environmental Conservation (DEC), the manager of the quarry was not aware of the limited number of blasts set when the mining permit was originally issued to MJL Crushing. Since the next few blasts are already scheduled and paid for, and since there is an existing contract with the New York Power Authority (NYPA), the blasts will be allowed by the DEC. Written complaints have been received from residents. Zoning Officer Manning will review and investigate as necessary. She will also forward these complaints to the DEC.

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

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

SNOWBELT HOUSING

Jaylyn Heames, Executive Director of Snowbelt Housing made a presentation to the Board on the proposed housing project on Outer Stowe Street in the Village of Lowville. The project is currently in the conception stage. By law, Lewis County must have a plan for homelessness. Snowbelt Housing helps Lewis County by paying for hotel rooms, security deposits and first month's rent for participants. Snowbelt is currently working with other agencies throughout Lewis County to come up with ideas for housing homeless, and people with mental health and substance use disorders. Upon review of multiple options through a feasibility study, it was proposed that the vacant lot on Stowe Street, next to the Department of Social Services building, would be the top choice due to the location and funding. Ms. Heames explained possible funding sources for the project and current funding received by Snowbelt used for the homeless.

Currently, a warming center is being operated at the Bethel Church when the outside temperature goes lower than 32 degrees at night. There have been very few incidents where law enforcement has been needed at the warming center. The new building would have 24-hour surveillance and staffing with key-card-only access to the building.

Ms. Heames made note of concerns and additional information the Board Members would like and left the meeting at 10:38 a.m.

DEPARTMENT REPORTS

ATTORNEY

- Speed Limit Request: Attorney Meier prepared a resolution at the request of the Town Board asking for a reduced speed zone in the Maple Run Homes subdivision off State Rte. 26, across from the New York State Police Barracks. Copies of the proposed resolution were provided to the Board Members for review. After a brief discussion, the following resolution was adopted.

Motion by Councilman Farney, seconded by Councilman Ross to adopt **Resolution No. 16-2023 "Establishing a Speed Limit for certain road within the Town of Lowville"**.

ADOPTED by a roll call vote - AYES – Birchenough, Farney, Mullin, Ross, Virkler NAYS – 0

WHEREAS, the Town Board of the Town of Lowville has been approached by residents living on Emi Lane, Ebbly Road, Fox Path, and Kamryn Road, all of which are public roads within the Town of

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Lowville, requesting that the Town Board take action to petition the New York State Department of Transportation to establish a speed limit for each of the aforementioned roads; and

WHEREAS, there is currently no authorized speed limit established for the above listed roads; and

WHEREAS, the roads listed above are residential in character and many of the residents have young children in their families; and

WHEREAS, the residents of the area are concerned that motorists frequently travel through the area at unreasonable and unsafe speeds; and

WHEREAS, Vehicle and Traffic Law Section 1622 establishes a process to establish speed limits on Town Roads, now therefore, be it

RESOLVED that the Town Board wishes to follow the process to petition for a speed limit of thirty (30) miles per hour for each of the above listed roads; and be it further

RESOLVED that the Town Clerk shall send two certified copies of this resolution to the Lewis County Superintendent of Highways with the request that he review this resolution and join the Town of Lowville in petitioning the New York State Department of Transportation to do the following:

1. Conduct such study or studies as they deem necessary with regard to traffic on the above listed roads.
2. Establish a thirty (30) mile per hour speed limit for each of the above listed roads.

-SNIRT: Attorney Meier provided the Town Board with a memorandum outlining his concerns with the SNIRT Run. After a brief discussion, the following resolution was presented.

Motion by Councilwoman Birchenough, seconded by Councilman Ross to adopt **Resolution No. 17-2023, "Roads Closed to ATVs for SNIRT Run"**.

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

WHEREAS, the Town Board has concerns with town roads being open to ATVs for the SNIRT Run; then therefore be it

RESOLVED, that roads in the Town of Lowville will be closed for ATV use during the SNIRT Run in 2023.

TOWN CLERK

- Clerk's Monthly Report is in the Board Members' packets.
- Emailed justice court audit and resolution to the Unified Court System.
- Notified the Unified Court System and NYS Comptroller of new Justice appointment.
- Updated the town website.
- Workplace Violence & Harassment and Discrimination training will be on May 3rd at 2:00 p.m. and 5:30 p.m. Kevin Townsend of NYMIR will be conducting the training. This is the annual mandatory training. There also needs to be a safety committee meeting. Supervisor Mullin and Councilman Ross volunteered to be the Town Board representatives on the committee. Employee questionnaires have been distributed. The safety committee will discuss the results.

TAX COLLECTOR

- Tax Collection report is included in Board members' Packets.

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- Xpress Pay credit card site has been updated with unpaid bills to avoid duplicate payments.
- Second notices for unpaid bills will be mailed at the end of this month. Will begin collecting the \$2 notice fee 4/1/23 in addition to unpaid tax and penalties due. As of 3/14/23 there are 166 unpaid parcels in the Town and Village of Lowville.

Tax Collected	\$56,870.09
Interest Collected	\$ 544.59
Bank Interest Collected	<u>\$ 2,170.08</u>
Total Collected – February	\$59,584.76
Paid to Supervisor	\$ 2,714.67
Paid to Lewis County	<u>\$56,870.09</u> (February Tax)
Total Disbursed	\$59,584.76

SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS

- New pumps and piping were installed in CWD#1 Pump Station #1. The insurance claim was finalized, and the check received by the Supervisor.
- No updates on the Brookside sewer project; Bob Boliver of BC&A is still working on it.
- Disinfection Byproducts test results are back and numbers are low, which is good.
- Superintendent Widrick would like permission to attend a New York Rural Water Association (NYRWA) technical workshop in Lake Placid May 22 & 23.
- Water District #5 unaccounted-for water: Superintendent Widrick explained the billing process from the Village to the Town. At this time, any unaccounted-for water would appear to be a leak in the system. New York Rural Water has checked for leaks but found none. Superintendent Widrick will ask them to come back in the spring and check again. He will also see about checking the water meters at Wal-Mart. If a meter is not working properly, that could account for unmetered water usage.

Motion by Councilman Ross, seconded by Councilman Virkler to permit Highway Superintendent Widrick to attend NYRWA training May 22 & 23, 2023 in Lake Placid, NY.

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

DOG CONTROL

The Dog Control Officer (DCO) monthly report is included in the Board members’ packets.

DCO Astafan will be attending DCO training on 4/14/2023.

The Intermunicipal Agreement (IMA) with the Town of Martinsburg for dog control services has expired. Attorney Meier reviewed the agreement and believes it to be acceptable for renewal. This IMA will appoint the DCO from Martinsburg as a Deputy DCO (DDCO) in Lowville and the DCO from Lowville as DDCO in Martinsburg, allowing the DCO from the reciprocating township to pickup strays when the DCO from that town is unavailable. Following a brief discussion, the following resolution was adopted.

Motion by Councilman Virkler, seconded by Councilman Ross to adopt **Resolution No. 18-2023, “Approving an Intermunicipal Agreement with the Town of Martinsburg for Dog Control Services”**.

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

WHEREAS, the Towns of Lowville and Martinsburg are required to provide Dog Control for their residents; and

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WHEREAS, the Towns wish to cooperatively provide for Deputy Dog Control Officers (DDCO) to fill in when the Dog Control Officer (DCO) is on vacation or away and unable to perform his/her duties; then therefore be it

RESOLVED, The DCO for Martinsburg shall act/serve as DDCO for Lowville and the Lowville DCO shall act/serve as DDCO for the Town of Martinsburg as specified in the Intermunicipal Agreement (IMA); and be it further

RESOLVED, that the Town of Lowville Supervisor is hereby authorized to enter into said IMA with the Town of Martinsburg.

** A copy of this agreement is incorporated at the end of these minutes.*

RACOG

Mickey Dietrich gave a brief update on the happenings at RACOG and the Tug Hill Commission.

OLD BUSINESS

- LACS Building Project: Nothing new.

- Waterline Extension: Nothing new.

- Municipal Building Code Violations: Superintendent Widrick will get quotes for painting of the municipal building.

The next regularly scheduled Town Board meeting will be April 20, 2023 at 9:30 a.m.

With no further business the following motion was presented.

Motion by Councilman Farney, seconded by Councilwoman Birchenough to adjourn the meeting at 11:29 a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk