

**Town of Lowville Regular Town Board Meeting
June 15, 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 15th day of June 2023.

Present: Robert Mullin, Supervisor
Paul Virkler, Deputy Supervisor
John D. Ross, Councilman
Helen Birchenough, Councilwoman
Stephen Farney, Councilman
Raymond Meier, Town Attorney
Thomas Widrick, Highway Superintendent
Aimee Murphy, Town Clerk

Also Present: Nicholas Astafan Jr, DCO; Henry Avallone; Mickey Dietrich entered at 10:08 a.m.

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 Virkler, seconded by Councilwoman Birchenough to approve the minutes of the May 18, 2023 regular meeting.

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

CORRESPONDENCE

1. Voter’s Identification Resolution – Town of Huntington: Town Clerk Murphy received a resolution of the Town of Huntington Town Board urging the New York State Legislature and Governor Hochul to draft and enact legislation regarding a voter’s identification process and distributed copies to the board.
2. Railroad Property: NYS Department of Transportation sent a letter notifying the Town of abandoned railroad property the current owner wishes to sell. Section 18 of the Transportation Law allows state agencies, regional transportation authorities, and local governments the opportunity to acquire abandoned railroad transportation properties for public transportation purposes.
3. Lewis County Resolution #99-2023 to adopt certain recommendations of the EMS AD HOC Committee.

VOUCHERS

Motion by Councilman Ross, 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 #6	Voucher #202 to #233	\$ 21,862.91
Highway – Abstract #6	Voucher #72 to #81	\$ 8,325.51
Child Support		\$ 330.12
Trust & Agency		<u>\$ 1,510.82</u>
	Total	\$ 32,029.36



SUPERVISOR’S REPORT

Receipts:	Town Clerk	\$ 1,932.09
	Town Court	\$ 3,611.00
	Zoning	\$ 100.00 (\$370.00 ytd)
	Tax Collector	\$ 2,212.55
	Retiree Health Insurance	\$ 3,060.30

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

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

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

DEPARTMENT REPORTS

DOG CONTROL

The Dog Control Officer’s (DCO) monthly report is included in the Board Members’ packets. DCO Astafan reported the new microchip scanner is working well. Deputy Town Clerk Olmstead purged old paper license files that are no longer needed due to the following statuses: dead, gone, moved.

ATTORNEY

1. Brookside PILOT: Attorney Meier has had several conversations with Kevin McArdle, attorney for Brookside. Brookside has provided the last 2 years of financial information. Attorney Meier and Assessor Gratch will review. Assessor Gratch informed Attorney Meier that it may be necessary to get an appraisal of Brookside done. Attorney Meier will speak with Assessor Gratch to develop a plan. Discussion continued regarding past litigation and current assessments.
2. Mining: Attorney Meier provided a sample moratorium on new mining in the Town of Lowville and reviewed it with the Board. He also provided an amendment to the zoning code which requires a SEQR long form. After discussion, the following motion was made.

Motion by Councilman Farney, seconded by Councilwoman Birchenough to approve the Moratorium on the Establishment of Extraction, Excavation or Mining Uses Within the Town of Lowville.

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

Town Clerk Murphy will forward the Moratorium to the Lewis County Planning Department for further review at their next meeting.

3. Wal-Mart: Attorney Meier reported sending a letter to the Lowville Wal-Mart store requesting the installation of a meter on their fire suppression system water line. The purpose of the meter is to account for water that is released during the regular testing of the fire suppression system. It is hopeful that a meter will track most of the unaccounted-for water used in water district #5.

TOWN CLERK

1. Clerk’s Monthly Report is in the Board Members’ packets.
2. Penalties have been levied for any unpaid water bills at the end of May.
3. Researching water hook up dates for all customers for Superintendent Widrick per requirement of the NYS Department of Health.

- 4. Juneteenth: Monday, June 19th is now a federal holiday. Would like permission to close the office building again this year as well as update the Employee Handbook to include it as a paid holiday.

Motion by Councilman Ross, seconded by Councilman Virkler to adopt **Resolution No. 25-2023, “Adding Juneteenth (June 19th) to the Paid Holiday List.”**

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

WHEREAS, the Town of Lowville has a Personnel Manual that contains a policy for vacation days, personal days, sick leave and holidays for its regular full-time employees, and

WHEREAS, the Town of Lowville Offices have been closed on Juneteenth, due to its status as a federal holiday, be it therefore

RESOLVED, that the Town of Lowville Personnel Manual will be amended adding Juneteenth (June 19th) as a paid holiday for regular full-time employees.

This shall have no effect on the collective bargaining agreement.

TAX COLLECTOR

- 1. Tax Collection monthly and end of collection season reports are included in Board Members’ Packets.
- 2. Tax collection ended May 31st and all uncollected taxes have been turned over to the Lewis County Treasurer.
- 3. Completed settlement with the County Treasurer. All tax collected has been turned over to the Treasurer.
- 4. There will be one small check for bank interest to the Supervisor next month. All other interest and penalties have been paid to the Supervisor.

Tax Collected	\$ 54,700.11
Interest Collected	\$ 1,782.77
Bank Interest Collected	\$ 199.78
<u>Penalties Collected</u>	<u>\$ 70.00</u> (second notice fees)
Total Collected – May	\$ 58,716.95

Paid to Supervisor	\$ 2,162.55
<u>Paid to Lewis County</u>	<u>\$ 56,554.40</u> (Settlement)
Total Disbursed	\$ 58,716.95

Motion by Councilman Virkler, seconded by Councilman Farney to approve the Town Clerk and Tax Collector reports as submitted.

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

SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS

- 1. Ditching has been completed on the Sharp, Shack and Rice Roads.
- 2. All of the wood surfaces on the stone building next to the municipal building have been painted. This corrects one of the building code violations from the inspection earlier this year. The municipal building is still on schedule to be painted in July.
- 3. Roadside mowing has commenced.

4. Superintendent Widrick attended the NY Rural Water Conference in Lake Placid. He stated the need to acknowledge all service lines that may contain lead. Working with Town Clerk Murphy to identify service installation dates.
5. The Highway Department will be using June 19th (Juneteenth) as a floating holiday.

ASSESSOR

Henry Avallone, Board of Assessment Review (BAR) member, gave a brief report on the BAR meetings.

BUDGET OFFICE/BOOKKEEPER

1. Accountant Lawrence provided year-to-date financial reports for the Board’s review.
2. Supervisor Mullin reported on the progress of the software conversion at the accountant’s office. Still a work in progress.
3. Discussion took place regarding the use of ARPA funds. Councilwoman Birchenough suggested making a list of items ARPA money could be used for and then prioritize them in order of importance.
4. Accountant Lawrence also included two (2) budget adjustments that need to be made. After discussion the following motion was made.

Motion by Councilwoman Birchenough, seconded by Councilman Farney to adopt **Resolution #26-2023, “Approve Budget Adjustments”**.

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

RESOLVED the following Budget Adjustments are approved as listed.

TOWN OF LOWVILLE
BUDGET ADJUSTMENTS

FUND: Water Districts

Account	Code	Expenditures	Revenues
Contractual – Transmission & Dist CUD *1	8340.4	2,295.00	
Appropriated fund balance	599		2,295.00

Approved by 
Supervisor

Approved by Town Board on: 6/15/23

Date: 6/15/23

Town Clerk 

TOWN OF LOWVILLE
BUDGET ADJUSTMENTS

FUND: Sewer Districts

Account	Code	Expenditures	Revenues
Contractual – Sanitary Sewers <i>SD #1</i>	8120.4	215.00	
Appropriated fund balance	599		215.00

Approved by 
Supervisor

Approved by Town Board on: 6/15/23

Date: 6/15/23

Town Clerk 

RACOG

Mickey Dietrich gave a brief recount report on the happenings of RACOG and the Tug Hill commission. The next RACOG meeting will be 6/28/2023 – 6:00 p.m. at the Village of Castorland.

OLD BUSINESS

1. Brookside Sewer – Supervisor Mullin spoke with Bob Boliver of BC&A. The plans are in the CAD department currently.
2. Abundant Life Water/Sewer service request: Town Clerk Murphy will contact Cheyenne Steria to see what the church plans to do regarding a new water & sewer service request. If they are not continuing, then the application fee check will be returned.
3. Recreation Commission: Attorney Meier is concerned because there is no documentation from the comptroller’s office requesting the dissolution of the commission, only a telephone call to the Village of Lowville Clerk. Discussion occurred regarding financials of the commission. The Village handles all the money coming in and going out on behalf of the commission. It is Attorney Meier’s opinion that the recreation commission doesn’t formally exist. He also suggested entering into an Intermunicipal Agreement with the Village for the recreation board and listing specific duties/expectations for that Board. Councilman Ross gave a brief update on the Hockey Association’s chiller upgrade.

New Business

Executive Session

Motion by Councilman Farney, seconded by Councilwoman Birchenough to enter into an executive session to discuss collective bargaining negotiations at 11:38 a.m.

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

Motion by Councilman Farney, seconded by Councilwoman Birchenough to leave executive session at 12:14 p.m.

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

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

With no further business the following motion was presented.

Motion by Councilman Farney, seconded by Councilman Virkler to adjourn the meeting at 12:15 p.m.
ADOPTED – AYES – Birchenough, Farney, Mullin, Ross, Virkler NAYS – 0

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk