

**Town of Lowville
Special Town Board Meeting
December 28, 2023**

A special 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 28th day of December 2023.

Present:

Robert Mullin, Supervisor
Paul Virkler, Deputy Supervisor
John D. Ross, Councilman - Absent
Helen Birchenough, Councilwoman
Stephen Farney, Councilman

Others Present:

Raymond Meier, Town Attorney - Absent
Thomas Widrick, Highway Superintendent
Aimee Murphy, Town Clerk
Selina Olmstead, Deputy Town Clerk

Also Present: Henry Avallone

The meeting was called to order at 9:08 a.m. by Supervisor Mullin who also led the pledge of allegiance. The purpose of this meeting is to conduct end of the year business and organize for the upcoming year and any other business that comes before the board.

CORRESPONDENCE

North Country CPA's: The Town's accounting firm forwarded a letter to Supervisor Mullin stating a 20% increase will be added to the 2024 accounting services bill, 15% for 2025 and 10% for 2026. Supervisor Mullin spoke with Accountant Scott Lawrence, the increase in billing is NOT for municipalities.

VOUCHERS

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

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

General – Abstract #13	Voucher #460 to #467	\$ 8,288.21
Highway – Abstract #13	Voucher #196 to #196	\$ 21.00
Water/Sewer – Abstract#6	Voucher #67 to #68	<u>\$ 270.09</u>
	Total	\$ 8,579.30

SUPERVISOR'S REPORT

Receipts:	Zoning	\$ 100.00 (\$2,822.50 ytd)
	NYMIR	\$ 10,313.58 (Insurance - Pickup Damage)
	Eastern Shore	\$ 158.34 (Insurance Refund)

Motion by Councilman Farney, seconded by Councilwoman Birchenough to accept the Supervisor's receipts.

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

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APPOINTMENTS

One-Year appointments: (Term of Office: 01/01/2024 to 12/31/2024)

Accountant Scott Lawrence	Bookkeeper/Budget Officer
John Young	Deputy Dog Control Officer
BobbieJo Marra	Deputy Dog Control Officer
Lindsey Hess	Deputy Dog Control Officer
Charlotte Beagle	Historian
Karen Shaw	Administrative Assistant to the Assessor
Katherine Perkins-Manning	Zoning Officer/Administrative Assistant to the Panning Board and Zoning Board of Appeals
Janet Lee	Ice Rink Manager
BobbieJo Marra	Substitute Ice Rink manager
Alex Dunckel	Ice Rink Assistant
Ian Dunckel	Ice Rink Assistant
Christain McGuckin	Ice Rink Assistant
Myah Nortz	Ice Rink Assistant
Aimee L. Murphy	Part Time Justice Court Clerk

Motion by Councilman Virkler, seconded by Councilwoman Birchenough to approve the foregoing one-year appointments by the Town Board.

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

Two-Year appointments: (Term of Office: 01/01/2024 to 12/31/2025)

Thomas Widrick	Highway Superintendent/Special Districts Superintendent
Aimee L. Murphy	Town Clerk/Tax Collector/Registrar/Records Management Officer/Special Districts Clerk
Raymond Meier	Town Attorney

Motion by Councilwoman Birchenough, seconded by Councilman Virkler to approve the foregoing two-year appointments by the Town Board.

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

Four-Year appointments: (Term of Office:01/01/2024 to 12/31/2027)

Vacant	Health Officer
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After discussion the following motion was presented.

Motion by Councilman Farney, seconded by Councilman Virkler to leave the position of Health Officer for the Town of Lowville vacant and refer any emergencies to the County Health Officer.

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

Five-Year appointments: (Term of Office: 01/01/2024 to 12/31/2028)

Linda Lawton	Zoning Board of Appeals
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Motion by Councilwoman Birchenough, seconded by Councilman Farney to approve the foregoing five-year appointments by the Town Board.

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

Currently there is one open position on the Planning Board and one open position of the Zoning Board of Appeals and one alternate Village position for the Zoning Board of Appeals.

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Other Appointments

Clerk Murphy has appointed Selina Olmstead as Deputy Town Clerk/Deputy Registrar/Deputy Special Districts Clerk with a term of office from 01/01/2024 to 12/31/2025.

Motion by Councilwoman Birchenough, seconded by Councilman Farney to approve the foregoing appointment by the Town Clerk.

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

Highway Superintendent/Special Districts Superintendent Thomas Widrick hereby appoints Joseph Peters as Deputy Highway Superintendent/Deputy Special Districts Superintendent for the Town of Lowville with a term of office from 01/01/2024 to 12/31/2025.

Motion by Councilman Farney, seconded by Councilman Virkler to approve the foregoing appointment by the Town Highway Superintendent.

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

Supervisor Robert Mullin hereby appoints Paul Virkler as Deputy Supervisor for the Town of Lowville with a term of office from 01/01/2024 to 12/31/2025.

Motion by Councilman Farney, seconded by Councilwoman Birchenough to approve the foregoing appointment by the Town Board.

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

2024 Meeting Dates

Motion by Councilman Virkler, seconded by Councilman Farney to set the 2024 Town of Lowville Town Board meetings for the third Thursday of each month at 9:30 a.m. at the Town of Lowville Municipal Building.

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

Designate Financial Institution

Motion by Councilman Virkler, seconded by Councilwoman Birchenough designating Community Bank, NA, Key Bank, NA and NY Class as financial depositories for the Town of Lowville for 2024.

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

Official Newspaper

Motion by Councilwoman Birchenough, seconded by Councilman Virkler to designate the Journal & Republican as the official newspaper and the Watertown Times as the alternate for the Town of Lowville for 2024.

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

Mileage Rate

Currently the Town of Lowville pays \$0.66 per mile. The 2024 Federal mileage rate will be \$0.67 per mile.

Motion by Councilwoman Birchenough, seconded by Councilman Virkler to adopt **Resolution No. 67-2023, “Set Mileage Rate”**.

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

RESOLVED, the mileage reimbursement rate will be the same as the federal/state government rounded up to the nearest cent, which is currently \$0.67cents per mile.

Night Drop Deposits

The Town Clerk/Tax Collector and Supervisor would like permission to use the night drop for deposits at Community Bank in Lowville for 2024.

Motion by Councilman Farney, seconded by Councilman Virkler to permit the Town Clerk/Tax Collector and Supervisor to use the night drop box at Community Bank in Lowville for the year 2024.
ADOPTED – AYES – Birchenough, Farney, Mullin, Virkler NAYS – 0 ABSENT - Ross

Bills Prior to Audit

Motion by Councilwoman Birchenough, seconded by Councilman Virkler to adopt **Resolution No. 68-2023, “Authorizing Supervisor to Pay in Advance of Audit”**.

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

RESOLVED that the Supervisor is authorized to pay in advance of audit, all utility services, phone & internet bills, postage bills, water testing charges and fringe benefits when due in 2024.

Procurement Policy

Copies of the Procurement Policy were provided to the Board Members prior to the meeting. The policy was discussed by the board.

Motion by Councilman Virkler, seconded by Councilman Farney to leave the procurement policy as it is.

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

Investment Policy

Copies of the Investment Policy were provided to the board Members prior to the meeting. The policy was discussed by the Board. Suggested changes to the Investment Policy were discussed as follows.

Section 3. Permitted Investments.

The permissible types of investment of Town funds shall be restricted to savings accounts, money market accounts, special time deposit accounts and certificates of deposit in or with banks, trust companies or investment funds authorized by NYS for Municipalities designated by the Town Board.

Section 4. Depositories.

The following banks, trust companies or investment funds authorized by New York State for municipalities shall be the exclusive depositories of Town funds, in invested or uninvested form, and the aggregate of Town deposits in each is not subject to any maximum limit:

Key Bank of New York
Community Bank, NA
NYCLASS

Section 5. Security.

To the extent that Town deposits with any bank, trust company or investment fund exceed insured limits under the Federal Deposit Insurance Act, those deposits shall be secured by the depository’s pledge to the Town of eligible securities having a value at least equivalent to that excess, to be held on the Town’s behalf by a custodial bank

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other than the depository. The securities themselves, and the related security and custodial agreements, shall conform in all respects with the requirements of Section 10 of New York's General Municipal Law.

After discussion the following motion was made.

Motion by Councilman Virkler, seconded by Councilwoman Birchenough to adopt **Resolution No. 69-2023, "Adopt Investment Policy"**

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

RESOLVED, that the Town Board of the Town of Lowville adopt the Investment Policy as amended; and be it further

RESOLVED this resolution is contingent upon the approval of the Investment Policy by the Town Attorney.

Elected & Appointed Officials Attending Training Sessions

Motion by Councilwoman Birchenough, seconded by Councilman Virkler to adopt **Resolution No. 70-2023 "Attendance of Elected and Appointed Officials at Training Sessions."**

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

WHEREAS, certain elected and appointed officials of the Town of Lowville are required to attend training sessions as part of their official duties on behalf of the Town, and

WHEREAS, occasionally it appears that attendance at such training sessions may occur when prior Town Board approval is not able to be obtained, and

WHEREAS, the Town believes it is important for their elected and appointed officials to be well trained and informed so that their official duties may be carried out on behalf of the Town. Now, therefore, be it

RESOLVED, that elected and appointed officials of the Town may attend training sessions for their position without prior Town Board approval, in the event such prior Town Board approval is unable to be obtained prior to the scheduled date of the training session in question, and it is further

RESOLVED, that the elected or appointed official who attends such a training session shall report at the next regularly scheduled Town Board meeting concerning the attendance at the training session.

Undertaking Covering Officers, Clerks and Employees of the Town of Lowville

Motion by Councilman Virkler, seconded by Councilman Farney to adopt **Resolution No. 71-2023 "Approving the Form and Amount of a Blanket Undertaking Covering Officers, Clerks, and Employees of the Town of Lowville"**.

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

WHEREAS, Town Law §25 provides that the Town Supervisor, Town Clerk, Collector of Taxes, Town Justices and Town Superintendent of Highways, must execute and file with the Town Clerk an undertaking in such amounts as may be approved by the Town board;

WHEREAS, Public Officers Law §11(2) further provides that it is permissible with the consent and approval of the officer or governing body authorized to require the undertaking, for the Town to

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procure a blanket undertaking from any duly authorized corporate surety covering officers, clerks and employees; now, therefore, be it

RESOLVED:

Section 1. That the Town Board hereby approves the following undertakings for the Town Clerk/Tax Collector in the amount of \$150,000; the Town Supervisor in the amount of \$150,000; the Town Justice in the amount of \$150,000; and the Town Highway Superintendent in the amount of \$150,000; to be obtained from a corporate surety company duly authorized to do business in the State of New York for the purpose of covering the Town Clerk/Tax Collector, Town Supervisor, Town Justice and Town Highway Superintendent of the Town of Lowville and that such officers, clerks and employees will faithfully discharge the duties of his or her office, and all trusts imposed upon him or her by law by virtue of his or her office, including the duty of promptly accounting for and paying over all moneys or property received by him as such officer, in accordance with law, and that if the said officers, clerks or employees fail to perform any of the above-mentioned conditions or is in default thereof, that the said corporate surety named herein will pay to the said Town and to the People of the State of New York, all damages, costs and expenses resulting from such default, not exceeding the sum specified above.

Section 2. That a certified copy of this Resolution shall be filed with the Town Clerk's office.

Section 3. That this Resolution shall take effect immediately.

Personnel Salaries

A list of salaries & fringe benefits was provided to the Board Members. After discussion, the following resolution was passed.

Motion by Councilman Virkler, seconded by Councilwoman Birchenough to adopt **Resolution No. 72-2023, "Salaries for Elected and Appointed Officers and Employees"**.

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

RESOLVED, that salaries for elected and appointed officers and employees be the same as set in the Town's Budget for 2023 with the following exceptions for hourly employees:

Justice Court Clerk (Full-Time)	\$16.80/hr.
Justice Court Clerk (Part-Time)	\$16.25/hr.
Data Collector/Administrative Assistant to Assessor	\$16.25/hr.
Ice Rink Managers	\$16.00/hr.
Ice Rink Assistants	\$15.00/hr.
Zoning Officer	\$17.00/hr. for 15 hrs./wk.

OLD BUSINESS

County-Wide Shared Services Agreement: Supervisor Mullin would like Board's permission to enter into a shared services agreement with Lewis County. After a brief discussion the following motion was made.

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Motion by Councilman Virkler, seconded by Councilwoman Birchenough to allow Supervisor Mullin to sign a shared services agreement with Lewis County.

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

NEW BUSINESS

Councilwoman Birchenough inquired if anyone had heard anything about a SNIRT run for spring 2024. Nothing has been received.

Supervisor Mullin requested permission to close the Town offices at 12:00 noon on Friday December 29, 2023 to allow the staff to go home early for the New Year's holiday.

Motion by Councilman Virkler, seconded by Councilwoman Birchenough to allow the Town of Lowville Town offices to close at 12:00 noon on Friday, December 29, 2023.

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

The next regularly scheduled Town Board meeting will be January 21, 2023, at 9:30 a.m.

Councilwoman Birchenough thanked all in attendance for their assistance and support during her term on the Town Board. Supervisor Mullin also thanked Councilwoman Birchenough for her service to the Town of Lowville.

With no further business the following motion was presented.

Motion by Councilwoman Birchenough, seconded by Councilman Farney to adjourn the meeting at 9:46 a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk