

**Town of Lowville
Regular Town Board Meeting
February 15, 2024**

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 Municipal Office Building, 5533 Bostwick Street, Lowville, NY on the 15th day of February 2024.

Present:

Robert Mullin, Supervisor
Paul Virkler, Deputy Supervisor
John D. Ross, Councilman
Jacob Monnat, Councilman
Stephen Farney, Councilman

Others Present:

Raymond Meier, Town Attorney, entered at 9:50 a.m.
Thomas Widrick, Highway Superintendent
Aimee Murphy, Town Clerk
Selina Olmstead, Deputy Town Clerk

Also Present: Chuck Terrillion, Village Trustee; Vincent Nortz, County Legislator; Andrea Moroughan, County Legislator; Accountant Scott Lawrence entered at 10:20 a.m.; Henry Avallone entered at 10:38 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 Councilman Monnat to approve the minutes of the January 18, 2024 regular meeting.

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

VOUCHERS

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

ADOPTED – AYES –Farney, Monnat; Mullin, Ross, Virkler NAYS – 0

| | | |
|--------------------------|--------------------|--------------------|
| General – Abstract #2 | Voucher #30 to #61 | \$ 93,702.99 |
| Highway – Abstract #2 | Voucher #14 to #28 | \$ 40,355.27 |
| Water/Sewer – Abstract#2 | Voucher #10 to #19 | <u>\$ 2,239.89</u> |
| | Total | \$136,398.15 |

CORRESPONDENCE

Ice Rink at Lewis County Fairgrounds: Background and Current Efforts.

SUPERVISOR’S REPORT

| | | |
|-----------|---------------------|--------------------------------------|
| Receipts: | Town Clerk | \$ 1,585.22 |
| | Tax Collection | \$493,684.38 |
| | Town Court | \$ 3,029.00 |
| | Zoning | \$ 100.00 (\$200.00 ytd) |
| | IDA of Lewis County | \$ 79,304.79(#3 Wind PILOT) |
| | IDA of Lewis County | \$ 2,328.73(S Solar Waters Rd PILOT) |
| | IDA of Lewis County | \$ 5,913.50 (N Side Waters Rd PILOT) |
| | Brookside | \$ 86,260.99 (PILOT) |

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

Supervisor Mullin’s activities report was discussed.

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

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

DEPARTMENT REPORTS

DOG CONTROL

1. The Dog Control Officer’s (DCO) monthly report is included in the Board Members’ packets.
2. DCO Astafan requested permission to attend DCO/ACO Annual conference in Guilderland, NY on November 6 & 7, 2024. Early registration discount given.

Motion by Councilman Virkler, seconded by Councilman Ross to permit DCO Astafan to attend the DCO/ACO annual conference in November 2024.

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

TOWN CLERK

1. The Clerk’s Monthly Report and Annual Report are included in the Board Members’ packets.
2. Received new credit card terminal for processing Town Clerk fees and Water/Sewer payments.
3. Tug Hill Conference: To be held at Turning Stone; Anyone interested in attending needs to contact the Town Clerk before the end of the month to get the reduced registration rate.

TAX COLLECTOR

The Tax Collector’s report is included in the Board Members’ packets.

| | |
|---------------------------------|-----------------------------------------|
| Tax Collected (January) | \$2,741,645.64 |
| Installments Fees Collected: | 1,547.90 (41 parcels) |
| <u>Bank Interest Collected:</u> | <u>1,829.11</u> |
| Total Collected: | \$2,745,022.55 |
| | |
| Paid to Supervisor: | \$1,043,684.38 (Tax Warrant & Interest) |
| <u>Paid to Lewis County:</u> | <u>1,701,038.17</u> (January Tax) |
| Total Disbursed: | \$2,745,022.55 |

SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS

1. The DBP sampling for CWD#1 is complete. Waiting for results.
2. Installing new road signs on the Delles & Griffith roads.
3. A Snow & Ice Policy was provided to the Board Members prior to the board meeting for review. Attorney Meier has reviewed and approved of this policy.

Motion by Councilman Ross, seconded by Councilman Farney to adopt **Resolution No. 2-2024 “Snow and Ice Policy”**.

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

WHEREAS, the Town of Lowville Town Board has decided a policy is needed stating the Highway Department’s procedures for dealing with snow and ice on Town roads, therefore be it

RESOLVED, that the Town of Lowville hereby adopts a Snow and Ice Policy as prepared and presented by the Town Highway Superintendent.

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** A copy of said policy is included at the end of these minutes.*

4. The F150 has been delivered to the body shop to be repaired.
5. New truck: Superintendent Widrick received a quote from VanBortel Chevrolet for a 2024 Chevrolet Silverado, NYS contract pricing of \$50,696.36, as requested by the board. Following a brief discussion the following resolution was presented.

Motion by Councilman Ross, seconded by Councilman Monnat to adopt **Resolution No. 3-2024 “Expenditure of Funds from the Highway Equipment Reserve Fund Subject to Permissive Referendum for Purchase of new 2024 Chevrolet Silverado 1500 1LT Crew Cab 4WD”**.

ADOPTED - AYES – Farney, Monnat, Mullin, Ross, Virkler NAYS – None

WHEREAS, the Town of Lowville has previously established a highway reserve fund for the purpose of funding certain capital expenses that may from time to time be required; and

WHEREAS, upon the recommendation of the Superintendent of Highways, the Town Board has determined that it is necessary to purchase for the Highway Department a new 2024 Chevrolet Silverado 1500 1LT Crew Cab 4WD; NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lowville authorizes the expenditure up to the sum of Fifty thousand, six hundred ninety-six and 36/100 dollars (\$50,696.36) from the Highway Equipment Reserve Fund for the purpose of purchasing a 2024 Chevrolet Silverado 1500 1LT Crew Cab 4WD; and be it further

RESOLVED, that this resolution and the authorization set forth herein is subject to a permissive referendum; and be it further

RESOLVED, that should a petition for a permissive referendum be filed under the terms of Article 7 of the Town Law then this resolution shall take effect only if it is approved by the majority of the votes cast in such referendum, but if no such petition is filed, then this resolution shall take effect thirty (30) days after its adoption.

6. Sewer District #1 (Brookside) Pump Station Improvements Project: BCA conducted a bid opening for the Waters Road Pump Station Improvements Project on Tuesday, 2/13/24 at the Town of Lowville Municipal Building. The following bids were received:

1. Grant Street Construction, Inc. \$378,000.00
2. North Country Contractors, LLC \$188,000.00
3. Powis Contracting Inc. \$264,000.00
4. JL Excavation LLC \$246,832.00

BCA reviewed bids for accuracy and recommended the Town of Lowville accept the low bid of \$188,000.00 from North Country Contractors.

Motion by Councilman Virkler, seconded by Councilman Ross to adopt **Resolution No. 4-2024, “Waters Road Pump Station Improvements Bid Award”**.

ADOPTED - AYES – Farney, Monnat, Mullin, Ross, Virkler NAYS – None

RESOLVED, that the Town of Lowville Town board accepts the bid of North Country Contractors, LLC in the amount of \$188,000.00 for the Waters Road Pump Station Improvements Project and authorizes Supervisor Mullin to sign the Notice of Award to Bidder.

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7. Boshart Road Culvert: Town/County Bridge & Rail examined the partially collapsed culvert pipe. There is no way to fix the pipe from the underside. Superintendent Widrick explained how the highway department will be making the temporary repair. The permanent repair will be submitted to BridgeNY for funding.
8. Advocacy Day in Albany will be March 5th & 6th. Superintendent Widrick would like permission to attend.

Motion by Councilman Ross, seconded by Councilman Monnat to authorize Superintendent Widrick to attend advocacy day in Albany, NY on March 5 & 6, 2024.

ADOPTED - AYES – Farney, Monnat, Mullin, Ross, Virkler NAYS – None

9. Sewer Rates: The Village Municipal Board has recommended the Village increase sewer rates by 3%. Paul Denise, Village DPW Superintendent, explained, this increase was part of a multi-year plan to raise rates. In order to stay in line with the Village’s sewer rate increase, the Town will also need to raise sewer rates 3%. After discussion, the following was presented.

Motion by Councilman Farney, seconded by Councilman Virkler to adopt **Resolution No. 5-2024, “Setting a Public Hearing on Sewer Rate Increase”**.

ADOPTED - AYES – Farney, Monnat, Mullin, Ross, Virkler NAYS – None

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 March 21, 2024, at the Regular Town Board meeting at 9:45 a.m.

ATTORNEY

Recreation Committee: Attorney Meier reported speaking with Village Attorney Burrows. A draft IMA was prepared and forwarded to Michael Young for review and suggestions. The Village will be the administrator of the program and custodian of funds. The Town will be responsible to pay for the winter recreation program payroll. Attorney Meier will forward a copy of the draft IMA to the Board Members.

SD#1 (Brookside) Sewer Improvements Project Funding: Attorney Meier will research possible funding sources for the project. Assessing a Benefit Assessment to pay for the debt was discussed. Discussion tabled.

New York Coalition for Open Government (NYCFOG): Town Clerk Murphy was contacted via email by NYCFOG regarding the lack of “public comment” listed on the Town Board’s agendas. While it is not mandatory that the Board allows public comment at a board meeting, Attorney Meier believes it is a good thing to allow. Attorney Meier also stated he believes every Supervisor he has served with at the Town of Lowville has not only permitted but asked for public comment at board meetings. The Board may wish to set rules/guidelines for permitting public comment. Attorney Meier will draft a policy.

Village DPW Superintendent Paul Denise informed the Board of the Village of Lowville receiving a grant for improvements to be made to Veteran’s Park. They are still developing a plan at this time and will keep the Town Board apprised of the plan.

Superintendent Denise left the meeting.

BUDGET OFFICER/BOOKKEEPER

Accountant Lawrence reviewed the monthly financial report, budget transfers and adjustments with the Board.

To assist with keeping funds separate, Mr. Lawrence suggested the Town open a checking account solely for the sewer districts, while using the current water & sewer checking account for just water districts.

Motion by Councilman Virkler, seconded by Councilman Ross to allow Supervisor Mullin to open a new sewer checking account.

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

Mr. Lawrence also suggested adopting a “Funds Transfer Policy” with North Country Certified Public Accountants (NCCPAs) and provided a draft policy for the Board to discuss. This policy would establish guidelines regarding NCCPAs transferring of funds between bank/investment accounts and establish a minimum balance in each account.

Motion by Councilman Ross, seconded by Councilman Monnat to adopt **Resolution No. 6-2024 “Funds Transfer Policy”.**

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

WHEREAS the Town of Lowville and North Country CPAs wish to establish guidelines for the transfer of funds, be it

RESOLVED a Funds Transfer Policy be established with the following terms:

1. The municipality grants authority to NCCPAs to transfer funds between all town accounts to pay appropriations as evidenced by invoices, vouchers, timesheets, etc. provided by the municipality to NCCPAs and to maintain a minimum balance of \$500 in each fund’s checking accounts.
2. The approving authority for additional transfers needed will provide written consent or approval to NCCPAs for additional transfers.
3. This policy will not apply to the following accounts: Town Clerk, Tax Collector, Town Justice.

**A copy of this policy is included at the end of these minutes*

EXECUTIVE SESSION

Motion by Councilman Virkler, seconded by Councilman Ross to move into executive session at 11:43 a.m. to discuss the employment/performance of a specific company doing business for the Town of Lowville.

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

Motion by Councilman Farney, seconded by Councilman Ross to leave executive session and return to regular session at 12:28 p.m.

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

LEWIS COUNTY AMATEUR HOCKEY ASSOCIATION

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Discussion took place regarding the possibility of entering into an agreement with the Lewis Co. Amateur Hockey Assoc. to provide assistance with the upgrade to the currently failing ice chiller. This equipment is used to make and keep ice for the winter recreation skating program provided by the Town and Village of Lowville. Attorney Meier will draw up a contract.

Motion by Councilman Farney, seconded by Councilman Virkler to adopt **Resolution No 7-2024, “Contract with Lewis County Amateur Hockey Association”**.

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

WHEREAS the Town and Village of Lowville winter recreation program makes use of equipment owned by the Lewis County Amateur Hockey Association that is wearing out and undersized, and

WHEREAS the Town of Lowville would like to continue offering an ice-skating program to the youth of its community, be it

RESOLVED the Town of Lowville will contract with the Lewis County Amateur Hockey Association to provide assistance for the purchase of equipment necessary to continue operating an ice-skating program for the youth of the Lowville area in the amount of \$30,000.00.

The next regularly scheduled Town Board meeting will be March 21, 2024, 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 12:38 p.m.

ADOPTED – AYES –Farney, Monnat; Mullin, Ross, Virkler NAYS – 0

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk