

**Town of Lowville  
Regular Town Board Meeting  
July 18, 2024**

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 Municipal Office Building, 5533 Bostwick Street, Lowville, NY on the 18th day of July 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 9:34 a.m.  
Thomas Widrick, Highway & Special Districts Superintendent  
Aimee Murphy, Town Clerk  
Rachael L. Flynn, Deputy Town Clerk  
Nick Astafan, Dog Control Officer

**Also Present:** Andrea Moroughan, County Legislator; Henry Avallone; Vincent Nortz, County Legislator; Accountant Scott Lawrence entered at 10:36 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 Farney, seconded by Councilman Virkler to approve the minutes of the June 20, 2024 regular meeting as presented by the Town Clerk  
ADOPTED – AYES –Farney, Monnat, Mullin, Ross, Virkler      NAYS - 0

**CORRESPONDENCE**

1. Budget Workshops: NYS Tug Hill Commission will be sponsoring a Town Budget Workshop at the Boonville Municipal Building. Fliers provided to each Board Member.

**VOUCHERS**

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

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

|                       |                      |                    |
|-----------------------|----------------------|--------------------|
| General – Abstract #7 | Voucher #175 to #195 | \$ 14,930.47       |
| Highway – Abstract #7 | Voucher #94 to #105  | \$170,653.87       |
| Water – Abstract#5    | Voucher #37 to #42   | \$ 2,126.22        |
| Sewer – Abstract#5    | Voucher #17 to #18   | \$ 832.57          |
| Trust & Agency        |                      | <u>\$ 1,804.86</u> |
|                       | Total                | \$190,347.99       |

**SUPERVISOR’S REPORT**

|           |                   |                              |
|-----------|-------------------|------------------------------|
| Receipts: | Town Clerk        | \$ 1,416.95                  |
|           | Tax Collection    | \$ 66.09 (Interest)          |
|           | Town Court        | \$ 5,388.00                  |
|           | Zoning            | \$ 107.50 (\$982.50 ytd)     |
|           | NYSERDA           | \$ 5,000.00 (Grant Funds)    |
|           | Absolute Auctions | \$ 30,000.00 (Sale of Truck) |

Supervisor Mullin’s financial reports are included in the Board Members’ packets. Supervisor Mullin gave a verbal activities report.

1. NYSERDA – Heat Pump/AC Unit – Grants: Through the CCE program, Supervisor Mullin applied for two (2) grants. The Town was granted a \$5,000 award, which has been received. The application for the \$10,000.00 grant was rejected. However, an extension was given to September 2024 for the Town to submit additional supporting information and reapply. Superintendent Widrick suggested advertising for RFP's to get comparable quotes. He has received two (2) quotes so far, but they are not for comparable systems. The SEER ratings are not the same. Councilman Monnat suggested contacting Fourth Coast Inc. located in Clayton, NY for assistance with determining specifications needed for the proposed update. He will pursue.
2. Sewer District #1: Not having success obtaining BAN information from CBNA. Supervisor Mullin will continue to reach out to the Municipal Department of CBNA. Attorney Meier contacted the Bank of Greene County regarding rates for a BAN. He was given a rate of 4.49%. This quote is good through August.

**Motion** by Councilman Monnat, seconded by Councilman Ross 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. When the severe rain storm on July 10, 2024 turned into a flooding emergency, roads to the shelter were impassable. DCO Astafan contacted the Jefferson County Animal Shelter for assistance in case a dog needed to go to the shelter. Jefferson County was happy to assist. The NYS Department of Ag & Markets representative approved of the DCO's emergency plan and told him that during a state of emergency, to do what he had to do to get the job done. After making all appropriate arrangements, no dogs were picked up.
3. At last month's meeting, the DCO reported over 60 delinquent license and/or expired vaccination notices were mailed out. The list has been reduced to 28 unlicensed or unvaccinated dogs.
4. DCO Astafan explained the process he uses with regard to delinquent licenses and/or rabies vaccinations. After all his efforts are unsuccessful, how does the Board wish him to proceed? Since tickets need to be served in person, how do you serve them when people are not available or refuse to answer the door? He reported 17 unlicensed and/or unvaccinated dogs from 2023. After a brief discussion Attorney Meier suggested pursuing summons' from the Justice Court. Motion to follow.
5. Budget 2025: DCO has been researching local dog control and will be proposing some changes in his budget request for the 2025 fiscal year.

**Motion** by Councilman Ross, seconded by Councilman Farney to authorize the Dog Control Officer to pursue summons' through the Town Justice Court for delinquent dog license and delinquent rabies vaccination owners.

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

### **TOWN ATTORNEY**

1. DEC - Lead Agency Request (Lomeo/West Lowville Mine): Supervisor Mullin called Chris Lucidi, of the DEC – Watertown and was informed the application will be going back to V.S. Virkler because it is incomplete. Attorney Meier sent an email to the DEC which resulted in a call from the DEC Region 6 attorney. It was agreed that the Planning Board should have been included as an interested agency and the Region 6 attorney will look at the Town's concerns further.
2. Recreation Board: Attorney Meier has received nothing from Village Attorney Burrows even though the Village agreed to the proposed Intermunicipal Agreement (IMA) with the Town creating a new Board. Attorney Meier will contact Attorney Burrows again.
3. Veteran's Park: Attorney Meier spoke with Attorney Burrows – The Town has agreed to waive the deed restrictions as long as the Village agrees to keep the property as a park/playground with green space. The Village to draw up an agreement to be filed with the County Clerk.

4. Lewis County Amateur Hockey Association (LCAHA): Clerk Murphy reported receiving the signed contract, voucher for payment and letter of explanation from LCAHA. The question was asked as to when the Board wishes the Voucher to be presented for payment. Motion to follow.
5. Miller/Walters Easement request: Attorney Meier spoke with Attorney Merrell, who represents Mr. Miller. It was agreed that research of the deeds is needed to determine who actually “owns” the road. Attorney Merrell will be conducting the research.

**Motion** by Councilman Ross, seconded by Councilman Virkler to submit the voucher of the LCAHA for payment at the next regular Town Board meeting.

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

**TOWN CLERK**

1. The Clerk’s Monthly Report is included in the Board Members’ packets.
2. Town Clerk Murphy appointed Rachael Flynn as her new Deputy Town Clerk/Deputy Tax Collector/Deputy Registrar/Deputy Water Clerk/Deputy Sewer Clerk effective 6/25/2024. Training is going well. Clerk Murphy requested the Board pass a resolution approving the appointment.
3. DEC hunting licenses will be going on sale August 1<sup>st</sup> with the new plain paper system.

**Motion** by Councilman Farney, seconded by Councilman Monnat to approve Town Clerk Murphy’s appointment of Rachael L. Flynn as Deputy Town Clerk/Deputy Tax Collector/ Deputy Registrar/Deputy Water Clerk/Deputy Sewer Clerk; term of office to run concurrent to Town Clerk Murphy: 06/25/2024 to 12/31/2025.

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

**TAX COLLECTOR**

A check for June interest was given to the Town Supervisor in the amount of \$66.09.

**SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS**

1. Gardner Road bridge is currently being paved. Guiderails need to be installed before the bridge can be opened. This is expected to happen the week of 7/29/24.
2. O’Brien Road box culvert work commenced on 7/15/24.
3. The Town has been awarded \$1.5 million for the Boshart Road pipe replacement. This is the maximum award granted by the BridgeNY program. The estimate to replace the box culvert is slightly over \$1.7 million. The Town will be responsible for the remaining balance of approximately \$210,000. The funds will need to be planned for expenditure during the 2026 fiscal year.
4. CWD#1: Media in vessel 2 of the GAC system is scheduled to be changed on 7/22/24.
5. Minimal damage to the town roads was sustained due to the 7/10 and 7/16 storms and flooding. Rice Road washed out and some damage occurred to the Cemetery Road as well. Most damage was sustained in the Village. Superintendent Widrick met with the NYS Department of Homeland Security and Emergency Services (DHSES) on 7/17/24, where they were showed all damages, videos and pictures. Village DPW Superintendent, Paul Denise thanked the Town for all the assistance provided with repairing storm damage.
6. Paving on the Griffith, East and Waters Roads is complete.
7. Roadside mowing continues.
8. The Brookside Sewer Project is scheduled to begin 7/22/24.
9. Superintendent Widrick requested approval to pay certain bills that were not able to be put on the abstract due to the flooding causing a delay in delivery from the postal service. Resolution to follow.

**Motion** by Councilman Monnat, seconded by Councilman Ross to adopt **Resolution No. 36-2024, “Authorizing Payment Prior to Audit”**.

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

RESOLVED, Highway Superintendent Widrick is authorized to submit for payment the following bills at the end of the month of July prior to August audit of bills.

Casella \$110.76

Lewis County Highway Department \$2,554.52  
 Alta \$17.39

**BUDGET OFFICER/BOOKKEEPER**

Accountant Lawrence reviewed the monthly financial report and budget transfers with the Board. Michael Young applied for some grants for the Town/Village summer recreation program and the money will be coming to the Town instead of the Village. Mr. Young informed Town Clerk Murphy that any bills received will be given to the Town for payment. Discussion occurred. No action was taken.

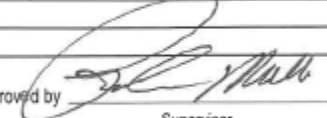
**Motion** by Councilman Ross, seconded by Councilman Monnat to adopt **Resolution No. 37-2024, “Approve Budget Transfers”**.

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

RESOLVED the following Budget Transfers are approved as listed.

**FUND: Water Funds - #SW1 Consolidated**

| Account                          | Code   | Increase | Decrease |
|----------------------------------|--------|----------|----------|
| Payroll - Transmission and Dist  | 8340.1 | 1,500.00 |          |
| Appropriated Fund Balance (WD#1) | 599    |          | 1,500.00 |
|                                  |        |          |          |

Approved by   
 Supervisor

Approved by Town Board on: 7/18/24

Date: 7/18/24

Town Clerk 

Councilman Virkler left the meeting at 11:04 a.m.

**Old Business**

**Water Line Extension:** A kick-off meeting was held Wednesday, June 26<sup>th</sup> with representatives of BCA, Lewis County Planning, Supervisor Mullin and Superintendent Widrick in attendance.

**Fox Path Road & Water Main Extension Request:** Councilman Monnat reiterated the need to have engineered plan that address storm water/drainage in addition to the other requirements already requested.

**New Business**

**Downtown Revitalization Initiative:** Councilman Monnat stated the deadline for businesses to submit proposals has been extended to August 31<sup>st</sup> in lite of the recent extreme weather conditions.

**Storm Clean-up:** Councilman Ross thinks the Town and Village need to develop a plan for future disaster clean-up.

The next regularly scheduled Town Board meeting will be August 15, 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 11:38 a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC  
 Town Clerk