

Town of Lowville
Regular Town Board Meeting
June 20, 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 20th day of June 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
Aimee Murphy, Town Clerk
Nick Astafan, Dog Control Officer
Amanda Eaves, Town Justice entered at 11:07 a.m.

Also Present: Vincent Nortz, County Legislator; Andrea Moroughan, County Legislator; Accountant Scott Lawrence entered at 10:35 a.m.; Mickey Dietrich, RACOG entered at 11:07 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 Ross, seconded by Councilman Farney to approve the minutes of the May 16, 2024 regular meeting as presented by the Town Clerk

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

VOUCHERS

Motion by Councilman Monnat, 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 #6	Voucher #144 to #174	\$ 26,283.83
Highway – Abstract #6	Voucher #77 to #93	\$ 82,046.27
Water – Abstract#4	Voucher #28 to #36	\$ 3,538.93
Sewer – Abstract#4	Voucher #14 to #16	\$ 402.58
Trust & Agency		<u>\$ 347.22</u>
	Total	\$112,618.83

SUPERVISOR'S REPORT

Receipts:	Town Clerk	\$ 1,311.37
	Tax Collection	\$ 3,067.20
	Town Court	\$ 5,273.00
	Zoning	\$ (\$875.00 ytd)
	Quill	\$ 1.78 (Overpayment Refund)
	Retiree Health Insurance	\$ 2,869.38

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

Discussion regarding the Supervisor's report took place. Dr. James Coffman, Esq., President of Maple Run Homes made a written request to the Town Board for an extension to the water main on Fox Path. He also made an application to the Town for a water hookup for the new house he is in the process of building at the end of Fox Path. Supervisor Mullin reported the Village Municipal Board approved the application for the service to the home pending the Town Board approval of the water main extension.

Supervisor Mullin also reported on the recent County Supervisors and Mayors meeting.

Motion by Councilman Farney, 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. Update on Cascade Ave. Seizure: tickets were issued to one (1) owner; one (1) dog has been adopted.
3. Annual Ag & Markets inspection has been completed and was found to be satisfactory, waiting for written report.
4. There is a new form to be used when a dog is found elsewhere and brought to the Town of Lowville for dog control to pick up. Town of Lowville should not be responsible for the cost of sheltering a dog found in another jurisdiction. This new form should prevent this from happening.
5. The Ag & Mkts representative suggested a change to the current contract with the Lewis County Humane Society that includes what to do when a dog is being held during a pending investigation.
6. Due to new legislation, in 2025 dog control will be required to have a climate-controlled vehicle to be used to transport dogs. Currently, the DCO uses a personal pick-up truck with a wire cage in the back that is covered by a tarp while being used. DCO has contacted a representative from Senator Walczyk’s office and Supervisor Mullin has spoken with Assemblyman Blankenbush regarding this issue and the consequences to the Town.
7. DCO Astafan explained his procedure used when pursuing expired licenses and rabies vaccinations. First a phone call, and then a delinquent letter is mailed. This month, 62 notices were mailed (11 for the Town and 51 for the Village). Largest number of notices mailed to date.
8. Councilman Monnat contacted the Lewis County Humane Society and spoke with Board President, Cheryl Steiner regarding the Town’s concerns with the billing. After their discussion, Mrs. Steiner said the Town may pay what it thinks should be due at this time since the discrepancy is “small”. The original bills from the LCHS total \$380.00. Councilman Monnat suggested the Town pay \$220.00 to the LCHS to cover the cost of the Town’s portion of shelter fees for impounded dogs.

Motion by Councilman Monnat seconded by Councilman Ross to adopt **Resolution No. 30-2024, “Authorizing Payment to Lewis County Humane Society”.**

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

RESOLVED, the Town of Lowville hereby authorizes payment to the Lewis County Humane Society for impoundment fees for the period of 01/01/2023 through 04/01/2024 the amount of \$220.00.

TOWN ATTORNEY

1. Recreation Board: Attorney Meier received no response from the Village Attorney regarding the proposed agreement. Attorney Meier will reach out to Attorney Burrows again. Village Trustee Terrillion stated the Village Board voted in approval of the agreement at their last Board of Trustee’s meeting.
2. Sewer District #1 (SD#1)(Brookside) Improvement Project Funding: Since the time for the Estoppel Notice has expired, Attorney Meier will be contacting banks for financing.
3. Veterans Park: When the property for Veterans Park was deeded over from the Town to the Village, restrictions were placed on the deed. Clerk Murphy believes some or all of the restrictions may have already been lifted and will search the old minutes for specifics. Supervisor Mullin would like a resolution lifting remaining deed restrictions on the park property. Attorney Meier suggested a formal agreement between the Town and the Village be filed with the County Clerk. Attorney Meier will contact the Village Attorney regarding this.

TOWN CLERK

1. The Clerk’s Monthly Report is included in the Board Members’ packets.
2. Penalties have been levied for all unpaid water bills as of the end of May. Delinquent notices were mailed to those customers.

3. The DEC will be transitioning to plain paper licenses effective August 1st. Currently waiting for more information from the DEC as to how this will be implemented. There is the possibility of an additional charge to the customer for the license to be printed at the point of sale. This fee would then be given to the point of sale to offset the cost of the paper and toner used to print the license. Customers will now have the option of carrying a digital copy of their sporting licenses. However, tags will still need to be printed and attached to the harvest.
4. Clerk Murphy will be conducting interviews for the open position of Deputy Town Clerk.

TAX COLLECTOR

1. The Tax Collector’s monthly and end of collection reports are included in the Board Members’ packets.
2. Tax Collection ended May 31, 2024, 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 with all interest and penalties being turned over to the Town Supervisor. One small interest check will most likely be paid to the Supervisor next month.

Tax Collected	\$40,988.88
Penalties Collected:	56.00
Interest Collected	1,109.61
<u>Bank Interest Collected</u>	<u>191.69</u>
Total Collected	\$42,346.18

Paid to County Treas.	\$49,633.92 (Settlement)
<u>Paid to Supervisor</u>	<u>3,017.20</u>
Total Disbursed	\$52,651.12

SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS

1. Ditching completed on O’Brien, Gardner, East, Ride, Patten and Boshart Roads.
2. Brookside sewer: Still waiting for Jefferson Concrete.
3. CWD#1, GAC media update: An extra \$3,107.59 will be needed to cover the cost of the GAC media replacement in Vessel #2, as Desotec made an error on the initial quote. After discussion, the following resolution was presented. Resolution to follow.
4. Gardner Road bridge replacement: Work began on 6/3/2024.
5. The new 2024 Chevy Silverado pick-up has been delivered and entered into service. Superintendent Widrick suggested the Town board declare the 2021 Ford F150 be declared as surplus, listed for sale with Tyler McDonald of Adirondack Asset Auctions and if price is acceptable from auction, approve sale.

The high bid for the 2021 F150 was \$26,500.00. The Town Board is not satisfied with the high bid and would like to reach out to the winning bidder to see if they can negotiate a higher price of \$30,000.00. Resolutions to follow.

Motion by Councilman Virkler, seconded by Councilman Farney to adopt **Resolution No. 31-2024, “Authorizing Additional Funds for GAC Media Replacement”**.

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

WHEREAS, pursuant to Resolution No. 19-2024, the Highway Superintendent was authorized to retain the services of Desotec Sustainable Mobile Filtration Solutions (Desotec) to remove and recycle the used media from GAC Vessel #2 at a cost of \$12,706.25, and

WHEREAS, due to an error, Desotec must increase their estimated cost of removing and recycling the used GAC media by \$3,107.59, be it

RESOLVED, the Town Board authorizes an additional \$3,107.59 to be added to the prior authorized cost of \$12,706.25 to be paid to Desotec upon completion of the service. Total cost of the service to be \$15,813.84.

Motion by Councilman Ross, seconded by Councilman Farney to adopt **Resolution No. 32-2024, “Declare as Surplus and List for Sale, 2021 Ford F150”**.

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

WHEREAS, the Town of Lowville Highway Department has a 2021 Ford F150 XLT Super Crew pick-up 4x4 that is longer of use to the Town of Lowville and wish to declare it as a surplus item and

WHEREAS, Adirondack Asset Auctions has expressed interest in helping the Town sell surplus items via auction, be it

RESOLVED, that the Town of Lowville declares the 2021 Ford F150 XLT Super Crew pick-up 4x4 as surplus and listed for sale with Adirondack Asset Auctions for sale via auction.

Motion by Councilman Ross, seconded by Councilman Monnat to adopt **Resolution No. 33-2024, “Rejecting Bid for 2021 Ford F150”**.

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

RESOLVED, the Town Board of the Town of Lowville hereby rejects the high bid for the 2021 F150 of \$26,500.00 received through Adirondack Asset Auctions and be it further

RESOLVED, that Tyler McDonald of Adirondack Asset Actions is hereby authorized to contact the high bidder to negotiate a higher sale price. If unable to negotiate, Mr. McDonald is authorized to relist the 2021 F150 with a minimum bid of \$30,000.00.

ASSESSOR

NYS Office of Real Property Services (ORPS) and Assessor Gratch have agreed in order to keep up the equalization rate, a reassessment will need to be conducted in 2025. After discussion the following resolution was presented.

Motion by Councilman Farney, seconded by Councilman Virkler to adopt **Resolution No. 34-2024, “Authorizing the 2025 Reassessment/Data Collection Project”**.

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

WHEREAS, Section 305 of the Real Property Tax Law requires that the Town maintain a practice of uniform assessment; and

WHEREAS, the assessor of the Town of Lowville has made a presentation to the Town Board concerning the benefits and necessity of conducting a town wide reassessment and

WHEREAS, the Town Board believes that it is in the best interest of the Town of Lowville to conduct a town wide reassessment, be it

RESOLVED, that the Town Board of the Town of Lowville authorizes and directs the Town Assessor to conduct a town wide reassessment of all properties located within the Town of Lowville for the 2025 assessment roll and to expend funds within her budget or such state grants as may be obtained to support the reassessment as provided for hereinafter to accomplish such reassessment, and be it further

RESOLVED, that the Town Board of the Town of Lowville hereby request State assistance, specifically from the Office of Real Property Services (ORPS), to carry out the town wide reassessment, and be it further

RESOLVED, that the Supervisor of the Town of Lowville is authorized and directed to make application to ORPS for financial assistance concerning the reappraisal project pursuant to Section 1573 of Real Property Tax Law and to further enter into and execute such agreements and/or memorandum of understanding between the Town of Lowville and ORPS as may be necessary.

JUSTICES

Justice Eaves gave the Board an update of her first six (6) months in office. Everything going well. The “Clean Slate Law” will become effective in November and will be a burden on the Town and Village Courts of the State. This law will automatically seal certain criminal records after a required waiting period – three years after conviction or release from jail for a misdemeanor and eight years after conviction or release from prison for a felony – provided they have maintained a clean record and are no longer on probation or parole.

RACOG

Mickey Dietrich gave a brief update on the happenings of the Tug Hill Commission and RACOG. The next RACOG meeting will be September 26th at 6:00 pm at the Town of Wilna.

BUDGET OFFICER/BOOKKEEPER

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


Motion by Councilman Monnat, seconded by Councilman Ross to adopt **Resolution No. 35-2024, “Approve Budget Transfers”**.

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

RESOLVED the following Budget Transfers are approved as listed.

FUND: Sewer Fund #4 - E State S/812

Account	Code	Increase	Decrease
Sewer Disp - Contractual	8130.4	450.00	
Appropriated Fund Balance	599		450.00

Approved by 
Supervisor

Approved by Town Board on: 06/20/2024

Date: 06/20/2024

Town Clerk 

FUND: Highway Fund-Town-Wide

Account	Code	Increase	Decrease
Machinery - Equipment	5130.2	51,000.00	
Appropriated Fund Balance	599		51,000.00

Approved by 
Supervisor

Approved by Town Board on: 06/20/2024

Date: 06/20/2024

Town Clerk 

FUND: General Fund

Account	Code	Increase	Decrease
Public Safety Administration	3010.2	500.00	
Public Safety Contractual	3310.4		500.00

Approved by



Supervisor

Approved by Town Board on: 06/20/2024

Date: 06/20/24


Town Clerk



FUND: General Fund

Account	Code	Increase	Decrease
Unallocated Insurance	1910.4	1,500.00	
Health Insurance	9060.8		1,500.00

Approved by

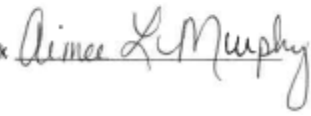


Supervisor

Approved by Town Board on: 06/20/2024

Date: 06/20/2024

Town Clerk



Old Business

Water Line Extension: A kick-off meeting will be held Wednesday, June 26th.

New Business

DEC – Lead Agency Request: Supervisor Mullin received a request for lead agency status from the NYS DEC with regard to the West Lowville/Lomeo Mine operated by V.S. Virkler. Supervisor Mullin reviewed the request and supplied documents with Zoning Officer Manning. Supervisor Mullin also spoke with Chris Lucidi, DEC Regional Mineral Resources Division the renewal of the mining permit and is concerned regarding the lack of a completed SEQRA form. The Town Board desires this mine to be held to the same standards as the GraRock mine which is also located in the Town of Lowville. Attorney Meier will contact the DEC with the concerns of the Board.

The next regularly scheduled Town Board meeting will be July 18, 2024, 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 11:52 a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk