

**Town of Lowville
Regular Town Board Meeting
November 21, 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 21st day of November 2024

Roll Call:

Robert Mullin, Supervisor
Paul Virkler, Deputy Supervisor
John D. Ross, Councilman
Jacob Monnat, Councilman
Stephen Farney, Councilman – entered at 9:36 a.m.

Others Present:

Raymond Meier, Town Attorney entered at 9:45 a.m.
Thomas Widrick, Highway & Special Districts Superintendent
Aimee Murphy, Town Clerk
Nick Astafan, Dog Control Officer

Also Present: Chuck Terrillion, Village Trustee; Vincent Nortz, County Legislator; Andrea Moroughan, County Legislator; Mickey Dietrich, RACOG – entered at 9:41 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 Ross to approve the minutes of the October 17, 2024 regular meeting as presented by the Town Clerk.

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

VOUCHERS

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

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

General – Abstract #11	Voucher #280 to #313	\$ 29,471.97
Highway – Abstract #11	Voucher #169 to #188	\$437,378.81
Water – Abstract#9	Voucher #70 to #86	\$ 90,492.99
Sewer – Abstract#9	Voucher #33 to #39	\$ <u>96,721.45</u>
	Total	\$654,065.22

SUPERVISOR’S REPORT

Receipts:	Town Clerk	\$ 1,887.14
	Town Court	\$ 5,475.00
	Zoning	\$ (\$1,965.00 ytd)
	Lewis County	\$ 20,972.11 (Mortgage Tax)
	Bridge NY	\$159,683.17 (O’Brien Rd)
	Bridge NY	\$264,951.39 (Gardner Rd)
	Absolute Auctions	\$ 51,000.00 (Loader)
	Absolute Auctions	\$ 10,400.00 (Bull Dozer)
	Bridge NY	\$203,353.42 (O’Brien Rd)

Supervisor Mullin’s financial report is included in the Board Members’ packets. An oral activities report was given.

1. The Town is again eligible to apply for a NY Restore grant for the Stevens Block.
2. Received bill from the Village for the youth recreation program; Mayor Beagle asked to hold payment until the end of year in case grant funds are received.

Motion by Councilman Ross, 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. Report of DCO conference in Guilderland: Article 26C: new law takes effect 12/2025 – new equipment requirements; will need written agreement with Veterinarian for services.
3. Shelters will have many new requirements that will affect cost to towns.
4. Would like a new shelter agreement written by the Town, not the Shelter.
5. Would like the Town to consider increasing the license fees, late fee and kennel permit fee.
6. DCO Astafan believes updates to the Town's Dog Control Law are needed.
7. DCO Astafan would like to see the County "get involved" with dog control issues. The County has access to resources the towns do not. Law enforcement need to be more involved in training so they have the knowledge necessary to conduct and enforce dog neglect and abuse cases. It's all about "public safety".
8. Supervisor Mullin reported receiving a call from Town of New Bremen Supervisor Peter Keys; DCO Astafan will no longer be serving as DCO for New Bremen as of the end of the year. The two Supervisors will need to review the equipment purchased during the term when the towns were sharing services and figure out an equitable split.
9. Clerk Murphy attended a webinar for the DocuPet program brought up at the DCO conference. The program offers pet licensing services. Initial cost to sign up is \$5,000.00 plus a monthly fee per license. Clerk Murphy does not feel that the cost of the program outweighs the benefits to the Town at this time.

Fire Contract

Supervisor Mullin opened the public hearing on the 2025 Fire Contract at 10:04 a.m. with proof of advertising being acknowledged. The contract provides for fire protection to the Lowville Fire Protection District for the calendar year 2025 at a cost to the Town of \$60,238.62. Supervisor Mullin left the public hearing open for comments.

TOWN ATTORNEY

1. Sewer District #1 Bonding: Atty. Meier suggested having an informational meeting with the property owners in the sewer district to update on the work that was completed and the cost to the district and how it is collected. The Board will also need to decide the length of time the bond will last.
2. Recreation Committee: Suggested the Town and Village revisit the Intermunicipal Agreement (IMA); Perhaps the Town and Village would like to open up the committee to individuals who are non-residents of the Town and Village; One of the current members of the committee is moving outside the municipality but is believed to be an asset to the committee. Atty. Meier will discuss it with the Village Attorney. Supervisor Mullin will discuss this with the Village Mayor.

TOWN CLERK

1. The Clerk's Monthly Report is included in the Board Members' packets.
2. Unpaid water/sewer bills have been releived to the County for inclusion on the January tax bills.
3. Water bills were mailed and are due by 11/30/24 without penalty; Payments coming in daily.
4. DEC printing fees: A new regulation has passed allowing agents to charge a \$1 fee when a customer wishes to have their transaction printed. Town Clerk Murphy feels that it is late enough in the license sales season, that it should continue without charging, for now. Town Clerk Murphy to contact software vendor, Edmunds GovTech regarding the reporting of the fee. Discussion tabled until January.
5. Attended webinar on DocuPet.

ZONING/PLANNING

1. Certificate of Compliance: Supervisor Mullin to speak with Tim Hunt, County Manager to express the concerns of the Town.

SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS

1. Brookside Sewer Lift Station update completed.
2. FEMA: All paperwork completed and submitted.
3. Hydrant flushing completed.
4. Mowed brush with County tractor and brush head.
5. Hired Collin Schrag for winter wingman.
6. WD#5 water loss: Checking numbers weekly. Not sure what is going on. NYRWA came and checked for leaks, none detected. If there is a leak, it is very small. Superintendent Widrick will continue to monitor the situation.
7. WD#1: There was an electronic malfunction that is now repaired. Discussion regarding upgrades to the equipment in the near future. Councilman Monnat has concerns about cyber security.
8. Snow & Ice Control Agreement with Lewis County. After a brief discussion, the following resolution was presented.

Motion by Councilman Farney seconded by Councilman Ross to adopt **Resolution No. 66-2024**, “Approving Agreement with Lewis County for Snow and Ice Control Under the County Road System”.

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

NAYS – 0

WHEREAS, on August 6, 2024, the Board of Legislators of Lewis County adopted Resolution #148-2024, designating the improved roads of the County Road System of the County from which snow and ice should be removed; and

WHEREAS, the County is authorized to enter into agreements with the Towns for the aforementioned purpose and annual term. The Agreement also provides for an annual renewal with a 4% increase in rates. Either party must opt out of the automatic renewal by May 1st of each year; now therefore be it

RESOLVED, that the Town of Lowville, Lewis County, NY hereby authorizes an Agreement with the County of Lewis for snow and ice control as set forth in the attached Agreement; and be it further

RESOLVED, that the Town Supervisor and Town Superintendent of Highways is hereby authorized to execute the Agreement; and be it further

RESOLVED, that the Resolution shall take effect immediately.

Fire Contract cont’d

No public comment was heard in regard to the 2025 Fire Protection contract.

Motion by Councilman Ross, seconded by Councilman Monnat to close the Public Hearing on the 2025 Fire Protection Contract at 10:39 a.m.

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

NAYS – 0

Motion by Councilman Monnat, seconded by Councilman Virkler to adopt **Resolution No. 67-2024** “Authorizing Supervisor to sign the 2025 Fire Protection Contract”.

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

NAYS – 0

WHEREAS, the Town of Lowville held a public hearing on November 21, 2024 on the 2025 Fire Protection Contract, and

WHEREAS, there was no public comment, and

WHEREAS, the Town Board deems it is in the best interest of the Town of Lowville to enter into this Fire Protection Contract, then, therefore be it

RESOLVED, that the Supervisor is authorized to sign the Fire Protection Contract for 2025.

ASSESSOR

Exemptions: Assessor Gratch has recommended changes to the Senior Citizens exemption and the Volunteer Firefighters and Ambulance workers exemption to coincide with the exemptions Lewis County offers. Both exemptions will require a public hearing.

Motion by Councilman Monnat seconded by Councilman Ross to adopt **Resolution No. 68-2024, “Setting a Public Hearing for the Partial Exemption of Certain Real Property Owned by Persons 65 years of Age or Over”**.

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

NAYS – 0

WHEREAS, the Town of Lowville Town Board would like to increase the partial real property exemption for persons 65 years of age or over, based upon certain income qualifications set forth in Real Property Tax Law §467, 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 December 19, 2024, at the Regular Town Board meeting at 9:45 a.m.

Motion by Councilman Ross seconded by Councilman Monnat to adopt **Resolution No. 69-2024, “Setting a Public Hearing on Real Property Rax Exemption for Volunteer Firefighters and Ambulance Workers”**.

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

NAYS – 0

WHEREAS, the Town of Lowville Town Board finds it appropriate to recognize the efforts of those who have dedicated their time and at times risked their lives in the service of their communities by volunteering to serve as a member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service by offering a partial real property tax exemption pursuant to Section 466-1 Of the Real Property Tax Law; 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 December 19, 2024, at the Regular Town Board meeting at 9:50 a.m.

TOWN ENGINEER

Water line extension (#3 Rd): Minutes of the meeting with BCA, County Planning & the Town were included in the Board Members packets. The water questionnaire has been updated.

JUSTICE

Justice Philippe was completed the JCAP application submission.

RACOG

Mickey Dietrich gave a brief update on the happenings of RACOG and the Tug Hill Commission. The next RACOG meeting will be January 23, 2025 at the Town of Wilna offices with an election of officers at that time. The new student board has been approved. It will consist of 4-5 students. Website training will be December 10, 2024 at the Town of Denmark.

BUDGET OFFICER/BOOKKEEPER

The monthly financial report was provided in the Board Members’ packets. Accountant Lawrence reviewed the proposed Budget Amendments and Transfers with the Board. After discussion, one budget transfer and one

budget amendment were not approved until further review as Clerk Murphy and Superintendent Widrick believe them to be erroneous . Accountant Lawrence will look into them further.

Motion by Councilman Ross, seconded by Councilman Virkler to adopt **Resolution No. 70-2024, “Approve Budget Amendments.”**

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

NAYS – 0

RESOLVED the following Budget Amendments are approved as listed.

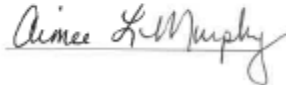
FUND: Highway Fund Town Wide

Account	Code	Increase	
		Increase	Decrease
Bridges - Contractual	5120.4	274,634.56	
State Aid Bridge Project	3505		274,634.56

Approved by  Supervisor

Approved by Town Board on: 11/21/24

Date: 11/21/24

Town Clerk 

FUND: Sewer Funds - #SS1 Brookside

Account	Code	Increase	Decrease
Capital Outlay - Sanitary Sewers	8120.2	79,330.35	
Unassigned Fund Balance	599		79,330.35

Approved by  Supervisor

Approved by Town Board on: 11/21/24

Date: 11/21/24

Town Clerk 

FUND: Sewer Funds - #SS1 Brookside

Account	Code	Increase	Decrease
Contractual-Sewer Disposal	8130.4	1,117.06	
Unassigned Fund Balance	599		1,117.06

Approved by  Supervisor

Approved by Town Board on: 11/21/24

Date: 11/21/24

Town Clerk 

FUND: Sewer Funds - #SS3 Consolidated

Account	Code	Increase	Decrease
Contractual-Sewer Disposal	8130.4	860.68	
Unassigned Fund Balance	599		860.68

Approved by 
Supervisor

Approved by Town Board on: 11/21/24

Date: 11/21/24

Town Clerk 


FUND: Sewer Funds - #SS4 E State/ 812

Account	Code	Increase	Decrease
Contractual-Sewer Disposal	8130.4	2,866.31	
Unassigned Fund Balance	599		2,866.31

Approved by 
Supervisor

Approved by Town Board on: 11/21/24

Date: 11/21/24

Town Clerk 

FUND: Sewer Funds - #SS5 Walmart

Account	Code	Increase	Decrease
Contractual-Sewer Disposal	8130.4	516.11	
Unassigned Fund Balance	599		516.11

Approved by 
Supervisor


Approved by Town Board on: 11/21/24

Date: 11/21/24

Town Clerk 

FUND: Water Funds - #SW1 Consolidated

Account	Code	Increase	Decrease
Water Admin - Contractual	8310.4	4,935.00	
Payroll - Transmission & Distribution	8340.1	2,085.00	
Appropriated Fund Balance	599		5,355.00

Approved by 
Supervisor

Approved by Town Board on: 11/21/24

Date: 11/21/24

Town Clerk 

FUND: Water Funds - #SW3 E State/812

Account	Code	Increase	Decrease
Contractual- Source of Supply	8320.4	430.66	
Appropriated Fund Balance	599		430.66

Approved by



Supervisor

Approved by Town Board on: 11/21/24

Date: 11/21/24

Town Clerk



Aimee L. Murphy

Accountant Lawrence will be figuring up the Village Zoning bill for 2024 at a rate of 65% as per the IMA with the Village.

OLD BUSINESS

Restore NY: The Town of Lowville is eligible to apply for the Restore NY Round 9 funding for the Stevens Block Property. After a brief discussion the following resolution was presented.

Motion by Councilman Monnat, seconded by Councilman Ross to adopt **Resolution No. 71-2024, "Setting a Public Hearing for Public Input with Reference to Restore NY Communities Initiative"**.

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

NAYS – 0

WHEREAS, the Town of Lowville is eligible to apply for 2024 Restore New York Communities Initiative administered by New York State Empire State Development; and

WHEREAS, the citizen participation requirements of the programs mandate the Town to conduct a public hearing prior to submission of an application for the purpose of obtaining citizens’ views with the ability to respond to proposals and questions; and

WHEREAS, the public hearing must be held prior to submission of an application; now therefore be it,

RESOLVED, as follows:

Section 1. That the Town Board of the Town of Lowville authorizes a public hearing to be held and set for December 19th, 2024, at 10:00 a.m. at the Town of Lowville Town Offices located at 5533 Bostwick Street, Lowville, New York 13367 to solicit the views of Town of Lowville citizens regarding the use of Restore New York Funds for the renovation of the site at 7623 North State Street, Lowville NY 13367. The property consists of a 13,464 square foot property, 9,500 square foot building with a 6500 square foot vacancy on the 2nd and 3rd floors, which is proposed for rehabilitation. The project includes the renovation of 2 vacant floors in the 3-story building into a mixed-use building with housing units on the vacant second and third floors and retail space on the first floor.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

Section 3. That within resolution shall take effect immediately.

NEW BUSINESS

Executive Session

Motion by Councilman Monnat, seconded by Councilman Virkler to enter into an Executive Session to discuss pending litigation at 11:45 a.m.

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

NAYS – 0

Motion by Councilman Monnat, seconded by Councilman Ross to leave Executive Session at 11:59 a.m.

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

NAYS – 0

The next regularly scheduled Town Board meeting will be December 19, 2024 at 9:30 a.m.

Motion by Councilman Farney, seconded by Councilman Ross to adjourn the meeting at 11:59 a.m.
ADOPTED - AYES – Farney, Monnat, Mullin, Ross, Virkler NAYS – 0

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk

DRAFT