

**Town of Lowville Regular Board Meeting  
August 20, 2020**

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 Town Hall, 5533 Bostwick Street, Lowville, NY on the 20th day of August 2020.

Due to the ongoing state of emergency situation for New York State, the Town of Lowville will be allowing the public to join in via video conference.

**Present:**

Randall Schell, Supervisor  
Ruth Larabee, Councilwoman  
John D. Ross, Councilman  
Robert Mullin, Councilman  
Paul Virkler, Councilman  
Aimee Murphy, Town Clerk  
Raymond Meier, Town Attorney – entered at 9:37 a.m.  
Thomas Widrick, Highway Superintendent/Special Districts Superintendent  
Nicholas Astafan, Jr, DCO  
Scott Lawrence, CPA, Bookkeeper/Budget Officer – entered at 9:47 a.m.

**Also Present:** Henry Avallone

**Also Present via Zoom:** Mickey Dietrich, Tug Hill Commission

The meeting was called to order at 9:30 a.m. by Supervisor Schell who also led the Pledge of Allegiance.

**MINUTES**

**Motion** by Councilwoman Larabee, seconded by Councilman Mullin to approve the minutes of the July 16, 2020 regular board meeting.

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler            NAYS – 0

**Motion** by Councilman Mullin, seconded by Councilman Ross to approve the minutes of the August 13, 2020 special board meeting as amended.

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler            NAYS – 0

**CORRESPONDENCE**

- GraRoc ZBA/Planning Letter – Complaints about dust from quarry site. ZO Manning sent letter to GraRoc explaining conditions under which the special use permit was issued and violations can lead to revocation if not remedied.
- BAN receipt - \$1.3 million has been deposited into the Water fund.
- Excellus – proposed rate increase for 2021.
- DOH CWD#1 – violation received.
- Change order CWD#1 Project – will address later in meeting.

**VOUCHERS**

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

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler            NAYS – 0

Town of Lowville Regular Board Meeting  
August 20, 2020

General – Abstract #8	Voucher #229 to #260	\$ 26,088.68
Highway - Abstract #8	Voucher #72 to #90	\$ 19,024.27
Trust & Agency	(07/31/20)	\$ 12,279.56
	(08/20/20)	\$ 10,213.79
		\$ 67,606.30

**SUPERVISOR’S REPORT**

Receipts:	Town Clerk.....	\$	1,642.16
	Town Court.....		2,500.00
	CEO.....		907.92 (\$6,771.70 ytd)
	Zoning.....		607.50 (\$1,222.50 ytd)
	Tony Beyer.....		385.60 (Culvert Reimburse)
	Blair Supply.....		646.11 (WD#5 returned pipe)
	David Byler.....		1,150.00 (Bridge Steel)

Supervisor Schell’s activities report is in Board Members’ packets.

**Motion** by Councilman Mullin, seconded by Councilman Ross to accept the Supervisor’s receipts, activities and financial reports.

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler      NAYS – 0

**DEPARTMENT REPORTS**

**ATTORNEY:** US Light Decommissioning Plan – approved by Town Board on 08/13/2020 at Special meeting.

Superintendent Widrick asked if the Town Board needed to pass a resolution for seasonal roads (Nefsey, Hoffman and Wilcox Roads). Attorney Meier will research what the Town needs to do.

**TOWN CLERK**

- Clerk’s Monthly Report in Board Members’ Packets & Daily Log has been passed for review.
- Town Clerk and Deputy Town Clerk completed webinar on Sexual Harassment & Discrimination.
- DECALS: New licenses went on sale August 10<sup>th</sup>. New software had issues first day of sales, but mostly corrected now.
- During quiet times, have been entering Village vital records into the computer.
- Retiree 4<sup>th</sup> quarter insurance billing completed.
- Submitted paperwork to 5<sup>th</sup> Judicial District for JCAP reimbursement for Hand Sanitizing Stations and Sanitizer.
- Received notice that Croniser, Lawrence & Philipe has changed the name of their firm to Lawrence & Philippe CPAs PLLC d/b/a North Country CPAs.
- NYS Archives has revised and consolidated its local government records retention and disposition schedules effective August 1, 2020. The Town Clerk has received an

Town of Lowville Regular Board Meeting  
August 20, 2020

electronic copy of the new Retention and Disposition Schedule for New York Local Government Records (LGS-1). The new LGS-1 supersedes and replaces all other schedules. All local governments must adopt the LGS-1 prior to utilizing it. Copy of proposed resolution is in Board Members' Packets.

**Motion** by Supervisor Schell, seconded by Councilman Virkler to adopt **Resolution No. 22-2020, "Adoption of Retention and Disposition Schedule for New York Local Government Records (LGS-1)".**

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler      NAYS – 0

RESOLVED, by the Town Board of the Town of Lowville that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) Only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**CEO**

CEO monthly report in Board Members' packets.

**BUDGET OFFICER/BOOKKEEPER**

Accountant Scott Lawrence reviewed financial information from 01/01/2020 through 7/31/2020 with the board.

Accountant Lawrence stated that the tax cap for the upcoming Budget Season is 1.56%. He also reported that he is working with ZO Manning to prepare a bill for the Village portion of the zoning expenses.

Accountant Lawrence left the meeting.

**SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS**

- East Road Railroad tracks have been repaired.
- PS2 has been repaired as of 8/19/2020.
- The Loader is at 5 Star for repair. They have all the parts and are currently working on the repairs.
- Gordon Road bridge beams are set in place. Grouting completed on 8/19/2020, working on installation of the waterproofing membrane.
- CHIPS Reimbursement: Applied for \$85,694.21 on 08/18/2020.
- PS2 Upgrade – discussion on change order for new instrumentation to bring system up to 2020 standards. Old system is approximately 20 years old. Upgrade will allow for remote viewing of the system via tablet, phone or computer.

Town of Lowville Regular Board Meeting  
August 20, 2020

**Motion** by Councilwoman Laribee, seconded by Councilman Mullin to adopt **Resolution No. 23-2020 “Approving CWD#1 Change Order”**.

ADOPTED - AYES – Laribee, Mullin, Ross, Schell, Virkler      NAYS – 0

WHEREAS a change order is necessary for the completion of the CWD#1 Disinfection by-Products Control System Project, now therefore be it

RESOLVED that Supervisor Schell is authorized to sign the Change Order #1 for the CWD#1 Disinfection By-Products Control System Project.

- The new Dump Truck is waiting for a hydraulic pump before installation of the new dump box.

**DCO**

- Monthly report and six-month reports are included in board members’ packets.
- DCO Astafan gave a brief update.
- Started issuing tickets for expired licenses, now that courts are starting to open back up.
- Shady Ave: situation with multiple dogs – Have picked up 3 more of the dogs as they were running at large. Will continue working with Village PD and Humane Society until rectified.
- Watched Webinar covering some items that would have been addressed at conference.
- Would like to attend one-day training session in Oswego next week. There is no charge for the training, but there will be expenses for mileage and lunch. Denmark and New Bremen have both given permission to attend the session.

**Motion** by Councilwoman Laribee, seconded by Councilman Ross to allow DCO Astafan to attend training session in Oswego.

ADOPTED - AYES – Laribee, Mullin, Ross, Schell, Virkler      NAYS – 0

Supervisor Schell reported that he had a complaint that the Deputy DCO went to a house without wearing a facial mask. DCO Astafan will address the situation.

**RACOG**

Mickey Dietrich gave a brief update on the happenings of RACOG and the Tug Hill Commission. The next RACOG meeting will be September 15, 2020 in West Carthage. There will be upcoming training sessions for Planning and Zoning Boards in Lowville on 9/29/20 and in West Carthage on 10/1/20

**Invenergy**

Marguerite Wells of Invenergy spoke with Supervisor Schell via telephone immediately preceding the town board meeting. Extension through early November was needed for an issue with grasslands for birds. They may be cutting trees by November or December. Turbine delivery should be next year (2021). Project may be online by early 2022.

**OLD BUSINESS**

Hospital Hill/Ross Road Drainage: Waiting for County, plan on starting late August.

Town of Lowville Regular Board Meeting  
August 20, 2020

**NEW BUSINESS**

Comprehensive Plan Committee Appointments: Supervisor Schell surveyed Town Board, Planning Board and ZBA members who reside outside the Village of Lowville to see if there was interest in serving on the Committee. Interested people were: Dan O'Brien, Rachel Hillegas, Ruth Larabee, Robert Mullin. Tom Widrick will represent the DPW. Suzanne Peters would serve as an Ad Hoc member if needed.

**Motion** by Councilman Ross, seconded by Councilman Virkler to adopt **Resolution No. 24-2020, "Appointing a Comprehensive Plan Committee"**.

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler      NAYS – 0

RESOLVED, that the following persons are appointed to serve on the Comprehensive Plan Committee for the Town of Lowville:

Daniel O'Brien, Rachel Hillegas, Ruth Larabee, Robert Mullin, Thomas Widrick.  
Ad Hoc Member: Suzanne Peters.

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to enter into executive session to discuss Collective Bargaining and Personnel Matters at 10:35 a.m.

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler      NAYS – 0

**Motion** by Councilman Mullin, seconded by Councilman Ross to exit executive session at 11:13 a.m.

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler      NAYS – 0

**Justice Court Vacancy**

After consideration and discussion of people interested in filling the Town Justice Position due to the resignation of William R. Kiernan, the following resolution was presented.

**Motion** by Councilman Ross, seconded by Councilman Mullin to adopt **Resolution No. 25-2020, "Appointment of Town Justice."**

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler      NAYS – 0

WHEREAS the Town of Lowville has a vacancy in the position of Town Justice, due to the resignation of Hon. William R. Kiernan, therefore be it

RESOLVED that the Town Board of the Town of Lowville hereby appoints Dr. James Coffman, Esq. as Town Justice for the Town of Lowville with a term of office from August 21, 2020 through December 31, 2021.

**Motion** by Councilman Ross, seconded by Councilman Mullin to adjourn the meeting at 11:18 a.m.

ADOPTED - AYES – Larabee, Mullin, Ross, Schell, Virkler      NAYS – 0

Respectfully submitted,

Aimee L. Murphy, RMC

Town of Lowville Regular Board Meeting  
August 20, 2020

Town Clerk