

**Town of Lowville Regular Board Meeting  
October 15, 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 15th day of October 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 9:38 a.m.  
Thomas Widrick, Highway Superintendent/Special Districts Superintendent

**Also Present:** Henry Avallone, Ron Burns, Legislator, Paul Denise, Village of Lowville DPW Superintendent – entered at 9:48 a.m.

**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.

Supervisor Schell asked for a moment of silence in memory of the passing of former Town Supervisor Arleigh D. Rice.

**MINUTES**

**Motion** by Councilman Mullin, seconded by Councilman Virkler to approve the minutes of the September 17, 2020 regular board meeting.

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

**CORRESPONDENCE**

- Received mining permit extension/renewal for the V.S. Virkler pit on Rice Road.

**VOUCHERS**

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

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

General – Abstract #10	Voucher #292 to #313	\$ 8,551.56
Highway - Abstract #10	Voucher #106 to #117	\$ 85,241.67
Trust & Agency	(09/30/20)	\$ 4,416.21
	(10/15/20)	<u>\$ 6,146.60</u>
		\$ 104,359.04

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**SUPERVISOR'S REPORT**

Receipts:	Town Clerk.....	\$ 2,004.31
	Town Court.....	2,000.00
	CEO.....	90.32 (\$7,530.82 ytd)
	Zoning.....	0.00 (\$1,647.50 ytd)

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

**Motion** by Councilwoman Larabee, 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**

- #3 Wind Host Community Agreement: Have not heard back from #3 Wind yet.
- OYA Solar: No response from the letter sent last month.

**TOWN HISTORIAN**

Supervisor Schell reported that Historian Beagle inquired as to the balance of funds available in the budget that could be used to repair headstones in the East Rd. Cemetery.

**TOWN CLERK**

- Clerk's Monthly Report in Board Members' Packets & Daily Log has been passed for review.
- Received notice of blast from GraRock. Planned for 10/16/2020 @ 1:00 p.m.
- DEC license sales have started slowing down since 10/1/2020. Before that, sales were slightly higher due to Wal-Mart not being able to sell because of lack of supplies for multiple weeks.
- Getting ready for November water billing. Will be sending in relevies for unpaid water bills nest week to County.
- There will be a Public Hearing at the Village Board meeting next week. They are considering a 5% increase for Sewer effective May 2021.
- Filed in newspaper, notice of resolution subject to permissive referendum for expenditure of Highway Equipment Reserve Funds.

**Motion** by Councilwoman Larabee, seconded by Councilman Mullin to accept Town Clerk's report.

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

**SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS**

- Gordon Road Bridge is complete. Breakdown of total costs is in the Board Members packets.
- Water meter readings completed.
- Pipe has been installed for hospital hill with the help of the County and Village.
- Started Ross Road pipe installation, also with the help of the County and Village.

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- Would like to hourly wage for Brian Hanno from \$18.40/hr. to \$20.08/hr. as of 10/15/2020.

**Motion** by Councilwoman Laribee, seconded by Councilman Mullin to raise the rate of pay for Highway Department worker, Brian Hanno to \$20.08/hour effective 10/15/2020.  
ADOPTED - AYES – Laribee, Mullin, Ross, Schell, Virkler      NAYS – 0

- Received a bid of \$31,500.00 for the auction sale of the 2015 Ford F-350 Super Duty Dump Truck 4x4. The Board would need to formally accept the bid for the sale to finalize.  
**Motion** by Councilman Mullin, seconded by Councilwoman Laribee to adopt **Resolution #38-2020, “Sale of 2015 F-350 Super Duty Dump Truck”**.

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

WHEREAS, the 2015 F-350 Super Duty Dump Truck 4x4 was advertised for bid as approved by the Town Board, now therefore be it

RESOLVED, the high bid of \$31,500.00 for the purchase of said dump truck is hereby formally accepted by the Town Board and be it further

RESOLVED that the funds received from the sale of this truck will be deposited into the Equipment Reserve Fund.

- The Loader is working fine since repairs were completed.
- Have advertised for seasonal help for the upcoming winter plowing season.

### **Smart TV**

Paul Denise, Village DPW Superintendent stated that the Village is considering purchasing a large screen, smart-TV for the meeting room. This would be used for Zoom meetings, conferences, etc. He was wondering if the Town would consider paying half the cost of the TV. The Board agreed with the purchase and cost sharing.

### **DCO**

- Monthly report is included in board members’ packets.
- DCO Astafan reported many people licensing dogs in September when faced with the possibility of receiving tickets.
- A brief report was given regarding the DCO conference attended last month. DCO Astafan wanted to make sure that the Town Board was aware that all dog fees and fines taken in are to be used only for dog control. Apparently, there have been towns that have not followed this rule.
- Liability Issues: DCO Astafan stated that in order to avoid liability issues, he nor his deputy will go on a call to another township unless there is an Intermunicipal Agreement in place with that township, even when receiving a request from the Sheriff’s Department Dispatch.

### **Assessor**

The new Data Collector, Teresa LaParr has started.

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**Public Hearing**

The Public Hearing on the 2021 Water and Sewer budgets for the Town of Lowville was declared open at 10:06 a.m. by Supervisor Schell. Proof of publication of advertisement in the Journal & Republican was provided by Town Clerk Murphy.

Supervisor Schell discussed the budgets and how the water budget pertains to the USDA loan funding and the ability to pay back the loan. He is concerned that the budget does not show that the town will be able to make the payments. He stated that there may be a necessity to increase the amount of the benefit assessments charged to the residents of CWD#1 in the future.

There was a brief discussion about the possibility of raising sewer rates for the November 2021 billing cycle. It was decided to not make any decision on increasing rates until after the next Village Board meeting for a definitive amount of their increase in sewer rates.

**Motion** by Councilwoman Laribee, seconded by Councilman Mullin to close the Public Hearing on the Water and Sewer budgets at 10:15 a.m.

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

**Motion** by Councilwoman Laribee, seconded by Councilman Ross to adopt **Resolution # 39-2020, “Adoption of Water and Sewer Budgets for 2021.”**

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

WHEREAS, the Town Board of the Town of Lowville held a public hearing for the Water and Sewer Budgets for their fiscal year 2021, on October 15, 2020, and

WHEREAS, no public comment was heard, and

WHEREAS, the Town Board deems that it is in the public interest to adopt these budgets; then, therefore be it

RESOLVED, that the Water and Sewer Budgets for 2020 be adopted, and be it further

RESOLVED, that these budgets be incorporated into the 2020 Annual Budget for the Town of Lowville.

**Public Hearing**

Supervisor Schell declared the public hearing on the Benefit Assessment Rolls for CWD#1 for 2021 open at 10:16 a.m. Town Clerk Murphy provided proof of publication in the Lowville Journal & Republican of the public hearing. It was also advertised on the Town of Lowville website.

One resident of CWD#1, Clyde McCray was present for the public hearing. The Board answered his questions on the Benefit Assessments. The public hearing will remain open for a brief time in case there should be additional public response.

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**Budget Transfers**

Accountant Scott Lawrence provided Supervisor Schell with budget transfers that need approving to close out the accounts from 2019. After review and discussion, the following motion was presented.

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to adopt **Resolution # 40-2020, “Approval of Budget Transfers.”**

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

RESOLVED, that the requested budget transfers are hereby authorized.

\*Copy of said transfers are incorporated at the end of these minute proceedings.

There was a brief discussion regarding PILOT money and the effects on the town budget.

**Motion** by Councilman Mullin, seconded by Councilman Virkler to close the Public Hearing on the Benefit Assessment Rolls for CWD#1 at 10:30 a.m.

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

**Motion** by Councilman Mullin, seconded by Councilman Virkler to adopt **Resolution #41-2020, “Adoption of Benefit Assessment Rolls for CWD#1 for 2021.”**

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

WHEREAS, the Town Board held a public hearing on the Benefit Assessments Roll for Consolidated Water District #1 on October 15, 2020 where public comment was heard, and

WHEREAS, the Town Board deems that it is in the public interest to adopt the Benefit Assessments Roll; then, therefore be it

RESOLVED, that the benefit assessments be levied upon lots and parcels of lands listed in the assessment rolls at the time and in the manner provided by law for the levy of State, County and Town taxes.

**Justice**

JCAP joint application with the Village of Lowville Court was submitted.

**RACOG**

Mickey Dietrich gave a brief update on the happenings of RACOG and the Tug Hill Commission.

The Comprehensive Plan committee has met one time. Councilman Mullin and Councilwoman Larabee reported on the meeting. A survey will be forthcoming. Supervisor Schell has contacted the County for funds to help offset the costs associated with developing the plan.

**OLD BUSINESS**

Administrative Order CWD#1: Supervisor Schell gave a brief update on progress of the project.

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**NEW BUSINESS**

**Building Usage**

Current rate for Town/Village usage of the municipal building in 57/43. A brief discussion followed.

**Motion** by Councilman Mullin, seconded by Councilman Virkler that the building usage percentage for 2021 be 56 Town/ 44 Village.

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

**Brookside PILOT**

Discussion on increasing the Brookside PILOT for 2021.

**Motion** by Councilman Virkler, seconded by Councilwoman Ross to increase the Brookside PILOT payment  $\frac{3}{4}$  of 1% for 2021 as per Section C PILOT Amendments, Part 3 of the Brookside PILOT Agreement. Clerk Murphy will send written notification to Brookside of the increase.

**Budget**

Supervisor Schell reviewed suggested changes to the tentative budget with the board.

General Fund – Town Wide

Revenues: Mortgage Tax increase to \$30,000

Appropriated Fund Balance decrease to \$133,500

Expenditures: Justice Payroll increase to \$18,500

Interfund Transfers – Highway Fund decrease to \$10,000

General Fund – Part Town

Revenues: Appropriated Fund Balance decrease to \$10,000

Expenditures: Interfund Transfers – Highway Fund decrease to \$15,000

Highway Fund – Town Wide

Revenues: Transfers In decrease to \$10,000

Appropriated Fund Balance increase to \$60,000

Highway Fund – Part Town

Revenues: Appropriated Fund Balance increase to \$65,000

Fire Protection District

Revenues: Real Property Taxes decrease to \$37,754

Appropriated Fund Balance increase to \$6,000

Expenditures: Workers Comp increase to \$370

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to adopt **Resolution #42-2020, Adopting Town of Lowville Preliminary Budget for 2021.**”

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

WHEREAS, the Town of Lowville Town Board did review the Tentative Budget of this town for the fiscal year beginning January 1, 2021, and

WHEREAS, discussion concerning the budget was held at the October 15, 2020 meeting, then, therefore be it

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RESOLVED, that the 2021 Tentative budget for the Town of Lowville with changes be adopted as the 2021 Preliminary Budget.

**Motion** by Councilman Ross, seconded by Councilman Mullin to adopt **Resolution #43-2020, “Setting the Public Hearing for the Town of Lowville Preliminary Budget for 2021.”**

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

WHEREAS, it is necessary to hold a public hearing for the Town of Lowville Preliminary Budget for 2021, and

WHEREAS, it is necessary for the public hearing to be advertised for at least five (5) days before the public hearing is held, and

WHEREAS, it is necessary to hold the public hearing at a special meeting of the Town of Lowville Town Board, then therefore,

BE IT RESOLVED, that the public hearing be held on October 30, 2020, at a Special Town Board meeting at 9:30 a.m.

**Proposed Salaries 2021**

Proposed salaries for elected officials need to be set for publication with the Public Hearing notice for the Preliminary Budget. Salaries as proposed in the budget are as follows:

Town Board	\$14,400 (4 - \$3,600 each)
Justice	\$18,500
Supervisor	\$15,500

**Motion** by Councilman Virkler, seconded by Councilman Ross to approve salaries of elected officials as listed in the Preliminary Budget for 2021.

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

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to enter into executive session at 11:12 a.m. to discuss collective bargaining.

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

**Motion** by Councilman Mullin, seconded by Councilman Ross to leave executive session at 11:38 a.m.

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

**Health Officer**

Health Officer Sean Harney has provided his notice of resignation. Dyana Manning is interested in becoming the new health officer. Following a brief discussion, the following appointment was made.

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to adopt **Resolution #44-2020, “Appointing Health Officer.”**

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

Whereas there is a vacancy in the position of Health Officer due to the resignation of Dr. Sean Harney, whose term of office was 01/01/2020 to 12/31/2023, be it

RESOLVED that Dyana Manning be appointed as Health Officer for the Town of Lowville effective November 1, 2020 through December 31, 2023.

**Motion** by Councilman Ross, seconded by Councilman Mullin to adjourn the meeting at 11:42 a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC  
Town Clerk

**TOWN OF LOWVILLE  
BUDGET TRANSFERS**

FUND: General Fund Townwide

Account	Code	Increase	Decrease
Independent Accounting - Contractual	1320.4	3,100.00	
Personnel - Contractual	1430.4	710.00	
Engineer - Contractual	1440.4	12,390.00	
Municipal Bldg - Contractual	1620.4	4,330.00	
Contingent Account	1990.4	550.00	
Dog Control - Contractual	3510.4	1,690.00	
Public Health - Contractual	4014.4	400.00	
Veterans - Contractual	6510.4	400.00	
Youth Programs - Contractual	7310.4	3,860.00	
Code Enforcement - Contractual	8664.4	50.00	
Disability Ins	9055.8	230.00	
Medical Insurance	9060.8		27,710.00

Approved by   
Supervisor

Approved by Town Board on: 10/15/2020

Date: 10/15/20

Town Clerk 



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**TOWN OF LOWVILLE  
BUDGET TRANSFERS**

FUND: General Fund - Part Town

Account	Code	Increase	Decrease
Registrar - Contractual	4020.4	300.00	
Code Enforcement - Contractual	8664.4	1,820.00	
Disability Insurance	9055.8	120.00	
Zoning - Contractual	8010.4		2,240.00

Approved by [Signature]  
Supervisor

Approved by Town Board on: 10/15/2020

Date: 10/15/20

Town Clerk Aimee L. Murphy

**TOWN OF LOWVILLE  
BUDGET TRANSFERS**

FUND: Highway Fund Town Wide

Account	Code	Increase	Decrease
Improvements - Contractual	5112.4	550.00	
Brush & Weeds - Payroll	5140.1		
Snow Removal - Contractual	5142.4	4,980.00	
Other Gov't's - Payroll	5480.1		
State Retirement	9010.8	21,510.00	
Machinery - Payroll	5130.1		
Machinery - Contractual	5130.4		27,040.00

Approved by [Signature]  
Supervisor

Approved by Town Board on: 10/15/2020

Date: 10/15/20

Town Clerk Aimee L. Murphy

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**TOWN OF LOWVILLE  
BUDGET TRANSFERS**

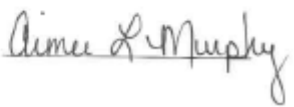
FUND: Highway Fund Part Town

Account	Code	Increase	Decrease
State Retirement	9010.8	19,830.00	
Road Repair - Contractual	5110.4		19,830.00

Approved by   
Supervisor

Approved by Town Board on: 10/15/2020

Date: 10/15/20

Town Clerk 

**TOWN OF LOWVILLE  
BUDGET TRANSFERS**

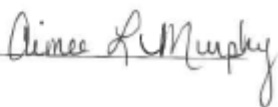
FUND: Water Districts

Account	Code	Increase	Decrease
Source of Supply - Contractual	8320.4	13,950.00	
Disability Insurance	9055.8	20.00	
Trans & Dist - Contractual	8340.4	76,080.00	
Water Admin - Contractual	8310.4		11,280.00
State Retirement	9010.8		40.00
Social Security	9030.8		30.00
Workers Compensation	9040.8		40.00
Appropriated Fund Balance			78660.00

Approved by   
Supervisor

Approved by Town Board on: 10/15/2020

Date: 10/15/20

Town Clerk 

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**TOWN OF LOWVILLE  
BUDGET TRANSFERS**


FUND: Sewer Districts

Account	Code	Increase	Decrease
Sanitary Sewers - Contractual	8120.4	1,070.00	
Sewer Disp - Contractual	8130.4	330.00	
Disability Insurance	9055.8	20.00	
Sewer Admin - Contractual	8110.4		1,420.00

Approved by   
Supervisor

Approved by Town Board on: 10/15/2020

Date: 10/15/20

Town Clerk 

**TOWN OF LOWVILLE  
BUDGET TRANSFERS**

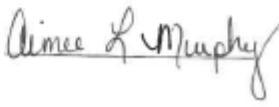
FUND: Equipment Reserve

Account	Code	Increase	Decrease
Machinery - Payroll	5130.1	6,170.00	
Machinery - Equipment	5130.2	360.00	
Appropriated Fund Balance			6,530.00

Approved by   
Supervisor

Approved by Town Board on: 10/15/2020

Date: 10/15/20

Town Clerk 

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**TOWN OF LOWVILLE  
BUDGET TRANSFERS**

FUND: Fire District

Account	Code	Increase	Decrease
Workers Compensation	9040.8	1,420.00	
Appropriated Fund Balance			1,420.00

Approved by   
Supervisor

Approved by Town Board on: 10/15/2020

Date: 10/15/20

Town Clerk 