

**Town of Lowville Special Board Meeting  
October 30, 2020**

A special 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 30th 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  
Aimee Murphy, Town Clerk  
Thomas Widrick, Highway Superintendent/Special Districts Superintendent  
Scott Lawrence, Accountant/Bookkeeper

**Also Present via Zoom:**

Paul Virkler, Councilman,  
Mickey Dietrich, Tug Hill Commission  
Nick Astafan, DCO

The meeting was called to order at 9:31 a.m. by Supervisor Schell who also led the Pledge of Allegiance.

This meeting was called for the purpose of holding a public hearing on the Preliminary Budget for 2021 and any other business that comes before the board.

**Preliminary Budget 2021**

Supervisor Schell opened the public hearing on the Preliminary Budget for 2021 at 9:32 a.m. Town Clerk Murphy provided proof of publication of the public hearing in the Lowville Journal & Republican. It was also posted on the Town's website and the Town Clerk's bulletin board.

Supervisor Schell and Accountant Scott Lawrence reviewed the Preliminary Budget with the Board. Discussion continued.

**Motion** by Councilman Mullin, seconded by Councilman Ross to close the public hearing on the Preliminary Budget for 2021 at 10:10 a.m.

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

**Motion** by Councilwoman Larabee, seconded by Councilman Virkler to adopt **Resolution #45-2020, "Adjustments to the 2021 Preliminary Budget."**

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

WHEREAS the Town of Lowville has adopted it's Preliminary Budget for 2021, and

WHEREAS the Town Board feels it necessary to make further adjustments to the Preliminary Budget, then therefore

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BE IT RESOLVED that the Budget Officer be directed to make the following adjustments to the Town of Lowville 2021 Preliminary Budget:

General Fund, Part Town	
Appropriated Fund Balance increase to	\$11,000.00
Highway Fund, Town Wide	
Appropriated Fund Balance increase to	\$70,000.00
Highway Fund, Part Town	
Appropriated Fund Balance increase to	\$70,000.00

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to adopt **Resolution #46-2020, “Adoption of the Town of Lowville Town Budget for 2021.”**

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

WHEREAS, the Town Board of the Town of Lowville held a public hearing, on October 30, 2020 on the preliminary budget for fiscal year 2021, where no public comment was heard, and

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

RESOLVED, that this Town Budget for 2021 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 and said budget will be attached to the proceedings of this meeting, and be it further

RESOLVED, that the Town Clerk shall prepare and certify duplicate copies of the newly adopted annual budget, and deliver two of such copies to the Supervisor of the Town, and that he shall present such copies to the Board of Legislators of the County of Lewis.

**Seasonal Highway Employee**

Highway Superintendent Widrick stated that he has been accepting applications for the new seasonal employee to be hired for the upcoming snow-plowing season. He requested that the Town Board set the hourly rate of pay for this employee. After a brief discussion, the following motion was presented.

**Motion** by Councilman Ross, seconded by Councilwoman Larabee to adopt **Resolution #47-2020, “Setting Hourly Rate of Pay for Seasonal Highway Employee.”**

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

RESOLVED that the rate of pay for the seasonal highway employee be set at \$14.00/hour effective 11/01/2020.

**Benefit Assessments for CWD#1**

Following the October 15, 2020 regular Town Board meeting, errors were found in the Benefit Assessment Rolls for CWD#1. After a brief discussion, the following resolution was presented.

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**Motion** by Councilwoman Larabee, seconded by Councilman Mullin to adopt **Resolution #48-2020, “Adjustments to the Benefit Assessment Roll for CWD#1.”**

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

WHEREAS, on October 15, 2020 a Public Hearing was held in regard to the Benefit Assessment Roll for CWD#1, where public comment was heard and the Town Board adopted the Benefit Assessment Roll for 2021, and

WHEREAS, the Town Board of the Town of Lowville has since learned of errors in need of correction, therefore be it

RESOLVED, that the following changes be made in the CWD#1 Benefit Assessment Roll for 2021:

212.00-01-29.120	McCray, Clyde S.	Primary Units: 0
195.00-01-48.370	Ingersoll, Aaron C.	Primary Units: 1

And be it further,

RESOLVED, that the Town Clerk shall provide a corrected copy of the Benefit Assessment Roll to the Lewis County Office of Real Property Tax Services.

**Fire Contract**

The Fire Protection contract for 2021 with the Village of Lowville and the Lowville Volunteer Fire Department.

**Motion** by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution #49-2020, “Setting the Public Hearing for the 2021 Fire Contract.”**

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

WHEREAS, it is necessary to hold a public hearing for the 2021 Fire Contract, 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 November 19, 2020, at the Regular Town Board meeting at 10:00 a.m.

**New Business**

**COVID-19 Pandemic Payment Deferral Plan**

On June 17, 2020, Governor Cuomo signed into law Chapter 108 of the Laws of 2020 which amended the Public Services Law that places a moratorium on utility termination of services during a pandemic or state of emergency. This law states that no utility provider will terminate services for nonpayment of bills, or fees for the duration of the COVID-19 state of emergency. Additionally, it prohibits terminating of service for a period of 180 days following the COVID-10 state of emergency. The Town is required to provide residential customers that have experienced a change in financial circumstances due to COVID-19 with the right to enter into a deferred payment agreement without the requirement of a down payment, late fees or penalties.

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Clerk Murphy, as required by law, has composed a letter that is included with the water bills, being mailed today, explaining the new law and requirements of the municipality. It also states that the Town will accept a “self-certification” of any residential customer in any of the water districts in the Town of Lowville as proof of a change in financial circumstances due to the COVID-19 emergency. She also explained that the Board should have a written policy explaining the terms of the COVID-19 Pandemic Payment Deferral Plan. Clerk Murphy has drafted said plan.

After discussion, the Town Board decided that the plan will allow for residential water customers who make application for payment deferral to make payments as they deem affordable without penalty, with payment to be made in full within 180 days of the termination of the state of emergency (at this time, the state of emergency will expire on 03/21/2021, this date subject to change per Executive Order of the Governor). This wording will be added to the draft plan provided by Clerk Murphy.

**Motion** by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution #50-2020, COVID-19 Pandemic Payment Deferral Plan.**”

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

WHEREAS, in June 2020, Governor Cuomo signed into law Chapter 108 of the laws of 2020 which placed a moratorium on utility termination of services during a pandemic or state of emergency, and

WHEREAS, the law states the utility provider will offer residential customers the opportunity to enter into a deferred payment agreement without the requirement of a down payment, late fees or penalties, then therefore be it

RESOLVED, that the Town of Lowville adopts a COVID-19 Pandemic Payment Deferral Plan and COVID-19 Pandemic Payment Deferral Request Form, and be it further

RESOLVED, that this plan takes effect immediately.

*\*\* A copy of the COVID-19 Pandemic Payment Deferral Plan and the COVID-19 Pandemic Payment Deferral Request Form are attached to the end of these minute proceedings.*

**Youth Recreation**

Supervisor Schell reported that the floor at the ice rink is completed. They are looking into guidance to opening the ice rink this winter for a COVID-safe skating program. Supervisor Schell will send the information provided to him to NYMIR for their opinion on opening the rink this winter.

Councilman Virkler stated that he is in possession of a full-size ping-pong table that he would like to donate. Supervisor Schell suggested contacting Double Play in Lowville, the South Lewis School recreation program or Brookside Senior Living Center as places that may accept the donation.

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With no further business being brought before the Board,  
**Motion** by Councilman Ross, seconded by Councilman Mullin, the meeting is adjourned  
at 10:38 a.m.

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

Respectfully Submitted,

Aimee L. Murphy  
Town Clerk

**Town of Lowville  
Water Department**

**COVID-19 Pandemic Payment Deferral Plan**

On June 17, 2020, Governor Cuomo signed into law Chapter 108 of the Laws of 2020 which amended the Public Services Law that places a moratorium on utility termination of services during a pandemic or state of emergency.

The Town of Lowville shall not terminate or discontinue residential service for nonpayment of bills, or fees for the duration of the COVID-19 state of emergency. Additionally, the town is prohibited from terminating utility service for a period of 180 days following the COVID-19 state of emergency.

The Town of Lowville will provide residential customers that have experienced a change in financial circumstances due to COVID-19 with the right to enter into a deferred payment agreement without the requirement of a down payment, late fees or penalties.

The Town of Lowville will provide notice to their residential customers, in writing, to be included with their bill stating that the customers will not lose service during the pandemic if they cannot pay due to COVID-19 financial issues.

In compliance with the law, the Town of Lowville will accept a "self-certification" of any residential customer in any of the water districts located in the Town of Lowville as proof of a change in financial circumstances due to the COVID-19 emergency. This certification will be made on the "COVID-19 Pandemic Payment Deferral Request Form" attached at the end of this plan. The completed form will be presented to the office of the Town of Lowville Water Clerk and serve as the written request to enter into the Payment Deferral program.

Upon receipt of the completed Payment Deferral Request Form, the Water Clerk will cease to cause any further penalties or fees to be assessed to the water account. The customer will be given the opportunity to make partial payments to the outstanding balance due for water without penalty until 180 days following the COVID-19 state of emergency. Bills will be due in full within 180 days of the termination of the state of emergency. (The state of emergency is due to expire on 3/21/2021). This program does NOT apply to any portion of the customer's SEWER bill.

**Town of Lowville**  
**COVID-19 Pandemic Payment Deferral Request Form**

If you are a residential water customer of the Town of Lowville, and you have a change in financial circumstances due to COVID-19, you have the right to enter into a deferred payment agreement without the requirement of a down payment, late fees or penalties.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Account Number: \_\_\_\_\_

Please take note that the law does not eliminate a customer's obligation to pay accrued charges.

It should also be noted that the law amendment does not address the sewer portion of your bill and is not included in any deferred payment agreement.

"I attest that due to the COVID-19 state of emergency, which began on March 7, 2020, I have experienced a change in financial circumstances."

Signature: \_\_\_\_\_

**WATER DEPARTMENT USE:**

Approval of Deferred Payment Plan:

Terms of Deferred Payment Plan: \_\_\_\_\_

Supporting Documentation Provided: \_\_\_\_\_

\_\_\_\_\_

Signature of Water Clerk: \_\_\_\_\_