

**Town of Lowville Regular Board Meeting
December 17, 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 17th day of December 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
Thomas Widrick, Highway Superintendent/Special Districts Superintendent
Nicholas Astafan, Jr., Dog Control Officer

Present Via Zoom: Raymond Meier, Town Attorney, Mickey Dietrich, RACOG

Also Present: Paul Denise, Village of Lowville

The meeting was called to order at 9:34 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 November 19, 2020 regular board meeting.

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

CORRESPONDENCE

Memo to Village of CWD#1: Supervisor Schell sent a memo to the Village of Lowville Municipal Board suggesting an increase in the charge to the Village for water transported though Town water lines to Village water customers. He requested an increase from \$1/unit to \$1.50/unit of water.

Volunteer Transportation Center: Request for funds.

Number Three Wind: Amendment to the Certificate of Environmental Compatibility and Public Need. Requesting 2 fewer turbines and associated collection lines and access roads and a change in the actual turbines as the previously approved turbines are no longer commercially available.

VOUCHERS

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

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

General - Abstract #12	Voucher # 356 to # 405	\$124,446.62
Highway - Abstract #12	Voucher # 135 to # 147	\$ 9,390.49

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Trust & Agency	(11/30/2020)	\$ 3,921.63
	(12/17/2020)	\$ 42,356.73
	Total Expenditures	\$180,115.47

SUPERVISOR’S REPORT

Receipts:	Town Clerk	\$ 1,296.37
	CEO.....	\$ 0.00 (\$23,014.82 ytd)
	Town Court	\$ 2,058.00
	Zoning	\$ 100.00
	NYMIR.....	\$ 2,043.80 (F350 repair)
	T/Martinsburg	\$ 1,200.00 (Lost Water WD#5)
	NYS.....	\$ 854.00 (JCAP – sanitizer)
	NYS AIM.....	\$20,401.00

The Supervisor’s activities report and financial report are in the board member’s packets.

A brief discussion about the winter recreation program. Supervisor Schell believes that the ice-skating program will open, with some minor changes including the need to hire an additional staff person to assist with cleaning/disinfecting .

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

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

DEPARTMENT REPORTS

Attorney:

- Teamsters Contract Ratification: Discussed changes to the teamster’s contract that were accepted.

Motion by Councilman Ross, seconded by Councilman Mullin to adopt **Resolution #54-2020, “Approving Teamsters Contract”**.

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

Whereas the Town of Lowville and the Teamsters Union#687 have entered into negotiations for the contract period 1/1/2021 through 12/31/2023, and the negotiations have come to a close, then therefore be it,

RESOLVED that the Town of Lowville accepts the final agreed upon terms for the contact and authorize Supervisor Schell to sign the teamster’s contract.

- MJL Crushing/GraRoc: Verbal Complaints have been received by Zoning Officer Manning Discussion about potential violations of conditions of the special use permit. There have been no written complaints received. If a written complaint were to be received, then the Code Enforcement Officer would be able to act on the violation and issue citation for appearance in local court. Currently, due to Covid-19, the courts are not open for in-person appearance, so any citations would be adjourned until the courts are back in session. Attorney Meier will look into who can revoke the special use permit and what procedures would need to be followed. He believes that a revocation of the permit would most certainly end up with a law suit being filed against the town. No action taken by the board at this time.

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- Volunteer Transportation Center: Attorney Meier stated that if the Town wanted to provide funds to the VTC, a contract would be needed for a legitimate town service with a specific purpose. Supervisor Schell has a contract that was used previously for this purpose that could be modified for current use.

Motion by Councilman Mullin, seconded by Councilwoman Larabee to adopt **Resolution #55-2020 “Approving Contract with the Volunteer Transportation Center”**.

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

Whereas the Volunteer Transportation Center, Inc. provides transportation services to the citizens of the Town of Lowville and,

Whereas the Town of Lowville is desirous of promoting opportunities for transportation amongst its citizens, then therefore be it

RESOLVED that the Town of Lowville hereby agrees to pay the VTC \$1,000.00, and Supervisor Schell is authorized to sign the contract with the VTC for services provided to the citizens of the Town of Lowville.

**Copy of said agreement is incorporated at the end of these minutes.*

Town Clerk/Tax Collector

- Town Clerk’s Monthly Report is in Board Members’ Packets & Daily Log passed for review.
- Received notice of Blast at GraRoc Quarry on December 8th.
- Getting ready for tax collection season. A voucher was submitted for the \$120 fee for the credit card processing program. The Tax Collector will deposit this in the tax collection account for automatic payment by Xpress Pay. Collections will continue as in years past, subject to change due to COVID-19 circumstances.
- Clerk Murphy requested permission to close the town offices at noon on December 24th and 31st.

Motion by Councilwoman Larabee, seconded by Councilman Virkler to permit the closing of the town offices at 12:00 pm on December 24, 2020 and December 31, 2020.

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

CEO

The CEO officer’s report is in the Board Member’s packets.

Superintendent of Highways/ Special Districts Superintendent

- Foundation and floor for the new GAC building have been poured. Tap for the building has been made on the 6-inch supply line. GAC building is scheduled for delivery in February of 2021.
- 2016 F350 has been repaired and is back in service.
- Superintendent Widrick has been working with the County and the neighboring Town Highway Superintendents on a plan to plow our or neighboring roads in the event of a COVID outbreak in one or more of the departments.
- A plan has been implemented to reduce staff at the garage and to separate the men in an effort to avoid a COVID outbreak.
- Ox Paper – Currently there is no master meter at the facility. The fire protection system is also not metered at this time. If there are leaks, the amount of water must be estimated. Superintendent Widrick has approached the business about installation of a master meter and split the cost between the Town and Ox Paper. There are current leak issues at this time, and Superintendent Widrick feels it would be the perfect time to install a meter while Ox Paper is having the leaks repaired.

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Discussion followed about installing meters at multiple places in the town such as at Hillcrest & Sunset, where the Town supplies water for Village residents due to water pressure issues. This also occurs at the DSS and Jail buildings. No action taken.

Supervisor Schell stated that he would like to payoff the Community Bank loan for CWD#1 water project with funds from the USDA loan to save interest. No action taken.

DCO

- Activities Report in board members' packets.
- Still working with getting licenses and rabies vaccinations caught up.
- DCO and Deputy DCO visited the Humane Society to see recent improvements.
- Requested review of the Dog Control Officer Agreement for 2021.

Motion by Councilman Mullin, seconded by Councilwoman Larabee, to adopt **Resolution No. 56-2020 "Agreement for Dog Control Officer Services"**.

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

RESOLVED, that the Town of Lowville will contract with Nicholas J. Astafan Jr. for Dog Control Officer Services for 2021 at a monthly rate of compensation of \$541.67 plus mileage.

**Copy of said agreement is incorporated at the end of these minutes.*

Supervisor Schell reported that he has sent the Towns of Denmark and New Bremen bills for the shared contractual expenses for Dog Control.

RACOG

Mickey Dietrich gave a brief update of the happenings at RACOG.

Old Business

Administrative Order CWD#1: Supervisor Schell reported that the next quarterly report is due in January.

New Business

Re-organizational/End of Year Meeting

The Re-Organizational/End of Year meeting will be held on December 30, 2020 at 9:30 a.m. at the Town of Lowville Municipal Building. Town Clerk will advertise in the Journal & Republican, on the Town's website, Town Clerk Bulletin Board and on Linkinglewiscounty.com.

Motion by Councilman Ross, seconded by Councilman Mullin to adjourn the meeting at 10:47 a.m.

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk