

**Town of Lowville  
Year End/Reorganization Meeting  
December 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 30<sup>th</sup> 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:** Paul Virkler, Deputy Supervisor  
Ruth Larabee, Councilwoman  
Robert Mullin, Councilman  
John D. Ross, Councilman  
Aimee Murphy, Town Clerk  
Thomas Widrick, Highway Superintendent/Special Districts Superintendent

**Present Via Zoom:** Randall Schell, Supervisor; Raymond Meier, Town Attorney; Nicholas Astafan Jr., DCO; Mariah Monnat, Deputy Town Clerk

The meeting was called to order at 9:32 a.m. by Deputy Supervisor Virkler who also led the Pledge of Allegiance.

This meeting was held to conduct year-end Town business, re-organize for the coming year and any other business that comes before the board. Notice of Special meeting was posted on the Town Clerk’s bulletin board, the Town of Lowville website and published on linkinglewiscounty.com and the Lowville Journal & Republican, proof of publication provided.

**MINUTES**

**Motion** by Councilwoman Larabee, seconded by Councilman Mullin to approve the minutes of the December 17, 2020 regular board meeting.

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

**VOUCHERS**

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

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

General	#406 to #416	\$ 5,443.46
Highway	#148 to #153	\$ 3,133.81
Trust & Agency	(12/23/2020)	\$ 9,814.47
	(12/30/2020)	<u>\$ 1,932.76</u>
	Total	\$20,324.50

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**Motion** by Councilwoman Larabee, seconded by Councilman Mullin, to adopt **Resolution No. 57-2020 “Agreement for the Expenditure of Highway Moneys”**.

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

RESOLVED, Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, shall be expended as follows:

General Repairs. The sum of \$190,000.00 shall be set aside to be expended for primary work and general repairs upon 37.97 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

Permanent Improvements. The following Sum shall be set aside to be expended for the permanent improvement of town highways: (a) On various roads maintained by the Town of Lowville there shall be expended not over the sum of \$262,019.00.

*\* A copy of this Agreement is incorporated at the end of these minutes.*

**APPOINTMENTS**

**One year appointments: (Term of office: 01/01/2021-12/31/2021)**

Accountant Scott Lawrence	Bookkeeper/Budget Officer
Nicholas Astafan Jr.	Dog Control Officer
John Young	Deputy Dog Control Officer
BobbieJo Marra	Deputy Dog Control Officer
Charlotte Beagle	Historian
Katharine Manning	Zoning Officer
Joseph Pfeiffer Jr.	Code Enforcement Officer
Teresa LaParr	Data Collector for Assessor
Janet Lee	Ice Rink Manager
Nick Hetzner	Ice Rink Assistant
Haydn Draper	Ice Rink Assistant

**Motion** by Councilman Mullin seconded by Councilman Ross to approve the foregoing one year appointments by the Town Board.

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

**Health Officer: (Term of Office: 01/01/2021 – 12/31/2023)**

Dyana Manning is hereby appointed Health Officer for the Town of Lowville, completing the unexpired term of Sean Harney.

**Motion** by Councilwoman Larabee, seconded by Councilman Mullin to approve the foregoing appointment.

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

**Five year appointments: (Term of office 01/01/2021-12/31/2025)**

Melvin Zehr II	Recreation Commission
Jeffrey Sauter	Planning Board Member

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**Motion** by Councilwoman Larabee, seconded by Councilman Ross to approve the foregoing 5 year appointments.

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

Clerk Murphy reported that there is a vacancy on the ZBA as Brian Bush will not be accepting reappointment. Supervisor Schell reported that Eric Virkler is interested on sitting on a board. Following a brief discussion, it was decided that Clerk Murphy will advertise on the Town’s website and linking lewiscounty.com that there is a vacancy on the ZBA and see if any other interested parties step forward.

**2021 Meeting Dates**

**Motion** by Councilman Mullin seconded by Councilman Ross to set the 2021 Town of Lowville Town Board meetings for the third Thursday of each month at 9:30 a.m. at the Town of Lowville Municipal Building.

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

**Designate Financial Institution**

**Motion** by Councilman Mullin seconded by Councilwoman Larabee designating Community Bank N.A. and Key Bank N.A. as financial depositories for the Town of Lowville for 2021.

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

**Official Newspaper**

**Motion** by Councilwoman Larabee seconded by Councilman Mullin to designate the Journal & Republican as the official newspaper and the Watertown Daily Times as the alternate for the Town of Lowville for 2021.

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

**Mileage Rate**

Motion by Councilman Ross seconded by Councilwoman Larabee to keep the mileage reimbursement rate at \$0.50/mile.

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

**Bills Prior to Audit**

**Motion** by Councilwoman Larabee seconded by Councilman Virkler to adopt **Resolution #58-2020, “Authorizing Supervisor Schell to Pay in Advance of Audit”**.

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

RESOLVED that the Town Supervisor is authorized to pay in advance of audit, all utility services, phone & internet bills, postage bills, water testing charges and fringe benefits when due in 2021.

**Procurement Policy**

The policy was discussed by the board.

**Motion** by Councilman Mullin, seconded by Councilman Ross to leave the procurement policy as it is.

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

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**Investment Policy**

The policy was reviewed by the board.

**Motion** by Councilman Ross, seconded by Councilwoman Larabee to leave the investment policy as it is.

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

**Elected and Appointed Officials Attending Training Sessions**

**Motion** by Councilwoman Larabee, seconded by Councilman Virkler to adopt **Resolution No. 59-2020 “Attendance of Elected and Appointed Officials at Training Sessions.”**

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

WHEREAS, certain elected and appointed officials of the Town of Lowville are required to attend training sessions as part of their official duties on behalf of the Town, and

WHEREAS, occasionally it appears that attendance at such training sessions may occur when prior Town Board approval is not able to be obtained, and

WHEREAS, the Town believes it is important for their elected and appointed officials to be well trained and informed so that their official duties may be carried out on behalf of the Town.

NOW, THEREFORE, be it

RESOLVED, that elected and appointed officials of the Town may attend training sessions for their position without prior Town Board approval, in the event such prior Town Board approval is unable to be obtained prior to the scheduled date of the training session in question, and it is further

RESOLVED, that the elected or appointed official who attends such a training session shall report at the next regularly scheduled Town Board meeting concerning the attendance at the training session.

**Undertaking Covering Officers, Clerks and Employees of the Town of Lowville**

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to adopt **Resolution No. 60-2020 “Approving the Form and Amount of a Blanket Undertaking Covering Officers, Clerks, and Employees of the Town of Lowville”.**

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

WHEREAS, Town Law §25 provides that the Town Supervisor, Town Clerk, Collector of Taxes, Town Justices and Town Superintendent of Highways, must execute and file with the Town Clerk an undertaking in such amounts as may be approved by the Town board;

WHEREAS, Public Officers Law §11(2) further provides that it is permissible with the consent and approval of the officer or governing body authorized to require the undertaking, for the Town to procure a blanket undertaking from any duly authorized corporate surety covering officers, clerks and employees;

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NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Town Board hereby approves the following undertakings for the Town Clerk/Tax Collector in the amount of \$150,000; the Town Supervisor in the amount of \$150,000; the Town Justice in the amount of \$150,000; and the Town Highway Superintendent in the amount of \$150,000; to be obtained from a corporate surety company duly authorized to do business in the State of New York for the purpose of covering the Town Clerk/Tax Collector, Town Supervisor, Town Justice and Town Highway Superintendent of the Town of Lowville and that such officers, clerks and employees will faithfully discharge the duties of his or her office, and all trusts imposed upon him or her by law by virtue of his or her office, including the duty of promptly accounting for and paying over all moneys or property received by him as such officer, in accordance with law, and that if the said officers, clerks or employees fail to perform any of the above-mentioned conditions or is in default thereof, that the said corporate surety named herein will pay to the said Town and to the People of the State of New York, all damages, costs and expenses resulting from such default, not exceeding the sum specified above.

Section 2. That a certified copy of this Resolution shall be filed with the Town Clerk's office.

Section 3. That this Resolution shall take effect immediately.

**Personnel Salaries**

A list of salaries and fringe benefits was provided to the board. After a brief discussion, the following resolution was presented.

**Motion** by Councilman Ross, seconded by Councilwoman Larabee to adopt **Resolution No. 61-2020 "Salaries for Elected and Appointed Officers and Employees."**

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

Be it resolved, that salaries for elected and appointed officers and employees be the same as set in the Town's Budget for 2021 with the following exceptions:

Justice Court Clerk	\$300/month
Data Collector/Administrative Assistant to Assessor	\$13.50/hr.
Ice Rink Manager	\$13.00/hr.
Ice Rink Assistants	\$12.50/hr.
Code Enforcement Officer	\$19.90/hr. for 21 hrs./wk.
Zoning Officer	\$15.25/hr. for 15 hrs./wk.

**Cleaning Services**

The Town Board reviewed the proposed contract for cleaning services beginning January 1, 2021. After a brief discussion the following motion was presented.

**Motion** by Councilman Mullin, seconded by Councilwoman Larabee to approve **Resolution No. 62-2020 "Cleaning Services Contract."**

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

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Be it Resolved that Supervisor Schell is authorized to enter into a contract with Susan Chapman for cleaning services at the Town of Lowville Municipal Building with compensation being set at \$12.50/hr. as stated in the contract.

*\* A copy of said contract is incorporated at the end of these minutes*

**Ambulance Contract**

Clerk Murphy has received a copy of the proposed Ambulance Contract for 2021 with Lewis County Search and Rescue. Supervisor Schell stated that the requested contract amount is what was budgeted for in the Town's budget for 2021. Following a brief discussion the following resolution was made.

**Motion** by Councilwoman Larabee, seconded by Councilman Mullin to adopt **Resolution No. 64-2020 "Approving the Ambulance Contract 2021"**.

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

RESOLVED, that the Town of Lowville does hereby enter into an agreement with the Lewis County Search and Rescue, Inc., to provide ambulance services to the Town of Lowville and its residents for 2021 for a fee of \$19,878.89.

**USDA Grant & Loan**

Supervisor Schell reported that he has spoken with Eric Johnson from USDA. \$600,000.00 must be spent for the loan money for the CWD#1 Water Project to be released. Supervisor Schell would like to be able to pay off the Community Bank bond when the loan money is received, to avoid having to pay some interest. No action taken at this time.

**New Business**

**Zoning**

Councilman Ross would like to apply for a zone change for parcels between the Ross Rd. and the Markowski Rd. A brief discussion took place. Clerk Murphy will get an application to him.

**Water**

Councilman Mullin asked if there has been any action by the Municipal Board regarding the request to increase reimbursement rate. Supervisor Schell discussed the process and stated that the next Municipal Board meeting will be on January 12, 2021 and that he plans to attend.

**Motion** by Councilman Ross seconded by Councilman Mullin to adjourn the meeting at 10:12 a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC  
Town Clerk

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December 30, 2020

For  
2021

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

AGREEMENT between the Town Superintendent of the Town of Lowville  
Lewis County, New York, and the undersigned members of the Town Board.  
Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected  
in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair  
and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 155,242.00 shall be set aside to be expended for primary work and  
general repairs upon 37.97 miles of town highways, including sluices, culverts and bridges having a span of  
less than five feet and boardwalks or the renewals thereof.

2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent  
improvement of town highways:

(a) On the road commencing at various roads maintained by the  
Town of Lowville and leading to \_\_\_\_\_  
a distance of \_\_\_\_\_ miles there shall be expended not  
over the sum of \$ 262,019.00  
Type \_\_\_\_\_ Width of traveled surface \_\_\_\_\_  
Thickness \_\_\_\_\_  
Subbase \_\_\_\_\_

(b) On the road commencing at \_\_\_\_\_  
and leading to \_\_\_\_\_  
a distance of \_\_\_\_\_ miles there shall be expended not  
over the sum of \$ \_\_\_\_\_  
Type \_\_\_\_\_ Width of traveled surface \_\_\_\_\_  
Thickness \_\_\_\_\_  
Subbase \_\_\_\_\_

(c) On the road commencing at \_\_\_\_\_  
and leading to \_\_\_\_\_  
a distance of \_\_\_\_\_ miles there shall be expended not  
over the sum of \$ \_\_\_\_\_  
Type \_\_\_\_\_ Width of traveled surface \_\_\_\_\_  
Thickness \_\_\_\_\_  
Subbase \_\_\_\_\_

RECEIVED

JAN 5 2021

LEWIS COUNTY  
DEPARTMENT OF HIGHWAYS

Executed in duplicate this 30<sup>th</sup> day of December, 2020

[Signature]  
Supervisor

\_\_\_\_\_  
Town Justice - Councilman

[Signature]  
Town Justice - Councilman  
Councilman

[Signature]  
Councilman  
Councilman

[Signature]  
Councilman  
[Signature]  
County Superintendent of Highways

[Signature]  
Councilman  
[Signature]  
Town Superintendent

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town  
Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's  
office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

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TOWN OF LOWVILLE  
AGREEMENT FOR CLEANING SERVICES

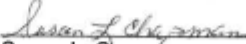
This Agreement is made the 30<sup>th</sup> day of December, 2020 between the Town of Lowville (hereafter referred to as "Town"), a municipal corporation under the laws of the State of New York with Offices at 5533 Bostwick Street, Lowville, New York 13367 and Susan L. Chapman (hereafter referred to as "Chapman") who resides at \_\_\_\_\_ Number Four Road, Lowville, New York 13367.

1. ENGAGEMENT OF SERVICES.: Town wishes to engage Chapman to conduct cleaning services the Town of Lowville of Lowville Municipal Building pursuant to all of the terms and conditions of this Agreement as well as all pertinent state and local laws, rules and regulations.
2. TERM.: The term of this Agreement shall commence on January 1, 2021 and shall continue at the discretion of the Town Board, unless terminated earlier as provided for herein. The Town Board retains the right, at any time, to terminate this Agreement if, in its sole judgment and discretion, it determines that the duties set forth herein are not being adequately met.
3. DUTIES.: Chapman shall carry out all of those duties listed by the Town Supervisor of the Town of Lowville.
4. COMPENSATION.: Town shall pay Chapman the hourly rate of \$12.50 per hour. Chapman shall submit a voucher to Town for compensation on a form approved by Town.
5. INDEPENDENT CONTRACTOR.: The relationship between Chapman and the Town shall be that of an independent contractor. Chapman will set her own hours and determine in her sound discretion the best manner, place and time to meet her duties as Cleaner. Town will issue a 1099 form to Chapman annually and Chapman will be responsible for the reporting and payment of any taxes.

In Witness Whereof, we have signed our names on the dates set forth hereafter.

THE TOWN OF LOWVILLE

By:   
Randall Schell, Supervisor  
Date: 1/5/21

  
Susan L. Chapman  
Date: 1/5/21