

**Town of Lowville Regular Board Meeting  
November 19, 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 19th day of November 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  
John Youngs, Deputy DCO

**Also Present:** Henry Avallone

**Also Present via Zoom:** Mickey Dietrich, Tug Hill Commission; Raymond Meier, Town Attorney; Marguerite Wells, Invenergy; Charles Terrillion; and approximately 1 unknown participant.

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

**MINUTES**

**Motion** by Councilman Mullin, seconded by Councilman Virkler to approve the minutes of the October 15, 2020 regular board meeting.

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

**Motion** by Councilwoman Larabee, seconded by Councilman Ross to approve the minutes of the October 30, 2020 special board meeting.

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

**CORRESPONDENCE**

- Matuszczak letter: Acknowledging work has been done on the “Hospital Hill drainage” project. Excellent job done!
- Roaring Brook Transmission Line map modification: Town of Martinsburg wind farm which the Town of Lowville has a road agreement with.
- Ag & Markets – Shelter report: Completed inspection of shelter on 10/21/2020. Found to be “Satisfactory”.
- Ag & Markets – Solar Ag Land: No unreasonable adverse effect on the continuing viability of farm enterprises within the district or State environmental plans, policies and objectives

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**VOUCHERS**

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

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

General – Abstract #11	Voucher #314 to #355	\$ 129,206.42
Highway - Abstract #11	Voucher #118 to #134	\$ 68,761.70
Trust & Agency	(10/28/20)	\$ 12,996.97
	(11/19/20)	\$ <u>13,919.93</u>
		\$ 224,885.02

**SUPERVISOR’S REPORT**

Receipts:	Town Clerk.....	\$ 1,452.16
	Town Court.....	2,920.00
	CEO.....	15,484.00 (\$23,014.82 ytd)
	Zoning.....	720.00 (\$2,367.50 ytd)
	V/Lowville.....	5,691.64 (Planning/ZBA reimburse)
	NYS.....	77,545.50 (CHIPS, Winter Rec., etc)
	Sale of Truck.....	31,500.00
	NYS.....	44,617.15 (Bal. of Sen. Griffo Grant)
	Lewis County.....	24,953.76 (Mortgage Tax)

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

**Motion** by Councilwoman Laribee, seconded by Councilman Virkler to accept the Supervisor’s receipts, activities and financial reports.

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

**DEPARTMENT REPORTS**

**ATTORNEY**

-#3 Wind Host Community Agreement: Copies of the proposed agreement and resolution were presented to the Board Members. Atty Meier reviewed briefly with the board. After discussion, the following motion was presented.

**Motion** by Councilman Mullin, seconded by Councilwoman Laribee to adopt **Resolution #51-2020 “Number Three Wind LLC Host Community Agreement.”**

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

WHEREAS Number Three Wind, LLC has received necessary approvals to construct a wind energy project in the Town of Lowville; and

WHEREAS there exist certain circumstances which make it appropriate for the Town and Number Three Wind, LLC to establish a Host Community Agreement; and

WHEREAS a true and complete copy of the proposed agreement is attached hereto and is incorporated herein.

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NOW, THEREFORE be it resolved:

1. That the Town Board approves the aforementioned and attached Host Community Agreement; and
2. That the Town Board authorizes and directs the Supervisor to sign the Host Community Agreement on behalf of the Town.

-OYA Solar: No response

**TOWN HISTORIAN**

Supervisor Schell reported that no work will be done on the East Road Cemetery until next spring. The \$7,000.00 (\$4,000 George David Grant + \$3,000 Donation) will roll over to 2021.

**TOWN CLERK**

- Clerk's Monthly Report in Board Members' Packets & Daily Log has been passed for review.
- Completed Water relevies to County for inclusion on January tax bills.
- Completed November Water billing and mailing. Had one phone call regarding the deferred payment plan, but no applications have been received as yet.

Discussion regarding Landlord/Tenant obligation in regard to the deferred payment plan. Attorney Meier advised that only the property owner should be allowed to enter into a deferred payment plan.

- Filed Certificate of No Referendum for the Purchase of the F350 Crew Cab w/Plow and the F150 Trucks.
- Started sending out surveys with dog license renewals asking if people are interested in being able to renew online. Also put the survey on the town's website and [linkinglewiscounty.com](http://linkinglewiscounty.com). Have had few responses.

**CEO**

Monthly report is included in the Board Members' packets.

**SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS**

- Work has started on the water plant upgrades. GAC building is scheduled for January delivery. Installed pumps at PS1 and a new meter at PS2 yesterday. Made a tap on 6" supply line from PS1 to PS2.
- 2016 F350 was damaged in a backing accident with a plow. Superintendent Widrick is working with the insurance company on getting it repaired.
- Removed old pumps from PS1 Since both pumps are still in working order, Superintendent Widrick would like them declared as surplus and list them for sale with Tyler McDonald of the Constableville Auction Hall.

**Motion** by Councilman Mullin, seconded by Councilman Virkler to adopt **Resolution #52-2020 "Declaration as Surplus and List for Sale Used Water Pumps."**

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

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WHEREAS, the Town of Lowville Highway Department has two (2) water pumps that are no longer of use to the Town of Lowville and wish to declare them as surplus items and

WHEREAS, the Constableville Auction Hall has expressed interest in helping the Town sell surplus equipment via auction,

BE IT RESOLVED, that the Town of Lowville declares the two (2) used water pumps as surplus and

BE IT FURTHER RESOLVED, that the surplus items will be listed with the Constableville Auction Hall for sale via auction.

- Paperwork for CHIPS reimbursement in the amount of \$37,011.59 has been submitted.
- Hospital Hill drainage project is complete.
- Ross Road drainage will be done next spring/summer when ground is drier. Materials have been purchased. Will submit cost for reimbursement through grant.

**Fire Contract**

The Public Hearing for the Fire Contract 2021 was declared open by Supervisor Schell at 10:02 a.m. Town Clerk Murphy provided proof of publication in the Lowville Journal & Republican as well as posting in the Town of Lowville website, the Town Clerk's Bulletin Board and on LinkingLewisCounty.com being acknowledged.

**DCO**

- Monthly report is included in board members' packets.
- Deputy DCO John Youngs stated that things are going well. They are trying to help get the word out about the town clerk's dog licensing survey.

**RACOG**

Mickey Dietrich gave a brief update on the happenings of RACOG and the Tug Hill Commission.  
Village of Lowville is thinking about joining RACOG.

**OLD BUSINESS**

Administrative Order CWD#1: Supervisor Schell stated that his next report is due 01/15/2021. The project needs to be completed by the end of June 2021.

**NEW BUSINESS**

**Clean Energy Community Presentation:** County Planning Department has hired a new person with experience working to make clean energy communities. Supervisor Schell thought it would be a good idea to set up a presentation for the Town Board. Joules Energy is a company that will assist municipalities with becoming clean energy communities.

Accountant Scott Lawrence entered the meeting at 10:18 a.m.

There were no comments by the public regarding the Fire Contract for 2021.

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**Motion** by Councilman Mullin, seconded by Councilman Ross to close the public hearing on the 2021 Fire Contract.

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

**Motion** by Councilwoman Larabee seconded by Councilman Ross to adopt **Resolution No. 53-2020 “Authorizing Supervisor to sign the 2021 Fire Protection Contract”**.

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

WHEREAS, the Town of Lowville held a public hearing on November 19, 2020 on the 2021 Fire Protection Contract, and

WHEREAS, there was no public comment, and

WHEREAS, the Town Board deems it is in the best interest of the Town of Lowville to enter into this Fire Protection Contract, then, therefore

BE IT RESOLVED, that the Supervisor is authorized to sign the Fire Protection Contract for 2021.

**Budget Officer/Bookkeeper**

Accountant Lawrence reviewed the financials through October 31, 2020 with the Board. He believes the town is in “Good Shape”.

**Motion** by Councilman Mullin, seconded by Councilman Ross to enter into executive session at 10:39 a.m. to discuss collective bargaining.

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

**Motion** by Councilwoman Larabee seconded by Councilman Ross to leave executive session at 11:12 a.m.

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

There will be a vacancy on the ZBA as Brian Bush will not be accepting reappointment when his term expires on 12/31/2020.

**Motion** by Councilman Ross, seconded by Councilman Mullin to adjourn the meeting at 11:13 a.m.

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

Respectfully submitted,

Aimee L. Murphy, RMC  
Town Clerk