

**Town of Lowville Regular Board Meeting
September 16, 2021**

DRAFT

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 16th day of September 2021.

This meeting was also broadcast via Zoom Video Conference.

Present: Randy Schell, Supervisor
Paul Virkler, Deputy Supervisor
John D. Ross, Councilman
Robert Mullin, Councilman
Vacant, Councilman
Aimee L. Murphy, Town Clerk
Thomas Widrick, Highway Superintendent/Special Districts Superintendent

Also Present: Chuck Terrillion, Village of Lowville Trustee; Henry Avallone, BAR; Paul Denise, Village of Lowville DPW; Cassandra Buell, Lewis County Planning; Doug Miller, Terry Brown & Dr. Neil Murphy, Miller Engineers

Also Present via Zoom: Mickey Dietrich, Tug Hill Commission; Ray Meier, Town Attorney;

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 Ross to approve the minutes of the August 19, 2021 regular board meeting.

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

CORRESPONDENCE

- Worker’s Compensation Rate
- Department of Budget for New York State: ARPA extra funds
- LACS Shelter: The Town of Lowville has agreed to house approximately 100 people in the event of an emergency, at the Town Municipal Building.

VOUCHERS

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

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

General – Abstract #9	Voucher #263 to #293	\$ 38,437.10
Highway - Abstract #9	Voucher #86 to #96	\$ 9,881.18
Capital Water – Abstract #9	Voucher #23 to #25	\$ 4,572.76
Trust & Agency	(08/31/21)	<u>\$ 11,022.14</u>
	Total	\$ 63,913.18

SUPERVISOR’S REPORT

Receipts:	Town Clerk	\$ 1,992.01
	Town Clerk (DECALS)	\$ 1.10
	Town Court	\$ 3,210.00



CEO	\$ 776.00 (\$5,076.69 ytd)
Zoning	\$ 250.00 (\$3,306.61 ytd)
USDA Grant WD#1	\$366,843.84
NYMIR (Rebate)	\$ 331.10
Retirees Health Insurance	\$ 3,455.88
ARPA Additional \$\$	\$ 313.20
Community Bank	\$ 528.67 (Collateral on Bond note)

Supervisor Schell’s activities and financial reports are included in Board Members’ Packets.

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

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

DEPARTMENT REPORTS

ATTORNEY

Codes Department: Supervisor Schell and Councilman Mullin met with Lewis County Representatives regarding the possibility of the Town turning over the Codes Department to the County. A local law needs to be passed in order to complete this. A public hearing will need to be set on the local law.

Motion by Councilman Ross, seconded by Councilman Mullin adopting **Resolution No. 27-2021 “Setting a Public Hearing for Local Law #2-2021”**.

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

RESOLVED, that a Public Hearing will be held by the Town Board of the Town of Lowville on October 21, 2021, at 10:00 a.m. to consider the adoption of “proposed” Local Law No. 2 of 2021 “A Local Law Opting Out of the Enforcement and Administration of the New York State Uniform Building and Fire Code Pursuant to Section 381 of the New York State Executive Law.”.

TOWN CLERK

- Clerk’s Monthly Report is in the Board Members’ Packets and Daily Log has been passed for review.

- Mailed Delinquent/Relevy Water notices for unpaid accounts with payment due by 10/20/2021. A list of these accounts is in the Board Members’ Packets. According to Lewis County Real Property, we will be able to relevy after 12/31/2021.

- Results of online dog licensing survey: Against – 65; For – 44; Maybe - 3

Surveyed dog owners over the last 12 months. Did not receive as many surveys back as we would have liked. Additional comments included “want to be able to license online, but see no reason to have to pay more to do it”; “Dog licenses cost enough, don’t need any more unemployed people in Lewis County”; and “You should not do anything that would increase costs for the resident”.

- Hunting license sales continue steadily.

- Received 2022 Exemption Questionnaire from Lewis County Real Property Tax Services office.

Copy of the 2022 Lewis County Exemption Chart included in Board Member’s packets. Spoke with Assessor Gratch, she suggested no changes. Need to pass resolution approving exemptions for 2022, copy of proposed resolution is also included in packets.

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution #28-2021, “Tax Exemptions to Remain the Same.”**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

WHEREAS, the Lewis County Real Property Tax Services Office has requested to know whether there are any changes in the tax exemptions allowed by the Town, and

WHEREAS, the Town's assessing unit has recommended that there be no changes in the exemptions allowed, then, therefore be it

RESOLVED, that the Town Board of the Town of Lowville adopts the present level of tax exemption for the Fiscal Year 2022 as recommended by the Town's Assessor.

CEO

Monthly Report included in the Board Members' packets.

SUPERINTENDENT OF HIGHWAYS/SPECIAL DISTRICTS

- Working on replacing culvert pipes on the Ridge Road.
- Ross Road pipe installation is complete. Councilman Ross said that the project looks good. Supervisor Schell thanked the Village and the County for their assistance.
- Seasonal roads: Declared Hoffman, Nefsey and Wilcox Road as seasonal limited use highways. Copy of letter forwarded to Lewis County Sheriff's Department.

**Copy of letter attached to end of these minutes.*

- Selling water to Cranesville concrete plant on Rice Road for 1.5 cents per gallon. They are getting the water from either the dead-end hydrant on Rt 12 or at the hydrant at the Seeber Farm.
- There are pressure tanks from CWD #1, pump station #2 that have never been used, and Superintendent Widrick does not see where they will ever be used there. He is requesting to have the tanks declared as surplus and would like to sell them with Constableville Auction Hall.

Motion by Councilman Virkler, seconded by Councilman Mullin to adopt **Resolution #29-2021, "Declaration as Surplus and List for sale Pressure Tanks."**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

WHEREAS, the Town of Lowville Water Department has items no longer of use to the Town of Lowville and wish to declare them as surplus items, then therefore

BE IT RESOLVED, that the Town of Lowville declares the following items as surplus:

- 3 – Pressure Tanks

BE IT FURTHER RESOLVED, that the Special Districts Superintendent has permission to sell the item by auction with the Constableville Auction Hall.

- Superintendent Widrick asked the Town Board to set the hourly rate for the winter employee.

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution #30-2021, "Setting Hourly Rate of Pay for Seasonal Highway Employee."**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

RESOLVED, that the rate of pay for the seasonal highway employee be set at \$15.00/hour.

PUBLIC HEARING

Supervisor Schell declared the Public Hearing for CWD#1 Benefit Assessment Rolls and Rates open at 10:00 a.m. Clerk Murphy provided proof of publication in the Lowville Journal & Republican and stated that postcards were mailed to land owners in the CWD#1 District. Supervisor Schell stated that

the cost per unit for the Benefit Assessments will be raised \$25 per unit in order to cover the cost of the new debt incurred from the DBP Control System project. A copy of the proposed Benefit Assessment Roll was provided to the Town Board. Supervisor Schell left the public hearing open for comments to be heard.

DCO

- Monthly report is included in board members' packets.

ASSESSOR

Henry Avallone's term of office on the Board of Assessment Review will expire on September 30, 2021. Clerk Murphy spoke with Mr. Avallone, and he is agreeable to serving another 5 year term.

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution No. 31-2021, "Appointing BAR Member"**.

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

RESOLVED, that Henry Avallone be re-appointed to the Town of Lowville Board of Assessment Review with a term of office of October 1, 2021 thru September 30, 2026.

BUDGET OFFICER/BOOKKEEPER

The 2022 Tentative Budget was presented to the Town Board. Supervisor Schell reviewed the budget with the Board. After review and discussion, the following resolution was presented.

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution #32-2021, Adopting Town of Lowville Preliminary Budget for 2022."**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

WHEREAS, the Town of Lowville Town Board did review the Tentative Budget of this town for the fiscal year beginning January 1, 2022, and

WHEREAS, discussion concerning the budget was held at the September 16, 2021 meeting, then, therefore be it

RESOLVED, that the 2022 Tentative budget for the Town of Lowville with changes be adopted as the 2022 Preliminary Budget.

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution #33-2021, "Setting the Public Hearing for the Town of Lowville Preliminary Budget for 2022."**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

WHEREAS, it is necessary to hold a public hearing for the Town of Lowville Preliminary Budget for 2022, 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 October 21, 2021, at a Regular Town Board meeting at 10:20 a.m.

WATER/SEWER

Board Members were provided a proposed budget for the Water and Sewer Districts along with a proposed rate chart for 2022 water and sewer rates. A brief discussion followed.

Motion by Councilman Virkler, seconded by Councilman Ross to adopt **Resolution #34-2021, “Setting the Public Hearing for Water and Sewer Budgets for 2022.”**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

WHEREAS, it is necessary to hold a public hearing for Water and Sewer Budgets for 2022, and

WHEREAS, it is necessary for the public hearings 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 October 21, 2021 at the Regular Town Board meeting at 10:15 a.m.

Motion by Councilman Virkler, seconded by Councilman Ross to adopt **Resolution No. 35-2021, “Adoption of Water and Sewer Rates for 2022”.**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

RESOLVED that the water and sewer rates will stay the same for 2022.

RACOG

Mickey Dietrich gave a brief update on the happenings at the Tug Hill Commission. The next meeting of RACOG will be September 20, 2021 at 6:00 p.m. via Zoom.

NEW BUSINESS

CENTRAL LEWIS COUNTY REGIONAL WATER STUDY

Doug Miller, Terry Brown and Dr. Neil Murphy of Miller Engineers spoke to the Board regarding the Central Lewis County Regional Water Study. Following their presentation, they asked for feed-back from the Board.

LEWIS COUNTY FAÇADE & STREETScape IMPROVEMENT PROGRAM

Cassandra Buell of the Lewis County Planning Department gave a brief presentation on the Lewis County Façade & Streetscape Program. This program is being funded with ARPA funds received by the County. The goal is to revitalize the historic character and attractiveness of villages and hamlets in Lewis County through public and private investment. It is open to private businesses as well as to municipalities. Applications for funding are due by November 5, 2021.

Motion by Councilman Mullin, seconded by Councilman Ross to close the Public Hearing on the CWD#1 Benefit Assessment Rolls and Rates at 11:18 a.m.

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

Motion by Councilman Virkler, seconded by Councilman Mullin to adopt **Resolution No. 36-2021, “Adoption of Benefit Assessment Rolls for CWD#1 for 2022.”**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

WHEREAS, the Town Board held a public hearing on the Benefit Assessments Roll for Consolidated Water District #1 and the Benefit Assessment rate/unit for CWD#1 on September 16, 2021, where public comment was heard, and

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

WHEREAS, the Town Board deems that in order to pay for the newly incurred debt for CWD#1, the Benefit Assessment rate/unit needs to be raised by \$25; 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 and the rate/unit will be raised to \$130/unit.

HEALTH INSURANCE

Ron Griffin of Relph Benefit Specialists spoke regarding the options available to the Town for current employee’s health insurance.

Building Usage

Current rate for Town/Village usage of the municipal building in 56/44. A brief discussion followed.

Motion by Councilman Mullin, seconded by Councilman Virkler that the building usage percentage for 2022 remain the same at 56 Town/ 44 Village.

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

EXECUTIVE SESSION

Motion by Councilman Virkler, seconded by Councilman Ross to enter into Executive Session at 11:44 a.m. to consider appointment to the Town Board to fill the vacancy and to consider compensation for certain employees.

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

Motion by Councilman Mullin, seconded by Councilman Virkler to exit executive session and enter back into regular session at 12:25 a.m.

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

BOARD VACANCY

Motion by Councilman Ross, seconded by Councilman Virkler to appoint Helen Birchenough to fill the term of Ruth Larabee on the Town Board, effective 09/20/2021 through 12/31/2022, at which time the position will be on the ballot for the general election.

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

PREMIUM PAY TO ELIGIBLE WORKERS PERFORMING ESSENTIAL WORK

The ARPA allows Municipalities to provide compensation to eligible workers who performed essential work during the COVID19 Pandemic. The Town of Lowville Town Board would like to recognize two (2) employees of the Town of Lowville for their exemplary services during the COVID pandemic.

Motion by Councilman Mullin, seconded by Councilman Ross to adopt **Resolution No. 37-2021, “Premium Pay to Eligible Workers Performing Essential Work.”**

ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

WHEREAS, the Town Board of the Town of Lowville would like to recognize Highway/Special Districts Superintendent Thomas Widrick and Deputy Town Clerk Mariah Monnat for stepping-up and fulfilling their duties as well as those of others who were unable to do so; then, therefore be it

RESOLVED, that Superintendent Widrick be given premium pay in the amount of \$1500.00 and Deputy Town Clerk Monnat be given premium pay in the amount of \$600 with the gratitude of the Town Board.

With no further business the following motion was presented.

Motion by Councilman Ross, seconded by Councilman Mullin to adjourn the meeting at 12:30 p.m.
ADOPTED - AYES – Mullin, Ross, Schell, Virkler NAYS – 0 VACANCY - 1

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk