VILLAGE OF LOWVILLE
BOARD OF TRUSTEES

Meeting Minutes
June 17, 2020

Call to Order

A regular meeting of the Board of Trustees of the Village of Lowville was called to order at 4:00 PM on June 17, 2020 by Mayor Joseph Beagle.

Roll Call:

Meeting included the following board members:

Mayor Joseph Beagle *Trustee Edward Murphy* *Trustee Danny Salmon*
Trustee Timothy Widrick *Trustee Charles Truax by phone*

Others:
Paul Denise *Pam Roes* *Atty. Joseph Russell by phone* *Nick Altmire*
Ryan Churchill *Kevin Bamaan* *Joseph Austin* *Mary Jo Mushtare*
Bruce Mushtare *Richard Mushtare* *Richard Defone*
Cheryl Defone *Bob Merry* *Shirley Merry* *Sheila Yarina*
Lisa Hetzner

Orders of the Day:

- **Public Hearing – Local Law Amendment – Definition of "Junkyard":**

4:03 PM – Motion by Trustee Murphy, seconded by Trustee Widrick to open public hearing for proposed amendment to the local law with the definition of "Junkyard". All in favor.

5:01 PM – Motion by Trustee Murphy, seconded by Trustee Widrick to close the public hearing. All in favor.

- **Public Hearing – Local Law Amendment – No Parking – Section of Church Street:**

4:04 PM – Motion by Trustee Widrick, seconded by Trustee Murphy to open public hearing for proposed local law amendment to make a portion of Church Street a "no parking zone". All in favor.

Public Comments:

- Bruce Mushtare stated that he had written a letter to the Board about the Church Street "no parking" proposal (included in correspondence). He stated that they have a very limited parking space for their vehicles and have parked in front of house from necessity.

- Mary Jo Mushtare stated that the three residents of their house each own a vehicle and they come and go at various times during the day. It's inconceivable to not be able to park there as there is nowhere else to park.

- Shirley Merry asked if anyone had approached the owner of the duplex and asked those people to not park in the street, as they have a very long driveway.

5:05 PM – Motion by Trustee Murphy, seconded by Trustee Salmon to close the public hearing. All in favor.

Approval of Minutes/Excuse Board Members:

Motion by Trustee Salmon, seconded by Trustee Murphy to approve the minutes of the May 20th, 2020 regular meeting. All in favor.

Approval of Vouchers:

Motion by Trustee Salmon, seconded by Trustee Murphy to approve the vouchers as audited. All in favor.

A #013	$ 11,251.06
F #013	$ 13,405.65
G #013	$ 14,103.51
HA #013	$ 943,487.32

Motion by Trustee Salmon, seconded by Trustee Murphy to approve the vouchers as audited. All in favor.

A #001	$ 49,733.35
F #001	$ 24,119.88
G #001	$ 22,063.04

Unfinished Business:

a. **Five Street/Utility Reconstruction Project**:

- Kevin Bamaan, GYMO, reported that with there being no school and less traffic, the contractor has been able to make good progress on Trinity Ave. There is a little bit more to complete on Trinity and then they will move to Shady Ave. and Park Ave. The project should be able to be finished by the end of the year. The pump station is almost completed and should be ready for startup within the next month.

- Change Order #8 - $60,396.48

  Motion by Trustee Salmon, seconded by Trustee Widrick to authorize the Mayor to sign Change Order #8 in the amount of $60,396.48. All in favor.

b. **WWTP Upgrades**:

- Phase II:
  - Amendment to Owner-Engineer Agreement: Ryan Churchill, GYMO, stated that the amendment credits the Village for the original Phase II work that did not happen and for an Equalization report that was not completed.

    Motion by Trustee Widrick, seconded by Trustee Murphy to authorize the Mayor to sign the Amendment to Owner-Engineer Agreement for Phase I and II Improvements. All in favor.

c. **Village Water System:**

- Watson Water Agreements: - Atty. Russell reported that he had forwarded the amended water service agreement to Atty. Meier for Watson's July Board meeting.
- Groundwater Development Project: - Ryan Churchill, GYMO, reported that bids went out on the 15th for development of the two test wells and are due to be opened on July 9th. The Notice of Award may be able to be done at the July 15th Board meeting. Final completion of project is scheduled for October 8th. An email was received from Jeff Smith, Municipal Solutions, stating that WIIA funds are not available at this time, as the Village's WIIA grant has not yet closed with NYSEFC. The time frame for release of grant awards is unknown. Mayor Beagle reported that Municipal Solutions will be preparing a federal grant application for an Economic Development Administrative grant.
- Water Supply Investigation - (Property Owner Proposal): - No Update.

d. **Outdoor Street Lighting LED Conversion Program:**

- Correspondence – National Grid – Amended Street Light Acquisition Pricing Proposal. Purchase pricing proposal received is significantly higher than pricing proposal that had been received in February 2019.
- Mayor Beagle reported that municipalities are receiving amended pricing and buyback documents from National Grid at a much higher cost than was originally received. NYPA will be working with National Grid and the Public Service Commission on this issue.

e. **Local Law Amendment – Definition of "Junkyard" found in Zoning Code:**

- Environmental Assessment Form: Atty. Russell went through questions on form with the Board.

Motion by Trustee Truax, seconded by Trustee Salmon to make a negative declaration on the EAF as presented. All in favor.

Motion by Trustee Salmon, seconded by Trustee Widrick to approve adoption of local law as listed above for a definition of "Junkyard". All in favor.

f. **Local Law Amendment – No Parking – Section of Church Street:**

- Environmental Assessment Form: Atty. Russell went through questions on form with the Board.

Motion by Trustee Murphy, seconded by Trustee Widrick to make a negative declaration on the EAF as presented. All in favor.

- Discussion was held by the Board, after consideration of public comments and correspondence. There was a consensus by the Board to make only the West side of a portion of Church Street as a "no parking" area as opposed to both the East and West side as "no parking".

Motion by Trustee Salmon, seconded by Trustee Widrick to approve adoption of local law to make the West side of Church St. as a "no parking" area from the intersection of Waters St and Church St. to the top of the hill for a distance of 475 feet. All in favor.

g. **NYSEG – Ross Road:**

- Atty. Russell reported that there has been very little movement by NYSEG. He did speak with a NYSEG attorney today but received no answer on this issue, as they claim COVID-19 has prevented progress. Trustee Salmon stated that he finds this unacceptable after this amount of time and would like to proceed with legal action.

h. **Bus Shelters:**

- No Update.

i. **Noise Issues:**

- Trustee Widrick reported on research he had done regarding noise issues, such as jake brakes, loud exhaust, etc. The State does have decibel limits depending on the speed limit, they will put up signs if municipality will enforce but, it's difficult to enforce. You cannot regulate jake-brakes, as they are a safety feature. There was a meeting with the Chief of Police and Officer in Charge to discuss enforcement plans.

New Business:

a. Yearly Contracts:

- Payment to Library - $7,500.

  Motion by Trustee Truax, seconded by Trustee Murphy to authorize the Mayor to sign contract with Lowville Free Library in the amount of $7500. All in favor.

- Payment from LACS – Sanding/Sweeping.

  Motion by Trustee Murphy, seconded by Trustee Salmon to authorize the Mayor to sign contract with LACS in the amount of $6457.82 for sanding/sweeping for the 2020-2021 season. All in favor.

b. Lewis County Request – Periodic Closure of Shady Ave.:

- After a closure of Shady Ave. from June 5th to 7th for an impromptu outdoor food court initiated by the County, the County would like to see the continued closing of Shady Ave. every other Saturday from 11:00 AM to 9:00 PM for outdoor restaurant seating. Paperwork would need to be submitted to the NYS Liquor Authority from the Village and the restaurant establishment. There was much discussion by the Board and input from the owner of Jeb's Restaurant (see public comment). The Board did not act to close Shady Ave. as requested above. It was discussed that the Village consider putting tables on the four-corners parking lot available to any restaurant patrons. Trustee Widrick stated that he feels at some point the Village needs to have an outdoor seating permitting process. He has been looking at other municipalities laws and will continue to research this possibility.

c. Property Maintenance of Shrubs:

- Trustee Salmon gave information to the Board about shrubs located at the corner of Stowe St. and Cascade St. that limit visibility. Atty. Russell stated that the DPW has a right to maintain intersections if it is a public safety issue. Trustee Widrick stated that it is a zoning issue also and a violation notice may be where to start with this issue.

d. Rental Properties Parking:

- Trustee Salmon suggested that permit parking be considered for rental properties using the Commons Parking Lot.

e. *5622* Water Street Property Purchase Offer:

- Mayor Beagle reported that a purchase offer was received on the property at 5622 Water Street located next to the E. State St. pump house.

  Motion by Trustee Truax, seconded by Trustee Murphy to authorize the Mayor to sign the purchase agreement in the amount of $85,000 for the sale of the property at 5622 Water Street. All in favor.

Correspondence:

a. Brian Western – re: Rainstorm events / Stormwater overflow. Mr. Western informed the Board of damages to his property as a result of stormwater overflow from certain rainstorm events. He requests that the Village consider both short- and long-term upgrades to resolve this issue. Supt. Denise stated that he had contacted Mr. Western and discussed installing pre-cast curbing as a solution to deflect the direction of the stormwater flow.

   Motion by Trustee Salmon, seconded by Trustee Murphy to authorize the DPW to install pre-cast curbing as listed above. All in favor.

b. Joe Austin (Lowville Fire Department) – re: Notification of election of Officers, Chief's Annual Report for 2019-20 and notification of new Fire Dept. member, John Molnar.

   Motion by Trustee Salmon, seconded by Trustee Murphy to approve John Molnar as a new Fire Dept. member and approve of election of Officers. All in favor.

c. Jefferson County Dept. of Planning – re: North Country HOME Consortium re-authorization will automatically renew.

d. Excellus BlueCross BlueShield– re: Proposed premium rate change for Bronze 4 Plan of 7.9%.

e. Bruce Mushtare – re: Church Street Parking. Request for the Board to exempt their address from the proposed "no parking" law or to allow them to park in the area located between the sidewalk and road. A picture of the area was included with correspondence.

Officers & Committee Reports:

a. **Village Attorney:**

- None.

b. **Mayor**:

- Mayor Beagle reported that there may be a possibility that the Recreation Commission may take over the lease on the playground located at the Fairground. This is an ongoing project.

c. **Clerk/Treasurer**:

- None.

d. **Chief of Police**:

- Mayor Beagle reported that he had talked with Chief Roggie and they had discussed the Governor's new requirements that will need to be in place by April 1st.

e. **Superintendent**:

- Supt. Denise reported that he has five streets that he would like to pave with CHIPS funding this year (Elm St., Clinton St., Easton St., Collins St. & Lanpher St.). The only bid he received was from Barrett Paving Materials in the amount of $90,266.

  Motion by Trustee Salmon, seconded by Trustee Murphy to authorize Supt. Denise to proceed with the CHIPS paving as listed above. All in favor.

- Supt. Denise reported that he has a number of items that he would like to be declared surplus, such as a 1999 New Holland Skidsteer, 1982 SMI Snowblower with engine problems, a curbing machine, a backhoe attachment, tires, motors, an old generator, etc.

  Motion by Trustee Widrick, seconded by Trustee Salmon to declare items as listed above as surplus. All in favor.

  Motion by Trustee Salmon, seconded by Trustee Widrick to authorize Supt. Denise to place at auction as he sees fit. All in favor.

f. **Capital / Future Planning**

- None.

g. **Personnel:**

- None.

h. **Finance:**

- Trustee Murphy reported that bank statement audits for the office are completed to April. Trustee Salmon reported that bank statement audits for the Justice Court are complete through May.

i. **Liaisons:**

- Fire Department:
  - None.
- Police Department:
  - None.
- Joint Planning Bd./ZBA:
  - None.

- Municipal Board:
  - The next Municipal Board meeting will be held on July 14th at 6:00 pm.
- Town:
  - None.
- County:
  - None.
- Recreation:
  - Trustee Murphy stated that there was a possibility of Double Play doing some sort of recreation program later in the year at the school. There would be no involvement from the Village.

Public Comment:

- Emerson Metzler, owner Jeb's Restaurant, spoke concerning the temporary closing of Shady Ave. that occurred the weekend of June 5th in order to accommodate an outdoor food court. He expressed appreciation for the idea behind the closure and stated that it was not helpful, but hurtful to his business and listed numerous problems that they experienced because of the Street closure. He suggested putting tables on the four-corners parking lot that would be a benefit all of the businesses downtown. He appreciates that something was tried, but the closure was not a well thought out plan.

- Joe Austin, speaking from a Fire Department standpoint, stated that it is a nightmare to have Shady Ave. closed for any portion of time.

- Trustee Truax stated that the COVID-19 virus is still with us and he wants to remind the community to continue to be safe by following safety practices and to keep your guard up, beware, it isn't over.

Executive Session:

- None.

Adjournment:

5:45 PM - Motion by Trustee Murphy, seconded by Trustee Salmon to adjourn the meeting. All in favor.

Minutes submitted by: _____
PJR *Clerk/Treasurer*