VILLAGE OF LOWVILLE
BOARD OF TRUSTEES

Meeting Minutes
September 15, 2021

Call to Order

A regular meeting of the Board of Trustees of the Village of Lowville was called to order at 3:55 PM on September 15th, 2021, by Mayor Joseph Beagle.

Roll Call:

Meeting included the following board members:

Mayor Joseph Beagle *Trustee Danny Salmon* *Trustee Charles Terrillion*
Trustee Timothy Widrick *Trustee Edward Murphy*

Others:
Paul Denise *Randy Roggie* *Pam Roes* *Danielle St.Louis* *Richard Defone*
Henry Avallone *Atty. Mark Gebo* *Pat Scordo* *Mickey Dietrich* *Kevin Bamann*

Orders of the Day:

- Public Hearing – Local Law #5-2021– Amendment of Zoning Law Regarding Manufactured Homes:

3:55 PM – Motion by Trustee Murphy, seconded by Trustee Widrick to open the public hearing for the proposed local law amendment of zoning law regarding manufactured homes. All in favor.

Public Comment:

- None.

4:44PM – Motion by Trustee Widrick, seconded by Trustee Murphy to close the public hearing. All in favor.

Atty. Mark Gebo completed Part 2 and 3 of Full Environmental Assessment Form and requested a motion for the Board to make a negative declaration indicating that the project will result in no significant adverse impacts to the environment and therefore an Environmental Impact Statement be prepared. *Motion so moved by Trustee Salmon, seconded by Trustee Murphy. All in favor.*

Motion by Trustee Widrick, seconded by Trustee Murphy to adopt the Local Law #5-2021 for Manufactured Homes. All in favor.

- Public Hearing – Local Law #6-2021 – Amendment of Zoning Law Regarding Smoke Shops/Tobacco Stores:

  3:55 PM – Motion by Trustee Widrick, seconded by Trustee Salmon to open the public hearing for the proposed local law amendment of zoning law regarding smoke shops/tobacco stores. All in favor.

  Public Comment:
  - None.

  4:50PM – Motion by Trustee Salmon, seconded by Trustee Murphy to close the public hearing. All in favor.

  Atty. Mark Gebo completed Part 2 and Part 3 of Full Environmental Assessment Form and requested a motion for the Board to make a negative declaration.

  Motion by Trustee Murphy, seconded by Trustee Terrillion to make a negative declaration. All in favor.

  Motion by Trustee Salmon, seconded by Trustee Murphy to adopt the Local Law #6-2021 for Smoke Shops/Tobacco Stores.

Approval of Minutes/Excuse Board Members:

Motion by Trustee Murphy, seconded by Trustee Terrillion to approve the minutes of the August 18th, 2021, 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 #005	$ 61,256.76
F #005	$ 93,757.03
G#005	$ 15,800.47
HA #005	$ 152,912.23

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

Unfinished Business:

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

- Kevin Bamann reported that Highlander has completed paving on Trinity Avenue and all painting and striping has been completed. Street signage still needs to be put up and based upon his understanding this was to begin tomorrow, September 16, 2021. The pay app for Highlander still needs to be finalized with the change application.

- Trustee Salmon and Trustee Terrillion noted they were approached by a citizen who was unhappy with the work on Trinity Avenue as there were still water puddles on this road. Supt. Denise explained that they took the worst sections of the driving lanes and redid them as a compromise with Highlander. If the entire street was to be redone the work would not have been completed this year. Supt. Denise said he approved the streets as they are now as the issue could be corrected later.

b. **Phase II WWTP Upgrades**:

- The Lagoon Construction Work and the Mechanical Construction Work bids were received:

<u>Construction Work:</u>	
American Process Group	$3,275,328.00
Marcy Excavation	$5,275,247.00
<u>Mechanical Work:</u>	
ENI Mechanical dba Empire Northeast, Inc.	$ 21,900.00

Motion by Trustee Salmon, seconded by Trustee Murphy to accept base bid for American Process Group. All in favor.

Motion by Trustee Murphy, seconded by Trustee Widrick to accept base bid for ENI Mechanical. All in favor.

c. **Groundwater Well Development Project:**

- Municipal Solutions proposed an amendment of fees to be increased by an additional $5,000.

  Motion by Trustee Salmon, seconded by Trustee Terrillion to approve the increase of fees to the contract with Municipal Solutions. All in favor.

- Kevin Bamann noted that site plan approval was granted by New Bremen and site plan approval was to be voted on by Watson. A submission was made to the Department of Health in August for the new water infrastructure. A submission to the DEC for water supply permits is being constructed. Based on recent study conducted, the land can withstand a 2.4 MGD withdrawal. A new water supply permit is being written to request a 2.4 MGD withdrawal. Supt. Denise ensured that the water infrastructure can handle this amount of water. He wants to revisit the water and sewer rates with the Municipal Board next month.

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

- Mayor Beagle reported that National Grid has approved the letter of credit. There was an issue with the wording on the insurance certificate. NYMIR has since agreed to the insurance wording revision, and we are pending final acceptance by National Grid.

e. **Music in the Park:**

- Trustee Salmon reported that the concerts have finished for the year. He asked for permission to pursue grants to enable these events to occur next year. He also noted that the Fire Department may be involved in these events as well.

f. **Rezoning of Industrial Zone Options:**

- DRI application was submitted. A copy is available in the Clerk's office and on the Village website.

New Business:

a. Kraft Surcharges:

- July 2021 - $0.00

b. Industrial Water Surcharges:

- The Municipal Board recommended that proposed water surcharges for Industrial Accounts be approved by the Village Board and implemented by November 1, 2021, as follows:

  If weekly average water consumption exceeds the following:

  900,000 gallons – surcharge $5,000.00

  If daily water consumption exceeds the following amounts:

  1,100,00 gallons – surcharge $1,000.00
  1,200,00 gallons - surcharge $1,500.00
  1,300,00 gallons - surcharge $2,000.00

  Note: If the 3-million-gallon tank recedes to a level of 10' the Village will notify the Industrial Account holders. If the tank continues to recede reaching a level of 6' the Village will reduce flow to the Industrial Accounts.

- Mayor Beagle shared that Atty. Joseph Russell advises a local law be created and a public hearing be held in October 2021 regarding these water surcharges.

Motion by Trustee Terrillion, seconded by Trustee Murphy to approve Atty. Mark Gebo to draft a local law and schedule a public hearing for October 20, 2021. All in favor.

c. Budget Amendments:

Motion by Trustee Murphy, seconded by Trustee Salmon to approve of Water Fund budget amendments as presented. All in favor.

Motion by Trustee Widrick, seconded by Trustee Murphy to approve of Sewer Fund budget amendments as presented. All in favor.

d. 2022 Exemption Questionnaire:

Motion by Trustee Salmon, seconded by Trustee Murphy to approve of 2022 Exemption Questionnaire as noted based on it being consistent with prior year. All in favor.

e. New Position Duty Statement-Deputy Clerk/Treasurer:

- Mayor Beagle asked to recreate the position of Deputy Clerk/Treasurer.

Motion by Trustee Salmon, seconded by Trustee Murphy to create the position of Deputy Clerk/Treasurer. All in favor.

Clerk-Treasurer St. Louis requested a motion to appoint Wendy Snowden to the position of Deputy Clerk-Treasurer. *Motion moved by Trustee Salmon, seconded by Trustee Murphy to appoint Wendy Snowden to the position of Deputy Clerk/Treasurer. All in favor.*

f. Approval of Check Signers:

- Check signers currently include Mayor Joseph Beagle, Former Clerk-Treasurer Pamela Roes, and Deputy Clerk Wendy Snowden. Mayor Beagle asked for the Board's permission to add Clerk-Treasurer Danielle St. Louis as an authorized check signer as Former Clerk-Treasurer Pamela Roes will be removed.

Motion by Trustee Murphy, seconded by Trustee Terrillion to authorize Clerk-Treasurer Danielle St. Louis to be a check signer. All in favor.

g. Lowville Fire Department Budget:

- Village share for the 2022 budget is $64,372.78

Motion by Trustee Salmon, seconded by Trustee Widrick to approve Lowville Fire Department Budget. All in favor.

Correspondence:

a. Lewis County Planning Community Development – re: Zoning Text Amendment to Manufactured Homes. *Atty. Mark Gebo announced the grammatic changes stated in the correspondence were made.*

b. Lewis County Planning Community Development – re: Zoning Text Amendment to Smoke Shops/Tobacco Stores.

c. Lewis County Planning & Community Development – re: Site Plan Review for Groundwater Project.

d. Lewis County Memorial VFW – re: 20th Anniversary of 9/11/2001.

e. NYS Division of Budget – re: ARPA Coronavirus Local Fiscal Recovery Fund. Additional allocation of $1,381.24 brings total allocation of funding to $339,691.29.

f. RAGOC – re: September 2021 Newsletter.

g. Lowville Fire Department – re: New Member.

Motion by Trustee Salmon, seconded by Trustee Murphy to approve new member Jacob Thomas to the Lowville Fire Department. All in favor.

Officers & Committee Reports:

a. **Village Attorney:**

- Atty. Mark Gebo mentioned a legislative effort and movement to readdress New York's rules for remote and virtual attendance of meetings.

b. **Mayor:**

- Mayor Beagle reported that the new pole lights for Christmas have arrived and that a new Christmas tree will be placed in the park in October.

c. **Clerk/Treasurer:**

- None.

d. **Chief of Police:**

- Chief Roggie presented department reports to the Board.

e. **Superintendent:**

- Supt. Denise reported that the new fountain has arrived, and it should be installed in the upcoming weeks. He reported that Bostwick Street has been striped. State Street by the Commons has been striped by DOT and will hopefully deter people from pulling in there and pulling into the center lane. He requested that the 2007 International 440 Sander and 1996 Volvo Dump Truck be put into surplus. He asked for the Board's approval to purchase the Town of Martinsburg's 2007 International 5600 Dump Truck which is also a sander for $65,000.00. He also reported that Barrett's has been paving and will continue working to resurface many of the roads in the Village.

  Motion by Trustee Terrillion, seconded by Trustee Widrick to put the 2007 International 440 Sander and 1996 Volvo Dump Truck into surplus. All in favor.

  Motion by Trustee Murphy, seconded by Trustee Terrillion to purchase the 2007 International Dump Truck and Sander from the Town of Martinsburg for $65,000. All in favor.

f. **Capital / Future Planning:**

- None.

g. **Personnel:**

- Executive Session.

h. **Finance:**

- Trustee Murphy stated that he has not yet completed the audit or the vouchers and intended to do so tomorrow, September 16, 2021. Trustee Salmon stated that he had completed the audit.

i. **Liaisons:**

- Fire Department:
  - The annual audit summary is on file in the Clerk's office.
- Police Department:
  - Trustee Widrick noted the increase in the amount of traffic tickets issued. He noted the issue of dog control in the Village. The Village is currently utilizing the Town of Lowville's Dog Control Officer. The difference in the Town and Village dog laws were noted. A suggestion of the Village having its own Dog Control Officer was made. Trustee Salmon suggested we readdress this issue in the October 2021 meeting.
- Joint Planning Bd./ZBA:
  - Comprehensive Plan Committee meeting held on September 1, 2021, discussed the Town's land usage policies. The next meeting will be held on October 6, 2021 and discuss the Village's land usage policies.

- Municipal Board:
    - The industrial account water surcharge was the main topic of the most recent meeting. The next Municipal Board meeting will be held on October 12th, 2021, at 6:00 pm.
- Town:
    - None.
- County:
    - Trustee Salmon mentioned that Mayor Beagle and Supt. Denise attended the meeting in West Leyden and the issue of the water study was not discussed. The engineering firm will be at the County tonight, September 15, 2021, and will be attending the Town of Lowville's meeting tomorrow, September 16, 2021, to give a presentation.
- Recreation:
    - Dan Meyers is to provide a year-end report.
- RACOG:
    - Mickey Dietrich stated work is continuing with the Black River Historical Floating Museum.

Public Comment:

- None.

Executive Session:

Motion by Trustee Salmon, seconded by Trustee Murphy to adjourn the regular meeting and enter executive session for Attorney / Client communication at 5:21 PM. All in favor.

Motion by Trustee Murphy, seconded by Trustee Widrick to exit executive session at 5:58 PM. All in favor.

Adjournment:

6:00 PM - Motion by Trustee Widrick, seconded by Trustee Murphy to adjourn the meeting. All in favor.

Minutes submitted by: _____
DLS