

Minutes  
Varick Town Board  
April 3, 2007

The regular meeting of the Varick Town Board was called to order by Supervisor Joan Teichner at 7:05 p.m. Present at this meeting were Council members Curt Karlsen, Jeff Case, Richard Peterson and Kathy Russo, Highway Superintendent, Richard McCulloch, Town Clerk, Donna Karlsen, Water and Sewer Maintainer, Damon Nicholson, Planning Board members, Thomas Bjorkman and Kevin Swartly, Town Historian, Charmion Dinsmore and Seneca Transit Service representative, Bill White. Also present were Bob Hayssen and Miles Persing.

**Presenter:** Bill White from Seneca Transit Service reported that they have exceeded their anticipated number of riders. He reported that STS offers low-cost bus service with wheelchair accessibility, Monday through Friday offering routes that run from Junius to Lodi. Fares vary by route. Service for Senior Citizens, persons with disabilities and children ages 5-11 is one half of the adult fares. Children under 5 ride free. Mr. White also noted that if riders are unable to travel to the stop locations listed, they may call on the day before the ride to be picked up from locations within    of a mile from the route service. He reviewed the countywide demand response service that is offered Monday through Friday and the five routes they travel. He reported that STS receives aid in the amount of \$31,000 from the Federal Government, \$24,000 from the State and \$24,000 from Seneca County. He also reviewed the services that they pay Seneca County to perform for them, such as maintenance and the purchase of fuel, and estimated that they give back to Seneca County approximately \$42,000.

**Supervisors Report:** Mrs. Teichner reported that she learned from the Association of Towns that there is a tax incentive for fire fighters. She also reported that on Wednesday, April 25 at 6:30 p.m. at Romulus High School auditorium, Cilion will answer questions concerning the proposed Ethanol Plant at the former depot. Mrs. Teichner handed out the Statement of Expenditures, Encumbrances & Appropriations for March. The Town Justices expense account was questioned as it is overdrawn. Mrs. Teichner explained that the justice had been on vacation and there was no revenue received. It was noted that the justice's expenditure account is to be used for justice expenses only and this account needs to be corrected. Mrs. Teichner will look into this matter with the bookkeeper.

**Building Inspector:** Mrs. Teichner reported that she noticed Fred Jones is doing something on his property and contacted the health department. She also noted that the barn on 414 did get a building permit and Chris Covert also looked at the location with regards to the highway.

**Planning Board:** Thomas Bjorkman reported that the Planning Board established five different zones for the town. Institutional use which is land Hillside is currently situated on that was part of the former depot. The balance of the depot land is zoned conservation, recreation, and green energy. The hamlets of Romulus and Fayette are zoned

commercial. Lake shores are zoned recreational and residential, with the bulk of the land that is left in the Town of Varick being zoned rural residential and agricultural.

Mr. Bjorkman reported that the Planning Board wrote a letter to Seneca County IDA requesting some answers to some questions they had regarding Seneca County's declaration of a negative environmental impact for Empire Biofuels. Mr. Bjorkman stated that the board received a lengthy reply from Glenn Cooke and there is continuing communication between the county and the town. He stated that the Planning Board was satisfied with the information that was provided to them and that the county had satisfied the Planning Board's major concerns. Mr. Bjorkman also stated that the Town of Varick was never suggested or discussed as a proposed location for Empire Biofuels and the Planning Board's intent was not to scare them away from the town.

Mr. Bjorkman also reported that the town was well represented at the Dock and Moorings Forum that was held on March 29<sup>th</sup>.

**Highway:** Mrs. Teichner will contact Seneca Meadows to arrange for dumpsters and will advertise the Spring Clean Up in the papers.

Mr. McCulloch reported that he is unsure what road work will be done until he has a determination on Townline Road culvert project. He hopes to catch up on some ditch work and possibly get a mile or so of paving done. He also noted that he will have possession of the County grade-all to test. Mrs. Teichner noted that Chris Covert will be doing some work on the end of Townline Road. Mr. McCulloch noted that end belongs to the Town of Fayette and has nothing to do with the Town of Varick.

Mr. Peterson reported that he contacted Supervisor Barto with regards to McCormick Engineering and Townline Road. Supervisor Barto also indicated to Mr. Peterson that he is unable to get any response from Jason McCormick. Mr. Peterson doesn't feel that the town should have to sit on McCormick's doorstep to get him to fore fill his contract. Mrs. Teichner said she would get a hold of Supervisor Barto to see if they can arrange a meeting with McCormick. It was noted that presently Fayette has \$70,000 set aside for this project, but it is unsure how much longer this money will be kept available before it may be reassigned. Mr. Sipos provided an updated contract, however, Mrs. Teichner reported that Fayette still wasn't satisfied with the scope and sequence as Fayette felt it needs a dollar amount. Mrs. Teichner will contact Mr. Sipos regarding this matter.

A discussion was held regarding the size of pipe and alternative ways to address the Townline Road culvert. It is still felt that the size of pipe specified by McCormick is larger than what is needed. It was noted that this project does not currently have a municipal agreement in place, an engineer that is available or detailed plans in order for the boards to go out for bid. It was also felt that the highway superintendents do not need to be involved in the business end of the Townline project.

Mr. McCulloch reported that he has been monitoring the culvert's water flow and feels that a 4' pipe would be more than sufficient and could possibly be inserted through the 8'

pipe that currently exists, but he would not want to be held liable for any changes in the plan. He reminded the board of a conversation he had with an engineering firm doing work for Chemung County a year ago who estimated the cost to do this project at \$120,000. Any change in plans would need an engineer stamp. It was suggested that Mr. McCulloch contact this engineering firm again and have someone contact Peter Houghten to look at this as well.

**Seneca Lake Water:** Mr. Nicholson suggested that the DIG Safely phone number be changed from his home to the firehouse location or to the town clerk's phone. It was determined that the Dig Safely number would be set up at the firehouse and a fax/answering machine would be purchased. Mr. Nicholson will take care of this. It was also determined that all water turn on and shut off requests be directed to the phone at the firehouse, not to the billing department. The next mailing will list the correct number for these requests, which will be the firehouse number. It was also noted that the Seneca County directory needed to remove the Town of Romulus' phone number under Water and Sewer Maintainer. Mr. Nicholson also completed the inventory and suggested that the single axle trailer be sold as it isn't being used. Mr. McCulloch suggested that the trailer be put in the Palmyra Teitsworth auction and will get Mrs. Karlsen the information. Mr. Nicholson also reported that he located a curb stop under 6" of pavement which will need to be corrected. He noted that as the line gets older, there will be more issues such as this to be addressed.

A discussion took place regarding the replacement of the hydrant bolts. Mrs. Russo reported she hasn't advertised for any quote submittals as she doesn't know how to word the advertisement. She has been waiting for information from Mrs. Teichner. The board noted that the advertisement should be simply worded and request quotes for the replacement of hydrant valve cap bolts for Varick Sewer District No. 2 with a contact person at the town for more information. It was noted that an experienced contractor will know what is required to replace these bolts and a detailed description will not be needed in the advertisement. It was decided that the district would provide the bolts and Mrs. Teichner said she still is unsure if Kennedy will provide the replacement bolts at no cost and would like a sample of the old bolts. Mr. Karlsen suggested that in the future if there are questions such as Mrs. Russo had regarding the advertisement for the replacement of the bolts, that the other members of the town board should be consulted so that issues don't continue from one month to another with nothing being accomplished.

Mr. Nicholson requested a copy of the Seneca Lake Water District asbuilts. Mrs. Karlsen reminded Mrs. Teichner she took the town's original asbuilt of the Seneca Lake Water District for reference and never returned it. Mrs. Teichner was unsure what she did with them and asked Mr. Nicholson to make sure he doesn't have the original she took.

Mr. Case questioned Mrs. Teichner if she got the signed contract to the Village of Waterloo for the billing. Mrs. Teichner stated she wanted Mr. Sipos to review it before she signed it and asked Mrs. Karlsen when he would be back from vacation. Mrs. Karlsen told her Mr. Sipos would return Wednesday, April 4<sup>th</sup>. Mr. Case stated that Mrs. Teichner could have Mr. Sipos review the board approved agreement again but that a

signed copy needed to be to the Village of Waterloo before the April Village board meeting.

The Town of Fayette still has the proposed agreement with regards to the water line. Jeff Case reported that Mr. Sipos doesn't agree that if an assessment is assessed to the portion of the water line in Fayette, the residents in the Town of Varick would have to foot a portion of that bill.

**Varick Sewer District No. 2:** Mr. Nicholson reported that he completed his Class D operator's course. He also reported that he repaired a sewer break at the Parker residence. He noted that there was improper bedding at the connection and suggested replacing the connections with brass connectors. Mr. Karlsen reported that when Mr. Nicholson went to Hudson Pipe to purchase the needed supplies for this repair Hudson Pipe told Mr. Nicholson that Mrs. Teichner had just been in and told them that the only people who could charge anything for the town would be Richard McCulloch and Phil Knapp. As Mr. Nicholson needed these parts to repair the sewer leak, he had to charge them to his personal account. Mr. Karlsen reminded Mrs. Teichner that the town is to supply the necessary parts to do any repairs according to the agreement with Mr. Nicholson and she wasn't given any authorization to contact Hudson Pipe and change the status on the town's account. Mrs. Teichner stated that since this incident, she has contacted Hudson Pipe and set up accounts for the Sewer District and the Water District and added Mr. Nicholson's name to these accounts. She also stated she had the charges removed from Mr. Nicholson's account and put on the sewer account. Mr. Karlsen questioned Mrs. Teichner if she added Mr. Nicholson's name to the town's accounts at HEP and Geneva Electric so this would not happen again. Mrs. Teichner stated she had added Mr. Nicholson's name to these accounts as well. Mr. Karlsen reiterated that Mr. Nicholson shouldn't have been put in the position to have to charge town purchases on his personal charge account.

Mr. Nicholson noted that there was several extensions that are not needed. Mrs. Teichner indicated at a previous meeting that she thought Seiwert would give us credit for them and Siewert will be contacted to see if the town can return them for a credit. The board approved to have Mr. Nicholson connect the firehouse bathroom to the sewer district. Mr. Nicholson also reported that there are quite a few shut off valves that have been buried and should be located

The generator will be delivered once a wheel is installed. Mr. Peterson requested a quote from Witmer to place the plug for the generator from the outside to the inside for placement of the generator within the firehouse and the price for a pigtail.

A discussion also took place regarding electrical outages along the sewer line and the running of the grinder pumps and the use of a mobile generator to run the homeowner's grinders when needed. The issue of liability was raised and after some discussion it was determined that the board should continue with the original practice of requesting homeowners to limit their water usage during an electrical outage.

Mr. Case reported that he is still working on the placement of the bioxide system.

**Building:** Mr. Karlsen reported that Aaron Pundt was able to repair the electric to the door opener in the garage, but noted that the electrical system for the building is not to code and is dangerous and needs to be addressed.

A motion by Curt Karlsen, seconded by Kathy Russo and so carried to hire Aaron Pundt to repair the electric in the building to not exceed \$500.

Aaron Pundt will also give us an estimate to repair the back wall.

**Personnel:** Mrs. Russo reported that she advertised for the Summer Recreation Director and all applications will be sent to the county for their review.

A motion by Jeff Case, seconded by Curt Karlsen and so carried unanimously to approve the Town Clerk's report.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to approve Abstract 4, General, vouchers 07-37 to 07-48 in the amount of \$2,759.98, Seneca Lake Water, vouchers 07-11 to 07-17 in the amount of \$24,056.65, Highway, vouchers 07-13 to 07-18 in the amount of \$1,944.85, Varick Sewer District No. 2, vouchers 07-12 to 07-13 in the amount of \$853.05.

**Minutes:** Mrs. Teichner corrected her statement where she said the point system for funding has been changed to will be changed and asked this to be changed in the minutes and Mr. Peterson requested that his statement be added where he recommended to drop from the proposed Hamlet of Fayette Water District plan the area north of the Hamlet of Fayette to Leader Road to Ridge Road and south on Ridge Road back to the Hamlet.

A motion by Jeff Case, seconded by Curt Karlsen and so carried unanimously to approve the minutes with the recommended change and addition.

**Communications:** Mrs. Teichner received a letter from the State of New York Department of Health regarding the quality of drinking water in the Hamlet of Fayette. The Department of Health commended the Towns of Fayette and Town of Varick for working to address this matter.

The town also received a refund check in the amount of \$268.01 from Royce and Rosenkrans.

Jack Holley notified the town that commencing May 1<sup>st</sup> their department will be starting two large projects and suggested that the town hire a contractor to be on standby if they aren't available. It was noted that Damon Nicholson could do any work that we commission Jack Holley to do.

**Old Business:** Mrs. Teichner reported that Mr. Sipos reviewed the fire protection contract between the Towns of Romulus and Varick and the Romulus Volunteer Fire Department is consistent with past years, however confusion arises with the inclusion of the last two pages which was not attached to previous contracts. It is therefore Mr. Sipos' understanding that the last two pages will be deleted and the proposed contract will be in form and substance as previously prepared by the attorney for Romulus, James Gabriel. In such form, Mr. Sipos as Varick Town Attorney, approves the amended contract for 2007. Mrs. Teichner stated that the Town of Romulus as signed the contract with the changes in place. The board did not approve Mrs. Teichner to sign the contract as originally submitted changes based on Mr. Sipos' recommendation and the confusion over the area to be covered by fire protection.

A discussion was again held over the boundaries, which were set for Varick Volunteer Fire Department and a letter that was written regarding the dividing line at Kennedy Road which Mr. Case reported Varick Fire Department never received. It was noted that the Varick Fire Department is not currently in agreement with the boundary lines. The board also discussed the fire coverage for Finger Lakes Technology and Mr. Swartley offered to get information on this for the board and the Varick Fire Department.

A motion by Kathy Russo, seconded by Jeff Case and so carried to approve to have Thomas Bjorkman set up a website for the Town of Varick at a cost not to exceed \$10 per month.

Mr. Bjorkman will work with Mrs. Karlsen to develop this website.

Mr. Karlsen questioned Mrs. Teichner if she had paid Allardice's bill that was approved in December 2006 as she stated in the March meeting. He noted that he had been contacted by Allardice as they hadn't received their payment as of this date. Mrs. Teichner stated she had a question on the bill and consulted with Bonadio who told her not to pay it if she didn't feel it was correct. Mrs. Teichner stated that Bonadio offered to review this bill at a time when they would be working on our audit. Mrs. Teichner also referred to balance sheets that were provided by Allardice, which she had at the board table but refused to show the board or the clerk when requested. It was noted that those are part of Town record and are available for review. Mrs. Teichner also indicated that she never received the vouchers for the capital bills that were approved to be paid until recently. Mrs. Karlsen reported that she turned over all the approved capital vouchers to be paid to the bookkeeper January 17, 2007 when the funding for these bills had been received from Rural Development. Mr. Case questioned Mrs. Teichner as to why it took her four months to raise a question on Allardice's bill after it was unanimously board approved in December 2006 to be paid. He stated she could have even questioned it in January, but she didn't. The bill still isn't paid and yet when questioned in March if all the approved capital bills had been paid, she stated that the checks were written on March 3<sup>rd</sup> for all approved capital bills and mailed. Mr. Karlsen questioned Mrs. Teichner as to why she incorrectly stated she paid all the approved capital bills in March, when she new that wasn't so. He also expressed concern regarding the funding received from Rural Development to pay this bill and what Rural Development would do with these funds if

Allardice wasn't paid. Mrs. Teichner stated that she had already spoken to Rural Development and they are aware that she is holding Allardice's payment.

Mrs. Teichner, while being questioned about the board approved bills that are not being paid, and the bills that are continually being paid late, became upset and abruptly tried to adjourn the meeting. A discussion then took place as to whether the Supervisor can adjourn a meeting without a motion from the floor.

A motion by Joan Teichner, seconded by Kathy Russo to adjourn the meeting was then offered.

Roll Call:

Curt Karlsen	No
Jeff Case	No
Richard Peterson	Abstained
Kathy Russo	Yes
Joan Teichner	Yes

The motion was not carried.

The meeting continued with the discussion over the 2005 Summer Recreation program and the auditor's report that was to be provided on the programs expenditures, which had not been received as of this date. It was noted again to Mrs. Teichner that these records pertain to town business and are public record and are to be kept at the town offices for review, not at her home.

It was determined that since Allardice's bill for \$10,061 was unanimously approved to be paid by this board on December 5, 2006 and the capital funds were received from Rural Development, that if Mrs. Teichner continued to refuse to sign the check, Mr. Peterson, as Deputy Supervisor, would sign and mail it. Mrs. Teichner stated that if this was done she would not be held responsible for this payment.

The meeting was never officially adjourned.

Respectfully submitted

Donna Karlsen  
Town Clerk