

Varick Town Board
January 2, 2008

The regular meeting of the Varick Town Board was called to order by Supervisor Robert Hayssen at 7:00 p.m. Present were council members Jeff Case, John Saeli, Richard Peterson and Kathy Russo, Town Clerk, Donna Karlsen, Town Attorney, John Sipos, Planning Board, Thomas Bjorkman, Kevin Swartley, and Larry Peterson and Finger Lakes Times reporter, Paulette Likoudis.

Privilege of the Floor: Larry Peterson indicated his interest in being reappointed to the Planning Board.

Kevin Swartley expressed his opinion that the zoning ordinance should not have been adopted without the revisions the town board asked the zoning board to address being completed. Mr. Swartley raised questions regarding the wording and definitions on several ordinances, as well as questioned why lines were struck out from the adopted ordinance rather than removed. Mr. Swartley and Mr. Case also pointed out that truck parking is still illegal in all districts in the town as this particular line wasn't struck out from the final ordinance. Mr. Bjorkman acknowledged that line should have been struck out, but was missed when the ordinance was revised and he will correct this error. Mr. Swartley has hi-lited several areas of the ordinance he is concerned with and will provide a copy to the board for their review. He also informed the board that any changes to the adopted zoning regulations would need to follow the same process that was taken to implement the current zoning regulations. Mr. Swartley requested Mr. Bjorkman provide him with the zoning ordinance as a word document.

The question over the definition of "canned hunt" was also raised and who would be responsible for enforcing the zoning, and what the penalties would be. Mr. Sipos noted that the town passed a moratorium against "canned hunting" within the former Seneca Army Depot located in the Town of Varick while the state legislature can formulate a definition. The question is whether deer hunting within the depot is for controlling the deer population or making a profit. The code enforcement officer would be responsible for enforcing the zoning codes.

Planning Board: Mr. Swartley like Mr. Peterson expressed his interest in being reappointed to the Planning Board. Annie Bachman, currently a member of the Planning Board, asked that she be appointed to the Zoning Board of Appeals. This appointment would leave three vacancies on the Planning Board. Philip Knapp also wrote a letter expressing his interest in being appointed to this board. Mr. Hayssen also indicated that Lisa Sadlik and Susan Ottenweller are also interest in one of the three possible vacancies. Mr. Hayssen noted that members of this board consist of residents from the center of the town as well as the lakes. It was suggested that these appointments be tabled to give interested parties an opportunity to send in letters of interest for the board's review at the February meeting.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to table any action on the appointment to the Varick Town Planning Board.

Mr. Bjorkman reported that the Varick Planning Board has agreed to be lead agent for the environmental review process for any re-use plan submitted for land in the Town of Varick within the former Seneca Army Depot. He will notify the IDA and DEC by the established January 10th deadline. Mr. Hayssen noted that the Sessler Group has delayed their application 90 days for further review so no SEQR action is required and asked that any meetings held by the Planning Board with regards to this issue be publicized.

Zoning Board of Appeals: Mr. Stephany provided a letter of resignation to the Zoning Board of Appeals.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to appoint Annie Bachman to the Zoning Board of appeals.

Highway: Mr. Peterson reported that he is still working with Nozzolio's office and obtaining the \$25,000 funding for the Townline Road project.

Mr. Saeli noted that the town has the opportunity to make money by turning over its equipment every year. He suggested that the highway department go out for bid proposals for the replacement truck for the highway superintendent. It was decided that Mr. Saeli and Mr. Peterson will work with Mr. McCulloch to prepare specs comparable to the state's in order to advertise for bid proposals. Once the specs are completed, a legal notice prepared by Mr. Sipos will be entered into the Town's legal newspaper. The board will reserve the right to reject all bid proposals that will be opened at the February board meeting.

The following appointments were made:

Four (4) Year:

Deputy Town Clerk:	Misty Clark
Deputy Supervisor:	Richard Peterson
Deputy Highway Superintendent:	Philip Knapp
Registrar:	Donna Karlsen
Deputy Registrar:	Misty Clerk
Tax Collector:	Donna Karlsen
Deputy Tax Collector:	Misty Clark
Bookkeeper:	Carol Sipos

One (1) Year:

Auditing Highway, Water & Sewer:	Richard Peterson, John Saeli
Auditing General, Water & Sewer:	Jeff Case, Kathy Russo

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to appoint John Sipos as Attorney for the Town.

A motion by Kathy Russo, seconded by Jeff Case and so carried unanimously to appoint John Vincent as Dog Control Officer.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to appoint Donna Karlsen as Records Management Clerk.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to appoint Donna Karlsen as Tax Collector.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to appoint Donna Karlsen as Registrar.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to appoint Charmion Dinsmore as Town Historian.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to appoint Richard Foxx as Code Enforcement Officer.

Committees:

Highway Committee: John Saeli and Richard Peterson

Water & Sewer Committee: Jeff Case and John Saeli

Personnel: Kathy Russo

Banks: Community Bank, Five Star and First Niagara

Official Newspaper: The Reveille Between the Lakes

Varick Sewer District: Mr. Case reported that he is still working with Bruce Difederico on the location for the Bioxide system. He has heard nothing from Yaws on the pump motor and the drop tube still needs to be attached at the pump station. Mr. Case also reported that Damon Nicholson informed him that the master meter is not working and that a trench needs to be installed to drain water from this meter located at Sunset Bay. Mr. Nicholson also suggested that the town look into getting someone else locally if possible to look at the meter after reviewing the cost of travel and hourly wage for the current vendor.

A motion by Jeff Case seconded by Richard Peterson and so carried to have Damon Nicholson install a trench at the master meter located at Sunset Bay.

The board reviewed the revised proposals they received from Yaws Environmental and Nicholson Trucking to their current agreements. Mr. Case noted that currently no one is maintaining the generator or repairing the pumps. Mr. Saeli reported that Bob Helstrom might be interested in providing service to the district as well. Mr. Case and Mrs. Russo

reviewed with the board the procedure that was taken when seeking proposals for this position a year ago and stated that specifications were established for this position at that time. Mr. Saeli suggested the board seek other proposals. Mr. Case indicated that if proposals were to be sought they should have been sought at least two months ago as Yaws and Nicholson would have needed to be notified of termination of their agreements at that time and expressed his concern that the proposals already received would be compromised.

After further review, Mr. Sipos stated that Yaws existing agreement is still in effect, as they never notified the town of termination by November 1, 2007. Mr. Nicholson would have needed to terminate his contact by November 15. Both contracts automatically renewed without such notification to the town. Mr. Hayssen will contact Yaws Environmental and Mr. Case will contact Mr. Nicholson notifying them that their existing contracts have been renewed.

Mr. Case indicated again that with the renewal of the existing contacts, no one is maintaining the generator or rebuilding the pumps. It was noted that in the past Siewert was doing any needed repair while they were under warranty.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to hire Damon Nicholson at \$15 an hour to maintain the generator and a labor cost of \$150 each for repair of E-one pumps. All cost of parts is the responsibility of the district.

Seneca Lake Water: Mr. Saeli suggested forming a water advisory committee for Seneca Lake Water District. This committee of three would have no decision-making authority, but would bring any suggestions or concerns to the full board for review. The suggested members for this committee were John Long, Larry Peterson, and Edward Stephany. Mr. Saeli will contact them.

A motion by Robert Hayssen, seconded by Richard Peterson and so carried unanimously to give John Saeli permission to establish a Seneca Lake Water District advisory committee with John Saeli as point of contact.

A motion by John Saeli, seconded by Kathy Russo and so carried to seek proposals on water maintenance.

Mr. Case and Mrs. Russo again reviewed the process which was taken a year ago and stated that Mr. Nicholson submitted a proposal much lower than any other they received. Mr. Peterson noted the increase in cost proposed by Mr. Nicholson in the new proposal he submitted, but stated he was happy with the service Mr. Nicholson has provided. After further review and discussion the following motion was made:

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to move the question:

Roll Call:

Kathy Russo Yes
John Saeli Yes
Richard Peterson No
Jeff Case No
Robert Hayssen No
Motion defeated: 3 to 2

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to seek proposals for 2009 water and sewer maintenance, including main and pump station by October 1, 2008.

Assessor: No report.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to approve the Town Clerk's report, Supervisor, \$12.95, County Treasurer, \$7.05, and State Ag & Markets, \$6.00, total disbursements, \$26.00.

A motion by Jeff Case seconded by Richard Peterson and so carried unanimously to approve Abstract 1, General, in the amount of \$13,178.45, Highway, \$16,658.99, Varick Sewer District No. 2, \$309., Seneca Lake Water, \$1,358.12.

It was noted that Diane Bassette Nelson provided the break down of her bill as requested by the board.

Old Business, New Business and Correspondence:

Mr. Sipos sought permission from the board to attend the Association of Towns meeting in February and to be designated as voting delegate. The cost will be shared with the Town of Covert.

A motion by Jeff Case, seconded by Richard Peterson and so carried to approve John Sipos' attendance at the Association of Towns and to name him as the town's voting delegate.

A letter was received from South Seneca Ambulance requesting the Town's support in their request for grant funding for the purchase of a third ambulance and an addition to the ambulance bay. The board expressed their concern over the additional costs that would be generated with the addition of another ambulance. Prior to sending their letter of support, the board would like an explanation as to the need of another ambulance.

Mr. Foxx submitted his 2007 annual report, which is filed in the clerk's office.

Mr. Hayssen spoke to Jason McCormick regarding the boundaries of the Fayette-Varick Water Improvement Project who stated that this would be the time to make any amendments to the district and Mr. McCormick wouldn't charge the town for the required work.

BE IT RESOLVED, the Varick Town Board authorizes Supervisor Hayssen and Councilman Peterson to work with Jason McCormick (County Engineer) to amend the District boundaries of Fayette-Varick Water Improvement Project. This will include Dilts Road and to continue south on Route 96 to the Varick Town Hall. Also included will be the properties on Town Line Road, in Varick, which were left off during district formation.

Motion: Jeff Case
Seconded: Kathy Russo
So Carried Unanimously

Mr. Hayssen also asked the board to have the county engineer update the map, plan and report for the Route 89 Water Project. The cost was estimated at \$1,000 and would be reimbursed to the General Fund when it was funded.

BE IT RESOLVED, that the Varick Town Board requests the County Engineer to update the Map, Plan and Report for the Route 89 Water Project

Motion: Jeff Case
Seconded: Kathy Russo
So Carried Unanimously

It was noted that Ken Riemer from Romulus and Thomas Bjorkman from Varick were appointed as town representatives to the Route 89 Water Project.

Mr. Hayssen indicated that Mr. Foxx requested a \$500 increase in pay due to the increase in workload with the new zoning code. The board reviewed the work required by this position and indicated that they would like to go into executive session in February with Mr. Foxx to discuss personnel issues.

Mr. Hayssen suggested a 3% increase for Mr. Vincent, but the board tabled this.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve the mileage reimbursement for the Town of Varick be the same reimbursement rate as Seneca County.

Mr. Hayssen sought board support to have the IDA halt all projects on the Varick side of the Depot till a County Road is reopened between Varick and Romulus. It was noted that the way our zoning code is written will limit business possibilities. Mr. Bjorkman stated that if the road were opened, the zoning would need to be revised. Mr. Swartley also noted that the wording as proposed in the submitted motion could threaten the Ethanol Plant. The revised motion was presented for approval:

BE IT RESOLVED, that the Varick Town Board goes on record opposing any more development of the remaining undeveloped land on the Varick side of the Seneca Army

Depot until a County Road is reopened between Route 96A and Route 96, along the Varick/Romulus town line.

Motion: Jeff Case

Seconded by: Richard Peterson

So carried unanimously

Vince Sinicropi contacted Mr. Hayssen and stated that the trial balance still won't balance. Mr. Hayssen also reported that there is approximately \$100,000 discrepancy in accounting, which might be simply a posting error, CD or possibly bond payment.

A motion by Kathy Russo, seconded by Jeff Case and so carried to adjourn the meeting at 10:00 p.m.

Respectfully Submitted,

Donna Karlsen
Varick Town Clerk