

Varick Town Board
February 6, 2008

Supervisor Robert Hayssen called the regular meeting of the Varick Town Board to order at 7:00 p.m. Present at this meeting were Council Members Jeff Case, John Saeli, Kathy Russo, and Richard Peterson, Town Clerk, Donna Karlsen, Planning Board members, Thomas Bjorkman and Kevin Swartley and Finger Lakes Times reported Paulette Likoudis. Also present were Phil Knapp, Carol Richardson, Larry Peterson, and Miles Persing.

Privilege of the Floor: None.

Varick Sewer District No. 2: Mr. Hayssen presented a letter from Mr. and Mrs. Seeley requesting that the \$70 sewer charge be removed from their water and sewer billing for the last quarter. It was determined that the residents along this line were informed that the water service had to be requested to be turned off by the 1st day of the quarter in order to not receive the \$70 quarterly sewer charge. This unit charge is assessed to Varick Sewer District No. 2 users by Seneca County Water and Sewer based on the number of residents who have not had their water turned off by the first of the month. It was also noted that this request has been addressed before and the board has denied the request if the water hadn't been requested to be turned off by the first day of the quarter. Mr. and Mrs. Seeley requested their water to be shut off around October 12th to the 15th, which makes them responsible for the \$70 charge. It was suggested that a line be added to the bill reminding residents of this stipulation or to send a letter.

Mr. Hayssen reported that Yaw Environmental is now being run by Jerry Smith and he is willing to continue working under last year's agreement and is now aware that any changes to this agreement must be submitted to the town by the date specified in their agreement.

Seneca Lake Water: Mr. Case reported that Damon Nicholson will continue to perform services under his 2007 agreement and was also made aware that any changes must be submitted to the town by the date specified in his agreement.

Mr. Saeli reported that the following people have agreed to sit on the Seneca Lake Water Advisory Committee: Larry Peterson, Bob Kayser and Charles Cool. This committee is to bring any concerns or questions with regards to this district to the board. Mr. Hayssen stated that he would put this advisory group in the newsletter, which will be reviewed by the board before it is mailed, if one is completed.

Fayette/Varick and Rt. 89 Water: Mr. Peterson and Mr. Hayssen will meet with Jason McCormick to do a drive through on these districts.

Planning Board: Mr. Bjorkman reported that Mr. Kayser is now the Chairman of the Planning Board. He also reported that the DEC has reserved the right to be lead agent on the Sessler project and has not consented to allow the IDA nor the Varick Planning Board

to become lead agent at this time. DEC is taking their time to assess the merits between the three agencies and to make sure everyone is on the same page. The Planning Board would like to hold an informational meeting with the regional representative attending from DEC. Mr. Bjorkman will notify the board and the press of this meeting date if one is scheduled.

Mr. Bjorkman felt the following characteristics should be taken into consideration when filling the three vacancies on the Planning Board:

1. Sense of civic responsibility rather than self-interest.
2. Ability to work in a group.
3. Willingness to do the necessary research.

Mr. Hayssen suggested that the members should represent all areas of the town.

Mr. Bjorkman reported that he corrected the errors that were pointed out at the January meeting with regards to the newly adopted zoning code and noted that the zoning pertaining to truck parking, which was struck out, did only show in the hamlets and lake districts, not in the whole town as was stated. Mr. Swartley did review the corrections made and still has some questions.

Mr. Bjorkman reminded the board that the Planning Board was directed to review the items that were struck because of wording and felt it is important to address these issues. He noted that the truck issue would not be addressed based on the board's prior response. The Planning Board would like to readdress the lakeshore districts regarding restrictions on businesses. Mr. Bjorkman expressed the concern that a loophole may exist which may allow undesirable businesses to come in bringing traffic and noise. It was noted that real estate values and economy would dictate what businesses will be put along the lakes. The issue of parked farm equipment was another item struck from the zoning code that the Planning Board feels should be addressed. Mr. Bjorkman expressed a concern that junk farm equipment may be stored on land that is claimed to have farm status but is being used to collect junk equipment and referenced a piece of property south of the town. Further discussion took place regarding this issue and it was agreed that one man's junk is another man's treasure and questioned what the chances would be of this occurring as farmland is much too valuable to park unusable equipment on.

It was suggested by Mr. Hayssen that he would like to see the zoning code stand as it is and see how it is going to progress and what issues may arise, if any.

Mr. Bjorkman reported that he did receive a copy of the proposed DEC wetland maps along with a letter. Two thousand, one hundred acres is being included in this proposal by the DEC. Mr. Swartley noted that this does not affect the ethanol plant, but does affect a portion of Harlan Wenger's land and takes away private property rights.

The subject of opening the road between 96A and 96 in the former depot was addressed and Mr. Swartley didn't feel this would be an issue with the ethanol people. Ms. Richardson reported that Dave Kaiser didn't feel the road would ever be opened because

there isn't any money. Mr. Hayssen feels there might be some money in the gas leases to do this project.

It was noted that there are three positions open on the Planning Board and the following people sent in letters of interest or résumé's: Philip Knapp, Susan Ottenweller, Kevin Swartley, and William Squires. Nothing was received from Lisa Sadlik. Mr. Hayssen reviewed the existing members and recognized that Route 89 residents were not represented.

A motion by John Saeli, seconded by Jeff Case to appoint Kevin Swartley and Phil Knapp to the Planning Board.

Discussion: Mr. Peterson would like to see Susan Ottenweller's name added to this motion. Mrs. Russo expressed her opinion that maybe the board will want representation from different areas of the town and professions and in the past there has been a lot of nepotism, a lot of cronyism, a lot of family members on the board and now in her opinion again; lets get our friends on the Planning Board, lets get our partner on the Planning Board.

Mr. Hayssen in response to Mrs. Russo's opinion and at the direction of Susan Ottenweller withdrew her name and felt the town had just lost one of the most qualified candidates.

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

A motion by John Saeli, seconded by Jeff Case and so carried unanimously to appoint Kevin Swartley and Phil Knapp to the Planning Board.

A motion by Kathy Russo, seconded by John Saeli to appoint William Squires to the Planning Board.

Discussion: Mr. Peterson expressed his opinion that Route 89 should be represented on this board.

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

Roll Call:

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| Robert Hayssen | No |
| Richard Peterson | No |
| Jeff Case | Yes |
| Kathy Russo | Yes |
| John Saeli | Yes |

A motion by Kathy Russo, seconded by John Saeli to appoint William Squires to the Planning board.

Roll Call:

Robert Hayssen: No
Jeff Case No
Richard Peterson No
Kathy Russo Yes
John Saeli Yes

Motion not carried.

A position on the Planning Board was left open and it was suggested that a legal ad be placed in the Finger Lakes Times and the Reveille advertizing this position.

A motion by John Saeli, seconded by Richard Peterson to advertise for names from the town that are interested in becoming a Planning Board member.

Roll Call:

Robert Hayssen No
Jeff Case No
Kathy Russo No
John Saeli Yes
Richard Peterson Yes

Motion not carried.

Mr. Case addressed the cost to the taxpayers every time you place an ad in the paper. It was felt the board should be able to provide names as they have done in the past for this board.

Zoning Board of Appeals: It was reported that Bonita Willower submitted her letter of resignation from the Zoning Board of Appeals.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to appoint Eric Riegel to complete Bonita Willowers term of office.

Highway: Two bids were received and opened for the 2008, _ ton pickup for the Highway Superintendent.

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| Van Bortel Ford, who submitted State bid pricing was: | \$23,537. |
| Simmons-Rockwell | \$26,999. |

It was reported that the highway department spent a day dropping off bid proposals to dealerships for bid submittal.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to accept the state bid pricing submitted by Van Bortel at a cost of \$23,537.

Mrs. Nancy Williamson, in a written request to Mr. Hayssen, would like to see Yale Farm Road lined. Mr. Hayssen turned this issue over to the Highway Committee. Mr. Case noted that this issue has arisen before. He reported that this is a secondary road and

if the town were to take it upon themselves to line the road it would open the town up to liability issues.

Assessor: Mrs. Williamson raised questions concerning a veteran's exemption, which Mr. Hayssen will turn over to Jim Bastian.

Clerk's Report: A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve the Town Clerk's Report. Revenue to the Supervisor, \$85.33, County Treasurer, \$24.67, State Ag & Markets, \$15, Total Disbursed, \$125.00

Supervisor's Report: Mr. Hayssen reported that there was approximately \$800,000 invested in CD's. He also reported that the bookkeeper, Mrs. Sipos, provided a monthly report for the board's review, has received her training on the software and the bills are all being paid on time.

Mr. Hayssen also reported that Jerry Archibald and Kristen Ryan from Bonadio would be providing him with a list of items still needed for them to complete the 2006 audit.

The 2007 books have not been closed out as the 2006 haven't been balanced yet and he anticipates further problems in the 2007 bookkeeping.

Mr. Hayssen requested Mrs. Russo to contact Mrs. Teichner and ask that she return all Town paperwork and contracts she has at her home, as he has been unable to get her to provide him with this information.

Mrs. Teichner also requested information on positions and salaries of all town employees and Mr. Hayssen asked Mrs. Russo to find out what she wants this information for.

The Town of Romulus would like to apply for grant funding for 100% reimbursement for sidewalks on both sides of Route 96 within 2 miles of the school and wanted to know if the Town of Varick would like to be included in their quest for these funds.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to support the Town of Romulus in the application for seeking 100% reimbursement of grant funds for the sidewalks on both sides of Route 96 within 2 miles of the school.

Personnel: Mrs. Russo reported that she submitted the grant application through the Seneca County Youth Bureau. She also requested permission to advertise in the Finger Lakes Times for a director for the Summer Recreation Program. Mr. Case again noted that the Reveille Between the Lakes is the official paper for the town and should be used for all advertisements and again questioned the cost to the program for the legal ads. It was decided to have Mrs. Russo, after the March board meeting, advertise for the director's position in the Reveille Between the Lakes and do a press release in the Finger Lakes Times. Mrs. Russo will also provide the salaries for the summer recreation positions at the next meeting.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to approve Abstract No. 2, Varick Sewer District, Vouchers SSS08-02 to SSS08-04 in the amount of \$11,977.42, Seneca Lake Water, Vouchers SWS08-02 to SWS08-09 in the amount of \$47,378.20, General, Vouchers A0008-08 to A0008-24 in the amount of \$7,450.29, and Highway, Vouchers DA008-05 to DA008-09 in the amount of \$3,753.37.

Mrs. Karlsen brought to the board's attention that Yaws is now charging the Sewer District \$300 for every call out they have according to their current agreement. Mrs. Karlsen noted that the budget line for this expense was not budgeted at this rate and will most likely go over as last year Yaws charged substantially less. Mr. Hayssen will contact Yaws for an explanation. Mr. Case addressed the issue that the time may be coming when the districts may need to hire someone on a salary basis to provide maintenance for the Sewer and Water districts, as it will be easier to budget.

Mrs. Karlsen also brought to the boards attention a bill submitted by Bonadio for work done for the 2007 audit and questioned what work had been completed as the 2006 audit wasn't done as of this date. It was suggested that it may just be a billing error and should have read 2006, not 2007.

A motion by Jeff Case, seconded by Kathy Russo to pull Bonadio's bill from the vouchers to be paid and directed Mr. Hayssen to get clarification on this bill for possible payment in March.

Correspondence: Mr. Hayssen received the Annual Report from the Erie Canal Way Nation Heritage Corridor.

He also received a letter from the Empire State Development Restore New York program denying the town's application for funds simply as a function of their limited resources. They encouraged the town to reapply next fiscal year.

The application for the archive grant was submitted.

Mr. Hayssen reported that the Town Clerk was in need of a new clerk's program and computer. The Clerk's program she is currently running is a DOS program with no support and she is working with Windows 95 and Windows 98. Mrs. Karlsen reported that there was no urgency, but eventually the town would need to address this issue. The board directed her to look into the cost for a new computer and programs.

Code Enforcement: Mr. Hayssen reported that three people were interested in the Code Enforcement officer's position. Lucinda McQueeney who is a Fayette resident and sister to Kathy Russo, Robert Halladay who is currently zoning officer for the Town of Fayette, and Miles Persing who is a Varick resident. It was reported that the Town of Fayette has appointed Robert Halladay to this position until Seneca County is cable of providing this service for them. Jason McCormick, along with several other duties he has been assigned, will oversee this new position at the county level. The board discussed different options and it was recognized that this issue needed to be addressed, as there

were outstanding permits waiting to be submitted for review. It was the general consensus of the board to appoint a zoning code officer and to give the County time to establish this newly formed county position. It was suggested that an appointment be made for a 6-month period, for review at the end of six months. Mr. Persing indicated he would be willing to take the position on a 6-month trial basis. The job description for Code Enforcement Officer can be found in the Zoning Code.

It was noted that this position requires someone who is reasonable and allows people a chance to adhere to the zoning code after being addressed. It requires someone to consult with people on how to solve the problem, and provide consistent and fair enforcement. The board doesn't want anyone in this position that will come on to strong.

Mr. Persing understood the board's requirements for this position.

A motion by Jeff Case, seconded by Robert Hayssen and so carried unanimously to appoint Miles Persing as Code Enforcement Officer for a probation period of six months.

Mr. Saeli questioned the placement of information in the minutes, which the board answered for him.

A motion by Jeff Case seconded by Richard Peterson and so carried unanimously to approve the minutes of January 2, 2008.

A motion by Jeff Case, seconded by Richard Peterson and so carried to adjourn the meeting at 9:30 p.m.

Respectfully submitted,

Donna Karlsen
Town Clerk