

October 7, 2008

The regular meeting of the Varick Town Board was called to order by Supervisor Robert Hayssen 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, Town Attorney, John Sipos, Bookkeeper, Carol Sipos, Planning Board member, Kevin Swartley, Finger Lakes Times reporter, Paulette Likoudis and John and Connie Long.

**Varick Sewer District No. 2:** No new information was available regarding the remaining people who need to connect to the sewer system. Mr. Case will continue to follow up on this matter with Seneca County Health Department.

The board reviewed the agreement regarding the old officer's club and bait shop connection to our sewer line. This connection was made because the original system would freeze in the winter time. The officer's club and bait shop have now been torn down and approximately seven new homes have been built. It is felt that at least three homes are gravity fed into the line that once serviced the officer's club and bait shop. It was determined that no new connections should be made in the future.

Mr. Hayssen informed the board that the Village of Waterloo is not interested in maintaining the pumps and pump station and Yaws submitted new pricing for their contract that is up for renewal for performing this maintenance. He also presented to the board Mr. Nicholson's letter of resignation effective October 10<sup>th</sup> as water and sewer maintainer. In his letter he requested that his check for \$600 be cashed for reimbursement for emergency sewer call he performed. It was noted that Mr. Nicholson, as the result of this reimbursement to the district, has not received any compensation for his services regarding these emergency call outs.

Mr. Hayssen reviewed the status of the reserve pumps and the fact that the town, as of October 10<sup>th</sup>, won't have anyone to complete repairs. He did contact Gate House Pumps, who indicated he wasn't interested in working for the town and received hourly pricing from Gehring Pumps. Former owner of Gehring Pumps considered doing the repairs but he has a "no compete clause". Mr. Saeli will contact Witmers and Robert Helstrom to see if they may be interested in submitting a price for pump repair and expressed his opinion that we should have more spare pumps on hand.

It was also noted that the drop down pipe from north side at the pump station still needs to be reconnected and Mr. Case is willing to work with Yaws to repair this.

Different options pertaining to the sewer maintainer's position was reviewed and discussion pertaining to last month's motion to advertise for both sewer and water maintainer position was held. The board decided to separate the water and sewer position and just advertise for sewer maintainer. It was determined that the following motion would supercede the motion made at the September monthly board meeting.

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to reschedule the November monthly board meeting to November 5, 2008 due to elections and to advertise in the newspaper for the contractual position of sewer maintainer to include repair of pumps, seeking preferably a yearly fee with proposals to be opened November 5, 2008.

Mr. Case will provide the specs for this position prior to advertisement.

Mr. Saeli questioned Mr. Hayssen about obtaining a seaweed harvester for Seneca Lake next season. Discussion was held on the effectiveness of this procedure and Mr. Hayssen indicated to Mr. Saeli he could continue research into this matter.

**Seneca Lake Water District:** The Kennedy Road meter was removed, attempted to be repaired and reinstalled by Total Control Services. Mr. Hayssen reported that the meter is still not operating and read a letter from Total Control Services stating that this meter is obsolete and was attempted to be repaired with used parts at no charge to the town for these parts. Total Control did charge for removal and reinstallation of this meter and reported that they have not completed any repair work on the meter located at the Fayette/Varick town boundary. Mr. Hayssen felt that we shouldn't repair or replace the meter at Kennedy Road, but read the meter located in the Town of Romulus which Jack Holley reads and add the gallons used by the homes south of Kennedy Road that his meter doesn't pick up.

Mr. Hayssen and Mrs. Sipos will write a letter to Seneca County Water District No. 1 explaining how the amount on this quarter's bill was derived and will work with Jack Holley on resolving the billing issue that has resulted from the Kennedy Road meter not working properly from January to June.

The question was raised again as to who gave permission for the houses south of Kennedy Road to connect to this districts water line. Angel from the Town of Romulus reported she had a letter signed by Mrs. Teichner, former supervisor, granting these connections, however, she has not provided a copy of this letter to date.

The question was raised as to how the board wanted to handle annual unit charges to outside district users that have not been paid and cited an example of a resident who owns two parcels and have not paid the water or sewer unit charges for 2008. After some discussion it was decided to send a follow up letter with bill requesting payment. If payment still is not received, the town will petition the Town of Romulus to add these charges to their 2009 Town and County tax bill.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to send a letter and bill for the unit charge to the outside users south of Kennedy Road and petition Romulus to have this charge added to Romulus' Town and County Tax Bills if not paid.

It was also suggested that the water can be turned off until the bill is paid, with a fee assessed when turned back on upon receipt of payment.

Seneca County Water District No. 1 is installing booster pumps on our water line to stop water pressure fluctuation. The county is under the impression that when the army turned over the pipes and plant to the county, it included our water line, which is not the case. Mr. Hayssen will look further into this issue and discuss it with the county.

Mr. Hayssen spoke to John Yells, who is the water maintainer for the Town of Fayette and he is willing to perform the same duties for Seneca Lake Water District on a trial basis at a cost of \$15 per hour to be hired as a town employee. It was noted that this position is not required to be advertised. Mr. Yells is not interested in using the district truck, but reimbursement of mileage and cell phone usage may be required.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to hire, as a town employee, John Yells to perform the duties as water maintainer per Seneca County job description.

It was noted that if Mr. Yells accepts the job, a post card will need to be sent providing new contact information to residents. Mr. Hayssen also has a list of transponders supplied by the Village of Waterloo that needs to be repaired.

**Fayette/Varick Water District (Town of Varick Water District No. 3):**

Lateral Restriction Resolution

WHEREAS, the Towns of Fayette and Varick are proposing the Fayette-Varick Water Improvements Program which involves the extension of public water along portions of McGrane Road, McDougal Road, NYS Route 336, NYS Route 414 and forms a portion of the Fayette/Varick Town Line; and

WHEREAS, pursuant to Town law, each Town has created a separate water district within its Town boundaries and the Town of Varick has created Water District No. 3, and

WHEREAS, part of the land area in the Town of Varick Water District No. 3 is within Seneca County Agricultural District No. 8; and

WHEREAS, the Varick Town Board has filed a Notice of Intent to Under take an Action Within an Agricultural District in order to evaluate the impact of providing a source of public water supply within this area on lands within Agricultural District No. 8; and

WHEREAS, the New York State Department of Agriculture and Markets has expressed concern about the potential adverse impact that said public of providing a source of public water supply within this area on lands within Agricultural District No. 8, and

WHEREAS, the New York State Department of Agriculture and markets has expressed concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agricultural District'

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Varick, in recognition of the concerns that have been raised, hereby resolves to limit connections to the public water supply only to existing non-farm uses and to farm related uses within the portion of Water District No. 3 which is also within the limits of Seneca County Agricultural District No. 8.

Motion by: Jeff Case

Seconded by: Kathy Russo

So Carried Unanimously

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to enter into a contract with Stephen Ricchi to provide legal services for the Town of Varick Water District No. 3 contingent upon approval by Mr. Sipos and to authorize the supervisor to sign said contract.

Mr. Sipos reported that he agreed to allow Mr. Ricchi to represent the town in this matter if he agreed to hire Orrick as bond council. Mr. Saeli also questioned a clause in the contract, which Mr. Sipos explained.

**Route 89 Water:** Stuart Brown submitted a proposal for completing an application for a Shared Municipal Service Initiative grant at an approximate cost of \$4,000 to \$5,000 dollars. Mr. Hayssen will contact the Town of Romulus supervisor to see if they would be interested in applying for this grant and sharing the cost.

Mr. Hayssen also reported that he will be meeting with Jason McCormick regarding the water projects.

**Highway:** It was reported that Yale Farm and Kings Corner Road was completed and looks good. Mr. Hayssen received further paper work regarding the grant funds for the culvert project which he will complete and return upon attorney approval.

**Planning Board:** Mr. Hayssen reported that he contacted Linda Mastellar, Shelly Pletcher and Paul Nearpass with regards to the Planning Board vacancy as directed by the board. Paul Nearpass was not interested and both Linda and Shelly, who are residents of East Lake Road and would be replacing a representative on the planning board from that side of town, were willing to serve. After a brief discussion between the board and Planning Board member, Kevin Swartley, it was determined that both individuals would be an asset to the planning board but decided to appoint Linda Mastellar as it was noted that she had been in attendance at previous Planning Board sessions. Mr. Hayssen also contacted Paul Conroy who stated he would be interested in the Code Enforcement Officer position. Mrs. Russo felt the positions needed to be advertised. Mr. Sipos clarified they didn't but that the appointments would need to meet Seneca County Personnel requirements.

A motion by Jeff Case, seconded by Richard Peterson, and so carried unanimously to appoint Linda Mastellar to the Planning Board and Paul Conroy as Code Enforcement Officer.

Mr. Swartley reported that the Planning Board is still working on revisions to the Zoning Code and are not ready to meet with the Town Board till maybe after the first of the year. He also noted that any suggested revisions or concerns with the code by the Town Board members should be sent to the Planning Board to be addressed.

**Assessors Report:** A written assessor's report was submitted and will be filed with these minutes. Mr. Case provided a written report from the last assessor's meeting to Mr. Hayssen and noted that the next reval is due to be done in 2010.

**Town Clerk's Report:** A motion by Jeff Case, seconded by John Saeli and so carried unanimously to approve the Town Clerk's report: Total Revenue to Supervisor: \$312.13, County Treasurer: \$15.27, State Ag & Markets: \$3.00, DEC: \$554.60, Total Disbursements: \$885.00

Mrs. Karlsen reported that the repair of the back wall will cost approximately \$5,000, but will be provided a written estimate.

**Supervisor' Report:** Mr. Hayssen contacted the IDA who reported that Finger Lakes Railway is responsible for upkeep of railroad crossings and will address this issue. He has received no response from NYSEG on the cost of adding a street light on Cayuga Street. He reported that he received an email from Gerald Archibald regarding the audits and indicated that they have completed the 2006 audit and have begun the 2007 audit and will present the 2006 and 2007 financial audit statement results and management letter at the November meeting.

A discussion took place regarding the security and fire detection systems for the town hall. Mr. Peterson will contact businesses for suggestions and quotes for both systems and look at what the towns of Lodi and Ovid have in place.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve the Supervisor's Report.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve Amendment to the Seneca Lake Water District, Resolution No. 4.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve Amendment to the Town of Varick Sewer District, Resolution No. 5.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve Amendment to the Town of Varick Highway Department, Resolution No. 6.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve Amendment to the Town of Varick General Fund, Resolution No. 7.

Justice Frank Case would like to have security provided for court nights and it was noted that the Sheriff's Department would not provide it routinely.

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to provide security on court nights with the responsibility of hiring a security guard and an alternate to the judge at a cost not to exceed \$20/hour.

Mr. Saeli reported that he met with Judge Case and Julie to audit the court records and completed a checklist provided by the Office of the State Comptroller.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to approve the completed audit of court records.

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

Mr. Saeli indicated that he did not contact the Sheriff's Department regarding security services and didn't understand that Mr. Hayssen asked him to do so.

**Old Business, New Business, Correspondence:** Mr. Hayssen received another bill from The Bonadio Group in the amount of \$2,000 which was not approved to be paid at this meeting.

Mrs. Sipos reported that she has requested to file a paper copy of the 2008 AUD which will require a letter submitted by the Supervisor. She also reported that approximately \$450 from donations is left in the Youth Program and will be carried over in expenditures and balanced with a fund balance. It was also reported that Michelle, the Summer Recreation Director, would like to continue to do the Summer Recreation Program next year but would prefer to hire her own staff which would still need to be approved by the County.

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to approve Abstract No. 10, Highway, Vouchers DAO08-65 to DAO08-71 in the amount of \$2,784.61, Seneca Lake Water, SWS 08-150 to SWS 08-155 in the amount of \$23,522.31, Sewer District No. 2, SSS-08-28 and SSS08-29 in the amount of \$2,309.00, General, 08-143 to 08-150 in the amount of \$467.41.

The board reviewed the Tentative Budget submitted by Mr. Hayssen. Mr. Hayssen reported he just received the Romulus/Varick Joint Water & Sewer Preliminary Budget from the Town of Romulus bookkeeper which will be attached to the 2009 town budget. Suggested changes will be made to the Joint Recreation program, building expense for security implementation cost, and the audit cost was removed from general fund and

added to sewer and water. It was noted that the Varick Fire Department tax rate decreased for 2009.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to move the Tentative budgets to a Preliminary Budget and hold a public hearing on the 2009 Preliminary Budgets November 5, 2008.

A motion by Richard Peterson, seconded by Jeff Case, and so carried unanimously to adjourn the meeting at 10:15 p.m.

Respectfully Submitted

Donna Karlsen  
Varick Town Clerk