

Varick Town Board

January 6, 2009

The regular meeting of the Varick Town Board was called to order by Supervisor, Robert Hayssen. 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, Finger Lakes Times reporter, Paulette Likoudis, Engineer, Tim Buhl, Project Attorney, Steve Ricci, and Village of Waterloo, Jim Bromka.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve Abstract No. 1, General, Vouchers A00-09001 to A00-09005 in the amount of \$25,954.46, Highway Fund: Vouchers DA0-09001 to DA0-09003 in the amount of \$3,249.99, Varick Sewer District No. 2, Vouchers SSS-09001 to SSS-09003 in the amount of \$2,700.00 and Seneca Lake Water District, Vouchers SWS-09001 to SWS-09003 in the amount of \$20,901.75.

Varick Water District No. 4 (Route 89 Water): Tim Buhl presented the board with the Map, Plan and Report for the proposed towns of Varick and Romulus Route 89 water line project. The overall total cost for the base project is estimated to be approximately \$2,833,450 and would include both the construction of the improvements as well as the engineering, financing, and legal requirements necessary to complete the project. Separate cost estimates were prepared for each town with Varick's cost estimated to be \$1,670,486.34 and Romulus' cost estimated to be \$1,162,964.41. Mr. Buhl reported that funding for this project is being pursued and consequently financing for the project was reviewed with the board through a variety of approaches. For the Base Project the total annual cost for the typical single family home under the proposal submitted would range from \$614.04 (289.23 for capital cost recovery and \$324.81 for operation and maintenance) to a high of \$911.17 (capital-\$586.46 and O & M-\$324.81). This range of cost is totally dependent on the type of financing which will be required for the project, as well as the actual interest rates. He reviewed potential funding and interest rate options. Mr. Buhl reported that recent changes to Town Law Article 12 and 12-A, which regulate the formation of special districts in New York State, mandate that the approval from the State Comptroller's Office is necessary if the proposed water district or district extension costs exceed a certain value. For 2009, the threshold is projected to be \$624. In the event that sufficient funding is not available and the annual project cost exceeds this threshold, State review will be required.

Mr. Buhl noted that in the Order Calling for Public Hearing prepared by Mary Chappell from Municipal Solutions, the estimated cost of this District to the typical property is \$970 for the first year, which represents the worse case scenario.

Mr. Buhl reported that both towns will be responsible for the bonding and borrowing for the project. The Towns will form water districts covering their respective project areas and purchase water from Fayette/Seneca Falls. Mr. Buhl indicated that the project could continue, with perhaps slightly higher cost, if the Town of Romulus decides not to pursue their end of the project. Mr. Buhl hopes to submit an application to Rural Development

within the next two months and will speak to Dave Miller as to how an application should be submitted with and without Romulus. It was also noted that the Town of Varick, at their regular meeting held December 2, was named lead agent on this project.

A discussion was held regarding the EAF(Full Environmental Assessment Form) application and the difference between Type 1 and Type 2 action. Mr. Buhl prepared the correct EAF form for the Town of Varick and will provide this form for the Town of Romulus if they choose to move forward with this project.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to approve the Environmental Assessment Form (EAF) received on or about the 6th day of January, 2009 and pursuant to 6 NYCRR section 617 of the SEQR regulations, it is hereby determined that the action proposed in said application constitutes a Type 1 action as defined under said regulation.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to hold a public hearing in the matter of the establishment of Varick Water District No. 4 in the Town of Varick, Seneca County, New York, January 22, 2009 at 7:00 p.m. at the Varick Town Hall.

A copy of this order will be filed in its entirety with the official minutes.

A motion by Jeff Case, seconded by John Saeli and so carried to hold a special meeting immediately following the public hearing January 22, 2009 to address any business that may come before the board.

Mr. Buhl will do a final review of the map, plan and report and is willing to speak with the Town of Romulus regarding this project. Mr. Hayssen reported that he invited the Town of Romulus representatives to attend tonight's meeting as well as the informational meeting held earlier in the month, but no one has attended to date. Mr. Sipos expressed his concern over the Town of Romulus' interest in the project and suggested that if they do decide to proceed that they should hire their own project attorney and would suggested they contact Attorney Steve Ricci.

Varick Water District No. 3 (Varick/Fayette Water)

A motion by Robert Hayssen, seconded by John Saeli and so carried unanimously to open the public hearing on the establishment of Varick Water District No. 3 in the Town of Varick With Revised Boundaries at 7:40 p.m.

No comment or questions were raised during this public hearing.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to close the public hearing at 7:44 p.m.

Mr. Ricci reviewed the appropriate determinations and it was determined by the board that current and potential property owners within the district boundaries will benefit by the formation of this district.

A motion by Richard Peterson, seconded by Jeff Case and so carried to approve a resolution making certain determinations in relation to and finding it to be in the public's interest to establish a water district in the Town of Varick, Seneca County, New York, to be known as Water District No. 3.

It was noted that the district will need to obtain approval from the State Comptroller's Office for this district as the cost for each typical single home will exceed the threshold.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to approve the Notice of Adoption of Resolution Establishing Town of Varick Water District No. 3 Subject to Permissive Referendum.

Those who may be apposed to the formation of this district can submit a petition which has to number 5% or 100 persons whichever is less and has to follow the requirement set in Section 209 of Town Law.

Seneca Lake Water District: Mr. Hayssen reported that the district will not need to replace the meter at Kennedy Road as Seneca County Water District No. 1 has agreed to allow us to use their meter for determining water usage. .

Mr. Hayssen reported that he was unable to address remaining issues at the Seneca County Water and Sewer District meeting, but a meeting is scheduled in January. He was unsure of the date at that time, but will notify those who are interested in attending.

Varick Sewer District: Mrs. Sipos reported that she was able to assess Town of Romulus resident's unpaid amounts for the 2008 unit charge on Town of Romulus 2009 Town and County tax bills.

Assessor's Report: A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to accept the Assessor's written report.

Planning Board and Zoning Board of Appeals: A motion by Jeff Case seconded by Kathy Russo and so carried to approve the re-appointment of Thomas Bjorkman, William Squires, and William Larzelere to the Planning Board for a term of five years.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to re-appoint Jeff Hogue to the Zoning Board of Appeals for a term of five years.

Town Clerk: A motion by Jeff Case, seconded by Richard Peterson and so carried to accept the Town Clerk's Report: Revenue to Supervisor: \$104.43, County Treasurer, \$10.57, State Ag & Markets \$3.00, Total Disbursements: \$18.00.

A motion by Richard Peterson, seconded by Jeff Case and so carried to approve the minutes of December 2, 15, and 31, 2008.

Mrs. Russo reported that she never received her minutes in the mail so she abstained from the vote. Mrs. Karlson informed Mrs. Russo and the other board members that she has extra copies of the minutes and can email them if they should get misplaced.

Mr. Saeli commented on the difference in cost as quoted by Mr. Hayssen at the December meeting for Tim Buhl's services. Mr. Hayssen pointed out that his bill reflects the engineering cost, but there were additional charges for printing and mailing of documents.

Supervisor's Report: A motion by John Saeli, seconded by Richard Peterson and so carried to approve the Supervisor's Report

Mr. Hayssen presented a resolution to apply as co-applicant for NYS Department of State Shared Maintenance Facility Services Study. He discussed the need for a bus garage for Romulus Central School and suggested that the municipalities could benefit from a shared maintenance facility as well. The county is looking to get the school and local municipalities to have a study done and apply for grant funds to do it.

TOWN OF VARICK TO APPLY AS CO-APPLICANT FOR NYS DEPARTMENT OF STATE SHARED MAINTENANCE FACILITY SERVICES STUDY

WHEREAS, The New York State Department of State, Division of Local Government Services has established a competitive statewide program due on January 14th, 2009 to fund planning initiatives that lead to shared services that reduce overall costs; and

WHEREAS, The County of Seneca, in concert with the Town of Fayette and the Seneca Falls and Romulus Central School Districts, proposes to apply for funding to conduct a Shared Maintenance Facility Study to determine whether a single, centralized shared vehicle maintenance facility would reduce the overall maintenance costs to these communities and the County rather than maintaining separate facilities and services; and

WHEREAS, the County of Seneca would act as Lead Applicant with the Towns of Fayette and Varick and the Romulus Central and Seneca Falls School Districts as co-applicants supporting the project, and

WHEREAS, The cost of the proposed feasibility study and engineering documents is estimated at \$32,223; and

WHEREAS, This grant, if awarded, would begin in Summer, 2009, would provide \$29,000 in funds to toward the study, and would require a local cash match of \$3,223 (or 10%) to be provided by the County of Seneca and at no cost to the Town; and

WHEREAS, If awarded, all co-applicants will enter into an inter-municipal agreement for the purpose of the conducting the Study, this agreement listing in detail the duties and requirements of each partner; now, therefore, be it

RESOLVED, that the Town of Varick acknowledges the need to conduct the shared maintenance facility service Study, and fully supports the project as a Co-Applicant on the County of Seneca's application to the New York State Division of Local Government Services 2009 Local Government Efficiency Grant Program.

Moved: Jeff Case
Seconded by: Kathy Russo
So Carried Unanimously

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to adjourn the meeting at 8:21 p.m.

Respectfully Submitted:

Donna Karlsen
Varick Town Clerk