

April 7, 2009

Supervisor Hayssen opened the public hearing on the Restore New York Grant at 7:00 p.m. Peter Brown reported that the Restore NY Grant program is to rehabilitate vacant, surplus, abandoned, or condemned buildings which will attract new development. He indicated that FLTG would like the Town of Varick to make application for this grant on their behalf. Mr. Brown introduced Mr. William Doran from FLTG who did a presentation on the proposed work that the grant funds would cover if received. He indicated that the funds would go for clean up and prep work in building 810 which is part of the project that they proposed last year. Mr. Brown indicated that the application along with a check for the application fee would need to be submitted by May 5 if the board agrees to proceed with the application.

A motion by Kathy Russo, seconded by Jeff Case and so carried unanimously to close the public hearing.

The regular meeting of the Varick Town Board was called to order by Supervisor Robert Hayssen at 7:30 p.m. Present at this meeting were Council members Jeff Case, John Saeli, Kathy Russo, and Richard Peterson, Town Attorney, John Sipos, Town Clerk, Donna Karlsen, Bookkeeper, Carol Sipos, Highway Superintendent, Richard McCulloch, Planning Board Members, Kevin Swartley and Bill Squires, Bonadio & Company, Gerald Archibald, Seneca County SWCD, Jim Malyj, Seneca County Development & Planning, Peter Brown, and FLTG, William Doran. Also present were John Keel and Benjamin Keel.

The following resolution was presented in regards to the Restore NY Grant:

RESOLUTION OF MUNICIPAL SUPPORT

WHEREAS, New York State is offering the third and final round of the "Restore NY" grant program to rehabilitating vacant, surplus, abandoned, or condemned buildings which will attract new development; and,

WHEREAS, The Town of Varick proposes applying for Restore NY grant funding to renovate building #810 in the Conservation Area of the former Seneca Army Depot, owned by the Seneca County Industry Development Agency and leased to Finger Lakes Technology Group, at a proposed cost total of \$1,507,666, and

WHEREAS, these renovations shall include general building repairs, mechanicals and infrastructure, build-out of the Records Storage Area, and the preparation for data centers within Building 810, and

WHEREAS, if awarded, the grant shall provide 90% of the costs of the proposed Building 810 renovation project, or \$ 1,356,900 as a reimbursement after the work is completed and approved, and

WHEREAS, if awarded, the Town's share of \$150,767 may be covered in kind by the \$600,000 dollars in work already invested by the Finger Lakes Technology Group at Building 810 since June 23, 2006,

WHEREAS, the Town finds the proposed project(s) is consistent with the Town of Varick's local development plan, and

WHEREAS, the Town finds that the proposed financing is appropriate for the specific project(s), and

WHEREAS, the Town finds that the renovation of Building 810 the Conservation Area of the former Seneca Army Depot facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and enhances the facilities in a manner that will attract, create and sustain employment opportunities, and now, therefore be it,

RESOLVED that the Town finds the above projects consistent with existing local and regional plans; the proposed financing is appropriate for the aforementioned projects; the project facilitate effective and efficient use of public resources; and the projects promote economic development and preservation of community resources,

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized to submit an application to the Restore NY program, and remit the \$250.00 non-refundable application fee to Empire State Development

Motion Kathy Russo

Seconded Jeff Case

Roll Call:

Robert Hayssen Yes

Jeff Case Yes

John Saeli Yes

Kathy Russo Yes

Richard Peterson No

Presenters: Jim Malyj a technician from Seneca County Soil and Water did a presentation on Agricultural Environmental Management (AEM). AEM is a voluntary, incentive-based program that helps framers operate environmentally sound and economically viable businesses. AEM's objectives are to provide a voluntary, incentive-based program to address water quality concerns on farms, coordinate a watershed-based approach, document environmental stewardship, adopt Best Management Practices consistent with farm resources, increase farmers' awareness for their potential impact on the environment, increase non-farmer awareness of agriculture's multiple environmental benefits and address neighbor relations concerns. He reviewed the five tier approach to how AEM works to achieve its objectives.

Audit 2006/2007: Jerry Archibald reviewed Mr. Sipos' concerns with regards to transactions performed by the prior supervisor, Mrs. Teichner during the period of 2006 and 2007. He also reported that he would need a representation letter signed by the town attorney indicating that the town attorney is unaware of any pending or threatening litigation by or against any municipality which would have any effect on the financial condition or fiscal operations of said Town. It was noted that this is just one piece that is still needed in order to complete the audits for 2006 and 2007. Mr. Archibald reported that some of the 2007 entries need to be followed and reconciled. After further review of the transactions, Mr. Sipos provided a representation letter to Mr. Archibald to be filed with the 2006 and 2007 audits. It was also noted that the Varick Sewer District No. 2 project books through Rural Development will not be closed out until they receive the 2006 audit.

Mr. Archibald was prepared to submit their proposal for completing the 2008 audit, but was asked to hold on to it until the board officially seeks proposals to do the 2008 audit then submit it at that time.

Highway: Mr. McCulloch reported that the Spring Clean Up and Fall Clean Up has been designated for the third week of May and October to run Wednesday through Saturday of those weeks. However, with Memorial Day weekend falling the third week in May this year, Spring Clean up will be held May 13 to May 16 and the Fall Clean Up will be held October 21 to October 24.

Mr. McCulloch also reported that he was called for a water main break in the hamlet of Romulus and had no information and/or emergency phone numbers to call. He suggested that this information be sent out to residents in this district.

Mr. McCulloch reported that they will be doing some cold patching on Townline Road.

Planning Board: Mr. Squires reported that they have completed the proposed revisions to the Zoning Code and would like to hold a workshop with the Varick Town Board and the Zoning Board of Appeals to review these proposed revisions. He will have copies made of the Zoning Code showing the proposed revisions for both boards to review. It was decided to hold this joint workshop at the Varick Fire House, April 30 at 7:00 p.m.

Mr. Squires also reported that the Planning Board is in the process of revising the Building Permit as well.

Varick Sewer District No. 2: Mr. Hayssen reviewed the incorrect sewer treatment rate being charged by Seneca County to Varick Sewer District No. 2 users. He indicated that Seneca County could owe the district approximately \$80,000 for incorrectly billed fees. He also reported that Aspen connected 8 houses without following health codes and the Sewer Use Ordinance and that Varick Sewer District No. 2 should be billing for these 8 connections.

Further discussion was held regarding these issues and how best to address the concerns that were presented.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to send a letter of complaint to the Health Department, DEC and State Department of Building and Codes with regards to the sewer connections and inquire as to what our legal rights are.

With regards to the incorrect billing rate from the County for waste treatment, the following resolution was made:

WHEREAS, THE Seneca County Board of Supervisors created the Seneca County Sewer District No. 1 to construct a waste water treatment plant and transmission line for the benefit of residents located in the Town of Ovid, Village of Ovid, Town of Romulus and Town of Varick, and further

WHEREAS, the State of new York contracted with the County of Seneca and Seneca County Sewer District No. 1, to provide services to Willard State Hospital and Sampson State Park, and further

WHEREAS, the District was expanded under contract to include the Village of Lodi, and further

WHEREAS, the Town of Varick has never opted out of the Seneca County Sewer District No. 1, and has maintained continuous responsibilities on the Seneca County Sewer District Board of Directors, and further

WHEREAS, the town of Varick has established the Varick Sewer District No. 2 and connected to the transmission line and treatment plant of Seneca County Sewer District No. 1 as originally intended by the Seneca Count Board of Supervisors, be it

RESOLVED, that the Seneca County Board of Supervisors determine that the Varick Sewer District no. 2 is part of the original Seneca County Sewer District No. 1 and continues to be part of said District, and for all intent and purposes be deemed an in-district user of the facilities of the Seneca County Sewer District No. 1, and be it further

RESOLVED, that the Seneca county Board of Supervisors expedite this Resolution and confirmation by referring this matter to the appropriate committee so that it may be brought before the full Board of Supervisors for appropriate action and direction.

Motion made by: Kathy Russo
Seconded by: Jeff Case
And So Carried Unanimously

Mr. Hayssen reported that we received the quarterly bill in the amount of \$8,977.50 from the Seneca County Water/Sewer District for sewage treatment and that seasonal discounts to those who shut off their water will be discontinued by Seneca County. It was decided by the board that payment of \$8,977.50 would be held until the billing discrepancies can be addressed further.

Varick Water District No. 3:

Mr. Hayssen presented a copy of the Memorandum Of Understanding By And Between The Town Of Fayette On Behalf Of Fayette Water District No. 5 And The Town Of Varick On Behalf Of Varick Water District No. 3. A copy of this Memorandum will be filed with these minutes in its entirety.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to designated the Town of Fayette as lead agency with regards Varick Water District No. 3 and to meet SEQR requirements.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve the agreement for the sale of water from Seneca county Water District No 1 to Fayette Water District No 5 and Varick Water District No. 3.

Varick Water District No. 4: Mr. Hayssen reported that the Town of Romulus will continue to petition its residents with regards to establishing a water line along Route 89 and will submit their own applications if they move forward with the project. The Town of Varick will continue this project independent from the Town of Romulus.

Assessor: A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to approve the Assessors written report.

A copy of this written report will be filed with these minutes.

Town Clerk's Report: Total Revenues to the Supervisor: \$105.90, County Treasurer: \$14.10, Ag & markets: \$9.00, Total Disbursements: \$129.00.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to approve the Town Clerk's Report.

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

Bookkeeper's Report: Mrs. Sipos reported that there are bills resulting from the establishment of Varick Water District's No. 3 and 4. As we haven't received any funding for these districts to date and there are no expense lines designated for such costs in the budget, Mrs. Sipos suggested two separate checking accounts be established, one for each district, to pay these bills from. The funds would be borrowed from Seneca Lake Water District and paid back either from the funding agencies or from the General Fund expense lines that were over budgeted. She reminded the board that this is what we did when starting up Varick Sewer District No. 2.

The following motion was made with regards to the establishment of these two accounts:

WHEREAS, the Town of Varick is in the process of forming two water districts, namely Varick Water District #3 and Varick Water District #4, and

WHEREAS, there are bills that have been incurred in the process of the preparation work that need to be paid, and

WHEREAS, the Seneca Lake Water District has funds that can be loaned to the two water districts, and

WHEREAS, once the districts have been formed and we receive funding, this money will be paid back to the Seneca Lake Water District with interest at the rate of 3% annually, and

WHEREAS, if any of the water districts are not created, the money borrowed will be repaid to the Seneca Lake Water District out of General Fund excess money,

NOW, THEREFORE, be it resolved that the Seneca Lake Water District loan to Varick Water District #3 the amount of \$10,000.00 and to Varick Water District #4 the amount of \$20,000.00.

Motion made by: Jeff Case
Seconded by: Dick Peterson
So carried unanimously

Mrs. Sipos and Mrs. Karlsen reviewed with the board the steps that have been taken and the work that has been completed by Bonadio with regards to the 2006 and 2007 audits and asked the board to keep an open mind when reviewing the proposals that come in for completing the 2008 audit.

Personnel: Mrs. Russo reported that she has dropped off job applications for the Summer Recreation Program at Romulus and South Seneca that can be turned into the Guidance Counselor. She will pick up submitted applications May 9. She also noted that Romulus may not be holding summer school this year, which may result in higher attendance.

Minutes: A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve the minutes of March 3, 2009

Abstract: Mr. Saeli questioned the cost of the town's insurance. Mr. Hayssen explained to him how the company the town is currently insured by works, but told Mr. Saeli if he wanted to look at other proposed rates for the same coverage, he could do so and report back to the board.

A motion by Kathy Russo, seconded by John Saeli and so carried unanimously to approve Abstract No. 4, General, Vouchers A0009-48 to A0009-61 in the amount of \$12,729.93, Seneca Lake Water, Vouchers SWS09-15 & SWS09-16 in the amount of \$20,472.15, Varick Sewer District, Vouchers SSS09-6 & SSS09-7 in the amount of \$1,965.20, Highway, DAO09-19 to DAO09-30 in the amount of \$1,366.34.

A motion by Kathy Russo, seconded by John Saeli and so carried unanimously to approve payment of the following bills for each of the listed districts:

Varick Water District No. 3:

Donna Karlsen	Postage	\$ 15.25
Reveille/Between the Lakes	Legal Notice	\$293.74

Varick Water District No. 4:

Reveille/Between the Lakes	Legal Notice	\$155.04
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New Business, Old Business, and Correspondence: Cayuga Land into Trust Application DEIS Information Meeting will be held April 16, at 7:00 p.m.

The board also reported they received a copy of a letter written to Charles McCann from David Kaiser, Seneca County Water District No. 1 regarding the fire training facility for their review.

Mr. Sipos asked the Supervisor to close the regular meeting of the town board based on attorney/client privilege at 9:35.

Mr. Hayssen reopened the regular meeting of the town board at 9:55.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to adjourn the meeting at 9:56.

Respectfully submitted,

Donna Karlsen
Varick Town Clerk