

September 1, 2009

The regular meeting of the Varick Town Board was called to order by Supervisor Robert Hayssen at 7:00 p.m. Present were Councilmen Richard Peterson, Jeff Case and John Saeli, Bookkeeper, Carol Sipos, Town Clerk, Donna Karlsen, Town Attorney, John Sipos , Highway Superintendent, Richard McCulloch, Romulus Supervisor, Dave Kaiser and Seneca County Chamber representative, August Gillon. Also present was Jim Somerville, Jr. Absent: Council, Kathy Russo.

**Privilege of the Board:** August Gillon reviewed the activities of Seneca County Chamber of Congress regarding tourism in Seneca County. He reported that Carol Finnegan is the newly hired marketing and promotion person. He reviewed some of the revenues and expenses the tourism department realize and noted that they are using the internet as a vehicle to promote tourism in the area. Mr. Gillon also handed out tourism guides to the board.

**Highway:** Mr. McCulloch reported that he received several applications to fulfill Mr. Knapp's position and he chose three applicants who he felt were best qualified to interview. He reported that he asked Jeff Case, Richard Peterson, Kathy Russo and Phil Knapp to sit in on the interviews. Mr. Case, Mr. Knapp and Mr. McCulloch conducted the interviews and developed questions to be asked of the applicants. Once the interviews were completed, their first choice was Kris Karlsen who accepted the position and will begin September 14th.

Mr. McCulloch also reported that Lyons Road Trash Removal will provide roll-offs at \$185 each and \$37 per ton. These figures will be compared to Casella's and if comparable, Lyons Road will be hired to provide services for Fall Clean up. It was noted that Sanpitro does not provide this service currently.

Mr. McCulloch contracted with Pete Keefer to fix the run off issue at Janet James residence. Further road work and resurfacing of the town hall parking lot is scheduled to be completed.

Mr. Peterson reported that we received state approval for reimbursement of some of the culvert cost and we should watch for the check.

**Varick Water District No. 1:** Supervisor Kaiser thanked the board for the invitation to discuss the water district's budget and invited the board members to speak to his staff who can answer questions he isn't able to.

He noted that the most recent agreement they were providing services under was modeled after the sewer agreement between the two towns. He tried to answer the questions presented to him and once again invited the board to present those he wasn't sure of or couldn't answer to his staff. He did report that although all funds collected are deposited in a Romulus' account, two sets of books are kept. He indicated that any funds left over from the budget was deposited into

Romulus' General fund and not returned to those in the water district. Mr. Kaiser also reported that purchases and repairs for the two districts are split 50/50 between the two districts.

Mr. Hayssen requested that Mr. Kaiser's staff provide the amount contributed to the fund balance and any start up amount contributed by the Town of Varick, if any, when the two towns entered into the agreement. Mr. Hayssen also reviewed the wording of a prior agreement that was originally signed and suggested Romulus considers this proposal. Mr. Kaiser suggested that the two towns move forward and if the Town of Varick is still interested in having the Town of Romulus complete the same services they have been providing, submit a proposed agreement to the Town of Romulus town board for their consideration.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to submit a new proposal to the Town of Romulus to complete the reading and billing for Varick Water District No. 1 and model it after the original agreement with them dated September 18, 2002 with a new figure of \$2,500 per year.

**Varick Sewer District No. 1:** Mr. Hayssen directed the board to review this contract and any changes they may want to suggest.

**Varick Sewer District No. 2:** Mr. Sipos reviewed the sewer rules and regulations and noted that it does not mandate that people connect within one year from start up date. It was noted that the board during the public hearing on this district decided not to make it mandatory, but would dictate that regardless if the resident along the line was connected, they would be responsible for the unit charge which would be assessed on the town and county tax bills.

After review of the regulations, it was determined by the board that they have done everything required of them and have no recourse to mandate hook up to the three remaining properties. It was also noted that Sarah Ryan from the County Health Department has completed her testing and as far as she is concerned all septic lines on the Ruthven property are connected to their septic tank and she will not be doing any further testing.

**Sewer Maintainer Agreement:** Mr. Case and Mr. Saeli reviewed the proposed maintainer agreement they developed and reported that this individual will perform the following services: locate and stake out town owned sewer lines as requested by Dig Safely, inspect new grinder pump installations including main connections, maintain sewer district's generator, activate sewer district's generator in the event of a power outage, maintain district maintenance facility, coordinate the repair of broken pumps, and report monthly to the town board.

It was debated as to what the rate of pay for this position would be. The amount fluctuated between \$20 per hour or equal to the water maintainer's pay.

It was noted that this position should be cleared through the county personnel office and Mrs. Russo is directed to advertise the position.

It was noted that Yaw's contract expires in November and according to their existing agreement they will receive a 3% increase upon renewal. Mr. Hayssen was directed to negotiate the 3% increase.

Mr. Saeli reviewed the cost of pump repairs from Yaws and reported that Yaws, according to his calculations, was increasing the cost of parts 50% and requested that he be given permission to audit their bills which he was granted. He also reported that Seiwert was willing to bill the parts directly to the sewer district. Mr. Hayssen reported that he spoke to Jerry Smith and he was willing to absorb the tax and he hoped to attend this evenings meeting.

Mr. Saeli also spoke to K & S Pumps in Auburn who said they could rebuild a pump for the Town of Owasco at a cost of about \$300 to \$400 a pump. He spoke to Yaws regarding this and they were willing to allow the district to have someone else repair the pumps. It was agreed to have K&S Pumps repair a pump and compare pricing.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to have K&S repair a pump.

Mr. Saeli is to bring a pump to be repaired up to the town hall and Mr. Hayssen will make arrangements to get it to K&S for repair.

### **Varick Water District No. 3:**

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to approve the Loan Resolution authorizing and providing for the incurrence of indebtedness for the purpose of providing portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its water facility to serve an area lawfully within its jurisdiction and to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of five hundred ninety-seven thousand dollars (\$597,000.00).

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to approve the Water Or Waste System Grant Agreement.

A copy of these agreements will be attached to the minutes in their entirety.

Mr. Hayssen reported that he received a letter from the Office of Community Renewal who granted the Town of Fayette's request for an extension of the Small City's Grant and revised the project completion date to June 30, 2010.

### **Varick Water District No. 4:**

Mr. Sipos provided a revised Legal Services Agreement, Special Compensation Beyond Salary. It was requested by the funding agency that he add "said fee shall not exceed this amount plus disbursements".

A motion by Jeff Case seconded by Richard Peterson and so carried unanimously to approve the revised Legal Services Agreement, Special Compensation Beyond Salary submitted by John Sipos.

Municipal Solutions provided the following resolution for board approval:

**WHEREAS**, the Town Board of the Town of Varick plans to construct Water District No. 4.

**WHEREAS**, the Town does not have sufficient funds on hand to pay for all the construction necessary for Water District No. 4,

**WHEREAS**, the project may be eligible for federal government funding through the USDA/Rural Development to construct Water District No. 4,

**WHEREAS**, it is in the interest of the public to obtain low interest loan and/or grants for the construction of Water District No. 4; therefore be it

**RESOLVED**, that the Supervisor and Deputy Supervisor of the Town of Varick is authorized to cause an application to be prepared to obtain funding from USDA/Rural Development and

**BE IT FURTHER RESOLVED**, that the Supervisor and Deputy Supervisor be authorized to execute all application document and forms required to determine funding eligibility and to obtain specific funding for the project from USDA/Rural Development.

Roll Call:

Robert Hyassen	Aye
Richard Peterson	Aye
Jeff Case	Aye
John Saeli	Aye
Kathy Russo	Absent

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to approve the Standard Form of Agreement Between the Town of Varick and Engineer Tim Buhl for Professional Services for Varick Water District No. 4.

**Planning Board:** The question was raised if the Zoning Code addressed properties whose lawns are being neglected and if the town has any recourse. It was determined that currently there isn't anything in the code that addresses this issue, however, the state codes do and Seneca County enforces these codes. The county should be contacted and asked to address this issue at 4788, Route 96A.

A motion by Richard Peterson, seconded by John Saeli and so carried to approve the Town Clerk's report: Revenue to Supervisor: \$375.62, County Treasurer: \$34.07, State Ag. & Markets: \$30.00, DEC: \$732.31. Total Disbursements: \$1,165.40.

**Supervisor's Report:** Mr. Hayssen received only one bid to repair the four windows and front door from Mike Sakus. The window repair is \$692 and to trim door frame is \$154.

A motion by Richard Peterson and seconded by John Saeli and carried unanimously to hire Mike Stakus to repair the windows and door frame per his proposal.

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to approve the Supervisor's reports for July and August 2009.

A motion by John Saeli, seconded by Richard Peterson and so carried to approve Amendment to the Budget, Town of Varick Sewer District No. 2, No. 1.

Mr. Hayssen received a bill from Fisher Associates for survey work completed for Water District No. 3 and reported that further funds need to be borrowed from Seneca Lake Water District in order to pay incoming bills and presented the following resolution:

**WHEREAS**, the Town of Varick is in the process of forming a water district, namely Varick Water District No. 3 and

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

**WHEREAS**, the Seneca Lake Water District has funds that can be loaned to the Varick Water District No. 3,

**WHEREAS**, once the district has been formed and we receive funding, this money will be paid back to the Seneca Lake Water District with interest at the rate of .30% annually, and

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

**NOW, THEREFORE**, be it resolved that the Seneca Lake Water District loan to Varick Water District No. 3 the amount of \$25,000.

Motion by: Richard Peterson,  
Seconded by: John Saeli  
So Carried Unanimously

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to approve the minutes of August 4, 2009 and August 18, 2009.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve Abstract 9, Highway, Vouchers DAO09-82 to DAO09-94 in the amount of \$6,543.79, Seneca Lake Water, Vouchers SWS09-45 to SWS09-47 in the amount of \$23,121.66, A0009-140 to A0009-159 in the amount of \$1,535.59

A motion by Jeff Case, seconded by Richard Peterson and so carried to approve payment of Water District No. 3 bills as follows:

Scott Smith L.S. Fisher Associates	\$23,385.00
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A motion by Jeff Case, seconded by Richard Peterson and so carried to approve the payment of Water District No. 4 bills as follows:

Donna Karlsen, Petty Cash (Postage)	\$ 3.15
Lawson Surveying & Mapping	7,800.00
Reveille/Between the Lakes	13.30
Reveille/Between the Lakes	4.56
Tim Buhl, Engineer	1,320.00

**New Business, Old Business & Correspondence:**

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to approve to have Supervisor Hayssen sign the Hazard Mitigation Plan submitted by Charlie McCann.

The court received funding to build the judge a judges bench and Frank Case wanted to know if the board would like to contribute money to enlarge the plans for the boards use as well. The board was content with the tables being used and will inform Frank.

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to adjourn the meeting at 10:35 p.m.

Respectfully submitted:

Donna Karlsen  
Town Clerk

