

July 5, 2011

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 Peter McDonald, Kathy Russo, John Saeli and Richard Peterson, Highway Superintendent, Richard McCulloch, Town Clerk, Donna Karlsen, Bookkeeper, Carol Sipos, Town Attorney, John Sipos, and Water Maintainer, Rob Bauman. Also present were representatives from HillSide, Joanne Davis, Dave Howard, Harmony Ayers, and John Altman and town residents Randy McCulloch and Marie Green.

Privilege of the Floor: Joanne Davis, Director of the Varick HillSide and Dave Howard, Director of Property Development reported that they are in the process of getting quotes on installing 120' of chain link or sold panel fencing. Dave Howard reported that it would be cost prohibitive to run fencing the full length of their property along Yale Farm Road and are hoping to install a sold panel fencing for appearance and so the clients can't see through to the other side. Joanne Davis reported that they are also making an effort to build employee skills and programming for the youths to prevent them from running.

Randy McCulloch and Marie Green stated that the length of fencing Hillside was proposing to install was unacceptable and expressed their dissatisfaction regarding the fact that lifelong residents did not feel safe in their homes any longer, that the residents were having to lock up their homes resulting from Hillside's presence, and the lack of respect, professionalism and response time on the part of their staff regarding different situations that had occurred.

Joanne Davis stated that she would address their concerns regarding their staff and reported that their master plan was to move the school and housing to the other side of the campus at some point.

Mr. Hayssen questioned where the fencing had gone that was originally there before HillSide took over the campus and suggested contacting the IDA to see if they knew where it was and if they would assist in the cost of replacing the fencing along that area.

It was agreed that immediately following this discussion David Howard, Randy McCulloch, Marie Green and Rick McCulloch were to walk the area where they would like to see the fence put back up.

The Town Board and HillSide agreed that thirty days should be enough time for HillSide to contact the IDA , get a quote on installing a fence and report back to the Town Board.

**Highway:** Rick McCulloch met with Chris Covert regarding the intersection of State Route 336 and State Route 96. Chris Covert will check into the legality of changing the existing spur off of Dilts Road to Route 96 into a hammerhead or cul-de-sac.

Mr. McCulloch also met with Chris Covert, Billy Trout from the Town of Fayette, a representative from Nozzolio's office whose name he was unsure of, Aaron Smith from

Soil and Water and Mrs. James' grandson, Dennis, regarding Janet James property at the corner of Townline Road & Route 89 regarding a water flow issue. Chris Covert has taken lead agent on this issue and after reviewing the history and circumstances of this natural water flow, Chris Covert and Nozzolio's office agreed that the responsibility of the control of the natural water flow is the homeowner's.

Kris Karlsen will be working with the County and in turn the County will help with road work scheduled to be done on Varick Townline Road.

**Varick Sewer District No. 1:** Peter McDonald suggested that the board consider forgoing the contractual agreement regarding the payment of bills and bookkeeping with the Town of Romulus that was previously discussed. After some discussion with the Varick bookkeeper and town clerk, it was decided that the town should receive a copy of all bills sent to the Town of Romulus for this district, voucher 45% of the amount due on each bill which represents Varick's share of the bills as agreed upon with Romulus, approve and pay them. A list of approved vouchers will then be forwarded back to the Town of Romulus for their approval and payment of the 55% balance due on them at their town board meeting.

A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to pay 45% of Varick Sewer District No. 1 bills as agreed upon with the Town of Romulus directly to the vendors and provide a list of bills to the Town of Romulus for their approval and payment of the remaining 55% balance due at their town board meeting.

The remaining balance of funds in the joint account was used to pay a portion of the cost to rebuild a pump.

A motion by Peter McDonald, seconded by Richard Peterson and so carried to direct Dan Duddleston to obtain an estimate of repair to the Varick Sewer No. 1 pump stations.

Mr. Saeli questioned the payment for water being hauled by Romulus Fire Department for swimming pools. Mr. Hayssen did check with Butch Carroll and the fire department is paying for the water they draw, however the question of wear and tear on the trucks was raised and should be questioned at budget time to the Romulus Fire Department.

**Varick Sewer District No. 2:** Mr. Hayssen stated that the new unit charge from the County should be \$30 not \$45 a unit and he will contact Jason McCormick to make sure the billing from the County is done correctly.

A motion by Peter McDonald, seconded by Kathy Russo, and so carried unanimously to authorize payment for unit charges at a cost of \$30 per unit and if the billing from the county is incorrectly done at \$45 per unit, a letter will be sent with the payment explaining the \$30 rate.

**Varick Water District No. 1:** Rob Bauman reported that every meter in this district has been replaced and the curb stops have been changed out.

Mr. Bauman also reported that the meter inventory is still in question and he is still looking into this.

Mr. McDonald estimated the dollar figure owed to this district from the joint Romulus/Varick accounts to be approximately \$15,000 to \$20,000 and he is still reviewing the information concerning these funds and will work with the Town of Romulus to resolve.

**Seneca Lake Water District:** Jim Bromka, Village of Waterloo, suggested a hydrant which is currently working to be dug up by Damon Nicholson to find out how many bolts will need to be replace with stainless steel ones. Mrs. Karslen suggested rather than digging up a hydrant that is currently working, she suggested digging up the hydrant that has been broken for more than a year, replace it and use that hydrant to gain the number of stainless steel bolts needed. Mr. Hayssen, who wants to be present when this work is done will contact Damon Nicholson with the location of the broken hydrant and Jim Bromka will be notified.

Ben Karlsen completed testing the hydrants in this district and submitted a written report to include hydrants that still need to be repaired.

**Varick Water District No. 3:** Mr. Hayssen reported that although Sensus meters are being installed, John Yells expressed concern with the wiring system adaptation developed by Orion for their remote read system to be attached to the Sensus meters. This system is not waterproof and is more susceptible to breakage. The Town of Fayette is working with Jason McCormick and the county to replace the Sensus meters that were ordered with an Orion meter. No further information on this was available at the time of this meeting.

A motion by Peter McDonald, seconded by Richard Peterson, and so carried unanimously to direct Supervisor Hayssen to sign Change Order 3 in the total amount of \$15,000 and Change Order 4 in the total amount of \$9,370.33 contingent on an acceptable explanation for these change orders to Mr. Hayssen from Jason McCormick.

A motion by Peter McDonald, seconded by Kathy Russo, and so carried unanimously to approve Contractor's Application for Payment No. 9 in the amount of \$30,071.63.

A motion by Richard Peterson, seconded by Peter McDonald and so carried unanimously to approve payment to Orrick, Herrington & Sutcliffe, LLP in the amount of \$720.00.

Syracuse Constructors repaired a drainage line on the Litzenber property that was thought to have been broken when they installed the main line. Once Litzenburger's drain line was dug up it was discovered it was plugged with roots and dirt and was felt that it was

not the responsibility of Syracuse Constructors. This bill for repair work done by Syracuse was presented to Mr. Hayssen by Jason McCormick. It is unclear as to whether it has been paid by the project or not, so it is unclear as to what needs to be done with the billing. This payment of the bill has been tabled until Mr. Hayssen can question Jason McCormick further.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to have Ben Karlsen number the hydrants in this district.

Mr. Hayssen will contact Jason McCormick to make sure Kevin Swartley's lawn is included on the punch list for repair.

**Clerk's Report:** A motion by Peter McDonald, seconded by John Saeli and so carried unanimously to approve the Clerk's Report: Total revenue to Supervisor: \$151.64, Ag and Markets: \$26.00, New York State Environmental Conservation: \$70.86, State Department of Health: \$22.50, Total Disbursements: \$271.00

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

A motion by Kathy Russo, seconded by Richard Peterson, and so carried unanimously to approve Amendment to the Town of Varick Highway Fund, Resolution No. 4.

A motion by Kathy Russo, seconded by Richard Peterson, and so carried unanimously to approve Amendment to the Seneca Lake Water District No. 5.

A motion by Kathy Russo, seconded by Richard Peterson, and so carried unanimously to approve Amendment to Varick Water District No. 1, Resolution No. 6.

Mrs. Sipos reported that Paul Conroy applied for and is eligible for unemployment benefits.

**Personnel:** Mrs. Russo reported that the Summer Recreation Program has begun and they have approximately 50 children enrolled.

**Assessor's Report:** Anne Morgan submitted a written assessor's report which was reviewed by the board. Mr. Hayssen reported that the town's tentative equalization rate is 100%.

**Code Enforcement:** Larry Colton submitted a written report listing the building permits issued for the month of June 2011.

**Minutes:** A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to approve the minutes of June 7, 2011.

**Abstract:** A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to approve Abstract No. 7, Varick Sewer District No. 1, Vouchers VS111007 in the amount of \$2,389.14, General, Vouchers A0011084 to A0011091 in the amount of \$523.23, Seneca Lake Water District, Vouchers SWS11040 to SWS11045 in the amount of \$38,020.82, Varick Sewer District No. 2, Vouchers SSS11015 to SSS11020 in the amount of \$4,300.72, Varick Water District No. 1, Vouchers VW111011 to VW111012 in the amount of \$521.45, Highway, Vouchers DA011043 to DA011051 in the amount of \$3,083.37.

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

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to approve connection of the Town Hall to Varick Water District 3 water line.

Mr. McCulloch will coordinate this project and hire a contractor.

Discussion was held regarding purchasing a new Highway Superintendent truck on a yearly basis and the figures were reviewed. It was decided to continue with this practice one more year and look at the gains or losses at that time.

Rob Bauman questioned whether anyone had heard anything further on the Scepter site. Mr. Hayssen indicated that they are officially no longer looking at a site in the Town of Varick.

A motion by Peter McDonald, seconded by John Saeli, and so carried unanimously to adjourn the meeting at 8:55 p.m.

Respectfully submitted,

Donna Karlsen  
Varick Town Clerk