

October 4, 2011

The regular meeting of the Varick Town Board was called to order at 7:00 p.m. by Supervisor Hayssen. Present at this meeting were Council Members, Peter McDonald, John Saeli, and Richard Peterson, Town Clerk, Donna Karlsen, Town Attorney, John Sipos, Bookkeeper, Carol Sipos, Assistant Water Maintainer, Rob Bauman, Finger Lakes Community Papers reporter, Anita Glover, and Joan Teichner.

Highway: It was agreed at the time Kris Karlsen was hired that the board would consider providing health insurance benefits after his first year of employment. Kris has been employed by the town for two years now and has requested the town board to consider providing a health insurance package at this time.

The board discussed the cost of health insurance plans and different policies. They reviewed the coverage provided to previous employees and determined that they would be willing to pay up to \$10,000 towards a health insurance plan for Mr. Karlsen. Any cost for insurance above this amount would be his responsibility.

A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to pay up to \$10,000 annually for health insurance benefits for Kris Karlsen.

The highway department is to look into different plans available.

Mr. Hayssen received a letter from the New York State Department of Labor Work Place Safety indicating some minor violations pertaining to the building that needs to be addressed. Mr. McCulloch met with this department's representative and has already corrected the violations that this inspector indicated to him verbally during his inspection. Mr. Hayssen will provide this letter to Mr. McCulloch for his review.

Varick Sewer District No. 1: Mr. McDonald reported that Butch will instruct Rob Bauman how to locate and inspect the manholes in this district if acceptable to the board.

A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to initiate inspections with Butch Carroll training Rob Bauman how to complete these inspections and mapping with an assistant at \$15 per hour and to provide a written report to Mr. McDonald by November 1 board meeting.

Dan Duddelston and Butch Carroll reported that the generators for this district are being maintained every two years and will need to be done this year. They suggested that the 60K generators were over sized for this district and suggested selling them and purchasing a more appropriate size.

It was reported that this district was to spend down the funds that were in the joint account with Romulus and Carol Sipos will check on the status of this.

Varick Sewer District No. 2: It was reported that the five shut offs in the town of Romulus were repaired

Water District No. 1: Mr. McDonald reported that Dan Duddleston has removed the items that were stored in the shed located at the pump station on Route 96 and will find out what items were removed, condition of the items and where they were moved to. Mr. McDonald will proceed with getting someone to dismantle the shed and remove it.

It was reported that new meters were installed at the Romulus Fire Department, Romulus Central School and the trailer park. It was also noted that Bylers are drawing water to their Route 414 address from the pipe located at the trailer park.

Russell Street repair costs are \$3,200 for labor and equipment and \$1,100 for material. The stone required for this project will be trucked by the Highway Department.

A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to install a new water line with hydrant on Russel Street.

Seneca Lake Water District: A discussion was held as to whether shut off and turn on fees should be assessed. It was determined since a minimum charge was being assessed to those who had their water turned off, there would not be a fee charged at this time. It was noted that the minimum water charge does not cover the cost of the water maintainer to complete the turn on and turn off of the water.

Rob Bauman has replaced eight meters so far, and has only seven meters in stock and wanted permission from the board to order the remaining meters needed. The board gave approval to do so. He is also to leave post cards on the doors of those whose meters are in their homes notifying them that he needs access to do the repair.

Water District No. 3: Mr. Hayssen and Mrs. Sipos reported that we will be closing the financing of this district in December with a much lower interest rate of 2.25% which will save this district over the span of the loan approximately \$64,606.

A meeting will be held Thursday, October 13 at the Town of Fayette to review the billing and bookkeeping needs for this district.

It was determined that a \$15 turn on and turn off fee will be charged with no minimum water usage fee.

Mr. Hayssen received an amendment for services from Municipal Solutions in connection with the extra work generated by the required ARRA reports. Municipal provided a few suggestions for paying the enclosed amendment if the budget does not allow for all of it to be put against it as follows.:

1. Put as much of the amendment towards the current project budget as possible.
2. Budget for the remaining portion in your 2012 Operating Budget for Water District No. 3.

3. If there are additional costs associated with this project that are the Town will not able to be put towards the 2011 or 2012 budgets, you can borrow on a small Bond Anticipation Note up to your borrowing authority of \$1,332,400.
4. Borrow the remaining balance from a Reserve Fund and repay yourself over a 5 year period.

Mr. Hayssen suggested taking a three year bond anticipation note, with this amount being added to the original amount to be paid by the district users on their tax bills. No action was taken at this time to allow for further review of their amendment.

Water District No. 4: Mr. Hayssen reported that this district is at the top of the funding list.

Town Clerk's Report: A motion by John Saeli, seconded by Peter McDonald and so carried to approve the Town Clerk's Report: Supervisor: \$306.77, Ag and Markets: \$46.00, NYS Environmental Conservation: \$850.23, Total Disbursement: \$1,203.

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

South Seneca Ambulance: Attorney Sipos indicated there are two items pertaining to South Seneca Ambulance he is researching currently: Method of billing and Seneca County's responsibility of levying taxes pertaining to town wide or special use districts

He has approached the County Attorney regarding the authority the county has to levy a tax and the legality of billing co-pays to the residents who have had funds raised by a tax levy. Attorney Sipos reiterated that he has stated repeatedly that all the work pertaining to South Seneca Ambulance has been done under his salary for the town, and if it necessitates it he would like a statement from this board that they don't feel that there is a conflict of interest and that he isn't billing any extra for work completed regarding this matter. He did report that if a class action should take place he has found a counsel who would be interested in representing a class action case against South Seneca Ambulance.

At the September board meeting, Attorney Sipos requested the board table any further action regarding South Seneca Ambulance's billing methods to give the State Attorney's office time to responds to his questions. He has received no response from them as of this meeting and asked the board to now reconsider the proposal made by Councilman Peter McDonald in September to refer this matter to the Seneca County District Attorney's office. Attorney Sipos did discuss with the District Attorney the bidding requirements of South Seneca Ambulance relative to the hiring of Multi Med to provide billing services. The DA did not think there was a bidding requirement but he did take express concern with Lee Hoagland being the director and administrator of the Ambulance Corporation and also working for Multi Med. Attorney Sipos reported the District Attorney thought there may be a break of fiduciary duty there. Attorney Sipos will provide the DA all the information he has accumulated if so directed by this board regarding this matter.

Supervisor Hayssen reported that he did hear South Seneca Ambulance was going to propose a budgetary figure of somewhere around \$44,000, but as of this date Supervisor Hayssen hasn't received anything in writing so no figure will be included in the town's 2012 Tentative or Preliminary budget at this time. Attorney Sipos suggested that if the board had any questions or concerns regarding the information he has accumulated, they should be referred to the District Attorney's office. Councilman McDonald clarified that the board is in support of South Seneca Ambulance, but is concerned with the way South Seneca Ambulance is doing things. He also clarified that the board wants to turn this matter over to the District Attorney's office and direct Attorney Sipos to provide the County District Attorney with all his information and to be make himself available as a resource to clarify any information he provides if requested by the DA.

A motion by Peter McDonald, seconded by John Saeli and so carried unanimously to charge Attorney John Sipos to turn over the information he has compiled regarding South Seneca Ambulance and to speak to the District Attorney regarding South Seneca Ambulance's method of billing and any other conflicts of interest.

Budget 2012:

A motion by Robert Hayssen, seconded by Peter McDonald and so carried unanimously to add \$10,000 to the Highway DAO-9060-800 Insurance and Highway Appropriated Fund Balance DAO-0599-000 \$10,000.

Mr. Saeli corrected the General Appropriated Fund Balance figure in the Tentative Budget from \$34,670. to 31,920.

A motion by Peter McDonald, seconded by Robert Hayssen to move the 2012 Tentative Budget to the 2012 Preliminary Budget.

Roll Call:

Robert Hayssen:	Yea
Peter McDonald	Yea
John Saeli:	No
Richard Peterson:	No
Kathy Russo:	Absent

Motion Failed

Discussion was held regarding the following issues:

1. Salary increases
2. Increase in assessments, resulting in higher tax payments even though the tax rate is remaining level.
3. Romulus/Varick Summer Recreation

A motion by John Saeli, seconded by Richard Peterson to remove the Town of Varick's financial responsibilities from the Romulus/Varick Summer Recreation Program.

Roll Call:

Robert Hayssen:	No
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Peter McDonald: No
John Saeli: Yes
Richard Peterson: Yes
Kathy Russo Absent
Motion Failed

Mr. Peterson discussed the fund balance in the General Fund and indicated that he would be comfortable passing the 2012 Tentative Budget to a Preliminary Budget if we were to appropriate an additional \$20,000 from the fund balance.

A motion by Richard Peterson, seconded by Peter McDonald and so carried unanimously to appropriate an additional \$20,000 from the General fund balance.

A motion by Robert Hayssen, seconded by Peter McDonald and so carried unanimously to move the 2012 Tentative Budget to the 2012 Preliminary Budget and to hold a public hearing on this budget and all special districts November 1, 2011 at 7:00 p.m. at the Varick Town Hall.

A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to approve Abstract No. 10, General Fund, Vouchers A0011-127 to A0011-136 in the amount of \$798.71, Seneca Lake Water District, Vouchers SWS11-063 to SWS11-067 in the amount of \$36,540.52, DAO11-071 to DAO11-076 in the amount of \$50,623.41, Varick Water District No. 3, Vouchers VW311-19 to VW311-20 in the amount of \$223.46, Varick Sewer District No. 2, Vouchers SSS11-032 to SSS11-036 in the amount of \$2,504.73, Varick Water District No. 1, Voucher VW111-016 in the amount of \$20.00, Varick Sewer District No. 1, Voucher VS111-021 and VS111-022 in the amount of \$36.37.

Minutes: A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to approve the minutes of September 6 and September 19 with the typographical error of “to” to “no” corrected in the September 19 minutes.

Old Business, New Business and Correspondence:

Mr. Peterson suggested that the town receive bids for consequential backhoe and dump truck service to obtain the lowest rate possible for needed work.

A discussion was held regarding the run off of water off of the back of the building and seepage of water into the clerk’s office. It was determined that this problem needs to be assessed and a quote for repairs needs to be obtained.

A motion by Richard Peterson, seconded by Peter McDonald and so carried unanimously to adjourn the meeting at 10:30 p.m.

Respectfully submitted:
Donna Karlsen
Varick Town Clerk