

Varick Town Board  
November 7, 2012

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 John Saeli, Peter McDonald, and Kathy Russo, Town Clerk Donna Karlsen, Attorney for the Town John Sipos, Bookkeeper, Carol Sipos, Code Enforcement Officer Larry Colton, South Seneca Ambulance representative Keith Eggner, Richard Heichel, and John Hillman, and Reporter Aneta Glover. Also present were Edith Colton, Richard and Ann Olsen. Absent: Councilman Robert Bauman and Highway Superintendent, Richard McCulloch.

A motion by Kathy Russo, seconded by Peter McDonald and so carried unanimously to open the public hearing on the 2013 preliminary budget of the Town of Varick, the special district fund budgets and adopted fire protection units.

A motion by Kathy Russo, seconded by John Saeli and so carried unanimously for the board to go into recess at 7:05 to allow Judge Ettman use of the conference room.

Supervisor Hayssen declared the board out of recess at 7:15 p.m. A question was raised as to the town's internet site being down and Councilman McDonald explained that he had secured varickny.com and it should be up and running in a couple days.

A motion by Kathy Russo, seconded by John Saeli and so carried unanimously to close the public hearing on the 2013 preliminary budgets and adopted fire protection units at 7:17 p.m.

**Privilege of the Floor:** South Seneca Ambulance representatives Rich Heichel and Keith Eggner presented a document from the Office of Inspector General in response to their request for an advisory opinion regarding an exclusive arrangement between a county and an emergency medical service company whereby the company provides emergency ambulance service to county residents. The board discussed with the ambulance representatives the number of 2011 calls made in the town of Varick which amounted to 144, the Dual Certificate of Needs which is a lap of area coverage shared by North Seneca Ambulance and South Seneca Ambulance, and the possibility of the payment of co-pays by the town for its residents who are serviced by South Seneca Ambulance and how these co-pays would be budgeted and disbursed. They also discussed the necessity of the CPA audit at an estimated cost of \$14,000 and the cost of using Multi-Med for their billing service. South Seneca representatives explained that donations are currently being deposited in their general fund to be used for sending condolences and alike. They reviewed the proposed agreement the Town of Covert is making with the Trumansburg Ambulance Company. A discussion was also held as to how the current service boundary lines for South Seneca Ambulance were determined and it was found that no district was officially formed, so any proposed unit cost would have to be town wide. It was also noted that there is no unit charge being assessed to residents and the services to all residents in the town are currently the same whether the service comes from North Seneca or South Seneca Ambulance. It again was noted that since there is no legal district established for South Seneca Ambulance, and although North Seneca Ambulance covers a portion of the Town of Varick, a unit charge would need to be assessed to the entire town. It was suggested by the bookkeeper that if the board

chooses to form a district, this process should be started in advance of the preparation of the 2014 budget.

The proposed 2013 Emergency Medical Services Agreement submitted requested an amount of \$30,468.02. In order to meet the 2% cap on this year's budget, Bookkeeper Carol Sipos reported that there were only funds of \$19,500 available.

A motion by Robert Hayssen, seconded by Peter McDonald and so carried unanimously to assess a town wide unit charge in order to collect \$19,500 for payment to South Seneca Ambulance.

Mrs. Sipos will add a Non-District Ambulance Contract line to the budget, add the \$19,500 and obtain the number of units from the assessor that the \$19,500 will be divided by. There will be no payment of resident's co-pay by the town. South Seneca Ambulance will draw up the contract for the town attorney's review and Supervisor's signature.

Larry Colton questioned the board as to whether they had a solution regarding the air getting into his water system which he feels is coming from the town's water main. Supervisor Hayssen got a price from MRB Engineering of approximately \$1,500 to do an engineering study on the line for placement of air release valves. The cost of the air release valves was estimated to be \$7,000 to \$10,000 each. The board has had no other complaints from residents along the line. Mr. Hayssen wasn't sure if putting a pit with an air release valve in Mr. Colton's lawn would resolve their issue. After reviewing different options, Larry and Edith Colton agreed to have a contractor look at their system and see if there is already an air release valve installed in their system that they are not aware of. They were agreeable to having one installed if one did not exist. The board was willing to pay up to \$500 for this installation.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to have Larry Colton hire a plumbing contractor to review his water system and install a air release valve if necessary at a cost not to exceed \$500 to the district.

**Varick Water District No. 1:** It was reported that the adversary meeting was cancelled. It was discovered that the master meter was not reading correctly and an adjustment was made to the second and third quarter water bills from Seneca County to reflect these inaccurate reads. Mr. Hayssen will review previous billings to determine if the billing adjustments should go back further than the last two quarters. It was suggested that the town get a copy of Cindy Stephens last leak detection report from the Town of Romulus for the board's review and record.

The clerk reported that Bob Spano contacted her and the Village of Waterloo requesting that his two O/M fees be reduced down to one currently and asked for reimbursement of fees for the past two years for the two apartments when no one was living in them. The board was reminded that there was an issue with the shut offs to this residence and even though Mr. Spano had requested this water be shut off, he did admit that on occasion he did use the water during that time span. He has since moved back into one of the two apartments and feels he should only have to pay one O/M fee. It was explained to him by the Village of Waterloo and the Town Clerk that although he was only using one apartment the pipes still had to be maintained to the second one for future use which is why he would be expected to continue to pay the operation and

maintenance fees for both. The board was in agreement with this, and the town clerk will contact Mr. Spano with their decision.

**Seneca Lake Water District:** A discussion was held regarding the minimum water bill being charged to those who have had their water shut off by the beginning of a new quarterly billing cycle. Supervisor Hayssen reported that he thought the minimum charge of \$10 would still be assessed, even if the water was turned off, to offset the cost of having the inspector turn off the water at the homeowner's request. The clerk reminded the board that the original understanding by the users in this district was that if the homeowner contacted the town to have their water turned off prior to the beginning of the next billing cycle; they would not receive a minimum charge for water usage. This understanding was expressed by many who called to have their water turned off by the first of October and reported to the Village of Waterloo for billing purposes. It was noted that the fees for the sewer would remain as these fees are not based on water usage for this district. The board discussed assessing a turn on/shut off fee for this service, but no action was taken at this time.

**Varick Water District No. 3:** It was reported that Mr. Hayssen and Mr. McDonald will be attending the Town of Fayette's public hearing on their budget to raise questions regarding \$12,000 interest they received as part of Varick Water District 3/Fayette Water District 5 capital project.

**Varick Water District No. 4:** With the submittal of the final paperwork to Rural Development from Mr. Sipos, the letter of conditions has been met. RD has reviewed the paperwork and has issued their comments and asked the engineer, Tim Buhl to make some amendments to the plans. John Sipos will work on a resolution for standardizing all parts to be used in this project. Department of Transportation and Seneca County Health Department are completing their paperwork and it is hoped that the bid process for this project can begin in January or February. Tim Buhl also has recommended an inspector for this project for the board's consideration.

Municipal Solutions provided a proposed Construction Voucher Processing Deadline Dates and Payee Report for this district.

**Varick Sewer District No. 1:** Nothing to report.

**Varick Sewer District No. 2:** The board received a letter from Yaws Environmental reviewing their current contract and the cost increases that were to be put into effect each year. It was noted that Yaws never increased their billing to the town to reflect these increases. It was suggested that they be asked to attend the next town board meeting to discuss their contractual agreement for this district.

**Town Clerk's Report:** A motion by Kathy Russo, seconded by John Saeli and so carried unanimously to approve the Town Clerk's report: Supervisor; \$269.36, NYS Ag & Markets; \$45, NYS Environmental Conservation;\$74.64, Total disbursements; \$119.64.

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

**2013 Budget:** A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to amend the 2013 Preliminary Budget in the amount of \$19,500 in order to provide funding to South Seneca Ambulance.

Mrs. Sipos reported that she will revise the Preliminary Budget to reflect South Seneca Ambulance's funding.

A discussion was held regarding the amount of the appropriated fund balance being used. Mr. Hayssen reported that some of the appropriated fund balance is being carried over from the 2012 unexpended funds and the balance was coming from what was in the town accounts. Mr. Hayssen indicated that responsible spending by the board and the department heads results in unexpended funds at the end of the year which he has used to offset tax increases for 2013.

A motion by Peter McDonald, seconded by Kathy Russo and so carried unanimously to adopt the 2013 budget of the town of Varick, the special district fund budgets and adopt the fire protection units.

**Personnel:** Mrs. Russo reported that approximately 25 students from the Town of Romulus, 23 students from the Town of Varick and children of summer school teachers attended the Summer Recreation Program. Mrs. Russo expressed her belief in keeping this program and reviewed the cost per child.

**Planning Board:** A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to appoint David Kidd to the Planning Board.

A motion by Peter McDonald, seconded by Kathy Russo and so carried unanimously to appoint Todd Horton as Planning Board Chairman.

Mrs. Karlsen reported that Phil Knapp is resigning from the Planning Board effective December 31, 2012. The board regretfully accepted Mr. Knapp's resignation and will seek a replacement for this vacancy.

Barry Somerville sent an email on behalf of the Planning Board requesting the town board initiate a six month moratorium for the purpose of developing appropriate zoning code for Public Unit Development. Mr. Sipos has done some research on this matter and will email the boards a copy of a local law pertaining to this matter. No action was taken on the moratorium at this time.

The Planning Board has also requested wireless internet be provided to the town hall and Mr. McDonald will look into this.

**Minutes:** A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to approve the minutes of October 2, 2012.

**Abstract:** A motion by Peter McDonald, seconded by Kathy Russo and so carried unanimously to approve Abstract 11, General, Vouchers A0012-170 to A0012-182 in the amount of

\$4,045.43, Varick Water District No. 3, Vouchers VW312-29 to VW312-32 in the amount of \$2,260.38, Seneca Lake Water, Vouchers SWS12-75 to SWS12-79 in the amount of \$27,730.03, Highway, Vouchers DA012-63 to DA012-71 in the amount of \$32,529.85, Varick Sewer District No. 2, Vouchers SSS12-34 to SSS12-37 in the amount of \$10,101.89, Varick Sewer District No. 1, Vouchers VS112-35 to VS112-38 in the amount of \$2,178.03,

**Old Business:** Mike Laird repaired the overhang along the back of the building, but there hasn't been enough rain to date to see if the repair has solved the problem.

A motion by John Saeli, seconded by Kathy Russo and so carried to adjourn the meeting at 10:15 p.m.

Respectfully Submitted

Donna Karlsen  
Town Clerk