

Varick Town Board Minutes

September 3, 2013

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, John Saeli, Kathy Russo and Robert Bauman, Town Clerk, Donna Karlsen, Yaws, Dan Duddleston, Reporter, Aneta Glover. Absent: Highway Superintendent, Richard McCulloch, Attorney for the town, Steve Ricci, and Bookkeeper, Angela Testa.

Petitions to Address the Board: None

Highway: It was reported the road surface of Yale Farm Road from McGrane Road to Route 96A had been completed. The balance of the scheduled roadwork will be completed in September.

Varick Sewer No. 1: No report.

Varick Sewer District No. 2: Dan Duddleston reported that the panel box that automatically runs the sewer pumps was struck by lightning and they are having to manually run the pumps. They have contacted Siewert and they are expected at the pump station between 9:00 to 10:00 am on September 4th to make repairs. The estimated cost depended on what Siewert finds damaged and the parts that will be required to make the repairs. The estimated travel, mileage & labor for the repair to the station is \$1,120. There is currently no surge protection on this system and Dan will talk to Siewert and get their recommendation as to if one should be installed.

It was suggested that more pumps be purchased and budgeted in the 2014 budget. It was believed that four pumps were purchased this year at a cost of \$1,681. Mr. Saeli will check into the cost and warrantee and confirm the quantity ordered previously.

Varick Water District No. 1: Cynthia Stephan was hired to perform a leak detection survey for this district which was completed the end of August. There were two leaks found on her sonic survey. The first one was a small leak in front of 2006 Cayuga Street, Mennonite Fellowship building on the hydrant guard valve. The second was a very large leak on the customer's side of the service line to an abandoned car wash on Route 96 across from Somerville Road. This service was turned off and the leak is reported to have stopped. She also recommended that an "in house" nighttime master meter reading be completed between the hours of 2:00 a.m. and 3:00 a.m. The board has not received Ms. Stephan's written report and anticipates further recommendations as to how to detect any meter malfunctions. The board reviewed the estimated water loss occurring at 2006 Cayuga Street and reported that there were no leaks found on Russell Road. Concern was expressed over the negligence of required maintenance and supervision of Romulus' side of the joint water district and the length of time this loss of water has been occurring. It was agreed to split Cynthia Stephan's bill with the town of Romulus according to the billing split of Varick 45% and Romulus 55%.

Seneca Lake Water District: Mr. Hayssen reported that the Town of Fayette has not paid the unit charge that was collected from Fayette residents on their 2013 town and county taxes in the amount of \$21,052. This amount was payable to Seneca Lake Water District by the end of February. A principal and interest payment is due to Rural Development on September 9th and these funds are a part of this payment. It is understood that Town of Fayette's Supervisor, Cindy Lorenzetti and their town board agreed to withhold these funds as leverage against funds owed to the town of Fayette from Varick Water District No. 3 Capital project in the amount of \$8,188.31. Steve Ricci, who also represents the Town of Fayette and was Water 3/Fayette 5 attorney on this project was not aware of the Town of Fayette withholding these funds and was going to contact Supervisor Lorenzetti regarding this matter. The Varick board is not disputing that the \$8,188.31 agreed amount is due to Fayette 5 Capital Project, but acknowledged that these funds are currently tied up in a legal action being taken against Syracuse Constructors and Seneca County and have no correlation to Seneca Lake Water District and the agreement that was established between the two towns several years ago. It was reported that the town of Fayette has been honoring this agreement until this year. The following motion was made and Peter McDonald will contact Supervisor Lorenzetti and send a copy of the motion to Fayette board members if necessary.

WHEREAS the Town of Fayette and the Town of Varick entered into an agreement dated August 7, 2007 regarding certain residents of the town of Fayette currently receiving portable water and fire protection through the water line commonly known as Seneca Lake Water District and;

WHEREAS according to number six (6) of this agreement each and every year using the July 1st tax roll each Town shall determine their respective percentage share of the total number of units within the Seneca Lake District. Each Town shall collect taxes in that amount as determined by it's percentage of units multiplied by the total amount due on the debt service amortization schedule for that year. Within two weeks after the final tax roll is distributed, the debt service payment will be calculated and verified for the fall budget process for both Towns. In accordance with said formula Fayette shall furnish that amount directly to Varick prior to the **end of February** in each calendar year and;

WHEREAS the town of Fayette on behalf of the users of the town of Fayette, Seneca Lake Water District did collect from said users on the 2013 Town and County tax bills their share in the amount of \$21,062 and;

WHEREAS the town of Fayette has not as of this date, September 3, 2013, furnished said payment in the amount of \$21,062 in accordance with aforesaid agreement, the town of Varick;

THEREFORE demands payment of funds collected from residents of the town of Fayette, Seneca Lake Water District tax payers in the amount of \$21,062 to be paid to the town of Varick no later than 12:00 Noon., September 6, 2013 and;

BE IT RESOLVED that if this payment is received by 12:00 Noon, September 6, 2013, the town of Varick will not assess interest charges accrued through late payment and;

BE IT FURTHER RESOLVED that if this payment is **NOT** received by the stipulated time and date, the residents of the town of Fayette will be notified of the default in payment by the Town of Fayette on their behalf, and litigation to collect same will be initiated.

Motion by: Peter McDonald
Seconded by: Kathy Russo
So Carried Unanimously

Mr. Saeli suggested looking into replacing the water district's truck and researched its approximate retail value to be \$14,300 currently and the state bid for a ¾ ton pick-up is approximately \$21,000.

Mr. Hayssen felt that before the district spends money on a new truck, the funds might be better used by this district to extend the water line up Yale Farm Road. Available grant funds need to be researched.

Water District No. 3: It was suggested by Hancock and Estabrook that Varick 3 and Fayette 5 hire MRB to complete an updated punch list. They quoted a price of approximately \$3,900 to complete this work. Supervisor Hayssen is not in favor of this noting the additional expense to the district for funds that they don't have. Supervisor Hayssen is aware of at least 23 hydrants that need something done with them. It isn't just the DOT punch list that needs to be addressed. The as-built is supposed to be completed by the engineer and the county should be held responsible. It was felt that the water loss should be forgiven as well by the county. Further discussions will be held with the Town of Fayette and our attorney's regarding this issue.

Water District No. 4: It was hoped that the contractor will be breaking ground in two weeks. DOT wants two different bonds which is being worked on. A pre-construction meeting was held and the contractor anticipates the job to take 120 days and Rural Development is requiring a full time inspector. Bob has purchased 200 stakes for residents to mark where they want their line and he will be writing a letter to be mailed out to the district residents. Ann Morgan will print labels.

Town Clerk's Report: A motion by Peter McDonald, seconded by Robert Bauman and so carried unanimously to approve the Town Clerk's report: Supervisor: \$193.02, NYS Ag & Markets: \$35, NYS Environmental Conservation: \$266.48, State Health Department: \$22.50, Total Disbursements: 517.

Supervisor's Report: A motion by John Saeli, seconded by Robert Bauman and so carried unanimously to approve Amendment to the Varick Water District No 3, Resolution No. 1.

A motion by John Saeli, seconded by Robert Bauman and so carried unanimously to approve Amendment to the Varick General Fund Budget, Resolution #2.

A motion by Kathy Russo, seconded by Robert Bauman and so carried unanimously to approve the written Supervisor's Report.

Personnel: Mrs. Russo reported that the Summer Recreation program received a donation of \$400 from Seneca Meadows and the program has finished for this year.

Assessor's Report: Mr. Hayssen stated that he will be reviewing the applications that have been received for the assessor's position. It was reported that four towns are part of the consortium, but the Town of Varick contracts with 4 Town Assessment to do the town's assessing.

Written information was distributed regarding the NYS STAR program. All New York homeowners receiving a Basic STAR property tax exemption must register with the New York State Tax Department in order to receive the STAR exemption in 2014 and subsequent years. The registration deadline is December 31, 2013.

Code Enforcement Officer: Submitted a written permit report for July and August 2013.

Zoning Board: The board received a proposal from Stuart Brown to prepare revised zoning regulations for land within the Seneca Army Depot. The cost for this work will be shared with the Town of Romulus if they approve the proposal. The total cost will be \$9,200 with the town of Varick's share to be \$4,600.

A motion by Peter McDonald, seconded by Kathy Russo and so carried to approve the proposal to prepare revised zoning regulations for land within the Seneca Army Depot contingent on the approval of this proposal by the town of Romulus.

Minutes: A motion by John Saeli, seconded by Robert Bauman and so carried unanimously to approve the minutes of August 6, 2013.

Abstract: A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Abstract No. 9, General, Vouchers A0013-116 to A0013-126 in the amount of \$1,325.97, Highway, Vouchers DA013-60 to DA013-66 in the amount of \$4,512.65, Varick Water 1, Voucher No. VW113-14 in the amount of \$30, Varick Sewer No. 1, Voucher VS113-25 in the amount of \$330, Varick Sewer District No. 2, Vouchers SSS13-18 to SSS13-19 in the amount of \$5,374.48, Seneca Lake Water District, Vouchers SWS13-41 to SWS13-42 in the amount of \$75.48, Varick Water 3, Vouchers VW313-18 to VW313-19 in the amount of \$115.25.

South Seneca Ambulance: It was reported that the audit that South Seneca is having completed is now in litigation as the auditing firm wants more money. When the audit is

completed, Peter McDonald will meet with South Seneca Ambulance to review their proposed budgets for 2014.

Mr. Hayssen provided a copy of South Seneca Ambulance Service Certificate and a break down of the roads in the town of Varick that North Seneca Ambulance and South Seneca Ambulance covers.

New Business, Old Business & Correspondence:

It was reported that the web site is due for renewal and is currently down and Mr. McDonald isn't in favor of using his credit card again to renew it. They do have a billing policy that can be used, but it is easier to renew with a credit card. A discussion was held regarding obtaining a credit card/debit card for the town to charge items and services. Mr. Hayssen indicated that a debit card could not be used and credit cards are not recommended by the auditors. It was recommended that Mr. McDonald go ahead and set up the account with paper billing and renew it for ten years.

The wireless service needs a wire run from the bookkeeper's office and Mr. McDonald will run the wire if Mr. Hayssen will drill the needed hole through the concrete wall.

A request will be made to Jim Hinman for a break down on the figures submitted by Romulus Fire Department for the 2014 budget.

A brief discussion was held regarding the 2011 audit and the board will review it and bring any questions they may have to the October meeting for discussion prior to its approval.

A motion to adjourn the meeting by Kathy Russo, seconded by Robert Bauman and so carried unanimously to adjourn the meeting at 9:30 p.m.

Respectfully Submitted

Donna Karlsen
Varick Town Clerk