

April 7, 2015

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 Todd Horton, John Saeli, Kathy Russo, and Richard Peterson, Attorney for the town, Steve Ricci, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Highway Superintendent, Richard McCulloch, Zoning Board Chairman, Jeff Hogue and Aneta Glover, Ovid Gazette reporter . Also present were Steve Churchill, Joseph Campbell, Neil Young, J. Peter Gregoire, Dan and Shelly Pletcher, Kevin Swartley, Jerry and Jane Drayer, Deborah Barr Stevens, John Saeli, Barry Somerville, Jim Somerville, David Crea, Yvonne Taylor, Mary Anne Kowalski, Bruce Mayberry, Randy McCulloch, and Cindy Lorenzetti. Note: There were others in attendance that did not sign the attendance sheet.

**Petitioners to Address the Board:** Steve Churchill addressed the board regarding the proposed Crestwood project which is a proposal to build a liquefied petroleum gas storage facility in Watkins Glen, Schuyler County. He presented a packet of information supplied by Crestwood and discussed some of the information provided by them as well as reviewed some of the history of the proposed site and the surrounding area. Supervisor Hayssen permitted questions from those in attendance be addressed to Mr. Churchill during his presentation. In summation, Mr. Churchill noted that he is aware of 19 municipalities that have passed resolutions or sent letters denying Crestwood's proposal to build this facility in this location due to its proximity to Seneca Lake. He noted he is not against storage of LP gas, but is not in favor of the proposed location. He requested that the Varick Town Board pass a resolution requesting the DEC and Albany to deny the Crestwood project.

Supervisor Hayssen permitted the opportunity for petitioners to hold an open discussion regarding the Crestwood project. Concerns regarding the possible damage to Seneca Lake were questioned by some in attendance. Joseph Campbell, from Burdett, presented his written comments which also pertained to the Crestwood packet, and will be filed with the approved minutes. David Crea, from a subsidiary of Crestwood, addressed some of the concerns presented, and further clarified that propane is a flammable substance, not explosive. Kevin Swartley reported that the Seneca County Farm Bureau is in favor of the project due to the importance of propane to agriculture and industry around Seneca Lake. Supervisor Hayssen closed this discussion acknowledging the opportunity for open dialog regarding this issue and expressed his faith in the DEC and government to make the right decision regarding this project.

A motion by Richard Peterson, seconded by Kathy Russo to urge DEC to deny the application of the Crestwood permit and work with them to find an alternate location for their project.

**Discussion:** Todd Horton again expressed his opinion that the Town of Varick should not impose their views on another town, and related his experience on the Planning Board when writing the zoning for the depot and will abstain from the vote. Richard Peterson and Kathy Russo expressed their views in opposition of this project being located on Seneca Lake. John Saeli expressed his opinion that the project would be beneficial to the area. Supervisor Hayssen asked that the motion be read and called for a roll call vote:

A motion by Richard Peterson, seconded by Kathy Russo to urge DEC to deny the application of the Crestwood permit and work with them to find an alternate location for their project.

Roll Call:

Robert Hayssen: Yes  
Richard Peterson: Yes  
Kathy Russo: Yes  
John Saeli: No  
Todd Horton: Abstained  
3 -Yes, 1-No, 1-Abstained  
Motion Carried

**Highway:** No report

**Varick Sewer District No. 1:** No report

**Varick Sewer District No. 2:** Supervisor Hayssen reported that the pump station repair was completed by Sheesley's Sewer Service for an additional \$3,975.50. A discussion was held pertaining to a recommendation presented by Mary Anne Kowalski regarding the rate structure for processing sewage. She does not feel that \$30 per quarter is fair and wants to see it charged based on water usage. Supervisor Hayssen raised the question as to how this would be billed for to those who don't have municipal water or are not connected to a municipal water district. Supervisor Hayssen presented a letter that will be sent from Fran Steverson, Mayor of Lodi, David Terry, Mayor of Ovid, Walt Prouty, Supervisor of Ovid, Dave Kaiser, Supervisor of Romulus, Lee Davidson, Supervisor of Lodi and himself to Mr. Earle, Mr. Westfall and the Board of Supervisors requesting that the Seneca County Sewer District No. One Administrative Board be re-established by Local Law, by re-enacting Local Law No. 2 of 1988 or similar. (A Local Law establishing rules and procedures for the Seneca County Sewer District No. 1 Administrative Board.) They also would welcome the Supervisor of Lodi to the Administrative Board.

Supervisor Hayssen reported that major repairs are needed at the county sewer plant that are very costly and funding for these repairs are being researched.

**Varick Water District No. 1:** No report

**Seneca Lake Water District:** No report

**Varick Water District No. 3:** The towns are still working with Syracuse Constructors to complete work agreed to in settlement in order for them to receive their final settlement payment. The district still needs to receive completed as-builts.

**Varick Water District No. 4:** It was reported that the master meter needs to be grounded. Todd Horton is working to get this completed. It was recommended that a hydrant be opened on the north side of the meter to verify that it is reading bi-directional. It was suggested that the master meter and homeowner's meters be read every month for a quarter to make sure the system is

working accurately. Supervisor Hayssen reminded Mr. Horton that the plexi-glass window has not been installed yet.

Mrs. Karlsen submitted to the board an email from Nikki Hrustich, a seasonal water user on Route 89, expressing her disappointment to learn that they were being forced to pay for water that they are not using and felt the policy seems very unfair to seasonal property owners. She used 173 gallons of water and was billed for the minimum water usage of 8,000 gallons. The board reviewed the surrounding town's minimum billing policies which are similar to what is established for the town of Varick's districts. The board reviewed the policy that minimum water fees would not be charged if the water is turned off the beginning of a quarter and it remained off for that quarter. They are willing to look at the minimum fee at budget time to see where the district is financially after a full year of operation.

Mrs. Karlsen also received a request from Leslie Gallea who lives in the Town of Romulus asking if she could be connected to this district as an out of district user. The board reviewed her location and determined it would not be feasible and suggested she contact her supervisor and express her interest in municipal water.

The town clerk reported that the Public Interest Order for increasing this districts cost has been submitted to the Seneca County Clerk and New York State Comptroller's office for filing.

**Code Enforcement:** Larry Colton submitted his January and February 2015 permit report for the board's review.

**Supervisor's Report:** A motion by Todd Horton, seconded by Richard Peterson and so carried unanimously to approve the Supervisor's report.

**Town Clerk's Report:** A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to approve the Town Clerk's Report: Supervisor: \$350, NYS Ag & Markets: \$11, Total Disbursements: \$361.

**Personnel:** Seneca County Youth Bureau/Youth Board granted \$1,500 to the Romulus/Varick Summer Recreation Program for curriculum, equipment and training for the children and staff through the Cayuga Wellness Program.

**Assessor:** No report

**Zoning Board:** Jeff Hogue reported that they are looking to add some definitions and clarifications to the zoning rules and regulations and will work with the planning board.

**Minutes:** A motion by John Saeli, seconded by Todd Horton and so carried unanimously to approve the minutes of March 3, 2015.

**Abstract:** A motion by John Saeli, seconded by Todd Horton and so carried unanimously to approve Abstract No. 4, General, Vouchers A0015-053 to A0015-65 in the amount of \$\$5,281.31, Highway, Vouchers DAO15-26 to DAO15-33 in the amount of \$8,749.54, Varick

Water District, Voucher VW115-007 in the amount of \$17, Seneca Lake Water District, Vouchers SWS15-014 to SWS15-16 in the amount of \$1,093.33, Varick Water District No. 3, Vouchers VW315-006 in the amount of \$17., Varick Water District No. 4, Vouchers VW415-009 to VW415-0010 in the amount of \$68, Varick Sewer District No. 1, VS115-012 in the amount of \$148.50, Varick Sewer District No. 2, SSS15-019 to SSS15-020 in the amount of \$4,375.50

**Old Business, New Business and Correspondence:** Supervisor Hayssen contacted the dog control officer regarding the unlicensed dogs owned by Madeline Brown and she was issued tickets.

Todd Horton requested that the board reach out to the IDA requesting a draft memorandum of understanding from the Seneca County Industrial Development Agency expressing the town's interest in acquiring what was formerly County Road 135

A motion by Todd Horton, seconded by Kathy Russo and so carried unanimously to have Attorney Steve Ricci write a letter to Seneca County IDA expressing the town's interest in obtaining ownership of County Road 135 in the Town of Varick.

Supervisor Hayssen presented to the board a resolution passed by the Seneca County Board of Supervisors establishing the Finger Lakes Regional Land Bank and the county is looking for the town's support. The following motion was presented and passed.

#### **Varick Town Board**

#### **SUPPROTING SENECA COUNTY'S APPLICATION TO ESTABLISH THE FINGER LAKES REGIONAL LAND BANK**

**WHEREAS**, vacant and abandoned properties are a blight upon communities within Seneca County, including with the town of Varick and may pose a danger to the health and safety of local residents, as well as result in lost revenues to these communities, and discourage further investment therein; and

**WHEREAS**, New York State enacted legislation Section 16 of the New York State No-For-Profit Corporation Law ("land Bank Act") for the creation of up to twenty land banks across the State specifically to address this blight and revitalize local communities; and

**WHEREAS**, land banks are no-for-profit corporations authorized under the Land Bank Act that allow municipalities, such as Seneca County, to acquire, redevelop and improve tax delinquent, vacant or abandoned properties, thereby providing municipalities a mechanism to acquire such properties and return them to productive use; and

**Whereas**, Seneca County acts as the sole foreclosing governmental unit for all local governments within the County's border, thereby making it an ideal candidate for approval of a single County-wide land bank corporation; and

**WHEREAS** on February 10, 2015, by Resolution No. 32-15, Seneca County authorized and established the Finger Lakes Regional Land Bank and is preparing to submit an application to Empire State Development Corporation (“ESD”) regarding the same; and

**WHEREAS**, the proposed land bank will help place vacant and abandoned properties in the town of Varick back in productive use; therefore be it

**RESOLVED**, the Varick Town Board hereby expresses its support for the proposed Finger Lakes Regional Land Bank and endorses the establishment of the same.

Dated: April 7, 2015

Motion: Richard Peterson

Seconded: Kathy Russo

So Carried Unanimously

Supervisor Hayssen turned over the paperwork requested to be filled out for the SAM grant for \$50,000 to Steve Ricci for his review and completion. It was suggested that these funds be used to complete road work needed on County Road 135, but the board recommended the form be completed for all general road work, not just for County Road 135. Steve Ricci, Rick McCulloch and Robert Hayssen will work together to complete this form.

Discussion was held regarding supervisory control of the Seneca County Water and Sewer Districts and the hope that once a Director is hired, they will have a better handle on what is required.

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to adjourn the meeting at 10:00 p.m.

Respectfully Submitted,

Donna Karlsen  
Varick Town Clerk