

Varick Town Board
January 5, 2016

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, Kathy Russo, Thomas Fox, Todd Horton, and Richard Peterson, Attorney for the Town, Stephen Ricci, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Highway Superintendent, Richard McCulloch, Ovid Gazette reporter, Aneta Glover. Also present were Dan and Shelly Pletcher.

Petitioners to Address the Board: Dan and Shelly Pletcher questioned the board's position regarding the former depot property located in the Town of Varick and the on the white deer herd as they noted that there is a lot of discussion being circulated regarding this issue.

Todd Horton introduced himself as a former member of the Varick Planning Board, who has been working over the past two years developing new zoning for this property. He stated that after extensive research and discussions with town residents and other interested entities, the Planning Board developed proposed revisions to the current Zoning Code, which established conservation land to preserve the white deer herd and wildlife, and zoned land to be added to the town's tax base. It was explained that currently the IDA drives what happens to this property as they are currently the owners and the town, through proposed zoning, has tried to set parameters as to how this land can be developed. It was noted that currently this land is all zoned Conservation and the town has submitted a letter of interest to purchasing this property from the IDA for \$1 as offered by the IDA to the towns in which this property is located at a public hearing they held. The board would also like to take ownership of the road that runs through this property. The IDA currently has paperwork available to those who are interested in purchasing this property. Discussion was held regarding the costs of maintaining the fencing, the existing number of white deer and conservation groups that may have interest in purchasing this property as well. Supervisor Hayssen stated that the Town Board will make an attempt to preserve the white deer herd, but at this time the IDA has control of the property.

It was reported that Bruce Johnson, Varick representative on the IDA board, will be coming off of board the first of January and a replacement will need to be found.

Abstract: A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve Abstract No. 1, General Vouchers A0016-1 to A0016-4 in the amount of \$10,525.60, Highway, Voucher DAO16-001 in the amount of \$3,954.96, Varick Water District No. 1, VW116-001 in the amount of \$369.75, Seneca Lake Water District, Voucher SWS16-001 in the amount of \$1,037.54, Varick Water District No. 3, VW316-001 in the amount of \$263.56, Varick Water District No. 4, VW416-001 in the amount of \$214.62, Varick Sewer District No. 1, VS116-001 in the amount of \$210.52, Varick Sewer District No. 2, SSS16-001 in the amount of \$960.55.

Highway: Mr. McCulloch reported that due to the unusually warm weather, they have only been out sanding and plowing a couple times this winter season.

Sewer District No. 1: No report.

Sewer District No. 2: No report.

Water District No. 1: No report.

Seneca Lake Water District: No report

Varick Water District No. 3: It was reported by Willy's Water that he was contacted by Jim Bromka for his total water purchases from Water District No. 3. He was not aware at this time that Mr. Bromka was requesting this information on the behalf of the Town of Fayette, and was lead to believe he was inquiring on behalf of the Town of Varick. A brief discussion was held regarding the hand delivered letter received on December 31 at the year end board meeting from the Town of Fayette, Bill Trout, regarding the purchase of water by Willy's Water and the amount of money they felt they were due from that sale. The board reviewed the discussion held with Town of Fayette Supervisor Cindy Lorenzetti, Councilman Jeff Trout and Water Supervisor Bill Trout at the Varick Town Board meeting held November 4, 2015. They also reviewed the previous correspondence and letter of explanation that was sent September 24, 2015 to the Town of Fayette regarding this matter. It was felt by this board that no further edification was necessary, and their demand of response to the letter dated December 28, 2015 from Cindy Lorenzetti warranted no further comment by this board, other then to resend the letter of explanation that was sent in September.

A motion by Todd Horton, seconded by Richard Peterson and so carried unanimously to resend the letter of explanation originally sent to Supervisor Cindy Lorenzetti dated September 24, 2015 and has no comment to the letter dated December 28, 2015.

Water District No. 4: Final bills and wish list items have been sent to Municipal Solutions for approval by Rural Development. Closing with Rural Development will be held January 7, 2016.

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

A motion by Todd Horton, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Town of Varick, Seneca Lake Water District, Resolution No. 1.

Supervisor Hayssen appointed Richard Peterson as his Deputy Supervisor for a term of 4 years.

Supervisor Hayssen appointed Angela Test as his bookkeeper for a term of 4 years.

Town Clerk's Report: Mrs. Karlsen reported that there is no report for the month of December 2015.

Mrs. Karlsen appointed Donna Brandow as her Deputy Town Clerk for a term of 4 years.

Minutes: A motion by Todd Horton, seconded by Kathy Russo and so carried unanimously to approve the minutes of December 2 and December 31, 2015.

Zoning Board: A brief discussion was held regarding a verbal complaint presented to the board by Dr. and Mrs. Reigel at the October board meeting pertaining to a subdivision of property that was owned by Keith Perry and sold to Kevin Kepner on March 26, 2015. The town hired Attorney Wendy Marsh from Hancock Estabrook to review the matter and provide a report. In an email sent to Supervisor Hayssen, on January 5, 2016 Ms. March explained that after discussions with the CEO and two Planning Board members, it was confirmed that there is no lot size limitation in the existing zoning code or the subdivision code. Consequently, had the application been presented to the Planning Board, they would have had no authority to deny the application and the subdivisions would have been approved by the Planning Board and filed accordingly. Since this problem arose, the Town has put the County Clerk on notice that no subdivision map in Varick should be accepted for filing without the Planning Board's signature. Additionally, in order to eliminate the current problem and allow/require the Planning Board to deny subdivisions with inappropriately small lots, the changes to the subdivision should be passed by the Town Board. It was noted that the current proposed revisions to the Subdivision Codes does address this issue and it was suggested that the board hold a Public Hearing to consider adopting Local Law No. 1 for the year 2016 entitled "A Local Law To Amend the Subdivision Code for the Town of Varick, Seneca County, New York".

Resolution to schedule a public hearing to consider adopting Local Law No. 1 for the year 2016 Entitled " A Local Law To Amend The Subdivision Code for the Town of Varick, Seneca County, New York", Resolution No. 2

WHEREAS, the Town of Varick, Seneca County, State of New York, has determined that the adopting of this Local Law has been received and recommended by the Varick Town Planning board of proposed amendments to the Varick Town Subdivision Code that include:

- Provisions to accommodate and, in certain instances, require cluster subdivisions on parcels of 10 acres or larger; and

WHEREAS, the Town Board has considered the identification of potential project environmental impacts and the evaluation of the magnitude and importance of the project impacts and determination of the significance upon completion of, and consider the criteria listed in Section 617.11 of SEQR Regulation and the Environmental Assessment Form and narrative; and

WHEREAS, the Town of Varick held a Public Hearing and determined that there are no significant environmental impact pursuant to the criteria listed in Section 617.11 of SEQR Regulation and the Environmental Assessment Form and narrative.

BE IT RESOLVED, that copies of the aforesaid proposed Local Law be lain upon the desks of each member of the Town Board for the Town of Varick and

BE IT FURTHER RESOLVED, that the Town Board hold a Public Hearing on said proposed Local Law at the Varick Town Hall on February 2, 2016 at 7:00 p.m.

BE IT FURTHER RESOLVED, that the Clerk to the Bard publish or caused to be published a Notice of said Public Hearing in the official newspaper for the Town of Varick at least five (5) days prior thereto.

Motion: Todd Horton
Seconded: Kathy Russo
So Carried Unanimously

Mr. Ricci's office will provide the public hearing notice to be published in the Reveille.

Appointments: The board reviewed the positions open for appointments and the submission of a letter of interest from Richard L. McCulloch for the position of Zoning Code Officer. It was also determined that the Planning Board should consulted prior to appointment to their board. This appointment will be tabled until February.

A motion by Kathy Russo, seconded by Thomas Fox and so carried unanimously to enter into executive session at 8:30 p.m. to discussion personnel issues pertaining to 2016 appointments.

A motion by Todd Horton, seconded by Kathy Russo and so carried unanimously to come out of executive session at 8:45 p.m.

Appointments of 1 year terms:

Supervisor Hayssen appointed Councilman Thomas Fox and Todd Horton to the abstract auditing committee for Highway, General, Water, and Sewer.

Supervisor Hayssen appointed Councilman Richard Peterson, and Councilwoman Kathy Russo as alternates to the abstract auditing committee for Highway, General, Water and Sewer.

Appointments of 2 year terms:

A motion by Todd Horton, seconded by Kathy Russo and so carried unanimously to appoint Richard McCulloch as Town of Varick Zoning Code Officer pending Seneca County Personnel approval for a term of 2 years.

A motion by Richard Peterson, seconded by Todd Horton and so carried unanimously to appoint Bryan McCann as Dog Control Officer for a term of 2 years.

A motion by Kathy Russo, seconded by Richard Peterson, and so carried unanimously to appoint Donna Karlsen as Tax Collector, Registrar, and Records Manager for a term of 2 years.

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to appoint Donna Brandow as Deputy Tax Collector, Deputy Registrar and Deputy Records Manager for a term of 2 years.

Appointment of 5 year term:

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to appoint Eric Reigel to the Zoning Board of Appeals for a term of 5 years.

Appointment of 6 year term:

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to appoint John Sensenig to the Assessment Board of Appeal for a term of 6 years.

A motion by Todd Horton, seconded by Kathy Russo, and so carried unanimously to designate the Community Bank and Five Star Bank as the town's depository institutions.

A motion by Todd Horton, seconded by Kathy Russo and so carried unanimously to name the Reveille Between the Lakes as the town's official newspaper.

New Business, Old Business and Correspondence: Mrs. Russo reported that John Saeli would like the board to continue research pertaining to the disposal of the blue water pipe originally purchased by Water District No. 3. Mr. Ricci stated that there are procurement policies pursuant to state law that the town would need to follow in order to dispose of this pipe. He will research this, outline what needs to be done and provide this information to Kathy Russo.

Mrs. Karlsen presented to the board a resolution sent to her from Margaret Li, clerk for the Seneca County Board of Supervisor from the County Board respectfully requesting that each town and village in Seneca County join with them in opposition of the Seneca Meadow Landfill, specifically its plans to contract with NYC trash by rail proposal and increase in Greenhouse Gasses and Stench.

The board reviewed the suggested resolution submitted by the county board for approval. Mr. Fox was not in favor of supporting this resolution as he recognized Seneca Meadow Landfill as a major business in Seneca County that contributes a lot of money and free energy to the county.

Mr. Horton recognized that the railway to be used to transport this trash runs through the town's and villages of Seneca Falls and Waterloo and again expressed his opinion that he doesn't feel it is right to dictate what other towns and villages can and can't do within their jurisdiction. Mrs. Russo noted that these towns and villages are within Seneca

County, as is the Town of Varick and therefore has an impact on the residents of the Town of Varick.

Mr. Hayssen noted that the proposed resolution only pertains to the New York City trash to be delivered by rail and addresses the increase in greenhouse and stench that will be generated by this proposal. This resolution does not effect the current agreements in place with Seneca Meadows.

**VARICK TOWN BOARD OPPOSES IESI SENECA MEADOWS - NEW YORK CITY
TRASH BY RAIL PROPOSAL AND INCREASE IN GREENHOUSE GASSES &
STENCH**

WHEREAS, the development of a rail spur and transfer station at the Seneca Meadows Landfill will result in significant, negative, long-term impacts on the burgeoning agricultural, recreation and tourism industries of the Finger Lakes which constitute the backbone of our sustainable \$4.2 + billion/year economy; and

WHEREAS, the vast majority of residents in our local communities and the region have expressed a strong and clear desire for Landfill Operations to end rather than increase; and

WHEREAS, none of the affected communities resulting from increased train traffic from NY City and ultimate deposition activities in Seneca Falls were formally invited or had adequate notice to prepare and participate in the NYC Dept. of Sanitation's public hearing which took place on Thursday, October 15; now, therefore be it

WHEREAS, the Town of Varick Board was under the assumption that Landfill Operations would be ending in 2023 only to be made aware that the Landfill Operation may last another 20 to 30 more years; and

WHEREAS, the increased Greenhouse Gasses and associated stench coming from SMI operations has become unbearable and that 30 more years of living within this stench is deemed unacceptable; and

RESOLVED, that Seneca County joins the City of Geneva and the Town of Geneva, in opposing the proposal to receive NYC Garbage for the next 20-30 years and the Varick Town Board calls on the City of New York to immediately stop with the process of concluding a 20-30 year contract with the IESI Seneca Meadows; and be it further

RESOLVED, that we request our State Representatives to use the full extent of their powers to terminate the efforts of NYC, IESI and FLX Railway to bring Garbage by rail to our Beautiful Finger Lakes Region; and be it further

RESOLVED, that the Town of Varick Board direct the Seneca County Board of Supervisors to immediately seek an experienced law firm to represent the BOS and the taxpayers of Seneca County in all matters regarding the end of SMI Landfill Operations on or before by 2023, the proposed NYC Garbage by Rail Proposal and the 2017 DEC permit; and be it further

RESOLVED, that the Clerk of the Board forward a copy of this action to the Seneca County Board of Supervisors to be forwarded to NYC Mayor Bill De Blasio, NYC Comptroller Scott M. Stringer, NYC Commissioner of Sanitation Kathryn Garcia, Governor Andrew Cuomo, Acting

DEC Commissioner Basil Segos, NYS Senator Michael Nozzolio, NYS Assemblyman Brian Kolb, NYS Assemblymen Philip A. Palmesano, Cayuga County BOS, Onondaga County BOS, Ontario County BOS and Wayne County BOS.

Motion: Kathy Russo

Seconded by: Richard Peterson

Roll Call:

Robert Hayssen: Yes

Todd Horton: Abstained

Kathy Russo: Yes

Richard Peterson Yes

Thomas Fox: No

So Carried: 3 Yes 1 No 1 Abstention

Mr. Fox provided to the bookkeeper on this date a job application on behalf of James Carissimi to be submitted to the Seneca County Personnel for approval to be hired by the Town of Varick to provide security to the court. Mrs. Karlsen will contact the town's insurance company to obtain a quote on Liability Insurance for armed personnel.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to adjourn the meeting at 8:55 p.m.

Respectfully Submitted,

Donna Karlsen
Varick Town Clerk