

November 8, 2017

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, Tom Fox, Kathy Russo, and Richard Peterson, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Highway Superintendent, Richard McCulloch, Town Justice, David Ettman, Court Clerk, Judy Brignall, and Code Enforcement Officer, Tim Dorn. Also present were Michelle Herman and Ben Frier. Absent: Councilman Todd Horton

Public Hearing on the 2018 Preliminary Budgets: A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to open the public hearing on the 2018 budgets at 7:15 p.m. There were no comments from the petitioners.

A motion by Tom Fox, seconded by Kathy Russo and so carried unanimously to close the public hearing on the 2018 budgets.

Code Enforcement Officer: Tim Dorn reported that after revisiting the property at 5129 Route 96 and a discussion with Joe Midiri, there is no code violation that can be cited pertaining to the condition of this property. He will research this property to see if it is up for sale by the bank and submit a letter to them regarding Ingall's complaints and concerns. Mr. Dorn will also research the county codes that might address "zombie" properties. Joe Midiri did state that he did not find any code pertaining to refuse, garbage, etc. in the town codes and feels this needs to be addressed by the planning board, perhaps using samples from the Association of Towns or surrounding municipalities.

Justice Report: Judge David Ettman reported that court clerk Julie Dougherty was charged with grand larceny, 2nd degree and is reported to have taken \$164,999 in court fines from the period beginning January 1, 2010 to May of 2017. The judge has requested a copy of the calculations from the DA's office and hopes to have the preliminary Justice Court audit report by Thanksgiving. He also noted that civil charges could be pressed for additional damages to the town such as costs related to clerical work pertaining to information requested by the court system to complete the audit. He noted that it will take some time for the judge's office to bring the last seven years of records current and thanked his new court clerk, Judy Brignall, for all her assistance regarding this matter. Judge Ettman further explained that funds collected by the court are turned over to the town, with a report of funds collected sent to the Justice Court system. The justice department in turn, figures out their percentage of income based on the type of violation and sends a bill to the town for payment. A percentage of what is collected is also sent to the county for DWIs. The bookkeeper noted that she would receive checks from Julie Dougherty sporadically and had never received a report with these checks and was unaware that one was being issued to the courts. She also reported that a voucher was put in front of the board to be signed for payment of the bills generated from the court system based on the reports being sent in by the court clerk. Judge Ettman reported that it is unsure exactly what revenue will have been lost until the town determines the exact amount of revenue left outstanding if some or all of the funds are paid back. He noted that at that time, if necessary, the town should make claim against the town's insurance policy. He reported that the town would receive the funds from the insurance and then negotiate with the state

and county to determine what funds were due to them. He will continue to provide information he receives to the town as it is received.

Supervisor Hayssen reported that he, Tom Fox, David Ettman and Steve Ricci met regarding the actions of Julie Dougherty. The board discussed the ramifications to the town resulting from the actions and lack thereof that have taken place in the judge's office over the past seven years which prompted the board to make the following motion:

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously that the Varick Town Board will work vigorously to seek full compensation for lost revenues to the town as the result of the felony complaint which accuses Julie Dougherty with having committed the felony of Grand Larceny, 2nd degree and that said person did steal \$166,999 from the Varick Town Court while employed as the Varick Court Clerk between the 1st day of January 2010 and the 31st day of May 2017.

Abstract: A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to approve Abstract No. 11, General, Voucher No. A0017-153 to A0017-166 in the amount of \$7,86.60, Highway, Voucher No. DAO17-70 to DAO17-75 in the amount of \$971.11, Varick Water District 1, Voucher VW117-18 in the amount of \$25, Seneca Lake Water District, Voucher SWS17-55 in the amount of \$25, Varick Water District No. 3, Vouchers VW317-19 to VW317-20 in the amount of \$1,125, Varick Water District No. 4, VW417-37 to VW417-40 in the amount of \$2,083.80, Varick Sewer District No. 1, Vouchers VS117-39 in the amount of \$148.50, Varick Sewer District No. 2, Voucher SSS17-33 to SSS17-35 in the amount of \$18,200.

Highway: Mr. McCulloch reported that he picked up the New Holland Excavator and it is in the garage if the board would like to look at it. He reported that he priced trailers and the best price he received was from Midlakes Trailer in the amount of \$6,306 and asked for the board's approval to purchase it.

A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to authorize the Highway Superintendent to purchase a trailer not to exceed \$7,000 in cost.

Mr. McCulloch also reported that Fall Clean-Up went well. He did ask that when the 2018 mailing notification for clean-up goes out that it be more specific pertaining to electronics. Mr. McCulloch will work with the town clerk on the 2018 Spring and Fall clean-up post card.

The town clerk is completing the necessary paperwork to allow the highway department to take tires they have accumulated to Seneca Meadows for disposal. Seneca Meadows charges a rate based on tonnage.

Supervisor's Report: A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve the bookkeepers report.

Varick Water District No. 1: Seneca County has not billed for third quarter water usage as of this meeting.

Seneca Lake Water District: The Village of Waterloo sent a corrected bill to Seneca County Water 1 as they didn't estimate enough gallons of water used for third quarter. The estimated read was generated as the result of their master meter (Jack Holly Meter) being replaced and the master meter at Kennedy Road not operating correctly. The Village originally billed the county for 23,032,859 gallons of water totaling \$76,699.42 which was not the correct number of gallons used. The Village had billed the town for 3rd quarter usage and at the October board meeting agreed to hold the village's payment until a corrected bill was sent to Seneca County District No. 1. The village did send a corrected bill for 26,921,522 gallons of water totaling \$89,648.66 which was sent out in October. Although the county received the new bill prior to their payment, they only paid for the water billed to them on the original bill. It was determined that a new check would be generated for payment to the Village for only the gallons of water originally billed and paid for by the county to date and the water used by the residents as indicated on the billing report from the Village. If and when the county pays for the remaining gallons of water billed to them by the Village in the corrected bill, the town will then pay the village for those remaining gallons.

Supervisor Hayssen reported that the district has not to date received payment for the \$109,000 due them from Seneca County Water 1 and requested that the bookkeeper continue sending past-due bills to the district, and send copies to Brandi Dees, Don Trout, Roy Gates and Ted Young.

Varick Water District No. 3: Seneca County has not billed this district for third quarter water usage as of this meeting.

Varick Water District No. 4: Seneca Falls had a major water line break at the pump station located on Parker Road due to an antiquated line. It took them almost a full day to locate the valves and make repairs.

Varick Sewer District No. 1: Nothing to report.

Varick Sewer District No. 2: Nothing to report.

Town Clerk's Report: A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to approve the Town Clerk's Report:

Personnel: Michelle Andrews provided the board a written Romulus/Varick Summer Recreation report for 2017 along with a photo album.

Minutes: A motion by Tom Fox, seconded by Kathy Russo and so carried unanimously to approve the minutes of October 3, 2017.

2018 Budget: Mrs. Testa reported that she received the Fayette Fire Department's budget request in the amount of \$83,885, up from \$78,935 in 2017. The 2018 figure will need to be added to the Preliminary Budget. Mr. Hayssen noted the fire department figured the town's portion of their budget correctly this year.

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to move the 2018 Town of Varick Preliminary Budget with amended figure of \$83,885 for the Fayette Fire

Department and the Special District Fund Budgets and Fire Protection Units to the adopted 2018 Budget.

Supervisor Hayssen presented a proposal from Hunt Engineering to review the possibility of extending sewer lines from the Seneca County Sewer District in the towns of Romulus, Varick and Fayette. Each town, if in agreement with sharing the cost of this proposal, would be responsible for \$10,000 each. He noted he asked Barton, Lugardus Engineering to present a proposal to do the work, as this is the engineering firm working with the county, but they did not submit a proposal.

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to commit \$10,000 towards the cost of completing a study by Hunt Engineering to provide a sewer system to the Town of Varick and the surrounding towns of Romulus and Fayette contingent on the other two towns agreeing to spend \$10,000 each as well.

Supervisor Hayssen had also requested Joe Midiri to write up a petition to be signed in support of developing a sewer district in the towns of Romulus, Varick and Fayette, but he hadn't provided one as of this meeting. Mr. Midiri said he would get one to Supervisor Hayssen within the week and Tom Fox will be following up with him on this matter.

Correspondence: An email was forwarded to the board from Dave Bollech who expressed concern regarding vacation rentals along the lakes. He sent the original email to the town's planning board who is working on developing a code to address this issue.

Mr. Peterson informed the board that former Supervisor Kenneth Stafford passed away the end of October and requested a moment of silence to be held in remembrance of his service to the town.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to adjourn the meeting at 9:15 p.m.

Respectfully Submitted:

Donna Karlsen
Varick Town Clerk