

February 6, 2018

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 Councilmen, Ben Freier, Tom Fox, Eric Riegel, and Richard Peterson, Town Clerk, Donna Karlsen, Bookkeeper, Angel Testa, Highway Superintendent, Richard McCulloch, Town Justice, Jeff Hogue, Water Operator, Ben Karlsen, and Attorney for the Town, Joe Midiri. Also present were Michele Hermann and Richard L. McCulloch and Jim Bromka, Water Operator for the Town of Fayette and Village of Waterloo.

**Petitioners:** Michelle Hermann questioned if the town had zoning regulations and a zoning officer that would address the operation of a garbage incinerator and referred to the town of Romulus' situation with Circular enerG. The board stated that the town does have a zoning code and provided Tim Dorn's name as the current Code Enforcement Officer. The question and discussion was also held as to whether Mr. Martin, who is leasing the depot land currently, was part of the incinerator proposal.

Mr. Peterson presented an email he received from Joseph Campbell who is part of Seneca Lake Guardian organization. The organization requested the town of Varick draft a resolution in opposition to the garbage incinerator proposed by Circular enerG in the Town of Romulus and urge the Town of Romulus to stand in opposition to the Circular enerG proposal and to request Governor Cuomo to reject the Circular enerG trash incinerator proposal as well. Mr. Campbell submitted a proposed resolution he wanted the board to adopt and send on to a provided list of people. Attorney Midiri read the submitted draft proposal and questioned if all the information listed was accurate and to be known as fact and suggested the board not accept the drafted resolution unless they were sure of the information included was accurate. Mr. Riegel reminded the board they had already passed a resolution opposing the garbage incinerator in the Town of Romulus and Mrs. Karlsen reported that she had already forwarded a copy of that resolution at Mr. Campbell's request for his group's reference. Further review and discussion of the suggested draft proposal was held and the following motion was made:

A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to support Seneca Lake Guardian organization in opposing the garbage incinerator proposed by Circular enerG in the Finger Lakes in the Town of Romulus, Seneca County and who are urging the Town of Romulus to stand in opposition to the Circular enerG proposal and calls on Governor Andrew Cuomo to reject the Circular enerG trash incinerator proposal.

**Abstract:** A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to approve Abstract No. 2, General Fund, Vouchers A0018-18 to A0018-34 in the amount of \$1,764.44, Highway, Vouchers DA018-007 to DA018-015 in the amount of \$5,544.63, Seneca Lake Water, Vouchers SWS18-006 to SWS18-010 in the amount of \$74,864.00, Varick Water District No. 4, Voucher VW418-005 in the amount of \$694.54, Varick Sewer District No. 1, VS118-005 to VS118-006 in the amount of \$2,610.51, Varick Sewer District No. 2, Vouchers SSS18-004 to SSS18-006 in the amount of \$26,804.90.

**Highway:** Nothing to report.

**Judge:** The honorable Jeff Hogue reported that Judy Brignall is doing an outstanding job and is making progress with the review and processing of old cases. He reported that they converted their phone system digitally which allows phone calls to be directed to the office personnel's personal phones and can convert messages to email format and receive faxes. He reported that he and Judy will be meeting with the state auditors Thursday, February 8<sup>th</sup>. At this time, they will be reviewing internal control procedures and discussing the audit and instructing them how to proceed with future business. Jeff will inform the board the outcome of this meeting.

Mr. Hogue also informed the board that Judy Brignall has agreed to continue working until the end of March and he would like to recommend the board hire Andrew Herkovic as court clerk to fill that vacancy at a salary of \$20 per hour. Mr. Hogue also recommended that Judy Brignall receive the same hour rate. Mr. Hayssen pointed out that currently the clerical staff is earning approximately \$15 per hour, which includes Judy Brignall. He recognized the work Judy has done based on her knowledge and years' service to bring order back to the judge's office and recommended that she receive an hourly rate increase to \$20 per hour retroactive to January 2018, which was supported by the board. Mr. Fox and Mr. Peterson questioned the pay rate that other employees were receiving in comparison to this suggested starting rate of \$20 per hour for the new clerk. It was noted that the rates range from approximately \$12 to \$25 per hour for experienced employees that have been working for the town. Mr. Fox noted that if the board were to start new employees at this rate, a precedent was being set and current employees' pay will need to reflect this standard when completing the 2019 budget.

A motion by Eric Riegel, seconded by Ben Freier and so carried to increase Court Clerk Judy Brignall's hourly pay rate to \$20 retroactive to January 1, 2018 and to hire Andrew Herkovic at a pay rate of \$20 per hour.

Roll Call:

Robert Hayssen	Yes
Ben Freire	Yes
Tom Fox	Yes
Eric Riegel	Yes
Richard Peterson	No
So Carried	

Mr. Hogue reported that currently Judy Brignall is working Mondays and Fridays from 8:00 a.m. to 4:00 p.m. and once Andrew Herkovic completes his training with Judy he will be working Tuesday and Wednesday.

Mr. Hayssen hasn't received a response from Judge Dollinger regarding the annual audit of the justice's books and whether one still needs to be completed since an audit is currently being performed by the justice state auditors. He will follow up on this.

**JCAP & DASNY Funding:** Mrs. Karlsen reported that the town was awarded a grant under the 2017-2018 cycle of the JCAP grant in the amount of \$28,500 for the new addition to the town hall. and the JCAP funds will be sent by April 1, 2018 to the town via direct deposit or check and must be spent within 180 days. The town has not received further word on the \$50,000 DASNY funding as of this meeting. Angela Testa reminded the board the estimated full cost of the addition is

budgeted in the 2018 budget appropriations under Capital Outlay in the amount of \$142,000. Mrs. Karlsen and Mrs. Testa asked for direction as to how the board wanted to proceed with this project.

A motion by Ben Freier, seconded by Eric Riegel and so carried unanimously to authorize Town Clerk, Donna Karlsen and Bookkeeper, Angela Testa to proceed with finalizing the plans for the new building addition and meeting the requirements as stipulated in the JCAP award letter.

A motion by Tom Fox, seconded by Eric Riegel and so carried unanimously to enter into executive session to discuss personnel issues at 8:10 p.m.

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to come out of executive session at 8:30 p.m.

**Water Operator Report:** Ben Karlsen provided an information sheet detailing some of the duties, required maintenance and what services he can provide as operator/maintainer. He reviewed the work that needs to be done in all of the districts and the required training and continuing education that is required to hold an operator's license. The board requested that he provide them with a proposal for a full time water operator position at the March 6<sup>th</sup> meeting.

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

**Seneca Lake Water District:** Mr. Hayssen suggested we put in an AquaLogics system as suggested by Jim Bromka for Varick Water District No. 3 on this district as well. He noted this is a much larger district and has an effluent cache box that needs to be better monitored. Mr. Bromka questioned whether Seneca County and the village of Waterloo would permit this.

Mr. Hayssen reported that he and Attorney Wendy Marsh are still working with Seneca County Water District No. 1 regarding the approximately \$107,000 due to this district which resulted from an inoperable master meter. He reported that the public works committee in their January meeting made a motion to carry a resolution that would authorize payment of only \$71,142.59 with conditions as laid out in this resolution. Attorney Wendy Marsh reviewed this resolution and responded to Mr. Hayssen that no action needs to be taken at this time as she felt further information needed to be added to the resolution to include numbers relating to the disputed period.

Mr. Hayssen also reported that according to the agreement with the county, a meeting was to be held annually with the county and Seneca Lake Water District representative which has never taken place. A meeting is now scheduled for March 12<sup>th</sup> at 1:00 and any board member is welcome to attend.

**Water District No. 3:** Jim Bromka reviewed four different master meter read options for Varick Water District No 3/Fayette Water District No. 5. He explained that currently the master meter is read by going to where it is located in a ground pit. He recommended a system from AquaLogics which utilizes Phoenix Contact Model RAD-ISM-900-SET-AC-UD, AC power conduit mount radio transmitter and rail mount receiver set for transmission of flow signal between the flow meter pit and the Hillside Tank, RTU. This system will only be able to be read through a SCADA system which Jim Bromka has access to, but the town of Varick currently does not. Mr. Bromka indicated

that he would allow the town's water operator access to this system. The total cost of this system is \$5,200 and if purchased the cost would be split 42%/ Varick Water District No. 3, 58% Fayette Water District No. 5. Further questions were answered, and the following motion was made:

A motion by Tom Fox, seconded by Richard Peterson and so carried to approve the purchase of a master meter RTU radio transmitter unit and any associated equipment from AquaLogics Systems, Inc., Proposal No.: Q1-17-132 at a total cost of \$5,200 to be split 42% Varick Water District No. 3, 58% Fayette Water District No. 5.

Roll Call:

Robert Hayssen: Yes

Tom Fox: Yes

Eric Riegel: Yes

Richard Peterson: Yes

Ben Freier: No

Vote: Yes 4, No: 1

So Carried

Mr. Freier was not prepared to vote in favor of this purchase at this time as he would like to have more information provided regarding the benefits to the district and further information regarding the SCADA system that is required.

Mr. Hayssen reported, and Mr. Karlson showed, how the SCADA system that he can access for the Town of Seneca can be retrieved through his cell phone. Mr. Hayssen stated he would like to have access to this equipment as well, so he can monitor this district and suggested that the board consider installing this equipment on all of the town's districts. Mr. Bromka expressed his opinion that there might be a security risks in allowing people other than water operators access to this system. Further research will be completed regarding the security issue and costs related to owning a SCADA system.

Mr. Hayssen received an email from Edith and Larry Colton informing him that when the county repaired the water tank and shut down water to Varick Water District No. 3, they got air bound in their open heating system which resulted in them hiring C. B. Butler LLC to flush, drain and purge each heating loop and submitted a bill in the amount of \$367.20 to the town for reimbursement.

It was noted that the Colton's have had issues with their heating system as the result of low water pressures in the past and although they may be more susceptible to air in their line as they are at the highest point in the water main, it is felt their heating system should have air relief valves that can address this. It was noted that no one else in the district has this issue and the district cannot be held responsible for a heating system that may not be working correctly.

The board recommended that the Colton's provide a copy of this bill to the county as the Varick Water District No. 3 had no control over the loss of water pressure which resulted in repair work being performed by the County. Mr. Freier will notify Roy Gates at the county of the Colton's request and provide him with a copy of the bill from C. B. Butler.

**Water District No. 4:** Mr. Hayssen reported that the town of Fayette repaired the water main just north of where Varick Water District No. 4 master meter is located. At that time a Fayette employee left the town of Varick's valve partially open which resulted in draining Varick Water District No. 4 water main. As a result, Seneca County Health Department issued a "Water Boil Alert". Due to the loss of pressure and the length of time the line was inoperable, the Health Department regulations require that the line be flushed to obtain acceptable chlorine levels and release of trapped air in the line. Although the amount of recorded water used for Water District No. 4 to become operable was well over 92,000 gallons and after reviewing the previous year's water bill for that same time period, it was felt by the board that using 92,000 gallons of water to be a fair and equitable amount to reduce the Town of Fayette's December water bill usage by \$285.20. It was noted that there was an added expense to the district for four additional water tests as required again by the Health Department but will not be expensed to the Town of Fayette. The following motion was presented:

A motion by Tom Fox, Seconded by Ben Freier and so carried unanimously to reduce the Town of Fayette, December 2017 Water District No. 4 water usage by 92,000 gallons or by \$285.20 which represents water used to meet Health Department regulations resulting from a loss of water pressure over a length of time due to work performed by the Town of Fayette.

Ben Karlsen reported that he has been working with the Town of Romulus to provide acceptable chlorine levels at the southernmost point of the main line. This has proven to be a challenge due to low continuous usage of water at the end of the line and he is experiencing low water pressure once he opens the fire hydrant in order to flush the line. He is currently working with Seneca Falls regarding the pressures and Seneca County Health Department with chlorine levels.

**Code Enforcement Office Report:** Nothing to report.

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

**Varick Sewer District No. 2:** Nothing to report.

**Bookkeeper Report:** A motion by Richard Peterson, seconded by Ben Freier and so carried unanimously to approve the bookkeeper's report.

**Town Clerk's Report:** A motion by Ben Freier, seconded by Richard Peterson, and so carried unanimously to approve the Town Clerk's report: Supervisor \$290, NYS Ag & Markets: \$5, Total Disbursements: \$295.

**Assessor:** Mr. Hayssen will reconnect with Assessor Anne Morgan regarding the reappointment of Sally Kenyan to the Assessment Board of Review.

**Planning Board:** Mrs. Karlsen reported she received a note from Barry Somerville who declined his reappointment to the Planning Board. It was suggested that perhaps Michelle Herman may be interested. The board noted that they would like to have a representative from all sections of the town and will request recommendations from the Planning Board to fill the vacancy.

**Minutes:** A motion by Richard Peterson, seconded by Eric Riegel and so carried unanimously to approve the minutes of January 2, 2018.

**Old Business:** Mr. Fox provided information from One Call Now which is a calling system that would provide town residences with information by an automated phone call. The town clerk and bookkeeper will look further into this to see what is entailed in setting up this system.

Attorney Midiri supplied a Home Rule Request forms to be submitted to the Assembly under bill number 9650 and Senate bill number 7135 entitled An Act to Amend the Navigation Law in Relation to the Regulation of Vessels for the board's approval.

A motion by Eric Riegel, seconded by Ben Freier and so carried unanimously to authorize Supervisor Robert Hayssen to sign Senate Bill number 7135 Home Rule Request entitled An Act To Amend The Navigation Law In Relation To the Regulation of Vessels.

A motion by Erick Riegel, seconded by Ben Freier and so carried unanimously to authorize Supervisor Robert Hayssen to sign Assembly Bill number 9650 Home Rule Request entitled An Act To Amend The Navigation Law In Relation To the Regulation of Vessels.

Corrections had to be made to this form. Once copies are made and Supervisor Hayssen signs the corrected form, they will be returned to Joe Midiri for proper filing.

A motion by Eric Riegel, seconded by Ben Freier and so carried unanimously to adjourn the meeting at 10:10 p.m.

Respectfully Submitted:

Donna Karlsen  
Varick Town Clerk