

November 4, 2020

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 Richard Peterson, Tom Fox, Richard McCulloch and Eric Riegel, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Highway Superintendent, Ben Frier. Attorney for the Town, Joe Midiri, and Assessor, Anne Morgan. Also present was Attorney, Tony Ganzon and Ludwig Pasmucans.

Supervisor Hayssen called for a motion to open the public hearing on raising the operation and maintenance fee for Varick Sewer District No. 1.

A motion by Richard Peterson, seconded by Eric Riegel and so carried unanimously to open the public hearing to raise the operation and maintenance fee for Varick Sewer District No. 1 at 7:00 p.m.

Supervisor Hayssen reported due to the rising costs of maintaining aging sewer lines and pump stations, it is necessary to raise the operation and maintenance cost to \$20 per quarter to its users, resulting in a quarterly fee of \$40. As there were no questions or comments presented, Supervisor Hayssen called for a motion to close the public hearing.

A motion by Richard Peterson, seconded Tom Fox and so carried unanimously to close the public hearing on raising the cost of operation and maintenance for Varick Sewer District No. 1 at 7:05 p.m.

Supervisor Hayssen called for a motion to open the public hearing on the 2021 Preliminary Budget.

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to open the public hearing on the 2021 Preliminary Budget of the Town of Varick and Preliminary budget of the Water District, Sewer Districts, Special Districts, Fund Budgets and Adopted Fire Protection Units at 7:05 p.m.

Mr. Fox expressed his opinion that the employees of the town deserve, at a minimum, a cost of living raise which is 1.6. He also noted that other than the board, he would like to see appointed and elected officials receive a cost of living increase as well. It was explained that once the town board passes the Preliminary Budget and elected official salaries are published, they cannot be increased. The board agreed to give town employees a 1.6% cost of living pay increase and to offset this increase in expense using the fund balances.

A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to close the public hearing on the 2021 Preliminary Budget of the Town of Varick and Preliminary budget of the Water District, Sewer Districts, Special Districts, Fund Budgets and Adopted Fire Protection Units at 7:15 p.m..

Supervisor Hayssen called for a motion to open the public hearing on Local Law No. 2 of 2020 to Override the Tax Levy Limit Established in General Municipal Law §3-C at 7:15 p.m.

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to open the public hearing on Local Law No. 2 to Override the Tax Levy Limit Established in General Municipal Law §3-C.

There were no comments presented so Supervisor Hayssen called for a motion to close the public hearing.

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to close the public hearing on Local Law No. 2 to Override the Tax Levy Limit Established in General Municipal Law §3-C at 7:16 p.m.

**Petitioners to Address the Board:** Attorney Tony Ganzon as a representative for Ludwig Pasmucans explained that Mr. Pasmucans owns property at 5425 Route 89 and has recently built a new, two-bedroom home with limited space on the west side of the property. Due to a steep bank between the house and the west lot line, parking is at a premium and Pasmucans' vehicles are parked on land that was formerly where NY Route 89 was located. Attorney Ganzon reported many years ago NY Route 89 was running more to the east of the present location, but due to its proximity to the steep bank between the highway and Cayuga lake it was decided to move Route 89 west for safety. It is Mr. Pasmucans intent to purchase a portion of this property measuring 120' X 40" (.11 acres) from NY State DOT. According to Mr. Pasmucans the DOT is requesting that he receive approval for this purchase from the Town of Varick and Seneca County. There seems to be some confusions as to who currently holds the deed on this property. Mr. Pasmucans will provide Anne Morgan with all the correspondence he has received, and she has agreed to look further into who currently holds the deed for this property and update the town with information pertaining to Mr. Pasmucans request.

**Abstract:** A motion by Richard McCulloch, seconded by Richard Peterson and so carried unanimously to approve Abstract No. 11, General, Vouchers A0020-130 to A0020-141 in the amount of \$4,438.76, Highway, Vouchers DA020-091 to DA020-107 in the amount of \$10,387.22, Varick Water District No. 1, VW120-020 to VW120-023 in the amount of \$6,775.86, Seneca Lake Water District, Vouchers SWS20-086 to SWS20-094 in the amount of \$77,149.63, Varick Water District No. 3, VW320-025 to VW320-026 in the amount of \$8,464.55, Varick Water District No. 4, VW420-032 to VW420-035 in the amount of \$18,775.72, Varick Sewer District No. 1, VS120-041 to VS120-043 in the amount of \$2,954.54, Varick Sewer District No. 2, Vouchers SSS20-032 to SSS20-035 in the amount of \$12,433.14, Building Capital Project, Voucher HO120-007 in the amount of \$785.50.

**Highway:** Highway Superintendent, Ben Frier reported that currently all machinery appears to be operational. He did note they are experiencing an issue with the Western Star with the Regen system and anticipates this issue will need to be addressed.

**Judge:** Judge Hogue in an email informed Supervisor Hayssen that his 2020 books are ready to be reviewed. Mr. Riegel volunteered to complete the 2020 review of the judge's books and will contact Judge Hogue to set a time to do so.

**Supervisor's Report:** A motion by Richard Peterson, seconded by Eric Riegel and so carried unanimously to accept the Bookkeeper's report.

The bookkeeper reported that the final bill for the carpeting for the conference room has been submitted for approval this month and represents the last step in completing the capital renovation to the building. She requested a motion to close the HO1 Capital Project account and move the remaining funds into the General Fund.

A motion by Richard McCulloch, seconded by Eric Riegel and so carried unanimously to close the HO1 Capital Project account and transfer the remaining funds into the General Fund balance.

Mrs. Testa explained that the state had deposited \$63,000 funds into the Highway account which should have been deposited in the General account. Although this was an error on the states part, the comptroller's office said she is unable to transfer the funds from the Highway into the General Fund and recommended she reduce the funds to be raised by taxes for the Highway \$63,000 and increase the General the \$63,000. She has made the recommended change to the 2021 Preliminary Budget.

Mrs. Testa also reported that she received the Fayette Fire Department's budget which reflects a 15% increase. She explained that the town board had no control over this figure as Fayette Fire Department is a formed district. It was explained that the people in that district can comment on the fire district's budget at the public hearing the district must hold prior to its adoption.

Mrs. Testa also increased the town's insurance line 10% as recommended by the town's agent, Molly Headley. She also noted that she had to use more than the \$15,000 fund balance as directed by the board to maintain a 5% increase in the tax dollar assessed amount per thousand.

A motion by Tom Fox, seconded by Richard McCulloch and so carried unanimously to provide a 1.6% cost of living raise to employees of the town.

Supervisor Hayssen directed the bookkeeper to use funds from the fund balances to offset the increase in expenses.

A motion by Richard Peterson, seconded by Eric Riegel and so carried unanimously to move the Preliminary Budgets with changes as outlined by the bookkeeper to the 2021 Adopted Town of Varick Budget, the Special District Fund Budgets and Fire Protection Units.

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to adopt Local Law No. 2 of 2020 to Override the Tax Levy Limit Established in General Municipal Law 3-C.

Mr. Fox thanked Mrs. Testa and Mr. Hayssen for their efforts in keeping the increase in tax rate to 5% this year.

Mrs. Testa explained that some of the expense lines have exceeded their budgeted amount and asked that the board approve moving of funds to cover the overdrawn budget lines.

A motion by Eric Riegel and seconded by Richard Peterson and so carried unanimously to approve Amendment to the Town of Varick General Fund, Resolution No. 2.

A motion by Eric Riegel and seconded by Richard Peterson and so carried unanimously to approve Amendment to the Town of Varick Highway, Resolution No. 3.

A motion by Eric Riegel and seconded by Richard Peterson and so carried unanimously to approve Amendment to Seneca Lake Water District, Resolution No. 4.

A motion by Eric Riegel and seconded by Richard Peterson and so carried unanimously to approve Amendment to the Varick Water District No. 3, Resolution No. 5.

A motion by Eric Riegel and seconded by Richard Peterson and so carried unanimously to approve Amendment to the Varick Sewer District No. 2, Resolution No. 6.

A copy of these resolution will be attached to the minutes of record in their entirety.

**Water/Sewer Operator's Report: October 2020**

- Marked out Dig Safety's
- Got weekly meter reads
- Did weekly water tests for each district
- Took bac t samples in all 4 districts
- Filled out and submitted monthly water report to health department
- Data logged water usage in each district
- Turned water off as needed
- Replaced Grinder pumps for sewer
- Answered questions dealing with each water district and sewer system
- Called in Dig Tickets for upcoming projects
- Changed Meters
- Cleaned shop
- Fixed broken curb stops
- Flow checked meter on Rt 89
- Put in Temporary flow check on Seneca lake District on 12 inch pipe in vault
- Got Quotes on meters for RT 89 and Seneca Lake District

Supervisor Hayssen reported that he met with the Village of Waterloo and came to an agreement with them regarding the water agreement and is waiting for a final copy with changes be submitted for his signature.

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

**Seneca Lake Water District:** Mr. Karlsen received a quote from M. A. Selmon company for the 12" Ductile Iron Pit Flowmeter in the amount of \$6,443. He has been monitoring the water usage during the middle of the night and according to Jim Bromka at the pump station, there is an average

of 4 to 6 gallons of water being used which would not indicate a large leak to substantiate the difference in water usage between the village and the district's users. Mr. Karlsen would like to monitor the county meter and will report back to the board in December prior to purchasing the flowmeter.

Supervisor Hayssen has not approved the letter prepared by Attorney Frank Fisher as of this meeting and would like the opportunity to speak with the representative at the camp prior to sending a letter. He also indicated that he may want the letter to be reworded and provided Attorney Joe Midiri with information to follow-up with Attorney Fisher for possible revisions to Mr. Fisher's letter.

**Varick Water District No. 3:** Nothing further to report.

**Varick Water District No. 4:** Mr. Karlsen provided a quote in the amount of \$3,309 for the single channel ultrasonic flowmeter for this district and will move forward with the purchase of this meter as directed by the board at their October meeting as the cost is below the maximum amount approved to spend of \$4,000.

**Varick Sewer District No. 1:** A discussion was held regarding the town of Romulus informing Yaws Environmental to forward their portion of their Yaw's bill for payment to Varick Sewer District No. 1. The town attorney and Supervisor Hayssen will investigate this matter. Action pertaining to the Romulus portion of the Yaws bill was tabled.

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to raise the operation and maintenance fee in Varick Sewer District No. 1 from \$20 to \$40 effective with the first quarter billing of 2021.

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

**Town Clerk's Report:** A motion by Richard McCulloch, seconded by Eric Riegel and so carried unanimously to approve the Town Clerk's Report: Supervisor: \$150, NYS Ag & Markets; \$3,00, Total Disbursements; \$153.

**Minutes:** A motion by Richard Peterson, seconded by Eric Riegel and so carried unanimously to approve the minutes of October 6, 2020.

**Assessor:** Anne Morgan reported that she has prepared a letter to be sent to residents filing for exemptions asking that filing of said exemptions be done through the mail and questions be addressed by phone due to COVID. She is hoping this will limit the foot track in her office.

She reported that the County passed a resolution which is the first step in the process to increase the sliding scale income eligibility for Senior Citizens and Persons with Disabilities. She reported that the town's do not have to adopt the county's resolution, and the recommended income scale blindsided the assessors. Kathy Kerns, town of Ovid assessor has developed a different sliding scale income eligibility for Senior Citizens and Persons with Disabilities for the towns to review

and their approval that addresses some of the concerns that the county's adopted exemption scale does not. She noted that she is unsure what the school districts will do with regards to this matter.

**Code Officer:** Nothing to report.

**New Business, Old Business and Correspondence:**

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to enter executive session to address pending or current litigation at 8:25 p.m.

A motion by Eric Riegel, seconded by Richard Peterson, and so carried unanimously to come out of executive sessions to address pending or current litigation at 8:45 p.m.

A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to adjourn the meeting at 8:45 p.m.

Respectfully submitted,

Donna Karlsen  
Town Clerk