

Minutes
Varick Town Board
March 6, 2007

The regular meeting of the Varick Town Board was called to order by Supervisor Joan Teichner at 7:00 p.m. Present at this meeting were Council members Jeff Case, Curt Karlsen, Kathy Russo and Richard Peterson, Town Clerk, Donna Karlsen, Attorney for the Town, John Sipos, Town of Fayette Councilmen, Duane Riegel, Don Maybury, and Jeff Trout, and Varick Planning Board, Larry Peterson and Kevin Swartley. Also present were Bob Hayssen, Holger Karlsen, Jr., Mike Karlsen, Chelsea Hagen, Don Hagen, Kathy Seper, Eric Miller and Ben Karlsen and Katelyn Lepere.

Petitioners to the Board: Mr. Trout presented to the board a cooperation agreement by and between the Town of Fayette and the Town of Varick for application for the Small Cities Community Development Block Grant Program. Mr. Trout stated that the application fee of \$4,000 and any additional costs for this application would be paid by the Town of Fayette. The application would be submitted by Stuart & Brown if this agreement is approved by the board. Mr. Trout noted that the two towns applied jointly for these grant funds last year and did receive some grant money. Mr. Trout reported that two public hearings will be held once the agreement is approved by both towns.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve the Cooperation Agreement by and between the Town of Fayette and the Town of Varick for the Small Cities Community Development Block Grant Program.

A copy of this agreement will be included with the filing of these minutes.

Mr. Trout also discussed the status of the proposed waterline in the Hamlet of Fayette. Jason McCormick has been working with the Village of Waterloo to assist in the self help concept and perhaps funding some of the laying of the line. It was also suggested that perhaps parts of the project should be phased out to lower the cost. Mrs. Teichner also noted that the point system for getting grant money for water projects is going to change. It was explained to her at the Association of Towns meeting in New York that if the town had a restaurant at a Winery or just a restaurant in the Hamlet of Fayette needing water, the Town's points would have been much higher in the last round of submission.

Kevin Swartley also provided information concerning Empire Green Biofuels Public Information meeting to be held at the Romulus Fire Hall, March 14, 2007 at 7:30 p.m. Mr. Hayssen expressed his support for this project. It was also noted that there would be two public hearings held by Seneca County IDA on Thursday March 15th, at the Town of Romulus and also at the Varick Town Hall at 11:30 a.m concerning the financial aspects. Mr. Swartley noted that anyone with questions concerning this topic may contact him.

Mr. Hayssen questioned Mrs. Teichner as to why the Town of Varick didn't lobby to have the plant built in the Town of Varick in order to improve the town's tax base. He is requesting that Mrs. Teichner approach Empire Biofuels and ask them to consider building the plant in the Town of Varick. Kevin Swartley responded to this question and stated that Empire Biofuels based some of their decision to place the plant in the Town of Romulus on their acceptance to the project. Mr. Swartley stated that the Varick Planning Board has not looked at any development in the conservation area within Varick and Empire Biofuels didn't want to run into opposition from Varick for this area and Romulus was more receptive.

Mr. Bjorkman provided, for the boards information, letters sent by the Varick Planning Board to the Seneca County Industrial Development Agency regarding Empire Biofuels.

Supervisors Report: A copy of Mrs. Teichner's written report will be filed with these minutes. She also handed out Statement of Expenditures, Encumbrances & Appropriations for period ending 02-28-07.

Mrs. Teichner reported she reinvested a CD for one month with interest at 5%. The interest accumulated was \$1,130.76 on the CD valued at \$269,827.16. This makes the total of \$271,007.92 being reinvested. She also reported that Brian Kolb will be at the Town of Varick to hold a town style meeting March 24, at 12:45 and there is a meeting at the Fayette Fire Hall on "Dock and Moorings" March 29 from 7:00 to 9:30 p.m.

Planning Board: A resolution was presented to the board for training for members of the Planning Board and Zoning Board of Appeal. Town Law sections 267 and 271 were amended January 1, 2007 requiring planning board and zoning board members and their alternates complete four hours of training each year.

WHEREAS Town Law Sections 267 and 271 provide that effective January 1, 2007, all planning board and zoning board of appeal's members must complete a minimum of four hours of training each year; and

WHEREAS the above sections of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS the above sections of State law provide that the Town specifies which activities qualify as training to satisfy State requirement; now, therefore be it

RESOLVED that the training may be offered by any agency or educational institution, and must be directly related to the responsibilities of the members of the board; and be it

FURTHER RESOLVED that training received by a planning board member or zoning board of appeals member in excess of four hours in any one year may be carried over to meet the following year's requirement; and be it

FURTHER RESOLVED that if a member has not met the training requirement, they are ineligible for reappointment at the end of their term; and that if the training requirement has not been met for two consecutive years during a term, the Town Board may remove the member by majority vote; and be it

FURTHER RESOLVED that any new member appointed to fill the last 8 months or less of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein, and be it

FURTHER RESOLVED that the town will reimburse registration, up to \$75, and mileage, up to 100 miles, for the necessary training; and that the town shall appropriate sufficient funds in the annual planning budget for these costs; and be it

FURTHER RESOLVED that the Town Clerk shall create and maintain a system of tracking the training individual members complete annually, using a receipt or program from the training as evidence of attendance; and such information shall be presented to the appointing authority prior to considering a member for reappointment.

Motion by: Jeff Case

Seconded by: Richard Peterson

Vote: Ayes: 5 Nays: 0

Town Clerk's Report: A motion by Kathy Russo, Seconded by Richard Peterson and so carried unanimously to approve the Town Clerk's Report.

Varick Sewer District No. 2: Curt Karlsen questioned Mrs. Teichner if she had paid the capital project bills that were approved to be paid in December 2006 and had received funding in the middle of January. She stated that she paid the approved bills Saturday, March 3 and mailed the checks. Mrs. Karlsen stated that she did not sign those checks as directed by the board. Mrs. Teichner stated she wanted to get them mailed. The board again reinforced to Mrs. Teichner that checks are now required to have two signatures and are not to be sent out without two signatures. Mrs. Karlsen questioned Mrs. Teichner as to what capital bills she paid. She stated she paid Witmer and the Bond Council's bill but was unsure what other bills were included in those approved bill, but that she had paid everything. Mrs. Karlsen noted that there were other bills that were approved to be paid in addition to the two she mentioned.

The board also reviewed the steps that should be followed in case the electricity goes off to the grinder pumps. The conversation centered around the amount of water that can be used if the electric does go out and phone numbers to be called in case of an emergency. Steps to be followed will be included in the next billing.

Resource Associates is requesting payment for the following invoices from the capital fund:

12542	\$ 617.50
12845	476.71
12846	237.50
12847	159.39
12848	1,175.42

Mrs. Teichner stated she requested a breakdown of these invoices from Resource and she was sent the same invoices. Mrs. Teichner felt these invoices should be paid as we received funding for them. Mr. Karlsen noted that he did not feel that the \$617.50 bill for the site odor control should be paid as Mr. Feisley didn't complete the work that was requested of him. The board didn't approve this bill for payment when it was submitted February 1, 2006. Mrs. Karlsen noted that Resource's original submittal of bills for the final draw did not include invoice number 12848 in the amount of \$1,175.42. This amount represents the Form E balances left in design development, construction and technical budgeted for this project after the original bills he submitted were subtracted. The board questioned again if these charges were legitimate for work completed as there was no breakdown on his invoices. After further discussion the board agreed with some reservation to pay the Resource invoices with the funds received from Rural Development.

A motion by Joan Teichner, seconded by Jeff Case and so carried unanimously to pay the outstanding invoices submitted by Resource Associates.

Roll Call:

Jeff Case:	Yes
Curt Karlsen	Yes
Richard Peterson	Yes
Kathy Russo	Yes
Joan Teichner	Yes

So Carried

It was noted that although we have received, in letter form, approval for an easement to place the line and fan on Keith Heavener's property, we need to file the proper paper work with Seneca County. Mrs. Karlsen has forwarded this paper work to Mr. Heavener and he has requested a sketch of where the line is so he can attach it to the easement. Mr. Karlsen and Mr. Case will provide this.

Seneca Lake Water: The agreement between the two towns needs to be reviewed by Mr. Barto. Mrs. Teichner said she wasn't sending the bill to the Town of Fayette for the debt service until there is an agreement in place.

Mr. Nicholson will be attending a class to receive his Class D license required by the county.

Mrs. Russo stated that she will be advertising for bids on the hydrant repairs next week or the week of March 11th.

Cayuga Lake Water: It was again noted that the point system has been changed and the planning boards from Romulus and Varick should be looking into resubmitting an application.

Highway: Mr. Maybury discussed briefly the Townline Road culvert repair. There were a few items that needed to be ironed out regarding the contract and the scope and services of the repair by both towns. It was felt that the cost should be shared equally and the dollar limit was set to not exceed \$112,000. If the scope of repair exceeds this amount the project would be abandoned. It was also noted that all contracts should be reviewed and approved by both boards. There were also questions regarding the funding of this road. Mr. Peterson noted that he can't get Jason McCormick to return his phone calls. Jeff Trout said McCormick has been in contact with Ed Barto, and perhaps Mr. Peterson should contact Mr. Barto.

Spring Cleanup will be held May 16th through the 19th and Fall Cleanup will be held September 19th through the 22nd.

Building: Mr. Karlsen reported that there is problems with the electric in the truck bay which is effecting the door opener. Aaron Pundt has been working on this and will need parts to repair this. A discussion took place regarding how to set up accounts for the Town of Varick at local business. Mrs. Teichner suggested that a different account number be established for each department in the town. It was noted that companies may not want to do that, that it would be sufficient to set up one account under the Town of Varick, and distinguish which department the charge was for. It was decided that Mrs. Teichner would contact HEP to set up an account for the Town and let HEP decide which would be the easiest for them.

Personnel: Mrs. Russo will be advertising for the positions for the Summer Recreation Program the week of March 11th as well as bids for the repair of the hydrants for Seneca Lake Water.

A motion by Richard Peterson seconded by Jeff Case and so carried to approve Abstract -No. 3, General, Vouchers 07-23 to 07-07-36 in the amount of \$4,477.96, Highway, Vouchers 07-11 and 07-12 in the amount of \$4,263.42, Varick Sewer District No. 2, Vouchers 07-10 and 07-11 in the amount of \$912.00, and Seneca Lake Water District No. 2, Vouchers 07-08 to 07-10 in the amount of \$22,898.53.

New Business: Road Runner internet has been connected to the bookkeeper, town clerk and justice's offices. Mrs. Teichner set up the email accounts: varclerk@rochester.rr.com, varcourt@rochester.rr.com and Varick@rochester.rr.com. A code of ethics concerning the use of the internet is being written for the board's approval.

Mr. Bjorkman would like to see a web page established and will help create one.

Mr. Sipos received a mailing on a training for public officials to be held March 16th. He noted that he would not be able to attend this training, but would like to attend one in the future.

It was suggested to have Richard Foxx look at a barn that is being built next to the MacDonalds property. Mike Karlsen questioned the board about the enforcement of the town's zoning laws. It was noted that this is being looked into and that there are some laws that would be very difficult to enforce.

Frank Case submitted his year end report for 2006 and a copy was given to the board.

Curt Karlsen and Jeff Case will audit the Highway bills.

Mrs. Teichner reported that Romulus/Varick Summer Recreation program will receive \$1,400 in grant funds from the Seneca County Youth Bureau.

Old Business: Mr. Karlsen expressed concern over costs to Seneca Lake Water District and revenue that could be lost if the Town of Romulus opens the water plant. He indicated that he felt the board needed to look at cost saving measures in case this should happen. He reintroduced the proposal for water billing made by the Village of Waterloo at a cost savings of \$5,000 per year.

A motion by Jeff Case, seconded by Richard Peterson to accept the agreement presented by the Village of Waterloo to do Varick Sewer District No. 2 and Seneca Lake Water District billing.

Mrs. Teichner didn't feel that the cost savings was that substantial as she figured it would only save each resident along the line approximately \$30 a year. She also stated that we have paid the Town of Romulus for this year's service and proposed looking at this in June when she begins working on the 2008 budget. She also noted that it didn't indicate

that they would read the meters. It was noted that billing could not be done without reading the meters. Mrs. Teichner also suggested that an East Lake Road Committee be formed to address issues regarding these districts. Mrs. Russo reviewed with the board her understanding of the agreement with the Town of Romulus for this year's billing and what she felt Mr. Case was directed to do with regards to the Village of Waterloo. Mr. Case read from the letter the board received from the Town of Romulus where they stated that doing our billing is costing them money to provide all the services and additionally the Town of Varick is not a profitable investment, but rather a loss. Mr. Case indicated that if doing the billing is costing the Town of Romulus money, the Town should consider moving our billing to the Village where it will benefit both the Town of Varick and the Town of Romulus. Mr. Case stated it comes down to a business decision.

Mrs. Teichner called the question:

Roll Call:

Jeff Case	Yes
Richard Peterson	Yes
Curt Karlsen	Yes
Joan Teichner	No
Kathy Russo	No
So Carried	

A motion by Jeff Case, seconded by Richard Peterson and so carried to accept the agreement presented by the Village of Waterloo to do Varick Sewer District No. 2 and Seneca Lake Water District billing.

Roll Call:

Richard Peterson	Yes
Jeff Case	Yes
Curt Karlsen	Yes
Kathy Russo	No
Joan Teichner	No
So Carried	

The contract will go into effect with the June quarterly billing.

A motion by Richard Peterson, seconded by Jeff Case that all mail that is being sent to an elected official be addressed using the Town of Varick town hall address.

Mrs. Russo stated that Mrs. Teichner reported that the Post Master General indicated that she could have the mail delivered to her home address. It was also stated that the Town has the right to set their own policy and procedures regarding this issue. Mr. Case

used Dr. Teichner's practice and the Varick Fire Departments mail as an example and stated that their business mail was not addressed to their individual homes, and felt that the Town of Varick's needed to be sent to the town hall as it is also a business.

Mrs. Teichner called the question:

Roll Call:

Jeff Case	Yes
Curt Karlsen	Yes
Richard Peterson	Yes
Kathy Russo	No
Joan Teichner	No

A motion by Richard Peterson, seconded by Jeff Case and so carried that all mail that is being sent to an elected official be addressed using the Town of Varick town hall address.

Roll Call:

Jeff Case	Yes
Curt Karlsen	Yes
Richard Peterson	Yes
Kathy Russo	No
Joan Teichner	No

So Carried

Mrs. Teichner noted that although she suggested that Robert Rules of Order be adopted last month, they should be used with common sense.

Minutes: Mr. Peterson referred to the minutes and questioned Mrs. Teichner if she brought the 2005 Summer Recreation bills from her home for the boards review and filing. She stated she has given them to Bonadio to review, so they can give an updated report on the audit, which was to be done in February. Mrs. Teichner noted that these bills were paid with the town's credit cards from Staples, Moore and Walmart. It was also noted that the cost for the 2006 audit by Bonadio will be \$7,350. Mrs. Teichner reviewed some corrections and additions she felt should be made to the minutes. A discussion was held with regards to Mrs. Teichner's suggestions and no changes were approved by the board. Mrs. Russo indicated that she felt information was left out, but didn't realize that the information was entered under topic headings not randomly as the information is often presented during a meeting. Mrs. Karlsen explained that she does this so that information for future reference can be found easily without having to read the minutes in their entirety. The minutes were approved as written

A motion by Jeff Case, seconded by Curt Karlsen and so carried to approve the minutes of February 6, 2007.

Roll Call:

Jeff Case	Yes
Curt Karlsen	Yes
Richard Peterson	Yes
Kathy Russo	Yes
Joan Teichner	No

A motion by Kathy Russo, seconded by Jeff Case and so carried unanimously to adjourn the meeting at 9:20 p.m.

Respectfully submitted

Donna Karlsen
Town Clerk