

July 3, 2007

The special meeting of the Varick Town Board was called to order by Supervisor Joan Teichner at 6:06 p.m. Present at this meeting were Council members Jeff Case, Curt Karlsen, Richard Peterson, and Kathy Russo, Town Clerk, Donna Karlsen, and certified public accountants from Bonadio & Company, Gerald Archibald and Kristin Ryan.

Presenters: Mr. Archibald distributed an informational sheet pertaining to the 2006 audit for discussion.

Mrs. Teichner asked that the board go into executive session to discuss personnel and contractual matters.

A motion by Kathy Russo, seconded by Jeff Case and so carried to go into executive session for discussion of personnel and contractual matters at 6:10.

A motion by Jeff Case, seconded by Curt Karlsen and so carried unanimously to come out of executive session at 6:50 p.m.

The regular meeting of the Varick Town Board was called to order by Supervisor Mrs. Teichner at 7:00 p.m. Present at this meeting were Council members Jeff Case, Curt Karlsen, Richard Peterson, Kathy Russo, Town Clerk, Donna Karlsen, Town Attorney, John Sipos, Bookkeeper, Deborah Reed and Highway Superintendent, Richard McCulloch. Also present were Fayette Highway Superintendent, Ross Parks, Seneca County Environmental Health and Codes Department, Sara Brown Ryan, Kevin Swartley, Catherine Saeli, John Saeli, Philip Knapp, Kathleen Knapp and David Kidd.

Presenters: Mr. Saeli reviewed information pertaining to the Cayuga Nation Trust Application - Settlement Proposal. He stated that there is a possibility that all of the 3,300 acres of land that is being given away could be all in the Town of Varick. He feels this proposed settlement has the effect of being the most devastating thing to ever happen to the Town of Varick since its inception. He noted that the effected towns of Seneca Falls and Fayette have passed resolutions opposing the settlement. The Town of Covert has also passed a resolution opposing this settlement. Mr. Saeli would like to see the Town of Varick also pass such a resolution unanimously and have this resolution forwarded to Seneca County Board of Supervisors, Mike Nozolio, Brian Kolb, Michael Arcuri, and both Senators.

The board also received a letter from Phil and Kathy Knapp expressing their opposition to the pending Cayuga Indian Trust Application and requesting the board to pass a resolution opposing the proposed settlement.

After some discussion on the wording of the resolution, the board proposed the following:

BE IT RESOLVED that the Town of Varick opposes the proposed settlement of the Cayuga Indian Trust Application in its present form, and

BE IT FURTHER RESOLVED we oppose any negotiation with state until all applicable sales and use taxes from sales to Non-Native Indians are collected.

Motion: Richard Peterson

Seconded: Kathy Russo

Mrs. Teichner indicated that taxes could be collected from the distributors before they gave it to the Indians but felt Spitzer would get this resolved.

Roll Call:

Jeff Case Yes

Curt Karlsen Yes

Richard Peterson Yes

Kathy Russo Yes

Joan Teichner Yes

Unanimously Carried

Mrs. Teichner originally abstained from the vote because she didn't agree with including the collecting of taxes in the same resolution as the settlement. Mr. Peterson wanted it all inclusive to let the Cayuga Indians know that we are not willing to play games with them. Mrs. Russo expressed her hope for a unanimous vote. Mrs. Teichner on second thought changed her vote from an abstention to a yes vote.

Fears were also expressed over a casino not being opened or the failure of the casino with no revenue being realized and what would become of the land in the future. Mrs. Russo made reference to the uproar over this issue and the number of people against this settlement. Mrs. Teichner recognized those who are the silent majority in favor of this settlement, but felt it is the general opinion that it will be voted down. Mr. Saeli thanked the board for the resolution and stated that the people would be watching Mrs. Teichner and how she will vote.

Sara Ryan reported that at the request of Supervisor Teichner she sent letters out to those who had not connected to the sewer line in Varick Sewer District No. 2. She reported that there are approximately 5 residents that have not connected as of this date and wanted to know how the board wanted to proceed in getting these connections completed. Mr. Sipos questioned Ms. Ryan if those 5 residents' septic systems had

been tested to see if they are working properly. Ms. Ryan stated they had not been tested . It was noted that residents were given a year to connect after the system was up and running with leniency given to hardship cases. It was determined that Richard Foxx and Sara Ryan would go in front of Judge Case with a copy of the sewer law and file the names of the people who still need to be connected.

Mr. Karlsen presented a copy of an application for a travel trailer to be placed on a piece of property on Yale Farm Road and questioned Ms. Ryan if the people who own this property and have built two new homes have a Certificate of Occupancy. Ms. Ryan will look into this.

Supervisor's Report: None

Bookkeeper's Report: A Statement of Expenditures, Encumbrances & Appropriations were distributed. Deborah Reed reported that the judge's contingency account is still incorrect. She noted that the way she was originally taught was wrong and has since spoken to Sue in the Town of Fayette and is working on correcting this account. She also noted some other discrepancies in her report and will continue to work on these as well and has a call into Harris Computers for assistance. She requested permission to pay the Time Warner bill as a utility bill. Currently the bill is being paid late depending on when bills are approved, causing interruption to the town's service.

A motion by Joan Teichner, seconded by Kathy Russo and so carried unanimously to pay the Time Warner bill as a utility bill.

A motion by Richard Peterson, seconded by Kathy Russo and so carried to accept the bookkeeper's report.

Planning Board: No report.

Zoning: No report.

Highway: Mr. McCulloch reported that Mr. Knapp has been on vacation. Once Mr. Knapp is back they will finish cleaning up the debris from the last storm and using the county wood chipper. He has had some requests from town residents for these wood chips.

Mr. McCulloch also reported that he is getting some estimates on paving White Road and resurfacing Willers Road and using the balance of his funds on Town Line Road.

Mr. McCulloch is still looking into pricing and obtaining a wood chipper for the town.

Town Line Road Project: The contractor suggested using cobbles, to save the towns money which was agreeable with both towns. It was noted that the only trucking the Town of Fayette will need to do is the trucking of the cobbles. The soil will remain on site. Mr. Peterson has received the easements from the Town of Varick residents, but the Town of Fayette still needs to obtain them. Mr. Parks will follow up on this. Mr. Peterson also reported that he has heard the project will begin Monday.

Seneca Lake Water District: Mr. Karlsen reported that Mrs. Teichner had requested that Mr. Nicholson not attend the board meetings as she didn't want to pay him. Mrs. Teichner indicated that she told him that he could come about 8:00 and she would put him right on.

Mrs. Teichner reported that the Village of Waterloo will not have the billing up and running by July 1. They are lacking some information that needs to be supplied by Romulus. Mrs. Teichner wrote a letter terminating Romulus' services June 30 and stated they will be refunding the \$5,000 due the town. Mrs. Teichner has not received a signed and dated contract from the Village of Waterloo indicating their agreement and start date.

Mrs. Teichner still hasn't received the check from Fayette, or a copy of the municipal agreement. Mr. Karlsen suggested that Mrs. Teichner send another letter requesting our payment with interest. Mrs. Teichner will follow up on the agreement and Mrs. Karlsen will contact the Fayette bookkeeper to see if the check will be prepared for the Town of Fayette's next board meeting.

A discussion took place regarding a water connection on the East Lake Road and how decisions on such matters can be handled in a timely fashion. It was agreed to have Curt Karlsen and Jeff Case assess the situation and make a decision based on the circumstances and the guidelines that have been established. Any deviation from the guidelines should be recorded for future reference. Mr. McCulloch noted that Mr. Nicholson can't make these decisions as he is a contractor for the town. Mr. Nicholson reports to Mr. Case or Mr. Karlsen concerning water and sewer issues.

Varick Sewer District: Mr. Nicholson left a report for Mrs. Karlsen to present. In his report he wanted it noted that he has two 1"x6" service box risers and one 1"X 12" service box risers from Blair Supply and he did not receive any valves. He will bring the past month and current month vouchers for the August meeting. Mr. McCulloch stated that there were some boxes placed in the back barn for the water or sewer department and suggested a more secure place be found to put deliveries. It was noted that deliveries are generally put inside the town hall, however, the regular delivery man has been on vacation and must have put the items in the barn.

Jeff Case did contact the people regarding the placement of the bioxide treatment who have asked their neighbors for their opinion on the placement of this and are still waiting

on one neighbor's response. It was also noted that the district has not received an easement for the placement of line and fan by the fire house.

Mrs. Teichner reported that the panel in the pump house wasn't working correctly and Dan Duddleston will contact Damon. She also reported that Romulus has done some work on the pipe in Romulus and there is no odor, but Sampson has complained about the odor they are getting. Mr. Sipos reported that Sampson has been complaining about the smell at the manhole down by the marina for the last 10 years. Mrs. Teichner also reported that the seal has to be replaced around the pump house.

Mr. Case is working on the bid specs for the hydrants.

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

A copy will be filed with the minutes.

Personnel Report: Mrs. Russo reported that the Summer Recreation program will begin Monday, July 9. Michelle Andrews has been hired as an adult assistant and students who worked last year were also hired. She also reported that about 60 students have enrolled and Mr. Peterson would like to know how many of those students are from Varick. Mrs. Russo will check into this. It was also reported that the equipment will be picked up on Friday, July 6.

A motion by Richard Peterson, seconded by Curt Karlsen and so carried unanimously to approve Abstract No. 6, General, Vouchers 07-77 to 07-85 in the amount of \$2,974.77, Seneca Lake Water, Vouchers 07-30 to 07-32 in the amount of \$260.50, Highway, Vouchers 07-35 to 07-45 in the amount of \$3,033.17, Varick Sewer District No. 2, Voucher 07-19 in the amount of \$1,152.

A motion by Curt Karlsen, seconded by Richard Peterson and so carried unanimously to approve the Town Clerk's report.

A motion by Richard Peterson, seconded by Curt Karlsen and so carried to approve the minutes of June 5, 2007 with the spelling change of precedent and Mr. Somerville's name removed and potential buyer inserted.

Mrs. Teichner questioned the figures in the payment of Seiwert. Mrs. Karlsen reported that the figures paid to this company were changed on the voucher when given back to her and they are correct in the minutes.

Roll Call:

Richard Peterson:	Yes
Curt Karlsen	Yes
Kathy Russo	No
Joan Teichner	Yes

A discussion took place over the zoning laws that refer to travel trailers. Mr. Swartley indicated that if the camper belongs to the homeowner it can be parked on the property without a permit as long as they are not living in it year round, it has to be for seasonal use. If a family member or friend parks a camper on a homeowner's property for an extended time, they need a permit. Mr. Sipos questioned this interpretation. There was some confusion over the zoning regulations on file in the Clerk's office and what the Planning Board has. Kevin Swartly will bring a copy of his zoning regulations to the next board meeting for further discussion regarding this matter.

New Business: No action was taken regarding the Time Warner agreement as it isn't renewable until 2010.

Genesee Finger Lakes Regional Planning Council is willing to set up local updated census addresses at no cost.

Frank Case provided to Mrs. Teichner samples of some regulations and resolutions regarding harboring dangerous animals. It was suggested that she turn this over to the Planning Board for recommendation.

Mr. Karlsen requested that the meeting of June 12th tape be turned over to the clerk for record. Mrs. Russo did the minutes, however she forgot to bring them for the meeting.

A motion by Richard Peterson, seconded by Kathy Russo and carried unanimously to hire a part time bookkeeper to help complete the books and records for the 2006 audit at \$15 per hour.

A motion by Joan Teichner, seconded by Richard Peterson and so carried unanimously to hire Eileen Peterson as the part time bookkeeper at \$15 per hour.

A motion by Richard Peterson, seconded by Curt Karlsen and so carried unanimously to approve Sara Ryan and Richard Fox to pursue enforcement of sewer regulations.

Mrs. Teichner reported that the county is applying for grant funds for a county wide code enforcement officer position. The county would take over the code enforcement. The towns would have their own regulations, but the county would enforce them. Mr. Sipos noted that the county is already doing this regarding the state and fire building codes. It was noted that the trailer is being dismantled on Secore Road.

A motion by Curt Karlsen, seconded by Richard Peterson and so carried to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

Donna Karlsen