

March 2, 2010

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, Kathy Russo, John Saeli, and Richard Peterson, Attorney for the Town, John Sipos, Highway Superintendent, Richard McCulloch, Bookkeeper, Carol Sipos, Town Clerk, Donna Karlsen, Sewer Maintainer, Bill Kolbeck, Planning Board Chairman, Bill Squires, and South Seneca Ambulance representative, Barb McCall. Also present were Faith Petrie and Carol Peebles. Absent: Peter McDonald

South Seneca Ambulance: The board reviewed the agreement and questioned Ms. McCall about their billing procedure. It was noted that the contract stipulates that those within South Seneca's territory do not need to pay anything other than what their health insurance will cover. She reported that Multi-Med did their billing and sends out bills for the remaining balance after the insurance payment, but the homeowners do not have to pay it, however nowhere on the bill does it stipulate that. Mr. Sipos reported that even though he requested South Seneca Ambulance, North Seneca Ambulance was dispatched. Ms. McCall indicated that because his mailing address is Geneva, there might be a problem with dispatch and will check into this. It was also reported that North Seneca Ambulance is billing people when South Seneca Ambulance isn't able to respond and the question of mutual aid and how the billing should be handled was raised. Ms. McCall stated she will discuss correcting the billing with Multi-Med, review the area coverage with dispatch, and mutual aid and billing issues with North Seneca Ambulance and will contact the board with some answers.

Privilege of the Floor: Faith Petrie expressed her opinion that the speed limit into the hamlet of Romulus should be reduced from 35 mph to 30 mph and the passing lane removed. It was suggested that perhaps the 35 mph speed limit be kept with the no passing lane, with police enforcement might be sufficient. The board advised that she also seek the Town of Romulus' support on the reduction of speed and the no passing zone.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to send a letter to Nozolio's office and DOT asking for a reduction of speed into the Hamlet of Romulus to 30 mph with a no passing zone and a letter sent to DOT, with a copy to the Town of Romulus.

Planning Board: Bill Squires reported that the Planning Board has finalized the board's proposed changes to the Zoning Code and would like to hold a public hearing on them. Mr. Sipos noted that he needs to go over some items with regards to the proposed changes, but will meet with the Planning Board prior to the public hearing. Mr. Squires reported he would like the support of the board prior to the public hearing and reviewed some questions the board had with the proposed changes.

A motion by Kathy Russo, seconded by John Saeli and so carried unanimously to hold the regular meeting of the Varick Town Board at the Varick Fire Department, Route 96A on April 6, 2010 at 6:00 p.m. with the public hearing on the proposed minor changes to the Zoning Code to begin at 7:30 p.m.

A post card will be prepared and sent by the Planning Board to the property owners notifying them of the public hearing. The changes will also be posted on the town's website and Mrs. Karlsen will advertise the public hearing in the Reveille.

Highway: Mr. McCulloch thanked Mr. Saeli for his efforts in obtaining a lower cost on heating and diesel fuel from Griffith. He reported that he has ordered the new truck and a plow is being mounted and he will get a final delivery date. He also sought approval from the board to enter into a contract with Teitsworth to sell the F2 50 Ford at the Palmyra Auction. Carol Sipos reminded the board that once the truck has been sold and funds received the budget will need to be amended.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to enter into a contract with Teitsworth to sell the F350 Ford truck at the Palmyra Auction.

Mr. McCulloch reported that the winter storm the end of February was one the worst storms he has worked and commended Kris Karlsen for the job he did. He also reported that the department needs to replace the air compressor in the shop.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve the purchase of an air compressor not to exceed the amount of \$2,500.

Mr. Saeli will work with Mr. McCulloch seeking costs for the new compressor.

Varick Sewer District: Bill Kolbeck reported that there are three complete grinder pump units available to be put into the ground, however, there are no control panels. He cleaned the building and found old water meter parts that he will check with John Yells to see if they can be recycled or disposed of. He also noted that the town has a detector to trace water lines and feels he would be able to use this to trace sewer lines, but does not know how to use it. Mr. Saeli suggested he read the instruction manual and contact John Yells for further direction if needed. Mr. Hayssen also clarified for Mr. Kolbeck that he is responsible for the DIG Safely inspections for Varick Sewer District No. 2 and Mr. Yells is to do the DIG Safely for Seneca Lake Water District. Their cell numbers should be added as a contact for DIG Safely.

The Seneca County Personnel Office sent a letter questioning Mr. Kolbeck's qualifications to perform the maintainer's position. Mr. Kolbeck responded in letter form to their questions and provided a copy to Mrs. Sipos.

John Saeli reported that according to Yaws report, Siewert said they wouldn't charge us for the transducer they replaced and yet we received a bill from them for this. This bill is to be held for payment until Mr. Saeli can get more information.

Seneca Lake Water District: Nothing.

Varick Water District No. 3: An updated map along with map, plan and report was given to the Town Clerk. Mr. Hayssen reported that the Town of Fayette went out to bid for this project

and advertised it in their legal paper. It is recognized that the water line to Rick Connolly's house and to the Varick Town Hall are alternate plans and that Dilts Road is in the project. The board reviewed the placement of the line and the additional cost of boring under the road, and would like to see it moved to the other side to lower the cost. It was also noted that the engineer placed the fire hydrants on the west side of Route 96. This is poor placement as evidenced by the snow banks that are now in that area. Mr. Saeli stated that the design plans that were highlighted at this board meeting exhibit a clear lack of common sense.

Mr. Hayssen will contact Jason McCormick with the boards concerns and ask that the design be changed.

Rural Development also has reviewed the plans and specification for the subject proposal and required some corrections incorporated and/or corrected into the contract documents by Jason McCormick.

Varick Water District No. 4: It was reported that Tim Buhl is still completing necessary paperwork and responding to a letter sent to him from USDA Rural Development dated February 22, 2010 requesting further information. Mr. Buhl's request for payment will be held until the required paperwork is completed.

In order to meet Rural Developments request an amendment to the Legal Service Contract was completed as follows:

A motion by Kathy Russo, seconded by John Saeli and so carried unanimously to amend the Legal Service Agreement dated September 1, 2009 between the Town of Varick Board and John Sipos, Esq., Section B-Compensation, Sub. 1 to read: Attorney to be paid seventeen thousand dollars (\$17,000) plus disbursement. Said fee shall not exceed this amount plus disbursement. The total fee shall not exceed \$18,000.

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to approve the Town Clerk's Report; Revenue to Supervisor: \$77.10, County Treasurer: \$32.90, State Ag & Markets: \$18.00 Total Disbursed: \$128.00

Supervisor's Report: Mr. Hayssen reported that the Judge Ettman has set up court accounts in First Niagara Bank and will require the board to approve this bank as one of the town's official depository for 2010.

A motion by Richard Peterson, seconded by Kathy Russo and so carried to designate First Niagara Bank as an additional official depository for 2010.

Mr. Hayssen has signed and will return the 2010 Boundary Validation Program letter indicating that the legal boundary for the government unit is correct.

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

Mr. Hayssen reported that he was able to get the check back that was issued to Seneca County for sewage treatment.

Mr. Hayssen received a letter from DEC requesting that they be named lead agent for the proposed monofill unless the town was interested in doing it. Scepter concedes that the town has control as host town. It was agreed that the town board did not have the knowledge to become lead agency on this project and noted that the Planning Board was not named as a possibility. It was noted that the Planning Board made no reference to landfills or monofills in the revised Zoning Code and that the Planning Board can issue special use permits without the Town Board's approval.

Mr. Sipos reviewed the responsibilities of the Planning Board if they were named lead agent under SEQRE and it was decided by the board that it would be best to allow DEC become lead agent. According to Mr. Sipos and the paper received by Mr. Hayssen, if the board agrees to have DEC become lead agent, no action need be taken and DEC will automatically become lead agent. The board agreed to have DEC be lead agent on this project and no paperwork need be submitted.

Bookkeeper: Carol Sipos reported that the AUD was filed on time.

Personnel: Kathy Russo spoke to Paul Conroy and he will begin submitting a monthly code enforcement report. She also reported that she contacted the county regarding unregistered cars. She was notified by the Youth Bureau that the Summer Recreation Program did not receive a grant this year. She reviewed the poverty rate in Seneca County and reiterated the need of the Summer Recreation Program and will be sending out letters seeking donations.

Mrs. Russo also reported that Hillside, as an institution, will be counted in the census report.

Abstract: John Saeli reviewed the Suburban bill and reported that Suburban has been billing the town for an incorrect amount for diesel and heating fuel and should be sending us a credit. It was suggested that we hold the bills submitted until the billing problem is resolved. Griffith will be providing heating fuel and diesel and Suburban will be used as a backup on an on call basis. Mr. Saeli will also contact DiSanta regarding the gas prices for Seneca Lake Water District's building on East Lake Road.

It was also noted that a battery purchased by the Highway Department should have been priced according to the State Contract.

John Saeli recommended paying K & S Pumps bill and he will follow up with Yaws billing for the repair on the same pump.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to approve Abstract 3, General, Vouchers A00-10-38 to A00-10-46 in the amount of \$1,924.04, South Seneca Ambulance, SM0-10-0001 in the amount of \$30,971.00, Highway, Vouchers DAO-10-9 to DAO-10-16 in the amount of \$903.78, Seneca Lake Water, Vouchers SWS-10-0008 to SWS-

10-10 in the amount of \$23,424.68 and Varick Sewer District No. 2, Vouchers SSS-10-4 to SSS-10-7 in the amount of \$3,917.62.

Assessor's Report: None.

Minutes: A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve the minutes of February 2, 2010.

New Business, Old Business, Correspondence:

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to approve the South Seneca Ambulance Emergency Medical Service Agreement.

The Barb McCall will be put back on the agenda for April to provide answers to questions the board had.

Mr. Sipos provided the Ethics Law which was posted on the town's bulletin board. He also provided the following website for the board to look at www.openbookny.com. This website provides information on other municipality's town books. It was noted that the Town of Romulus doesn't report any open bonds. It was also reported that the bonds are non-callable.

Mrs. Russo discussed an article she read regarding elected officials.

Mr. Hayssen reviewed some of the discrepancies in appropriating expenses in the vouchers that Ms. Lawrence did for the Town of Romulus which effected Varick Water and Sewer District No. 1. He will review these discrepancies with the Town of Romulus.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to approve Amendment to the Varick Sewer District No. 2 Budget, Resolution #2.

Mr. Hayssen received a request from the Musselman race sponsors for the town's approval to use the town roads for this event.

A motion by Kathy Russo, seconded by John Saeli and so carried unanimously to approve the use of Varick Town Roads for the purpose of the Musselman race.

Mrs. Karlsen reported that Mrs. Dinsmore does not want to renew her appointment as Town Historian and it was suggested Bernie Kaufmann be asked. Mrs. Karlsen will see if she is interest in this position.

Fayette –Varick Fire District filed their Annual Financial Report.

A motion by Richard Peterson, seconded by Kathy Russo and so carried to adjourn the meeting at 10:05 p.m.

Respectfully submitted,
Donna Karlsen