

August 2, 2011

The regular meeting of the Varick Town Board was called to order by Supervisor Robert Hayssen at 7:00 p.m. Present were Councilmen Richard Peterson, John Saeli and Peter McDonald, Town Clerk, Donna Karlsen, Town Highway Superintendent, Richard McCulloch, and Code Enforcement Officer, Larry Colton. Also present were Richard & Ann Olsen, Rae D'Achille, Joan Teichner, and Donald James.

Petitioners to Address the Board: Mr. Olsen provided a computer generated presentation regarding a waterfall and dock construction on property next door to his owned by Puscumans at 5411 State Route 89. During his presentation he expressed his concerns with these structures. Larry Colton reported that he has issued a stop order to Ms. Puscumans as a building permit was never applied for and he reported that the permit will be denied as the construction of both structures does not meet current code. The property owner if chooses will then have to apply for a variance and appear before the Zoning Board of Appeals for their determination. Although the current code indicates a fine be assessed to those who build without a permit, the board stated that such issues have always been resolved with no fine assessment and want this issue resolved in the same manner. The board also stated that the town does not have any legal say regarding water flow in this instance and it should not be addressed by the Code Enforcement Officer. Mr. Colton issued a Stop Work Order letter dated July 30, 2011 to Wilhelmina Puscumans giving her 15 days from that date to file an application for an area variance. He will follow up on this matter.

Mr. Colton also questioned a ten year old motion made by the Varick Town Board pertaining to CAFOs and if it was still in effect. Mr. Hayssen reminded the board that the motion and moratorium that Mr. Colton was referring to pertained to pigs and has since expired and Mr. Colton should disregard.

Hillside: Mr. McCulloch reported that he, his brother and sister did meet with Dave Howard during the last board meeting and was told that they would hear from him within days of their meeting as to what action Hillside was going to take to resolve the concerns that were expressed to them. Mr. McCulloch has tried contacting him and has received no response from Dave or any other representative from Hillside. He has heard indirectly that Joanne Davis, Director of Hillside stated that their intention is to construct a 34 linear foot fence. Hillside was to attend this month's meeting to give a report, but no representatives were present. Mr. Hayssen will follow up on this issue.

Highway: Mr. McCulloch reported that Seneca County allowed the town to use their excavator and a 36"X60' cross over pipe on Romulus/Varick Townline Road was installed. Mr. McDonald commended the highway department on the work that was done at this location. They will repair the east end where this road approaches Route 89, but will remain outside of the State right-a-way leading into the intersection. Mr. McCulloch reported that the State is suggesting that municipalities pay for permits to complete work within the State right-a-ways, which is not being supported by the municipalities and highway departments. The highway department will also be resurfacing the east ends of Deal and Hahnel Roads. They will also be completing some needed

repairs to the railroad crossings on both of these roads as Mr. McCulloch has not received any response to his request to the railroad to perform these needed repairs which is the responsibility of the railroad company, not the towns.

Varick Sewer District No. 1: It was reported that both pumps have been rebuilt, reinstalled and are up and running. The board also wants to see the pump stations' roofs repaired prior to the change in weather.

Varick Water District No. 1: Mr. McDonald received a quote from Blair Supply for parts only to repair the water leak on Russell Street in the amount of \$1,647. Further discussion was held regarding three water services and a flushing hydrant which is also needed at this location.

Motions by Peter McDonald, seconded by Richard Peterson and so carried unanimously to grant authorization to Robert Hayssen and Peter McDonald to seek estimates and jointly approve the cost of repair to the water line, three services, a flushing hydrant and all necessary restoration work on Russell Street in order to limit further water loss.

It was reported that the Town of Romulus will be replacing their meters and Peter and Bob will find out what brand meter they intend to use and see if they would be interested in purchasing Census meters from Water District No. 3.

Seneca Lake Water District: Mr. Joseph Rao reported in writing that a water leak was detected next to the town's grinder pump. The leak was found in a plastic fitting on the water pipe that he remembers having a metal fitting on when it was originally installed and feels the installers of the sewer line may have nicked it and replaced it with plastic. Bill Kolbeck, who was aware of this leak, confirmed Mr. Rao's theory. Mr. Rao is asking the town for an adjustment on his water billing this quarter which is \$305 and generally is about \$100 per quarter.

A motion by Peter McDonald, seconded by John Saeli and so carried unanimously to reduce Joseph Rao's water bill \$205 and to expense this to the Seneca Lake Water District.

There are still meters that need to be replaced and/or repaired in this district.

Damon Nicholson replaced the bolts on Hydrant No. 20 with stainless steel bolts and provided detailed before and after pictures for the board's review. This hydrant is situated along a driveway off the main road. Mr. Bromka reported that the condition of the bolts were not bad with 10 being the worst they were about a 2 or 3. The hydrants that have broken in the past were all situated along East Lake Road and Mr. Bromka is now questioning if the road salt that is being put on the roads during the winter is not causing the deterioration of the bolts on the hydrants. He suggested another test hydrant be done along East Lake Road to test his theory and indicated that if this is the case, the hydrants off East Lake Road, may not need the bolts replaced at this time.

It was determined that the bolts on the bonnet are the only ones that will need to be replaced with stainless steel ones. Mr. Hayssen will put together bid specs and publicize for proposals to be submitted. He will get a copy of the bid specs to the board once they are completed.

Damon Nicholson also replaced Hydrant No. 42 which was broken and offered his services to rebuild the broken one.

It was unsure of the cost of purchasing a new hydrant versus rebuilding one wouldn't be more cost effective.

A motion by Peter McDonald, seconded by Richard Peterson and so carried to have Damon Nicholson rebuild the broken hydrant if it is determined to be less than purchasing a new one.

Varick Water District No. 3: The meters are in the process of being installed. John Saeli questioned if Syracuse Constructors had completed the punch list as there was still restoration issues on Route 96 and also on McGrane Road. Jason will be contacted for an update.

Varick Sewer District No. 2: Mr. Hayssen reviewed the Seneca County Operation and Maintenance sewer charge to the users in this district and reported that the county has corrected their billing and Varick Sewer District No. 2 is now getting charged \$30 a unit based on 190 units. He still needs to review the number of units we are being billed for, and the board will look at cost reduction to the users in this district at the September meeting.

Clerk's Report: A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to approve the Town Clerk's Report; Supervisor: \$216.93, NYS Environmental Conservation: \$33.07, NYS Ag & Markets: \$24.00 and State Health Department: \$45.00

Supervisor's Report: A motion by Peter McDonald, seconded by John Saeli and so carried unanimously to approve the written Supervisor's report.

Code Enforcement Officer Report: A motion by Peter McDonald, seconded by Richard Peterson, and so carried unanimously to approve the written Code Enforcement Report.

Minutes: A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to approve the minutes of July 5, 2011.

A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to approve Abstract No. 8, Varick Sewer No. 1, Vouchers VS111-015 to VS111-017 in the amount of \$1,988.46, Varick Water District No. 1, Vouchers VW111-13 to VW111-15 in the amount of \$5,504.11, Varick Sewer District No. 2, Vouchers SSS11-021 to SSS11-026 in the amount of \$67,399.37, Seneca Lake Water District, Vouchers SWS11-48 to SWS11-51 in the amount of \$33,345.38, General, Vouchers A0011-094 to A0011-108 in the amount of \$1,213.72, Varick Water District No. 1, Vouchers VW111-014 to VW111-16 in the amount of \$112.96, Highway, DAO11-53 to DAO11-58 in the amount of \$3,037.10

A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to approve payment to Municipal Solutions in the amount of \$7,387.91 from Varick Water District No. 3 Capital funds.

New Business, Old Business and Correspondence:

Mr. Hayssen will check with Butch Carroll and Jim Hinman regarding the Romulus Fire Department pulling unmetered water from the fire hydrant behind Romulus Central School.

Donald James sent a letter to the board in a final effort by the James family residing at 4440 Route 89, Seneca Falls requesting that the town address the issue of flooding on this property which the James family attributes to flow of water from ditches along the Fayette-Varick Town Line Road and indicated that if the town doesn't address his concerns he will file a lawsuit against the Town of Varick. Mr. James presented pictures of flooding that has occurred in the spring when water flow is high for the board's review. The board reviewed the pictures and again discussed the location of the James home in regards to the gully in which it is built and the size of the pipe which was run underneath their garage by a previous owner in order to address water issues. They also discussed their concern for safety over the flooding across Route 89 which can occur with high amounts of water that runs during the Spring. It was again determined that this is not an issue for the Town of Varick to address, but the homeowners and the State regarding State Route 89 flooding and safety concern.

A motion by Peter McDonald, seconded by Robert Hayssen and so carried unanimously to have Mr. McDonald write a letter to Senator Nozzolio with copies going to the James family, the town of Fayette and Department of Transportation stating Varick's position regarding this matter and the Town's concern over the safety issues pertaining to flooding of Route 89 in this area.

Mr. Hayssen received an email from Jeff Henderson director of the Musselman who wrote that he and several volunteers have completed picking up litter along the 56 mile Musselman bike course and he feels they left the roads better than they found them and to let Mr. Hayssen know they acknowledged the board's concern and hope they find everything satisfactory this year.

A motion by John Saeli, seconded by Peter McDonald and so carried unanimously to adjourn the meeting at 8:50 p.m.

Respectfully Submitted

Donna Karlsen
Varick Town Clerk