

May 7, 2019

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 Ben Freier, Tom Fox, Eric Riegel and Richard Peterson, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Highway Superintendent, Richard McCulloch, Attorney for the Town, Joe Midiri, Planning Board members, Thomas Bjorkman, Richard Olsen and Frankie Long. Also present were Richard L. McCulloch, Jerry Drayer, Jane Drayer, Joyce Sanford and Ken Sanford.

Residents to Address the Board: Jerry Drayer, Jane Drayer, Joyce Sanford and Ken Sanford requested the status on zoning to address vacation rentals. Some of their concerns discussed pertained to noise, parking, uncontrolled dogs, parties, septic and unsupervised campfires. Planning Board members Thomas Bjorkman, Richard Olsen and Frankie Long reported that their board has reviewed example codes pertaining to this issue to include the Town of Geneva and Town of Fayette's newly adopted code and has had extensive discussions regarding this matter. Mr. Olsen reported that with regards to the noise issue, it is recommended by the planning board that a local law be adopted rather than addressed in the zoning code, and recommended it be done at the county level for ease of enforcement by law enforcement agencies. They have discussed permitted applications and associated fees, criteria, definitions, the town's ability to enforce the code and related costs. They have also discussed how vacation rentals and associated codes will impact the sense of community within the Town. Thomas Bjorkman stated that the Planning Board meetings are held the fourth Thursday of the month at the town hall and are open to the public. They welcomed the town board members attendance for their input and recommendations to assist in moving this process forward.

Highway: Mr. McCulloch reported that the highway department is scheduled to resurface the east end of Yale Farm Road at an approximate cost of \$77,000 and Ogden Road at a cost of \$145,000. He reported that as the result of the 2018 paving work being completed so late in the year, he has approximately \$52,000 in CHIP funds rolled over from 2018 with \$52,000 coming in for 2019. The town is also receiving an additional \$33,000 from CHIPs through a separate funding program (EWR). As discussed at the April meeting, he wanted confirmation from the Supervisor and board members that the funds would be available if the costs should exceed his budget limits and sought board approval to move forward with scheduling of this work. Discussion was held regarding the condition of Townline Road and suggested he also obtain pricing to resurface that road as well.

A motion by Richard Peterson, seconded by Ben Freier and so carried unanimously to approve funding all costs associated with the resurfacing of the east end of Yale Farm Road and Ogden Road.

Mr. Hayssen commended Kris Karlsen on the work he did on North Town Line Road and felt he could have used some assistance in completing this work. Mr. Hayssen reminded Mr. McCulloch that he never makes any adjustments to his budget requests and the salary lines can be reviewed if necessary, in order to hire employees to assist in such project.

Spring/Fall Clean-up: Mr. McCulloch reported that he had received numerous phone calls regarding Spring Clean up and questioned how the residents were notified. Mrs. Karlsen reported

that she prepared a newsletter and provided a mailing list to Wilson Press for printing and distribution several weeks ago. Since the original submittal, she has had several conversations with them and it was explained to her that due to a loss of an employee they were behind in their printing jobs and was promised that the newsletter would go out Monday, May 6th or Tuesday, May 7th at the latest.

Supervisor's Report: A motion by Ben Freier, seconded by Eric Riegel and so carried unanimously to approve the Supervisor's Report.

Mr. Hayssen reported that he had Joe Midiri send a letter to Mrs. Hudson, the owner of the property located at 4901 Route 89 pertaining to repairs needed to bring her property into compliance or legal action with be brought against her.

Judge: Mr. Freier reported that he is scheduled to meet with the judge and court clerk on Wednesday, May 8th to review their books.

Varick Sewer District No. 1: Mr. Hayssen has been working with Hunt Engineering regarding the grant and Dan Duddleston will complete what work he is available for to fulfill the in-kind contribution as stipulated in the grant requirements.

Varick Sewer District No. 2: Nothing to report.

Water Operator Report:

Water Operator Report for April 2019

- Changed Meters
- Marked out Dig Safety's
- Turned on over 30 water services
- 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
- Inspected new water services
- Ordered parts to prepare for Spring/Summer jobs
- Fixed broken meters on Seneca Lake
- Turned off water services due to leaking pipes
- Cleaned tools due to putting in new water services
- Installed two new water services
- Responded to 4 customer calls regarding to leaking pipes in their service lines
- Provided answers to customers who are interested in hooking up to water main
- Repaired yards that resulted from water/sewer leaks
- Flushed dead end to bring chlorine residual up
- Located a service leak on East Lake Rd at vacant residents
- Had to report to a call on a car that lost control on East Lake Rd and ran over meter pit
- Kept up to date with the Romulus connection along with keeping in contact with construction company for Rt 89 project

- Responded to customers concern with water meter read
- Inspected and went over with contractor on a new house build on Teal Beach explaining to them what the town requires for parts

Varick Water District No. 1: Mr. Hayssen is confirming the EDU's for the trailer parks. Also presented for board information was a resolution from the Board of Supervisors authorizing Seneca County Water District Administrator to solicit bids for a Romulus Master Meter and the Supervisors acceptance of bid for surge valve installation for Seneca County Water District Capital Project.

Seneca Lake Water District: Mr. Midiri will review the proposed agreement from the Village of Waterloo and report back at the June meeting.

Varick Water District No. 3: Nothing to report.

Varick Water District No. 4: Nothing to report

Town Clerk's Report: A motion by Ben Freier, seconded by Richard Peterson and so carried unanimously to approve the Town Clerk's Report: Supervisor: \$420, NYS Ag & Markets: \$12, Total Disbursements: \$432.

Minutes: A motion by Eric Riegel, seconded by Richard Peterson and so carried unanimously to approve the minutes of April 2, 2019.

Personnel: Nothing to report.

Code Enforcement Officer: Tim Dorn submitted a report for the months of January 3, 2019 through March 25, 2019 for the board's review.

Planning Board: A discussion was held regarding the requested joint meeting by the solar company for the development of a proposed solar farm on property owned by Earl Martin located on property formerly owned by Seneca Army Depot in the Town of Varick. The planning board noted that this is a small-scale solar project and further discussion was held reviewing the presentation made in the later part of 2018 by the solar company. The Planning Board noted that a special use permit would need to be applied for and the proposed solar farm would currently fall under "other commercial use" in the current zoning code. It was confirmed by the town attorney that if there is no specific code written to address a specific circumstance, it is therefore permitted. The Planning Board indicated that they will have a proposed code prepared for the town board's review and approval at the June meeting to be followed by the scheduling of a public hearing. The board tabled the scheduling of a joint meeting with the solar company until an adopted ordinance is in place.

It was reported that the Docks and Mooring language is complete and will also be presented for review by the town board at the June meeting along with information on vacation rentals as discussed earlier in the meeting with town residents.

AT&T submitted an application for an antenna to be installed on the Verizon tower located at the corner of Route 336 and 96. Multiple emails have been sent to Frank Fisher at Midey, Mirras and Ricci to clarify Section 311.3 (J) of the zoning code which includes installation of an antenna in its requirement that a letter of credit be posted with the town to cover the costs of removal when and if that becomes necessary. In the last email from Frank Fisher he states that the Planning Board, not the town attorney, can waive that requirement if it chooses to. The Code requires the Town Attorney to approve the letter of credit. It does not permit him to make decisions such as whether to waive the requirement of the Letter of Credit. He further states that if the Planning Board chooses to do waive the requirement, the rationale would be that the costs of removal of an antenna are minimal as compared with the costs of Section 311.3 (J) which was designed to deal with the high costs of removal and disposal of the tower itself. Although the Planning Board understands it is their decision, they were looking for direction from Mr. Fisher. Supervisor Hayssen has been in contact with Verizon requesting copies of their bonding to cover costs of removal of said tower.

Tom Fox introduced a discussion regarding properties that have multiple unlicensed vehicles and what appears to be excessive collection of junk on their property and would like to have the code enforcement officer look into these issues. Mr. Riegel indicated he was in favor of speaking with the residents regarding this matter, but wanted to be sure there are codes applicable to the circumstance. Mr. Fox will look further into this matter.

Abstract: A motion by Ben Freier, seconded Eric Riegel and so carried unanimously to approve Abstract No. 5, General Vouchers A0019-074 to A0019-086 in the amount of \$7,999.14, Highway, Vouchers DA019-026 to DA019-32 in the amount of \$17,700.40, Varick Water District No. 1, Vouchers VW119-006 in the amount of \$50, SWS19-030 to SWS19-035 in the amount of \$785.11, Varick Water District No. 3, VW319-007 to VW319-008 in the amount of \$6,584.30, Varick Water District No. 4, VW419-014 to VW419-016 in the amount of \$2,394.40, Varick Sewer District No. 1, VS119-016 in the amount of \$183.60, Varick Sewer District No. 2, SSS19-009 to SSS19-013 in the amount of \$10,042.92.

Correspondence:

The board received an invitation from the Edith B. Ford Memorial Library to a ribbon cutting and 11th annual plant sale on May 11th at the Library as well as an invitation to the Memorial Day Celebration being held by Hillside on Thursday May 23rd at the Varick Campus. The Cayuga Lake Watershed Intermunicipal organization sent a letter seeking participation in serving on the PAC for the purpose of identifying priority water quality improvement projects for funding and to consider an improved organizational structure for the Intermunicipal Organization.

A motion by Richard Peterson, seconded by Eric Riegel and so carried unanimously to adjourn the meeting at 9:05 p.m.

Respectfully submitted:

Donna Karlsen
Varick Town Clerk