

October 2, 2007

The regular meeting of the Varick Town Board was called to order by Supervisor Joan Teichner. Present at this meeting were Councilman Jeff Case, Curt Karlsen, Richard Peterson and Kathy Russo, Town Clerk, Donna Karlsen, Planning Board Chairman, Thomas Bjorkman and Records Management Consultant, Dianne Bassette Nelson. Also present were Edward C. Mitchell, William J. Ryan, Barbara Wells, Miles J. Persing, Jr., Mary Catt, Christopher Catt, Tim Wolverton, Jeffrey G. Neilsen, Chuck Brust, Tony Brown, Rick Conley, Richard Kidd, Bob Hayssen, David Kidd, Jim Somerville, Charles LeBrueux, Cliff Trotter, Jim Swanson, Donna Swanson, John Saeli, Bob McCann, Kevin Swartley, Walter Meckley, Mike Neilsen, Mark Lafferty, Frank Litzenburger, Philip Steinruck, and Investigator Deal.

**Presenters:** Mary Catt introduced her son Christopher who spoke to the board regarding Rachel's Challenge. He explained that Rachel's Challenge is a program influenced by Rachel Scott, who was the first one killed at Columbine, and is committed to the message to start a chain reaction of kindness and compassion. Chris explained that this program is to help people recognize bullying and use techniques to stop it. Rachel's Challenge and Peer Remediation at Romulus Central School will be holding Community Caring Days, which is where students volunteer to assist others in different capacities. They will begin in the Hamlet of Fayette. A Day of Kindness will be held Saturday, October 13 and they will be cleaning the cemetery. He reported that there are approximately 40 volunteers signed up to help. This group will also be collecting items to be donated to "Here For You" which is a group that collects items to be sent to our service men and women. He noted that there is a website linked to the school and asked for suggestions of projects that could be done.

Diane Bassette Nelson reviewed the distribution of grant funds for the records management program and Mrs. Teichner reported that she has received 50% of the grant funds to this date. Ms. Nelson recommended that with board approval she would like to see the shelf units, computer, and software be ordered at this time. She also recommended the Filemaker Pro program be purchased over the access program the state offers for free as it is easier to use. She will look further into the fire file expense and instructed Mrs. Karlsen to order two cases of file boxes.

Diane felt that a town employee shouldn't be hired as Records Management Clerk. She expressed her opinion that what may happen is the town employee begins looking to closely at the records, which the purpose is not to look at every piece of paper, unless you find a box that isn't in any type of order, it should be looking at the records as a whole. She feels we can do more than just inventory the records and felt the town might be able to do a lot more with this money such as scanning and micro filming records. Her recommendation on the inventory clerk would be an experienced clerk and recommended her daughter Nicole Nelson and reviewed her daughter's experience. She also expressed her concern that people may interrupt the Town Clerk with Town Clerk business while working on the records. Diane stated that she isn't saying that the clerk can't do it, but suggested a different method.

She also expressed her concern that, through some discussions, she was afraid that some records had been destroyed without the proper documentation being completed. She made reference to the MU-1 Schedule which determines the retention schedule of records and indicated that there are forms that need to be signed off prior to destruction of records by the Town Supervisor, Town Clerk and the department head and expressed she hoped that these records were signed off accordingly. Diane also expressed that she would like to meet with the board and department heads to develop the Record Management Needs Assessment and Record Management Plan for the town. She noted that all this work needs to be completed by June 30, 2008 and would like to see most of the work completed by December of 2007 in time to apply for further grant funds.

**Petitioners:** Donna and Jim Swanson referred to a letter they wrote to the board indicating that they would like to see a leash law in place in the Town of Varick.

Barb Wells spoke on behalf of the Federation Sportsman Club and expressed that this group would like to have the land that was once known as the demolition grounds and "A" Block on the former Seneca Army Depot within the Town of Varick become a conservation area. This area encompasses approximately 600 to 800 acres of land and it was indicated that it is not scheduled to be cleaned up until 2012. She reported that they are working with Empire Bio Fuels but they would like to see this land become a conservation area with public access, with the white deer population monitored. The question was raised as to if the IDA had a contract with an entity to oversee the deer population. After some discussion it wasn't clear if a contract existed and who it might be with if it did. It was suggested that the Federation approach the IDA as they have control over the land. Barb Wells agreed, but also expressed that since this land is in the Town of Varick, Varick should have a say as to how it is to be used. She also reported that the Seneca White Deer organization has joined with their organization in June of this year. Their goal for their attendance at this meeting was to go on record and request this area become conservation land and seek the town board's and planning board's support.

The Town Board indicated their support and Thomas Bjorkman, Planning Board Chairman, reported that the proposed land use for this designated area is consistent with their suggestion and that there isn't any other use proposed for this area at this time.

Concern over the tax base was expressed and it was noted that this land, once cleaned, could be developed and go back on the tax rolls.

Chuck Brust from the Varick Volunteer Fire Department presented a written report addressing the 2008 budget they submitted to Mrs. Teichner. In this written report, which he read to the board, he explained how the department arrived at the final budget and explained the reasons for the budget increases. He also discussed the equalization of the tax rate for the three towns that are protected by the Varick Fire Department and a comparative analysis between the tax rate of the Varick Fire Department and other fire departments in the area. A copy of this written report will be filed with these minutes.

Chuck Brust noted that Finger Lakes Technology would not be paying PILOT money this year and the department does have an agreement with Hillside, but has received no money as of this date. It was reported that in 2006 they had 72 calls and in 2007 they have had up to 285 calls to date. Mr. Case explained how the budget was developed and informed Mrs. Teichner that she had a copy of the fire department's 2008 budget the day after the members approved it. He also expressed that it is felt that everyone in the Town of Varick should pay the same fire tax. Mr. Case also stated that the books are open to anyone for their review. It was also expressed that fund raising is almost impossible to do.

The fire department's figure is included in the town's 2008 tentative budget that Mrs. Teichner reported she will hand out to the board later. Mr. Peterson questioned as to whether the department could stretch this increase out over the next year or so.

Mrs. Teichner stated that she wished she had been informed of the possible increase prior to receiving the department's budget. Mr. Case reported that the fire department can't foresee what budget figures the fire department body will approve so there is no reason to present artificial numbers to the Supervisor until the budget is approved by the body.

**Seneca Lake Water District:** Mr. Case reported for Mr. Nicholson that the Village of Waterloo identified 22 meters that are not working. Mr. Nicholson has ordered the parts to repair these. He has also recycled about half of the fire hydrants. It was found that the master meter is rusted and laying in water. An open air drain will be installed to prevent further rusting. Mr. Case also reported that a homeowner received a water bill totaling over \$900 due to a water leak between his meter pit and his seasonal residence. This homeowner felt that the leak would have been identified sooner if the water bills had gone out on time. Seneca Lake Water District has been billed by the Village of Waterloo for the water used at this location. It was suggested that one solution might be that we charge the homeowner the district's cost for water from the Village. It was determined that further research into this needed to be done before any decision was made with regards to their bill.

Mr. Saeli questioned the monitoring of the water used at the Mormon camp. It was explained that the Village of Waterloo would be able to determine any water leak, due to the size of the Mormon's pipe, through the meters at the pump station.

Mr. Karlsen questioned Mrs. Teichner as to why the board approved water billings dating back to June from the Village of Waterloo have not been paid. Mrs. Teichner explained that there wasn't enough money in the checking account as no billing had been done for Seneca Lake Water District. Mr. Case clarified that the billing wasn't able to go out on time because Mrs. Teichner didn't sign the billing contract with the Village of Waterloo at the time the board approved it. Mrs. Teichner was questioned as to why she didn't transfer the money that is in the savings account to the checking account and pay the town's bills. She did indicate that there was enough money in the savings account, but that she had tied it up in a CD. Mr. Case advised her that in the future she shouldn't tie up money that will be needed to pay bills with. It was noted that the Village of Waterloo

has deposited enough money in the savings from the billing they sent out in September to pay these past due bills. The money needs to be transferred into the checking and the Village is to be paid.

**Varick Sewer District No. 2:** One of the pump motors in the pump house needs to be replaced at an approximate cost of \$750. Mr. Case suggested that the old motor be rebuilt. Mr. Case also reported that the property that was suggested for placement of the bioxide system is for sale. The current owners have agreed to place this system on the property they are hoping to purchase once their current property is sold. Mr. Case will report further on this as more information becomes available. It was reported that the fan is working and the bioxide system will assist once it is up and running.

Mr. Case also reported that the gas within the pump station is eating away at components within the station. It was suggested that a vent be installed in a hole that can be cut in the entrance door. It was also noted that a pipe which carries the sewage to the bottom of the tank has become disconnected. Mr. Gable indicated that they can drain the tank low enough to allow someone to reattach the pipe.

**Supervisor's Report:** Mrs. Teichner read her Supervisor's Report and a copy will be filed with these minutes. She also suggested that the town look at shared services and suggested that perhaps the town offices could share the Varick Fire House facility.

**Bookkeeper's Report:** Mr. Karlsen requested again a copy of the job description for the bookkeeper that Mrs. Teichner reported she and Bonadio created. Mrs. Teichner stated that her copy was at home and the bookkeeper's copy was locked in the office. Mrs. Teichner also felt that the bookkeeper did not answer to the board, as she was her appointment and they didn't need to see a copy of the job description. Mr. Karlsen reminded Mrs. Teichner that she stated she would get this job description to the board a month ago and she still hasn't provided the receipts from the Summer Recreation Program which the board has been requesting for the past three years and all this information is part of public record. Mrs. Teichner said she would read the bookkeepers job description. Mr. Karlsen noted that he could read it himself and that she could leave it with the Town Clerk.

The board reviewed the report submitted by the bookkeeper and it was noted that the justice's account is still incorrect along with other line items.

A motion by Kathy Russo, seconded by Jeff Case and so carried unanimously to approve the bookkeepers report on the condition that the incorrect line item balances be corrected by the next board meeting.

**Planning Board:** Mr. Bjorkman reported that the Planning Board will be holding an informational meeting on the proposed changes to the Zoning Code at the Varick Fire Department, Wednesday, October 17 at 7:30 p.m. He reported that the new code does address business signs.

**Code Enforcement:** Richard Foxx will be out of town and Alice Howard will be covering for him.

**Highway:** Mr. Peterson reported for Mr. McCulloch that Seneca County would be paving the Town Line Road project. It was felt that \$25,000 would be enough to budget for the purchase of the pickup truck and accessories. It was expressed that the town should receive approximately \$15,000 at auction for the current truck. Mr. McCulloch has also done further research into the purchase of a chipper for the town and determined that it would be more cost effective to rent this equipment from Hertz as needed with no additional maintenance costs. Mr. Peterson is still waiting for the final bills for the Town Line project before he submits them to Mike Nozzolio.

The question was raised as to how the highway department determines who will be hired to clean out the ditches and it was felt that local contractors should be asked for prices to complete this work. It was noted that Mr. McCulloch controls his budget but Mr. Peterson will talk to Mr. McCulloch concerning this issue.

**Personnel:** Mrs. Russo stated that based on the recommendation from Diane Bassette she would like to make a resolution whereas the Town Clerk is ineligible to serve as the inventory clerk for the Town of Varick she makes the motion to hire Nicole Nelson who has the previous experience to work as the inventory clerk under the supervision of the Town Clerk who is capable to supervisor her on Wednesdays and Thursdays at an hourly rate of \$12 as prescribed in the grant application.

Mrs. Teichner then stated she would make the motion and asked for a second so a discussion could be held. Mr. Karlson seconded it.

Mrs. Teichner read a letter from Nicole Nelson reviewing her experience. Mr. Case pointed out that the board was never told that the Town Clerk was ineligible to do this and that Diane Bassette Nelson wanted her daughter to do it. It was questioned as to why the town should pay someone to supervise and someone to do the work. It would be more cost effective to have one person do the job. Mrs. Karlson explained that when she attended the archives workshop she reviewed the grant with Gail Fisher who is the Regional Advisory Officer for Region 7 and is familiar with the grant award. Ms. Fisher indicated that the Town Clerk could be the Records Management Clerk on this project as long as the work wasn't done during the Town Clerk's regular office hours. There is to be no double dipping. Mrs. Karlson read the email that Gail Fisher sent regarding this position.

Mrs. Teichner stated that Mrs. Karlson is keeper of the records for the town and feels it is a conflict of interest to have her sort the records. It was clarified by the state that there is no conflict as long as the Town Clerk isn't paid for doing Records Management Clerk work at the same time as her Town Clerk's work. According to Ms. Fischer's email she stated that you may almost always employ local government staff on their grant projects, and often this is actually encouraged as they will often be the most knowledgeable about all the records. Mrs. Karlson stated that she didn't care who was hired to be the Records

Management Clerk but questioned why the board would hire someone else to go through the records, rebox them and then pay the RMO to supervise this work and go back through the records the Records Management Clerk has designated to be destroyed. She reminded the board that it takes three people to sign off of the records prior to them being disposed of, the RMO, supervisor, and department head.

Further discussion was held and then Mrs. Teichner called for a roll call:

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

The motion was not carried.

It was also noted that a motion by Mrs. Teichner, seconded by Mrs. Russo and so carried to hire Mrs. Karlsen as Records Management Clerk was made in August resulting in this position being filled.

The board clarified for Mrs. Karlsen that she is to continue as Records Management Clerk and to precede with the work that needs to be done.

**Assessors Report:** A motion by Kathy Russo, seconded by Jeff Case and so carried unanimously to approve the written Assessor's Report.

The following resolution was presented to the board:

**WHEREAS**, the Towns of Covert, Lodi, Ovid and Romulus formed a Joint Assessment Group in 1994, and

**WHEREAS**, the Town of Varick joined the Joint Assessment Group in 2001, and

**WHEREAS**, the current Agreement among the five towns remains in effect until October 1, 2007, and upon expiration may be extended for a period of six (6) years upon approval by a majority vote of the Town Boards of each Town, and

**WHEREAS**, the term of the Assessor, Anna M. Morgan expires on the same date, and according to the Agreement may be extended for a period of six (6) years upon approval by a majority vote of the Town Board of each Town, be it therefore

**RESOLVED**, that the Town of Varick approves the terms and conditions of the attached updated Agreement extending until October 1, 2013, and be it further

**RESOLVED**, that the Town of Varick approves the reappointment of Anna M. Morgan as its Assessor for a term extending until October 1, 2013.

Motion by: Jeff Case  
Seconded by: Richard Peterson  
So Carried Unanimously

**Clerk's Report:** Total revenue to Supervisor, \$409.68, amount paid to County Treasurer for dog licenses: \$31.72, amount paid to State Ag & Markets for unfixed fees, \$12.00, amount paid to Department of Conservation, \$491.60 for total dispersed of \$945.00

A motion by Jeff Case, seconded by Curt Karlsen and so carried unanimously to approve the Town Clerk's Report.

**Claims for Audit:** Mr. Karlsen questioned the bill for the work Gary Catt did on the newsletter. He noted that Mr. Catt was never approved to be hired by the board and the newsletter was never reviewed or approved by the board prior to mailing. Mr. Case expressed that Mrs. Teichner should have come to the board for assistance if she couldn't do the work required to complete the newsletter. It was expressed that Mr. Catt should be paid, but not with taxpayers money. Mrs. Teichner was reminded that she was not to be sending any correspondence out without board approval. Mr. Hayssen made reference to prior minutes where it was stipulated that no correspondence by Mrs. Teichner was to be sent without board approval and where she had apologized in the past for sending previous newsletters out without this approval. Mr. Karlsen stated that this stipulation was put into place by the board so that the board would know what Mrs. Teichner is doing. Mr. Peterson expressed his opinion that the timing of the newsletter could be construed as campaign propaganda and doesn't feel the cost of the printing, stamps and Gary Catt's bill should be paid by the town. Mr. Karlsen stated that when the printing and stamp costs were approved last month, Mrs. Teichner hadn't informed the board that the newsletters had already been mailed. Mrs. Teichner stated that she isn't able to complete the work that Mr. Catt did for her and there was money in the printing expense line to pay Gary Catt.

A motion by Curt Karlsen, seconded by Jeff Case to approve the Abstract No. 10, with the removal of Gary Catt's voucher number 07-107 in the amount of \$300, General, Vouchers A0007-105, A0007-106, A0007-108, A0007-109 and A0008-110 in the amount of \$316.22, Highway, Vouchers DA007-70 to DA007-76 in the amount of \$2,104.97, Varick Sewer District No. 2, Vouchers SSS07-024 and SSS07-071 in the amount of \$369.00 and Seneca Lake Water District, Vouchers SWS07-041 to SWS07-044 in the amount of \$28,281.51.

Roll Call:

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

Mrs. Teichner presented the board with an envelope with correspondence she received from Connie Long, Mr. and Mrs. Swanson and Robert Whitley.

The SLAM program will be coming October 20<sup>th</sup> to strip the kitchen floor. The highway department will remove the furniture Thursday.

Seneca County Hazardous Waste collection will be held October 13, 2007. You have to register by October 5 to bring items.

**New Business:** Mr. Karlsen reported that there is a new locking mailbox for the Town's mail to be placed in.

The 2008 budget workshop was scheduled for October 16 at 6:00 p.m. Mrs. Teichner stated that the only salary increase as agreed by the board was for the highway at 3%. She then stated that she gave the bookkeeper a raise as well.

The board hopes to move the tentative budget to preliminary and hold a public hearing November 7.

A motion by Jeff Case, seconded by Curt Karlsen and so carried unanimously to hold the public hearing on the 2008 preliminary budget November 7 at 6:30 p.m. with the regular Varick Town Board meeting to immediately follow.

A motion by Joan Teichner, seconded by Kathy Russo and so carried unanimously to put the town on record to adhere to New York State Agriculture and Market Law pertaining to vicious dogs.

Any changes to this law must be published.

A motion by Jeff Case, seconded by Curt Karlsen and so carried unanimously that the Town of Varick Board feels the District Attorney's office should be the one to try cases regarding vicious dog claims.

**Old Business:** The bolts regarding the hydrants were discussed and Kathy Russo is to advertise for replacement of these. Mr. Case noted that the advertisement should be simple. It was questioned if Mr. Nicholson had Workers Compensation insurance. It was noted that Mr. Nicholson supplied a Certificate of Insurance with the required coverage asked for by the board.

Mr. Whitley referred to his letter asking for the dog warden's resignation. Mrs. Teichner noted that Mr. Vincent's appointment is up December 31, 2007 and it would be up to the board as to what they want to do.

Mr. Whitley expressed his dissatisfaction and requested that Mr. Vincent be dismissed immediately.



A motion by Jeff Case, seconded by Curt Karlsen and so carried unanimously not to dismiss John Vincent as Dog Warden.

Mr. Whitley voiced his dissatisfaction and Mrs. Teichner suggested adjourning the meeting.

A motion by Jeff Case, seconded by Curt Karlsen to adjourn the meeting at 10:20 p.m.

Respectfully Submitted

Donna Karlsen  
Varick Town Clerk