

Varick Town Board
August 5, 2008

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 Jeff Case, John Saeli, Kathy Russo and Richard Peterson, Town Clerk, Donna Karlsen, Town Attorney, John Sipos, Bookkeeper, Carol Sipos, Planning Board members, Kevin Swartley, Thomas Bjorkman, and Bill Squires, NYS DOT Resident Engineer for Seneca and Cayuga Counties, Chris Covert, and Bonadio, Gerald Archibald. Also present were August Gillon, Fred Conley Jr., Jim Somerville and David Stonesifer.

Privilege of the Floor: Mr. Stonesifer reviewed his understanding of the steps that have been taken through collaborative effort by the Planning Board, Zoning Board of Appeals, Town Board and verbal and written comments by residents of the town to address concerns pertaining to ordinances found within the zoning code adopted December 4, 2007. Mr. Stonesifer would like to see this effort continued and the board's intent to do so recorded in a board motion. He presented a proposed motion to the board to extend work on the revision of the Varick Town Zoning regulations to begin October 1, 2008 and by September 2009 a final set of zoning codes would be presented to the public with a final adoption of revisions to be made no later than October of 2009.

Mr. Hayssen reported that the first set of proposed revision will be presented to the public for comment the middle of August and work by the Planning Board and Town Board will continue to address issues that have already been presented and those that may come to the boards' attention in the future beginning in October. Mr. Stonesifer was assured that work will continue on the zoning code without a motion being made.

Gerald Archibald presented a written status report of the 2006 and 2007 year end audit to the board members. He projected that his firm will have both audits completed by September 30, 2008. There will be a Management Letter that will be provided with the completion of these audits but noted that most of the issues that have been addressed under the Internal Control Recommendations have been addressed already by Mr. Hayssen and the bookkeeper in 2008. Mr. Archibald reported that his firm will continue to work diligently on the 2006 audit and he feels the 2007 may be done in a timelier manner. He will also respond to the State's continuing request for the Town to submit the 2007 AUD report. Mr. Archibald concluded with his opinion that the bookkeeper, Mrs. Sipos is doing a very good job with the 2008 books and the town will be in a much better position for the 2008 audit to be completed.

Chris Covert reviewed the history of the proposed parking and scenic overlook on Route 89. He noted that this would provide an area to view the lake and perhaps deter people from stopping along the road side and trespassing on properties. He also made reference to snow and ice operations and noted that the State owns all of the right-of-way to the lake. He also noted that money through the Blue and Green Highway Initiative to build the parking area has been secured. He reported that the project will be evaluated and the report as to whether the project is feasible is still pending. Mr. Covert reported that he did

receive the motion indicating that the board is not in support of this parking/scenic overlook and noted that if the board should reconsider their position, after reviewing information that is available concerning this project, they should contact him. He did note that the board's decision would weigh heavily on the decision to proceed or not with this project.

Mr. Hayssen reported he received a carbon copied letter from Carl Ford, Regional Director of Transportation to Michael Nozzolio dated July 31, 2008 which stated that if the Varick Town Board is opposed to this project, it would not seem prudent to proceed any further with construction.

Mr. Covert addressed questions concerning parking along the road sides and referred to the V& T Laws. He suggested signage may be placed stating restrictions that apply to parking and any questions and/or complaints should be addressed to law enforcement.

Route 89 Water: Jason McCormick reported that the same method was used to figure the EDU number for this district as was used for the Fayette/Varick Proposed Water District. If the town were to use the method used for the Seneca Lake Water District, it may generate approximately 20 to 30 more EDU. The question was raised as to which method would result in the most funding. Mr. McCormick expressed his opinion that it would be hard to get this project funded.

Mr. Sipos reported that Dave Miller from Rural Development at one point indicated to him there was funding for this project.

Further discussion was held regarding the number of units, grant funding, the completed income study and the executive summary.

Mr. McCormick agreed to update the unit numbers, get an executive summary completed and contact Dave Miller on the affordability and funding of this project.

Fayette/Varick Water District: Mr. McCormick reported that Stuart Brown needs to submit final application to Rural Development for funding.

Mr. Hayssen reported that there will be a meeting held Wednesday, August 6 at 4:30 with Steve Ricci, John Sipos, Stuart Brown & Associates representative and himself as to what needs to be completed on this application. He suggested that Mr. McCormick also attend.

It was also reported that Michael Nozzolio has committed funds to this project, however, they will not show on the application.

Mr. Hayssen also would like to see the district boundaries to include Town Line Road, Dilts Road extended to Varick Town Hall. Stuart Brown is willing to look at these additional boundaries.

Justice: Judge Frank Case provided a 2007 year end report as well as a letter of explanation to be reviewed by the audit committee.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to appoint Kathy Russo and John Saeli to audit the court's records.

Planning Board: It was reported that William Squires was appointed as chairman to the Planning Board.

The Planning Board submitted changes to the Zoning Code for Town Board's consideration. The issues that have been identified for proposed changes are:

1. Impervious surface
2. Docks
3. Sheds
4. Funneling
5. Restriction on Churches
6. Removal of Deleted Text & Clerical Corrections

Mr. Hayssen suggested that 309.5A Drainage Design and all corresponding references be added to the deleted text until better language can be developed. He also would like to delete the 15' set back requirements and reinstate the 10' set back as was in the previous code. It was agreed that these items would be included in the proposed changes to be reviewed at a public hearing.

The Town Board reviewed each proposed change and would like the Planning Board to add to their referenced "Hard" list the following items:

1. Define who would be responsible for survey cost if a project is questioned. Mr. Sipos felt that the person who wants to take action would be responsible for cost of survey.
2. Delete and remove from text 309.5A Drainage Design and all corresponding references as written until better language can be developed. It was the consensus of the board that this ordinance does need to be included in the zoning code when better clarified.

The board reviewed what steps would need to follow in order to adopt changes to the Zoning Code. Mr. Peterson expressed his opinion that he would like to see the town reinstate and add to the old Zoning Code rather than work on the adopted code that is in place currently.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to hold a public hearing August 19, 2008 at the Varick Fire Hall at 7:00 p.m. on the following proposed changes to the Zoning Code:

1. Impervious surface
2. Docks
3. Sheds
4. Funneling

5. Restriction on churches
 6. Removal of deleted text and clerical corrections
- and any other business that comes before the board.

It was determined that a motion was not needed indicating progress would continue with regards to further changes to the Zoning Code as suggested by Mr. Stoneseifer.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to send out post cards notifying residents of the public hearing to be held August 19th.

Copies of the suggested changes can be picked up at the clerk's office or accessed through the town's website.

A motion by Kathy Russo, seconded by Jeff Case and so carried unanimously to waive the cost of the draft zoning code books to town residents, all other requests will be charged \$5.00.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to charge .25 (cents) per copy made in response to Foil requests.

Varick Sewer District No. 2: Mr. Sacli reported that he contacted Cornell Cooperative Extension who provided some suggestions on how to address the odor from the pump station. He also expressed his opinion that the odor may not be all due to the sewer system, but to the smell coming from the lakeshore.

Sara Ryan, Seneca County Health Department, and Dan Duddleston, Yaws, researched the odor issue and Sara Ryan feels the odor is the result of the sewer system and is to contact Mr. Sacli. Sara Ryan is also working with the Mormon camp to address the odor at that location.

The board reviewed the flow issue at the Mormon camp and suggested that perhaps the bioxide system, that the district owns, be placed at that location.

Chuck Feiszli, from Resource Associates was contacted regarding the odor and suggested checking and tightening air valves that may have loosened. Planting bushes/trees along the pump station was also suggested, but room is an issue. It was noted the fan is still drawing odor from the pump station into the above hedge row.

Mr. Case reported that he received a copy of the water and sewer maintainer's job description from the County.

A motion by Jeff Case, seconded by Kathy Russo and so carried unanimously to remove the \$33 charge from Trombino's sewer bill as they have removed the grinder pump and terminated the sewer connection.

It was determined that the Trombion's will still be responsible for the debt service as this parcel existed at the time of formation of the district.

Mr. Hayssen reported that Seneca County Sewer and Water District has reduced the sewage treatment rate to \$47.25 per unit based on 190 units per quarter. He suggested that as the result of this reduction the current \$70 rate being charged to Varick District No. 2 users be reduced to \$50 per unit effective with the next quarterly billing.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to reduce the quarterly sewage treatment rate to \$50 per unit effective with the next quarterly billing.

Mr. Saeli commended Mr. Hayssen for the work he has done in securing this reduction in rate for the sewage treatment.

Written reports were submitted by Nicholson Trucking and Yaw Environmental for board review.

Seneca Lake Water District: The meter at the Fayette/Varick town line is still not working properly. Mr. Nicholson is to contact the repairman and have this fixed. The water is still seeping into this pit and it was suggested that a solar panel and pump be installed. It was suggested that Mr. Nicholson get pricing on a solar panel and pump.

Mr. Hayssen is still working on getting figures from the Village of Waterloo to compare water usage and what the master meters are reading to determine water loss if any. A discrepancy of 1,831,000 gallons of water between January and May of 2008 was discovered from the meter readings located at Kennedy Road and the mag meter that Jack Holly reads in the Town of Romulus. The Kennedy Road meter has been reading lower than the mag meter. It was also realized that additional homes within Lakeshore Landing have been connected to the district's water line. Billing issues are being reviewed with the assistance from Angel of the Town of Romulus and will be addressed once more information is gathered.

USDA has contacted the town and will be seeking information regarding the water district and doing a handicapped accessibility review on the town building.

Highway: Mr. Case reported for Mr. McCulloch that the cost of asphalt continues to climb and he is unsure if he will seal Yale Farm Road this year as the result. It was also noted that his machinery expense account is over due to the increase in fuel. This expense line will need to be increased when budgeting for 2009.

Building: It was reported that the back wall of the building is still in need of repair and water is now seeping through the block exterior wall into the back offices.

A motion by Jeff Case, seconded by John Saeli to have the back wall repaired as needed.

It was suggested that Damon Nicholson and Aaron Pundt be contacted to complete the needed repair.

Assessor's Report: The board reviewed the Assessor's report.

Mr. Case was informed that the Mormons are farming part of their land currently and will contact the assessor's office with this information.

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to accept the Town Clerk's Report; Revenue to Supervisor: \$283.25, County Treasurer: \$11.75, and Ag & Markets: \$3.00, Total Disbursed: \$298.00

Bookkeeper: Carol Sipos reported that Mr. Archibald had to obtain information from town records that are currently still at Mrs. Teichner's home and should be filed at the Town Hall. It was noted that she has been previously asked to return these records to the town, but has yet to do so.

Mrs. Sipos also has contacted Harris Computers for a quote on their budget program that will interact with the Micro Fund and Payforce programs the town currently has. Budget requests have been submitted to department heads in preparation of the 2009 budget.

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to approve the amendment to the Varick Sewer District No. 2 , Resolution No. 1.

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to approve the amendment to the Town of Varick General Fund, Resolution No. 2.

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to approve the amendment to the Town of Varick Highway Fund, Resolution No. 3.

Supervisor's Report: A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve the Supervisor's report.

Personnel: Mrs. Russo reported that the Summer Recreation program is going very well and the director will be making a presentation to the Town of Romulus board as requested.

Mrs. Russo reported that the assistant director took another job and will need to leave prior to the end of the recreation program. Mrs. Russo suggested hiring Patricia Earp to replace her for the duration.

A motion by Kathy Russo, seconded by Jeff Case and so carried unanimously to hire Patricia Earp to fulfill the position of assistant director for the duration of the Summer Recreation program.

Mrs. Russo also reported that the program has received to date \$600 in donations. She proposed a motion that \$300 of this donation be given to the director, in addition to her normal pay, for the work she has done. This motion never was seconded. A discussion also was held regarding reimbursement of mileage for traveling from the director's home to the program.

It was the consensus of the majority of the board that the director was hired to complete her job at the pay budgeted in the 2008 budget. It was suggested that if this amount should be raised due to the job requirements, it should be addressed in the 2009 budget year.

Mr. Case felt that the money should be used to benefit the children of the program. Mr. Hayssen indicated that if the money could not be spent due to the limited length of time remaining for the program, that the funds are carried over to 2009.

Further discussion was held regarding mileage reimbursement for the director and it was decided that a voucher could be submitted for board review and approval.

Mrs. Russo also read an article regarding the food program that is offered at the school for children 18 years and younger.

Mrs. Sipos reported that the program received \$899 in state funds. It was suggested that if donations are sought for this program, that it be done prior to the start of the program, or not done at all as budgeting becomes an issue.

Minutes: A motion by John Saeli, seconded by Richard Peterson to follow Robert's Rule of Order and make it retroactive to the approval of the current minutes.

Mr. Saeli reviewed information he printed out regarding Robert's Rules of Order and what the minimum content requirements are for meeting minutes. He expressed that he would like to see only motions be put in the minutes.

Mr. Sipos presented information from the Association of Towns that indicated required material to be included in minutes and stated that all other information is a matter of preference of the Clerk. Mr. Sipos also reported that the minutes are not required by law to be approved by the Town Board, but the auditors like to see that the board has had an opportunity to review them. Mr. Sipos also noted that corrections are to be noted in the text of the next meeting minutes and so noted in the column of the minutes being corrected and that by law the content of the minutes is up to the Town Clerk.

Mr. Peterson clarified that even if Robert Rules of Order is adopted, the town clerk can continue to do the meeting minutes as they have been done.

A motion by John Saeli, seconded by Richard Peterson to follow Robert's Rule of Order and make it retroactive to the approval of the current minutes.

Roll Call:
Jeff Case: No
John Saeli: Yes
Kathy Russo: Yes
Richard Peterson: Yes
Robert Hayssen: No
Motion Carried.

The minutes were presented to the board for review prior to the meeting and will be filed.

A motion by Jeff Case, seconded by John Saeli and so carried unanimously to approve Abstract 8, General Fund, Vouchers A0008-108 to A0008-120 in the amount of \$1,125.38, Seneca Lake Water, Vouchers SWS08-40 to SWS08-44 in the amount of \$19,592.91, Varick Sewer District No. 2, Vouchers SSS08-20 to SSS08-22 in the amount of \$9,549.50, Highway, Vouchers DA008-47 to DA008-55 in the amount of \$5,640.86.

Old Business, New Business and Correspondence:

Mr. Case questioned the status of the computer system and the purchase of a scanner for the clerk's office. Mrs. Karlsen reported that she is still working on getting pricing and will include these items in her budget figures for 2009. Mr. Hayssen indicated there might be budget money left to purchase the needed equipment from this year's budget.

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to adjourn the meeting at 11:02 p.m.

Respectfully Submitted:

Donna Karlsen
Varick Town Clerk