

November 4, 2009

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 John Saeli, Kathy Russo, Richard Peterson and Jeff Case, who arrived later into the meeting. Also present were Town Attorney, John Sipos, Town Clerk, Donna Karlsen, Bookkeeper, Carol Sipos, Highway Superintendent, Richard McCulloch, and town residents Dave Stonesifer and Peter McDonald.

Mr. Hayssen opened the Public Hearing on the 2010 Tentative Budgets at 7:05. The board answered some questions Mrs. Russo had as she was absent from October's meeting when the budget was reviewed. Mrs. Sipos noted that the \$300 extra put into the Summer Recreation salary line might need to be pulled out as no one notified the Town of Romulus to add \$150 to their budget, which would be their share of this increase. Mrs. Russo felt that amount should be left in, and Mr. Peterson questioned again the need for this program. It was also reported that the Town of Romulus was thinking about pulling their funds for this program. It was decided to leave this amount in and approach the Town of Romulus for their portion of the amount.

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to close the public hearing on the 2010 Tentative Budgets at 7:35 p.m.

A motion to move the Tentative Budget to the final budget for 2010 was made by Richard Peterson but died for the lack of a second at this time.

Highway: Mr. McCulloch reported that Fall Clean Up went very well and Lyons Trash was very accommodating and good to work with.

He reported that they will be replacing a culvert pipe on Hahnel Road and is in the process of securing a contractor to do the digging. He also reported that he would not be interested at this time in replacing the International dump truck, but would rather look at replacing the mower and will seek pricing. He will also begin the process of ordering a new truck to replace the 2008 Ford F-250 at the board's direction.

Varick Sewer District No. 2: It was reported that K & S has completed the repair of the sewer pump and it needs to be picked up. The estimated cost for repair was \$525.

Mr. Saeli reported that two applications were received for the position of sewer maintainer and he reviewed both of them. He also indicated that Bill Kolbeck was interested in the position, but never submitted an application and was not willing to accept the job for less than \$19.50 to \$20 per hour, which is a higher rate of pay than what was originally discussed by the board. It was also reported that Jeff contacted Richard Marr but he too wasn't interested in the job at the rate of pay originally discussed. Mr. Saeli did not contact the other two applicants or do interviews, but recommended Mr. Kolbeck for the job at \$19.50 per hour. Mr. Sipos when questioned about the proper procedure for hiring indicated that the sewer committee should entertain

all applications submitted and make a recommendation to the board. Mr. Peterson stated that he would like to see both the Water Maintainer and Sewer Maintainer be done by one person.

A motion by John Saeli, seconded by Kathy Russo to hire Bill Kolbeck at \$19.50 per hour to fill the sewer maintainer's position.

Further discussion was held and Mr. Hayssen stated that an application needs to be submitted by Mr. Kolbeck if he is interested and he would like to see Jeff and John hold interviews. Mr. Peterson indicated that he would be in favor of hiring Richard Marr because of his knowledge of the district and feels he should be approached again if the board is going to negotiate pay. It was suggested that this be tabled until Mr. Marr can be contacted and the committee can meet. Mr. Saeli reported that Mr. Kolbeck would be willing to perform both water and sewer positions in the future.

Mr. Saeli called the question:

Roll Call:

John Saeli Yes

Kathy Russo Yes

Richard Peterson Yes

Robert Hayssen Yes

So Carried

A motion by John Saeli, seconded by Kathy Russo to hire Bill Kolbeck at \$19.50 per hour to fill the sewer maintainer's position.

Roll Call:

John Saeli Yes

Kathy Russo Yes

Richard Peterson Yes

Robert Hayssen Abstain

Absent: Jeff Case

Mr. Saeli suggested the sewer maintainer be allowed to use the truck owned by Seneca Lake Water District. Mr. Sipos stated that the board could establish a policy to allow this.

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to swap services with Seneca Lake Water District and authorize the use of the pick-up owned by this district to the sewer maintainer who is to keep a record book indicating mileage and purpose of use.

Mr. Hayssen questioned Mr. Saeli as to what he found out regarding Yaws billing, which Mr. Saeli had questioned at the October board meeting. Mr. Saeli reported he provided Yaws with the bills he had questions on but never heard back from them and suggested

that Mr. Hayssen follow up on this. Mr. Hayssen, directed Mr. Saeli to contact Jerry Smith, to get the answers to the questions he initiated and resolve the issue.

Mr. Saeli indicated he would like see this issue dropped.

Mr. Hayssen reported that he received two sewer applications for connection from David Bulson for his properties located at 5687 and 5689 Colonels Drive in the town of Romulus. After speaking to him, Mr. Bulson agreed to hold off on these applications till he finds out what happens when the County takes over the sewer lines on January 1. Mr. Hayssen will return the applications with the checks Mr. Bulson submitted to him.

Mr. Hayssen reported that there is a county sewer meeting to be held Friday, November 6, at 10:00 a.m.

Varick Water District No. 3: Kathy questioned Bob about some possible financing she had read about in the paper and will get the article to him for his review.

Varick Water District No. 4: Mrs. Karlsen reported that she just received another list of items needed from Municipal Solution for Rural Development. This list also included items needed from Tim Buhl.

Mr. Sipos presented a contract from Orrick for their retention as Bond Counsel with respect to rendering their approving opinion in connection with obligation to be issued pursuant to the Local Finance Law by the Town in order to finance Varick Water District No. 4. Mr. Saeli questioned if there were local firms the town could look at using. Mr. Sipos stated that there were, however, Orrick is a reputable company, who the town has used in the past and is currently using for Varick Water District No. 3.

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to hire Orrick, Herrington & Sutcliffe, LLP as Bond Counsel for Varick Water District No. 4.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve the resolution authorizing the issuance of \$1,700,000 serial bonds of the town of Varick, Seneca County, New York to pay the cost of the establishment of Water District No. 4 in and for said town.

Roll Call:

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| Robert Hayssen | Yes |
| John Saeli | Yes |
| Richard Peterson | Yes |
| Kathy Russo | Yes |
| Jeff Case | Absent |
| So Carried | |

Mrs. Sipos reported that further money needs to be borrowed from Seneca Lake Water District in order to pay the bills for Varick Water District No. 4. She said the interest rate currently being paid at this time is .15% and no penalties are incurred.

WHEREAS, the Town of Varick is in the process of forming a water district, namely Varick Water District No. 4, and

WHEREAS, there are bills that have been incurred in the process of the preparation work that need to be paid, and

WHEREAS, The Seneca Lake Water District has funds that can be loaned to the Varick Water District No. 4, and

WHEREAS, once the district has been formed and we receive funding, this money will be paid back to the Seneca Lake Water District with interest at the rate of .15% annually, and

WHEREAS, if the water district is not created, the money borrowed will be repaid to the Seneca Lake Water District out of General Fund excess money,

NOW, THEREFORE, be it resolved that the Seneca Lake Water District loan to Varick Water District No. 4 the amount of \$10,000.

Motion by: John Saeli

Seconded by: Richard Peterson

So Carried Unanimously

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve Abstract No. 11, General vouchers A0009-195 to A0009-209 in the amount of \$3,764.36, Varick Sewer District No. 2, Vouchers SSS09-22 to SSS09-24 in the amount of \$3,367.50, Highway, DA009-105- to DA009-116 in the amount of \$44,412.95, Seneca Lake Water District, Vouchers SWS09-59 to SWS09-60 in the amount of \$25,325.85.

A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve payment of Varick Water District No. 4 billing as follows:

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| Timothy C Buhl, Engineer | \$3,985.00 |
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A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve payment of Varick Water District No. 3 billing as follows:

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| Donna Karlsen, Petty Cash (Postage) | \$ 9.16 |
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Assessor's Report: Ann Morgan provided written information pertaining to a proposed amendment to the Alternative Veterans Exemption law enacted in 1996.

A motion by Richard Peterson, seconded by Kathy Russo and so carried to hold a public hearing December 1, 2009 at 7:00 p.m. at the Varick Town Hall pertaining to the proposed amendment to the Alternative Veterans Exemption Law enacted in 1996.

Town Clerk's Report: A motion by Richard Peterson, seconded by Kathy Russo and so carried unanimously to approve the Town Clerk's report Revenue to Supervisor: \$121.23, County Treasurer; \$12.92, Ag. & Markets: \$6.00, State Department of Health: \$22.50, DEC: \$285.35; total disbursements: \$448.00.

Supervisor's Report: Mr. Hayssen reported that it will cost an additional \$1,000 for liability insurance to cover court security if provided by the town. The board discussed different options, to include the cost of insurance, shared services and having a town constable. No action was taken at this time. Mr. Hayssen will contact Dave Ettman to see if he is interested in having court security and contact Mr. Foxx for pricing for the service his company provides.

A motion by Kathy Russo, seconded by John Saeli and so carried unanimously to have Mr. Hayssen contact Tom Foxx and seek pricing and verification of insurance coverage from Tom Foxx.

He received a quote from Raymond F. Wager, CPA do complete the 2008 and 2009 audits in the amount of \$8,500 for each year. The board discussed obtaining further quotes, but it was noted that this amount is approximately the same as what has been paid in the past. Mrs. Sipos met with a representative from Mr. Wager's office and they indicated to her that an hourly rate may be assessed if hired to balance figures from Bonadio's audit for 2007 to the beginning figures she shows for 2008. After reviewing the contract submitted, this was not indicated.

Mr. Hayssen also reported that he received an apology from Bonadio for the incorrect billing amount last month and his acceptance of the \$1,000 he was paid as full payment for services rendered.

Mr. Saeli reminded the board that an audit needs to be completed of the judge's books and he wasn't comfortable doing it again this year and suggested hiring it out. The cost to do this as quoted last year was expensive and Mr. Sipos stated that in years past the judge would bring his docket books in for review at the year end meeting and the board would audit them then.

It was decided that the clerk would send a letter to the judge to bring his docket book in and the board would audit it at the year end meeting, as has been done in the past.

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to approve hiring Raymond F. Wager, CPA to complete the 2008 and 2009 audits at a cost of \$8,500 each.

It was noted that \$8,500 would need to be added to the 2010 budget to cover 2008 audit.

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

Zoning: No action was taken regarding the proposed changes to the zoning code. It was suggested that the Planning Board members be asked to attend the December meeting to review the proposed changes with the board.

Personnel: Mrs. Russo was directed to contact the Town of Romulus regarding the Summer Recreation Program and their intention to continue with it. Mr. Case reported later in the meeting that he had spoken to a Town of Romulus Councilman who told him the Town of Romulus was still willing to fund half of the cost of the summer recreation program and had budgeted accordingly.

A motion by John Saeli, seconded by Richard Peterson and so carried to approve the minutes of October 6, 2009.

Mrs. Russo abstained as she wasn't present at the last meeting.

Old Business, New Business and Correspondence:

No one from South Seneca Ambulance was present to answer the questions the board had regarding their contract. An invitation will be extended again for a representative to attend the December meeting.

Mr. Peterson received a quote from John Church for tile/carpeting for the conference room, bookkeeper and town clerk offices in the approximate amount of \$1,600. Mr. McCulloch agreed to have the highway department move the furniture and tear up the old carpeting. Mr. Peterson also suggested that no food or drink be allowed in the conference room and the use of dehumidifiers be used in the offices.

A motion by John Saeli, seconded by Richard Peterson and so carried to have John Church install carpeting in the conference room, town clerk and bookkeeper offices.

Mrs. Karlsen and Mrs. Sipos will choose the carpets.

The board approved to hire someone to clean the walls of mold and mildew in the conference room and offices once the old carpet is pulled up. Mrs. Karlsen will make these arrangements.

Mr. Hayssen reported that Mike Stackus completed the vinyl around the windows and door and will get a price to repair the fascia, eaves trough, and cover all wood that is exposed. He will contact the board through email for approval once he receives his quote.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to hire Mike Stackus to repair the fascia boards, eave troughs, and cover exposed wood with vinyl siding.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to hire out the painting of the exterior block walls of the building at \$15 per hour.

It was suggested to have Ben Karlsen do this work if he was interested, and let Mrs. Karlsen be the contact person to get the work completed weather permitting. It was suggested to use dry lock paint.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to approve the Amendment to the Town of Varick Highway Fund, Resolution No. 2.

Mr. Hayssen appointed Mrs. Russo to address the census correspondence received by the town and give a report at the next meeting.

Mr. Stonesifer offered his services to assist Thomas Bjorkman in maintaining the town's website and will contact Mr. Bjorkman.

Mrs. Karlsen received the membership dues for the Cayuga Watershed. No action was taken on this.

2010 Budget:

The board reviewed the costs associated with completing the 2008 and 2009 audits and recognized that at least \$9,000 would need to be added in order to complete both years' audits in 2010.

A motion by Kathy Russo, seconded by Richard Peterson and so carried unanimously to add \$9,000 to cover the audits to be completed for 2008 and 2009 by Ray Wager.

A motion by Richard Peterson, seconded by Robert Hayssen to move the preliminary budget to the final budget for 2010.

Mr. Saeli opposed some of the raises being given. Mr. Sipos was willing to renegotiate his pay, and would instead bill at an hourly rate rather than accepting the flat rate. It was determined that this would end up costing the town much more than what is currently budgeted. Mr. Peterson reviewed the extra work being completed for the new water districts which was the reason for adding the economic development salary lines to this year's budget and justified the council pay as well. It was noted that some of the additional paperwork being generated by these two districts does not fall under the Mr. Hayssen, Mrs. Karlsen and Mrs. Sipos's job responsibilities, but needs to be completed in order to move forward with the projects.

A motion by Richard Peterson, seconded by Robert Hayssen to move the preliminary budget to the final budget for 2010.

Roll Call:

Robert Hayssen Yes

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| Richard Peterson | Yes |
| Kathy Russo | No |
| John Saeli | No |

Mr. Case arrived and reviewed the information which was discussed regarding the 2010 budget.

A motion by Richard Peterson, seconded by Jeff Case and so carried to move the 2010 preliminary budget to the final budget and adopt it with the approved addition of \$9,000.

Roll Call:

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| Robert Hayssen: | Yes |
| Jeff Case: | Yes |
| John Saeli | No |
| Kathy Russo | No |
| Richard Peterson | Yes |
| So Carried | |

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to adjourn the meeting at 9:45 p.m.

Respectfully submitted

Donna Karlsen