

May 2, 2017

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 Tom Fox and Richard Peterson, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Highway Superintendent, Richard McCulloch, and Attorney for the Town, Joe Midiri. Also present were Bob Halladay and Rick Conley from the Fayette Fire Department, Anita Glover from the Ovid Gazette and Ben Freier,

Petitioners to Address the Board: Fayette Fire Chief, Bob Halladay, expressed concern about adequate water pressure from the hydrants in Water District No. 4 to supply water to their fire trucks to suppress a structure fire in their response area. He noted that he and Assistant Chief John Feligno tested water pressures in three different locations and it their opinion that the pressure and GPMs south of County Road 124 are not sufficient. Supervisor Hayssen was originally made aware of their concern after a fire that occurred at 5508 Route 89, just north of Goose Watch Winery. He has discussed their concerns with Seneca Falls where the water and pressures originate and Jeff Case, Seneca County Fire Coordinator, who was on scene for that fire. Jeff Case reported that he notified Seneca Falls of the fire and the increase in water draw. There may have been a delay increasing the water pressure from Seneca Falls water plant to accommodate the water draw from Fayette Fire Department and has asked for a written report from Seneca Falls, Mallisa Taylor. Mr. Halladay also reported that he nor the Romulus Fire Chief was notified that the water line was put into service and available for fire protection. Mr. Hayssen presented a letter written by Joe Pasco, CFPS Senior Field Representative from ISO who thanked Charlie McCann, who at that time was the Seneca County Fire Coordinator, for requesting a Public Protection Classification for Varick, Fayette and Romulus Fire Departments and specified meeting dates for each department. At that time, ISO would be studying the water supply and distribution system, including some actual hydrant flow tests, sharing of data with the departments, manning, equipment and training. Supervisor Hayssen also shared the testing locations and flow tests provided to him from ISO approving public protection classification to be used to develop property insurance premium calculations. Their testing showed sufficient water pressure and GPMs. Supervisor Hayssen also clarified that the Town of Varick formed a water district by providing municipal water to homeowners. The town did not form a fire protection district with the installation of fire hydrants. The hydrants were put in place to assist fire departments, and are not to be considered the only source of water supply and he pointed out that Fayette Fire Department would have had to pull all the water consumed from other sources if the hydrants were not in place. Supervisor Hayssen also noted that Varick Water District No. 4 purchases water from the Town of Fayette, and their concerns should be presented to them. It was also noted that Route 89 is not the only water district that departments have had water pressure issues with. Ben Frier reported that when Fayette was pulling water from the hydrant located at the Fayette Fire Station, in Fayette Water District No. 5, his water pressure dropped substantially. After further discussion the board determined the system was engineered to provide consumers municipal water and will not be making any changes to the water system at this time.

Supervisor Hayssen addressed the assessed valuation of the town of Varick and town of Fayette and noted that the Fayette Fire District has been overbilling the Town of Varick residents for many years and wanted it confirmed that their 2017 bookkeeping would reflect the correct amount

assessed to the Town of Varick residents. Rick Conley acknowledged the error and assured Supervisor Hayssen that the bookkeeping would be done correctly this year.

Ben Frier wanted to know if there was any type of code pertaining to the town sidewalks. He said the sidewalk in front of his home is almost non-existent and he would like to remove what is left. There is no code pertaining to sidewalks and he can do what is necessary to improve his property.

Michelle expressed her concerns over the truck traffic on Route 89 generated by the dump and her concern with Seneca Falls extending the dumps permits. The board acknowledged that unfortunately the town of Varick doesn't have any decisions making powers when it comes to Seneca Falls.

Abstract: A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to approve Abstract No. 5, General, Vouchers A0017-066 to A0017-072 in the amount of \$1,275.59, Highway, Vouchers DAO17—025 to DAO17-024 in the amount of \$2,383.70, Varick Water District, Vouchers VW117-006 in the amount of \$75.00, Seneca Lake Water District, Vouchers SWS17-018 to SWS17-021 in the amount of \$84,506.93, Varick Water District No. 3, VW317-006 in the amount of \$75.00, Varick Water District No. 4, Voucher VW417-012 in the amount of \$75.00, Varick Sewer District No.2, Abstract No. SSS17-010 in the amount of \$877.43.

Highway: Superintendent Richard McCulloch reported that he had a request from the only resident on Marsh Road to stripe, pave, post a speed limit sign or "Children At Play" sign on the road to control the speed in which people travel it. Mr. McCulloch reported that there is no speed limit posted, which means the state speed limit applies of 55 MPH. The road is a dirt road with limited traffic and will not be paved or striped and no further signage will be posted at this time. He requested that if the board should be approached with questions concerning the highway department, they either defer replying to any questions until they discuss it with him or refer them directly to him for a response. Road work intended to be completed this year is the paving of East Varick which hasn't been paved in almost 31 years and McGrane to Route 96A. He also reviewed the shared services that the town participates with the county and area towns.

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

Angela Testa reported that AUD is completed and been submit.

Code Enforcement: Code Enforcement Officer Rick McCulloch submitted his building permit report. Mr. Hayssen received a letter from Sue Peterson regarding three properties that she feels are not kept up and what she describes as trash being left on the properties. Mr. Hayssen has reviewed these properties and indicated that he could find no violations of codes on any of the three properties. He will follow up with the Rick McCulloch on this issue.

Varick Water District No. 1: Nothing to report.

Seneca Lake Water District: Mr. Hayssen reported that the county has not paid their first quarter water bill as of this date. He is still working with the county to determine what is going to be done about the master meter and the overdue amount they owe Seneca Lake Water District.

Stephan Consulting LLC completed a leak detection investigation for Seneca Lake Water District and a review of meter readings. The conclusion from the leak survey is that this system is in very good shape at this time. Her investigation into the Varick/Seneca County meter shows the Varick/Seneca Counter meter is registering slow and the Waterloo/Varick meter is most accurate. It was her recommendation after consulting the technician who serviced this meter last, is to stop trying to make a bad application of 20 years ago work and replace this meter with a proper size and set up engineered for the application of today and projected needs in the future. A copy of her fill report will be filed with these minutes.

Supervisor Hayssen reported he has met with the County and a recent meeting was held, which he was not invited to attend regarding this meter and the money due to this district as the result of a malfunctioning meter. Seneca County Manager, John Sheppard is trying to build a defensible case to present to the Board of Supervisors for the \$90,000 plus dollars the county owes Seneca Lake Water District, above the billing they have already received. He questioned the board as to whether they want to move forward with legal action against Seneca County Water District No. 1 for the funds owed to Seneca Lake Water District.

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to move forward with legal action against Seneca County Water District No. 1 for the funds owed to Seneca Lake Water District.

Mr. Hayssen will contact Attorney Wendy March and in the paperwork filed will ask for reimbursement of the town's legal fees in the lawsuit.

Varick Water District No. 3: The new meter installed by Seneca County for known reason is not working correctly and a meeting was held, but Mr. Hayssen was not able to attend.

Varick Water District No. 4: The board felt no further discussion was needed regarding the water pressure available to fire departments from the hydrants at this time.

Town Clerk Report: A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to approve the Town Clerk's Report: Supervisor, \$240, NYS Ag & Markets, \$13, Total Disbursements: \$253.

Planning Board: Hershey Sensenig, Franki Long, Richard Olsen and Barry Somerville is seeking permission to attend a training at a cost of \$75 per person in order to meet their annual training requirements at a cost of \$75 per person.

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to approve Hershey Sensenig, Franki Long, Richard Olsen and Barry Somerville to attend the annual training required of all Planning Board members.

Assessor: It was reported that the new assessment of the property purchased by Martin is \$8.2 million.

Minutes: A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to approve the minutes of April 4, 2017.

DASNY Grant: Mrs. Karlsen reported that the DASNY grant application requires a motion by the board stating that it will provide the balance of the project cost of the “Varick Town Hall Renovation” above the \$50,000 grant funds applied for through DASNY.

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to approve unappropriated funds from the General Fund to finance the “Varick Town Hall Renovation” project in excess over the DASNY grant of \$50,000.

Time Warner Cable Franchise Agreement: Mr. Hayssen reported that he received a new Franchise agreement reflecting the increase in annual franchise fee from the original amount of 3% to the 5% requested. A public hearing will need to be held on this agreement.

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to hold a public hearing on the Time Warner Cable Northeast LLC, locally known as Charter Communications Franchise Renewal for Town of Varick.

A motion by Richard Peterson, seconded by Tom Fox and so carried unanimously to adjourn the meeting at 8:10 p.m.

Respectfully submitted,

Donna Karlsen
Varick Town Clerk