

July 6, 2021

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, Richard Peterson, Eric Riegel and Richard McCulloch, Town Clerk, Donna Karlsen, Highway Superintendent, Ben Freier, Bookkeeper, Angela Testa, Attorney for the Town, Joe Midiri.

Abstract: A motion by Richard McCulloch, seconded by Richard Peterson and so carried unanimously to approve Abstract No. 6, General Fund, Vouchers A0021-090 to A0021-100 in the amount of \$11,0535.81, Highway, Vouchers DAO21-043 to DAO21-047 in the amount of \$3,583.01, Varick Water District No. 1, Voucher VW121-017 in the amount of \$25., Seneca Lake Water District, SWS21-051 to SWS21-055 in the amount of \$913.06, Varick Water District No. 3, VW321-015 to VW321-016 in the amount of \$31.99, Varick Water District No. 4, Vouchers, VW421-026 to VW421-028 in the amount of \$4,681.21, Varick Sewer District No. 1, VS121-032 to VS121-034 in the amount of \$554.53, Varick Sewer District No. 2, Vouchers SSS21-019 to SSS21-022 in the amount of \$3,551.31 and South Seneca Ambulance, Voucher SAF21-006 in the amount of \$6,337.17.

Mrs. Karlsen presented the water bill from the Village of Waterloo for Seneca Lake Water District which was just received that day and had not been reviewed as of this meeting. The board tabled payment of this bill to allow time for it to be reviewed.

Highway: Highway Superintendent Ben Freier provided an estimate from Seneca Pipe & Paving Company for resurfacing Varick-Romulus Townline Road intersection, Varick-Romulus Townline Road culvert crossing, Kings Corners Road culvert crossing and Dilts Road intersection. Mr. Freier reported that Varick Townline Road would not, in its current state, support guard rails without narrowing the road substantially.

He reported that he has made an agreement with Seneca Stone to sell them millings at a cost of \$9.50 per ton. He will use revenue from these millings to offset the cost of rent-a-crush needed for his scheduled road work. He intends to keep some of the millings for road work for the town.

Mr. Freier reviewed the proposed culvert project on Kings Corners Road using a concrete box culvert. He reported again that he obtained a quote from an engineer of \$2,500 to engineer the integrity of the concrete culvert pipe if the board decided to go with the concrete pipe over the aluminum box pipe. He estimated the increased cost would be approximately \$7,000 more than the aluminum box but it is proposed to have a longer life span. He did clarify that the engineering would not address the watershed. A discussion was held regarding Red Creek, and it was clarified again that the flow of this creek cannot be altered, nor has the flow ever resulted in water issues on Route 89.

Mr. Fox still expressed concern over water flooding Route 89 and felt it was gambling with taxpayers' money by not getting an engineered drawing for the project. He also indicated that he was not in favor of not using the town attorney's recommendation to obtain an engineered drawing.

Mr. Riegel stated that based on the direction given by DEC regarding the pipe size and what can and can't be done with the flow of Red Creek, he feels it is a waste of taxpayer's money to spend over \$30,000 in engineering costs. He reminded the board that as stated by Attorney Frank Fisher at the June 15th board meeting, the town would need to get in writing a guarantee from the engineering firm that their design would prevent water issues along Route 89, therefore, making them liable if issues did occur. It was felt that no engineering firm would be willing to sign off and take full liability.

Mr. Hayssen reviewed the area that Red Creek flows through and the size of the gully it is situated in and feels it would be almost impossible for the creek to overflow the gully. He also reviewed DEC's recommendations and reported that the current system in place has worked all these years with no issues and feels it would also be a waste of taxpayer's money to invest in an engineer's drawing.

Attorney Joe Midiri apologized for not getting back to Mr. Freier as he had promised and not being able to be reached the night of the June 15th board meeting. He clarified that any opinion offered by their offices is just an opinion and the board has the right to do what the majority feels is in the town's best interest.

A motion by Eric Riegel, seconded by Robert Hayssen and so carried to approve funding for the use of a concrete box structure and associated costs to complete the repair of the culvert pipe on Kings Corners Road.

Roll Call:

Richard McCulloch: No
Tom Fox: No
Eric Riegel: Yes
Richard Peterson: Yes
Robert Hayssen: Yes

Yes: 3 No: 2

So Carried.

Mr. Frier is hoping to be able to get the materials to complete this project by the end of October. If there is a delay in getting materials past that date, he may wait till spring of 2022 to complete.

Judge: Judge Hogue sent an email notifying the board that his court clerk, Andrew Herkovic will be retiring, and he is recommending the board hire Courtney Andrews who is currently a court clerk in Seneca Falls to replace him. He reported that she already has filled her training requirements and can start August first. He would like Andrew to overlap for two weeks for training purposes. Judge Hogue stated that her total work hours will be similar, though her public hours will be different. Mrs. Testa stated she will need to complete and submit a job application to be sent to Seneca County Personnel office for approval.

A motion by Eric Riegel, seconded by Richard Peterson and so carried unanimously to approve hiring Courtney Andrews as court clerk based on Judge Hogue's recommendation and approval of her application by Seneca County Personnel office.

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

Code: Nothing to report.

Water & Sewer Report:

Water/Sewer Operator Monthly Report for June 2021

- Marked out Dig Safety's
- 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
- Data logged water usage in each district
- Turned water on as needed
- Answered questions dealing with each water district and sewer system
- Called in Dig Tickets for upcoming projects
- Changed meters
- Cleaned shop
- Fixed broken curb stops
- Inspected new water service on RT 89
- Ordered new parts for upcoming projects
- Changed Grinder pumps out
- Wired new circuit boards in for sewer
- Cleaned around hydrants, valves
- Purchased 3 more grinder pumps
- Fixed water service leak on high banks
- Serviced work truck
- Purchased new blower fan for sewer pump station
- Received updates regrading new meter reading equipment
- Assisted Romulus in location of manholes due to sewer plug on Cherry Hill Rd
- Retrieved Final reads as needed for closings on properties

Varick Water District No. 1: Nothing further to report.

Seneca Lake Water District: Nothing further to report

Varick Water District No. 3: Nothing further to report

Varick Water District No. 4: Michael Paolangeli owns property at 5375 Route 89 and has submitted a water application for connection to the water main. He would like to tap the water main and install a 2" meter and meter pit on his property at a location which he reports he gave an easement to Knapp Winery for. This tap will provide Knapp Winery water to their facility which is outside of this district. The board discussed his application and determined that he will be

responsible for all costs related to this tap and the water bill generated by the meter associated with this tap. The board approved to have Mrs. Karlsen sign off on Michael Paolangeli's application for connection.

Varick Sewer District No. 1: Nothing further to report

Varick Sewer District No.2: Nothing further to report.

Town Clerk's Report: A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to approve the Town Clerk's Report: Supervisor; \$265, NYS Ag & Markets; \$16: Total Disbursements: \$281.

Minutes: A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to approve the minutes of June 1, 2021.

Assessor's Report: Mrs. Morgan submitted a written Assessor's report which will be filed with the official minutes. She reported that the final Assessment Roll for 2021 was filed and field work will be ongoing during the summer. She respectfully requested time at the August meeting to explain proposed Senior Citizens/Disability exemption changes.

Summer Recreation: Summer Recreation Director Samantha Pundt began this year's recreation program on July 5, 2021, and it will run through Friday, August 6, 2021.

Planning Board: The board received a resignation letter from Michele Hermann, a Planning Board member, who will be moving from the area. Mrs. Mastellar, Chair for the Planning Board reported that their board would like to recommend April Freier and Lauren Foster Burling be appointed to the board to fill the one vacancy and Mrs. Hermann's position.

A motion by Eric Riegel, seconded by Richard McCulloch and so carried unanimously to appoint April Freier and Lauren Foster Burling to the Planning Board to full fill the remaining terms of office for the current vacancy and Mrs. Hermann.

Dog Control Officer: Dog Control Officer Bryan McCann submitted his written second quarter report of 2021 which will be filed with the official minutes.

Attorney Joe Midiri reviewed the Responsible Pet Ownership Ordinance and Mr. Frank Fisher recommended that the board amend the current law to add under Section 6 (E) Defecating on public or private property, other than property owned by the owner or handler of the dog, unless feces are removed promptly and disposed of sanitarily and to hold a public hearing on Local Law No. 2 of 2021 amending the Responsible Pet Ownership Ordinance of the Town of Varick and provided the motion as follows:

TOWN OF VARICK INTRODUCES
LOCAL LAW NO. 2, OF 2021,
"A LOCAL LAW TO AMEND THE RESPONSIBLE PET OWNERSHIP ORDINANCE OF
THE TOWN OF VARICK"

WHEREAS, in order to assure the safe and humane ownership of pets within the Town, the Town Board of the Town of Varick, New York determines that it is in the interest of the Town to establish rules for owners of dogs in the Town, and

WHEREAS, due deliberation has been had thereon, Now, Therefore, be it

RESOLVED, that Local Law No., 2, of 2021, "A LOCAL LAW TO AMEND THE RESPONSIBLE PET OWNERSHIP ORDINANCE OF THE TOWN OF VARICK". Is introduced hereby before the Varick Town Board, to read substantially as follows:

Section 6 of the Responsible Pet Ownership Ordinance of the Town of Varick entitled: Prohibition of Nuisance by Dog, is hereby amended to add Sub-Section E which shall read as follows:

(E) Defecating on public or private property, other than property owned by the owner or handler of the dog, unless feces are removed promptly and disposed of sanitarily.

This local law shall take effect ten (10) days after publication. And it is further.

RESOLVED, that the Town Clerk lay a copy of this local law upon the desk of each of the members of the Town Board no less than ten days before its enactment by the Board and be it further.

RESOLVED, that the Town Clerk give due notice of a public hearing to be held hereon, such hearing to be held at the Town offices at 4782 Route 96, Romulus, New York 14541, in the Town of Varick August 3, 2021, at 7:00 P.M.

Moved: Tom Fox

Seconded: Richard McCulloch

So Carried Unanimously

Old Business, New Business, Correspondence:

Anthony Comuso sent a letter to Supervisor Hayssen requesting consideration from the board to provide public water from just north of the Hamlet of Romulus to White Road. Mr. Hayssen will contact Mr. Comuso regarding his letter.

Mr. Fox inquired about the status of the County's lawsuit against the Indian Land Claim. Mr. Hayssen briefly reviewed the status and noted that he has asked the county's subcommittee to attend a county board meeting to update the county board of future direction regarding this matter.

A motion by Richard Peterson, seconded by Eric Riegel and so carried unanimously to adjourn the meeting at 8:15 p.m.

Respectfully Submitted: Donna Karlsen, Varick Town Clerk