

December 6, 2011

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 Peter McDonald, John Saeli, Kathy Russo and Richard Peterson, Town Clerk, Donna Karlsen, Bookkeeper, Carol Sipos, Highway Superintendent, Richard McCulloch, Town Attorney, John Sipos, Zoning Board Chairman, Jeff Hogue, Water Maintainer, Rob Bauman, Finger Lakes Community Papers reporter, Aneta Glover.

Petitioners to Address the Board: None

Highway: Mr. McCulloch thanked Councilman Richard Peterson for his service and support.

In reference to the health insurance benefits offered to highway employee Kris Karlsen, Mr. McCulloch clarified that health insurance was taken off the table prior to beginning interviews for his position and was agreed to consider offering health insurance after the first year if the employee hired proved their abilities and diligence in performing the tasks required. Mr. McCulloch reported that Kris Karlsen has proven himself equal to any task given him. He is not on the high end of the pay scale for this position and works independently. He also reported that although Kris receives paid vacation time, last year he ended up turning several days back as he didn't use them by the end of the year. He also quite frequently works overtime without seeking compensation for this time. He reminded the board that this benefit was to be considered after the first year of employment and he has now been here over two years before requesting consideration of this benefit and again has proven himself to be a worthy employee and asset to this department.

Mrs. Russo contacted area municipalities who offer health insurance and reported that they either cover the full cost or 70% to 80% of the cost with the employee picking up the balance.

The board discussed different options as to how to determine the amount to be paid by the town for this benefit. They looked at offering a flat rate based on an increasing scale determined by the years worked or by offering a percentage of the cost of the full coverage. It was reported that Phil Knapp as well as prior employees received their health benefits paid in full by the town.

A motion by Peter McDonald, seconded by Richard Peterson to pay 50% of Kris Karlsen's health insurance premium.

Discussion: It was decided that using a percentage may not be the best way to determine the amount paid by the town. John Saeli stated that based on Kris' job performance as reported by Mr. McCulloch he feels the town should offer \$7,500 toward the premium to be paid directly to the billing agent. Mr. McDonald indicated that this amount could be

increased based on the employee's years of service, but that this would give the town a starting point to offer their full time employees.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to amend the original motion and to offer a health insurance benefit of \$7,500 to Kris Karlsen to be paid directly to the billing agent for the health insurance coverage of his choice.

Mr. McCulloch reported that the trucks are prepared and road salt delivered in readiness for winter weather.

A motion by Robert Hayssen, seconded by Peter McDonald and so carried unanimously to go into executive session under attorney/client privilege at 7:35.

A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to come out of executive session at 7:50.

Attorney Sipos reported that there would be a conflict of interest regarding a matter that might come before the Zoning Board of Appeals and suggested that this board authorize Supervisor Hayssen to retain an outside attorney to handle this matter if required.

A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to authorized Supervisor Hayssen to at his choice retain outside council to represent the Zoning Board of Appeals and Code Enforcement Officer and to enter into a retainer of contract with council if required.

Attorney Sipos also reported that he will be retiring as attorney for the Town of Covert December 31, 2011 and has made no recommendation to them as to his replacement.

Varick Sewer District No. 1: Mr. McDonald reported that Yaws has taken one of the two generators to Whitmers for maintenance and once this one is completed they will pick it up and take the second one in.

A motion by Peter McDonald, seconded by Richard Peterson, and so carried unanimously to direct Rob Bauman to complete an inventory of Water District No. 1 and Sewer District No. 1 equipment and supplies and to relocate this inventory to Town of Varick property.

Varick Sewer District No. 2: A discussion was held regarding the unit charge to be assessed to Seneca County Sewer District No. 1 for the 8 properties along this district's main line in the former Depot.

A motion by Peter McDonald, seconded by John Saeli and so carried unanimously to assess 4 ½ units to the eight properties along this district's main line in the former Depot to be billed to Seneca County Sewer District No. 1 to be applied to this district's debt service. (1 unit for the first property and ½ unit for the remaining 7.

It was also determined that property owners connected to this line will pay an operation and maintenance fee quarterly, as do all other users in this district and that prior to any connections the county must advance a copy of specification for connection and an inspection is to be conducted by the town of the work completed prior to connection. The board directed Mr. Sipos to write a letter to the county attorney, Frank Fisher notifying him of the requirements and providing him with a copy of the letter from Tim Buhl as the towns Superintendent of Water & Sewer which was sent him in August of 2010 requiring them to follow the Varick Sewer Use Law. The letter also reminded Seneca County Sewer District No. 2 has failed to make payments to the Town of Varick for the use of the unpermitted hook ups that date back to 2007 for Varick Sewer District No. 2 and Seneca Lake Water District, unit charges and operation and maintenance charges.

Mr. Saeli priced new sewer pumps for this district as follows: 1 pump at \$2,129 or a quantity of 4 at \$1,638 per pump. He reported that we have approximately 7 or 8 spare pumps on hand. It was suggested that an analysis be done as to how long a rebuilt pump last versus a new pump and that if we do decide to purchase new pumps it should be done in quantity at the discounted price. This was tabled at this time as it appears we have enough spare pumps and the board will look at this again when the need arises.

Varick Water District No. 1: Mr. McDonald reported that the county has to release equipment to complete the work on Russell Road and that the employees are lined up to complete this work once the equipment is available.

It was reported that they are unable to turn off the valve at the Spano residence and it will be repaired by the County and an operation and maintenance fee should be charged for sewer and water.

A motion by Peter McDonald, seconded by Kathy Russo and so carried unanimously that the following billing policy be set for Varick Water District 1 and Varick Sewer District No. 1:

1. \$10 minimum charge be assessed to water bills
2. Operation and Maintenance fees be assessed

A discussion was held regarding replacing Rob Bauman as the Water Maintainer, and John Yells retirement from this position as well. At a meeting held with the Town of Fayette, it was suggested that Ben Karlsen may be interested in continuing in this vacant position as he is already working for both town's water districts. Mr. Hayssen will discuss shared services with the Town of Fayette.

Seneca Lake Water District: Mr. Hayssen reported that Seneca County remitted a penalty amount of \$5,632.45 for past due water billing for their Water District No. 1. Mr. Hayssen recommended that in good faith and after reviewing the billing, that this amount is refunded back to the Seneca County Water District No. 1.

A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to refund the penalty amount of \$5,632.45 to Seneca County Water District No. 1.

Mrs. Sipos reported that the board is going to have to raise the appropriations and revenues for this district due to the expenses this year.

The board reviewed the cost of repair for hydrant number 42. Mr. Hayssen reported that the repair work completed was to prevent future freezing of the hydrant and to meet the specifications requested by the county as it is located on their road.

Water District No. 3: Mr. Hayssen reported that as of this date the closing date with Rural Development scheduled for December 13 has been postponed at the recommendation of Municipal Solutions due to final settlement with Syracuse Constructors, outstanding bills and negotiable engineering fees. Mr. Hayssen is still addressing these issues and a December closing may be possible.

Due to this project not closing as scheduled, Mrs. Sipos notified the board that the funds may need to be borrowed in order to pay an interest payment for this district.

A motion by Peter McDonald, seconded by Kathy Russo and so carried unanimously to authorize Supervisor Hayssen to borrow necessary funds from General Fund in order to pay the required interest payment for Water District No. 3 due in December 2011.

Mr. Hayssen reported that a meeting will be held Saturday, December 10 with Town of Fayette, Seneca County and Town of Varick to discuss outstanding issues.

Mr. Hayssen suggested that we consider hiring Tim Buhl to review the scope of services completed on this project and to make sure we haven't over paid. The board agreed that the only way this service should be requested is with approval from the Town of Fayette and their agreement to share the cost. Mr. Hayssen suggested permitting him to spend up to \$2,500 for Tim Buhl's services.

A motion by Peter McDonald, seconded by Richard Peterson and so carried unanimously to authorize Supervisor Hayssen to hire Tim Buhl to review the scope of services only if Mr. Hayssen discovers a lot of things wrong or issues with the bonding company at a district cost not to exceed \$2,500 and total cost to be shared by the Town of Fayette.

Varick Water District No. 4: Rural Development is working with Seneca County Health Department in developing a letter that will increase our points for funding of this district.

The question was raised as to whether the majority of residents of this district are still interested in getting water. It was felt by the majority of the board that the residents are still interested in getting water and because the population along this proposed line is much denser than Water District No. 3, there shouldn't be an issue of enough people connecting to offset costs.

Clerk's Report: A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to approve the Town Clerk's Report: Supervisor: \$123.05, NYS Environmental Conservation: \$9.45, NYS Ag & Markets: \$8.00, State Health Department: \$22.50, Total Disbursements: \$163.00

Supervisor's Report: Mr. Hayssen reported that the 2008 and 2009 audits by Raymond Wager CPA were completed and they found the town to be in good financial shape and they had very few recommendations. Mrs. Sipos reported that some of the recommendations made pertain to municipalities much larger than ours who employ many employees to perform specified jobs. Mr. Hayssen requested approval of the 2007 and 2008 audits.

A motion by Peter McDonald, seconded by Richard Peterson and so carried to approve the 2008 and 2009 audits as presented by Raymond Wager, CPA.

Roll Call:

Robert Hayssen: Yes

Peter McDonald Yes

John Saeli: No

Kathy Russo: Yes

Richard Peterson: Yes

So Carried

John Saeli was unable to approve of the audits at this time as he hadn't reviewed them.

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

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Town of Varick General Fund, Resolution No. 7.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Town of Varick Highway Fund, Resolution No. 8.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Town of Varick Highway Fund, Resolution No. 9.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Town of Varick Sewer District No. 2, Resolution No. 10.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Town of Varick Water District No. 1, Resolution No. 11.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Town of Varick Sewer District No. 1, Resolution No. 12.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Seneca Lake Water District, Resolution No. 13.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Seneca Lake Water District, Resolution No. 14.

A motion by John Saeli, seconded by Kathy Russo and so carried unanimously to approve Amendment to the Varick Water District No. 1 Resolution No. 15.

Personnel: Mrs. Russo reported that she contacted that the unemployment office and Paul Conroy is not entitled to unemployment from the town. She wrote a letter to the Unemployment office and this will be followed up by their offices. She also sent a letter to Griffith Energy, Mr. Conroy's other employer.

Assessor: Mr. Hayssen reported that an application for 2011 Cyclical Reassessment Aid was received on behalf of the Town of Varick.

Abstract: A motion by John Saeli, seconded by Richard Peterson and so carried to approve Abstract No. 12, Seneca Lake Water, Vouchers SWS11-079 to SWS11-087 in the amount of \$27,861.44, Varick Water District No. 1, Vouchers VW111 to VW111-17 in the amount of \$5,768.30, General, Vouchers A0011-159 to A0011-173 in the amount of \$3,561.16, Varick Sewer District No. 1, Vouchers VS111-25 to VS111-28 in the amount of \$2,336.90, Varick Water District No. 3, VW311-27 to VW311-28 in the amount of \$59.66, Varick Sewer District No. 2, SSS11-41 to SSS11-42 in the amount of \$1,488.41, Highway, Vouchers DA011-83 to DA011-90 in the amount of \$6,877.50.

A motion by John Saeli, seconded by Richard Peterson and so carried to approve payment to Municipal Solutions in the amount of \$1,206.87 from Varick Water District No. 3 Capital Project.

Minutes: A motion by Richard Peterson and seconded by John Saeli and so carried unanimously to add to the minutes at Mr. Saeli's request the following: "Mr. Saeli reported that there is a 6% increase in the General Fund and that he is sure he speaks for other Varick taxpayers who will face an increase in their taxes.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to approve the minutes of November 1, 2011 with amendment.

New Business, Old Business, and Correspondence:

Mr. Hayssen reported that he received an audit done by Angel Lawrence for South Seneca Ambulance. Mrs. Karlsen received a request from the ambulance corp. for something in writing stating they will not be receiving any funds for 2012. Mr. Sipos instructed the clerk to send a copy of the minutes.

A motion by Richard Peterson, seconded by Peter McDonald and so carried unanimously to enter into a Snowplowing agreement with Romulus Central School for 2012.

An end of year meeting will be held Wednesday, December 28 at 10:00 a.m. at the Town Hall.

A presentation of a plaque from the board to Richard Peterson was made as he retires after 28 years of service.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to adjourn the meeting at 10:35.

Respectfully Submitted:

Donna Karlsen
Varick Town Clerk