

March 7, 2017

The regular meeting of the Varick Town Board was called to order by Deputy Supervisor Richard Peterson at 7:00 p.m. Present at this meeting were Councilmen Tom Fox, and Todd Horton, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Highway Superintendent, Richard McCulloch, and Attorney for the Town, Joe Midiri. Also present was petitioner, John Saeli. Absent were Supervisor Robert Hayssen and Councilwoman, Kathy Russo.

**Petitioners to Address the Board:** John Saeli presented his concerns pertaining to the IDA's proposed lease-pilot agreement with Mr. Martin who put forth a legally binding, detailed bid to purchase the depot property to the IDA and was awarded the winning bid. Mr. Saeli attended the IDA hearing held in Romulus concerning the proposed pilot agreement and was disappointed that the meeting Chair did not make an opening statement to put forward some facts as there is some public misunderstanding about the transfer. He reported the first speaker was under the impression that if the proposed lease-pilot agreement didn't go forward, everything falls apart and Mr. Martin walks away. Mr. Saeli feels Mr. Martin could not do this without facing a possible litigation. Included in Mr. Martin's proposal was his proposed transfer of portions of the Depot to small family farmers who would build homes, thus increasing the tax base. Mr. Martin has financial agreements to do this, but with a lease, he cannot transfer the title to others because he will not hold title. A lease delays development of the depot property.

As reported, the given reason for this proposed lease is so Mr. Martin can negotiate a lower assessment than the reported figure of \$28 million. Mr. Saeli reported that he met with Anne Morgan, town assessor and she is working on the new assessed figure for the property Mr. Martin purchased as the original assessment includes the Hillside Center, Finger Lakes Communication and the Apartment Housing Complex, none of which will be transferred to Martin. The new assessment for Mr. Martin's property will be completed by May 1, 2017 as stipulated by law. Mr. Martin will have the opportunity to speak to Anne Morgan regarding this new assessment and if they can't reach an agreement, he can proceed by law and file a grievance.

Mr. Saeli went on to say the proposed \$50,000 payment "in lieu of" is bogus. He noted that if all the depot property to be transferred were only assessed as wasteland and farmland, and using the State Ag. Ceiling number, which would be an unrealistic minimum, the figure is \$6 million. Taxes paid on that assessment would be approximately \$192,000 which makes the proposed \$50,000 totally unrealistic.

He reported he felt most the people in attendance of the IDA meeting were in support of the transfer of the depot property to Mr. Martin, but he wasn't convinced the majority in attendance were in agreement with the proposed lease-pilot agreement. If this lease proposal is accepted, Mr. Saeli feels development of the depot, tax dollars to the County, the Towns of Romulus & Varick and the Romulus & South Seneca Schools will be delayed effecting the tax payers. Also, he feels if a lease agreement such as this is accepted, the IDA, as well as Seneca County and towns may face possible litigation from any one of the losing bidders.

Mr. Saeli reported that the Town of Fayette passed a motion opposing this lease agreement and asked that the Town of Varick board do the same and presented a proposed motion for the board's review.

Mr. Horton did not agree that the towns could be held liable for the IDA agreeing to a lease agreement, but does agree with him to oppose the lease with Mr. Martin

Joe Midiri wanted to be sure the information provided by Mr. Saeli was accurate, and could not say if the board took a stance in this matter, if it would have an impact. He suggested that the board wait until the April meeting when Supervisor Hayssen would be in attendance before passing any resolutions.

Mr. Saeli reported and the board was already aware of Supervisor Hayssen's opposition to the proposed lease agreement. The board members in attendance were also not in favor of the agreement and passed the following motion unanimously.

A motion by Tom Fox, seconded by Todd Horton and so carried unanimously to notify the Seneca County IDA that the Town of Varick Board goes on record opposing the lease agreement proposed by Mr. Martin to the Seneca County IDA and would urge the Seneca County IDA to move forward with the sale of the Depot property to Mr. Martin as originally agreed.

**Highway:** Highway Superintendent, Rick McCulloch went on record thanking Supervisor Hayssen and the board for their public opposition to the IDA's proposed lease agreement with Martin.

Mr. McCulloch reported that this weather has been tough on the dirt roads due to the lack of freezing weather and snow. He reported that he will not be looking at replacing the tractor this year and will look at the new bid process next year.

**Spring & Fall Clean Up:** Spring Clean Up will be held May 17<sup>th</sup> to May 20<sup>th</sup> and Fall Cleanup will be held October 11<sup>th</sup> to October 14<sup>th</sup> with the hours of 8:00 to 4:00 weekdays and Saturday 8:00 to Noon. People will be required this year to bring their post cards and/or ID prior to dumping.

**Bookkeeper:** A motion by Todd Horton, seconded by Tom Fox and so carried to approve the bookkeeper's report.

**Code Enforcement Officer:** The code enforcement officer left a copy of a letter to Barbara Geraghty stating that she is no longer in violation of the Town of Varick Zoning Code and is considered in compliance with section 309.2 subsection B concerning outdoor storage areas. Mr. Fox also noted that he had been down to check out the Geraghty property and reported that it looked much better.

**Varick Water No. 1:** Nothing to report.

**Seneca Lake Water District:** Mr. Peterson reported that Mr. Hayssen had told him the new meter was going to cost approximately \$20,000 and that he would continue to look into this matter.

**Varick Water 3:** Nothing to report.

**Varick Water 4:** Nothing to report.

**Varick Sewer District No. 1:** Nothing to report.

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

**Town Clerk's Report:** A motion by Tom Fox, seconded by Todd Horton and so carried unanimously to approve the Town Clerk's report. Supervisor: \$110, NYS Ag & Markets:\$10, total disbursements: \$120.

**Minutes:** A motion by Todd Horton, seconded by Tom Fox and so carried unanimously to approve the minutes of February 7, 2017.

**Abstract:** A motion by Todd Horton, seconded by Tom Fox and so carried unanimously to approve Abstract No. 3, General, Vouchers A0017-030 to A0017-044 in the amount of \$2,669.32, Highway, DAO17-012 to DAO17-17 in the amount of \$1,517.04, Varick Water District No. 1, Voucher VW117-005 in the amount of \$5,011.02, Seneca Lake Water District, Voucher SWS17-009 to SWS17-012 in the amount of \$1,200.64, Varick Water District No. 3, VW317-005 in the amount of \$3,981.41 Varick Water District No. 4, VW417-006 to VW417-008 in the amount of \$1,175.38, Varick Sewer District No. 1, Vouchers VS117-007 to VS117-009 in the amount of \$274.58, Varick Sewer District No. 2, SSS17-006 to SSS17-007 in the amount of \$800.00

**Old Business, New Business & Correspondence:**

Joe Midiri stated that he is working with Christi from their offices who in an email advised the town that the provided map in its current state was not sufficient and the town would need to have the engineer/surveyor prepare a complete map with the easement area shown as well as the current property owners. Once they have that map, they can prepare easement agreements to provide to the owners. Once they sign the easements, they can be filed with the county clerk. Mr. Midiri will follow up with Christi from their offices in regards to this matter.

Mr. Midiri still has the Time Warner agreement and will discuss this agreement with Supervisor Hayssen when he returns.

A motion by Todd Horton, seconded by Richard Peterson and so carried unanimously to adjourn the meeting at 7:35 p.m.

Respectfully submitted,

Donna Karlsen  
Town Clerk