

March 6, 2018

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 was Councilmen, Ben Freier, Tom Fox, Eric Riegel, and Richard Peterson, Town Clerk, Donna Karlsen, Bookkeeper, Angela Testa, Attorney for the Town, Joe Midiri, Water Operator, Ben Karlsen and David Ettman.

Privilege of the Floor: David Ettman formally announced his campaign to be Seneca County Court Judge. He stated that the judge must have experience in all areas of the law to include civil practice, family law and administrative law and not just be a prosecutor or defense attorney and he feels he has that experience, skills and judgement to meet these obligations.

Abstract: A motion by Richard Peterson, seconded by Ben Freier and so carried unanimously to approve Abstract No. 3, General, Vouchers A0018-040 to A0018-053 in the amount of \$1,990.06, Highway, DAO18-017 to DAO-025 in the amount of \$2,171.95, VW118-010 in the amount of \$25, Seneca Lake Water District, Vouchers SWS18-12 to SWS18-016 in the amount of \$2,010.52, Varick Water District No. 3, VW318-004 in the amount of \$25, Varick Water District No. 4, VW418-008 to VW418-010 in the amount of \$956.40, Varick Sewer District No. 1, VS118-009 in the amount of \$180, Seneca Lake Sewer District No. 2, SSS18-007 to SSS18-008 in the amount of \$925.00.

Highway: Nothing to report.

Judge: It was reported that former court clerk, Julie Dougherty has pled guilty to second-degree grand larceny, admitting to stealing approximate \$167,000 over a seven-year span from the court system. It is believed that full restitution of \$167,000 is being held in an escrow account and should be dispersed after her sentencing scheduled for April 9, 2018. Supervisor Hayssen was disappointed that the DA never notified the town of Varick of Ms. Dougherty's court date. He feels that the town should also be compensated for the added expenses incurred as the result of inadequate completion of duties, rectifying of the court records and balancing of town accounts and suggested a restitution of an additional \$20,000 to cover these costs.

A motion by Ben Freier, seconded Eric Riegel and so carried unanimously to direct Supervisor Hayssen to contact the District Attorney's office with the town's request for compensation for economic loss and damages to the Town of Varick as the result of Julie Dougherty's actions.

The bookkeeper will provide a report to Mr. Hayssen of the added cost in salaries

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

Varick Water District No. 1: Nothing to report

Seneca Lake Water District No. 2: The board was provided a copy of Seneca County Board of Supervisors Resolution No. 21-18 entitled "Board of Supervisors Approves Proposed Compromise of Seneca Lake Water District Water Bill". This resolution is pertaining to a dispute that Seneca

County Water District No. 1 was underbilled \$107,647.60 due to the master meter not reading properly. Supervisor Hayssen conferred with the Attorney Wendy Marsh, who is representing the district in this matter. She recommended the town not sue the county and consider accepting the settlement offer of \$71,789.34 and conditions as set forth in the county's resolution and cited the cost of litigation as one reason for accepting the settlement. Attorney Marsh informed Mr. Hayssen that she was willing to speak to the board directly if requested. Mr. Hayssen reviewed the figures with the board and it is felt the water district loss of income amounted to more like \$135,000, and the \$107,000 represented a compromise figure. After further discussion the following motion was made:

A motion by Tom Fox, seconded by Richard Peterson and so carried unanimously to accept Seneca County Board of Supervisors Resolution No. 21-18 entitled "Board of Supervisors Approves Proposed Compromise of Seneca Lake Water District Water Bill" dated February 13, 2018 which identifies a method of remuneration by Seneca County Water District No. 1 to Seneca Lake Water District for the period of December 31, 2015 through June 30, 2017 in the amount of \$71,789.34. Payment due upon execution by signatures from both parties.

Roll Call:
Robert Hayssen: Yes
Ben Freier: Yes
Tom Fox: Yes
Eric Riegel: Yes
Richard Peterson: Yes
So Carried Unanimously

Supervisor Hayssen informed the board the Village of Waterloo will be raising their water rates to Seneca Lake Water District effective with the third quarter billing from \$2.89 per 1,000 gallons to \$3.13 per 1,000 gallons. In order to recoup the loss in revenue resulting from Seneca County District No. 1 inoperable meter and settlement, the board will consider raising the water rates as stipulated by the contract with the Village of Waterloo and Seneca County Water 1, 1.25% effective with the third quarter billing which will coincide with the water rate increase from the Village of Waterloo. Mr. Hayssen reminded the board of the meeting that will be held March 12th at the Varick Town Hall with the County where further discussion will take place regarding these issues and informed the board they were welcome to attend.

A discussion was held regarding the Mormon Camp and the need for the placement of a meter at the main water line. This issue was pursued in the past, but never been followed up and it was recommended a letter be sent to them informing them a meter needs to be installed. A review of the billing will be done to make sure the meters for the camp have been read.

A motion by Eric Riegel, seconded by Ben Freier and so carried unanimously to approve sending a letter to the Mormons regarding their purchase and installation of a meter at the main water line.

Water District No. 3: Nothing to report.

Water District No. 4: Chlorine levels have been acceptable for this district.

Sewer: Mr. Hayssen reported that Seneca County Sewer District No. 1 is considering consolidating their sewer districts and there will be a meeting held in Willard on March 13th at 2:00 p.m. if a board member would like to attend.

Varick Sewer District No. 1: Nothing to report

Varick Sewer District No. 2: Nothing to report

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

Personnel: Nothing to report.

Planning Board: It was noted that the planning board is looking at revising the Varick Zoning Code to mirror the Town of Romulus' code pertaining to solid waste facilities and the definition of "trash".

Doug Dickenson was recommended to fill the vacancy on this board and will be contacted to see if he would be interest in the appointment.

Minutes: A motion by Eric Riegel, seconded by Ben Freier and so carried unanimously to approve the minutes of February 6, 2018.

Old Business, New Business, Correspondence:

Mrs. Karlsen spoke to Erica Moeller at One Call Now and received pricing for a 5,000 unit calling plan. The cost of this annual plan would be \$388.07 with a \$95 start up fee. Mrs. Karlsen suggested this plan may be the best plan to begin with as there are fewer than 900 residential properties in the town and the database will take some of that year time frame to build. According to Ms. Moeller, if we find that we need more units within the year, we can add 1,000 units at a cost of \$93. If after the first year, the board finds that 10,000 units would better meet the needs of the town, the plan can be increased. Mr. Fox recommended Donna Karlsen be named administrator of this plan at a rate of \$20 per hour. She is also authorized to seek assistance, if needed, in assembling information and data entry at the same hourly rate.

Mr. Peterson is not in agreement with the rate of pay and reminded the board he was not in favor of the \$20 per hour rate of pay set for the court clerk at the February board meeting. Mr. Fox reminded the board that a precedent was set when they approved the rate of pay for the court clerk and should be followed with new hires as well in current employee's rate of pay.

A motion by Eric Riegel, seconded by Tom Fox and so carried to enter into an agreement with One Call Now for a 5,000-unit calling plan at a cost of \$388.07 with an additional \$95 start up fee and assessed regulatory fees and to name Donna Karlsen as administrator of this plan at a \$20 an hour rate of pay with assistance if needed.

Roll Call:

Robert Hayssen: Yes
Ben Freier: Yes
Tom Fox: Yes
Eric Riegel: Yes
Richard Peterson: No
Yes: 4
No: 1
So Carried

A motion by Tom Fox, seconded by Ben Freier and so carried unanimously to enter into executive session to address a personnel issue at 8:30 p.m.

A motion by Ben Freier, seconded by Eric Riegel and so carried unanimously to come out of executive session at 9:30

A motion by Eric Riegel, seconded by Richard Peterson and so carried unanimously to promote Benjamin Karlsen from the Town of Varick part-time Water Operator to full time Water Operator with a salary of \$54,000 annually to include full health benefits, the use of a truck with a review of his rate of pay to reflect the transfer of added job responsibilities.

A motion by Eric Riegel, seconded by Richard Peterson and so carried unanimously to adjourn the meeting at 9:35 p.m.

Respectfully Submitted:

Donna Karlsen
Varick Town Clerk