

April 3, 2018

The regular meeting of the Varick Town Board was called to order by Deputy Supervisor Richard Peterson at 7:00 p.m. Present at the meeting were Councilmen Tom Fox, Eric Riegel, and Ben Freire, Town Clerk, Donna Karlsen, Highway Superintendent, Richard McCulloch, Bookkeeper, Angela Testa, Planning Board, Linda Mastellar and Frankie Long, Justice, Jeff Hogue and Ovid Gazette reporter, Aneta Glover. Absent: Supervisor Robert Hayssen

A motion by Ben Freire, seconded by Eric Riegel and so carried unanimously to approve Abstract 3, General, Vouchers A0018-060 to A0018-066 in the amount of \$1,284.76, Highway, Vouchers DAO18-026 to DAO18-030 in the amount of \$1,153.13, Varick Water District No. 1, Vouchers VW118-011 in the amount of \$25, Seneca Lake Water District, Vouchers SWS18-019 to SWS18-021 in the amount of \$77,742.84, Varick Water District No. 3, VW318-05 in the amount of \$25, Varick Water District No. 4, VW418-012 in the amount of \$25, Varick Sewer District No. 1, VS118-012 in the amount of \$180, Varick Sewer District No. 2, Voucher SSS18-009 in the amount of \$400.

**Highway:** Discussion was held regarding Spring and Fall Clean-Up. Mr. McCulloch reminded the board to include “no electronics” on the flyer. He indicated that Seneca Meadows will take electronics from Seneca County residents at a cost but does not want large quantities coming in from municipal collections. Mr. McCulloch will look at his calendar and consult with Lyons Road Trash and provide to the town clerk the dates for the clean-ups to be published.

A motion by Eric Riegel, seconded by Ben Freire and so carried unanimously to hold a 2018 Spring and Fall Clean-up with dates to be established by the highway department.

**Justice:** Jeff Hogue reported that restitution by Julie Dougherty in the amount of \$166,999 will be paid to the Town of Varick and deposited in the court’s fine account. He reported that approximately \$64,000 of this money the judicial auditors were able to match to specific fines that were paid and will now need to be run through the town’s court office accordingly. The balance of these funds they know were taken by Ms. Dougherty from the town, but it will now be the town’s responsibility to try to assess those funds to specific fines that were paid and process them. After a reasonable amount of time, funds received that can’t be identified will be paid to the state as unclaimed funds. Mr. Hogue requested that he be allowed to retain Judy Brignall’s services as court clerk for at least an additional two months, one to two days a week, a couple hours a day to solely work on allocating these funds to fines and processing them. The board determined that retaining Judy Brignall would be an effective use of resources and agreed to have her continue working on allocating these funds for as long as it seemed financially prudent to do so.

Attorney Midiri will have Stephen Ricci review the towns insurance policy to determine if the town has coverage for the costs incurred by the town pertaining to the theft of funds by July Doughty.

It was reported that Julie Dougherty will be arraigned on April 9<sup>th</sup> and Supervisor Hayssen, at the direction of Seneca County Probation Department, had him complete a Victim Impact Statement to be presented at this arraignment. The impact statement explained the expenses sustained by the

town due to the inadequate completion of duties performed by Ms. Dougherty as court clerk and sought restitution in the amount of \$20,000.

**Bookkeeper:** A motion by Ben Freier, seconded by Eric Riegel and so carried unanimously to approve the bookkeeper's report.

**Water Operator Report:** Ben Karlsen accepted the full-time water operator position and his first day of full time employment was April 2, 2018. He provided a written report to the board which will be filed with these minutes.

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

**Seneca Lake Water District:** As reported at the March 2018 board meeting, the Village of Waterloo will be raising the water rate cost to the district to \$3.13 per thousand gallons of water effective June 1, 2018. According to the contractual agreement with the Village, Seneca Lake Water District can increase the cost to its consumers by 25% above the cost from the Village of Waterloo. It was determined that due to the loss in revenue pertaining to the dispute over water consumption by Seneca County Water District No. 1, the board will raise the rate above cost the full 25%.

A motion by Ben Freier, seconded by Tom Fox and so carried unanimously to set the water rate for Seneca Lake Water District to \$3.92 per thousand gallons of water with a minimum rate of \$12.70 for the first 3,239 gallons effective July 1, 2018.

Ben Karlsen will continue to work with Jim Bromka to establish the SKATA system on his cell phone to monitor this district.

**Varick Water District No. 3:** Ben Karlsen is working with the Town of Fayette to locate a possible water leak in the district.

**Varick Water District No. 4:** Nothing to report.

**Clerk's Report:** A motion by Ben Freier, seconded by Eric Riegel and so carried unanimously to approve the Town Clerk's Report: Supervisor: \$70, NYS Ag & Markets: \$4, Total Disbursements: \$74.

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

**Personnel:** Michelle Andrews has agreed to continue as director for the Varick/Romulus Summer Recreations program and has started preparing for the 2018 program to begin in July.

**Assessors Report:** In a written report for February and March the assessor stated that field work is underway, deeds have been and are continuing to be entered, over 200 Agricultural Ceiling Exemptions and approximately 150 Enhanced STAR exemptions were accepted and processed in

preparation of the tentative assessment roll to be filed on May 1<sup>st</sup>. She noted that Grievance Day for the town will be held May 23, 2018.

A motion by Tom Fox, seconded by Eric Riegel and so carried unanimously to appoint Sally Kenyon to the Assessment Board of Review for a term to expire December 31, 2022.

**Dog Control Report:** Bryan McCann submitted a written Dog Control report which will be filed with these minutes.

**Planning Board:** The board discussed the current vacancy on the Planning Board with Chairperson Linda Mastellar and Frankie Long. They would like representation from the center of the town and it was suggested that Doug Dickenson be approached for the vacancy. It was suggested that if a newsletter goes out, that anyone interested in serving on this board or the Zoning Board of Appeals contact the town clerk.

Mrs. Mastellar reported that the Planning Board is working on developing language to address trash and waste processing in the Town of Varick Zoning Code and is looking at the language Romulus has developed. Their board's goal is to create the concept, develop the language and set a public hearing. The Planning Board wants to move in a timely manner regarding this language considering the issues with Circular enerG proposed location in the Town of Romulus. She noted there are other minor changes the Planning Board are looking at making, and noted vacation and summer rentals, but feels it is important to get clarification on trash and waste processing. Mr. Midiri stated that a SEQR Type 1 will need to be completed if any changes are made to the Zoning Code and recommended hiring an engineer to complete the forms. The board questioned if his offices could complete the form. Mr. Midiri indicated that they have done them in the past, but an engineer is more familiar with the forms and felt the fee would be approximately \$250. Mrs. Mastellar expressed her concern over the cost of completing a SEQR form for every time the planning board proposes a change and questioned whether they should do all the changes at once. Mr. Midiri will look further into what type of changes to a zoning code requires a SEQR to be completed and will report back to the board. The Planning Board will continue to work on the language pertaining to trash and waste processing and will forward a copy of the language Romulus is using pertaining to this matter.

#### **New Business, Old Business, Correspondence:**

Cayuga Lake Watershed Intermunicipal Organization sent an invitation to a IO sponsored Watershed Summit being held April 19<sup>th</sup> in Seneca Falls. This is a half day event to introduce a recently received NYS DOS LGWRP grant to help municipalities seek funding for water quality improvement projects.

Mr. Midiri reported that Home Rule Request forms were filed with the Senate and Assembly amending the New York State Navigation Law Section 46(a) in relation to the regulation of vessels because the Town of Varick does not currently have the power to enact such legislation by law. Eric Riegel questioned whether the town's set-back according to the Zoning Code can be enforced where the water meets the shoreline. Mr. Midiri will investigate this for the board.

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

Respectfully submitted

Donna Karlsen  
Varick Town Clerk