

December 1, 2009

The regular meeting of the Varick Town Board was called to order by Supervisor Robert Hayssen at 7:00 p.m. Present at the meeting were Councilmen Jeff Case, John Saeli and Richard Peterson, Town Clerk, Donna Karlson, Bookkeeper, Carol Sipos, Highway Superintendent, Richard McCulloch, Four Town Assessor, Anne Morgan, and Planning Board Member, Bill Larzelere. Also present were Dave Ettman, Peter McDonald and Dave Stonesifer. Absent: Town Attorney, John Sipos and Councilwoman, Kathy Russo

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to open the Public Hearing on the Amended Veterans Exemption.

Mrs. Morgan reported that this proposed amended Veterans Exemption will be amending State Law 458 which was adopted in 1996. She is presenting this amended law to the local municipalities for adopting at the town level. She reviewed the exemption numbers and explained that if adopted it would go into effect in 2011.

A motion by Richard Peterson, seconded by John Saeli and so carried unanimously to close the public hearing at 7:05.

A motion by Jeff Case, seconded by John Saeli and so carried to approve the amended Veterans exemption as presented by the Town Assessor.

Assessor's Report: Mrs. Morgan reported that all deeds are current and that property value hasn't gone down. She states that foreclosures have doubled from four in 2008 to approximately 9 in 2009 over the five towns. She reported that 100 acres of the Church of the Latter Day Saints is being added to the tax roll this year and an ag exemption will be filed with her. She also reported that to date she is still maintaining assessed value on lands owned by the Indians but contends these are not valid properties to base taxable values on.

Planning Board: Mr. Larzeler reviewed with the board the proposed changes the Planning Board is suggesting be made to the zoning code. They reviewed zoning pertaining to companion animals; wineries; Lakeshore Residential: height of new construction, dock sizes, multi homes on lake fronts, camp grounds, equipment rental; Laboratory/R&D Facility; Private Group Instruction; Storage of commercial vehicles; warehouse definition; drainage plans; fencing; Certificate of Occupancy. Mr. Larzeler will take the topics discussed back to the Planning Board for further review.

Once the suggested changes are addressed, the Planning Board will present the Zoning Code to the board for approval and a public hearing to be held to approve the changes. Post cards will be sent to notify residents of the public hearing.

The board commended the Planning Board for the work they have done on this code.

Highway: Mr. McCulloch is waiting for the state bid figures to come in for the 2010 trucks at which time he will place an order.

He reported that he and Kris attended a day training on plowing put on by DOT. He also learned that his meeting the 2009 CHIPS funds may not be received until March of 2010 and the 2010 Chips program may be in danger of existing due to the lack of funding. He reported that the department has been cutting brush and weeds and preparing for winter. He also reported that Five Points Correctional has been dumping dirt in the Varick Landfill in the Hamlet of Romulus. He received approval from Seneca County, Roy Gates to allow them to do this as well.

Judge: Mr. Ettman, the newly elected town judge reported that he will be moving court nights to the first, second and last Wednesday of the month and Julie Dougherty has agreed to stay on as court clerk.

Mr. Hayssen reported that he received an agreement for services from Thomas Fox, who owns Seneca Security Service to provide court security. Mr. Ettman indicated that he would like to maintain security, but was unsure as to how often he would be using that service. Mr. Foxx proposed a pay scale of \$17.26 per hour for an unarmed uniformed officer and \$19.75 per hour for an armed uniformed officer. He also provided a Certificate of Insurance for \$3,000,000.

A motion by John Saeli, seconded by Richard Peterson and so carried to approve the Agreement for Security Services by Seneca Security Services and to direct Supervisor Hayssen to sign this agreement.

Varick Sewer District No. 2: Mr. Saeli spoke to Jerry Smith who reported that the amount billed to the district for repair of sewer pumps was the exact amount billed to his company for these repairs and Yaws did not add the stipulated amount of 15% per his contract to these bills. Jerry Smith would like to see this matter dropped, which on the board's behalf, Mr. Salie agreed to do.

It was noted that we haven't received a new contract from Yaws as of this date.

Varick/Romulus Sewer District: Mr. Hayssen indicated that the town will also need to enter into a contract with Yaws for maintenance of this district. Mr. Hayssen and Mr. Saeli will set a meeting to discuss billing for the hamlet of Romulus water and sewer billing.

Seneca Lake Water District: Nothing

Varick Water District No. 3: Mr. Hayssen reported that in order to meet Rural Development's requirements the town has to have an agreement in place to complete the 2010 and 2011 audits. He received a proposal from Raymond Wager from Marvin and Company, P.C. in the amount of \$10,700 for 2010 and \$10,850 for 2011.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to accept the Marvin and Company, P. C. proposals as submitted in order to meet Rural Development requirement, but to reserve the right to reevaluate these contracts pending this company's completion of work on the towns 2008 and 2009 audits.

Mr. Hayssen reported that Jason McCormick's engineering work needs to be completed for this district and he feels there is a discrepancy on the number of units the engineer has come up with. A discussion was held regarding the number of units which should be assessed to the trailer park, with no resolution at this time.

Varick Water District No. 4: Mr. Sipos provided an intermunicipal agreement between the Town of Varick Water District No. 4 and the Town of Fayette Water District No 5 to purchase water from Fayette at a cost of \$3.20/1000 gallons of water. The cost to the Town of Fayette is \$3.10 and they have included a ten cent (.10) per thousand increase to cover water loss. This agreement is for 40 years.

A motion by Jeff Case, seconded by Richard Peterson and so carried to approve the intermunicipal agreement for the purchase of water from the Town of Fayette at a cost of \$3.20 per thousand gallons of water for a period of 40 years.

It was unclear to the board after reviewing the letter from Municipal Solutions, if a second intermunicipal agreement pertaining to this purchase of water was required. Mr. Sipos' absence from the meeting prevented the board the ability to question him on this, however, they didn't want to hold up the paperwork required by Rural Development so they decided to pass the following motion:

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to direct Mr. Hayssen to complete and sign any required intermunicipal agreements pertaining to the purchase of water contingent on the approval from the town attorney.

Supervisor's Report: Mr. Hayssen received two letters from Thomas Scoles, Seneca County Department of Health . The first letter was a report regarding the sanitary survey of the Romulus/Varick Joint Water District conducted on October 22, 2009. Mr. Scoles found the majority of the water district to be in compliance with today's standards. He did document one violation concerning the water district cross-connection control program. The mechanics of the program is being practiced by the water district; however the Town lacks local law which actually gives it the authority to enforce the program. Mr. Scoles stated the Town's legal council will need to develop a local law for adoption by the Town Board so the water district can legally enforce the program.

The second letter states that he was informed at the time of his inspection that the Romulus/Varick Joint Water District will no longer be operated as a joint entity. He would like this sent officially to him in writing indicating the date the two districts will operate independently. He will also need to provide the Town will a sampling schedule along with a list of required report submissions. The town will also need to secure the services of a Class D Certified Water Operator to oversee the District's operation.

It was suggested that if needed, Jim Bromka be approached from the Village of Waterloo as he currently oversees Seneca Lake Water District.

A motion by Jeff Case, seconded by Richard Peterson, and so carried to unanimously approve the written Supervisor's report.

Bookkeeper: Mrs. Sipos asked the board for their permission to attend the Association of Towns school held in New York City and name her as Varick's delegate.

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve the town attorney and bookkeepers attendance at the Association of Town's school and name Carol Sipos as the town's delegate.

She also reported that the monitor on her desk top computer may be going bad and she will need to purchase a new one.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to approve the Town Clerk Report; Revenues to Supervisor, \$65.14, County Treasurer, \$9.40, Ag & Markets, \$163.46, DEC, \$163.46, Total Disbursement: \$241.00

A motion by Jeff Case, seconded by Richard Peterson and so carried unanimously to approve the minutes of November 4, 2009.

A motion by John Saeli, seconded by Richard Peterson and so carried to approve Abstract 12, General, Vouchers A0009-213 to A0009-231 in the amount of \$8,881.14, Varick Sewer District No. 2, Vouchers SSS09-25 and SSS09-26 in the amount of \$568.56, Highway, DAO09-118 to DAO09-129 in the amount of \$9,484.17, Seneca Lake Water District No. 2, SWS 09-64 to SWS09-68 in the amount of \$21,871.42.

A motion by John Saeli, seconded by Richard Peterson and so carried unanimously to approve payment of the following invoice for Varick Water District No. 4:

Reveille/Between the Lakes (Bond Resolution)	\$24.70
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Mrs. Karlsen questioned the board about payment of invoices received from Seneca County Water/Sewer District for the Varick Sewer District No. processing of sewage and taking the money out of this years budget. It was determined that the amount would be vouchered from this years budget, but would not be paid to Seneca County Water/Sewer District until issues concerning this billing are resolved.

Mr. Hayssen addressed the amount due from Seneca County Sewer District No. 2 for eight unit charges for the years 2007, 2008, 2009 which the town has not received in addition to the operation and maintenance charges for those years. He also addressed the three unit charges due from Seneca County Water District NO. 1 for those three years as well.

A motion by Richard Peterson, seconded by Jeff Case and so carried unanimously to bill Seneca County Water District No. 1 for three units for the years of 2007, 2008 and 2009 to be paid to Seneca Lake Water District and Seneca County Sewer District No. 2 for 8 units for 2007, 2008, and 2009 along with the operation and maintenance fees for all three years at \$120 per year to be paid to Varick Sewer District No. 2.

New Business, Old Business, Correspondence: