

**A Special Town Board Meeting of the Town of Owasco was held on February 13, 2020 at 4:00 PM in the Owasco Town Hall with the following members present:**

**PRESENT: Supervisor Edward Wagner  
Councilperson Tony Gucciardi  
Councilperson Tim Kerstetter  
Councilperson Fred Cornelius  
Councilperson, Mike Vitale**

**OTHERS PRESENT: Kathy O’Neil, Riccardo Galbato, Robert Bruno, Lucy Mackey, Gloria Cuddy.**

**CALL TO ORDER: 4:00 PM**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

**RESOLUTION 20- 038 approval of Town Board Agenda for February 13, 2020**

**Councilmen Cornelius stated that he would like Resolution 20-027 that was tabled at the January 9, 2020 meeting reintroduced at today’s meeting.**

**Motion by Councilperson Kerstetter; Second Councilperson Vitale**

Roll call vote: Councilperson Cornelius	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
Councilperson Kerstetter	<u>Yes</u>	Councilperson Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**APPROVAL OF MINUTES:**

**RESOLUTION 20- 039 approval of Town Board Minutes for January 9, 2020**

**Councilmen Cornelius- reminder Resolution 20-027 needs to be reintroduced.**

**Motion by Councilperson Cornelius; Second Councilperson Vitale**

Roll call vote: Councilperson Cornelius	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
Councilperson Kerstetter	<u>Yes</u>	Councilperson Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**PUBLIC PARTICIPATION:**

**COMMUNICATIONS:**

**Carl DePalma letter regarding Holmes childcare letter**

**\* Supervisor Wagner stated that Special Council Attorney Andy Leja has been forwarded Mr DePalma’s letter and will be replying along with the Holmes Attorney.**

**NEW BUSINESS:**

**Proposal from “Champ” regarding Video service for Town Board Meetings.**

**\* Councilmen Cornelius discussed at the last meeting that he would like to potentially see the town board meetings to be videotaped so the public could watch at their convenience.**

Councilmen Kerstetter reached out to Champ video service for more information, and received a price quote of \$3000.00 per year. It was decided that Supervisor Wagner & Councilmen Cornelius will meet with the representative with Champ for further information.

**Reducing Town Court- When the NYS Comptrollers**

\* With the new centralized court room located at the Cayuga County Jail all arraignments are now being held for the whole county in this one location. The Town Justice will no longer do arraignments on an on call in bases here at the town. This possibly leaving the town with no need for two judges, this was also recommended by the NYS Comptrollers.

**Update on GAC Project-**

\* The building to host the new permeant tanks has been sent for bids with bid to be opened on March 18, 2020.

**Update on Wet Land Restoration Project**

\* In December 2019 the town received a consent order from the DEC to restore the wetlands that the building years ago infringed upon, along with contaminated soil that was discovered in the construction of the Micro Cystin project at the town highway garage, 6346 East Lake Rd. The DEC has agreed to let the town bury 60% of the soil but the remaining 40% must be trucked away to an approved landfill.

**Update on Water Main Replacement Project –**

\* The town was hoping to extend the water main replacement project to include Owasco Rd, between Adams Ave & Green Shutters, however the price from the original contractor came in higher than expected and will now go out for bid.

**Update on Barracuda Anti-Virus & Archiving**

\* Ed will watch for any issues involving the installation of this program.

**Update with the Town of Fleming, regards to water contract**

\*The Town of Owasco supplies water to the Town Fleming the meter is very old and failing, it was agreed upon by all of the Town Council to replace it at a cost of approximately \$4000.00.

**OLD BUSINESS:**

Councilmen Kerstetter asked for an update on the status of the flow meter project with the City of Auburn.

\* Supervisor Wagner explained the project and requirement from the city, he also said the engineers are looking for possible grant opportunities for the storm water infiltration issues, if the income is low enough for the avenues we may be able to get the grants.

**RESOLUTION 20-040** to reappoint Ted Leader to the Board of Assessment Review, term ending on September 30, 2024.

Motion by Councilperson Kerstetter; Second Councilperson Vitale

Roll call vote:	Councilperson Cornelius <u>Yes</u>	Councilperson Gucciardi <u>Absent</u>
	Councilperson Kerstetter <u>Yes</u>	Councilperson Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

**RESOLUTION 20-041** to appoint Shawn Johnson to the open seat on the Zoning Board of Appeals to replace James Dunster effective immediatly, term to expire December 31, 2026.

Motion by Councilperson Kerstetter; Second Councilperson Vitale

Roll call vote: Councilperson Cornelius Yes Councilperson Gucciardi Absent  
Councilperson Kerstetter Yes Councilperson Vitale Yes  
Supervisor Wagner Yes

**RESOLUTION 20-042** To Approve and Authorize the Town Supervisor to sign the Drug Testing Services Agreement with Evolution Consulting LLC.

Motion by Councilperson Cornelius; Second Councilperson Vitale

Roll call vote: Councilperson Cornelius Yes Councilperson Gucciardi Absent  
Councilperson Kerstetter Yes Councilperson Vitale Yes  
Supervisor Wagner Yes

**RESOLUTION 20-043** BE IT RESOLVED, that the Town of Owasco Location code 30555-010 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:  
Effective February 13, 2020.

Elected	Standard Work day	Name	Tier 1 Check	Term	Record of Activities
Justice	7	Mark Divietro		01/1/19-12/31/22	2.05
Justice	7	Mary Jones		01/1/18-12/31/21	1.71
Town Clerk	7	Tammy Flaherty		01/01/20-12/31/24	21.98
Council person	7	Timothy Kerstetter		01/01/18-12/31/21	.27
Council person	7	Frederick Cornelius		01/01/20-12/31/24	
Town Supervisor	7	Edward Wagner		01/01/2012/31/22	19.26
APPOINTED					
Zoning Board	7	Gerald Guiney	X	01/09/18-12/31/24	.43
Zoning Board	7	Stephen Moriarty		01/08/15-12/31/20	.14
Zoning Board					

Standard work day

Motion by Councilperson Cornelius; Second Councilperson Kerstetter

Roll call vote:	Councilperson Cornelius	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Vitale	<u>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 20-044 authorize Supervisor Wagner to sign two consent order from the Cayuga County Health Department regarding water supply violations in the amount of \$150.00.**

Motion by Councilperson Vitale; Second Councilperson Cornelius

Roll call vote:	Councilperson Cornelius	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Vitale	<u>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 20-045 To authorize the Town Supervisor to sign Change Order No. 2 with North Country Contractors, LLC for the Town of Owasco Water District Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project Contract No. 1A.**

**WHEREAS**, this Change Order includes the following changes of work items:

**Description of Change(s):**

1. As stated in Changer Order No. 1, contaminated soils from previous work need to be disposed of in accordance with NYSDEC guidance.

**Reason for Change(s):**

1. Approximately 1,300 CY of soils were separated and stockpiled for sampling and assessment to determine the extent of which soils needed to be landfilled. In accordance with NYSDEC guidance, approximately 800 CY of soil will require landfilling. The total final cost for soil disposal is not known as it will be tabulated after the final volume is determined by weight at the landfill. The cost of the soil disposal will not exceed 70 percent of the original cost for the 1,300 CY estimate (\$81,500). North Country Contractors will only charge the Town of Owasco based on the actual volume of soil that is disposed of based on Time and Material basis.

Compensation(s): Item	Credit		Additional
1. Cost for Soil Disposal	\$0.00	Not to Exceed	\$81,500.00
Subtotal	\$0.00		\$ 81,500.00
<b>Total this Change Order</b>		<b>Not to Exceed</b>	<b>\$81,500.00</b>

<b>Contract Summary:</b> Current Contract Amount	\$ 428,939.36
Total this Change Order Not to Exceed	\$ 81,500.00

<b>Revised Contract Amount Not to Exceed</b>	<b>\$ 510,439.36</b>
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**WHEREAS**, the Town Engineer recommends approval of this Change Order.

**NOW THEREFORE BE IT RESOLVED** that the Town Supervisor is hereby authorized to sign Change Order No. 2 with North Country Contractors, LLC for the Town of Owasco

**Water District Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project Contract No. 1A.**

**Motion by Councilperson Kerstetter; Second Councilperson Vitale**

**Roll call vote: Councilperson Cornelius Yes      Councilperson Gucciardi Absent  
Councilperson Kerstetter Yes      Councilperson Vitale Yes  
Supervisor Wagner Yes**

**RESOLUTION 20- 046 AUDIT AND PAYMENT OF CLAIMS: authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts, (Water and Sewer Districts), Capital Project and Reserve Fund claims, and ratifying the payment of the prepaid claims as authorized by resolution 16-006 adopted January 4, 2016, all in accordance with the attached abstract of claims.**

**ABSTRACT #02 2020 Vouchers # 89-192 in the amount of \$1, 132,040.08**

**Trust & Agency Voucher # 5010-5019 in the amount of \$38,432.00**

**for a grand total of \$1,170,472.08**

**Total was changed as Bookkeeper needed to replace a check that was issued but not cashed by the valid date, new check issued in the amount of \$560.00 replacement Ck #15559**

**\* Councilmen Cornelius made a motion to pull vouchers #90 & #146**

**Motion to pull vouchers and discuss in executive session by Councilmen Vitale**

**Motion by Councilperson Kerstetter; Second Councilperson Vitale**

**Roll call vote: Councilperson Cornelius Yes      Councilperson Gucciardi Absent  
Councilperson Kerstetter Yes      Councilperson Vitale Yes  
Supervisor Wagner Yes**

**RESOLUTION 20-047- Reintroduce Resolution 20-027 (to appoint Richard Knaul as Clerk of the Work) that was tabled at the January 9, 2020 Town Board Meeting.**

**Councilmen Cornelius made the motion to suspend the resolution indefinitely**

**Councilmen Kerstetter seconded the motion.**

**Motion by Councilperson Cornelius; Second Councilperson Kerstetter**

**Roll call vote: Councilperson Cornelius Yes      Councilperson Gucciardi Absent  
Councilperson Kerstetter Yes      Councilperson Vitale Yes  
Supervisor Wagner Yes**

**ADJOURNMENT:**

**RESOLUTION 20-048 to adjourn to executive session at 5:25pm to discuss personnel and Contractual Union Issues.**

**Motion by Councilperson Kerstetter; Second Councilperson Vitale**

**Roll call vote: Councilperson Cornelius Yes      Councilperson Gucciardi Absent  
Councilperson Kerstetter Yes      Councilperson Vitale Yes  
Supervisor Wagner Yes**

**RESOLUTION 20-049 to return from executive session at 6:04 PM.**

**Motion by Councilperson Kerstetter; Second Councilperson Vitale**

Roll call vote:	Councilperson Cornelius	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Vitale	<u>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

**Reintroduced to pay vouchers #90 & #146**

**Motion by Councilperson Cornelius; Second Councilperson Kerstetter**

Roll call vote:	Councilperson Cornelius	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Vitale	<u>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

**ADJOURNMENT:**

**RESOLUTION 20-050 to adjourn the meeting:**

**Meeting adjourned at 6:05 PM**