

TOWN BOARD MEETING MINUTES

May 10, 2018

A Town Board Meeting of the Town of Owasco was held on May 10, 2018,
At 4:00 PM in the Owasco Town Hall with the following members present:

PRESENT: Supervisor Edward Wagner
Councilperson Tony Gucciardi
Councilperson Richard Knaul
Councilperson, Tim Kerstetter

ABSENT: Councilperson Ashley Melendez

OTHERS PRESENT: Riccardo Galbato, Barbara Newhook, Chris Morabito, Kathy O'Neil,
Gerald Vevone.

CALL TO ORDER: 4:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 18-066 approval of Town Board Agenda for May 10, 2018.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

APPROVAL OF MINUTES:

RESOLUTION 18-067 approval of Town Board Minutes for April 12, 2018, April 19, 2018.

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

COMMUNICATIONS:

* Request from Michael DeBagio for reimbursement of \$135.00, as he called a plumber to his home because he heard water running, it turned out to be a town water main break.

Resolved: Request denied, Supervisor Wagner will sent a letter to the home owner.

* Letter from Fred & Margaret Kruger with concerns as their sewer line was ruptured along with landscaping & plants being destroyed as a result of the new water line project. The sewer line was repair however “they would like the matter noted, as to any future problems that may occur”.

Resolved: Supervisor Wagner will send a letter of acknowledgement to the owner, as well as contacting the town engineer Matt Zarbo with this concern. Supervisor Wagner will also have Highway Superintendent camera the line.

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***Communicating from Attorney Frank Miller, regarding Sedor vs Town of Owasco**
Resolved: Supervisor Wagner updated the board regarding the claim against the town by the said property owner.

PUBLIC PARTICIPATION:

A resident living on Eastwood Ave she addressed the board regarding the condition of Eastwood Ave, and the need for repaving.

Resolved: Supervisor Wagner said that the Highway Superintendent Bob Bruno is in the process of getting quotes for the project.

The Resident also had a concern regarding a white SUV that parks on the corner of Eastwood Ave & Letchworth St, daily causing a blocked view.

A Owasco Rd resident and has concerns and questions regarding the town's water main replacement project, and the NYSEG gas line replacement project, and the NYS DOT, planned repaving of State Route 38A.

*** When would NYSEG begin its restoration?**

Resolved, Supervisor Wagner state that NYSEG has not given the town their schedule As it is not a project the town had a part in, however the supervisor will call NYSEG/DDS for an update and get back to Chris.

*** Water main replacement schedule:**

Resident would like to know when the contractors on the water main project would be coming back to hook up the laterals along Owasco Rd?

Resolved: Supervisor Wagner stated that they will on go to Adams Ave then go back through and make the lateral connections.

NEW BUSINESS: discussion on sending letters to residents that will be impacted with the lateral connection along the water improvement project.

OLD BUSINESS:

RESOLUTION 18-068 to authorize Supervisor Wagner to sign the renewal for the Charter Communication franchise agreement.

Motion by: Councilperson Kerstetter. Second Councilperson Gucciardi

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 18-069 to approve SEQR determination for Local Law No. 1 of 2018

A Resolution to Issue a Determination of Environmental Significance for Local Law No. 1 of 2018.

WHEREAS, the Owasco Town Board declares itself Lead Agency for the purpose of conducting the environmental review of said proposed action; and

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WHEREAS, the Owasco Town Board has determined that the proposed action for adoption of Local Law No. 1 of 2018 is an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the proposed local law does not require review by the Cayuga County General Municipal Law 239-l, m & n Review Committee as it is not a zoning law; and

WHEREAS, the Owasco Town Board hereby determines that the action does not involve any other agencies apart from the Owasco Town Board itself; and

WHEREAS, the Town Board caused a Short Environmental Assessment Form to be prepared for use to assess the potential environmental impacts associated with enactment of the proposed local law; and

BE IT RESOLVED, that the Owasco Town Board has determined that the adoption of the proposed Local Law No. 1 of 2018 will not have a significant adverse impact on the environment and hereby issues a Negative Declaration.

BE IT FURTHER RESOLVED, that the Town Supervisor be and is hereby directed to sign the Negative Declaration of Environmental Significance.

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 18-070 A Resolution of the Town Board for the adoption and enactment of Local Law No. 1 of 2018 to amend Chapter 119 Solid Waste, Section 119-3 of the Town of Owasco

WHEREAS, a Resolution 18-052 was adopted by the Town Board on 4.12.18 introducing proposed Local Law No. 1 of 2018 and said Resolution established a public hearing relating thereto;

WHEREAS, a Notice of Public Hearing with respect to said proposed Local Law was duly published in The Citizen, the official Town newspaper and a newspaper circulated in said Town, on 4.25.18, and proof of such publication has been filed with the Town Clerk;

WHEREAS, a Notice of Public Hearing with respect to such Local Law was duly posted on the sign board of the Owasco Town Hall;

WHEREAS, a Public Hearing upon said proposed Local Law was held at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021, in the Town of Owasco, New York on this date, **5.10.18**, pursuant to such Notice and an opportunity to be heard was given at said hearing to those favoring or opposing passage of said proposed Local Law;

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WHEREAS, the proposed local law does not require review by the Cayuga County General Municipal Law 239-l, m & n Review Committee as it is not a zoning law;

WHEREAS, the Owasco Town Board by Resolution passed on this date issued a Negative Declaration under SEQRA for Local Law No. 1 of 2018;

WHEREAS, the Town Board has carefully considered the proposed Local Law, and after due deliberation, finds it is in the best interest of the Town of Owasco to adopt said Local Law; and

WHEREAS, proposed Local Law No. 1 of 2018 removes government agency under 119-3 B (a) and adds the sentence “A fee to a contractor hired by an Owasco Town resident or Owasco property owner may be established and adjusted by resolution of the Town Board.”

NOW, THEREFORE, AFTER DUE CONSIDERATION, IT IS HEREBY,

RESOLVED, that the Town Board of the Town of Owasco hereby approves and enacts Local Law No. 1 of 2018 set forth below:

Local Law No. 1 of 2018 to amend Chapter 119 Solid Waste, Section 119-3 of the Town of Owasco

Section 119-3 of the Owasco Town Code is amended, in its entirety, as follows:

Article I. Recycling Center

§ 119-3. Recycling Center rules.

[Amended 11-13-2008 by L.L. No. 4-2008; 5-9-2013 by L.L. No. 4-2013; 10-13-2016 by L.L. No. 3-2016]

A.

The following activities are prohibited:

(1)

Entering or using the Recycling Center at times other than the hours set forth in § **119-4** of this article for disposal of garbage, trash, or refuse. However, the disposal of brush, grass, leaves, and metal in their properly designated areas is permitted at any time.

(2)

Disposal of any garbage, trash, or refuse without the use of Town of Owasco authorized tags/stickers.

(3)

Disposal of any household appliance containing freon gas.

(4)

Disposal of any building materials.

(5)

Disposal of tires.

B.

Miscellaneous.

(1)

Use of the Recycling Center is limited to Owasco Town residents and Owasco property owners only, with the following exception:

(a)

The Director of Public Works and/or Refuse and Garbage Manager, in his sole discretion, upon presentation of satisfactory proof, may grant permission to a contractor hired by an Owasco

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Town resident or Owasco property owner to use the Recycling Center for a specific purpose and limited period of time, subject to the laws, regulations and rules of the Town of Owasco. **A fee to a contractor hired by an Owasco Town resident or Owasco property owner may be established and adjusted by resolution of the Town Board.**

(2)

Owasco Town residents and property owners may purchase Town of Owasco authorized tags/stickers at the Recycling Center or the Owasco Town Hall during normal business hours.

(3)

Bulk items, such as furniture and household appliances not containing freon, may be disposed of after making prior arrangements with a Recycling Center employee and paying the associated disposal fee. A fee schedule is available at the Recycling Center or the Owasco Town Hall. Said fees may be established and adjusted by resolution of the Town Board.

(4)

The Town is not responsible for any injuries resulting from the use of the Recycling Center.

Effective Date: This local law will take effect immediately on filing with the New York State Secretary of State.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 18-071 to establish a fee to contractors hired by Owasco Town resident(s) or Owasco property owner(s) to use the Recycling Center.

WHEREAS, pursuant to Local Law No. 1 of 2018 adopted on 5.10.18 Section 119-3 B (a) of the Owasco Code stating, in part, that: “A fee to a contractor hired by an Owasco Town resident or Owasco property owner may be established and adjusted by resolution of the Town Board.”

RESOLVED, that the Owasco Town Board imposes a fee to contractors hired by Owasco Town resident(s) or Owasco property owner(s) to use the Recycling Center to be \$500.00 for the remainder of 2018.

RESOLVED, that the Owasco Town Board imposes a fee to contractors hired by Owasco Town resident(s) or Owasco property owner(s) to use the Recycling Center beginning in 2019 for the annual fee of \$600.00.

FURTHER RESOLVED, that this Resolution shall take effect immediately after Local Law No. 1 of 2018 is filed with the New York State Secretary of State.

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 18-072 AUTHORIZING A TERMINATION AGREEMENT WITH THE CAYUGA COUNTY SOIL AND WATER DISTRICT AND TRANSFER OF OWASCO

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LAKE WATERSHED INSPECTION PROGRAM ASSETS AND AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE TERMINATION AGREEMENT

BE IT RESOLVED that the Town of Owasco Town Board does hereby approve the Termination Agreement which terminates the agreement entered into with the Town of Owasco, the County of Cayuga, and the Cayuga County Soil and Water Conservation District, effective as of June 1, 2018; and

BE IT FURTHER RESOLVED, that the Town of Owasco Town Board hereby authorizes and directs the Town Supervisor, to execute the Termination Agreement, together with any and all documents necessary to complete the transfers as stated in the Termination Agreement, necessary to carry out the intent of this Resolution.

Motion by Councilperson Knaul; Second Councilperson Gucciardi,

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 18-073 to authorize Supervisor Wagner to sign a revised agreement with EFC for the Microcystin water treatment project.

WHEREAS, the Town of Owasco has been awarded an additional \$400,000 for a total award of \$1,050,000.

WHEREAS, reas the addtional award will be used for the water quaility project cost related to the Granular Activiated Carbon System.

Motion by; Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 18-074 To Authorize the Town Supervisor to sign the Grant of Right-of-Way and Easement (Water) with Robert C. Merritt, 324 Fire Lane 3 in the Town of Owasco (TAX MAP NO. 131.03-1-1), and pay Robert C. Merritt the amount of \$750.00.

Motion by; Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 18-075 Resolution to reconsider the payment that was withheld from Barton & Loguidice at the April 12, 2018 Town Board Meeting.

WHEREAS, at the April 12, 2018 Town Board Meeting, the Town Board agreed to withhold \$1751.50 from Voucher# 308 from Barton & Loguidice invoice as they had a questions regarding the charge.

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WHEREAS, Supervisor Wagner has communicated with Matt Zarbo regarding the charge and will share the information with the board.

Resolved the town board authorizes payment to Barton & Loguidice in the amount of \$1751.50.

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
 Councilperson Kerstetter Yes Councilperson Melendez Absent
 Supervisor Wagner Yes**

RESOLUTION 18-076 recomended budet modification for May 2018.

Budget Modifications Recommendations			
		After Closing:	April 2018
Acct #	Account Description	(-) Debit	(+) Credit
A1010.400	Town Board - Contractual	\$ 400.00	
A1440.451	Engineer - Personal Services	\$ 332.00	
A1620.411	Buildings - Computer Main	\$ 65.00	
A3120.100	Crossing Guards	\$ 800.00	
A7140.410	Playgrounds - Misc	\$ 25.00	
A8160.406	Refuse & Garbage - Utilities	\$ 360.00	
A8510.400	Community Beatification	\$ 750.00	
A1620.241	Buildings - Computer/Server		\$ 65.00
A3120.110	Crossing Guards - Substitute		\$ 800.00
A7140.201	Shelter & Bathroom Equipment		\$ 25.00
A8160.413	Refuse & Garbage - Diesel Fuel		\$ 20.00
A9050.800	Unemployment Insurance		\$ 1,822.00
Totals:		\$ 2,732.00	\$ 2,732.00

Acct #	Account Description	(-) Debit	(+) Credit
DA5112.415	Improvements - Hot Mix	\$ 2,630.00	
DA1420.421	Attorney - Legal Fees Special Projects		\$ 2,456.00
DA9050.800	Unemployment Insurance		\$ 174.00

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	Totals:	\$ 2,630.00	\$ 2,630.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS1-8120.458	Repair	\$ 934.00	
SS1-8140.400	Storm Sewers - Contractual		\$ 910.00
SS1-9050.800	Unemployment Insurance		\$ 24.00
	Totals:	\$ 934.00	\$ 934.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS2-8120.458	Sewage Collection - Repair/Cleaning	\$ 1,073.00	
SS2-8120.458	Sewage Collection - Grinder Pump Repair	\$ 1,072.25	
SS2-8120.461	Sewage Collection - Grinder Pump NEW Install	\$ 1,000.00	
SS2-8197.200	Equipment & Capital Outlay	\$ 750.00	
SS2-8110.151	Sewer Admin - Clerk Special Project		\$ 100.00
SS2-8120.460	Sewage Collection - Grinder Pump Replace		\$ 3,790.00
SS2-9050.800	Unemployment Insurance		\$ 5.25
	Totals:	\$ 3,895.25	\$ 3,895.25

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS2-8130.405	Sewage Treat & Disposal - Bioxide	\$ 1,492.00	
SS3-8110.151	Sewer Admin - Clerk Special Projects		\$ 80.00
SS3-8110.405	Sewer Admin - Telephone		\$ 115.00
SS3-8120.459	Sewage Collection - Grinder Pump REPAIR		\$ 1,293.00
SS3-9050.800	Unemployment Insurance		\$ 4.00
	Totals:	\$ 1,492.00	\$ 1,492.00

		(-)	(+)
Acct #	Account Description	Debit	Credit

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SW8397.200	Water Equipment & Capital Outlay	\$ 2,098.00	
SW8310.405	Admin - Field Contractual		\$ 2,075.00
SW9050.800	Unemployment Insurance		\$ 23.00
Totals:		\$ 2,098.00	\$ 2,098.00

Motion by Councilperson Gucciardi; Second Councilperson Knaul

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
 Councilperson Kerstetter Yes Councilperson Melendez Absent
 Supervisor Wagner Yes**

RESOLUTION 18-077 approval of Supervisors Monthly Report.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
 Councilperson Kerstetter Yes Councilperson Melendez Absent
 Supervisor Wagner Yes**

RESOLUTION 18-078 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 18-014 adopted January 11, 2018, all in accordance with the attached abstract of claims.

**ABSTRACT #05 2018 Vouchers #313-393 in the amount of \$550,826.02
Trust & Agency Voucher #5417-5425 in the amount of \$18,975.95
for a grand total of \$569,801.97**

Motion by Councilperson Knaul; Second Councilperson Gucciardi,

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
 Councilperson Kerstetter Yes Councilperson Melendez Absent
 Supervisor Wagner Yes**

ADJOURNMENT:

RESOLUTION 18-079 to adjourn the meeting:

Motion by; Councilperson Kerstetter . Second Councilperson Gucciardi

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
 Councilperson Kerstetter Yes Councilperson Melendez Absent
 Supervisor Wagner Yes**

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Meeting adjourned at 5:04 PM

**Respectfully Submitted,
Tammy Flaherty
Town Clerk**