

**A Town Board Meeting of the Town of Owasco was held on November 14, 2019
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, Kathy O’Neil, Mike Vitale, Fred Cornelius,
Maryanne White, Gloria Cuddy, Megan Warren, Fred Cornelius.**

CALL TO ORDER: 4:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 19- 171 approval of Town Board Agenda for November 14, 2019.

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>		

APPROVAL OF MINUTES:

**RESOLUTION 19-172 approval of Town Board Minutes for October 10, 2019 as well as
Budget workshop minutes October 21, 2019, October 24, 2019 & October 29, 2019 &
November 7, 2019.**

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>		

PUBLIC PARTICIPATION:

COMMUNICATIONS:

NEW BUSINESS:

**OLD BUSINESS: Letter from Owasco Fire Department requesting deduction in the
invoice for assistance in installing septic tank.**

RESOLUTION 19-173

WHEREAS, the Town of Owasco has been informed that the GTCMHIC Board of Directors is undertaking a required five-year review of the Municipal Cooperative Agreement (MCA), and

WHEREAS, the Town of Owasco in consultation with its Attorney, has reviewed the existing Agreement and wishes to submit an objection/modification for consideration, now therefore be it

RESOLVED, that the following objection/modification to the Municipal Cooperative Agreement is proposed to the GTCMHIC Board of Directors for consideration:

RESOLVED, further, that the Town of Owasco understands and acknowledges its responsibility to review at a later date any final proposed modifications to the Agreement and shall adopt and submit a resolution to the Consortium approving the amended Agreement.

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 19-174 to accept town credit card purchasing policy.

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 19-175 to accept town fund balance policy.

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 19- 176 to reopen- Public Hearing: on the Preliminary Budget of the Town of Owasco for the fiscal year beginning January 1, 2020 including general Town funds, Highway, Water and Sewer Districts started at 4:12 PM

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 19-177 to close the Public Hearing Preliminary Budget of the Town of Owasco for the fiscal year beginning January 1, 2020 including general Town funds, Highway, Water and Sewer Districts, closing at 4:14 PM

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 19-178 to approve the Final Budget for the Town of Owasco for the fiscal year beginning January 1, 2020 including general Town Funds, Highway and Water and Sewer Districts. Passed with modifications, to reinstall the laborer position into the Highway Budget.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>NO</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-179 To authorize the Town Supervisor to sign an Addendum to the Water Service Agreement with the Town of Fleming. (Water Shed Stuart flat fee instead of usage.)

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 19-180 to reaffirm the Municipal Records Retention Policy,

WHEREAS: The Town of Owasco Town Board recognizes that a records information management and retention policy is essential to the proper maintenance, storage, and destruction of all records used, created, received, maintained or held by the Town of Owasco; and

WHEREAS: The Town Clerk has been designated, by statute to serve as the town records management officer.

WHEREAS: We are re-affirming the records retention schedule prepared by The University of the State of New York, The State Education Department, utilized by municipalities & fire districts.

WHEREAS: This policy will reduce requirements for storage space, ensure consistency in disposition and handling, reduce chances for reckless disposal, and ensure compliance with the state of New York retention requirements.

RESOLVED, that the Town Board reaffirms the Municipal Records Retention Policy

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 19-181 TO REDUCE THE AWARD AND CONTRACT WITH KOESTER ASSOCIATES, INC. FROM \$333,000.00 TO \$245,000.00 FOR THE TOWN OF OWASCO WATER DISTRICT WATER QUALITY IMPROVEMENT PROJECT, FOR THE PERMANENT GRANULAR ACTIVATED CARBON MICROCYSTIN TREATMENT SYSTEM PROJECT CONTRACT NO. 1: PRE-PACKAGED PUMP STATION PRE-PROCUREMENT

WHEREAS, by **Resolution 19-027** on 1.24.19 the Town of Owasco Town Board awarded the Town of Owasco Water District Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project Contract No. 1 Pre-Packaged Pump Station Pre-Procurement to Koester Associates, Inc. for the amount of \$333,000.00;

WHEREAS, on 1.25.19 the Town of Owasco issued a Notice of Award Letter to Koester Associates, Inc. (Koester) for the Pre-packaged Pump Station for the treatment system;

WHEREAS, on 3.11.19 the Town of Owasco issued a Notice to Proceed to Koester;

WHEREAS, on or about 6.18.19, the Town Engineer, GHD, provided notice to confirm that Koester would not be able to deliver the Pre-Engineered Pump Station pursuant to the contract and therefore the pumping station would not be operational on or before the 8.1.19 contractual deadline;

WHEREAS, by letter dated 6.18.19, GHD also advised the New York State Department of Health that due to Koester's failure to supply the Pre-packaged Pump Station, the Town was seeking approval for a temporary pumping station for the purposes of removing potential microcystin contamination from the Town's drinking water;

WHEREAS, on 7.15.19 Town Attorney, Riccardo T. Galbato, submitted a letter to Koester Associates, Inc. and its insurance carrier which served as a notice of default and demand for reimbursement, damages and costs pursuant to the contract documents and the performance bond relating to the contract documents (Contract);

WHEREAS, the Town of Owasco had to rent and install a Temporary Pumping System for purposes of removing potential microcystin contamination;

WHEREAS, the Town of Owasco with the Town Engineer, and the Town's contractor North Country, amicably worked to procure and install the Temporary Pumping System and as a result there was no gap in protection of the Town's potable water supply; and

WHEREAS, The Town of Owasco has incurred additional costs and has agreed with Koester to reduce the total value of Koester's contract by \$88,000.00 to cover their portion of the temporary pumping system.

NOW, THEREFORE, BE IT RESOLVED that based agreement with Koester and the recommendation of GHD, the Town of Owasco Town Board hereby reduces the award and Contract of the **Town of Owasco Water District Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project Contract No. 1 Pre-Packaged Pump Station Pre-Procurement to KOESTER ASSOCIATES, INC.** by the amount of \$88,000.00, from \$333,000.00 to \$245,000.00.

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 19-182 to approve the proposed 2020 Sewer & Water Rates Effective 12/01/2019

**Proposed 2020
Town of Owasco Customers
Water and Sewer Rates**

Water (Gallons)
 0 -7500 gallons
 0 to 7500 Gallons 33.08
 Over 7500 Gallons \$4.41 /1000 Gallons
 Ove 150,000 Gallons \$3.97 /1000 Gallons

Sewer (Gallons)	
Sewer District 1 & Sewer District 2	Sewer District 3
0- 7500 Gallons \$50.25	0 – 7500 Gallons \$45.00
Over 7500 Gallons \$6.70 / 1000 Gallons	Over 7500 Gallons \$6.00 / 1000

Niles Water Rate	Niles Sewer District Rate
Town of Niles Customers	Town of Niles Customers
0-7500 Gallons \$45.00	0 – 7500 Gallons \$52.13
Over 7500 Gallons \$6.00 / 1000 Gallons	Over 7500 Gallons \$6.95 / 1000 Gallons
\$2.00 per quarter for the Water Shed Water Stewart	

Town of Fleming Water Rate
 \$3.2193 per 1000 Gallons
Bulk Water
 Water Plant \$0.25 per 44 Gallons
 Melrose Road Hydrant \$5.73 per 1000 Gallons

Effective 12/01/2019

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 19-183 to approve recommeded Budget Modifications for November 2019.

Budget Modifications Recommendations				
After Closing: October 2019				
Notes	Acct #	Account Description	(-)	(+)
			Debit	Credit
	A1010.400	Town Board Contractual	\$ 100.00	
	A1220.400	Supervisor - Contractual	\$ 750.00	
	A1330.400	Tax Collection - Contractual	\$ 100.00	
	A1355.430	Assessors - Legal Fees	\$ 200.00	
	A1620.240	Buildings - Computers	\$ 750.00	

A1620.410	Buildings - Contractual	\$ 750.00	
A1620.411	Buildings - Computer Maint	\$ 400.00	
A3010.100	Public Safety - Sidewalk Project Personel	\$ 498.00	
A599	Appropriated Fund Balance	\$ -	
A1355.110	Assessors - Assessor Salary		\$ 1,411.00
A5132.200	Garage - Equipment		\$ 150.00
A5132.400	Garage - Contractual		\$ 253.00
A7140.130	Playground Maintenance		\$ 221.00
A7140.401	Supplies Shelter & Bathrooms		\$ 10.00
A7550.400	Celebrations		\$ 930.00
A8160.413	Refuse & Garbage - Diesel Fuel		\$ 25.00
A8560.400	Shade Trees - Contractual		\$ 548.00
Totals:		\$ 3,548.00	\$ 3,548.00

Acct #	Account Description	(-)	(+)
		Debit	Credit
DA5110.411	General Repairs - Misc	\$ 1,000.00	
DA5110.413	General Repairs - Stone	\$ 1,000.00	
DA5112.411	Improvements - Misc	\$ 750.00	
DA5112.414	Improvements - Cold Mix	\$ 5,000.00	
DA5112.415	Improvements - Hot Mix	\$ 2,035.00	
DA5130.415	Equipment Repairs		\$ 8,020.00
DA5130.417	Equipment Rental		\$ 1,765.00
Totals:		\$ 9,785.00	\$ 9,785.00

Acct #	Account Description	(-)	(+)
		Debit	Credit
SS1-8197.200	Equipment & Capital Outlay	\$ 102,000.00	
SS1-8130.400	Treatment & Disposal - Contractual		\$ 102,000.00
Totals:		\$ 102,000.00	\$ 102,000.00

(-)	(+)
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Acct #	Account Description	Debit	Credit
SS2-8120.110	Sewage Collection - Personal Services	\$ 3,199.00	
SS2-8110.400	Sewer Admin - Contractual		\$ 149.00
SS2-8120.458	Sewage Collection - Repair/Cleaning		\$ 3,050.00
Totals:		\$ 3,199.00	\$ 3,199.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS3-8120.200	Sewage Collection - Equipment	\$ 200.00	
SS3-8120.411	Sewage Collection - Energy Costs	\$ 750.00	
<i>SS3-599</i>	<i>Appropriated Fund Balance</i>	<i>\$ 2,987.00</i>	
SS3-8110.400	Sewer Admin - Contractual		\$ 241.00
SS3-8120.410	Sewage Collection - Misc		\$ 438.00
SS3-8120.458	Sewage Collection - Repair/Cleaning		\$ 3,162.00
SS3-8120.459	Sewage Collection - Grinder Pumps REPAIR		\$ 96.00
Totals:		\$ 3,937.00	\$ 3,937.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SW8320.452	Power & Pumping - Electric Charges	\$ 2,168.00	
SW9010.800	State Retirement	\$ 2,200.00	
SW8310.200	Admin - Equipment		\$ 2,270.00
SW8310.400	Admin - Contractual		\$ 452.00
SW8320.410	Power & Pumping - Misc		\$ 1,646.00
Totals:		\$ 4,368.00	\$ 4,368.00

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

RESOLUTION 19- 184 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 #11 2019 Vouchers # 894-1001 in the amount of \$655,564.33

Trust & Agency Voucher # 5093-5102 in the amount of \$21,273.12

for a grand total of \$676,837.45

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>		

ADJOURNMENT:

RESOLUTION 19-185 to adjourn to executive session at 5:01PM to discuss personnel issues.

Motion by Councilperson Kerstetter; 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 19-186 to return from executive session at 5:37 PM.

ADJOURNMENT:

RESOLUTION 19-187 to adjourn the meeting:

Motion by Councilperson Kerstetter; 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 19-188 per request from the Owasco Fire Department to reprieve the labor cost on the invoice from the town for installation help with a septic tank at the Company #2 Station.

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>		

Meeting adjourned at 5:38 PM

Respectfully Submitted,

Tammy M. Flaherty Town Clerk