**TOWN BOARD MEETING MINUTES**

**OCTOBER 11, 2018**

**A Town Board Meeting of the Town of Owasco was held on October 11, 2018**

**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**

 **Councilperson Ashley Melendez**

**OTHERS PRESENT: Riccardo Galbato, Kathy O’Neil, Nancy Taylor, Daryl Hymes,**

**Megan Ernhart,**

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

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

**RESOLUTION 18-140 to approval of Town Board Agenda for October 11, 2018**

**Motion by Councilperson Gucciardi; Second Councilperson Knaul**

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes**

 **Councilperson Kerstetter Yes Councilperson Melendez Yes**

 **Supervisor Wagner Yes**

**APPROVAL OF MINUTES:**

**RESOLUTION 18-141 to approval of Town Board Minutes for September 13, 2018.**

**Motion by; Councilperson Kerstetter . Second Councilperson Gucciardi**

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes**

**Councilperson Kerstetter Yes Councilperson Melendez Yes**

**Supervisor Wagner Yes**

**COMMUNICATIONS:**

**Notice of violation from the DEC at the Water treatment Plants Lagoon.**

**\*John Carter-Water Dept. was notified that the testing that the lagoon testing came back high. John stated that he recently cleaned the lagoon, and it was stirred up, this may have been the caused the testing to come back high. The DEC retested with results due back in approx. two weeks.**

**PUBLIC PARTICIPATION:**

**Daryl Hymes resident of Adams Ave, addressed the board regarding the location of the proposed sidewalk “Walkable Owasco” project and also asked when the public hearing would be held.**

 **Mr. Hymes was shown the location maps and was informed of the public hearing date, would be October 30, 2018 ay 7:00pm.**

**NEW BUSINESS: Discussion on fees for pulling seasonal water meters.**

 **\* Tabled as the town wants to look at the cost of pulling then reinstalling of the meters.**

 **Discussion for fee’s on Owasco Lake Water Management Counsel.**

 **\* Will discuss at the 2019 Budget workshop.**

**Request from Highway Superintendent to purchase new pickup truck.**

 **\* Will also discuss at Budget workshop.**

 **OLD BUSINESS: Discussion LOCAL LAW NO. 2 OF 2018 TO ADOPT OWASCO TOWN CODE CHAPTER 122 ARTICLE IV SIDEWALKS.**

 **\* Town Attorney Riccardo Galbato went over the proposed Local Law #2 with the Town Board, and after conferring they will make some additions and changes. Rick will forward to Council the updates.**

**RESOLUTION 18-142 Authorize Town Supervisor, Ed Wagner to call the ban and start the process for the bond $1.999,000 for the Water Main Replacement Project, and sign all related documents.**

**Motion by Councilperson Gucciardi; Second Councilperson Knaul**

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes**

 **Councilperson Kerstetter Yes Councilperson Melendez Yes**

 **Supervisor Wagner Yes**

**RESOLUTION 18-143 TO SCHEDULE A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 2 OF 2018 TO ADOPT OWASCO TOWN CODE CHAPTER 122 ARTICLE IV SIDEWALKS.**

**RESOLVED** to authorize the Town Clerk to schedule and publish a public hearing for consideration of proposed Local Law No. 2 of 2018 to adopt Chapter 122 Article IV Sidewalks of the Owasco Town Code to provide regulations for sidewalks on portions of the Town including, Adams Avenue, Bristol Avenue, Letchworth Street and for approximately 1,000 feet of walking trail that connects Meadow Lane of the Oakridge Heights subdivision to Shearin Street.

 **Public Hearing scheduled for October 30, 2018 at 7:00pm, to be held at the Owasco Town Hall, 2 Bristol Ave, Auburn NY.**

**Motion by; Councilperson Kerstetter. Second Councilperson Gucciardi**

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes**

 **Councilperson Kerstetter Yes Councilperson Melendez Yes**

 **Supervisor Wagner Yes**

**RESOLUTION 18-144 to authorize the Town Supervisor to sign a Quit Claim Deed for an approximate 25’ by 725’ parcel which is a paper street initially entitled Argadia Ave. in Map 2-136 (east of paper street Zoar Street to Letchworth Street).**

**WHEREAS,** on or about 10.27.17 the Town was served with a Notice of Claim of ALL MEDIA 1, LLC v. TOWN OF OWASCO dated 10.27.17;

**WHEREAS,** the parties are desirous of resolving the issues alleged in the Notice of Claim in order to reach an amicable resolution;

**WHEREAS,** by letter dated 9.20.18 from Joseph A. Camardo, Jr. Esq., on behalf of All Media 1, LLC, the Town was provided a General Release from Joseph G. Demaio, Member of All Media 1, LLC to be held in escrow pending a quit claim deed and agreement that the Town has no further objection to the construction of a 6’ fence around the perimeter of All Media 1, LLC property;

**WHEREAS,** the property being transferred by quit claim deed is not part of the Planned Development District (PDD) of All Media, LLC approved 1.8.15 by the Town Board by the adoption and enactment of 89 Letchworth Commercial Planned Development District and Local Law No. 1 of 2015 as amended on 11.12.15 by Local Law No. 3 of 2015 for 89 Letchworth Street in the Town of Owasco, New York, and designated as Tax Map Number 123.11-1-70 and containing approximately 2.8 acres; and

**WHEREAS,** if All Media, LLC desired to have the property conveyed included in the existing PDD an application would have to be submitted to the Town for consideration pursuant to the Town Code and subject to a public hearing.

**RESOLVED,** that the Town Supervisor is authorized to sign a Quit Claim Deed for an approximate 25’ (measured approximately 29.9’) by 725’ parcel which is a paper street initially entitled Argadia Ave. in Map 2-136 (east of paper street Zoar Street to the west line of Letchworth Street) and other transfer documents including a TP-584 and RP-5217; and

**FURTHER RESOLVED,** that the Town Board has no objectionto the construction of a 6’ fence around the perimeter of All Media 1, LLC property and directs the Code Enforcement Officer to process a building permit application, if required for such a fence if and when an application is made.

**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**

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**RESOLUTION 18-145 to authorize the Town Supervisor to sign the transfer documents for portion of Tax Map No. 131.00-1-40.1 immediately north of the Town Highway Garage.**

**WHEREAS, on 7.12.18 by Resolution 18-106 the Town Board authorized the Town Supervisor to sign a contract to purchase property, approximately 10’ x 729’ located immediately north and next to the Town Highway Garage, portion of Tax Map No. 131.00-1-40.1 in the amount of $4,000.00; and**

**WHEREAS, on 10.9.18 the proposed transfer documents were received by the Town Attorney, Riccardo T. Galbato.**

**RESOLVED, that the Town Supervisor is authorized to sign the transfer documents for an approximate 10’ x 729’ located immediately north and next to the Town Highway Garage, portion of Tax Map No. 131.00-1-40.1 from Todd Post and Lisa Engert for $4,000.00 in accordance with the signed Purchase Contract and subject to Town Attorney approval.**

**FURTHER RESOLVED, that the Town of Owasco is authorized to issue payment at closing pursuant to an approved Statement of Sale.**

**Motion by Councilperson Gucciardi; Second Councilperson Knaul**

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes**

 **Councilperson Kerstetter Yes Councilperson Melendez Yes**

 **Supervisor Wagner Yes**

**RESOLUTION 18-146**

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|  | **Budget Modifications Recommendations** |  |
|  | **After Closing:** | **Sept** | **2018** |  |
|  |  |  |  |  |  |
|  |  |  |  ( - )  |  (+)  |  |
| **Notes** | **Acct #** | **Account Description** |  **Debit**  |  **Credit**  |  |
|  |   |   |   |   |  |
|  | A1010.400 | Town Board - Contractual |  $ 110.00  |   |  |
|  | A1220.403 | Supervisor - Training |  $ 110.00  |   |  |
|  | A1320.100 | Crossing Guards |  $ 495.00  |   |  |
|  | A1355.430 | Assessores - Legal Fees |  $ 535.00  |   |  |
|  | A5132.400 | Garage - Contractual |  $ 475.00  |   |  |
|  | A7140.200 | Playgrounds - Equipment |  $ 1,785.00  |   |  |
|  | A8160.430 | Refuse & Garbage - Misc |  $ 1,000.00  |   |  |
|  | A8510..400 | Community Beautification |  $ 1,200.00  |   |  |
|  | A8810.110 | Cemeteries - Personal Services |  $ 850.00  |   |  |
|  |   |   |   |   |  |
|  | ***A599*** | ***Appropriated Fund Balance*** |  ***$ -***  |   |  |
|  |   |   |   |   |  |
|  | A1220.130 | Supervisor - Clerk |   |  $ 220.00  |  |
|  | A1320.110 | Crossing Guards - Substitutes |   |  $ 495.00  |  |
|  | A5132.200 | Garage - Equipment |   |  $ 475.00  |  |
|  | A7140.131 | Shelter & Bathroom - Maint |   |  $ 540.00  |  |
|  | A7140.410 | Playgrounds - Misc |   |  $ 955.00  |  |
|  | A7140.430 | Playgrounds - Improvements |   |  $ 290.00  |  |
|  | A8160.406 | Refuse & Garbage - Utilities |   |  $ 1,385.00  |  |
|  | A8560.400 | Shade Trees - Contractual |   |  $ 2,200.00  |  |
|  |   |   |   |   |  |
|  |   |   |   |   |  |
|  | **Totals:**  |  **$ 6,560.00**  |  **$ 6,560.00**  |  $ -  |
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|  | **Acct #** | **Account Description** |  **Debit**  |  **Credit**  |  |
|  |   |   |   |   |  |
|  | DA5110.200 | General Repairs - Ditch Equipment |  $ 1,790.00  |   |  |
|  | DA5110.411 | General Repairs - Misc |  $ 973.00  |   |  |
|  | DA5112.411 | Improvements - Misc |  $ 602.50  |   |  |
|  | DA5130.411 | Machinery - Misc |  $ 602.50  |   |  |
|  |   |   |   |   |  |
|  | DA1930.400 | Judgement & Claims |   |  $ 973.00  |  |
|  | DA5130.200 | Machinery - Equipment |   |  $ 1,790.00  |  |
|  | DA9040.800 | Workers Comp |   |  $ 1,205.00  |  |
|  |   |   |   |   |  |
|  |   |   |   |   |  |
|  | **Totals:**  |  **$ 3,968.00**  |  **$ 3,968.00**  |  $ -  |
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|  | **Acct #** | **Account Description** |  **Debit**  |  **Credit**  |  |
|  |  |  |  |  |  |
|  | SS1-8120.110 | Sewage Collection - Personal Services |  $ 325.00  |   |  |
|  |   |   |   |   |  |
|  | SS1-8120.111 | Sewage Collection - Fleming Sewer Ins. |   |  $ 325.00  |  |
|  |   |   |   |   |  |
|  |   |   |   |   |  |
|  | **Totals:**  |  **$ 325.00**  |  **$ 325.00**  |  $ -  |
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|  | **Acct #** | **Account Description** |  **Debit**  |  **Credit**  |  |
|  |  |  |  |  |  |
|  | SS2-8120.461 | Sewage Collection - Grinder Pump NEW INSTALL |  $ 218.00  |   |  |
|  |   |   |   |   |  |
|  | SS2-8110.151 | Sewer Admin - Clerk Special Project |   |  $ 200.00  |  |
|  | SS2-9040.800 | Workers Comp |   |  $ 18.00  |  |
|  |   |   |   |   |  |
|  |   |   |   |   |  |
|  | **Totals:**  |  **$ 218.00**  |  **$ 218.00**  |  $ -  |
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|  | **Acct #** | **Account Description** |  **Debit**  |  **Credit**  |  |
|  |  |  |  |  |  |
|  | SS3-8120.411 | Sewage Collection - Energy Costs |  $ 1,233.50  |   |  |
|  |   |   |   |   |  |
|  | SS3-8110.151 | Sewer Admin - Clerk Special Projects |   |  $ 45.00  |  |
|  | SS3-8110.400 | Sewer Admin - Contractual |   |  $ 1.50  |  |
|  | SS3-8110.405 | Sewer Admin - Telephone |   |  $ 7.00  |  |
|  | SS3-8120.410 | Sewage Collection - Misc |   |  $ 1,013.00  |  |
|  | SS3-8120.458 | Sewage Collection - Repair/Cleaning |   |  $ 167.00  |  |
|  |   |   |   |   |  |
|  |   |   |   |   |  |
|  | **Totals:**  |  **$ 1,233.50**  |  **$ 1,233.50**  |  $ -  |
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|  | **Acct #** | **Account Description** |  **Debit**  |  **Credit**  |  |
|  |  |  |  |  |  |
|  | SW8397.200 | Water Equipment & Capital Outlay |  $ 5,150.00  |   |  |
|  |   |   |   |   |  |
|  | SW8310.410 | Admin - Repairs to Building |   |  $ 875.00  |  |
|  | SW8330.406 | Purification - Microcystin PERMANENT |   |  $ 4,275.00  |  |
|  |   |   |   |   |  |
|  |   |   |   |   |  |
|  | **Totals:**  |  **$ 5,150.00**  |  **$ 5,150.00**  |  $ -  |
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| NOTES: |  |  |  |  |
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|  | ***Special Note: Move $8,063.92 from the SS1 Escrow Account to Saving to help pay for the Principal payment on the Melrose/Havens serial debt that will be paid in October*** |
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**Motion by Councilperson Gucciardi; Second Councilperson Knaul**

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes**

 **Councilperson Kerstetter Yes Councilperson Melendez Yes**

 **Supervisor Wagner Yes**

**RESOLUTION 18-147 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 #10 2018 Vouchers # 782 - 866 in the amount of $422,590.08**

**Trust & Agency Voucher # 5464-5472 in the amount of $21,744.22**

**for a grand total of $444,334.30**

**Motion by Councilperson Gucciardi; Second Councilperson Knaul**

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes**

 **Councilperson Kerstetter Yes Councilperson Melendez Yes**

 **Supervisor Wagner Yes**

**ADJOURNMENT:**

**RESOLUTION 18-148 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 Yes**

 **Supervisor Wagner Yes**

**Meeting adjourned at 5:03 PM**