

**A Town Board Meeting of the Town of Owasco was held on September 12, 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, Gloria Cuddy, Jim Davia,
Mike Poorman, Pat Hunter, Marianne White, Paul Scott, Bob Warren, Lt. Wellauer,
Nathan VeVone, Mike Vitale.

CALL TO ORDER: 4:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 19-136 approval of Town Board Agenda for September 12, 2019.

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>		

APPROVAL OF MINUTES:

RESOLUTION 19-137 approval of Town Board Minutes for August 8, 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>		

PUBLIC PARTICIPATION:

Jim Davia- Melrose Rd, addressed the board again with concerns of neighbors having outside wood burning fires, as it is offensive and he and his wife must stay inside and shut their windows.

Nate VeVone addressed the board with concerns of speeding and the running of a stop sign and the corner of Letchworth and Vanduyne Ave, Nate showed a video of car after car running the stop sign at a high rate of speed, with many children and walkers in the area at the same time.

***Lieutenant Michele Wellauer** with the Cayuga County Sherriff's office addressed the town board and the residents as they receive many calls on a daily bases from all over the county

with the same issues. He stated that right now the county is short 9 deputies, however they have a few in the academy right now and will be beefing up patrols soon. The Sheriff's office has also received a grant and will be purchasing remote speed sensors that they will soon begin using. Lt. Wellauer also stated they will try to get some patrols around the town to address this issue.

Maryanne White, Zoar Street addressed the board with concerns of the small creek that runs behind her home on Letchworth, if the new owner puts in a culvert she is worried the yards will not have a place to drain, and or will the culvert be large enough to handle the water or will there be an overflow onto their properties. She also would like to know who actually owns the creek.

*Supervisor Wagner explained to all that Cayuga County Soil and Water have been evaluating and will be further evaluating the flow. Ed is waiting for a return reply from CC Soil & Water regarding the issue. Ed also stated that it may not be a creek it may be seasonal stream, or drainage ditch.

Gloria Cuddy also addressed the board with concerns of the creek flow, she also stated that it needs to be dredged again as it is full of weeds and is restricting the flow.

*Attorney Riccardo Galbato stated that the flow of water cannot be impeded by anyone.

Mr. Warren of Stryker Ave, asked if you could have a copy of the PDD.

*Supervisor Wagner stated absolutely, as it is public information, stop by Town Hall during normal hours of operation and pick it up.

Mr. Warren & Mrs. White were also upset the town did not offer the paper street also known as Acadia Street to the residents whose property adjoin the property.

COMMUNICATIONS: Shelter refund Mr. Archer request rented for August 24, 2019
(Contract states) *If you cancel your event you will not receive a refund unless the shelter is re-rented for that date. You will then only receive half of the rental fee!*

**Supervisor Wagner asked if any board member wanted to make a motion to refund the deposit. No board members made a motion therefore no action was taken on the request.

NEW BUSINESS:

OLD BUSINESS:

RESOLUTION 19-038 authorize Supervisor Wagner to sign agreement with Suzie Tracy for animal control for term January 1, 2020-December 31, 2020 yearly salary of \$3900.00 billed monthly at \$325.00 per month.

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 19-039 To Authorize the Town Supervisor to sign a Joint Services Agreement with the County of Cayuga

WHEREAS, the Town of Owasco will have a vacancy in the position of Town Assessor on October 1,

2019;

WHEREAS, under New York State Real Property Tax Law (“RPTL”) Section 1537, an assessing unit (town) and a county shall have the power to enter into, amend, cancel and terminate an agreement for appraisal, exemption or assessment services, and such agreement shall be considered an agreement for the provision of a “joint service” pursuant to NYS General Municipal Law Article 5-G (hereinafter, the “Joint Services Agreement”);

WHEREAS, on 8.8.19 the Owasco Town Board Town of Owasco adopted **Resolution 19-131** “To enter into an Agreement with the County of Cayuga for appraisal services and assessment purposes for the Town subject to permissive referendum pursuant to RPTL Section 1537;”

WHEREAS, on 8.16.19 the Town published notice of said Resolution in The Citizen; and

WHEREAS, the Parties are desirous of entering into a Joint Services Agreement for the period 10.1.19 thru 9.30.25 unless sooner terminated.

NOW, THEREFORE BE IT

RESOLVED, that the Town Supervisor is hereby authorized and directed to execute any and all documents required to implement the Joint Services Agreement between the Town of Owasco and Cayuga County subject to Town Attorney approval.

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 19-040 To authorize the Town Supervisor to sign a Grant of Right-of-Way and Easement with Robert C. Merritt for property at 324 Fire Lane 3, Tax Map No. 131.03-1-1.

WHEREAS, in 2017 the Town constructed and relocated in part the Town’s Pump House at 320 Fire Lane 3, Tax Map No. 131.03-1-75 as part of Owasco Water District Improvements Phase II: Low Lift and High Lift Pump Station Improvements Contract Nos. 2A and 2B;

WHEREAS, the Town was recently advised that a significant portion of the Town’s Pump House is located on the property of Robert C. Merritt at 324 Fire Lane 3, Tax Map No. 131.03-1-1 pursuant to a survey map from Watkins Land Surveying PLLC dated 7.5.19;

WHEREAS, Robert C. Merritt and the Town of Owasco are willing to resolve the encroachment by executing a Grant of Right-of-Way and Easement

RESOLVED, that the Town Supervisor is authorized to sign a Grant of Right-of-Way and Easement with Robert C. Merritt for property at 324 Fire Lane 3, Tax Map No. 131.03-1-1 along with the TP-584 form subject to Town Attorney approval.

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 19-041 to authorize supervisor to sign contract with Spectrum/Charter for phone and internet services.

WHEREAS, the town compared prices and services between Spectrum and Verizon

WHEREAS, the town has had Spectrum for the last few years, and the Spectrum price is \$22.00 less per year than Verizon.

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 19-042 To approve recommended Budget Modifications for September 2019.

Budget Modifications Recommendations

After Closing: August 2019

Notes	Acct #	Account Description	(-)	(+)
			Debit	Credit
	A1220.401	Supervisor - Year End	\$ 9,908.00	
	A1355.430	Assessor - Legal Fees	\$ 375.00	
	A1620.230	Buildings - Repair	\$ 200.00	
	A1620.240	Buildings - Computer	\$ 580.00	
	A1620.411	Buildings - Computer Maint	\$ 600.00	
	A7140.200	Playgrounds - Equipment	\$ 6,033.00	
	<i>A599</i>	<i>Appropriated Fund Balance</i>	<i>\$ -</i>	
	A1620.241	Buildings - Computer/Server		\$ 3,940.00
	A7140.130	Playground Maintenance		\$ 1,751.00
	A7140.132	Playground - ADA Playground Build		\$ 6,070.00
	A7140.201	Shelter & Bathroom Equip		\$ 470.00
	A7140.431	Playgrounds - ADA Improvement Project		\$ 290.00
	A8097.400	2019 Wetland Remediation - Contractual		\$ 5,175.00
		Totals:	\$ 17,696.00	\$ 17,696.00

Acct #	Account Description	(-)	(+)
		Debit	Credit
DA5130.213	Machinery - 3/4 Ton Truck	\$ 10,305.00	
DA5130.415	Machinery - Equipment Parts		\$ 9,540.00
DA5130.417	Machinery - Equipment Rental		\$ 535.00
DA5140.110	Brush & Weeds - Personal		\$ 230.00
	Totals:	\$ 10,305.00	\$ 10,305.00

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

ADJOURNMENT:

RESOLUTION 19-044 to adjourn to executive session at 4:48 to discuss personnel issues & possible litigation.

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 19-045 to return from executive session at 5:04 PM.

Motion by **Councilperson Knaul**; Second **Councilperson Kerstetter**

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 19-046 to adjourn the meeting:

Meeting adjourned at 5:04 PM

Respectfully Submitted,

Tammy M. Flaherty