

TOWN BOARD MEETING MINUTES
April 13, 2017

Town Board Meeting of the Town of Owasco was held on April 13, 2017 at 5:00 PM in the Owasco Town Hall with the following members present:

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

OTHERS PRESENT: Nancy Taylor, Bob Bruno, Gary Colella, Virginia & Davis Kentner, Kathy Kerstetter.

CALL TO ORDER: 5:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 17-062 approval of Town Board Agenda for April 13, 2017

Motion by Councilperson Gucciardi; Second Councilperson Melendez

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

APPROVAL OF MINUTES:

RESOLUTION 17-063 approval of Town Board Minutes for March 9, 2017

Motion by Councilperson Kerstetter ; Second Councilperson Melendez

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

PUBLIC PARTICIPATION:

Presentation from a representative of GHD-

Steven with GHD gave the presentation on the process they will be implementing for the Micro- Cystine control at the water treatment plant.

Tim Quinn has asked to address the Town Board- Tim stated that he has retired from the prison system and was inquiring employment with the town.

Resolved: The town board will discuss.

David Kentner address the board on reimbusment for his unused recycling stickers.
Resolved: Bob Bruno reached into his own pocket and handed Mr. Kentner money.

COMMUNICATIONS:

Letter from Sharon Ross dated 3.30.17 requesting for an extension of the sewer line for her property on Glenbrook Drive Tax Map No. 123.04-1-65.

NEW BUSINESS:

RESOLUTION 17-064 to authorize the creation of two (2) part time labor positions with Cayuga County Civil Service.

Motion by **Councilperson Gucciardi**; Second **Councilperson Melendez**

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

RESOLUTION 17-065 to authorize the Town Supervisor to sign Change Order No. 1 for the Owasco Water District Improvements: Phase I Contract No. 1.

WHEREAS, this Change Order includes the following additional work items:

Description and Reason for Change Order: This Change Order includes the following additional work items:

Highlander Construction had to tap an 8” DI water main that runs to the current Melrose Road tank. Originally, an abandoned water main (that was thought to be the correct main) was tapped. This was an unforeseen condition as all the available drawings and records showed the abandoned water main as a live water main. It was agreed upon by Town representatives and Highlander Construction at a job meeting to perform this work on a Time and materials basis. The cost of this change order DOES NOT include restoration.

Change Order Cost: This change order has a cost of \$33,608.74. The amount was verified by the Town’s onsite representatives.

Time Extension: A 30 day time extension will be provided through the execution of this Change Order. All work of the Contract shall be substantially completed by March 31, 2017.

Revised Contract Amount:

Original Contract No. 1 Amount:	\$1,266,333.00
Contract No. 1 – Change Order No. 1: (THIS CHANGE ORDER)	<u>\$33,608.74</u>

Revised Contract No. 1 Amount: ***\$1,299,941.74***

WHEREAS, upon recommendation of the Town Engineer, Clerk of the Works and the Town Board Liaison

NOW THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to sign Change Order No. 1 for the **Owasco Water District Improvements: Phase I Project Contract No. 1** and hereby consents to the Town Engineer signing same **Change Order No. 1**.

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 17-066 to authorize the Town Supervisor to amend the Professional Engineering Services Proposal for Microcystin Treatment and Water Quality Improvement Project dated 1.6.17 from Stephen Waldvogel, PE of GHD.

WHEREAS, New York State has awarded the Town of Owasco a grant of \$75,000 for Engineering Service for treatment of Microcystin and for water quality improvements.

WHEREAS, the original amount cost of \$21,700.00 set forth in the proposal is to be amended not to exceed \$75,000.00.

RESOLVED, that the Town Supervisor is authorized to amend the Professional Engineering Services Proposal for Microcystin Treatment and Water Quality Improvement Project dated 1.6.17 from Stephen Waldvogel, PE of GHD.

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 17-067 to obtain Request for Proposals for all professional services, including Auditor, Legal and engineering for the Town of Owasco.

Authorizing the Town Clerk to advertise and for all professional services for Request for Proposals in order to prepare and complete Audits for the Town of Owasco for 2017 and 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

Resolution 17-068 to approve a Negative Declaration under SEQRA for the Town of Owasco Playground improvement project.

**RESOLUTION DETERMINING THAT THE PROPOSED TOWN OF OWASCO
PLAYGROUND AND SPLASH PAD PROJECT IS AN UNLISTED ACTION AND
WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

WHEREAS, the Town of Owasco (the “Town”) is proposing to complete the Town of Owasco Playground and Splash Pad Project in Owasco, Cayuga County, New York (the “Project”); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617 (the “Régulations”), the Town desires to comply with SEQRA and the Regulations with respect to the Project; and

WHEREAS, on January 23, 2017 the Town authorized a letter and Part 1 of the Short Environmental Assessment Form (SEAF) to be sent to other potentially “involved agencies” and “interested agencies” (as these quoted terms are defined in the Regulations), indicating the Town

of Owasco Town Board's ("Town Board") desire to serve as "lead agency" (as this quoted term is defined in the Regulations) for a coordinated review under SEQRA of the Project; and

WHEREAS, each of the involved agencies or potentially involved agencies has agreed to or raised no objections to the Town Board serving as lead agency of the Project; and

WHEREAS, pursuant to the Regulations, the Town Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the SEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the SEAF, and (c) thoroughly analyzing the areas of relevant environmental concern.

NOW, THEREFORE, BE IT

RESOLVED, that based upon an examination of the SEAF and based further upon the Town Board's knowledge of the area surrounding the Project and such further investigations of the Project and its potential environmental impact as the Town Board has deemed appropriate, the Town Board makes the following findings and determinations: the Project constitutes an "unlisted action" (as the quoted term is defined in the Regulations); and no significant adverse environmental impacts are noted in the SEAF for the Project and none are known to the Town Board. Therefore, the Town Board hereby determines that the Project will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement with respect to the Project; and

BE IT FURTHER RESOLVED, that as a consequence of such findings and declaration and in compliance with the requirements of SEQRA and the Regulations, the Town Board, as stated in the Determination of Significance section of the completed Short Environmental Assessment Form, hereby directs the Town Supervisor to issue a Negative Declaration determination in accordance with 6 NYCRR § 617.12; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Supervisor to publish notice of and file a copy of the Negative Declaration for the Project in accordance with the Regulations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

The question of the adoption of the forgoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Motion by: Councilperson Gucciardi. Second Councilperson Kerstetter

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

RESOLUTION 17-069 to approve the Town of Owasco Playground and Splash Pad as s an estimated cost of \$456,000.00.

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>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 17-070 To Approve and Authorize the Town Supervisor to sign a Memorandum of Understanding and the Proposal for Engineering Services from Kenneth M. Knutsen, P.E. from Barton & Loguidice dated 4.5.17 regarding Preliminary Engineering Report for a Potential Springport-Fleming-Owasco Joint Water Project.

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>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 17- 071 To Authorize the Town Supervisor to the Contract To Purchase with Todd R. Post and Lisa Engert for a portion of premises on East Lake Road Tax Map No. 131.00-1-40 immediately north of the Town Highway Garage parcel.

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>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 17-072 To Authorize the Town Supervisor to sign the Eminent Subscription and Order Form dated 12.2.16 in the amount of \$6,060.00 for Asset Management.

Motion by Councilperson Gucciardi; Second Councilperson Melendez

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

RESOLUTION 17-073 to stop payment of the \$10,000.00 stipend to John Carter, Public Works Utility Worker II effective immediately.

WHEREAS, the Civil Service Employee Association, the current collective bargaining representative for all full-time, non-supervisory employees of the Owasco Recycling, Highway and Water Departments, expressed its objection to the issuance of the \$10,000 stipend to Mr. John Carter which began on or about 1.1.17; and

WHEREAS, the Town of Owasco has considered CSEA’s objection regarding payment of the \$10,000 stipend to Mr. John Carter.

RESOLVED, that the Town of Owasco will stop payment of the \$10,000 stipend to Mr. John Carter, Public Works Utility Worker II, effective immediately.”

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>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 17-074 **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 #04 2017 Vouchers # 242-325 in the amount of \$ **475,426.16**

Trust & Agency **Voucher # 5289-5297** in the amount of \$ **24,623.93**

for a grand total of **\$500,050.09.**

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>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

DISCUSSION: possible parking lot expansion next to the town shelter.

Resolved: Bob Bruno will get some estimates for materials, Ed will approach Owasco Fire Department asking if they would contribute to the materials and the town would install the parking lot.

RESOLUTION 17-075 to adjourn to executive session at **7:40** to discuss possible litigation, pending litigation, contract negotiations and personnel issues.

Motion by **Councilperson Kerstetter ;** Second **Councilperson Melendez**

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

Resolution 17-076 - to return from executive session at **8:20 PM.**

Resolution 17-076 B- to schedule a public hearing to approve property located on Glen Brook Drive, tax map number 123.04-1-65 to be included into sewer district #2.

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

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

ADJOURNMENT:

Resolution 17-76 C to adjourn the meeting:

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

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

Meeting adjourned at **8:21 PM**