

A Town Board Meeting of the Town of Owasco was held on April 8, 2010 at 7:00 PM in the Owasco Town Hall with the following members present:

PRESENT:

**Councilperson, Gino Alberici
Councilperson, Tony Gucciardi
Councilperson, Terrence Lattimore
Councilperson, Edward Wagner
Supervisor, John J. Klink**

ABSENT:

OTHERS PRESENT: Laurel Auchampaugh, John Smith, Wanda Zach, Stanley Czolowski, Jack Gilfus, Pat Doyle Code Enforcement Officer and Rick Galbato Town Attorney.

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

Resolution 10-061 approval of Town Board Agenda for April 8, 2010.

Motion by Councilperson Alberici; Second Councilperson Lattimore.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

APPROVAL OF MINUTES:

Resolution 10-062 approval of Town Board Minutes for March 11, 2010.

Motion by Councilperson Lattimore; Second Councilperson Lattimore.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

PUBLIC PARTICIPATION:

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REPORT: CAYUGA REGIONAL WATER AND SEWER SYSTEM PROJECT INTER-MUNICIPAL TASK FORCE INFORMATION – AMAWALK CONSULTING GROUP, LLC.

COMMUNICATIONS:

- Letter from Assembly Minority Leader thanking the Town of Owasco for the use of the Town Hall on Saturday, March 13, 2010 for a Town Hall Meeting.

COMMITTEE REPORTS:

Supervisor’s monthly financial report	Zoning Board Chairman David Kalabanka	Planning Board Chairman Richard Knaul
Highway Superintendent, Public Works Superintendent Michael Wilson	Assessor Kim Gridley	Code Enforcement Officer Patrick Doyle
Town Historian Laurel Auchampaugh	Truck Traffic John Klink	
Cayuga County Water Quality Management Agency and Owasco Lake Standing Committee Ed Wagner	Recycling Center Ed Wagner	Owasco Lake Watershed Inspection Committee John Klink
Councilperson Meeting Reports	Playground Committee	

OLD BUSINESS:

NEW BUSINESS:

Resolution 10-63 to appoint Sandy Sheridan as Chairperson of the Recreation Board for 1 Year ending 2011 for a stipend of \$4000.00 per year. Pro Rated for 2010 as of today.

Motion by Councilperson Alberici Second Councilperson Lattimore

**Roll call vote: Councilperson Alberici Yes Councilperson Gucciardi Yes
 Councilperson Lattimore Yes Councilperson Wagner No
 Supervisor Klink Yes**

Resolution 10-64 to amend and adopt the Town of Owasco Cross-Connection Control Program Rules and Regulations

WHEREAS, Owasco Town Code Section 144-35 Cross-Connections states that “All cross-connections shall be made in accordance with the requirements of the Town of Owasco Water Department as provided for in Section 144-44”; and

WHEREAS, Owasco Town Code Section 144-44 allows for the Town Board to approve Rules and Regulations; and

WHEREAS, on March 11, 2010 by Resolution 10-050 the Town of Owasco Town Board adopted the Town of Owasco Cross-Connection Control Program Rules and Regulations dated March 11, 2010; and

WHEREAS, the Town Engineers have recommended that the sentence “In any case, a minimum of a dual check valve will be required in any new construction.” be removed from Section VI(A)(1); and

WHEREAS, the Town Board wishes to make this change to the existing Town of Owasco Cross-Connection Control Program Rules and Regulations.

BE IT RESOLVED, that the Town Board amends and adopts the Town of Owasco Cross-Connection Control Program Rules and Regulations dated March 11, 2010 and revised on April 8, 2010.

FURTHER RESOLVED, that a copy of the Town of Owasco Cross-Connection Control Program Rules and Regulations dated March 11, 2010 and revised on April 8, 2010 shall be filed with the Town Clerk, the Town of Owasco Water Department and Cayuga County Health Department.

. Motion by Councilperson Gucciardi Second Councilperson Lattimore

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 10-065 Determining that the action to construct Owasco Sewer District No. 3 will not have a significant adverse impact on the environment and issue a Negative Declaration under SEQRA.

WHEREAS, the Town of Owasco (the “Town”) is proposing to create Sewer District No. 3 in the Town of 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 “Regulations”), the Town desires to comply with SEQRA and the Regulations with respect to the Project; and

WHEREAS, on 11/12/09 the Town Board passed the following Resolution 09-189

“Resolution 09-189 RESOLUTION ESTABLISHING THE OWASCO TOWN BOARD’S INTENT TO BE LEAD AGENCY

WHEREAS, the Town of Owasco (the “Town”) seeks to create Owasco Sewer District No. 3 (“Project”); and

WHEREAS, the Project is an “action” as defined by the State Environmental Quality Review Act (“SEQRA”) and the State Environmental Review Process (“SERP”); and

WHEREAS, the SEQRA and the regulations thereunder require a Lead Agency to undertake a review of the potential environmental impacts, if any, associated with the Project before approving same; and

WHEREAS, that Town Board has carefully considered the nature and scope of the proposed Project, as set forth in Part 1 of the Full Environmental Assessment Form prepared with respect to the Project;

NOW, THEREFORE, BE IT

RESOLVED, that the proposed action is classified under SEQRA as a Type I action within the meaning of 6 NYCRR 617.2; and

BE IT FURTHER RESOLVED, that the Town Board hereby assumes the role as lead agency for the Project; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Supervisor to sign the Long Environmental Assessment form and notify interested and involved agencies of the Town Boards’ intention to be lead agency for this action unless it receives written objection to this determination within thirty (30) calendar days from the date of mailing of such notice.

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

WHEREAS, on 12/7/09 the town caused letters and Part 1 of the EAF to be sent to other potentially “involved agencies” and “interested agencies” indicating the Town of Owasco Town Board’s (“Town Board”) desire to serve as “lead agency” 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 for a coordinated review under SEQRA of the Project; and

WHEREAS, the Town has received the following letters that were sent to the Town’s Engineer, Barton & Loguidice, P.C.:

Letter from Ruth L. Pierpont of the New York State Office of Parks, Recreation and Historic Preservation dated 6/11/09; and

Letter from Tara Salerno of the New York State Department of Environmental Conservation dated 6/9/09.

WHEREAS, the Town has received the following letters:

Letter from Geoff Milz from the Cayuga County Department of Planning & Economic Development dated 12/18/09; and

Letter from Janis M. Gross from the State of New York Department of Transportation dated 12/23/09; and

Letter from Elizabeth A. Tracy of the New York State Department of Environmental Conservation dated 1/8/10.

WHEREAS, the Town has also received the Cayuga County Planning NYS GML Section 239 L, M & N Referral Report Form Final Determination dated 12/17/09 indicating that the Board recommends returning with no comment because no intermunicipal impacts could be discerned; 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 EAF for the Project, including the facts and conclusions in Parts 1 and 2 of the EAF, together with other available supporting information, to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the areas of relevant environmental concern.

WHEREAS, the purpose of Sewer District No. 3 is to make available sanitary sewer service of approximately 203 properties which are now serviced by septic systems and therefore this Project will benefit Owasco Lake given its proximity.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby establishes itself as lead agency for the Project; and

BE IT FURTHER RESOLVED, that based upon an examination of the EAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, 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 a "Type 1 action"; and no significant adverse environmental impacts are noted in the EAF 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 issues a Negative Declaration; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Town Board approves the State Environmental Quality Review Negative Declaration Notice of Determination of Non-Significance; 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.

Motion by Councilperson Wagner; Second Councilperson Alberici.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

OTHER:

AUDIT AND PAYMENT OF CLAIMS:

Resolution 10-066 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 10-016 adopted January 14, 2010, all in accordance with the attached abstract of claims.

ABSTRACT # 4. 2010 Vouchers 212 – 274 for a total of \$196,853.63

Motion by Councilperson Alberici; Second Councilperson Lattimore.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 10-067 to adjourn to executive session at 8:58 PM to discuss personnel issues. Contract negotiations and possible litigation.

Motion by Councilperson Wagner; Second Councilperson Lattimore.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 10-068 to return from executive session at 9:32 PM.

Motion by Councilperson Alberici; Second Councilperson Gucciardi.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 10-069 to call for a Special Meeting / Workshop on April 14, 2010 at 3:00 PM at The Town of Owasco Town Hall, 2 Bristol Ave. Auburn, NY 13021.

Motion by Councilperson Lattimore; Second Councilperson Wagner.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

ADJOURNMENT:

Resolution 10-070 to adjourn the meeting:

Motion by Councilperson Gucciardi; Second Councilperson Alberici.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Lattimore <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Meeting adjourned at 9:35 P.M.

Robert A. Shaw Town Clerk