

A Town Board Meeting of the Town of Owasco was held on March 12, 2009 at 7:00 PM in the Owasco Town Hall with the following members present:

PRESENT:

Councilperson, Gino Alberici
Councilperson, Doug Buchanan
Councilperson, Art Richardson
Councilperson, Edward Wagner
Supervisor, John J. Klink

ABSENT:

OTHERS PRESENT: Richard Knaul Planning Board Chairman, Kim Gridley Assessor, Laurel Auchampaugh Town Historian, Robert Westover, Brian M. Casler, Jack Gilfus, Tom Klink, Nancy Taylor, Robert Shaw Town Clerk, Mike Wilson Superintendent of Public Works, Rick Galbato Town Attorney and Stan Czolowski.

CALL TO ORDER: 7:00

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

Resolution 09- 053 approval of Town Board Agenda for March 12, 2009.

Motion by **Councilperson Richardson**; Second **Councilperson Alberici**.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

APPROVAL OF MINUTES:

Resolution 09-054 approval of Town Board Minutes for February12, 2008.

Motion by **Councilperson Buchanan**; Second **Councilperson Wagner**.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

PUBLIC PARTICIPATION:

PUBLIC HEARING: OPENED: 7:17 PM

Local Law No. 1 of 2009 of the Town of Owasco.

Resolution 09-055. To close the Public Hearing at 7:21 PM

Motion by **Councilperson Richardson**; Second **Councilperson Alberici**.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

COMMUNICATIONS:

- Proposal from Barton & Loguidice, P.C. for Engineering Services – Map, Plan and Report, Environmental Review and Funding Application Assistance for SD #3.
- Owasco Town Court 2008 Yearly Report
- Proposal from Pipevision, Inc. Close-Circuit Televising and light cleaning of approximately 7,300 lf of sanitary sewer.

- **Proposal from Barton & Loguidice, P.C. For Engineering Services to complete a plan of action (POA) for the Town Hall Road Bridge for a lump sum of \$500.**
- **E-mail from Robert Game City of Auburn concerning a Grant for a study “Cayuga Regional Water and Sewer System Feasibility Study” project in conjunction with the Towns of Aurelius, Fleming, Owasco, Sennett and Throop, and the Cayuga County Water & Sewer Authority.**
- **DEC approval of the Owasco Sewer District No. 1, Contract No. 3, Archie Street Rehabilitation**
- **Letter from the NYS Office of Real Property Services for the Residential Assessment Ratio for the Town of Owasco for 2009 76.39**
- **Town Clerks Monthly Report for the Month of February 2009**
- **Town Tax Collectors Report as of March 5, 2009 we have collected \$3,496,670.16**
- **Letter form the Citizens Assessment Advisory Board**

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	Newsletter / Web Site Lonna Vrooman
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 Art Richardson	

OLD BUSINESS:

NEW BUSINESS:

Resolution 09-055. Of the Town Board for the adoption and enactment of Local Law No. 1 of 2009 to amend Article II Senior Citizens Tax Exemption, Section 130-5 Percent of exemption granted, of the Town Code of the Town of Owasco.

WHEREAS, a Resolution was adopted by the Town Board on February 12, 2008 introducing proposed Local Law No. 1 of 2009 and established a public hearing relating thereto; and

WHEREAS, a Notice of Public Hearing with respect to said proposed Local Law was duly published in The Citizen, the official Town newspaper and a newspaper circulated in said Town on March 6, 2009, and proof of such publication has been filed with the Town Clerk, and

WHEREAS, a Notice of Public Hearing with respect to such Local Law was duly posted on the sign board of the Owasco Town Hall, and

WHEREAS, a Public Hearing upon said proposed Local Law was held at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021, in the Town of Owasco, New York on this date, March 12, 2009, pursuant to such Notice, and an opportunity to be heard was given at said hearing to those favoring or opposing passage of said proposed Local Law; and

WHEREAS, the Town Board has carefully considered the proposed Local Law; and after due deliberation, finds it is in the best interest of the Town of Owasco to adopt said Local Law;

NOW, THEREFORE, AFTER DUE CONSIDERATION, IT IS HEREBY,

RESOLVED, that the Town Board hereby appoints itself “Lead Agency” for purposes of SEQRA and finds the proposed action to be an Unlisted action and has determined that there will be no adverse environmental impacts and thus makes a negative declaration under SEQRA; and it is further

RESOLVED, that the Town Board of the Town of Owasco, pursuant to the authority of the Municipal Home Rule Law of the State of New York and the New York Town Law, does hereby enact Local Law No. 1 of 2009 to amend Article II Senior Citizens Tax Exemption, Section 130-5 Percent of exemption granted, of the Town Code of the Town of Owasco, to read as follows:

Section 130-5 Percent of exemption granted.

The maximum annual income range for partial real property tax exemptions from the Town of Owasco for persons of the age of 65 years or over, pursuant to and in accordance with § 467, Subdivision 1(b), of the Real Property Tax Law, is as specified in the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
\$19,400 or less	50%
\$19,401 to \$20,300	45%
\$20,301 to \$21,200	40%
\$21,201 to \$22,100	35%
\$22,101 to \$23,000	30%
\$23,001 to \$24,000	25%
\$24,001 to \$25,000	20%

RESOLVED, that such Local Law shall henceforth be designated Local Law No. 1 of 2009; and it is further

RESOLVED, that the Town Clerk shall immediately file certified copies of said Local Law with the Secretary of State, as required by law; and it is further

RESOLVED, that said Local Law shall become effective immediately upon the filing with the Secretary of State.

Motion by Councilperson Alberici; Second Councilperson Richardson.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 09- 056 to call for a Public Hearing on Local Law No. 2 of 2009 on correcting the Table of Dimensional Requirements side setbacks.

Motion by Councilperson Buchanan; Second Councilperson Alberici.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 09- 057 to call for a Public Hearing on Local Law no. 3 of 2009, to correct Local Law No. 1 of 2007 on correcting the date from 1985 to 1995.

Motion by Councilperson Richardson; Second Councilperson Alberici.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

RESOLUTION 09-058 to adopt the Facilities Plan and Map and Plan for the Owasco Sewer District No. 1 Improvements Havens Avenue/Melrose Road Area in accordance with Town Law Section 202-b

WHEREAS, the Town Board of the Town of Owasco has caused a Facilities Plan and Map and Plan for the Owasco Sewer District No. 1 Improvements Havens Avenue/Melrose Road Area dated September 2008 together with an estimate of the cost of the improvements to be prepared by Barton & Loguidice, P.C., Engineers; and

WHEREAS, on October 28, 2008 by Resolution 08-214 the Town Board directed the Town Clerk to schedule a Public Hearing for November 13, 2008 at the Town of Owasco Town Hall, 2 Bristol Avenue, Auburn, New York at 7:00 p.m. for the purpose of the reconstruction of the sewer system of Sewer District No. 1, at Havens Avenue/Melrose Road area including a new pump station and force main, replacement of gravity sewers and the acquisition of land or rights in land and original furnishings, equipment, machinery or apparatus at an estimated cost of \$1,569,000; and

WHEREAS, a Notice of Public Hearing with respect to said proposed project was duly published in The Citizen, the official Town newspaper and a newspaper circulated in said Town on October 30, 2008, and proof of such publication has been filed with the Town Clerk; and

WHEREAS, a Notice of Public Hearing with respect to such proposed project was duly posted on the sign board of the Owasco Town Hall; and

WHEREAS, on November 13, 2008 a Public Hearing upon said proposed project was held at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021, in the Town of Owasco, New York, pursuant to such Notice, and an opportunity to be heard was given at said hearing to those favoring or opposing passage of said proposed project; and

WHEREAS, on November 13, 2008 by Resolution 08-228 the Town Board declared that the proposed action constituted a Type II Action under 6 NYCRR Section 617.5(c)(29), and no further action under the SEQRA Act and the Regulations were required; and

WHEREAS, on November 13, 2008 by Resolution 08-229 the Town Board approved a Bond Resolution authorizing the issuance of \$1,569,000 Serial Bonds to finance the cost of improvement for Sewer District No. 1 (Havens Avenue/Melrose Road Area); and

WHEREAS, an Estoppel Notice was duly published in The Citizen, the official Town newspaper and a newspaper circulated in said Town on November 17, 2008, and proof of such publication has been filed with the Town Clerk; and

WHEREAS, the Town Board has carefully considered this project, and after due deliberation, determines that it is in the public interest to construct the proposed improvement; and

BE IT RESOLVED, that the Town Board hereby adopts the Facilities Plan and Map and Plan for the Owasco Sewer District No. 1 Improvements Havens Avenue/Melrose Road Area dated September 2008 from Barton & Loguidice, P.C. in accordance with the Town Law and Town Law Section 202-b.

Motion by Councilperson Richardson; Second Councilperson Buchanan.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 09- 059 to approve the Town of Owasco to advertise for bid for Owasco Sewer District No. 1, contract No. 3, Archie Street rehabilitation, to be opened on Monday April 6, 2009 at 2:00 PM. Or as otherwise determined by the Supervisor.

Motion by Councilperson Richardson; Second Councilperson Alberici.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 09- 060 as recommended by Barton & Loguidice to accept an agreement with Savin Engineers, P.C. for Wet-Weather Flow Monitoring for the Sewer District No. 1 Improvements Havens Avenue/Melrose Road Area

Motion by Councilperson Richardson; Second Councilperson Wagner.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 09-061 for the preparation of maps and plans for sewer services in a portion of the Town to be known as Town of Owasco Sewer District No. 3 pursuant to Town Law Section 191-a.

WHEREAS, the Town Board of the Town of Owasco is considering providing sanitary sewer services to a portion of the Town to be known as Owasco Sewer District No. 3; and

WHEREAS, the Town Board has sent out surveys to property owners in this portion of the Town contemplated as Sewer District No. 3;

BE IT RESOLVED, that the Town Board hereby adopts this resolution pursuant to Town Law Section 191-a appropriating up to \$40,000 to pay the cost of preparing a general map and plan and related expenses for providing sewer services to a portion of the town to be known as Town of Owasco Sewer District No. 3, which is not currently included within the boundaries of the existing Town Sewer District No. 1 and Sewer District No. 2;

FURTHER RESOLVED, that the expenses incurred for the preparation of such maps and plans and related expenses shall be a town charge, and shall be assessed, levied and collected in the same manner as other town charges; and

FURTHER RESOLVED, that if the Town Board shall thereafter establish or extend a sewer district and construct a sewer system pursuant to the Town Law, the expenses incurred by the Town for the preparation of the maps and plans and related expenses shall be deemed to be part of the cost of such improvement, and the Town shall be reimbursed the amount paid therefor, or such portion of that amount which the Town Board, at the public hearing held pursuant to Town Law Section 194, shall allocate against such district; and

FURTHER RESOLVED, that pursuant to Town Law Section 191-a, this Resolution is adopted **subject** to a permissive referendum.

Motion by Councilperson Buchanan; Second Councilperson Alberici.

Roll call vote: Councilperson Alberici Yes Councilperson Buchanan Yes
Councilperson Richardson Yes Councilperson Wagner Yes
Supervisor Klink Yes

Resolution 09-062 The Town Board authorizes the Town Supervisor to sign the Proposal for Engineering Services for Task No. 1 Map, Plan and Report (Base Scope) from Barton & Loguidice, P.C. dated March 4, 2009 in the amount of Sixteen Thousand Dollars (\$16,000). This Resolution is subject to resolution 09-061 above and the time period for a permissive referendum pursuant to Town Law Section 191-a.

Motion by Councilperson Richardson; Second Councilperson Alberici.

Roll call vote: Councilperson Alberici Yes Councilperson Buchanan Yes
Councilperson Richardson Yes Councilperson Wagner No
Supervisor Klink Yes

Resolution 09-063 to change the time for our April 9th, 2009 Town Board Meeting from 7:00 PM to 3:00PM

Motion by Councilperson Alberici; Second Councilperson Buchanan.

Roll call vote: Councilperson Alberici Yes Councilperson Buchanan Yes
Councilperson Richardson Yes Councilperson Wagner Yes
Supervisor Klink Yes

OTHER:

AUDIT AND PAYMENT OF CLAIMS:

Resolution 09- 064 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 09-017 adopted January 8, 2009, all in accordance with the attached abstract of claims.

ABSTRACT # 3. 2009 Vouchers – 117 through 181 in the amount of \$93,043.87

Motion by Councilperson Buchanan; Second Councilperson Alberici.

Roll call vote: Councilperson Alberici Yes Councilperson Buchanan Yes
Councilperson Richardson Yes Councilperson Wagner Yes
Supervisor Klink Yes

Resolution 09- 065 to adjourn to executive session at 9:27 PM to discuss personnel issues.

Motion by Councilperson Wagner; Second Councilperson Buchanan.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Resolution 09- 066 to return from executive session at 9:45 PM.

Motion by Councilperson Alberici; Second Councilperson Buchanan.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

ADJOURNMENT:

Resolution 09- 067 to adjourn the meeting:

Motion by Councilperson Wagner; Second Councilperson Alberici.

Roll call vote:	Councilperson Alberici <u>Yes</u>	Councilperson Buchanan <u>Yes</u>
	Councilperson Richardson <u>Yes</u>	Councilperson Wagner <u>Yes</u>
	Supervisor Klink <u>Yes</u>	

Meeting adjourned at 9:47 P.M.

Robert A. Shaw Town Clerk