

**A Town Board Meeting of the Town of Owasco was held on June 11, 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: Tom Klink, Nancy Taylor, Robert Westover, Kathy Barran The Citizen, Laura Vrooman Newsletter/Web Site, Patrick Doyle Code Enforcement Officer, Robert Shaw Town Clerk, and Rick Galbato Town Attorney**

**CALL TO ORDER: 7:00 PM**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

**Resolution 09- 105 approval of Town Board Agenda for June 11, 2009.**

**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**

**APPROVAL OF MINUTES:**

**Resolution 09- 106 approval of Town Board Minutes for May 26, 2009.**

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

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

**PUBLIC PARTICIPATION:**

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**Continuation of Public Hearing Local Law No. 2 of 2009 Started at 7:03 PM**

**Resolution 09-107 to close the Public Hearing on Local Law No. 2 of 2009 at 7:04 PM**

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

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

**Continuation of Public Hearing Local Law No. 3 of 2009 Started at 7:05 PM**

**Resolution 09-108 to close the Public Hearing on Local Law No. 3 of 2009 at 7:06 PM**

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

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

**COMMUNICATIONS:**

- **Letter of appreciation from Seneca Cayuga ARC for the Town of Owasco assistance to haul away brush from the property at Camp Columbus.**
- **Letter from Mark R. Palesh Auburn City Manager giving a written notice that the City of Auburn does not wish to renew its existing sewage treatment contract with the Town of Owasco on January 1, 2011. And look forward to discussing whatever future arrangements can be reached for the provision to Owasco of sewage treatment at our earliest convenience.**

**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 09-109 to approve SEQR determination for Local Law No. 2 of 2009**

**A Resolution to Issue a Determination of Environmental Significance for Local Law No. 2 of 2009 to amend or restate a portion of the Table of Dimensional Requirements pursuant to Section 150-21 of the Town Code of the Town of Owasco.**

**WHEREAS, by Resolution 09-072 the Owasco Town Board on April 9, 2009 has determined that the proposed action of adopting Local Law No. 2 of 2009 is a Type I Action under the State Environmental Quality Review (SEQR) regulations; and**

**WHEREAS, by Resolution 09-072 the Owasco Town Board on April 9, 2009 declared itself "Lead Agency" for the purpose of conducting the environmental review of said proposed action; and**

**WHEREAS, the Town Board has determined there to be no "Involved Agencies" apart from the Owasco Town Board itself; and**

**WHEREAS, the Town Board determined that several "Interested Agencies" exist, namely Cayuga County Planning Department, Owasco Planning Board, Owasco Zoning Board of Appeals and Owasco Code Enforcement Officer and all neighboring municipalities; and**

**WHEREAS, the Town Board caused a Full Environmental Assessment Form (EAF) to be prepared for use to assess the potential environmental impacts associated with enactment of the proposed local law; and**

**WHEREAS, on April 30, 2009 the Town Board caused a copy of the Full EAF to be mailed to each "Interested Agency" as well as all neighboring municipalities for review and received comments from Cayuga County Planning Department by letter and Referral Report Form Final Determination dated May 21, 2009 and no other "Interested Agency" or municipality provided the Owasco Town Board with comment on said Full EAF; and**

**BE IT FURTHER RESOLVED**, that the Owasco Town Board has determined that the adoption of the proposed Local Law No. 2 of 2009 will not have a significant adverse impact on the environment, and have completed the Full Environmental Assessment Form, and hereby issue a Negative Declaration; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor be and is hereby directed to sign the Negative Declaration of Environmental Significance.

Motion by Councilperson Wagner; Second Councilperson Richardson.

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

**Resolution 09-110** a Resolution of the Town Board for the adoption and enactment of Local Law No. 2 of 2009 to amend or restate a portion of the Table of Dimensional Requirements pursuant to Section 150-21 of the Town Code of the Town of Owasco.

**WHEREAS**, a Resolution was adopted by the Town Board on April 9, 2009 introducing proposed Local Law No. 2 of 2009 and said Resolution 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 April 30, 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**, the Town Clerk by letter dated April 30, 2009 sent a copy of the proposed Local Law No. 2 of 2009 to the Cayuga County Planning Board pursuant to General Municipal Law Section 239-m and advised of the Public Hearing and the Town Clerk by letter dated April 30, 2009 sent to all neighboring municipalities a copy of proposed Local Law No. 2 of 2009 and advised of the Public Hearing;

**WHEREAS**, by letter dated May 21, 2009 from Geoff Milz, Planner of the Cayuga County Planning and Economic Development Office and Cayuga County Planning NYS GML Section 239 L, M & N Referral Report Form Final Determination dated May 21, 2009, the Cayuga County Planning Board recommends the following "approving the proposed action without change".

**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 May 14, 2009, pursuant to such Notice, and continued to this date, 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 purpose of this Local Law is to correct a portion of the Table of Dimensional Requirements as the Town was advised by General Code Service of a discrepancy between the chart that was sent to General Code as part of Local Law No. 2 of 2004 and the chart of the Town; and

**WHEREAS**, the Town Board has determined to enact this Local Law even though the documentation of the Town does not support that the portion of the Table of Dimensional Requirements set forth in this Local Law were changed by Local Law No. 2 of 2004; and

**WHEREAS**, the Owasco Town Board by Resolution 09-109 on this date issued a Negative Declaration under SEQRA for Local Law No. 2 of 2009.

**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 of the Town of Owasco hereby approves and enact Local Law No. 2 of 2009 known as “to amend or restate a portion of the Table of Dimensional Requirements pursuant to Section 150-21 of the Town Code of the Town of Owasco”, said Local Law No. 2 of 2009 is set forth below:

The following portion of the Table of Dimensional Requirements pursuant to Section 150-21 of the Town Code of the Town of Owasco is amended as follows:

**Principal Building Lot Line Setbacks, Side, for Zoning District R for the following Permitted Uses:**

Single-family farm dwellings, Single-Family Dwellings <sup>(1)</sup>, Single-Family Dwellings <sup>(2)</sup>, Two-Family Dwelling <sup>(1)</sup>, Two-Family Dwelling <sup>(2)</sup> to be 15 feet (Ft.).

**Principal Building Lot Line Setbacks, Side, for Zoning District L for the following Permitted Uses:**

Single-Family Dwellings and Cottages <sup>(1)</sup>, Single-Family Dwellings and Cottages <sup>(2)</sup>, Two-Family Dwellings <sup>(1)</sup>, Two-Family Dwellings <sup>(2)</sup> to be 15 feet (Ft.).

<sup>1</sup> Property not served by sanitary sewer system

<sup>2</sup> Property served by public sanitary sewer system.

The remaining portions of the Table of Dimensional Requirements shall remain in full force and effect.

**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 Richardson; Second Councilperson Wagner.**

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

**Resolution 09-111 to approve SEQR determination for Local Law No. 3 of 2009**

**A Resolution to Issue a Determination of Environmental Significance for Local Law No. 3 of 2009 Flood Damage Prevention to amend and repeal the Town of Owasco Local Law No. 1 of 2007 and Local Law No. 2 of 2007.**

**WHEREAS**, by Resolution 09-074 the Owasco Town Board on April 9, 2009 has determined that the proposed action of adopting Local Law No. 3 of 2009 is a Type I Action under the State Environmental Quality Review (SEQR) regulations; and

**WHEREAS**, by Resolution 09-074 the Owasco Town Board on April 9, 2009 declared itself “Lead Agency” for the purpose of conducting the environmental review of said proposed action; and

**WHEREAS**, the Town Board has determined there to be no “Involved Agencies” apart from the Owasco Town Board itself; and

**WHEREAS**, the Town Board determined that several “Interested Agencies” exist, namely Cayuga County Planning Department, Owasco Planning Board, Owasco Zoning Board of Appeals and Owasco Code Enforcement Officer and all neighboring municipalities; and

**WHEREAS**, the Town Board caused a Full Environmental Assessment Form (EAF) to be prepared for use to assess the potential environmental impacts associated with enactment of the proposed local law; and

**WHEREAS**, on April 22, 2009 the Town Board caused a copy of the Full EAF to be mailed to each “Interested Agency” as well as all neighboring municipalities for review and received comments from

Cayuga County Planning Department by letter and Referral Report Form Final Determination dated May 21, 2009 and no other “Interested Agency” or municipality provided the Owasco Town Board with comment on said Full EAF; and

**BE IT FURTHER RESOLVED**, that the Owasco Town Board has determined that the adoption of the proposed Local Law No. 3 of 2009 will not have a significant adverse impact on the environment, and have completed the Full Environmental Assessment Form, and hereby issue a Negative Declaration; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor be and is hereby directed to sign the Negative Declaration of Environmental Significance.

Motion by Councilperson Wagner; Second Councilperson Alberici.

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

**Resolution 09-112 a Resolution of the Town Board for the adoption and enactment of Local Law No. 3 of 2009 Flood Damage Prevention.**

**WHEREAS**, a Resolution was adopted by the Town Board on April 9, 2009 introducing proposed Local Law No. 3 of 2009 and said Resolution 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 April 27, 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**, the Town Clerk by letter dated April 22, 2009 sent a copy of the proposed Local Law No. 3 of 2009 to the Cayuga County Planning Board pursuant to General Municipal Law Section 239-m and advised of the Public Hearing and the Town Clerk by letter dated April 22, 2009 sent to all neighboring municipalities a copy of proposed Local Law No. 3 of 2009 and advised of the Public Hearing;

**WHEREAS**, by letter dated May 21, 2009 from Geoff Milz, Planner of the Cayuga County Planning and Economic Development Office and Cayuga County Planning NYS GML Section 239 L, M & N Referral Report Form Final Determination dated May 21, 2009, the Cayuga County Planning Board recommends the following “approving the proposed action without change”.

**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 May 14, 2009, pursuant to such Notice, and continued to this date, 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 purpose of this Local Law is to correct a typographical error on the Department of State Local Law Filing cover page from Local Law No. 1 of 2007; and

**WHEREAS**, the Owasco Town Board by Resolution 09-111 on this date issued a Negative Declaration under SEQRA for Local Law No. 3 of 2009.

**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 of the Town of Owasco hereby approves and enacts Local Law No. 3 of 2009 known as “Flood Damage Prevention” which amends Chapter 78 of the Town Code of the Town of Owasco” to read as set forth in the Local Law and to amend and repeal the Town of Owasco Local Law No. 1 of 2007 and Local Law No. 2 of 2007, said Local Law No. 3 of 2009 is attached hereto and made a part of the minutes.

**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 Wagner; Second Councilperson Alberici.**

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

**Resolution 09-113 to reappoint Debbie Donnelly to the Citizen's Assessment Advisory Board to 2012.**

**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- 114 to hire 4 Playground Directors for the summer of 2009 Nicholas Palumbo, Steve Simmons, Michaela Granato and Zach Sturm for a six week period starting June 29<sup>th</sup> 2009 at \$8.00 per hour.**

**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**

**AUDIT AND PAYMENT OF CLAIMS:**

**Resolution 09- 115 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 # 6. 2009 Vouchers – 306 – 367 for a total of \$77,271.24**

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

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

**ADJOURNMENT:**

**Resolution 09- 116 to adjourn the meeting:**

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

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

**Meeting adjourned at 8:35 P.M.**

**Robert A. Shaw Town Clerk**