

A Town Board Meeting of the Town of Owasco was held on December 10, 2009 at 7:00 PM in the Owasco Town Hall with the following members present:

**PRESENT:**

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

**ABSENT:**

**OTHERS PRESENT:** Tom Klink Terry Lattimore, Robert Westover, Laurel Auchampaugh and Rick Galbato Town Attorney.

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

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

Resolution 09- 192 approval of the Town Board Agenda for December 10, 2009.

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>	

**APPROVAL OF MINUTES:**

Resolution 09- 193 approval of the Town Board Minutes for November 12, 2009.

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>	

**PUBLIC PARTICIPATION:**

**DISCUSSION:** Linda Coretti and Rich Knaul will discuss their concern and suggestions with changing the current system of water meter reads.

Michelle Borton from Barton & Loguidice is here to answer any questions on what was discussed during a meeting on November 19, 2009, with Rich Knaul, Linda Coretti, Mike Wilson and Supervisor Klink. The Town of Owasco is interested in purchasing residential water meters and equipment for the Town's water system. Barton & Loguidice, P.C. (B&L) is pleased to offer a proposal for assisting the Town with the purchase of residential water meters for the Owasco Water District.

Michelle Borton from Barton & Loguidice is here to give their recommendation to award the Bid for the District No. 1, Contract No. 4 – Archie Street Wet Weather Pump Station and Sewer System Rehabilitation.

Bids as Follows

<u>Bat-Con Inc.</u>	\$1,077,000
<u>Highlander Const.</u>	\$1,165,890
<u>Villager Const.</u>	\$1,205,775
<u>Adhan Piping Company</u>	\$1,419,980

**Vacri Construction Corp.**                **\$1,859,000**

**The recommendation by Barton & Loguidice is Bat-Con Inc. for \$1,077,000**

**COMMUNICATIONS:**

- **Letter from Barton & Loguidice for Engineering Services on purchasing residential water meters and equipment for the Town’s water system.**
- **Invoice from Cranebrook Tree Service on installing the Christmas tree lights marked paid as every year they install the lights at no charge.**

**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 09-194 Establishing a Capital Reserve Fund to Finance a “Type” of Capital Improvement or Equipment.**

**RESOLVED**, that pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Equipment Reserve”. The purpose of this Equipment Reserve is to accumulate moneys to finance the cost of equipment for the Town. The type of equipment to be financed from the Equipment Reserve is the acquisition of equipment for the Town.

**FURTHER RESOLVED**, that the chief fiscal officer or Town Supervisor is hereby directed to deposit and secure the moneys of this Equipment Reserve in the manner provided by section 10 of the General Municipal Law. The Town Board may invest the moneys in the Equipment Reserve in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Owasco. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Equipment Reserve. The chief financial officer or Town Supervisor shall account for the Equipment Reserve in a manner, which maintains the separate identity of the cash and investments of the Equipment Reserve.

**FURTHER RESOLVED**, that except as otherwise provided by section 6-c [6-g] of the General Municipal Law, expenditures from this Equipment Reserve shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Equipment Reserve without the approval of the Town Board and without such additional actions or proceedings as may be required by section 6-c [6-g] of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c [6-g].

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**

**Resolution 09-195 Authorizing the transfer from the Capital Reserve Fund known as the Equipment Reserve in the amount of \$75,557.38 for the purchase of a Truck for the Recycling Center and to purchase a 2010 International 4400 Truck pursuant to State Contract Number PC62757 in the amount of approximately \$109,372.**

**WHEREAS, on December 10, 2009 by Resolution 09-194 the Town Board pursuant to General Municipal Law Section 6-c authorized the establishment of a Capital Reserve Fund known as the “Equipment Reserve”;**

**WHEREAS, the purpose of this Equipment Reserve is to accumulate moneys to finance the cost of equipment for the Town.**

**WHEREAS, during the budget process the Town Board has authorized funding of the Equipment Reserve in the amount of \$75,000;**

**BE IT RESOLVED, that the Town Board hereby authorizes the transfer from the Equipment Reserve in the amount of \$75,557.38 for the purchase of a Truck for the Recycling Center and specifically to purchase a 2010 International 4400 Truck pursuant to State Contract Number PC62757 in the amount of \$109,372.**

**FURTHER RESOLVED, that this Resolution is adopted subject to Permissive Referendum;**

**FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a copy of this Resolution in the Town Newspaper, The Citizen.**

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

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

**Resolution 09-196 to accept the Bid from Bat-Con Inc. in the amount of \$1,077,000 for the District No. 1, Contract No. 4 – Archie Street Wet Weather Pump Station and Sewer System Rehabilitation.**

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

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

**Resolution 09-197 to create the position of Constable with Peace Officer Training for Court Security for the Owasco Town Court.**

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

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

**Resolution 09-198 Water Rates**

**That effective January 1, 2010 the new “schedule of charges and water rates” shall be as follows:**

**0 - 1000 cubic feet from \$22.50 to \$23.00**

**Greater than 1000 cubic feet to 10,000 cubic feet from \$2.25 to \$2.30 per 100 cubic feet (known as the “base water rate”)**

**Greater than 10,000 cubic feet from \$1.69 to \$1.74 per 100 cubic feet**

That, effective January 1, 2010, the schedule of charges and water rate for all customers and water users outside of the Town of Owasco, excluding the Town of Fleming per Agreement, shall be as follows:

0 - 1000 cubic feet from \$31.30 to \$31.80

Greater than 1000 cubic feet to 10,000 cubic feet from \$3.13 to \$3.18 per 100 cubic feet

Greater than 10,000 cubic feet from \$2.35 to \$2.40 per 100 cubic feet

That, also, per the Agreement entered into on June 27, 2007; there is a charge to all customers and water users of 3 cents per 100 cubic feet of water used for the Town of Owasco's contribution toward to the cost of the Watershed Inspector for Owasco Lake;

That, the charge to bulk water customers at the Town of Owasco Water Plant shall remain as follows:

0 to 60 Gallons per 25 cents.

This change will take place as follows.

February (B) Group November and December old rate starting January 1, 2010 new rate.

March (C) Group December old rate starting January 1, 2010 new rate.

April (A) Group new rate starting January 1, 2010.

Town of Fleming: per agreement.

That effective January 1, 2010 the schedule of charges for water rates to the Town of Fleming from \$2.20 to \$2.24 per 1000 gallons. In addition, pursuant to the Agreement dated June 27, 2007 the Town of Fleming shall pay 4 cents per 1000 gallons toward the cost of the Watershed Inspector for Owasco Lake.

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>	

#### Resolution 09-199 Sewer Rates

Effective January 1, 2010, the schedule of charges and Sewer rates for Sewer District No. 1 shall be as follows:

0 - 1000 cubic feet of water consumption from \$20.50 to \$21.00

Greater than 1000 cubic feet from \$2.05 to \$2.10 per 100 cubic feet.

This change will take place as follows.

February (B) Group November and December old rate starting January 1, 2010 new rate.

March (C) Group December old rate starting January 1, 2010 new rate.

April (A) Group new rate starting January 1, 2010.

Sewer District No. 2 rates will remain the same.

Motion by Councilperson Alberici; 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 09-200** to enter into an Agreement with the County of Cayuga for the removal of snow, sanding or otherwise treating such County roads in the Town of Owasco for 2010. The term of this agreement shall be for one (1) year commencing on July 1, 2009 and terminating on June 30, 2010.

Motion by **Councilperson Wagner**; 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 09-201** to call for End of the Year Meeting on December 31, 2009 at the Town of Owasco Town Hall, 2 Bristol Ave. at 11:00 AM for the end of the year Budget Modifications.

Motion by **Councilperson Alberici**; 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 09-202** Contract No. 3 Archie Street Sewer Rehabilitation- Change Order No. 3 Route 84 Enterprises, Inc. has requested a contract time extension due to unforeseen scheduling conflicts with their televising and grouting subcontractor, New England Pipe Cleaning Company.

This prevented Route 84 Enterprises from completing the project before the substantial completion deadline of October 28, 2009. New England Pipe Cleaning Company subsequently completed this field work between November 23, 2009 and December 2, 2009. After reviewing the project status and the circumstances which have lead to the delay in completion, we believe (Barton & Loguidice) that a time extension and waiver of associated penalties is reasonable. We (Barton & Loguidice) recommend that the Town Board review and approve the attached Change Order No. 3, granting a no-cost time extension to Route 84 Enterprises, Inc.

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>	

**AUDIT AND PAYMENT OF CLAIMS:**

**Resolution 09-203** 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 # 12. 2009 with the exception of the Voucher for MJ Enterprises which was pulled by Councilperson Wagner for further review Vouchers 703-764 for a total of \$154,874.77

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 09-204** to adjourn to executive session at 9:28 PM to discuss personnel issues.

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 09-205 to return from executive session at 10:03 PM.**

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

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

**ADJOURNMENT:**

**Resolution 09-206 to adjourn the meeting:**

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

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

**Meeting adjourned at 10:05 P.M.**

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**Robert A. Shaw Town Clerk**