

# **TOWN BOARD MEETING MINUTES**

**September 8, 2016**

**Town Board Meeting of the Town of Owasco was held on September 8, 2016 at 10:01 AM in the Owasco Town Hall with the following members present:**

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

**ABSENT:** Councilperson, Ashley Melendez

**CALL TO ORDER: 12:00PM**

**PLEDGE OF ALLEGIANCE:**

## **APPROVAL OF AGENDA:**

**Resolution 16-197 approval of Town Board Agenda for September 8, 2016.**

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

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

## **APPROVAL OF MINUTES:**

**Resolution 16- 198 approval of Town Board Minutes for August 11, 18<sup>th</sup> & 19<sup>th</sup>, 2016.**

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

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

## **PUBLIC PARTICIPATION:**

**COMMUNICATIONS: Request from Kevin Gleason for reduction in sewer charge on water bill.**

## **OLD BUSINESS.**

**NEW BUSINESS: John Robson from Auburn Document Center**

**Resolution 16-199 to authorize Supervisor Wagner to sign a scope of services and conceptual design to 2B Architecture in the amount of \$3000.00. The design work is to apply for a state grant for a new court room and office space, at the Town Hall 2 Bristol Ave, Auburn NY.**

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

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

Resolution 16-200 to approval shelter rental increase to Residents \$200.00, Non Resident \$300.00 for 2017 rental year, to include side curtains.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 16-201 Resolution to approve Mr. Kevin Gleason of Calloway Drive to adjust sewer bill for watering of lawn. After discussion motion tabled until next meeting.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 16-202 to approve recommended budget modifications.

Budget Modifications Recommendations  
After Closing: August 2016

Notes	Acct #	Account Description	( - )	( + )
			Debit	Credit
	A1410.410	Town Clerk - Contractual	\$ 25.00	
	A5132.400	Garage - Contractual	\$ 240.00	
	A7140.131	Shelter & Bathroom Maint	\$ 11.00	
	A7310.420	Youth Program - Contractual Events	\$ 39.00	
	A8160.130	Refuse & Garbage - Recycling Attendant	\$ 3,200.00	
	A8160.131	Refuse & Garbage - Recycling Clerk	\$ 5,900.00	
	A8160.132	Refuse & Garbage - Recycling Driver	\$ 1,802.00	
	<i>A599</i>	<i>Appropriated Fund Balance</i>		
	A1330.400	Tax Collection - Contractual		\$ 25.00
	A1620.200	Buildings - Equipment		\$ 36.00
	A5010.400	Highway Superintendent - Contractual		\$ 240.00
	A7140.201	Shelter & Bathroom Equipment		\$ 10,307.00
	A7140.401	Supplies Shelter & Bathrooms		\$ 11.00
	A7140.411	Playgrounds - Misc. Summer Program		\$ 39.00
	A8010.420	Zoning - Misc. Expense		\$ 19.00

A8020.420	Planning - Misc. Expense		\$ 540.00	
Totals:		\$ 11,217.00	\$ 11,217.00	\$ -

		( - )	( + )	
Acct #	Account Description	Debit	Credit	
DA5110.411	General Repairs - Misc.	\$ 1,000.00		
DA5110.413	General Repairs - Stone	\$ 1,000.00		
DA5110.414	General Repairs - Road Patch	\$ 500.00		
DA5112.414	Improvements - Cold Mix	\$ 1,078.00		
DA5112.415	Improvements - Hot Mix	\$ 1,078.00		
DA5110.110	General Repairs - Personal Services		\$ 715.00	
DA5112.416	Improvements - Pipe		\$ 1,242.00	
DA5130.411	Machinery - Misc.		\$ 330.00	
DA5130.414	Equipment Parts		\$ 2,339.00	
DA9060.840	Medical -Drug Testing		\$ 30.00	
Totals:		\$ 4,656.00	\$ 4,656.00	\$ -

		( - )	( + )	
Acct #	Account Description	Debit	Credit	
SW8340.420	Trans & Distribution - Storage Tanks	\$ 1,515.00		
SW1930.400	Judgement & Claims		\$ 15.00	
SW8340.410	Trans & Distribution - Contractual		\$ 1,500.00	
Totals:		\$ 1,515.00	\$ 1,515.00	\$ -

Motion by Councilperson Kerstetter;    Second Councilperson Gucciardi

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

**Resolution 16-203 to Retain the Law Offices of Rebecca Speno as Special Counsel in the Assessment Matters of Patrick and Ali Carbonaro v. Assessor, Town of Owasco et al. Index No. 16-622; Daniel Casler v. Assessor, Town of Owasco et al. Index No. 16-621; Elizabeth Rozwood fka Elizabeth A. Ward v. Town of Owasco et al. Index No. 15-733; and Elizabeth Rozwood fka Elizabeth A. Ward v. Town of Owasco et al. Index No. 16-620.**

**WHEREAS, the County of Cayuga has retained the Law Offices of Rebecca Speno in defense of the Supreme Court Assessment cases of Patrick and Ali Carbonaro v. Assessor, Town of Owasco et al. Index No. 16-622; Daniel Casler v. Assessor, Town of Owasco et al. Index No. 16-621; Elizabeth Rozwood fka Elizabeth A. Ward v. Town of Owasco et al. Index No. 15-733; and Elizabeth Rozwood fka Elizabeth A. Ward v. Town of Owasco et al. Index No. 16-620;**

**WHEREAS, in the interest of efficiency of taxpayer moneys the Town is working with the County of Cayuga in an attempt to share in the legal defense of these proceedings; and**

**WHEREAS, the Town Board has determined that whether or not there is a formal share in the legal defense of these proceedings that it is in the best interest of the Town of Owasco Taxpayers to utilize the same special counsel.**

**RESOLVED, that the Town of Owasco retain the Law Offices of Rebecca Speno as Special Counsel in the Assessment Matters of Patrick and Ali Carbonaro v. Assessor, Town of Owasco et al. Index No. 16-622; Daniel Casler v. Assessor, Town of Owasco et al. Index No. 16-621; Elizabeth Rozwood fka Elizabeth A. Ward v. Town of Owasco et al. Index No. 15-733; and Elizabeth Rozwood fka Elizabeth A. Ward v. Town of Owasco et al. Index No. 16-620 at the hourly rate \$235.00 with fee sharing with the County of Cayuga at a percentage to be determined by the Town Attorney and County Attorney;**

**FURTHER RESOLVED, that the Law Offices of Rebecca Speno has the right to appear on behalf of the Town of Owasco in these proceedings.**

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

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

**RESOLUTION 16-204 to authorize the Town Supervisor to sign Change Order No. 5 for the Owasco Sewer System Improvements Project Contract No. 1.**

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

Low pressure grinder pump systems have been known to have issues with hydrogen sulfide production. Hydrogen sulfide can create unpleasant odors and corrode/degrade various sewer system infrastructure. Parts of the Owasco sewer system already experience issues with hydrogen sulfide production and the addition of Sewer District 3 grinder pumps will likely make problems worse. Change Order 5 will include the construction of a 1,500 Gallon Bioxide Odor Control Station to help eliminate and remove hydrogen sulfide from Sewer District No. 3 sewage. The station will be located at the northern end of Sewer District No. 3 near the intersection of Gleason Drive and Rockefeller Road.

**Change Order Cost:** The execution of this Change Order will result in the addition of Bid Item “CO5-1 – Furnish and Install Odor Control Station”. This Bid Item will have total lump sum cost of \$99,450.00 and include all necessary materials and work to completely furnish and install an odor control station. The change order will also include 1000 gallons of Bioxide.

This change order will pay for an item in Sewer District 3 and therefore Bid Item “CO5-1 – Furnish and Install Odor Control Station” shall be paid 100% by Sewer District 3.

**Time Extension:** No time extension will be provided through the execution of this Change Order.

**WHEREAS, the execution of this Change Order will result in an increase in approximately \$99,450.00 to the Contract Amount.**

**WHEREAS, the revised Contract Amount to date for the change orders is as follows:**

Original Contract No. 1 Amount:	\$3,845,000.00
Contract No. 1 – Change Order No. 1:	\$19,877.00
Contract No. 1 – Change Order No. 2:	-\$13,500.00
Contract No. 1 – Change Order No. 3:	\$9,500.00
Contract No. 1 – Change Order No. 4:	\$22,314.60
Contract No. 1 – Change Order No. 5: (this Change Order):	<u>\$99,450.00</u>

***Revised Contract No. 1 Amount:*** ***\$3,982,641.60***

**WHEREAS**, upon recommendation of the Town Engineer, Clerk of the Works and the Town Board Liaison  
Change order contingent upon execution of the easement by the property owner, where proposed devise is to be located.

**NOW THEREFORE BE IT RESOLVED** that the Town Supervisor is hereby authorized to sign Change Order No. **5** for the Owasco Sewer System Improvements Project Contract No. 1 and hereby consents to the Town Engineer signing same Change Order No. **5**.

**Motion by Councilperson Knaul; Second Councilperson Gucciardi,**

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

**Resolution 16-205 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 #9 2016 Vouchers #1540-1623 in the amount of \$ 499,305.24 Trust & Agency Voucher #5222-5230 in the amount of \$22,438.47 for a grand total of \$ 521,743.71.**

**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>Absent</u>
Supervisor Wagner	<u>Yes</u>		

**ADJOURNMENT:**

**Resolution 16-206 to adjourn to executive session at 1:15 to discuss personnel issues.**

**Motion by Councilperson Kerstetter; Second Councilperson Knaul**

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

**Resolution 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>Absent</u>
Supervisor Wagner	<u>Yes</u>		

**16-207 to return from executive session at 1:51PM.**

**ADJOURNMENT:**

**Resolution 16- 208 to adjourn the meeting:**

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

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

**Meeting adjourned at 1:52 PM**