

TOWN BOARD MEETING MINUTES

August 17, 2017

Town Board Meeting of the Town of Owasco was held on August 17, 2017 at 4:00 PM in the Owasco Town Hall with the following members present:

PRESENT: Supervisor Edward Wagner,
Councilperson Richard Knaul
Councilperson, Tim Kerstetter
Arrived at 4:08 Councilperson Tony Gucciardi

ABSENT: Councilperson Ashley Melendez

OTHERS PRESENT: Gary Colella, Bob Bruno Amy Bloss, Jerry Vevone, Rick Galbato,
Kristina Sherman,

CALL TO ORDER: 4:02PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 17-145 approval of Town Board Agenda for August 17, 2017.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

APPROVAL OF MINUTES:

RESOLUTION 17-146 approval of Town Board Minutes for July 13, 2017 & Special Town Board Meetings July 17, 2017 & July 20, 2017.

Motion by Councilperson Knaul; Second Councilperson Kerstetter

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

PUBLIC PARTICIPATION: Jerry Vevone addressed the town council regarding a tree that was removed on his property during the water tower project. The tree removed was a 25 foot tree and was replaced with a 5 foot tree, Mr Vevone is upset and feels the tree looks out of place as the other trees on his property are taller.

COMMUNICATIONS:

***Letter from Steve Herbert requesting reduction in the speed on Rockefeller Rd.
Resolved: Supervisor Wagner will forward to the county as this is a county rd.**

***Turn for a cure are asking for consideration to host a Breast cancer walk through the town of Owasco.**

Resolved: Resolved 17-153 The Town approves the walk, but stated they would need in contract Cayuga County
As part of the walk is on Melrose Rd, which is a county road. They will also need to notify Owasco Fire Department.

NEW BUSINESS:

Matt Zarbo with Barton & Loguidice to discuss the water upgrade project along Owasco Rd.

Resolved: Matt presented to the town board the need to replace existing old water lines as we risk more breaks. In need of immediate replacement is the line along Owasco Rd, so we can remove the city water line before the state repaves the road in 2018. Estimated cost for 5 in need sections is \$1,944,000.00.

Shelter rental for 2018, any changes to fee's or etc.

Resolved: per **Resolution 17- 154** The Town Board voted to increase the shelter rental fees as follows.

The town will install a dividing curtain and separate the shelter for half rentals.

Monday-Thursday Fee Full Shelter \$100.00 Half \$75.00

Owasco Resident Fee Friday-Sunday \$250.00 Half \$150.00

Non Resident Fee Friday-Sunday\$350.00 Half \$200.00

OLD BUSINESS: Town Hall expansion update. Table discussion for now.

RESOLUTION 17-147 to authorize the Town Clerk to sign and accept the revised and additions to New York State and Local Retirement System Form RS 2417-A, Standard Work Day and Reporting Resolution. The State is requesting hours for the appointed employees as well as the elected officials to be included. (RS 2417-A – included on last page).

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

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

RESOLUTION 17-148 to authorize the Town Supervisor to sign Change Order No. 3 for the Owasco Water District Improvements: Phase I Contract No. 1.

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

This change order is the projects over/under change order needed to adjust the current contract quantities to the final contract quantities.

Change Order Cost: The total cost of this change order is \$1,404.24 as additional quantities were installed on the project over original bid estimates.

Time Extension: None.

Revised Contract Amount:

Original Contract No. 1 Amount:	\$1,266,333.00
Contract No. 1 – Change Order No. 1:	\$33,608.74
Contract No. 1 – Change Order No. 2:	\$8,250.00
Contract No. 1 – Change Order No. 3: (THIS CHANGE ORDER)	<u>\$1,404.24</u>

Revised Contract No. 1 Amount:

\$1,309,595.98

WHEREAS, upon recommendation of the Town Engineer, Clerk of the Works and the Town Board Liaison

NOW THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to sign Change Order No. 3 for the Owasco Water District Improvements: Phase I Project Contract No. 1 and hereby consents to the Town Engineer signing same Change Order No. 3.

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 17-149 Establishing a Repair Reserve Fund (GML Section 6-d) to pay for certain repairs to capital improvements or equipment for the Town of Owasco Playground to be known as the “Playground Repair Reserve Fund.”

RESOLVED, that pursuant to section 6-d of the General Municipal Law, as amended, there is hereby established a **Repair Reserve Fund** to be known as the “**Playground Repair Reserve Fund**.” The purpose of this **Playground Repair Reserve Fund** is to pay for certain repairs to capital improvements or equipment at the Owasco Playground. The repairs must not recur annually or at shorter intervals.

FURTHER RESOLVED, that the chief fiscal officer or Town Supervisor is hereby directed to deposit and secure the monies of this **Playground Repair Reserve Fund** in the manner provided by section 10 of the General Municipal Law. The Town Board may invest the monies in the **Playground Repair Reserve Fund** 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 monies so deposited or invested shall accrue to and become part of the **Playground Repair Reserve Fund**. The chief financial officer or Town Supervisor shall account for the **Playground Repair Reserve Fund** in a manner which maintains the separate identity of the **Playground Repair Reserve Fund** and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and total assets of the fund, showing cash balance and a schedule of investments and shall, at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the **Playground Repair Reserve Fund**.

FURTHER RESOLVED, that except as otherwise provided by section 6-d of the General Municipal Law, expenditures from this “**Playground Repair Reserve Fund**” shall be made only for the purpose for which the **Playground Repair Reserve Fund** is established. No expenditures shall be made from this **Playground Repair Reserve Fund** without the approval of the Town Board subject to a **public hearing** and at least five days must elapse between the publication of the notice of hearing in the official newspaper of the Town of Owasco and the date specified for the hearing and without such additional actions or proceedings as may be required by section 6-d of the General Municipal Law.

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 17-150 to authorize the Town Supervisor to sign Change Order No. 1 for the Town of Water Quality Improvement Project: Owasco Microcystin Demonstration Project

WHEREAS, this Change Order includes the following additional work items: furnish and install a siphon.

Change Order Cost: The total cost of this change order is \$7,182.76 including materials, labor, equipment and overhead and profit.

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

Revised Contract Amount:

Original Contract No. 1 Amount:	\$59,999.00
Contract No. 1 – Change Order No. 1: (THIS CHANGE ORDER)	\$7,182.76

Revised Contract No. 1 Amount: ***\$67,181.76***

WHEREAS, the Town Engineer has recommended the Town Board approve this Change Order for the following reasons: There was some air entrainment observed. Air can cause a deterioration in the treatment performance of the units so it must be released. There is a manual process to release the air which proved successful. However, since your water treatment plant is not manned on a continuous basis and your treatment processes are intermittent your operator may not be on site at such times when it would be advisable to release the air. Consequently, GHD worked with Calgon to design an added system that can prevent air from entering the system (anti Siphon Loop). We asked North County for a quote to construct the additional system and due to the urgency of this project, in consultation with the Town and NYSDEC, advised them to proceed expeditiously. Based on our discussions with NYSDEC, we believe that these costs will be reimbursable under the grant.

NOW THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to sign Change Order No. 1 for the **Town of Water Quality Improvement Project: Owasco Microcystin Demonstration Project** and hereby consents to the Town Supervisor and Town Engineer signing same **Change Order No. 1**.

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 17-151 to schedule a Public Hearing to assess the equivalent dwelling units for the certain lots previously titled undevelopable lots in Sewer District No. 3.

WHEREAS, on August 27, 2014 the Town Board passed **Resolution 14-112** which accepted the Owasco Sewer District No. 3 Town of Owasco, Cayuga County, New York Map, Plan and Report dated August 2014;

WHEREAS, Appendix K of the Map, Plan and Report for Sewer District No. 3 identifies several undevelopable parcels (approximately 13) that will not be charged any equivalent dwelling unit cost for Sewer District No. 3;

WHEREAS, based upon Town Law, the establishment of Sewer District No. 3 requires the Town Board to determine that all of the property or property owners sought to be included in Sewer District No. 3 will benefit thereby;

WHEREAS, once that determination is made, all properties must be obligated to make at least some payment towards the cost of Sewer District No. 3;

WHEREAS, at the request of the New York State Comptroller, the Town Board needed to determine the equivalent dwelling units to be assessed against those parcels that are currently shown to have zero equivalent dwelling units;

WHEREAS, on 7.22.15 by Resolution 15-157 the Town Board modified and amended the approved Map, Plan and Report for Sewer District No. 3 dated August 2014 and assessed undevelopable lots in Sewer District No. 3 an equivalent dwelling unit of .01 per lot.

WHEREAS, pursuant to the approved Map, Plan and Report for Sewer District No. 3 the average annual equivalent dwelling unit assessment is approximately \$768 and as such a .01 equivalent dwelling unit assessment for the 13 identified undevelopable lots would be approximately \$7.68 per year per lot.

WHEREAS, the Town has recently reviewed these lots and has determined that several of the 13 previously identified undevelopable lots are in fact developable lots.

NOW, THEREFORE, BE IT RESOLVED,

The Town Board hereby schedules a Public Hearing to consider assessing several of the previously identified undevelopable lots in Sewer District No. 3 an equivalent dwelling unit of .05 per lot as they are in fact developable lots.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

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

RESOLUTION 17-152 to approve budget modificatons for August 2017.

Budget Modifications Recommendations				
		After Closing:	July	2017
Notes			(-)	(+)
	Acct #	Account Description	Debit	Credit
	A1010.400	Town Board - Contractual	\$ 80.00	
	A1220.403	Supervisor - Training	\$ 100.00	
	A1355.410	Assessors - Contractual	\$ 135.00	
	A1410.411	Town Clerk - Training	\$ 975.00	
	A1420.421	Attorney - Leage Fees Special Projects	\$ 2,500.00	
	A1620.230	Building - Repair	\$ 800.00	
	A1620.411	Buildings - Comp Maint	\$ 2,088.50	
	<i>A599</i>	<i>Appropriated Fund Balance</i>		
	A1220.130	Supervisor - Clerk		\$ 170.00
	A1220.131	Supervisor - Clerk of the Works		\$ 2,000.00

A1355.430	Assessor - Legal Fees		\$ 135.00
A1620.200	Buildings - Equipment		\$ 420.00
A1620.415	Website - Maint & Hosting		\$ 80.00
A5010.130	Supt of Highways - Clerk		\$ 381.00
A5010.131	Supt of Highways - Clerk of the Works		\$ 2,000.00
A5132.200	Garage - Equipment		\$ 210.00
A5132.400	Garage - Contractual		\$ 1,260.00
A8160.405	Refuse & Garbage - Telephone		\$ 22.50
Totals:		\$ 6,678.50	\$ 6,678.50

		(-)	(+)
Acct #	Account Description	Debit	Credit
DA5112.415	Improvements - Hot Mix	\$ 2,085.00	
DA5112.416	Improvements - Pipe		\$ 1,945.00
DA5130.417	Equipment Rental		\$ 140.00
Totals:		\$ 2,085.00	\$ 2,085.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS1-8110.405	Sewer Admin - Telephone	\$ 200.00	
SS1-8120.410	Sewage Collection - Misc	\$ 2,000.00	
SS1-8120.451	Engineering	\$ 580.00	
<i>SS1-599</i>	<i>Appropriated Fund Balance</i>	<i>\$ 2,210.00</i>	
SS1-8110.151	Sewer Admin - Special Projects		\$ 250.00
SS1-8110-152	Clerk of the Works		\$ 2,840.00
SS1-8110.400	Sewer Admin - Contractual		\$ 375.00
SS1-8120.458	Repair		\$ 875.00
SS1-8197.200	Equipment & Capital Outlay		\$ 650.00
Totals:		\$ 4,990.00	\$ 4,990.00

(-)	(+)
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Acct #	Account Description	Debit	Credit
SS2-8120.200	Sewage Collection - Equipment	\$ 100.00	
SS2-8120.410	Sewage Collection - Misc	\$ 800.00	
SS2-8120.451	Sewage Collection - Engineering	\$ 500.00	
SS2-8120.458	Sewage Collection - Repair/Cleaning	\$ 300.00	
SS2-8120.459	Sewage Collection - Grinder Pumps Repair	\$ 1,500.00	
<i>SS2-599</i>	<i>Appropriated Fund Balance</i>	<i>\$ 13,037.00</i>	
SS2-1420.421	Legal - Special Projects		\$ 370.00
SS2-8110.151	Sewer Admin - Clerk Special Project		\$ 13,900.00
SS2-8110.152	Clerk of the Works		\$ 680.00
SS2-8110.400	Sewer Admin - Contractual		\$ 40.00
SS2-8140.200	Equipment & Capital Outlay		\$ 155.00
SS2-9030.800	Social Security		\$ 1,092.00
Totals:		\$ 16,237.00	\$ 16,237.00

Acct #	Account Description	(-) Debit	(+) Credit
SS3-8120.410	Sewage Collection - Misc	\$ 125.00	
SS3-8120.461	Sewage Collection - Grinder Pump NEW Install	\$ 1,750.00	
SS3-8130.400	Sewage Treatment - Contractual	\$ 1,436.00	
SS3-1420.421	Legal - Special Projects		\$ 260.00
SS3-8110.151	Sewer Admin - Clerk Special Projects		\$ 1,120.00
SS3-8110.152	Clerk of the Works		\$ 480.00
SS3-8110.400	Sewer Admin - Contractual		\$ 365.00
SS3-8120.110	Sewage Collection - Personal Services		\$ 580.00
SS3-8120.200	Sewage Collection - Equipment		\$ 230.00
SS3-8120.458	Sewage Collection - Repair/Cleaning		\$ 23.00
SS3-8197.200	Equipment & Capital Outlay		\$ 110.00
SS3-9030.800	Social Security		\$ 143.00
Totals:		\$ 3,311.00	\$ 3,311.00

(-)	(+)
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Acct #	Account Description	Debit	Credit
SW8310.410	Admin - Repairs to Bldg	\$ 2,000.00	
SW8310.412	Water Admin - Gasoline	\$ 1,000.00	
SW8320.410	Power & Pumping - Misc	\$ 1,000.00	
SW8330.410	Purification - Misc	\$ 3,000.00	
SW8340.410	Trans & Distribution - Contractual	\$ 2,500.00	
SW8340.420	Trans & Distribution - Storage Tanks	\$ 829.00	
SW1420.421	Legal - Special Projects		\$ 2,170.00
SW8310.151	Water Admin - Clerk Special Project		\$ 130.00
SW8310.152	Clerk of the Works		\$ 3,999.00
SW8310.400	Admin - Office Contractual		\$ 4,030.00
	Totals:	\$ 10,329.00	\$ 10,329.00

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 17-153 to accept Turn 4 Cure request to host a Breast Cancer walk through the town.

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 17-154 to accept increase in shelter rental fees.

The town will install a dividing curtain and separate the shelter for half rentals.
Monday-Thursday Fee Full Shelter \$100.00 Half \$75.00
Owasco Resident Fee Friday-Sunday \$250.00 Half \$150.00
Non Resident Fee Friday-Sunday\$350.00 Half \$200.00

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 17-155 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 #8 2017 Vouchers #592-705 in the amount of \$372,657.13

Trust & Agency Voucher #5330-5339 in the amount of \$24,100.80

for a grand total of \$396,757.93

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 17- 156 to adjourn the meeting:

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes

Councilperson Kerstetter Yes Councilperson Melendez Yes

Supervisor Wagner Yes

Meeting adjourned at 5:21 PM