

TOWN BOARD MEETING MINUTES

October 12, 2017

A Town Board Meeting of the Town of Owasco was held on October 12, 2017 at 5:00 pm 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

OTHERS PRESENT: Gerry Guiney, Tom Adessa, Kathy O'Neil, Patrick Doyle, Gary Colella, Bob Bruno, Nancy Taylor.

CALL TO ORDER: 5:00 pm

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 17-174 approval of Town Board Agenda for October 12, 2017

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>		

APPROVAL OF MINUTES:

RESOLUTION 17-175 approval of Town Board Minutes for September 14, 2017.

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>		

PUBLIC PARTICIPATION:

Tom Adessa approached the board requesting his interest in becoming the Town Constable If the town ever has a need for one.

Resolved: Supervisor Wagner will discuss with the Town Justice's to see if they feel a need.

COMMUNICATIONS: Received \$5000.00 grant for shelter between playground and splash pad.

NEW BUSINESS: Andy Leja will discuss the PDD that was issued to Magic Circle,- All Media LLC, 89 Letchworth St.

OLD BUSINESS:

RESOLUTION 17- 176 to adjourn to executive session at 5:05 to discuss litigation.

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 17- 177 to return from executive session at 5:27 PM.

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>		

RESOLUTION 17-178 To Authorize the Town Supervisor to sign the Agreement with Barton & Loguidice, D.P.C. for the Town of Owasco Water Main Replacement Project, Phase 1 in the lump sum amount of \$54,500.00 for the design phase; subcontracted service fees not to exceed \$13,000.00; and estimated \$33,500.00 for the Construction Phase at time and expense for a total of approximately \$101,000.00.

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 17-179 To Authorize the Town Supervisor to sign the Grant of Right of Way and Easement (Water) with Robert C. Merritt at 324 Fire Lane 3; and the Grant of Right of Way and Easement (Water) with Michael Scollan and Teresa Scollan, Trustees, or their successors in trust, under the SCOLLAN LIVING TRUST, at 6347 East Lake Road, subject to approval of the Town Attorney, as part of the Owasco Water District Improvements Phase II: Low Lift and High Lift Pump Station Improvements Project.

Motion by Councilperson Gucciardi; 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 17-180 To authorize the Town Supervisor to sign the Agreement with Civil Service Employees Association, Inc. (CSEA) effective 1.1.17 to 12.31.20, subject to the approval of the Town of Owasco's Special Counsel.

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>		

RESOLUTION 17-181 to authorizes and directs Supervisor Ed Wagner to execute a new four-party agreement between the City of Auburn, the Town of Owasco, the County of Cayuga and the Owasco Lake Watershed Management Council and to work directly with the four parties on the New Agreement

WHEREAS, the City of Auburn and the Town of Owasco, in their roles as purveyors of public water sourced from Owasco Lake and sold by the City of Auburn and Town of Owasco directly or indirectly to approximately forty-five thousand water users within Cayuga County, have established under New York State Public Health Law the rules and regulations for the protection from contamination of the waters of Owasco Lake and this public water supply and to all watercourses tributary thereto or which may ultimately discharge into Owasco Lake (the Owasco Lake Watershed Rules & Regulations); and

WHEREAS, in recognition and response to the responsibility to protect this public water resource, the City of Auburn and Town of Owasco, together with Cayuga County, established, as Founding Members, the Owasco Lake Watershed Management Council, Inc., and

WHEREAS, pursuant to Section 1411 of the Not-for-Profit Corporation Law and a Certificate of Incorporation filed with the New York Secretary of State on the 23rd day of February, 2011, the Owasco Lake Watershed Management Council, Inc. (the “Corporation”) was officially established as a not-for-profit, local development corporation to lessen the burdens of government and act in the public interest in a number of ways, including undertaking programs and activities in furtherance of managing, monitoring and protecting the water resources of Owasco Lake and the water resources within the Owasco Lake Watershed for the well-being and benefit of the residents of Cayuga County; and

WHEREAS, a primary purpose of the Corporation is to ensure the monitoring, and inspection of Owasco Lake and its Watershed, or to cause to be inspected, those activities and circumstances within the Owasco Lake and its Watershed that may impact the quality and general health of the waters of Owasco Lake or the water resources of the Owasco Lake Watershed; and

WHEREAS, a Watershed Inspection Committee comprised of Corporation Directors representing the City of Auburn, Town of Owasco and Cayuga County, was established as a standing committee of the Corporation to oversee and manage the operation and implementation of the Owasco Lake Watershed Inspection Program (the “Program”); and

WHEREAS, at the time of its formation, the Corporation was unable to assume full administration of the Program; and

WHEREAS, the Cayuga County Soil and Water Conservation District (CCSWCD) agreed to provide administrative oversight of the Program until such time as the Corporation was able to assume full and ongoing administration of the Program; and

WHEREAS, the CCSWCD currently provides such administrative support for the Program, utilizing annual funding support provided jointly by the City of Auburn and the Town of Owasco under a four-party agreement with the City of Auburn, the Town of Owasco, the County of Cayuga and the Cayuga County Soil & Water Conservation District, as parties to the agreement, with such agreement defining the roles and responsibilities of the parties and the associated funding structure supporting the Program (the “Current Agreement”); and

WHEREAS, on August 15, 2017, the Corporation and its Board of Directors approved a Board Resolution (the “August 15 Resolution”) confirming the Board’s determination that the Corporation is ready, willing and able to assume full administration of the Owasco Lake Watershed Inspection Program, and that doing so will be in the best interest of the Program and the ongoing water quality improvement initiatives focused and Owasco Lake and it’s watershed; and

WHEREAS, the Corporation has forwarded a certified copy of the August 15 Resolution to each of the four parties to the Current Agreement, seeking their unified action and cooperation in transitioning administration of the Program from the CCSWCD to the Corporation by collectively terminating the Current Agreement and simultaneously executing a new four party agreement under which the Corporation can realize its goal of administering the Owasco Lake Watershed Inspection Program going forward; and

WHEREAS, the Town of Owasco wishes to support the proposed transition of the Program to the Owasco Lake Watershed Management Council, NOW, THERFORE

BE IT RESOLVED, by the Town of Owasco as follows:

SECTION 1. The Town of Owasco, hereby express their appreciation and thanks to the Cayuga County Soil & Water Conservation District Board of Directors, Executive Director and staff for the administrative support provided to the Owasco Lake Watershed Inspection Program during its formative years as the Owasco Lake Watershed Management Council built its organizational and operational capacity to assume the full administrative responsibility and oversight for the Owasco Lake Watershed Inspection Program.

SECTION 2. The Town of Owasco, hereby requests the termination of the Current Agreement to be effective on or about the date of January 4, 2018.

SECTION 3. The Town of Owasco, hereby authorizes and directs Supervisor Ed Wagner to execute a new four-party agreement between the City of Auburn, the Town of Owasco, the County of Cayuga and the Owasco Lake Watershed Management Council, attached hereto and made a part of this resolution hereof, under which the full administrative responsibility for the Owasco Lake Watershed Inspection Program and employment of the Watershed Specialist and Watershed Inspectors (the staff) will transition to the Corporation (the “New Agreement”), on or about the date of January 4, 2018.

SECTION 4. The Town of Owasco, hereby authorizes and directs the Supervisor Ed Wagner to work directly with the four parties to the New Agreement to bring about the intent of this Resolution, and further, it hereby directs and authorizes the Town of Owasco, to execute any and all documents necessary and appropriate to carry out the intent of this Resolution; and

SECTION 5. This Resolution shall take effect immediately upon adoption.

Motion by; Councilperson Gucciardi. Second Councilperson Kerstetter

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

RESOLUTION 17-182 to approve budget modifications for October of 2017

Budget Modifications Recommendations			
		After Closing:	Sept 2017
Notes	Acct #	Account Description	(-) (+)
			Debit Credit
	A1220.403	Supervisor - Training	\$ 150.00

A1355.411	Assessors - Assessment Review Board	\$ 500.00		
A1410.411	Town Clerk - Training	\$ 150.00		
A1620.230	Buildings - Repair	\$ 250.00		
A7140.100	Playgrounds - Playground Directors	\$ 700.00		
A7140.110	Playgrounds - Summer Labor	\$ 2,500.00		
A7140.131	Shelter & Bathroom Maintenance	\$ 218.50		
<i>A599</i>	<i>Appropriated Fund Balance</i>			
A1620.240	Buildings - Computer		\$ 319.00	
A1620.241	Buildings - Computer/Server		\$ 40.00	
A5132.400	Garage - Contractual		\$ 40.00	
A8140.130	Playground - Maintenance		\$ 237.00	
A7140.201	Shelter & Playground Equipment		\$ 169.00	
A8010.421	Zoning - Legal Fees		\$ 640.00	
A9040.800	Workers Comp		\$ 3,023.50	
Totals:		\$ 4,468.50	\$ 4,468.50	\$ -

		(-)	(+)	
Acct #	Account Description	Debit	Credit	
DA5112.415	Improvements - Hot Mix	\$ 36,680.00		
DA5112.414	Improvements - Cold Mix		\$ 18,930.00	
DA5130.413	Diesel Fuel		\$ 4,900.00	
DA5130.415	Equipment Repairs		\$ 11,950.00	
DA5130.417	Equipment Rental		\$ 900.00	
Totals:		\$ 36,680.00	\$ 36,680.00	\$ -

		(-)	(+)	
Acct #	Account Description	Debit	Credit	
SS1-8120.410	Sewage Collection - Misc	\$ 309.25		
SS1-8110.400	Sewer Admin. - Contractual		\$ 19.00	
SS1-9040.800	Workers Comp		\$ 290.25	
Totals:		\$ 309.25	\$ 309.25	\$ -

		(-)	(+)	
Acct #	Account Description	Debit	Credit	
SS2-8120.451	Sewage Collection - Engineering	\$ 200.00		
SS2-8120.459	Sewage Collection - Grinder Pumps Repair	\$ 1,859.00		
SS2-8120.461	Sewage Collection - Grinder Pumps New Install	\$ 920.25		
SS2-8110.151	Sewer Admin - Clerk Special Project		\$ 1,000.00	
SS2-8110.400	Sewer Admin - Contractual		\$ 120.00	
SS2-8120.460	Sewage Collection - Grinder Pump Replace		\$ 1,859.00	
SS2-9710.700	Serial Bonds - Interest		\$ 0.25	
Totals:		\$ 2,979.25	\$ 2,979.25	\$ -

		(-)	(+)	
Acct #	Account Description	Debit	Credit	
SS3-8130.400	Contractual	\$ 1,450.00		
SS3-8110.400	Sewer Admin - Contractual		\$ 80.00	
SS3-8120.110	Sewage Collection - Personal Services		\$ 155.00	
SS3-8120.410	Sewage Collection - Misc		\$ 930.00	
SS3-8120.458	Sewage Collection - Repair/Cleaning		\$ 285.00	
Totals:		\$ 1,450.00	\$ 1,450.00	\$ -

		(-)	(+)	
Acct #	Account Description	Debit	Credit	
SW8340.458	Water Line Repairs	\$ 2,765.50		
SW8310.125	Personal Services - Special Projects		\$ 200.00	
SW8310.400	Administration - Office Contractual		\$ 65.00	
SW8310.453	Administration - Telephone		\$ 700.00	
SW9040.800	Workers Com		\$ 1,800.50	
Totals:		\$ 2,765.50	\$ 2,765.50	\$ -

NOTES:

Special Note: Move \$8,063.92 from the SS1 Escrow Account to Saving to help pay for the Principal payment on the Melrose/Havens serial debt that will be paid in October

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>		

Resolution 17-183 to create the position of Underground Facilities Locator pursuant to the Cayuga County Department of Human Resources and Civil Service Commission Job Specification adopted on 9.9.17.

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>		

Resolution 17-184 to hire Gary Lamberton as Underground Facilities Locator at the hourly rate of \$40.00 part time on an as needed basis.

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>		

RESOLUTION 17-185 **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 #10 2017 Vouchers #798-890 in the amount of \$244,829.27

Trust & Agency Voucher # 5351-5359 in the amount of \$ 23,573.61

for a grand total of \$ 268,402.88.

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>		

RESOLUTION 17-186 to reimburse Bevis/Mcque for grinder pump, as there was an overpayment per calculations per Rich Knauls calculations, in the amount of \$2153.00.

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>		

RESOLUTION 17-187 to adjourn to executive session at 6:21 to discuss litigation.

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>		

RESOLUTION 17-188 to return from executive session at 6:49 PM.

ADJOURNMENT:

RESOLUTION 17-189 to adjourn the meeting:

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>		

Meeting adjourned at 6:50 PM

Respectfully submitted: Tammy Flaherty- Town Clerk