

TOWN BOARD MEETING MINUTES

November 9, 2017

A Town Board Meeting of the Town of Owasco was held on November 9, 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
Councilperson Tony Gucciardi
ABSENT: Councilperson, Ashley Melendez

OTHERS PRESENT: Kathy O'Neil, Gary Colella, Bob Bruno, Nancy Taylor.

CALL TO ORDER: 4:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 17-197 approval of Town Board Agenda for November 9, 2017

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>		

APPROVAL OF MINUTES:

RESOLUTION 17-198 approval of Town Board Minutes for October 12, 2017,

Budget work shop minutes from October 24, 2017, October 26, 2017

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>		

PUBLIC PARTICIPATION:

COMMUNICATIONS:

NEW BUSINESS:

OLD BUSINESS:

RESOLUTION 17-199 to authorize the Town Supervisor to sign Change Order No. 2 for the Owasco Water District Improvements: Phase II Contract No. 2A.

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

This change order is to remove the siltation screen from the high lift pumps. Since the water is clean, treated water a siltation screen does not have to be installed. Removal of the screen will make the pumps easier to install and maintain.

Change Order Cost: This change order has a cost decrease of \$6,555.00.

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

Revised Contract Amount:

Original Contract No. 2a Amount:	\$1,693,000.00
Contract No. 2a – Change Order No. 1:	\$-48,714.00
Contract No. 2a – Change Order No. 2: (THIS CHANGE ORDER)	\$- <u>6,555.00</u>

Revised Contract No. 2a Amount: ***\$1,637,731.00***

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. 2 for the **Owasco Water District Improvements: Phase II Contract No. 2A** and hereby consents to the Town Engineer signing same **Change Order No. 2**.

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

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 17-200 To Authorize the Town Supervisor to sign the Amendment No. 1 Agreement to the Agreement dated October 13, 2017 with Barton & Loguidice, D.P.C. for the Town of Owasco Water Main Replacement Project, Phase 1 for an additional \$74,000.00.

WHEREAS, by **Resolution 17-178** on October 12, 2017 the Town Board authorized 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.

RESOLVED, that the Town Supervisor is authorized to sign the Amendment No. 1 Agreement to the Agreement dated October 13, 2017 with Barton & Loguidice, D.P.C. for the Town of Owasco Water Main Replacement Project, Phase 1 for an additional \$74,000.00.

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 17-201 to open- Public Hearing: for water main replacement project.
4:04 PM.

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>		

Resolution17-202 to close - Public Hearing: for water main replacement project.

closing at 4:05 PM

Motion by Councilperson Knaul; Second Councilperson Kerstetter

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 17-203 SEQRA RESOLUTION FOR LEAD AGENCY FOR OWASCO WATER MAIN REPLACEMENT PROJECT

WHEREAS, the Town of Owasco (Town) owns and operates a water system to meet the water demands within the Town and surrounding areas; and

WHEREAS, various water system infrastructure is showing deficiencies and/or the infrastructure is approaching the end of its useful life; and

WHEREAS, the Town of Owasco (Town) is progressing the Owasco Water Main Replacement Project (Project) to address the deficiencies in the Town water system; and

WHEREAS, the proposed project will replace existing water mains along Route 38A, Melrose Road, Oakridge Road, and Archie Street and specifically will include the following:

- Replace approximately 4,250 feet of water along Route 38A from Havens Avenue to Adams Avenue with 8” PVC water main;
- Replace approximately 3,800 of water main along Oakridge Road between Route 38A and Stryker Ave with 12” PVC water main;
- Replace approximately 900 feet of water main along Route 38A between White Bridge Road and Emerson Park with 8” PVC water main;
- Replace approximately 3,650 feet of water main along Melrose Road from Route 38A to just past Second Avenue with 8” PVC water main;
- Replace approximately 250 feet of water main along Archie Street near Melrose Road with 8” PVC water main.

WHEREAS, it is the intent of the Town of Owasco Town Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA review of the Project; and

WHEREAS, a Short Environmental Assessment Form (SEAF) must be completed and circulated to all Involved Agencies for purposes of establishing the Town Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6 for the purpose of conducting a SEQRA review of the Project; and

WHEREAS, at the direction of the Town, Barton & Loguidice, D.P.C. (B&L) has been authorized to proceed with engineering services associated with the Owasco Water Main

Replacement Project, including assistance in compliance with the State Environmental Quality Review Act (SEQRA).

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Owasco hereby is authorized to sign Part 1 of the Short Environmental Assessment Form; and it is

FURTHER RESOLVED, that the Town of Owasco Supervisor and the Town Board will circulate said Part 1 of the Short Environmental Assessment Form to the following list of “Interested and Involved Agencies” (**New York State Department of Environmental Conservation, New York State Department of Transportation, New York State Historic Preservation Office (SHPO)a, Cayuga County Health Department, Cayuga County Highway Department, City of Auburn Municipal Utilities, Town of Owasco Water Department, and Town of Owasco Highway Department**) under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under the SEQRA/SERP; and it is

FURTHER RESOLVED, that the Town of Owasco Supervisor and Town Board, together with the Town of Owasco Attorney, and Barton & Loguidice, D.P.C. are hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this determination.

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 17-204 TO APPROVE THE OWASCO WATER DISTRICT IMPROVEMENTS – WATER MAIN REPLACEMENTS, PHASE 1 MAP AND PLAN DATED NOVEMBER 2017.

WHEREAS, the Town of Owasco (Town) owns and operates a water system to meet the water demands within the Town and surrounding areas; and

WHEREAS, various water system infrastructure is showing deficiencies and/or the infrastructure is approaching the end of its useful life; and

WHEREAS, the Town of Owasco (Town) is progressing the Owasco Water Main Replacement Project (Project) to address the deficiencies in the Town water system; and

WHEREAS, the proposed project will replace existing water mains along Route 38A, Melrose Road, Oakridge Road, and Archie Street and specifically will include the following:

- Replace approximately 4,250 feet of water main along Route 38A from Havens Avenue to Adams Avenue with 8” PVC water main;
- Replace approximately 3,800 of water main along Oakridge Road between Route 38A and Stryker Ave with 12” PVC water main;
- Replace approximately 900 feet of water main along Route 38A between White Bridge Road and Emerson Park with 8” PVC water main;
- Replace approximately 3,650 feet of water main along Melrose Road from Route 38A to just past Second Avenue with 8” PVC water main;
- Replace approximately 250 feet of water main along Archie Street near Melrose Road with 8” PVC water main; and

WHEREAS, on November 2, 2017 a Notice of Public Hearing was published in The Citizen to consider adoption of the **Town of Owasco Water Main Replacement Project, Phase 1, Map**

and Plan dated November 2017 in accordance with Town Law Section 202-b Increase or Improvements of Facilities. Said Notice indicated that “The maximum amount to be expended by Owasco Water District would be **\$1,999,000.00**. The estimated increases in annual user costs for the typical property in the Owasco Water District based on the proposed improvements is \$68.48 per year for 25 years”; and

WHEREAS, on this date, 11.9.17, a Public Hearing was held and closed regarding the adoption of the **Town of Owasco Water Main Replacement Project, Phase 1, Map and Plan dated November 2017**; and

WHEREAS, on this date, 11.9.17, the Town Board by **Resolution 17-203** declared its intent to act as Lead Agency and the Town Supervisor was authorized to sign Part 1 of the Short Environmental Assessment Form.

RESOLVED, the Town Board hereby approves the **Owasco Water District Improvements – Water Main Replacements, Phase 1, Map and Plan dated November 2017** pursuant to Town Law Section 202-b to acquire and construct Water Improvements as set forth therein at a maximum amount to be expended of **\$1,999,000.00**.

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 17-205 To authorize the Town Supervisor to accept the proposal of Costich Engineering dated October 30, 2017 for Town of Owasco Water Main Replacement Project Phase 1 for the amount not to exceed \$15,495.00.

WHEREAS, Barton and Loguidice and the Town of Owasco solicited proposals for the survey consistent with the Town Procurement Policy.

RESOLVED, that the Town Supervisor is authorized to accept the proposal of Costich Engineering dated October 30, 2017 for Town of Owasco Water Main Replacement Project Phase 1 for the amount not to exceed \$15,495.00.

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 17-206 to schedule a public hearing regarding the adoption of the Town of Owasco Local Law No. 3 of 2017 to amend Town Code Section 116-9 Connection to public sewer; when required.

WHEREAS, proposed Local Law No. 3 of 2017 will amend Section 116-9 to read:

§ 116-9. Connection to public sewer; when required.

A.

The owner of all houses, buildings, structures or properties used for human occupancy, employment, recreation, or other purposes situated within the Town Sewer Districts 1, 2 and 3 and any extensions thereof or future Town Sewer Districts and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Town is hereby required, at the owner's expense, to install suitable toilet facilities

therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article: 1) prior to issuance of a certificate of occupancy or certificate of compliance for a new or existing dwelling or structure; or 2) within 180 days after a property or title transfer, provided that said public sewer is reasonably accessible to the property in the judgment of the Sewer Superintendent or Town Board; or 3) for properties situated within Owasco Town Sewer District 3 all existing dwellings or structures no later than July 1, 2018; or 4) in any new or additional Town sewer district within one (1) year from the date the public sewer system officially goes on line.

B.
Civil liability. Any person violating any of the provisions of this section, except as otherwise provided herein, shall be subject to a fine of not more than \$500 and be civilly liable to the Town for any expense, loss or damage occasioned to the Town by reason of such violation.

C.
Injunctive relief. The Town Board shall have the right to seek equitable relief in the name of the Town to restrain the violation of, or to compel compliance with this section, or any order or determination issued thereunder by the Sewer Superintendent or Town Board.

This local law shall take effect immediately upon the filing with the Secretary of State.

RESOLVED, that the Town Clerk is directed to schedule a Public Hearing regarding the adoption of the Town of Owasco Local Law No. 3 of 2017.

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 17-207 to authorize the Town Supervisor to purchase the two (2) Calgan Carbon Vessels located at the Owasco Water Plant per contract, contingent upon approval from the NYS DEC using the grant allocations.

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 17-208 to authorize Supervisor to sign agreement with Walkable Owasco for survey design and construction of sidewalk & trails.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
	Councilperson Kerstetter	<u>NO</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 17-208 A to approval suggested budget modifications for the month of November 2017

Budget Modifications Recommendations
After Closing: October 2017

Notes	Acct #	Account Description	(-)	(+)
			Debit	Credit
	A5132.452	Garage - Electric & Gas	\$ 1,000.00	
	A7140.110	Playgrounds - Summer Labor	\$ 200.00	
	A7140.131	Shelter & Bathroom Maint	\$ 350.00	
	A7310.421	Youth Program - Theater	\$ 250.00	
	A7989.410	Public Market Contractual	\$ 400.00	
	A8010.422	Zoning - Training	\$ 497.50	
	A8020.100	Planning - Planning Board Secretary	\$ 250.00	
	A8020.422	Planning - Training	\$ 497.50	
	A599	Appropriated Fund Balance	\$ -	
	A5132.200	Garage - Equipment		\$ 595.00
	A5132.400	Garage - Contractual		\$ 1,480.00
	A7140.130	Playground Maintenance		\$ 363.00
	A7140.430	Playgrounds - Improvements		\$ 757.00
	A8010.100	Zoning - ZBA Secretary		\$ 250.00
	Totals:		\$ 3,445.00	\$ 3,445.00

	Acct #	Account Description	(-)	(+)
			Debit	Credit
	DA5130213	Machinery - 3/4 Ton Truck	\$ 7,002.00	
	DA5112.413	Improvements - Stone		\$ 2,217.00
	DA5130.415	Equipment - Repairs		\$ 3,285.00
	DA5130.417	Equipment - Rental		\$ 1,500.00
	Totals:		\$ 7,002.00	\$ 7,002.00

	Acct #	Account Description	(-)	(+)
			Debit	Credit
	SS1-9730.700	Bond Anticipation Notes - Interest	\$ 9,567.00	

SS1-8110.400	Sewer Admin - Contractual		\$ 835.00
SS1-8120.110	Sewage Collection - Personal Services		\$ 978.00
SS1-8120.410	Sewage Collection - Misc		\$ 977.00
SS1-8120.452	Sewer Dist #3 - Requirement Improvements		\$ 6,777.00
Totals:		\$ 9,567.00	\$ 9,567.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS2-9730.700	Bond Anticipation Notes - Interest	\$ 1,581.00	
SS2-8110.400	Sewer Admin - Contractual		\$ 290.00
SS2-8120.110	Sewage Collection - Personal Services		\$ 1,291.00
Totals:		\$ 1,581.00	\$ 1,581.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS3-8130.400	Sewage Treatment & Disposal - Contractual	\$ 577.00	
SS3-8110.400	Sewer Admin - Contractual		\$ 146.00
SS3-8120.110	Sewage Collection - Personel Services		\$ 211.00
SS3-8120.410	Sewage Collection - Misc		\$ 220.00
Totals:		\$ 577.00	\$ 577.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SW8340.458	Water Line Repairs	\$ 1,275.00	
SW8310.125	Personal Services - Special Projects		\$ 103.00
SW8310.200	Admin - Equipment		\$ 297.00
SW8310.400	Admin - Office Contractual		\$ 400.00
SW8310.403	Water Admin - Water Shed Inspector		\$ 475.00
Totals:		\$ 1,275.00	\$ 1,275.00

Motion by; Councilperson Gucciardi.
Roll call vote: Councilperson Knaul
Councilperson Kerstetter
Supervisor Wagner

Second Councilperson Kerstetter
Yes
Yes
Yes

Councilperson Gucciardi
Yes
Councilperson Melendez
absent

Resolution 17-209 to open- Public Hearing: on the Preliminary Budget of the Town of Owasco for the fiscal year beginning January 1, 2018 including general Town funds, Highway, Water and Sewer Districts started at 4:44 PM

Motion by Councilperson Knaul; Second Councilperson Kerstetter

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>		

Resolution17-210 to close the Public Hearing Preliminary Budget of the Town of Owasco for the fiscal year beginning January 1, 2018 including general Town funds, Highway, Water and Sewer Districts, closing at 4:45PM

Motion by: Councilperson Gucciardi. Second Councilperson Kerstetter

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 17-211 to approve the Final Budget (as amended) for the Town of Owasco for the fiscal year beginning January 1, 2018 including general Town Funds, Highway and Water and Sewer Districts. Board agreed to increase the general fund \$60.000 for full time Utility Engineer.

Motion by: Councilperson Gucciardi. Second Councilperson Kerstetter

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- 212 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 17-009 adopted January 12, 2017, all in accordance with the attached abstract of claims.

ABSTRACT #011 2017 Vouchers # 891-986 in the amount of \$484,121.37

Trust & Agency Voucher # 5360-5368 in the amount of \$ 23,574.52

for a grand total of \$507,695.89

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>Yes</u>
Supervisor Wagner	<u>Yes</u>		

ADJOURNMENT:

RESOLUTION 17-213 to adjourn to executive session at 5:18 to discuss personnel issues.

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 17-214 to return from executive session at 5:37 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>		

ADJOURNMENT:

RESOLUTION 17-215 to adjourn the meeting:

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>		

Meeting adjourned at 5:39 PM